

PICUM General Assembly Minutes

11 May 2019

The International Auditorium

Boulevard Roi Albert II 5, 1210 Brussels

MINUTES

The following members and guest speakers attended:

Organisation	Name	Organisation	Name	Organisation	Name
Accem	Maria Teresa De Gasperis	Fundación Cepaim	Nacho Hernández Jesús Tolmo	Migrant Voice	Nazek Ramadan Moussa
ADC Memorial	Stephania Kouleva			MPEVH	Emili Pietro
aditus foundation	Elysia Rezki	Fluechtlingsrat Niedersachsen e.V.	Aiguen Hirsch	MRCI	Edel McGinley
Afghan Association	Mujib Wais Ezat	GCM	Monami Maulik	NAGA	Pierfranco Olivani
Agisra e. V	Sium Shewa	Generation 2.0 RED	Nikolaos Odubitan	Nasc Migrant and Refugee Rights Centre	Susan Mackey
AITIMA	Evangelia Kardamaki	GISTI	Christophe Pouly	ODT TRAVAILLEURS IMMIGRES AU MAROC (ODT-I)	Franck Iyanga Makelo
ARBEIT UND LEBEN DGB/VHS Berlin-Brandenburg	Philipp Schwertmann	Greek Forum of Refugees	Moussa Sangare	OMANIAE vzw	Richard Osei Bonsu
ARSIS Association for the social support of youth	Konstantinos Kyrmanidis	Hackney Migrant Centre	Daf Viney	ORBITvzw	Didier Vanderslycke
Asgi	Luce Alessandra Bonzano	HIAS	Nimrod Avigal	Oslo Red Cross/Church City Mission	Annlaug Selstø
ASKV/Steunpunt Vluchtelingen	Anne van Schaik	Hotline for Refugees and Migrants	Huda Kundos	People in Need	Tereza Freidingerová
Asociación en Prevención y Asistencia de la violencia	Ana Maria Rocco	Humanity Crew	Shadia Sbait	Physicians for Social Responsibility	Meri Korniloff
Association for Legal Intervention (Stowarzyszenie Interwencji Prawnej)	Magdalena Sadowska	ICRSE	Luca Stevenson	PLATEFORME ENFANTS DU MONDE - CRF	Stephanie Leroux
Asociación Salud y Familia	Concha Par López-Pinto	IMIX	Emma Harrison	Platform Minors in Exile	Rob Kaelen
Austrian Red Cross	Bernhard Schneider	Immigrant Council of Ireland	Mary Henderson	Protection International	Liliana De Marco Coenen
Ban Ying	Livia Valensise	Institute for Race Relations and Protection International	Anya Edmond-Pettitt Liz Fekete	POR TI MUJER	Lucy Polo

Caritas Sweden	Marie-Christine Eidem George Joseph	Jesuit Refugee Service	Evita Armouti	Raiz Mirim ASBL	Nubia Almeida
		Jesuit Refugee Service Europe	Sara Garcia	Red Acoge	Lucia Maquieira Elena Vazquez
Center for Legal Aid - Voice in Bulgaria	Radostina Pavlova	Kav Laoved	Tamar Niv Israel		
Centre Enfants du Monde	Dominique Habiyaremye	KOK e.V.	Eva Kueblbeck	Red Aminvi	Diana Tutistar Rosero
Centre for European Policy Studies	Lina Vosyliute	La Strada Czech Republic	Sylva Hampalova	Rosengrenska stiftelsen	Anne Johansson
Centre for Youths Integrated Development	Victor Aihawu	La Strada International	Suzanne Hoff	Sans-Papiers Anlaufstelle Zürich	Anna Schmid
Centre Mokosha NGO	Jana Papcunova	Latin American Women's Rights Service	Lucila Granada	Sans-Papiers Anlaufstelle Zürich SPAZ	Bea Schwager
Close Campsfield campaign and end of Immigration Detention	Maria Clara Della Croce	Le Monde des Possibles	Cossi Noudofinin	SB Overseas	Mariana Batista
Coram Children's Legal Centre	Marianne Lagrue	Legis	Jasmin Redjepi	Scot-PEP	Chloe Taylor
Differenza Donna	Valentina Pescetti	MARS (Mouvement d'Action pour le Renouveau Social)	William Kodzo Agbenyega Tsolenyanu	SexWorkCall	Ana Mohr
EATG	Nyambe Mukelabai	Maternity Action	Scarlet Harris	SIMI	Magda Faltova
European Network of Migrant Women	Adriana S Thiago	MAISHA e.V – African Women in Germany	Virginia Wangare Greiner	SIMM	Daniela Panizzut
European Roma Rights Centre	Adam Weiss	Médecins du Monde	Nathalie Simmonot	Skåne Stadsmission	Hanna Scott
FAIRWORK Belgium	Omar Garcia Jan Knockaert	Medinetz Mainz	Mareike Jannerman	stichting LOS	Rian Ederveen
		Medpunt Vreemdelingendetentie	Karoline Linke Fleur van der Wal	Swedish Trade Union Center for Undocumented Migrants	Maria Östberg Svanelind
FILIPINIANA-EUROPA vzw	Juliet Frisnedi Regidor			The Detention Forum	Eiri Ohtani
FIZ Advocacy and support for migrant women and victims of human trafficking	Nina Lanzi	Menedék - Hungarian Association for Migrants	András Kováts	The Social Change Initiative	Martin O'Brien
Focus on Labour Exploitation	Caroline Robinson	MPEVH	Emili Pietro		
Evangelical Lutheran Church of Finland/Church Council	Ulla Siirto				

