

ANNUAL REPORT ON 2018



The Annual Report for ECRE donors and members reports progress against the objectives set out in the ECRE Strategic Plan 2017-2019.

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

- » Activity I: Legal Support and Litigation
- » Activity II: Legal and Policy Research
- » Activity III: Advocacy
- » Activity IV: Communications

There is also a set of objectives on organisational change, which is reported on after the activity objectives. The summary at the start of the report provides an overview each area.

ACTIVITY I: 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.

Judgments issued during the reporting period contributed to the overall objectives. In the following national and European judgments ECRE provided legal support to the particular representative in the case or ECRE's work was cited in the judgment. These judgments illustrate how the overall objectives are being met and include:

- » CJEU, C-662/17 relating to the differential treatment of beneficiaries of international and subsidiary protection. Legal support given by the LSLT contributed to a more defined research trajectory and clearer written submissions on the part of the litigator. Significantly, the judgment given by the CJEU ultimately followed the litigator's argumentation and resulted in a favourable judgment for beneficiaries of subsidiary protection in Slovenia and, potentially, throughout the EU.
- » Supreme Administrative Court, Poland II OSK 2766/17 and 12 others, relating to procedural guarantees for persons wishing to enter Poland and seek asylum at the Polish-Belarusian border. Direct references were made by the applicant's representative to the LSLT's research on procedural guarantees under the Schengen Border Code and the right to be heard to the Court. A total of 13 judgments have been given by the Supreme Administrative Court which have all dismissed the State's appeal and have led to the revocation of all refusal of entry decisions. In all judgments the Court clarified and emphasised the procedural guarantees of persons at the border.
- » Supreme Administrative Court of Austria, **Joint Cases:** W233 2146828-1/24E, W233 2146827-1/24E, W233 2146831-1/23E and W233 2146829-1/24E relating to the proposed Dublin transfer of various asylum applicants to Bulgaria. The Court cited throughout these judgments the [ECRE/ELENA Research Note: Reception conditions, detention and procedural safeguards for asylum seekers and content of international protection status in Bulgaria](#) to find that the applicants transfer to Bulgaria would entail a violation of their fundamental rights.

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.

In 2018, the [ELENA forum](#) became fully operational. The IT component of the Forum was brought in-house and ECRE's web developer has improved the lay-out and functions of the site. At December 2018 the Forum hosts 144 users, who are ELENA coordinators, lawyers on the ELENA Index, UNHCR PLUS staff and lawyers who have been recommended by UNHCR regional offices. There are currently 18 discussion forums which are split up into various subjects, a single litigation forum where 20 subjects have been discussed, and a private forum uniquely for ELENA Coordinators where 24 questions have already been posted. In total there have been 211 posts on the Forum by users.

The ELENA network sees positive dynamics in national coordination. New coordinators took over in Austria, Estonia, Denmark, Iceland, Greece, Turkey, Serbia, Sweden and Ukraine; domestic coordinators responded to over 30 legal requests.

The ELENA Coordinators meeting on 6 December 2018 brought together 35 ELENA coordinators and 4 ECRE staff to identify ELENA's priorities and plans for 2019. Specific topics discussed included: administrative agreements between Member States in respect of transferring applicants to certain Member States, family reunification, procedural guarantees at the border, cessation and exclusion, reception rights and criminalisation of civil society. Concrete suggestions were made as to how ELENA coordinators and ECRE staff could work together on these subjects.

Connections between ECRE and academia have been strengthened with a collaboration established with Ghent University Migration Clinic, in the form of two research proposals, one on the circumvention of the Dublin Regulation through bilateral administrative agreements and the compatibility of these agreements with EU law, and the second on the accountability of EASO. The first proposal, conceived and drafted by ECRE led to an extensive research paper produced by the clinic which has been sent to ELENA coordinators for potential litigation on the subject.

Finally, ECRE produced 2 legal notes with the significant contribution of the ELENA coordinators:

- » on the Application of the [Dublin Regulation to family reunion cases \(February 2018\)](#);
- » on [Ageing Out and Family Reunification](#) (June 2018).

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

80 legal queries were responded to during the reporting period by ECRE. Responses to legal queries were given to lawyers from Belgium, Hungary, Switzerland, the Netherlands, the UK, Denmark, Luxembourg, Sweden, Estonia, Greece, Turkey, Ireland, Finland, Greece, Poland, Georgia and the Czech Republic. Subject material ranged from returns to Afghanistan, to exclusion, case law of international mechanisms on non-refoulement and an effective remedy under the Dublin Regulation.

ECRE undertook trainings of national lawyers:

- » A strategic litigation training in conjunction with the AIRE Centre for our Belgian member Nansen and the Belgian lawyers that they work with. 30 Belgian lawyers have been trained and further training in 2019 has been requested by Nansen to ECRE.
- » A strategic litigation in practice workshop at ECRE's Annual General Conference in November where the do's and don't's of strategic litigation were provided to participants. The workshop was moderated by then ECRE Board member Neil Falzon and was followed by requests from ELENA coordinators in Sweden and Serbia to have further training on the subject.
- » Two strategic litigation trainings and one training on international refugee law were given to ECRE members and lawyers in Turkey under the auspices of the EU-funded project "[Fostering Access to Rights for Migrants, Refugees and Asylum-Seekers in Turkey](#)".

ECRE also contributed to the JUDI project led by the Greek Refugee Council aimed at training lawyers across Europe and developing training materials. ECRE reviewed the training materials and contributed to the project events in Greece.

ECRE also drafted one training module and reviewed other training modules produced under the ECRE-led "Upholding the rights of unaccompanied minors" project.

The [Advanced ELENA Course: Refugee law in practice: from recognition to denial of protection](#) took place in December in Lisbon. It was attended by 116 practitioners, academics, decision makers and representatives from civil society. The Course included prestigious guest lectures from the UK Advocate General to the CJEU, Eleanor Sharpston, the Portuguese judge at the European Court of Human Rights, Judge Paulo Pinto de Albuquerque, and in-depth lectures and workshops given by a UK Upper Tribunal judge, a professor of international refugee law, barristers, and senior staff members from UNHCR and ICJ.

ECRE participated in a training event for Bulgarian lawyers in Sofia on the lodging of preliminary references to the CJEU led by UNHCR and part of ECRE's cooperation on Judicial Engagement with UNHCR.

ECRE staff were invited to participate in and moderated sessions on execution of ECtHR judgments training hosted by the European Implementation Network in Strasbourg, gave a guest lecture on the Dublin Regulation at Ghent University, and participated in a legal symposium in Berlin hosted by the EU-Russia Civil Society Forum.

