

UNHCR 2021 Regional Consultations with NGOs in Europe 2021 Regional Dialogue #1 - February 2021

Introduction

In 2020, the UNHCR Regional Bureau for Europe, together with the European Council on Refugees and Exiles (ECRE) and the International Council of Voluntary Agencies (ICVA), organised **five online Dialogues with NGOs** between July and December 2020, touching upon various topics, selected based on NGO feedbacks, UNHCR's priorities and emerging situations.

These thematic ad hoc exchanges helped (i) promote two-way information-sharing, (ii) exchange on key developments concerning the situation of refugees, asylum-seekers, stateless persons and internally displaced people across the region, and (iii) enhance joint and complementary advocacy, including between Geneva and Brussels-based actors.

In 2021, UNHCR, ICVA and ECRE will hold a **series of events**, ensuring constant dialogue and maximizing opportunity for outcomes, including regional thematic dialogues from January to June 2021.

Background

UNHCR and NGOs are receiving increased reports of **push-backs** at Europe's land and sea borders, covering various forms of non-admission, including rejection at the border or informal returns, and have correspondingly stepped-up advocacy (see e.g. [UNHCR's press release on asylum under attack at Europe's borders](#) of 28 January 2021).

Such advocacy highlights the illegality of push-backs and asked for States to investigate such reports and halt such practices. In this context, stakeholders have called for the establishment and use of **national independent monitoring mechanisms** to ensure access to territory and asylum, prevent rights violations at borders and ensure accountability.

It is also against this background of continuing reports of push-backs, in particular at the EU's external borders, that the new **Pact on Migration and Asylum proposed by the European Commission** highlights the need to provide for independent monitoring and investigation of fundamental rights violations at borders. This provides further opportunity to bolster respective advocacy.

The Pact's proposed Screening Regulation (Article 7) foresees the establishment by EU Member States (MS) of national independent monitoring mechanisms in the context of the proposed pre-entry screening to ensure respect for fundamental rights, including for the principle of non-refoulement and access to the asylum procedure, and that allegations of non-compliance are dealt with effectively and without undue delay. In doing so, MS are asked to put in place adequate safeguards to guarantee the independence of the national mechanism. The set-up and independent functioning of such mechanisms shall be supported by general guidance developed by the Fundamental Rights Agency (FRA). Upon request by a MS, FRA may further support States in developing their national mechanism, including as regards safeguards for independence, monitoring methodology and appropriate training schemes. Other stakeholders, such as national, international and non-governmental organisations and bodies may also be invited to participate in the monitoring.

Objectives

This meeting is an opportunity for UNHCR, ECRE, ICVA and NGOs at the European level to identify concrete ways towards an enhanced and complementary advocacy on independent monitoring mechanisms as an important means to support access to territory and asylum and prevent and address fundamental rights violations at borders. Of note, push-backs, border

monitoring and the Pact had already been identified in 2020 as key topics of interest of NGOs in Europe moving forward.

In line with the objectives of Regional Dialogues with NGOs, participants are invited to:

- Share potential **advocacy plans on the independent monitoring mechanisms**, including key messages, format and timeline, pertaining to:
 - o the concept of independent monitoring mechanism,
 - o their development,
 - o their functioning,
 - o the potential support role participants envisage to advocate for.
- Identify **synergies and opportunities** for joint/complementary advocacy.

When registering for the Dialogue and to feed into the discussions, participants will be encouraged to share existing advocacy material pertaining to push-backs and monitoring mechanisms in a dedicated field of the Kobo survey.

Participants

NGOs operating at regional level in Europe, including specific NGOs with the required expertise. ICVA and ECRE Representatives and members. Beside UNHCR regional office and representation for EU affairs, specific country office representatives/staff (to be confirmed) will take part in the discussions, as well as OHCHR. The participation of staff in charge of advocacy will be of particular relevance.

When registering for the Dialogue, NGO participants will be encouraged to express their interest in presenting their advocacy strategy, plans and products during the discussion.

Modalities

Online format

Agenda

1	5 min	Introduction	UNHCR (Nicolas Brass)/ICVA (Jerome Elie)
2	10 min	Scene-setter: Push-backs in Europe and the important role of national independent monitoring mechanisms	- UNHCR (Nina Schrepfer) - Border Violence Monitoring Network
3	45 min	Views and perspectives on independent national monitoring mechanism as a means to prevent and address push-backs	- OHCHR - Birgit Van Hout (10 mns) - ECRE - Josephine Liebl (5mns) - DRC Brussels - Birte Schorpion - (5 mns) - Open discussion (25 mns) Moderation: Loise Dai Rocheteau (Policy Officer Forced Migration – ICVA)
4	30min	Advocacy around the establishment of independent national monitoring mechanisms + suggestions for joint/complementary advocacy/efforts	All participating entities. Including inputs from Are you Syrious (Milena Zajović Milka), FRA and the European network for national HR institutions. Moderation: Josephine Liebl (Head of advocacy – ECRE)

UNHCR Regional Bureau for Europe