Secretariat staff:

PICUM	Karin Åberg	PICUM	Lilana Keith	PICUM	Alyna Smith
PICUM	Gianluca Cesaro	PICUM	Marina Kopacz-Thomaidis	PICUM	Kadri Soova
PICUM	Paul Geeraerts	PICUM	Michele LeVoy	PICUM	Irene Subiri
PICUM	Marta Gionco	PICUM	Giacomo Manca	PICUM	Roos-Marie Van den Bogaard
PICUM	Bettina Guigui	PICUM	Davide Mancini	PICUM	Laetitia Van der Vennet

In total, **97 people from 92 different member organisations** attended the General Assembly.

1. Opening

PICUM Chair Edel McGinley, MRCI, welcomed everyone and presented the agenda for the governance sessions of the second day of the General Assembly.

2. Presentation of key activities 2018

Michele LeVoy, PICUM Director presented the key activities of PICUM in 2018:

- **Global Compact on Migration:** PICUM held a large number of meetings with governments in New York and in Brussels. Issues important to PICUM's work were raised during negotiations and states were obliged to weigh in during open discussions about firewalls, access to social rights for undocumented, labour migration etc. PICUM's advocacy helped to shape the wording of the final text of the Global Compact.
- **Engaging with city authorities on undocumented migrants:** As a civil society member of the C-MISE project organized by Compas, University of Oxford, PICUM worked closely with city representatives from 10 cities in the EU, Norway and Switzerland to advise on the development of strategies for their work with undocumented migrants. The outcome of the C-MISE project includes a series of guidelines and videos for municipalities.
- **Undocumented children:** Due to the increased work on issues related to undocumented children, families and youth, new Advocacy Officer **Laetitia Van der Vennet** joined PICUM. One of the key areas of work is the best interests of the child assessment and durable solutions for children in the deportation process. To this end, in 2018, PICUM published a 'Manual on Regularisations for Children, Young People and Families'.
- **Campaigning for labour rights:** PICUM has been mobilizing its partners, civil society, employers and workers unions and leading a multi-stakeholder group on labour rights for undocumented workers. A leaflet 'Promoting Trade Union Inclusion of Undocumented Workers' was translated into 21 languages.
- **Promoting alternatives to detention:** PICUM is working closely with civil society, EU institutions as well as partners and members on national level. PICUM works with the European Alternatives to Detention Network to develop and promote case management-based alternatives to detention. As a result of this work, EU funding for alternatives to detention is presently included in the ongoing negotiations of the EU Multiannual Funding Framework.
- **New ways to work with PICUM members:** Members held five pilot exchanges in 2018. PICUM also engages in various activities with members through thematic task forces and member groups.
- **EU Funding Programmes:** PICUM is cooperating with ECRE on EU funding on migrant inclusion. As a part of the project, **Giacomo Manca**, the joint policy officer from PICUM and ECRE, is working on organizing national level workshops on opportunities in the new EU funding framework.
- **Funding:** PICUM received additional funding to bring a second person to the Communications team to lead on our new multimedia approaches. **Davide Mancini** took up the role of Multimedia Officer.
- **Legal seminar on ending child immigration detention:** PICUM organised its second legal seminar in Brussels bringing together a group of lawyers and advocates to discuss strategies to end child immigration detention. The seminar series will continue next year with another theme.
- **Advocating for safe reporting of crimes:** PICUM has developed a series of tools on the issue of firewalls. During the Global Compact process in New York, when access to services and justice for undocumented was discussed, some governments held up PICUM's leaflet on the firewall during their interventions.