The ELENA Weekly Legal Update produced by ECRE regularly provided information on legal developments across Europe. 36 issues were published in 2018 and the EWLU readership went up by 1,200 to 4,270 readers as of December 2018.

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.

ECRE continued to coordinate the Litigation Task Force comprised of the AIRE Centre, the DCR and ICJ and held regular litigation coordination meetings with UNHCR.

In 2018 ECRE undertook 77 assessments of ECtHR communicated cases for the purpose of analysing whether to lodge a Third Party Intervention. During this period it was agreed by all Task Force members to intervene in:

- » **Nahhas and others v. Belgium** (relinquished to the Grand Chamber as *M.N. v Belgium*), in September 2018 (led by the DCR). This case is a follow-up to the CJEU case *XX* in that it concerns a family's request for a humanitarian visa to be able to travel to Belgium in order to apply for asylum in the country.
- » **Trawalli and Others v. Italy**, June 2018 relating to the deprivation of liberty of children in the Italian hotspot (led by ICJ);
- » **N.D. and N.T. v. Spain**, (GC) April 2018 concerning summary expulsions from Spain to Morocco (led by ECRE);
- » **Ilias and Ahmed v. Hungary** (GC), January 2018 regarding deprivation of liberty in the transit zone and automatic application of the safe third country concept without rigorous assessment of an asylum claim.

The Taskforce also intervened in **D.D. v Spain** in May 2018 (led by ICJ with a significant contribution by ECRE) before the UN Commission on the Rights of the Child that concerned summary expulsion of children from Spain.

ECRE supported lawyers in Belgium, Turkey, Cyprus, the Czech Republic, Finland, Malta, and Slovenia regarding their applications to the ECtHR, UN mechanisms or CJEU. The team's research also contributed to various submissions by lawyers in Greece.

For the first time, ECRE also took two direct legal actions to different judicial and quasi-judicial bodies. The first was a [collective complaint submitted in collaboration with ICJ](#) to the European Committee of Social Rights against Greece. The complaint alleged that Greece is breaching several of the European Social Charter's articles in its treatment of unaccompanied and accompanied migrant children on the mainland and Northern Eastern Aegean islands. The second legal action was an application taken to the Italian Administrative Tribunal Lazio 10979/2017 on behalf of ECRE and ICJ in a case concerning the misappropriation of funds by Italy to service and train the Libyan coastguard, a coastguard which has been widely acknowledged as preventing the exit from Libya and entry to European MS territory of migrants as well as subjecting migrants to severe ill-treatment. The complaint was brought by ASGI with ECRE and ICJ supporting.

EDAL

146 case summaries were uploaded to EDAL with a specific focus on clearing the backlog of ECtHR and CJEU cases. 7 blog posts were uploaded to EDAL. There has been a steady increase in users, sessions and page views of 10-11% with 115,803 users, 197,294 sessions and 387,765 page views for 2018.

Continued co-operation with universities ensures that EDAL summaries are completed pro-bono. Co-operation currently exists with Queen Mary University in London, BPP University across the UK, and Cologne University Refugee Law Clinic in Germany.

ACTIVITY II: 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. As the co-legislators, the European Parliament (EP) and the Council, engaged in inter-institutional negotiations (“trilogues”) on all files except for the Dublin IV Regulation and Asylum Procedures Regulation, ECRE continued to provide advice and concrete recommendations for compromise amendments. Provisional agreements between the European Parliament and the Bulgarian Presidency on the proposals for a Qualification Regulation, a recast Reception Conditions Directive and a Union Resettlement Framework were concluded in June but were subsequently not endorsed by the Council. The Austrian Presidency continued discussions in Council on the three proposals but without reaching a common position to resume trilogue negotiations. It is unlikely that discussions with the European Parliament will resume before the European Elections.

ECRE also published its analysis of further legislative proposals tabled by the European Commission in the course of 2018, making concrete recommendations to EU co-legislators for amendments:

- » [ECRE Comments](#) on the Commission proposal amending the Migration Statistics Regulation
- » [ECRE Comments](#) on the Commission proposal for a Regulation on the European Border and Coast Guard (EBCG)
- » [ECRE Comments](#) on the Commission proposal for a recast Return Directive

In 2018 ECRE also published one Policy Paper, one Legal Note and two Policy Notes on issues related to the legal framework of the CEAS and the uncertain fate of the reform:

- » [Policy Paper #4](#): Asylum at the European Council 2018: Outsourcing or Reform?
- » ECRE’s analysis of the proposals launched at the June 2018 European Council and its updated assessment of the CEAS legislative reforms, with recommendations on the compromise texts.
- » [Legal Note #3](#): Beyond Solidarity: Rights and Reform of Dublin
- » ECRE’s call on states to ensure fundamental rights protection in the reform of the Dublin system
- » [Policy Note #10](#): Making Asylum Numbers Count
- » ECRE’s analysis of gaps and needs for reform in data collection on the Common European Asylum System
- » [Policy Note #14](#): Taking Liberties: Detention and Asylum Law Reform
- » ECRE’s concerns about the restrictions on asylum seekers’ liberty in the reform of the Common European Asylum System and in practice

ECRE held numerous meetings with the EP and Council: ECRE was in continuous contact in meetings, by email and phone with key stakeholders in the EP, 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 Bulgarian and Austrian Presidency and the incoming Romanian Presidency, Member State delegations (France, Luxembourg, Finland, the Netherlands and Belgium) and Member State asylum authorities (Greece, Spain, Belgium, Cyprus).

Examples of influence include:

- » **Proposal for an Asylum Procedures Regulation**: The [EP report](#), published on 22 May 2018, adopts several ECRE recommendations. It deletes “merits testing” from the provision of free legal assistance

and representation, takes up ECRE's suggested amendments on age assessment of unaccompanied children, including the right to appeal age assessment decisions, as well as the optional nature of admissibility procedures. Furthermore, in line with ECRE's position, the EP's position deletes the controversial Commission proposal to restrict the scope of the appeal to new elements which the applicant was unable to submit at the first instance procedure; maintains the optional nature of the safe third country concept as well as the connection requirement, aligns the concept of effective protection to UNHCR's definition and maintains.

