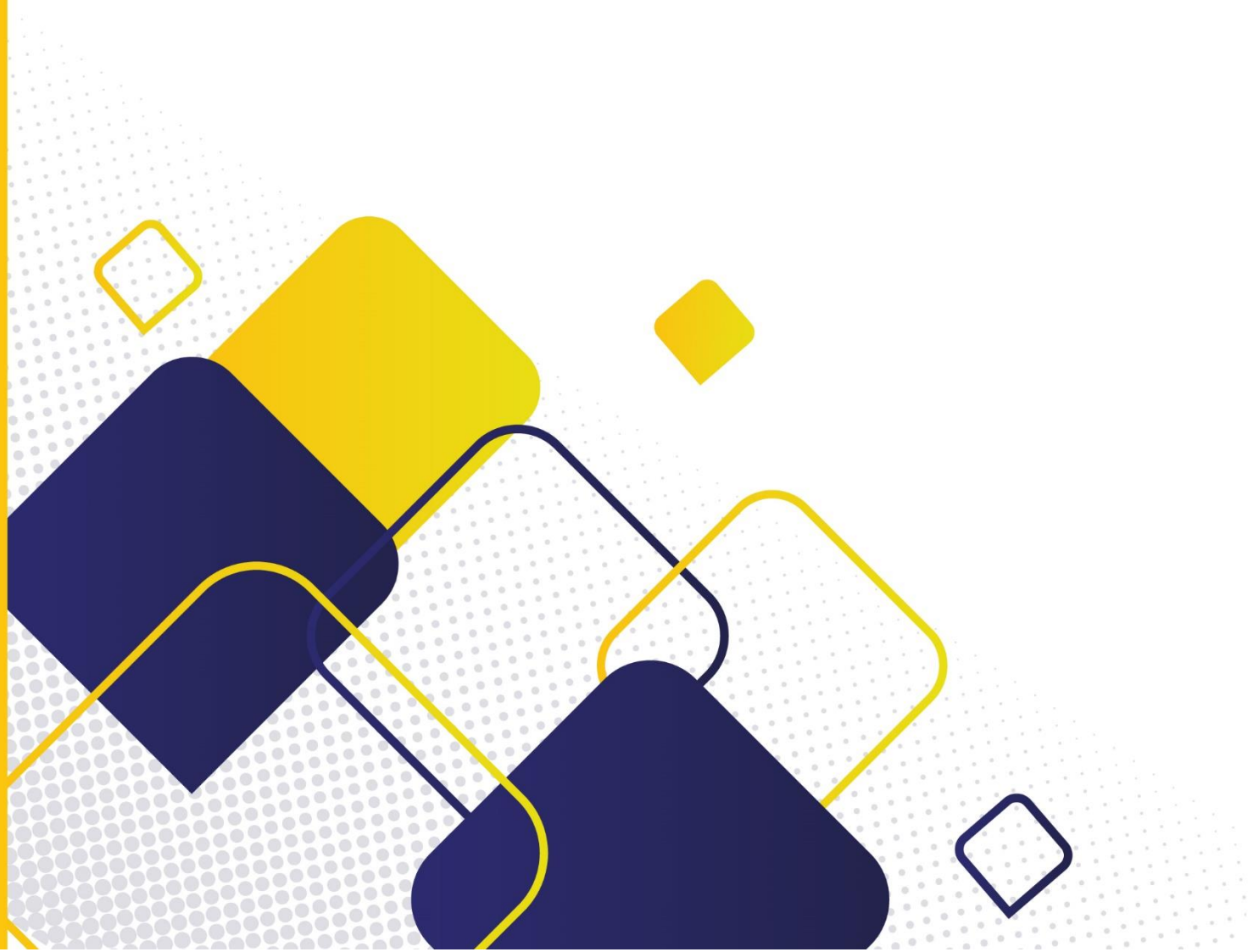


# Second EUAA Consultative Forum Plenary Meeting

30 November 2023, Malta

## Meeting Report





# Second EUAA Consultative Forum Plenary Meeting Report

## 1 Background and objectives of the meeting

The second EUAA Consultative Forum Plenary Meeting took place on 30 November in Malta. It brought together approximately 70 out of the 118 member organisations of the EUAA Consultative Forum (CF). The main objective of the meeting was to:

- Exchange information on the current state of affairs in the field of asylum and reception, with an update provided by the Agency on the asylum and reception situation including an update of its activities.
- Complete the re-constitution of the CF under the EUAA with the election of the Chair.
- Discuss the annual work plan for the CF and its activities in 2024.