- **International advocacy on access to healthcare:** PICUM has elevated its work on healthcare this year. For example, PICUM gave a training to 15 members on the concept of firewall to allow them to apply it in their national contexts. An animated visual explainer on the firewall and healthcare was produced.

3. PICUM Governance Matters and Voting

3.1 Adoption of agenda

The Agenda was presented by **Chair Edel McGinley, MRCI**, and unanimously adopted by the General Assembly.

3.2 Adoption of minutes from General Assembly 2018

The Minutes from the General Assembly were presented by **Chair Edel McGinley, MRCI**, and seconded. The Minutes from the General Assembly 2018 were adopted.

3.3 Financial

PICUM's Finance Director **Paul Geeraerts** introduced this session by indicating that the General Assembly would be required to approve the 2018 statutory accounts, the social fund, the dismissal of the Board from their financial duties for 2018, and the budget for 2019. He explained the audit procedures, which result in two reports, one for the European Commission and one for the Board. The financial statements are prepared by the auditors in the Belgian legal format.

- **2018 Accounts**

Overview

The total expenditure for 2018 was 1,026,471 Euros and the income was 1,052,903 Euros, with a positive result of 26,432 Euros.

Paul Geeraerts, PICUM, explained the four major headings of expenditure, staff costs, activities (conferences, meetings, publications, videos), governance (the General Assembly, Board and Management Committee meetings) and overheads, and the percentage each budget heading represents in PICUM's expenditure. He introduced the funders which contribute to PICUM's income. The difference between the activities budgeted and actually spent was due to some activities being cancelled, fewer participants or lower travel costs for some meetings.

Discussion

Valentina Pescetti, Differenza Donna, asked if there is a policy to avoid influence of foundations on the agenda of PICUM to ensure independence. **Michele LeVoy, PICUM** explained that PICUM does not have a formal policy, but that no funder has ever influenced what PICUM works on. The membership decides PICUM's strategic direction and thematic priorities, which are also reviewed by the Board. She assured members that funders do not influence PICUM's decision-making, and where there are similarities in PICUM's work and the priorities of its funders, it is because PICUM has identified them as a potential funder due to that commonality and approached them to fund the work that we have planned and developed with PICUM members. The European Commission is also PICUM's largest funder while being a target for advocacy. **Chair Edel McGinley, MRCI**, underlined that there is absolutely no correlation between the funding of Open Society Foundations and a workshop at the General Assembly on rights of undocumented sex workers. **Jan Knockaert, FAIRWORK Belgium**, reiterated that as a Board member, PICUM's Board would not in any way accept such influence on PICUM.

Maria Östberg Svanelind, Swedish Trade Union Centre for Undocumented Migrants, suggested that the Board reflect on the proposal to make clear to members that there is no influence on the agenda of the organisation. This was supported by **Anne van Schaik, ASKV**, given the desire to diversify funding; the policy should also relate to funding from the private sector/ companies, and how PICUM relates to members' funding where PICUM receives or might seek national level funding from foundations based in a particular country.

Nathalie Simonnot, Médecins du Monde, informed that this issue has been discussed in the Board, even though the policy has not been written. Key principles are that independence must be guaranteed, and that there are certain ethical considerations on where PICUM would accept money (e.g. not from socially and environmentally detrimental activities).

Chair Edel McGinley, MRCI, agreed that such policy will be developed for the next General Assembly.

Statutory accounts

Paul Geeraerts, PICUM explained the structure of the statutory annual accounts overview. He explained PICUM's assets, liabilities including outstanding payments and activities to be made, and income received (including the positive result of 26,432 Euros). This is allocated to the social fund (appropriation account).