- » **Proposal for a recast Reception Conditions Directive:** ECRE further engaged with the rapporteurs and shadow rapporteurs on the Reception Conditions Directive proposal during trilogue negotiations between the Bulgarian Presidency and the European Parliament in the first half of 2018. Advocacy efforts concentrated on a controversial Council proposal to introduce a new provision on "organisation of reception systems", allowing Member States to allocate applicants to specific accommodation in addition to allocation to a specific geographical area or designation to a specific residence. An informal background note was submitted to the EP negotiators denouncing the potential adverse effects on asylum seekers' freedom of movement and possibilities to challenge unlawful freedom restrictions or deprivation of liberty. In trilogue negotiations the respective purpose and distinctions between the three concepts were clarified to some extent while detention because of non-compliance with allocation to a specific accommodation or geographical location is excluded in the provisional agreement with the Bulgarian Presidency. Also detention of children and exclusion of asylum seekers who engaged in secondary movement from material reception conditions was subject to negotiation in trilogues. Here too, ECRE provided further support to the EP negotiators during the process in the form of analysis of compromise proposals from a legal and practical perspective. Although the provisional agreement does not fully reflect ECRE's positions, under the provisional agreement, detention of children is subject to a best interest assessment (which is opposed by a number of Member States) while the scope of refusal of access to the general reception system for asylum seekers who engaged in secondary movements is restricted to after the notification of a Dublin transfer decision to the applicant.
- » **Proposal for a Qualification Regulation:** Similar to the discussions on the recast Reception Conditions Directive proposal, ECRE continued advocacy efforts on the Qualification Regulation Proposal and provided further support to European Parliament negotiators in particular in the first semester of 2018. ECRE's advocacy efforts concentrated in particular on the provisions relating to actors of protection, the internal protection alternative and the mandatory review of protection statuses. The provisional agreement with the Bulgarian Presidency finally deleted the provision on mandatory review of international protection status fully in line with the ECRE's position and nuanced the mandatory nature of the internal protection alternative and emphasised the presumption against the existence of an internal protection alternative for the applicant if persecution emanates from a state actor, partly in line with ECRE's recommendations.
- » **Proposal amending the Migration Statistics Regulation:** ECRE has been the only NGO engaged in the reform of this instrument at EU level so far. Through regular and close contact with the team of the rapporteur and selected shadow rapporteurs, ECRE has been able to shape the European Parliament position on the proposal so as to push for an ambitious expansion of the Regulation to cover more areas of the CEAS. The [EP report](#) published on 26 November 2018 took up all of the recommendations made in ECRE's Comments, as well as several additional amendments suggested to shadow rapporteurs. The EP has inserted 18 new provisions based on ECRE recommendations, including on detention, reception, vulnerability and age assessment.
- » **Proposal for an EBCG Regulation:** [amendments](#) to the [draft report](#), tabled by all political groups, including by the rapporteur herself, adopt various ECRE recommendations, such as on the deletion of mixed return operations, strengthening the independence and resources of the Fundamental Rights Officer, widening the scope and efficiency of the complaints mechanism, the deletion of controlled centres, the tasks and role of migration management support teams, the suspension or termination of operations etc.

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 an active member of the Consultative Forum to Frontex and EASO, ECRE has continued to work with the Agencies and key individuals within both. ECRE participated in three general Consultative Forum Meetings and one meeting of the working group on accountability with the Frontex legal unit to discuss the findings of the expert opinion commissioned by the Forum in 2017 as well as various scenario's where the Agency's accountability and liability for human rights violations occurring in the context of its operations could be

engaged. The meeting confirmed the increased awareness within the legal unit of the responsibility of the Agency/EU for human rights violations resulting from their operations and receptiveness to discuss it more broadly within the Agency.

A second legal opinion was commissioned from Professor Jorrit Rijpma and Dr. Melanie Fink on the fundamental rights implications of the Agency's enhanced cooperation with third countries, and in particular Frontex/EU responsibility for human rights violations in the context of Frontex operations on the territory of third countries. This resulted in a recommendation of the Consultative Forum on the fundamental rights implications of the Agency's cooperation with third countries which will be submitted to the Management Board in January 2019.

ECRE also actively contributed to the revision of the rules on the complaints mechanism and facilitated the organisation of a session with the European Statelessness Network which resulted in a CF recommendation on Statelessness in the activities of the EBCG which was submitted to the Management Board and Executive Director in December 2018.

Following on from positive experience with input to EASO's work in 2017, ECRE made a submission to EASO on 1 March 2018, extracting information from AIDA, much of which was incorporated in the Agency's Annual Report 2017 (see below). ECRE also attended the Consultative Forum Thematic Meeting on access to information for asylum seekers, held on 28 March 2018 in Malta and the Annual Consultative Forum Meeting in Brussels on 6 December 2018, where ECRE was one of only two NGOs invited to make a speech in the plenary sessions. ECRE also continued its review of EASO training modules used to train thousands of national caseworkers across the EU and beyond. ECRE provided comments on updates of training modules on interviewing vulnerable groups, children, the CEAS, end of protection and exclusion.

ECRE has used the second phase of the "Hotspots project" supported by the Dutch Council for Refugees as an opportunity to conduct in-depth research on the role of EASO in national asylum systems and its impact on procedures and reception at Member State level, through fact-finding missions to Member States where the Agency has deployed experts (Cyprus, Italy and Greece). A first mission to Cyprus was carried out from 26 to 30 November 2018, during which ECRE met with national authorities, the EASO team in Cyprus, UNHCR and NGOs, and analysed a sample of asylum decisions based on interviews conducted by EASO personnel. Findings and recommendations to the Agency based on the three missions will be compiled in a report to be published by the end of 2019.

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, its input into the Commission's monitoring of implementation (see below) and its work on EASO training modules discussed above. 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.

In 2018 ECRE published one Policy Paper and one Legal Note relating to rights-based implementation of the Dublin system:

- » **Policy Paper #5:** Bilateral agreements: Implementing or Bypassing the Dublin Regulation? ECRE's assessment of recent bilateral agreements for transfers of asylum seekers, including a controversial administrative arrangement between Germany and Greece outside the framework of the Dublin Regulation, calling for increased monitoring by the Commission, full transparency by Member States and abandoning circumvention of procedural safeguards.
- » **Policy Note #16:** To Dublin or Not To Dublin?
- » ECRE's assessment of the policy choices undermining the functioning of the Dublin Regulation, with recommendations for rights-based compliance

Through the establishment of a EUR 26,000 National Accountability Fund as part of AIDA (see below) in 2018, ECRE has 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 has enabled the Irish Refugee Council (Ireland) to carry out analysis and advocacy on the transposition of the recast Reception Conditions Directive completed in July 2018, and 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.