## 2 Format and Structure

The morning session took place in Plenary format and was chaired by Dr. Sarah Adeyinka, the CF's Chair ad interim (a.i.).

The EUAA's Executive Director delivered an opening address. Each of the Centres provided an update on the Agency's activities followed by an interactive question and answer session. The Fundamental Rights Officer (FRO) gave an update on his activities and answered several questions from the CF members. After a short coffee break, the CF Chair a.i. provided an overview of the CF activities in 2023 and summarised key elements of the CF's working methods. While the working methods were previously agreed, in order to enable the election of the Chair, the CF Plenary was the opportunity to mark that agreement. Subsequently, the election of the new Chair for the CF took place. The CF members elected Ana Ciuban of the Intercultural Mediators Multiethnic Association (A.M.M.I) for a 2-year term of office.

In the afternoon, CF members discussed the ongoing CF activities as well as the annual work plan and priorities for the CF in 2024. Discussions in the afternoon took place in a participatory manner and were facilitated by an external contractor.

## 3 Summary of the Meeting

### 3.1 Introduction

**Dr. Sarah Adeyinka, the Consultative Forum Chair a.i.** opened the meeting by welcoming all participants. She explained the purpose and proceedings of the meeting (see above).

**EUAA's Executive Director, Ms. Nina Gregori** welcomed all participants, underlining the difficult situation of asylum in the EU+ due to the geopolitical context, a rise in the number of asylum applications, and a backlog of pending cases which have had knock-on effects on the



Member States' asylum and reception systems. In this context, requests for technical and operational support by the Agency increased with support being provided to 13 Member States. The Agency also continued delivering permanent support with the development of practical tools, guides, country of origin information, country guidance, as well as situational awareness to help Member States implement the CEAS and improve their preparedness. Much progress was made with the EUAA transition programme which aims at setting up the new tasks, roles, and mechanisms resulting from the entry into force of the EUAA Regulation. For example, the Asylum Reserve Pool was populated and ready to use, preparations were made for the monitoring mechanism and many developments had also taken place for establishing the Agency's fundamental rights framework (which would be discussed in more detail with the FRO). At the end of her speech, the Executive Director thanked Dr. Sarah Adeyinka, the CF Chair a.i. for her work in coordinating the process for the development of the Forum's working methods. With common challenges ahead, the Executive Director welcomed further intensifying cooperation with the EUAA Consultative Forum to tackle challenges, together, head-on.

### **3.1.1 Update and exchange on the situation of asylum in the EU and the Agency's activities**

**Malin Larsson-Grave**, Senior Coordinator – Operational Governance, presented the work of the **Operational Support Centre**. She recalled that EUAA was providing operational and technical support to Member States that are under disproportionate pressure or to those who need support to be compliant with the CEAS. She underlined the Agency's increased operational footprint, with support being provided to 13 Member States on asylum, reception and temporary protection (see PPT for overview of scale and scope of operations). The Agency had further continued supporting relocation and resettlement. Finally, she also explained ongoing work/initiatives concerning the establishment of a robust framework to ensure compliance with fundamental rights in all of the Agency's operational activities, e.g. through the establishment of a complaints mechanism, the Code of Conduct as well as an escalation mechanism.

