

Annual **Report** 2010



EU and Asylum Timeline 2010



ECRE submitted a Memorandum on the occasion of both the Spanish and Belgian Presidencies presenting our views on the most pressing refugee protection issues to be taken forward during their terms.

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Annual Report 2010



MISSIO

Mission Statement

The European Council on Refugees and Exiles (ECRE) is a pan-European Alliance of 68 organisations in 30 countries, established to promote the rights of those who seek international protection in Europe.



ecre
European Council
on Refugees and Exiles

At the European Union level, ECRE pursues policy initiatives, research, advocacy activities and projects aimed at stimulating positive thinking on refugees and legislative reform in Europe. ECRE also seeks to counteract the manifestations of racism, xenophobia and social exclusion that undermine the institution of asylum.

As a true Alliance, ECRE draws on the energy, ideas and commitment of active Members. It also strives to involve the wider civil society, political and refugee communities in its work. ECRE ensures that its ideas and positions are legally accurate and representative of a broad range of knowledge, experience and best practice throughout Europe.

on
Statement



Message from the Secretary General

Dear reader,

2010 was a difficult year for those seeking protection in Europe.

It was marked by an economic recession that fuelled public anxiety about immigration and a greater trend to adopt restrictive immigration measures. Cost considerations gained strength on the asylum and migration debates, and we witnessed further delays in the completion of the Common European Asylum System. In the UK our Member, Refugee and Migrant Justice (RMJ) was forced into administration after a change in bureaucratic rules concerning legal aid led to late payments by the government for legal work for migrants and refugees.

Despite the commitment of the European Council, reiterated in the Stockholm Programme, to establish a common area of protection and solidarity, the events of 2010 have shown Member States' lack of solidarity both towards one another and those seeking protection on our shores.



As a united Alliance, ECRE and its Members have continued to fight for better access to protection in Europe for refugees.

Meanwhile, asylum seekers and refugees suffered inhumane conditions and treatment both on their way to Europe and within our borders.

As a united Alliance, ECRE and its Members have continued to fight for better access to protection in Europe for refugees and remain committed to supporting the objective of a Common European Asylum System - but only if it is based on high standards of protection.

The media continued to play a crucial role in shaping the policy and public agenda on asylum. Press coverage has an impact in defining which issues are perceived as being a problem, what the urgency is to solve them, and what the solutions from decision-makers could be. In 2010 ECRE worked closely with its Member organisations to achieve more balanced reporting that includes the point of view of refugee-assisting NGOs.

Through our advocacy, training, media and project work, the ECRE Alliance aims to highlight protection gaps and the institutional commitment needed to build a fair and inclusive Europe where people seeking protection are welcome, empowered and valued.

I would like to thank all of you who helped us in 2010: donors, staff, members and supporters.

Bjarte Vandvik, Secretary General

What is ECRE?

ECRE is much more than its Secretariat office in Brussels. It is first and foremost a vibrant and dynamic Alliance of refugee-assisting organisations working throughout Europe, together, to protect and respect the rights of refugees.

With 68 Member organisations based in 30 countries ECRE aims to influence the European agenda to promote the protection and integration of asylum seekers, refugees and internally displaced persons. Our diverse membership provides us with expertise, experience and solidarity to pursue a fairer deal for refugees in our countries.

We work constantly with our Members to develop advocacy strategies at both national and European levels, which defend the rights of asylum seekers and refugees, wherever they may be. The daily work of our Members, however, means they do not always have the resources to deal with asylum politics at the EU level. That is why the Secretariat, based in Brussels, has a mandate to conduct legal research, to produce policy papers and to engage EU institutions on their behalf.

And because ECRE has to work as closely as possible with every stakeholder in the field of asylum, we have developed strategic partnerships all over the world, with organisations ranging from the United Nations High Commissioner for Refugees (UNHCR) to academic institutions and more grass-root refugee community groups. As the ECRE family grows, so does our ability to advocate for those seeking protection in Europe.