Paul Geeraerts, PICUM invited members to also approach him outside of the session if they have more detailed questions regarding the accounts.

The financial statements from 2018 were approved: 71 for, 0 abstentions, 0 against.

3.4 Social reserve fund

Paul Geeraerts, PICUM presented the social fund, which ensures some severance pay for staff in the case the organisation loses funding. The equivalent of 3 months' salary of the total salary costs was the target. The Board is proposing a new way of calculating the allocations to the social fund, to be more realistic, also because PICUM has almost reached the target. The new proposal is to take the actual costs of severance, if acquired at the end of the year, until the fund amounts to half of the amount that would be due to the staff. This would have to be calculated each year.

The new valuation rule for the social fund was approved: 71 for, 0 abstentions, 0 against.

The allocation of a percentage of the positive result of 2018 (20,000 Euros) to the social reserve was approved: 71 for, 0 abstentions, 0 against.

The remaining result from 2018 will be kept in the general reserve of the organisation.

3.5 Dismissal of the Board of their financial responsibilities for 2018

Paul Geeraerts, PICUM, explained the need to dismiss the Board of their financial responsibilities under Belgian law.

The dismissal of the Board of their financial responsibilities for 2018 was approved: 71 for, 0 abstentions, 0 against.

3.6 2019 budget

Paul Geeraerts, PICUM, presented the budget for 2019. He noted the increase in staff costs due to two additional staff members, the Multimedia Officer and the additional Advocacy Officer. He explained an increase in activity costs due to an ambitious work plan for the year. There is a small decrease in the overheads. He presented the activities in more detail, leading to the total expense of 1,313,323 Euros. The donors are the same as in 2018 due to multiannual agreements that continue in 2019.

Valentina Pescetti, Differenza Donna, announced they would vote against the 2019 budget due to a lack of formal policy on PICUM's funding principles (see discussion under agenda point 3.3).

The 2019 budget was approved: 70 for, 0 abstentions, 1 against.

3.7 Adoption of new applications for membership and withdrawals

Suspension or withdrawal of membership

All participants were provided with a document containing a list of suspended members who had failed to pay their membership fees for two or more years. **Chair Edel McGinley, MRCI**, explained that there had been repeated efforts by the Secretariat to contact the organisations. Attendees were also informed of the organisations that either ended their activities or changed priorities and stepped out from PICUM.

Sixty-nine (69) members voted in favour, and 2 abstained, of the suspension or withdrawal of membership of the following organisations:

- Non-payment of fees: IGAM (Netherlands), Diakonie (Austria)
- Ended activities: OKIA (Netherlands)
- Change of priorities: La Cimade (France), Migrants Organise (UK)

New members

All attendees were provided ahead of the GA with a document containing information about applicants for PICUM membership. According to PICUM's rules and regulations, new members are formally admitted by the General Assembly after being pre-approved by the PICUM Board.

Chair Edel McGinley, MRCI, invited representatives of each prospective new member to introduce their organization:

- Skåne Stadsmission (Sweden)
- MARS (Togo)
- Arbeit und Leben (Germany)
- Red Edition (Austria)
- UTSOPI (Belgium)
- CEPAIM (Spain)
- SexWorkCall SWC (Romania)
- **Luca Stevenson, ICRSE**, presented on behalf of their member, Red Edition, which was unable to attend.

A question was asked from the floor (**Nazek Ramadan, Migrant Voice**) about the process for reviewing applications for membership, in particular the Board's involvement. Board member **Jan Knockaert, FAIRWORK Belgium**, explained that applicants sometimes initially meet with PICUM staff (when possible), and that all must complete an application form and produce documents that indicate their income, activities, and work on undocumented migrants, among others. They must also include a reference, including from at least one PICUM member. In case of insufficient information, Board members call candidates for additional information, to confirm that the organisation works with or on issues facing undocumented migrants and shares PICUM's mission and values. Board member **Nathalie Simonnot, Médecins du Monde**, added that several Board members had indeed this time followed up with prospective members by phone, and then reported back to the rest of the Board.

A question was asked from the floor (**Adriana S. Thiago, European Network of Migrant Women**) about Arbeit und Leben's approach to sex work. **Philipp Schwertmann, Arbeit und Leben**, answered that sex work is legal in Germany, and their organisation accepts people's choice to pursue all types of work, including sex work. Their organisation is specialised, however, in other sectors than sex work.