**Tanja Contino**, Head of Asylum and Reception Training Unit ad interim, provided an update of the activities of the **Training and Professional Development Centre**. She started by explaining one of the Centre's newest strategic activities, namely the establishment of an EUAA Academy through which the Agency – as an educational establishment - would deliver accredited programmes and modules. Some key data on training activities was provided (see PPT), which highlighted the high number of participants involved in EUAA trainings. An overview of the European Asylum Curriculum (EAC) was provided and it was emphasised that it covers the whole asylum process, from registration to reception as well as the asylum determination process. In line with art. 50 of the EUAA Regulation, the Agency consults the Consultative Forum in the development of the EAC. In 2023, this was done through calls for expression of interest, through which the CF was consulted on 4 training modules (2 were still forthcoming at the end of 2023) with 20 CF members having provided input.

**Emeric Rogier**, head of Country Information and Guidance Unit, provided an overview of the activities of the **Asylum Knowledge Centre**. He explained that the Centre gathers and produces



both quantitative and qualitative information and analysis, contributing to early warning as well as to the implementation of the CEAS. He presented a sample of reports/products, such as the [Latest Asylum Trends page](#), [Survey on Arriving Migrants in Europe](#), the [Who is Who platform](#), as well as the [Annual Report on the Situation of Asylum](#), etc. Participants were informed that a new [EUAA Strategy on Vulnerability](#) had been published which aims at mainstreaming vulnerability in all of the Agency's activities. The Agency also continued producing Country of Origin Information (COI) reports as well as Country guidance. For example, in 2023, some 9 COI reports were published and the Agency had prepared 5 Country Guidance reports (see PPT for more details). Finally, he explained that a new Unit on monitoring would be established in 2024 to carry out the tasks in connection to the monitoring mechanism – a new responsibility of the Agency in line with the EUAA mandate (and which purpose it is to monitor the technical and operational application by Member States of the CEAS).

**Mark Camilleri**, Acting Head of the **Horizontal and Institutional Affairs Centre**, explained the Agency's activities in the external dimension as well as the complaints mechanism. He recalled that the Agency's core mission is the internal dimension of the CEAS, but that there is also a small and growing role to play for the Agency in the external dimension. Cooperation with third countries is guided by the External Cooperation Strategy, which was revised in March 2023. New in the strategy is the way the Agency defines its relationship with third countries moving from a geographical approach to a relation-centered approach. Support in the external dimension consists of: 1) capacity building support in asylum and reception matters; 2) support to Member States on resettlement and humanitarian admission. Capacity-building support is provided both on a bilateral as well as regional approach. At bilateral level, cooperation is framed on the basis of Roadmaps. For example, the Agency has Roadmaps in place with all six Western Balkan countries, and with Türkiye. Also in the MENA region the Agency has concluded a bilateral Roadmap with Egypt and is implementing a regional pilot project for North Africa and Niger. Regarding the complaints mechanism, participants were informed that the draft rules of the mechanism had been developed and that the Consultative Forum would soon be asked to provide feedback.

During **Q&A**, several questions were asked about the Resettlement Support Facility in Istanbul, the support the Agency provides in drafting opinions when providing operational support to a Member State, support provided on relocation, the Agency's plans to mainstream statelessness across the training modules, and some technical questions related to the Asylum Report, the involvement of asylum seekers in the development of tools/guides, as well as the scope and purpose of the complaints mechanism.

- Concerning the Resettlement Support Facility, it was clarified that the Agency has set up a facility in Istanbul to support Member States who are resettling out of Türkiye; the Agency does not engage in any resettlement activities itself but provides rooms/space where it can provide services to Member States.
- As to operational support related to the drafting of opinions, it was clarified that the Agency helps to prepare the decisions but that the responsibility for the final decision on the assessment of applications remains with the Member States.
- With regard to relocation and whether or not the Agency is scaling up support and is aiming for convergence in the relocation process, the Agency said that we first need to wait for the Pact to see what the solidarity mechanism would consist of and how it is meant to be implemented. Having said that, it was recalled that the Agency has gained



much experience in supporting Member States with relocation processes (e.g. through the 2015/2016 exercise, relocation of UAMs out of Greece, as well as the implementation of the Voluntary Solidarity Mechanism) and has developed tools which aim at harmonizing the relocation process.