Join us on www.ecre.org

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[http://www.facebook.com/pages/](http://www.facebook.com/pages/European-Council-on-Refugees-and-Exiles-ECRE/107028942227)

[European-Council-on-Refugees-and-Exiles-
ECRE/107028942227](http://www.facebook.com/pages/European-Council-on-Refugees-and-Exiles-ECRE/107028942227)

EU Asylum in 2010

2010 was a difficult year for the continued negotiations on asylum legislation, part of the second phase of harmonization towards a Common European Asylum System. Despite the commitment of the European Council, reiterated in the Stockholm Programme, to establish a common area of protection and solidarity, the events of 2010 have shown Member States' lack of solidarity both towards one another and those seeking international protection in Europe.

The EU Legislative Agenda

2010 marked the opening of a new trio Presidency Programme from the Spanish, Belgian and Hungarian Presidencies at a crucial time for the development of a Common European Asylum System (CEAS), both with regards to the implementation of the Stockholm Programme and also for putting into effect the relevant provisions of the Lisbon Treaty.

The Commission published its Action Plan on the Stockholm Programme with an emphasis on putting responsibility and solidarity at the heart of the EU's response to migration and asylum. Respect for the fundamental right to asylum was identified as a key obligation to be honoured by the EU. Similarly the Commission released its Action Plan on

Unaccompanied Minors, which called for a common approach, which respects the rights of children and provides reinforced protection for those children seeking asylum.

However, limited progress was made on the review of the EU asylum instruments during the Spanish Presidency as Member States blocked progress on the European Commission recast proposals. There were a number of crosscutting issues, which led to complex and protracted debate including the family definition, detention, the definition of vulnerable persons and provisions for unaccompanied minors.

In order to break the deadlock the Belgian Presidency hosted a Ministerial Asylum Conference dedicated to quality and

efficiency in the asylum process. ECRE played an important role at this conference in bringing together experts within our membership with State officials to discuss good practices across three key topics: asylum seekers with special needs, quality of decision-making and intra-European solidarity.

Political agreement was reached between the European Parliament and the Council on the Regulation establishing the European Asylum Support Office (EASO). EASO has been established with the purpose of facilitating and strengthening practical cooperation among Member States on various aspects of asylum



2010 marked a year where increasingly the Courts both at the national and EU level had to step in to ensure the rights of those seeking international protection.

policy and improving the implementation of the CEAS. The Regulation provides for a Consultative Forum to be established where civil society can provide input into the work programme of EASO and enter into a dialogue with them.

In September ECRE published comments on the Frontex Regulation recast proposal by the Commission with Amnesty International. This came at a time when Frontex launched its first RABIT operation to stem irregular migration flows at the border between Greece and Turkey.

Asylum was identified as a key priority for the Belgian Presidency and the negotiations on the Qualification Directive, Dublin and Eurodac Regulation recasts were significantly

advanced during their term. Agreement was made on the extension of the scope of the Long Term Residence Directive to beneficiaries of international protection. However an impasse remained concerning the Asylum Procedures Directive and the Reception Conditions Directive recast proposals. This resulted in the Commission announcing in November 2010 the revision of these Directives to address the concerns of Member States, which relate mainly to the potential financial implications of certain aspects of the proposals and the lack of provisions addressing the so-called 'abuse' of the asylum system. The level of commitment by Member States to an integrated European approach to asylum could be called into question with a number of States expressing reluctance for any further legislative harmonization at all. Nevertheless, all parties have expressed their commitment to a CEAS by 2012, including through a joint declaration from the upcoming presidencies at the end of the Belgian Presidency. However, finding a way through this deadlock will not be easy.