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 [2017 Update](#) of the AIDA country reports, completed in March 2018, provided up-to-date information on asylum procedures, reception conditions, detention and content of international protection in 23 European countries. This includes non-EU countries such as Turkey, for which research for the report was prepared by a consultant following field visits (Istanbul, Izmir, Ankara, Gaziantep, Antakya, Mersin, Adana) and interviews with relevant stakeholders.

1. Enhancing data collection capacity

AIDA continues to support civil society organisations' data collection activities by providing: (i) a uniform framework for information collection on national asylum systems; and (ii) an authoritative brand to allow them to obtain information from national authorities.

In March 2018 ECRE published [statistics](#) on the Dublin system (2017) for 18 European countries based on AIDA, far ahead of Eurostat figures which were only completed in October 2018. Up-to-date Dublin [statistics](#) (first half 2018) were also published by ECRE in October 2018.

AIDA contributed to a UK Home Office policy change concerning asylum statistics. Following systematic [parliamentary questions](#) in the House of Lords and the House of Commons supported by the Refugee Council in 2017 and 2018 to which the government repeatedly refused to provide information, the Home Office [quarterly figures](#) released in early 2018 published detailed Dublin statistics for the first time.

AIDA experts in several countries (e.g. Greece, Romania, Poland, Malta, Slovenia, Hungary, and Sweden) have successfully pushed for the establishment of data collection practices with regard to information on which Member States are not generally required to report. This includes data on accelerated and admissibility procedures, persons with special needs, age assessments, travel documents for beneficiaries of international protection and naturalisation.

2. Supporting legal practitioners and policy-makers

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, Greece, Luxembourg, the Netherlands, Slovenia, Switzerland and Iceland, as well as the European Court of Human Rights and the Court of Justice of the European Union.

AIDA outputs have also been relied upon by EU institutions and have positively influenced their work on asylum systems:

- » European Commission (DG HOME): On 8 November 2018, the European Commission sent a [letter of formal notice](#) to Bulgaria concerning the incorrect implementation of the Asylum Procedures and Reception Conditions Directives. The [Country Report Bulgaria](#) played a central role in bringing deficiencies to the [attention](#) of the European Commission and served as the evidence base for its monitoring action.
- » European Commission (DG ECHO): The [evaluation](#) of the implementation of Regulation 2016/369 on emergency humanitarian assistance within the EU, commissioned by DG ECHO, cites the [Country Report Greece](#).
- » European Parliament: The [Resolution on children in migration](#) cites AIDA comparative reports on reception and asylum procedures in its Recital G, referring to obstacles to children's access to the asylum procedure in Europe.
- » EASO: The [Annual Report on the Situation of Asylum in the EU 2017](#), published in June 2018, includes 77 citations of AIDA reports, up from 45 in its predecessor. The report has made considerable

improvements with regard to balanced, detailed information on the state of national asylum systems. This is namely the case in relation to the Dublin system, where EASO lists Member State positions on transfers to Bulgaria, Hungary and Greece. These often quote AIDA directly.

AIDA has also been used as credible evidence in debates at national level. The [impact assessment](#) of the asylum and immigration reform in France, adopted in August 2018, cited the [AIDA research](#) to highlight that at least 13 countries provided more favourable standards on the length of residence permits. The law extended the validity period of subsidiary protection permits from one year to four.

2) Centralise research activities and host ECRE and members' related publications

AIDA has continued to provide an important framework for ECRE research activities, with relevant comparative research publications in 2018:

- » [Comparative report](#): Boundaries of Liberty: Asylum and *de facto* detention in Europe
- » [Comparative report](#): Access to protection in Europe: Borders and entry into the territory
- » [Comparative report](#): Access to protection in Europe: The registration of asylum applications
- » [Briefing](#): Relocation of asylum seekers in Europe: A view from receiving countries
- » [Briefing](#): Withdrawal of reception conditions for asylum seekers: An appropriate, effective or legal sanction?

As part of AIDA research on *de facto* detention of asylum seekers, ECRE conducted fact-finding missions to [France](#) from 23 to 27 April 2018 and to Belgium from 20 to 21 August 2018. These have enabled ECRE to develop its capacity to monitor national practice, as well as to make contact with authorities and civil society organisations beyond its membership.

Relevant country-specific and comparative publications from member organisations are hosted on the AIDA website (www.asylumineurope.org), which ECRE manages and updates on a regular basis. The website attracts an increasing number of visitors: from 525,688 views in 2015, to 637,027 in 2016, to 754,642 in 2017, to over 900,000 in 2018. The website has attracted over 3.1m views since its launch.

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

In 2018 AIDA expanded from 21 to 23 countries with the addition of Romania and Slovenia. The new country reports have quickly gained authority as sources of evidence on national asylum systems, and have been widely cited by jurisdictions in Belgium ([Council of Alien Law Litigation](#)), Germany ([Düsseldorf](#), [Frankfurt](#), [Aachen](#), [Hannover](#)) and the Netherlands ([Roermond](#), [The Hague](#)), as well as by EASO in its [Annual Report 2017](#).

ECRE has also continued to receive spontaneous expressions of interest in joining AIDA from members such as OPU (Czech Republic).

ACTIVITY III: ADVOCACY

Following the current strategic plan, ECRE's advocacy work covered the following topics:

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

ECRE further adapted its advocacy by developing advocacy plans for each objective in the current strategic plan and by supporting member advocacy. It developed Advocacy Briefings, which are short internal documents that provide an updates and key messages which members take forward with policy-makers in the Member States. Twelve Advocacy Briefings were produced in 2018.

#YourVoteOurFuture Campaign on the European Parliament election

For the European Parliament (EP) elections in May 2019, ECRE is running an EU-wide campaign #YourVoteOurFuture jointly developed by ECRE's advocacy and communications teams. The objectives are 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.

This work will continue throughout 2019 and a second phase of advocacy engagement with the newly elected European Parliament and the new Cabinet of Commissioners is planned.

In 2018, the advocacy part of the campaign included briefings for members and wider civil society, including refugee advocates and refugee-led organisations, about the role of the EP in EU asylum and migration policy, the significance of the EP elections and influencing of European party programmes. The briefings have been well-received by ECRE members who are using them for their work. A roundtable to plan scenarios for the EP elections convened under the UNHCR Strategic Partnership in September supported the assessment and analysis of ECRE and its members. Through the outreach to refugee advocates and refugee-led organisations, which forms a major part of the campaign, ECRE's advocacy team is able to develop advocacy initiatives which are more inclusive of refugees.

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.