- On whether or not there are plans to mainstream statelessness throughout the training modules, the Agency confirmed that this is indeed the aim and was being worked on. The Agency had already developed, in cooperation with CSOs, a module on statelessness as a form of persecution and was also planning to develop a module on statelessness in the phase of registration.
- Regarding the Asylum Report, participants were reminded that the deadline for submission of CSO input was on 30<sup>th</sup> November 2023 and that the input could also be provided in different languages (the team makes use of a translation tool).
- On the involvement of asylum seekers in the development of tools/guides, the Agency confirmed that this is a concrete endeavour and referred to several examples where asylum seekers had directly been involved; namely, in the context of the Let's Speak Asylum project where information material had been consulted and reviewed by applicants for international protection; or also in the context of tools developed by the Vulnerability Experts Network (child applicants had been consulted on child-friendly information material regarding vulnerability).
- Regarding the complaints mechanism, it was clarified that complaints can only be submitted by persons directly affected (or their representatives) by the actions of asylum support team members, when they consider that their fundamental rights have been violated due to an expert's actions. This is stipulated in the EUAA Regulation in such wording and the scope for the complaints mechanism can therefore not be broadened to include other instances of violations. For any other violations of fundamental rights not committed by members in Asylum Support Teams (ASTs), the Agency was working in parallel on developing an escalation mechanism which would allow for an appropriate escalation process for situations when Agency staff becomes aware of any serious violations of fundamental rights or international protection obligations committed by a host Member State.

**Francois Deleu**, the Agency's **Fundamental Rights Officer**, provided an overview of his recent activities and main priorities. These included: 1) The Fundamental Rights Strategy; 2) the complaints mechanism; 3) internal guidance for FRO visits to operational activities of the Agency. Regarding the Fundamental Rights Strategy, he explained that many consultations had been held both internally as well as externally, which were used as a basis for developing the first draft Strategy and Action Plan. The next step would be formal consultation with the Consultative Forum as well as other stakeholders (e.g. Commission, UNHCR, etc), followed by adoption of the Strategy and Action Plan by the Management Board, possibly in February/March 2024. An overview was provided of the main guiding principles of the draft Strategy, as well as its goals and objectives (see PPT). Concerning the complaints mechanism, FRO clarified that the Agency is responsible for developing the draft rules of the mechanism, whereas the implementation of the mechanism is the responsibility of the FRO. He emphasised important elements for the complaints mechanism to be effective in practice, for example that the members of the ASTs should be visible, that applicants for international protection should know about the existence of the complaints mechanism, and how to submit a complaint about what. He also emphasised the importance of providing appropriate training on the complaints mechanism to ASTs. The FRO underlined the important role for CSOs in helping raise awareness about the complaints mechanism, emphasising it would be important for CF



members to become involved in such awareness raising efforts as well. Another important role for CSOs could be the representation of persons submitting a complaint. Finally, regarding the internal guidance for FRO visits to operational activities of the Agency, the FRO referred to the EUAA Regulation which foresees that the FRO can organise visits to the places where the Agency carries out operational activities. He explained that, so far, he had carried out two visits and had reached out to CF members on an ad hoc basis in the context of such visits. Going forward, the FRO would like to develop a proper ‘operational visit methodology’ which the CF would be consulted upon.

During **Q&A**, CF members asked the FRO questions on how he intends to measure the impact of his work and what EUAA should do if/when providing support in a third country where there would be serious and systematic violations of fundamental rights (e.g. possibly withdraw?).

Regarding the impact of the FRO’s work, he referred to the Agency’s established practices for monitoring and evaluating the impact of its work – FRO’s activities would also be included and thereby monitored and evaluated. On the question of EUAA support in third countries, the Agency clarified that its support in third countries consists primarily of capacity-building support. The Agency does not provide operational support to third countries in a similar manner as it does to EU Member States.