All 6 new members were approved by the General Assembly, by secret ballot. PICUM has now 162 members.

3.8 Adoption of new Board members and re-election of Board members

PICUM Chair Edel McGinley, MRCI, introduced the current Board members to attendees, and invited members to consider putting forward new candidates for the Board in the coming year. She noted current lack of Board members from Mediterranean countries.

The following six board members up for election or re-election presented themselves and their reasons for standing:

- Adam Weiss, European Roma Rights Centre – *standing for re-election*
- Meri Korniloff, Physicians for Social Responsibility (Finland) – *standing for election*
- George Joseph, Caritas Sweden – *standing for re-election*
- Didier Vanderslycke, Orbit (Belgium) – *standing for re-election*
- Andras Kovats, Menedek (Hungary) – *standing for re-election*
- Edel McGinley, MRCI (Ireland) – *standing for re-election as Board member and Chair*

Also on the ballot for re-election was **Franck Duvell, German Centre on Integration and Migration Research**, who could not be present for health reasons.

The six board members on the ballot for election or re-election to the PICUM Board were approved by the General Assembly, by secret ballot.

Code of Conduct

The Chair informed the Assembly that a Code of Conduct has been drafted, which aims to deepen our respective commitment to shared values. The Code of Conduct, which is voluntary, will be disseminated electronically to the network. Copies were made available at the General Assembly, and organisations were encouraged to sign.

4. Closing Plenary

Introduction

Chair Edel McGinley, MRCI, announced the results of the voting:

- All six new members have been approved by the GA
- All of the board members have also been approved.

Chair Edel McGinley, MRCI, also expressed thanks on behalf of the Board to **Beshid Neghafi, Agisra**, who stepped down as a board member this year. A special moment was also taken to thank all of the staff, interns and volunteers at PICUM.

Opportunities Ahead

Chair Edel McGinley, MRCI, chaired the closing panel with three member organisations, which focused on far-right narratives and hate speech online.

Adam Weiss, European Roma Rights Centre, noted that almost everyone has seen hate speech online. Most have complained to Facebook, some to the police. This is an important issue for the ERRC, which counters anti-gypsyism and works mainly through legal cases. It is nonetheless very challenging to formulate cases on hate speech since many lawyers have felt that freedom of speech/freedom of expression should not be challenged.

This has been a very frustrating issue for Roma activists and Roma-led organisations. While this is changing and more are now willing to take on such cases, there are still limited options for legal cases in general on hate speech.

In Ukraine, Bulgaria, Croatia and Italy severe incidents have taken place including race riots, camps burned down, etc. Such examples of hate crimes against Roma are not limited to those countries mentioned above but occur throughout Europe.

The ERRC questions the notion that hate speech would be a clash between the right to expression and minority rights. Racial and xenophobic hate is not a part of freedom of expression. All EU countries have an international obligation to prevent racial hate. If complaints are made, it signals the extent of the issue.

ERRC are currently developing a strategy for tackling hate speech. For example, when the Macedonian singer Irena made statements about Roma people and animal abuse, ERRC went to the police and reported the incident as incitement to racial hatred. This occurred one and a half year ago and criminal proceedings are still ongoing. That the investigation has not been dismissed shows that such complaints are taken seriously, even if the police does not handle such cases very often.

Antonio Tajani, the President of the European Parliament, publicly spoke against social benefits because he claimed that it might benefit Roma people, who, according to him, do not work. ERRC complained to the EP and the European Ombudsman and are also considering bringing a complaint to the police.

What can be done against hate speech?

1. File criminal complaints against social media providers such as Facebook, Twitter, etc. that spread racial hatred online. Inciting racial hatred is illegal in all EU countries, and a criminal complaint can be filed as an NGO.
2. Ask prosecutors to dissolve far-right groups. Freedom of assembly does not protect these organisations. This method is not always effective, as some groups just reform under a different name.
3. Hold Internet companies that host hate speech online (e.g. Twitter, Facebook) liable under national civil law. Sometimes accounts are not taken down because companies claim that the statements are covered by freedom of speech. According to European case law, states can hold these providers accountable for allowing racist remarks to continue.