One of the most powerful ways in which the EU acts outside Europe is as a donor and thus the negotiations on the next EU budget, the Multiannual Financial Framework (MFF), for 2021-2027 are crucial. In May 2018, ECRE published its assessment on a Policy Note on the European Commission's proposal for the MFF which set out how EU development assistance should be used to advance protection.

A meeting convened in June 2018 within the Strategic Partnership with UNHCR was the first discussion on the MFF proposals for internal and external funding from a refugee rights perspective and brought together 75 participants. The event demonstrated ECRE's convening power with representatives from the EU External Action Service, European Commission (EC) (DG Devco, DG Home), MEPs, Member States and a diverse group of civil society including refugee advocates and many ECRE members. It enabled ECRE to shape the debate on the MFF by putting forward its analysis and recommendations and supported civil society collectively to engage in MFF advocacy.

ECRE has followed Global Compact for Refugees (GCR) and provided ECRE members with updates during the consultations including via two Advocacy Briefings (in April and June 2018). Concrete advocacy recommendations from those briefings have been taken forward at the capital level by members. Once the GCR had been agreed, ECRE published a Policy Note in November 2018 which set out how the GCR should be implemented in and by Europe. Advocacy meetings with the EU institutions in charge of implementing the GCR have taken place and advocacy on this topic will continue throughout 2019.

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.

Specific focus was given to the Western Balkans. Ahead of the Western Balkans Summit in May 2018, ECRE was involved in drafting a joint civil society statement, based on the input collected from members in the region. The statement led to meetings with EC officials working on the Western Balkans, which were used to put forward advocacy recommendations. ECRE supported bilateral advocacy of members from the region by making contacts with EU institutions and providing updates on EU developments.

Members from the Russian Federation and Serbia were also supported to attend the ECRE members' meeting on returns and were able to discuss concerns with the European Commission. The Annual General Conference (AGC) in Belgrade also provided the opportunity to discuss the EU and refugee rights in the Balkans for 200 participants.

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.

ECRE has developed a partnership with the Quaker Council for European Affairs (QCEA) which focuses on security and migration. The cooperation enables ECRE to access EU officials in the field of security policy and to encourage a constructive dialogue between civil society, including refugee advocates, and EU policy-makers on security and migration, such as the EU's response to migrant smuggling on which a roundtable was organized in March 2018.

Within the partnership, ECRE organised a strategy meeting on advocacy on EU funding for security and migration in July 2018 which brought together civil society working on asylum and migration, transparency, researchers on EU funding, security and migration and funders. The meeting provided all participants with the opportunity to share their research and advocacy plans related to the next EU Multi-annual Financial Framework and assess opportunities for cooperation. It laid the groundwork for effective advocacy cooperation between QCEA, Open Society European Policy Institute (OSEPI), an independent researcher and ECRE on the proposal for an Integrated Border Management Fund which resulted in 90% of the joint amendments proposed being included in the EP rapporteur's report on the European Commission's proposal.

ECRE used a workshop at the AGC to collect analysis and input from ECRE members on externalization of migration control and participated in a Senior Officials Meeting of the Joint Valletta Process in Addis Ababa. ECRE is currently assessing opportunities for taking forward specific work on the negotiations of what will follow after the current Cotonou agreement covering the relationship between the EU and Africa, Pacific and Caribbean states.

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

The negotiations for the Union Resettlement Framework (URF) was the bulk of engagement under this objective. In cooperation with Brussels-based members, ECRE played a crucial role in preventing inclusion in the URF of negative proposals introduced by Member States, such as making resettlement conditional on cooperation on EU migration control objectives. ECRE involved its members through Advocacy Briefings which meant it mobilised its members within two days to take up the issue in eight Member State capitals as a matter of urgency.

ECRE participated in an EASO consultation on a Private Sponsorship Programme and commented on the EASO training module on resettlement with a view to improving its rights compliance. It also supported the Annual Tripartite Consultations on Resettlement which took place in June through regular exchanges with Caritas Germany, the NGO co-chair, and participation in a panel on developments in Europe. ECRE was an active participant in the working group on complementary pathways that was convened several times throughout 2018 by Forum Réfugiés – Cosi.

SPECIFIC OBJECTIVES: RETURN

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

In April 2018, ECRE organized a roundtable on informal return agreements hosted in the European Parliament in cooperation with the Green, GUE (left) and S&D (centre-left) political groups. The roundtable attracted

strong interest (more people were interested than could be accommodated), provided a space for a frank but respectful exchange between the European Commission, MEPs and civil society representatives, including from refugee-led organisations.

ECRE continues to be actively engaged in the European Migration Network (EMN) Return Expert Group which is made up of experts from Member States, the European Commission and sometimes EU-funded project holders. Usually the meetings are split with one day for Member State participants only and one day where civil society participants can also attend. The meetings are an opportunity to follow discussions on return at Commission and Member State level and share civil society's views.

In response to the proposed recast Return Directive – the proposed revision of the EU's legal framework on return – ECRE published detailed comments and two internal Advocacy Briefings to support ECRE members' advocacy on this issue. ECRE's recommendations were presented at a meeting with the EP rapporteur and shadow rapporteurs in December 2018 and in advocacy meetings with Member State representatives in Brussels.

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.

Given the continued prominence of discussions on returns to Afghanistan in Brussels and at Member State level and the deterioration of the security situation in Afghanistan, returns to Afghanistan continued to be the geographic focus of ECRE's return work. One session in the roundtable in March 2018 in the EP focused on the Joint Way Forward on migration between the EU and Afghanistan. ECRE produced an Advocacy Briefing on returns to Afghanistan in May and organized an event on this issue together with Amnesty International and Save the Children hosted by Judith Sargentini in the European Parliament in October. In addition, ECRE supported campaign actions against forced returns to Afghanistan through social media and staff presence at stunts. In November, ECRE organized a meeting on the new UNHCR eligibility guidelines for Afghanistan which enabled members and legal practitioners from the ELENA network to engage directly with UNHCR on their analysis.

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

ECRE further consolidated its position on return after an absence for several years. We published a Policy Note on Voluntary Departure in August based on the input of a broad range of member organisations and its assessment of the recast Return Directive. This provides ECRE with a sound basis for advocacy and renewed its position as an important stakeholder, as demonstrated by ECRE's invitation to participate in meeting on return organised by the EU institutions.

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

Ten+ email updates to the external affairs working group on return, three Advocacy Briefings, a Policy Note, two policy roundtables to which members were invited and a working group meeting.