### **3.1.2 EUAA Consultative Forum becoming fully operational**

**Dr. Sarah Adeyinka**, the **Consultative Forum Chair a.i.** provided an update on ongoing Consultative Forum activities. She explained that the main priority for the Forum in 2023 had been the development of the CF working methods. Next to that, another priority had also been the establishment of the two thematic consultation groups on Country of Origin Information and Persons in a Vulnerable Situation, respectively. Beyond these priorities, the Forum continued implementing its usual activities. By the end of November 2023, a total of 10 consultations had been carried out on a number of different topics and thematic areas, such as the Asylum Report, consultations on the Agency’s training modules, a survey on information provision and disability, a consultation on the Let’s Speak Asylum project, an information session was organised on the monitoring mechanism and so on. Since taking up his duties in mid-May, the Consultative Forum had also regularly exchanged with the FRO on a.o. the Fundamental Rights Strategy and FRO’s activities and priorities more generally.

The Consultative Forum Chair a.i. provided an overview of the process for the development of the working methods. Based on input from the CF members, and with the help of the CF Secretariat, the Chair had proposed a first draft and, after several rounds of feedback with the CF members, a draft final version was presented to the Executive Director and the Management Board for their feedback. As no changes were made to the text, the final version had been shared with CF members once again and considered agreed.

The Chair then summarised the main elements of the working methods (see PPT) and CF CF members confirmed their agreement.

**Sven Retore**, from **Visuality** (external contractor) chaired the session on the election of the EUAA Consultative Forum Chair. After a short interactive conversation with the Chair a.i., the candidate for the position, **Ms. Ana Ciuban from A.M.I.I.** presented herself to the CF members



who were then invited to cast their vote. Voting took place electronically via the online tool Election Runner.

After the lunch break, the results were announced and **Ms. Ana Ciuban** from A.M.M.I was confirmed as the **new EUAA Consultative Forum Chair for a 2-year term of office**.

### **3.1.3 Inter-active discussions on ongoing CF activities and the annual work plan for 2024**

During the afternoon session CF members engaged in participatory discussions which focused on ongoing CF activities as well as the annual work plan for 2024.

There were two rounds of discussions:

1. The first round focused on ongoing CF activities where CF members were asked to provide feedback on the ongoing activities. Discussions were organised in a “world café” setting, based on three main questions:
  - What should we **start** doing as Consultative Forum?
  - What should we **continue** to do?
  - What should we **stop** doing?
2. The second round of discussions focused on the CF Annual Work Plan 2024. Prior to the meeting, the CF Secretariat had circulated a background paper to facilitate these discussions. The background paper presented an overview of planned activities for 2024 and the CF members were invited to provide their feedback on these. Discussions were organised in small groups and were guided by the following questions:
  - What is your feedback on the proposed activities?
  - What do we need to realise this plan?
  - How can these activities bring an added value to you? How can you bring an added value to these activities?
  - What other themes might we tackle?

### *Summary of main outcomes of the first round of discussions: what should we as CF start, continue and stop doing?*

For the first round of discussions, the main take-aways are presented in table 1 below. The table is organised per main element with suggestions for what the CF needs to “start”, “continue” and “stop” doing.

Regarding the **CF’s composition**, the CF members are in favour of keeping the CF’s broad membership and suggested involving more refugee-led as well as smaller organisations. They also found it important to ensure that CF members are engaged and motivated to contribute to the CF. CF members would like to see the CF Chair to be reimbursed for his/her work and, where possible, to also provide financial compensation to smaller NGOs for their contributions to the Forum. CF members would like the CF Secretariat to continue to provide support to the CF.



With regard to the **planning of CF work**, CF members would like to continue to draft an annual work plan and also start developing an annual calendar featuring all CF activities and events. Unforeseen requests should however be discontinued.