Teresa de Gasperis, ACCEM, Spain, presented the campaign entitled “Save a Hater.”

The aim of this campaign is to promote critical thought among citizens and tell the general public to think about what they publish on Facebook, WhatsApp, Twitter etc. These social media channels are often used for information that fosters hate speech. The campaign also intends to encourage people to think about the consequences these messages can have on the life of another person.

The campaign has developed a practical tool that can be downloaded on how to act against hate speech online. A cross-cutting issue is misogyny. The campaign deals with this through irony, suggesting to save haters from themselves. The campaign works with data, counter-narratives to deal with rumors and fake news around migrants and women to break down stereotypes.

ACCEM is also working together with Red Acoge and other organisations to run an anti-discrimination service to support migrants and Roma to access rights, employment, housing etc.

Andras Kovats, Menedek, Hungary, explained that in 2015, after existing as an organization for 20 years, Menedek received their first hate mail. Menedek have never developed a communications strategy as they focus on providing services. Therefore, it has been hard to deal with the rise of hate speech directed at the organisation.

The first hate mail was received after having organized a flash mob on World Refugee Day. Since then they have developed a routine on dealing with the receipt of hate both online and offline.

1. Hate messages usually follow a pattern. They don't come continuously all the time. If it can be foreseen, it is easier to give oneself a break when it is needed. In Menedek's experience, they are targeted whenever they post something which reaches a more diverse group than their regular audience. The same if a post is very popular or if they appear in the news or in propaganda from the government.
2. Comments can be divided into a few categories. It includes conflicts, attacks against Menedek and attacks against others. What Menedek does is to close down the discussion and tries to get people banned from Facebook. They have noticed that this method is becoming increasingly successful. However, they have found that it is often easier to get a comment removed if it is reported as explicit sexual content rather than hate speech, which relevant in the majority of cases as in many languages, swear words are connected to sexuality.
3. Menedek also often engages in dialogue with people who use racist language on their Facebook page and encourages others to do so. As an experiment, Menedek created four different personas who communicated differently with the people who expressed negative opinions. One was a very naïve good-willing persona who was worried but did not know much about the issue. Another one was very energetic and active and had lots of facts and data. The third one was very curious and very gentle. The fourth one was a bully who fought back with the same tone. While the first two had no effect, the curious and slowly manipulating persona could get through to people as well as the bully.

Lastly, Menedek met a lot of different opinions from their supporters. Many thought they should just ban everyone who posted negative messages and did not want to engage in conflict. Menedek therefore also tries to inform their supporters that participating in debates is always more effective than just clicking a like button.

Chair Edel McGinley, MRCI, added that it is important to move the political landscape as well as understand the right-wing narratives. Islamophobia and anti-womanism is becoming more and more normalized. Right wing extremists are increasingly claiming working-class narratives, such as right to housing or right to education, and use it for their own ends. As a movement, we are afraid of tackling these narratives, such as the one on free speech. Now more than ever do we need to critically consider our own narratives and why we do what we do.

Mary Henderson, Immigrant Council of Ireland, from the floor, asked for an elaboration on the ECtHR case on holding providers accountable. **Adam Weiss, ERRC**, explained that he referred to the case *Vona v Hungary* in which the ECtHR found no violation of the freedom of assembly and freedom of expression in a situation where a far-right group was dissolved by the state. He further clarified that while the Court did not establish an obligation to intervene, ERCC argues that it can be interpreted this way.

Some members from Italy raised concerns about access to justice against hate speech. Engaging lawyers is costly, and the current prime minister constantly engages in hate speech but enjoys parliamentary immunity. **Adam Weiss, ERRC**, commented that they are considering the creation of a toolkit to encourage legal action at low costs. **Teresa de Gasperis, ACCEM**, added that there is also the possibility of submitting a complaint to an ombudsman instead of going to court.

Stephania Kouleva, ADC Memorial, added a perspective from Russia where free speech is already challenged. She highlighted the importance of distinguishing between hate speech by individuals and hate speech by authorities. Authorities have the capacity to implement their threat, like when Roma persons were removed from a city before the Olympic Games.

Final Remarks

Chair Edel McGinley, MRCI, closed the GA by thanking all members and the PICUM team, as well as funders, and invited all participants to fill out the evaluation form about PICUM.