Access to Asylum in Europe

The EU continued discussions with Libya

on a framework agreement for cooperation including in the area of migration and asylum. This was notwithstanding the dramatic human rights record of Libya and reports about ill-treatment of asylum seekers, refugees and migrants published by reputable human rights organizations such as Amnesty International and Human Rights Watch. ECRE raised concerns about the continuation of discussions with Libya after their decision to close the UNHCR Office in Tripoli. In a letter to the High Representative of the European Union for Foreign Affairs and Security Policy, Catherine Ashton, and Commissioners Malmström and Reding, ECRE called for the Commission to reconsider the negotiations with Libya and suspend negotiations on the framework agreement.

In 2010 guidelines were also adopted at EU level on surveillance at external borders at sea on the context of FRONTEX-operations, which explicitly state the principle that no-one should be made to disembark in a country in contravention of the principle of non-refoulement. Finally, the first ever RABIT operation was launched in October 2010 in Greece at the border with Turkey, including

175 guest officers from 24 Member States and Schengen Associated States.

The role of the Courts in ensuring protection

2010 marked a year where increasingly the Courts both at the national and EU level had to step in to ensure the rights of those seeking international protection. In July 2010 talks were initiated between the Commission and the Council of Europe on EU accession to the Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR). These discussions are ongoing.

The European Court of Human Rights played a crucial role in stopping transfers to Greece due to the dysfunctional nature of the asylum system and the tragic consequences of this on the individuals seeking protection there. Similarly the Court has been requested to prevent returns to Baghdad, Iraq. With the extension of its jurisdiction under the Lisbon Treaty, the CJEU will also play an increasing role in the interpretation of asylum legislation at the EU level, which is binding on all Member States.



The ELENA Network

Bringing Asylum Lawyers Together

In 2010 the European Legal Network of Asylum Lawyers (ELENA) celebrated its 25th anniversary. Since 1985 ELENA has been bringing together some 2,000 lawyers from across Europe, all of whom are working to protect the rights of refugees and those seeking international protection. Via an online discussion group, ELENA facilitates networking, the exchange of information and contributes invaluable information to ECRE's policy and advocacy work.

ECRE facilitates regular ELENA training courses on topics of international and European refugee law. In 2010 an unprecedented 4 training courses were held in Prague, Athens, Paris and Barcelona on diverse topics such as the role of the Court of Justice of the European Union and the European Court of Human Rights as 'Asylum Courts' and an assessment of the legal standards of the Common European Asylum System. For the first time ever there was an ELENA course held for non-English speakers at the national level in Paris. The course entitled '**Législation et Recours Européens dans le Domaine de l'Asile**' focused on the impact of European asylum legislation on French practice. In 2010 more than 400 lawyers, asylum officials and non-governmental staff attended ELENA training courses. Trainers included leading academics, practitioners and judges.

One other important aspect of the ELENA network is comparative research. In 2010 ELENA published the '**ECRE/ELENA Survey on**



Legal Aid for Asylum Seekers in Europe' providing an overview of the provision of legal aid services to asylum seekers in 19 countries. The survey gathered information on the role and tasks of those advising, assisting and representing asylum seekers as well as on related aspects of the asylum procedure. It revealed positive developments in the provision of legal aid as well as restrictions on access to legal advice and representation in practice, which undermined the asylum seekers' right to an effective remedy and ultimately access to justice. The network provided a number of recommendations to improve the provision of legal aid for asylum seekers throughout the asylum procedure. The research has been beneficial both for ECRE's advocacy work on the recast of the EU Asylum Procedures Directive and for national advocacy work. In May 2011 the ECRE Legal Officer presented the findings of the Legal Aid Survey as part of a process of policy research conducted by the Helsinki Citizens Assembly for reform of the legal aid system in Turkey.

In 2010 ECRE and ELENA celebrated 25 years of the network. ECRE wishes to extend its deepest gratitude to all the members of ELENA including the ELENA speakers and trainers for their important contribution to ECRE's advocacy and policy work and for supporting lawyers to better represent those seeking protection in Europe.