There is now a strong group of ECRE members working on different areas of returns who are coming together with ECRE for future advocacy and policy work in this field. This includes pan-European alliances as well as national organisations in Germany, The Netherlands, Sweden, France, Denmark, Belgium, Norway, Switzerland, Portugal and Serbia who have been involved in shaping ECRE's advocacy positions and taking them forward. In addition, ECRE regularly updates and consults with Afghan diaspora groups in Europe.

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.

ECRE has invested in developing advocacy inclusive of refugees: in the Refugee Advocates Programme, ECRE provides a group of initially five and now seven refugees from Afghanistan, Syria and Libya who are living in Belgium, The Netherlands, Germany, Sweden and Italy with updates about EU policy developments, opportunities to participate in policy meetings, access to EU policy-makers and the possibility to write a research paper related to EU asylum and migration policy. Two meetings in Brussels were convened for the refugee advocates. They included briefings on various policy areas ECRE works on (e.g. inclusion, return and

CEAS) as well as external meetings that ECRE organised with the European Parliament, DG Home, UNHCR, EPIM and Amnesty International. On both occasions, ECRE received very positive feedback from the refugee advocates as well as the external interlocutors.

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.

ECRE organized a roundtable on refugee-led approaches to inclusion (September 2018) in cooperation with QCEA to contribute to the debate and practice on inclusion. The roundtable provided the opportunity for Globally Connected, an organisation of Syrian refugees in various EU Member States which has recently become an ECRE member, to present their research on inclusion, which was followed by an exchange between refugee advocates and EU policy makers including two European Commission officials and representatives of seven Member States.

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.

Internal policy positions on inclusion were circulated in March 2018. The monitoring of EU activities under the Action Plan is ongoing and member organisations have contributed to an assessment of the implementation of the Action Plan at the Member State level which is hampered by scarce information.

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.

ECRE's advocacy work built on the findings of "Follow the Money" in its advocacy on the next MFF 2021-2027 both in the Policy Note it published on internal EU funding in May, its detailed comments on the proposed Asylum and Migration Fund (AMF) and the related Advocacy Briefing in December. ECRE's expertise on AMIF is widely recognized and led to numerous invitations for ECRE to speak at events and provide input, including at meetings with the EP rapporteurs on the proposed AMF. The majority of ECRE's recommendations have been included as amendments in the rapporteur's report on the proposal. The preliminary findings of the Follow the Money II report (to be published in January 2019) were presented and discussed at ECRE's AGC in Belgrade in November 2018, allowing further engagement of ECRE members and echoing of advocacy messages at national level.

A joint ECRE and PICUM project focused on increasing EU funding for inclusion of third country nationals started in September 2018. In the project, ECRE produced detailed comments on the proposed European Social Fund+ (ESF+) and an internal Advocacy Briefing to support ECRE members' advocacy work. 79% of ECRE's proposed amendments were taken up in the EP's report on the proposal for the ESF+, the majority of which were included verbatim.

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

ECRE provides regular updates to the inclusion working group and collects input from members. The joint PICUM/ECRE project enables ECRE to support collective advocacy in Member States, with civil society workshops in Germany, Czech Republic and Denmark under preparation.

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.

ECRE has provided updates on EU policy on asylum and migration to senior fund managers of major institutional investors and is in contact with Airbnb and Eurochamber of Commerce.

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.

ECRE provided input into the CEAS reform in relation to the rights of refugee children, Through concerted

advocacy efforts mobilised and supported by ECRE in June 2018 regarding trilogue negotiations on the Reception Conditions Directive, mentions of alternatives for families with children and the duty to conduct best interests assessments prior to ordering detention of children have been inserted, and provisions for integrated education have been included.

2) Contribute to joint civil society advocacy efforts in Brussels and facilitate involvement of ECRE members.

ECRE was involved in joint advocacy work on EU law and policy concerning children in migration, through the development of guidance on the determination of the best interest of the child in return procedures which was presented to Member States. ECRE provided input to joint NGO statement on the rights of children in the next MFF 2021-2027.

ECRE is part of the Initiative on Children in Migration (ICM) that advocates for a comprehensive rights based approach to the rights and protection of children in migration, alongside other policy and practice recommendations to address specific child rights challenges.

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

The ECRE webpage on children's rights has been constantly updated with information about EU and international policy developments, serving as a hub of information for ECRE members and other organisations on the rights of refugee children.

4) Support its advocacy objectives through the UPRIGHTS project in five member states:

ECRE continues its work on the rights of refugee children through the project UPRIGHTS "Upholding legal rights for unaccompanied children" and through related advocacy. This project is being implemented by ECRE which also has a role in coordinating the partners and experts. ECRE designed the methodology for the project and systems are in place to ensure it is properly managed. Implemented activities in 2018 include the final revision of training packages (manual and modules) which will be available online for all relevant trainers.

ACTIVITY IV: 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 detailed description of developments and statistics in the Quarterly updates on communication to the ECRE board.

COMMUNICATIONS OBJECTIVE

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.

- » **Without jeopardising its position/striking 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.**

Campaign initiatives:

Campaign initiatives taken in 2018 aims to meet communication objective 1 through direct and powerful messaging based on the inclusion of people with refugee background and the joint distribution potential of the ECRE Media Officers Network (EMON).

We ran a campaign under the hashtag #YourDayYourVoice in the weeks leading up to World Refugee Day on June 20, featuring the response to a simple question from people carrying the label of refugee: *What does the word refugee mean to you?* The campaign was based on cooperation with members working directly with refugees and refugee advocates. Quotes were distributed through social media in the form of Sharepics (including by members and other NGOs) and the campaign culminated with a compilation of 68 quotes on World Refugee Day.

With the ECRE campaign to mobilise progressive voters for the European Parliament election in 2019; #YourVoteOurFuture, this model will be used on a large scale with the aim to unite the membership and refugee advocates behind a clear call for action. The campaign website provides information on the role and powers of the European Parliament, the Parliamentary groups and their national members as well as, through the Observatory of Public Attitudes to Migration (OPAM) information on public opinion. The campaign social media content - Sharepics with quotes from people of refugee or migrant background (new Europeans) as well as campaign statements will be available for download in the main European languages for easy distribution by participating organisations. The campaign concept has been developed, the quotes compiled, the content designed and the campaign website established in the last half of 2018 to enable a full launch in February 2019. Members and refugee advocates will be invited to a pre-launch workshop in January 2019 in Brussels.