Concerning **CF activities**, CF members would like to start organising field visits to EUAA HQ and/or EUAA operations in MS and the suggestion was also made for the CF to facilitate exchange visits amongst CF members themselves. Concerning **electronic consultations**, CF members stated that the deadlines should be prolonged to a minimum of 1 month. Regarding **CF meetings**, CF members would like to continue having a Plenary Meeting in person, including with interactive discussions and participatory methods. A suggestion was made for the CF to convene in Plenary more regularly, e.g. twice per year. CF members would however like to organise the Plenary in other MS than Malta which by definition always necessitates air travel. Regular online meetings should continue including the information sessions whereby CF members are provided with an update on EUAA’s work.

With regard to **communication**, CF members would like to establish an online platform to improve the efficiency of communication. Whereas some mentioned they would encourage receiving more updates and feedback from the Agency, others mentioned that the Agency should rather send less e-mails to the CF members.

Regarding the **involvement of CSOs in EUAA’s work**, the suggestion was made for CF members to participate in EUAA’s trainings and for EUAA to invite CF members to participate in more Working Group meetings. Finally, when it comes to the **thematic areas of work**, it seems that most CF members are pleased to continue exchanging on e.g. COI, asylum procedures, statelessness etc. Some CF members suggested expanding the thematic focus including by increasing the focus on fundamental rights, most notably focusing on the complaints mechanism and how it links to monitoring.

**Table 1: summary of main take-aways from discussions on ongoing CF activities: what does the CF need to “start”, “continue” and “stop” doing?**

	START	CONTINUE	STOP
<b>CF composition</b>	More refugee-led organisations	Involve refugee led organisations	Stop not being motivated (for CF members)
	Involve smaller NGOs	Ensure CF members are engaged	
	Involve more Maltese NGOs	Broaden CF membership	
	Provide more info on CF members’ expertise in the list of CF membership		
<b>Financial compensation</b>	Financially reimburse the Chair for her/his work		Stop asking for unpaid contributions from Chair and CF members





	START	CONTINUE	STOP
<b>CF Secretariat</b>		Continue to provide CF Secretariat	
<b>CF activities</b>	Organise field visits to EUAA HQ and operations	Field visits from EUAA staff to NGOs	
	Organise exchange visits amongst CF members		
<b>Consultations</b>	Give minimum 1 month deadline		Stop giving too short deadlines for feedback from CF
<b>CF thematic groups</b>	Provide more information on role and activities of the CF thematic groups	Continue with the CF thematic groups on COI and vulnerability and create more thematic groups	Stop lack of transparency on membership thematic groups (admission)
		Share information from CF thematic group meetings with all CF members	
		Appoint Rapporteurs	
<b>CF Meetings</b>	Organise CF meetings in <i>other</i> MS	Continue in person Plenary meeting, including the use of participatory methods	Stop organising meetings with air travel & Stop non-consideration of meetings places other than MT
	Organise more regular online meetings	Organise online information sessions to update about EUAA's work	Stop all day meetings (not accessible for people with disabilities)
	Circulate the participants' list prior to CF meetings		Stop giving general presentations
	Organise good practice workshops		
<b>Communication</b>	Create online platform for CF	Transparency	Stop sending so many emails
	Improve transparency in communication (e.g. working group inclusion)		



	START	CONTINUE	STOP
	More feedback from EUAA to the Forum		
<b>Involvement CSOs in EUAA's work</b>	CSOs to participate in EUAA's trainings	CSOs to support in the delivery of trainings, where possible	
	Invite CF members to participate in EUAA meetings/working groups		
<b>CF-FRO</b>		Continue cooperation CF-FRO	
<b>Thematic areas</b>	Increase focus on complaints mechanism and link to monitoring	Continue to engage with FRO	
	Expand thematic priorities	Continue to engage on Country of Origin Information	
		Exchange on various aspects of the asylum procedure	
		Continue the EUAA case-law database with involvement CSOs	
	Focusing on statelessness and rejected asylum applicants		
<b>Planning of work</b>	Draft an annual calendar of all CF events/activities	Draft an annual work plan for the CF	Stop unpredictable requests
<b>Other</b>			Stop limiting the CF budget
			Stop treating CF as decorative element in the Agency's work
			Stop treating refugees as beneficiaries rather than partners
			Stop using so many printed EUAA promotional material



	START	CONTINUE	STOP
			Less bureaucratic reimbursement

## Summary of main outcomes of the second round of discussion: feedback on the CF Annual Work Plan 2024

In the background paper that had been circulated to CF members prior to the Plenary meeting, an overview was presented of different areas of work/activities where the Agency would like to involve the Forum in 2024. The paper had been compiled upon the request of the Chair a.i. and with the support of the CF Secretariat.