ECRE Media Officers' Network

In 2010 economic difficulties resulted both in a decrease of resources in some ECRE Member organisations, which affected their active participation in the media debate, and also in a reduction of staff in media companies.

This strengthened a trend towards a decrease in the specialisation of journalists, an increase in the use of institutional sources and the services of newswires, and the prioritisation of stories around the economic and financial crisis.

In this difficult environment, support received from the European Programme for Integration and Migration (EPIM) helped us to strengthen co-ordinated media work undertaken by the ECRE Media Officers Network (EMON), which brings together Press Officers from ECRE Member Organisations and the Secretariat.

In 2010, our media work enjoyed increasingly dynamic and effective coordination with our Members through joint press releases, joint press conferences and coordinated responses to press enquiries that included both the EU and national dimensions.

The need to challenge the Dublin Regulation was identified as a priority issue for the network during EMON's annual meeting. We worked together to raise awareness through the media regarding the dangers of the Dublin Regulation, which allows refugees to be sent back to countries that do not provide sufficient protection.

Officers' Network

ECRE and its member organisations called for a complete revision of the Dublin system, and also, more immediately, to follow the example of Belgium, the UK, Iceland and Norway, who had stopped sending asylum seekers to Greece.

In 2010, ECRE's media work also focused on the huge differences in recognition rates for asylum seekers across Europe, returns, integration, the increased use of detention, and the activities undertaken by European governments at the EU's external borders and beyond, which risk preventing persons fleeing persecution from reaching safety in Europe. This included the negotiation of an EU-Libya agreement on migration and the activities of the EU border agency FRONTEX.

ECRE's partnership-based strategy has contributed to consolidating ECRE's profile as a valuable source of information and comment for journalists, counterbalancing those of EU institutions and national governments. In addition to ECRE's presence in the press, our own online newspaper, the ECRE Weekly Bulletin, increased its impact as the information tool on EU asylum developments for a specialized audience. 1,423 new people subscribed to the ECRE Weekly Bulletin in 2010, reaching almost 3,500 readers by the end of the year.



A closer working relationship with refugees

Refugee participation in the debates, as well as in the development and implementation of a Common European Asylum System is still sorely lacking. In line with past strategies, ECRE consolidated its collaboration with organisations led by migrants and refugees. The initial aims of this work were: to have more direct input from refugees into ECRE's advocacy and policy work; strengthen refugees' participation in EU political debates on issues of interest to them; facilitate networking between refugees and the ECRE membership; and develop projects with migrants' and refugees' groups as equal partners.

At the end of 2010 ECRE and several refugee groups launched a Refugee Alliance made up of community and migrant group representatives from different European Countries (UK, Finland, Austria, Netherlands, Greece, Czech Republic, Germany, Romania and Italy). This will be developed as an important area of work for ECRE in 2011.

The ECRE Alliance

Having moved from a network organisation to a stronger Alliance, ECRE had its first joint Alliance event on World Refugee Day 2010, the European Umbrella March. An initiative of Forum Refugiés, one of ECRE's French Members, the umbrella has been chosen to highlight the need to protect refugees. This Europe-wide campaign aims to remind policy-makers of their obligation to provide protection for those who flee war, torture and persecution, to raise public awareness of the plight of those forced to leave their homes and most importantly to celebrate the contribution of refugees to open, multicultural societies that embrace solidarity. 10 Member organisations from eight countries participated in the March along with many other Alliance partners, sending a strong message of the importance of protecting refugees.

The ECRE Alliance was further strengthened in 2010 when five new Members joined ECRE: Norwegian-based ICORN (the International Cities of Refuge Network), Freedom from Torture (UK), the Belgian Refugee Council (CBAR), the Asylum Protection Centre (Serbia) and the Foundation of Local Democracy (Bosnia and Herzegovina).