The newsletters:

The Weekly Bulletin format is now more flexible, offering diverse content and better servicing and inclusion of the membership. The weekly editorial by ECRE SG remains the strongest single feature but has been supplemented with quality Op-eds and interviews from member organisations, academics, practitioners, politicians and activists. The latest developments have been a section called Featured Campaign(s), to give a platform for the promotion of initiatives across the membership and a round of ECRE staff interviews, laying out the objectives and impact of the organisation across our 4 areas of work. The Daily Press Review has been opened for subscriptions beyond the ECRE membership to ensure that the considerable investment of resources going into the production will benefit as many readers as possible.

The presswork:

The presswork has benefitted from three main factors: the long-term servicing of journalists in the form of background information and interviews by ECRE staff and Secretary General – giving them a reason to call back, the improved ECRE outreach on Twitter – often an entry point for journalists, and the editorials by ECRE Secretary General – with the edge and timeliness to generate interest from journalists. ECRE is by now an established reference for media at member state, European and international level.

ORGANISATIONAL OBJECTIVE

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

- » **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 and policy 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.**

The weekly communication cycle:

To ensure that the communication work is as efficient, qualified and coherent as possible the workflow and cooperation with other teams is now structured in a weekly cycle that has been fully implemented and is functioning well. The research for the Daily Press Review which goes out from Monday to Thursday provides us with an overview of developments through the 70 sources we survey. We use this information to feed ECRE social media platforms and to provide a draft list of topics for the Weekly Bulletin, which goes out Fridays. The Weekly Bulletin meetings include staff members from all ECRE teams to ensure full overview and qualified articles. The Weekly Bulletin articles are featured on the ECRE website as well as in the newsletter and are shared on ECRE social media platforms over the weekend.

Ensuring alignment and coherence:

We have established thorough technical and content guidelines for social media including relevant handles and tags, and newsletters including the uploading and sending out of content, and writing articles and Op-eds etc. We have also designed a universal ECRE style guide covering anything from case-law referencing and choice of font to tone of voice and appropriate vocabulary and use of metaphors.

GDPR:

With pro-bono assistance from Mayer Brown Europe office we have been through a long process towards compliance with the General Data Protection Regulation that came into force in May 2018.

Technical support:

To ensure a more efficient maintenance of organisational computers and a minimum of wasted time and inconvenience for staff we have designed a log-frame to register requests of assistance more systematically and prioritise support and solutions according to urgency.

CRM:

A functioning and secure system is now in place for contacting ECRE working groups, EU institutions and other relevant actors.

Filing System:

A functioning universal filing system reflecting ECRE team structure is now fully implemented.

Website:

ECRE is now hosting the ELENA Forum in-house and a campaign website is established. Given the extra load

on the server we have changed to a cloud based solution.

The ECRE website content has been revised and updated and the Our Work section has been restructured to better illustrate the organisational impact and reflect the new organisational structure.

Graphic Design:

A new graphic design for ECRE Comments is now established linking it closely to the visual identity of the 4 main ECRE report formats: ECRE Policy Notes, ECRE Policy Papers, ECRE Legal Notes and ECRE Comments.

Statistics:

» **Weekly Bulletin:**

Increase of subscribers since January 2017 (Baseline): **1,100** (11,500 to 12,600) Opening rate across the year (average): 25%

» **Daily Press Review:**

Increase of subscribers since January 2017 (Baseline): **1,300** (400 to 1,700)

» **Twitter:**

Increase of subscribers since January 2017 (Baseline): **6,300** (12,400 to 18,700)

» **Facebook:**

Increase of subscribers since January 2017 (Baseline): **3,800** (19,800 to 23,600)

» **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 Secretary General have given 98 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.

The UNCHR SP has supported an ongoing working relationship between ECRE and UNHCR's policy team in Brussels and between ECRE's strategic litigation team and UNHCR's equivalent. It has supported sharing of information and strategizing on key issues including the reform of the CEAS, and the humanitarian crisis in the Mediterranean. It supported a dialogue between UNHCR and civil society which takes place in combination with the ECRE AGC. It also supported advocacy on EU funding under AMIF, based on the research commissioned under the Partnership in 2017. Additional research was also carried out in 2018.

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 2019.

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. Discussion is taking place on continuation of the funding.

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 3 million was raised from 2016 to 2018.

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

ECRE started 2018 with a positive asset balance for the first time since 2011. It will end 2018 with a surplus on the year thus increasing its positive asset position. In 2018 it established a reserve fund and target for the reserves to reach in order to provide some financial security.

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

In November 2018, the 2019 budget was approved with a shortfall of 26%, however the issue was discussed with ECRE members during the General Assembly. After a presentation of potential funding sources and risk mitigation, an informed decision was taken to approve the budget.

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

ECRE has four core donors.

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

Revenue 2018: EUR 1.96 million.

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 (once/year except in special cases)
- » Performance evaluation for staff members
- » 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

All elements of plan for an organisational structure are now in place and ECRE is now a functioning organisation.



Line management for all staff members

Line management is now in place for all staff. Line management guidance is included in the HR manual and line management is assessed in the performance evaluation where needed. The appointment of the Head of International Advocacy has reduced the number of staff reporting to the Secretary General.



Performance evaluation for staff members (once/year except in special cases)

Performance evaluation is now taking place for all staff once per year with other reviews as necessary.



Updated and clear job descriptions for staff members

All staff now have (accurate) job descriptions.



Work planning as required

A new format for work planning was trialled in spring 2018 and positively received by the Board. For 2019, annual plan has been prepared using this format, with each team contributing their section.



Clear division of responsibilities among staff

Largely clear, although issues occasionally arise.



Team structures

Now in place for the four areas of ECRE's work.



Senior Management Team

Senior Management Team was created in 2016 and met four times in 2017, due to the nature of the organisational challenges facing ECRE it does yet have the role it could. ECRE will review senior management roles and responsibilities in 2019 and establish a new approach.



Internal staff policies, including on leave, working outside the office, the office environment, etc

In 2017 a Work Regulation document was prepared and registered with the Belgian authorities as required by Belgian law; a Human Resources Manual was developed and is in use. Salaries, terms and conditions have been adjusted across the organisation to ensure fairer treatment. There are a few remaining anomalies which cannot be removed due to restrictions of contract law.

ECRE was able to apply a cost-of-living increase at the end of 2018 due to its improved financial position.

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

Structure and policies are in use.

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.

ECRE has identified new offices which are suitable and allow it to save EUR 40,000 per year in rent, however it is tied into its lease until 2020. It has been unable to find sub-tenants to take over its lease and is consulting lawyers on the options.

MEMBERSHIP

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

ECRE has 101 members, the first time its membership has exceeded 100. The membership covers 41 countries, including all 28 EU Member States for the first time. It accepted 11 new members in 2018. One member withdrew from ECRE (others were removed from membership as they had de facto ceased to be members).