Discussions were organised in small groups on the basis of the following lead questions:

- What is your feedback on the proposed activities?
- What do we need to realise this plan?
- How can these activities bring an added value to you? How can you bring an added value to these activities?
- What other themes might we tackle?

In terms of **feedback on the proposed activities**, concerns were expressed that the planning of activities was unrealistic due to the heavy workload with too many consultations scheduled sometimes in too short period of time (e.g. important consultations on the Fundamental Rights Strategy and complaints mechanism). In general, CF members would appreciate receiving less requests for input and less electronic consultations. The importance of flexibility was emphasised; sufficient time should be allowed for the CF members to provide their input. There was also a clear request for receiving more feedback from the Agency on what is eventually done with the input from CF members and how it has been used.

Regarding the **thematic topics** presented in the draft overview of activities for 2024, CF members welcomed the CF's involvement/consultation on the fundamental rights framework for the Agency, i.e. the consultation on the Fundamental Rights Strategy, the complaints mechanism, as well as the Code of Conduct for ASTs. These were considered as priority topics for the CF to focus on. Training was also mentioned as an important thematic area, with CF members asking to receive more details on planned consultations: for example, which training modules would the CF be consulted upon in 2024? How many, when? The cooperation between the CF and the FRO was welcomed and should be continued. In addition, some CF members found that there were some important more strategic topics missing from the CF activities in 2024, such as the Agency's activities in the external dimension, the monitoring mechanism, as well as the return of rejected asylum seekers, pushbacks, Dublin, etc.

As to **what is needed to realise this plan**, CF members mentioned, most recurrently:

- More commitment of all CF members ensuring engagement and motivation to contribute to the CF activities
- Financial compensation for the Chair
- Appointment of a Deputy Chair



- More budget to be allocated to the CF
- Clear communication (explore restricted area for CF members on the EUAA website)
- Realistic deadlines for consultations
- More transparency

Regarding the **added-value question**, the proposed activities for the CF in 2024 would provide **added-value to CF members** in the following ways:

- CF members would be able to better understand the EUAA activities, have access to EUAA guides/tools, and receive updates on the asylum and reception situation. It would help them understand the EU context better.
- CF activities also provide important networking opportunities to CSOs with possibilities to exchange on best practices, knowledge sharing, etc.
- CF members find it important to be able to bring the perspectives of asylum seekers/refugees.
- CF also provides an opportunity to strengthen CSOs' common voice.

As to **how CF members can bring added-value to the CF activities**, the following was mentioned:

- CF members can bring in the perspective of asylum seekers/refugees, especially the refugee-led organisations
- Practical expertise and knowledge from the ground
- Multi-dimensional expertise on all aspects of the asylum procedure
- Practical insights gained from providing legal assistance to asylum seekers/refugees
- Increased credibility and visibility for the EUAA

Finally, on **what other themes** the CF might tackle in their annual work plan 2024, several suggestions were put forward, as follows:

- The New Pact on Migration and Asylum and its implementation
- Monitoring mechanism
- Reports on third countries/ third country participation in COI
- Legal aid
- Organise a thematic meeting on TPD
- Pushbacks (access to justice for victims of pushbacks and shipwreck survivors)
- Reception (problems related to mass accommodation)
- How to involve refugee-led organisations in the decision-making process?
- Supporting grassroots organisations initiatives
- EUAA activities
- Country of Origin Information and Vulnerability