ECRE Directors' Forum

The second annual **ECRE Directors Forum** took place in the Brussels Hotel de Ville in June 2010. The Directors Forum is an important date on the ECRE calendar as it provides an opportunity for Presidents, Directors and Secretary Generals from ECRE Members Agencies to meet with the key players in the refugee and asylum field and to debate issues that we believe are important for refugees today. In 2010 ECRE Directors heard from Cecilia Malmström, Commissioner for Home Affairs; Judith Kumin, Head of the UNHCR Europe Bureau; Dejan Anastasijevic, a

01. Cecilia Malmström, Bjarne Vandvik, Judith Kurmin
(ECRE Directors' Forum)

02. Anna Cataldi



Annual General Conference 2010

ECRE held its 2010 Annual General Conference (AGC) in October in Budapest to coincide with the preparation of the upcoming Hungarian Presidency of the EU.

The AGC is an opportunity for the Secretariat and Members to discuss the latest developments in the field of asylum and to define our Alliance's objectives and actions. It also enables ECRE Members to network with each other and with guests and speakers.

75 people from ECRE Member organisations, UNHCR and invited organisations and agencies took part in our meeting in Budapest. Our focus was on communicating our message better, working with new alliances in the field of refugee protection and thinking outside the box. With this approach in mind there was a diverse programme with input from the Fundamental Rights Agency,

government ministers from Hungary and Belgium, Hungarian MEP Kinga Góncz and Actors for Human Rights.

Our first **Goodwill Ambassador, Anna Cataldi**, also introduced herself to the Members. As a freelance journalist Ms Cataldi has reported from Chechnya, Ingushetia, Afghanistan, Pakistan, Bosnia, Croatia, Kosovo, Angola, Algeria, Rwanda, Burundi, Sudan and Indonesia. She is also the author of "Letters from Sarajevo", which chronicled the impact of war on Bosnia's children.

"As Goodwill Ambassador I intend to do my best to raise awareness of the situation of refugees and exiles, to fight against prejudices, discrimination, and to make the European Members States remember about the Treaties and Conventions they undertook a commitment to observe".

Serbian research journalist; and Prof Dr John Ralston Saul provided a Canadian perspective on the broader topic of immigration.

Following her appointment in February 2010 as **Commissioner for Home Affairs, Cecilia Malmström** spoke about the current challenges and opportunities in harmonising asylum and migration and the role of civil society. Commissioner Malmström congratulated ECRE on being a long-standing reference point for the European Commission when developing its policies.



ECRE Office - July 2010
Judith Kumin,
Regional Representative,
UNHCR Brussels,
UN High Commissioner
for refugees,
António Guterres,
Bjarte Vandvik, Secretary
General, ECRE.

Message from our Chair

Dear reader,

As I look back on 2010 I am struck by two things.

The first is how much ECRE and its Alliance achieved this year. The transitional phase of the Secretariat move to Brussels is over; we participated widely in the EU asylum debate in Brussels, sending comments on recast proposals, participating in high-level EU meetings, for example, at the EU-Ministerial Conference in Brussels; we had a pro-active media presence and have reacted quickly to share our views on critical events affecting refugees and asylum seekers in Europe and at our borders; our board is working well and a Membership Survey conducted in 2010 showed that Members appreciate the work that we do. As an Alliance ECRE is ready for action.

The second thing is that in terms of protecting refugees, Europe is not doing well. In fact the protection of refugees in Europe is falling apart. More than ten

In terms of protecting refugees, Europe is not doing well. In fact the protection of refugees in Europe is falling apart...

years have passed since we witnessed the principled and promising language of the Tampere European Council, where there was a common vision, respect for the Refugee Convention and positive standards for states to strive towards. Today access to Europe is getting more and more difficult for refugees; there are huge disparities both between the standards as set by the EU and the reality on the ground in Member States, and between standards in different Member States themselves; there is also an obvious lack of solidarity between Member States with the