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. A membership survey is planned for 2019, although it will depend on the Board's decision that it is necessary, as members previously felt "over-consulted" due to the vision exercise, regular changes of Secretary General, and for other reasons, thus the focus has been on developing ECRE in response to input already provided by members.

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 – two WG meetings linked to events in 2018
- » 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 are in use by the Board.

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.

International partnership in place.

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

ECRE has two international partnerships with non-European NGOs, ASSAF and CRO World. It is already clear however that there are risks as well benefits attached to such forms of cooperation, which have to be reviewed. Other forms of international cooperation, such as with NGOs and networks in other regions on projects or joint initiatives is a model under exploration.

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

ECRE had meetings with US counterparts who also joined the AGC. ECRE staff participated in two meetings in Africa to further development contacts.

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 PICUM, MPI, MPG, etc. ECRE participates in collective advocacy in Brussels on the rights of refugee children led by PICUM, supported by EPIM.

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 has applied for membership of Social Platform and Civil Society Europe.

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.

The ECRE Board continue to implement its decisions on diversity, specifically:

Decisions (Board diversity):

- » The Board strongly recommends that each region nominate one female candidate and one male candidate or just one female candidate.
- » In accordance with ECRE's statutes, the AGC will vote for the candidates nominated by the region, but in order to increase diversity the regions need to nominate for election candidates to reflect the diversity of ECRE's membership.
- » The Board agreed that the next co-options to the Board should be reserved for female candidates until there is better representation of women on the Board.

The ECRE Board currently consists of 3 women and 5 men. It includes Board members with a refugee background and members from the LGBT community.

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

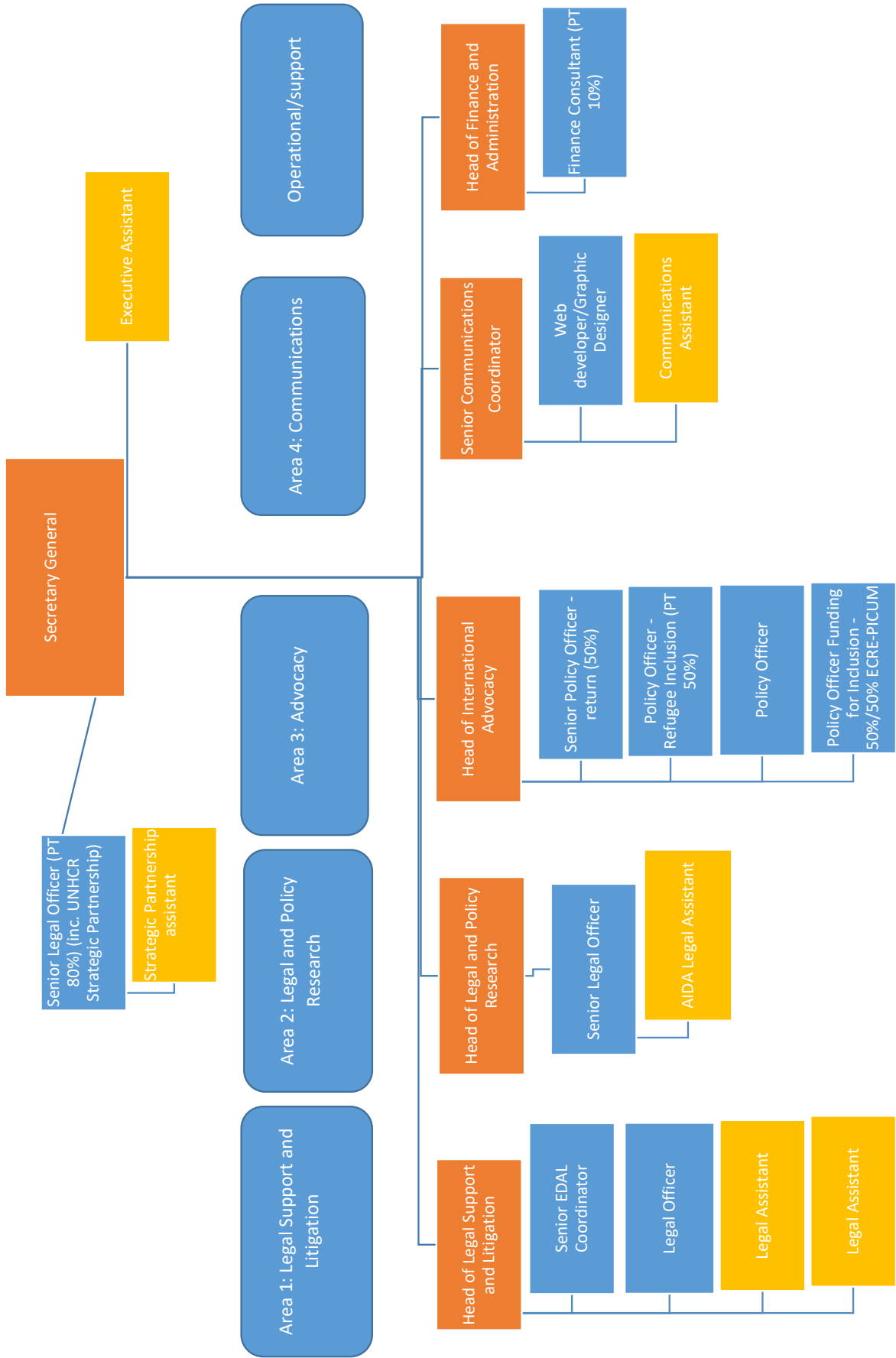
At the November 2018 General Assembly the membership elected one female candidate to the Board, and the Board co-opted another female candidate, meaning that the ratio is now 3:5, i.e. 3/8 Board members are women.

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 2018, with 4 meetings taking place. A Board Finance Committee was established and the Board agreed to a Conflict of Interest policy.

The Board co-opted Morten Kjaerum to continue as Chair for another three-year term. It also co-opted Dorine Manson, who left the Dutch Refugee Council to become Managing Director of the Dutch Postcode Lottery Foundation, to serve on the Finance Committee and contribute with financial know-how, including sitting on the Finance Committee. The Board oversaw the closure of the UK office. It oversaw continued processes of organisational development at the ECRE Secretariat. Regional meetings took place in two of the ECRE regions, with ECRE Secretariat participating in both. The ECRE Secretariat organised a meeting in Brussels for members based there. Three in-person meetings and one video call between the Chair of the Board and the Secretary General took place to ensure oversight of ECRE's work.

ECRE STAFFING 2018





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