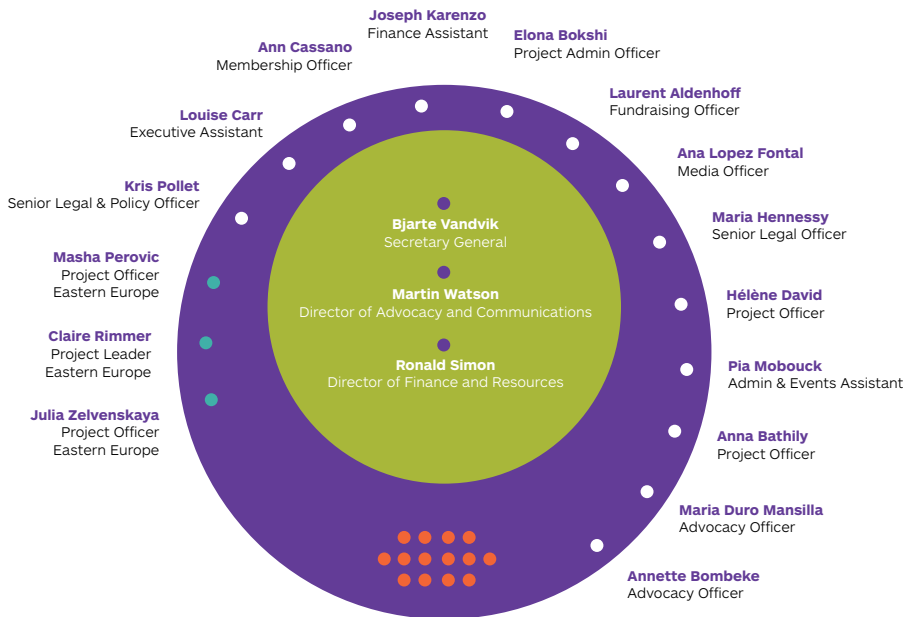
Andreas Kamm

Dublin Convention the clearest symptom of this European malaise.

At times like this the work of ECRE is more important than ever: to monitor what is happening in our countries, to point the finger at those who are failing refugees for whatever reason, for supporting each other at national level, and to combine our strength to fight for better protection for refugees, together, as a united Alliance.

Andreas Kamm, Chair of ECRE

ECRE Staff & Interns



Interns

Esther Urbina
Scarlet Orr
Jonah Eaton
Genevra Alberti
Angelika Benkovsky
Barbara Stricker
Vianney Stoll

Sebastian Rietz
Lucile Perdrix
Marie Tuley
Mariya Shisheva
Katia Fournier
Ken Page
Kim Vercruyse



Members

Austria

Asylkoordination

Azerbaijan

International Eurasia Press Fund

Belgium

CIRE

CBAR-BCHV - Comité Belge d'Aide aux Réfugiés

Vluchtelingenwerk Vlaanderen

Bosnia and Herzegovina

Foundation of Local Democracy

Bulgaria

Bulgarian Helsinki Committee

Bulgarian Red Cross

Croatia

Croatian Law Centre

Czech Republic

OPU – Czech Organisation for Aid to Refugees

Denmark

Danish Refugee Council

Finland

Finnish Red Cross

Finnish Refugee Advice Centre

France

Forum Réfugiés

France Terre d'Asile

Germany

Arbeiterwohlfahrt

Der Paritätische Wohlfahrtsverband

Gesamtverband

Deutscher Caritasverband

Diakonisches Werk der EKD

German Red Cross

Pro Asyl

Greece

Greek Council for Refugees

Hungary

Hungarian Helsinki Committee

Menedek

Ireland

Irish Refugee Council

Italy

CIR - Italian Council for Refugees

Lithuania

Lithuanian Red Cross

Luxembourg

Caritas Luxembourg

The Netherlands

Dutch Council for Refugees

Pharos

University Assistance Foundation

Norway

ICORN - International Cities of Refuge

Network

Norwegian Organisation for Asylum Seekers

Norwegian Refugee Council

Poland

Helsinki Foundation for Human Rights

Portugal

Portuguese Refugee Council

Romania

Romanian National Council for Refugees

Russian Federation

Memorial Human Rights Centre



Serbia

Asylum Protection Centre
Group 484
Red Cross of Serbia

Slovakia

Slovak Humanitarian Council

Spain

ACCEM - Asociacion Comision Catolica
Espanola de Migracion
CEAR - Comision Espanola de Ayuda al
Refugiado
ONG Rescate International
Spanish Red Cross

Sweden

Caritas Sweden
Swedish Red Cross

Switzerland

OSAR/SFH Organisation Suisse d'Aide aux
Refugiés

Turkey

Helsinki Citizens' Assembly

UK

Asylum Aid
British Red Cross Society
British Refugee Council
Embrace UK Community Support Centre
Immigration Advisory Service
Immigration Law Practitioners' Association
Medical Foundation for the Care of Victims
of Torture
Refugee Action
Refugee Studies Centre
Scottish Refugee Council
Welsh Refugee Council

International Networks

Amnesty International – EU Office
CEC/CCME - Churches' Commission for
Migrants in Europe
International Rescue Committee
HIAS- Hebrew Immigrant Aid Society
ICMC - International Catholic Migration
Commission
IRCT - International Rehabilitation Council for
Torture Victims
Jesuit Refugee Service – Europe



Financial Report

	2010	2009
Audited Results	(€)	(€)
Income	1.894.000	1.742.000
Expense	1.888.000	1.716.000
Result	6.000	26.000
Audited Balance Sheet	(€)	(€)
Cash & Debtors	973.000	836.000
Creditors	868.000	501.000
Creditors long term	42.000	261.000
Total funds	63.000	74.000

(Pending audit)

Evolution of Income & Expenses Balance with result (2007 – 2010)



2010 Sources of income 2009 2010 Expenditure 2009



Unrestricted Grants
 Restricted Grants
 Membership Fees
 Activity
 Support and Governance
 Fundraising
 Conference Fees
 Other Income



Donors

Core funding

- European Commission, DG Education and Culture (“Europe for Citizens Programme”).
- The Sigrid Rausing Trust
- The Joseph Rowntree Charitable Trust.
- The Atlantic Philanthropies.

Strategic Partner

- The Dutch Council for Refugees

Projects

In 2010, ECRE received funding to carry out the following projects and tenders:

- MIRAS Project (European Programme for Integration and Migration – EPIM)
- ICARE Project (OAK Foundation).
- SHARE Project (Fonds d’impulsion à la politique des immigrés - Belgian Government).
- Comparative Study on best practices in the field of return of minors (European Commission - DG Home Affairs).

ECRE also participated in various other projects and tenders with member organisations and other partners



The Sigrid Rausing Trust



Photo Credit

ECRE
Norwegian Refugee Council
(pages 4, 5, 7, 8, 9, 10)

ECRE would also like to express its warmest thanks to all its Members for their contributions to its work in 2010.

EU and Asylum Timeline 2010

Talks initiated between the Commission and the Council of Europe on EU accession to the Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) – ongoing.

Belgian Presidency hosted Ministerial Asylum Conference dedicated to quality and efficiency in the asylum process.

The first RABIT operation launched in Greece at the border with Turkey, including 175 guest officers from 24 Member States and Schengen Associated States.

The Commission announces the revision of the Asylum Procedures Directive recast and the Reception Conditions Directive recast proposals to address concerns of Member States.

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year 20
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ECRE plays an important role at the Ministerial Asylum conference, bringing together experts within our membership and State officials to discuss good practices across three key topics: Asylum seekers with special needs, the decision process and intra-European solidarity.

ECRE and Amnesty International publish comments on the Frontex Regulation recast proposal by the Commission.



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