

**OPERATIONAL PLAN 2024-2025**  
**AGREED BY THE EUROPEAN UNION AGENCY FOR ASYLUM AND**  
**GERMANY**

Valletta Harbour  
20 June 2024

The Executive Director of the European Union Agency for Asylum (hereinafter 'EUAA' or the 'Agency')  
and

The Vice President of the Federal Office for Migration and Refugees (hereinafter 'BAMF') of Germany (hereinafter 'Member State'),

Having regard to Regulation (EU) No 2021/2303 of the European Parliament and of the Council of 15 December 2021 on the European Union Agency for Asylum and repealing Regulation (EU) No 439/2010<sup>1</sup> (hereinafter referred to as 'EUAA Regulation'), and in particular Article 1, Article 2, Article 3, Articles 16 to 20 and Articles 23 to 28 thereof,

Hereby agree on the Operational Plan (hereinafter 'the Plan') for the provision of technical and operational assistance by EUAA to Germany.

The Operational Plan is binding in its entirety, including annexes.

The implementation period of the Plan shall be from 20 June 2024 until 31 December 2025.

The Plan enters into force on the date after it has been signed by both Parties.

EUAA shall share a copy of the Plan with the Members of the EUAA Management Board for information. The Plan will be made publicly available on the EUAA website.

Valletta Harbour  
20 June 2024

Executive Director of the  
European Union Agency for  
Asylum

Nina Gregori

Vice President of the Federal Office for Migration  
and Refugees of Germany

Dr. Michael Griesbeck

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<sup>1</sup> Regulation (EU) No 439/2010 of the European Parliament and of the Council of 19 May 2010 establishing a European Asylum Support Office.

## 1.0. INTRODUCTION

An Operational Plan addresses the specific needs of the requesting Member State(s) with regard to:

- operational and technical needs of the Member State(s) whose asylum and/or reception systems are subject to disproportionate pressure;
- operational and technical reinforcement needs of the Member State(s) facing disproportionate migratory challenges;
- the implementation of its(their) obligations under the Common European Asylum System (CEAS).

The Plan provides the framework for delivery of technical and operational assistance by the European Union Agency for Asylum, including the deployment of asylum support teams.

## 2.0. OPERATIONAL SITUATION, NEEDS ASSESSMENT AND OBJECTIVES

Since 2022, the German asylum and reception system has been under constant and disproportionate pressure. In 2023, the highest level of asylum applications was recorded since 2016, reflecting approximately 31 % of the total applications submitted in EU+ and rendering Germany the top receiving country. In light of the additional challenges associated with the influx of Temporary Protection beneficiaries fleeing Ukraine, the asylum system is operating at present beyond Germany's regular capacities.

Due to the surge in asylum applications, the workload of the Federal Office for Migration and Refugees (BAMF) has increased not only for the processing of asylum applications, but also in areas related to asylum intake including the Dublin procedure. In 2023, Germany remained the top EU country in terms of Dublin decisions and implemented transfers, with a record high of over 74 000 outgoing requests (+8,6 % compared to 2022). Despite measures taken by Germany, the effective management of the Dublin workload is continuously impeded by staff shortages, which are identified by relevant authorities as a key and ongoing challenge. This raises, in turn, a need for increased personnel to handle the workload and ensure the effective functioning of the Dublin system.

Against this backdrop, on 28 March 2024 the German authorities addressed a letter to the Agency's Executive Director requesting operational support. In particular, Germany requested the Agency's support in the Dublin procedure, whilst exploring further potential support options in other areas of the German asylum and reception system. Subsequently, a targeted needs assessment was carried out in April 2024, focusing on Dublin support and aiming to: a) assess the needs of German authorities in managing the implementation of Dublin; b) assess whether there is scope for initiating an EUAA intervention; c) identify and define the estimated duration of the intervention and related measures.

### **Pressure on the asylum and reception system**

The continuous arrivals over the past three years place significant strain on the asylum and reception system, thus increasing pressure at local and central political level. At local level, the Federal States and communities face challenges in terms of reception and integration due to the rising number of arrivals, the growing population of persons granted international and temporary protection, and the overstretched reception capacities. In this respect, the continued overload of reception capacities further intensifies the pressure on the asylum system (and vice versa), affecting the operating procedures between the Federal States and BAMF.

In parallel, migration and asylum gain increasing attention at central political level, as several options and solutions are discussed among stakeholders to address the situation. Measures taken to date include the establishment of additional border controls with the Czech Republic and Poland (valid until

mid-June 2024, with possibility of extension), which have resulted in a slight though not significant decrease of inflows.

### **BAMF resources and capacity**

The surge in applications reflects a mounting workload across several areas of asylum and Dublin procedures, as well as horizontal functions, such as ICT and data management. Although BAMF successfully increased its productivity, its capacity was still exceeded both in 2022 (by 6 %) and 2023 (by 53 %). Staff shortages, therefore, are identified as the main factor impeding asylum processing and leading to an accumulating number of pending cases: based on the current resources within BAMF, it is estimated that more than a year would be required to process the backlog.

Dublin cases are likewise affected. At present, the Dublin Unit employs around 375 personnel, including approximately 110 Case Workers deployed in the three operational Dublin Centres. Whereas the process has been largely standardized and digitalized – and thus rendered more efficient – more personnel are required to manage the caseload, especially of outgoing take back/take charge requests.

A series of mitigation measures have already been taken by BAMF in response to these challenges. These include the optimization of processes (through digital systems), acceleration of procedures and increase of staff (through temporary workers and internal reshuffles). Nonetheless, the recruitment of new staff is a lengthy process and will not be sufficient to cover the existing and new expected caseload.

### **Discrepancies in the Dublin process**

An overview of the key figures related to Dublin outgoing cases underscores the deviations across the different steps of the process. In 2023, around 120 000 potential Dublin cases were identified, but only around 74 000 requests were sent to Member States. Given that acceptance rates for outgoing requests in 2023 were around 75 % and decisions were taken in only 58 % of these cases, largely due to staff shortages, more personnel are required to also meet the overall objective of the Dublin roadmap, namely to achieve an increase in the number of Dublin transfers. Reaching a more balanced ratio between the number of requests, decisions and transfers would, therefore, help BAMF ensure the proper implementation of the Dublin III regulation and, eventually, tackle secondary movements.

### **Security and deployment modalities**

Persons working with BAMF and having access to internal information management and case handling systems, and sensitive data, must due to provision by national law undergo security clearance by the responsible German authorities. This requirement applies to personnel potentially deployed by the Agency in support of BAMF, with possible exceptions only for certain categories of personnel and under specific conditions (e.g., coordination tasks and duration of deployment).

Remunerated External Experts (REEs) must receive security clearance by the German authorities in order to provide their services. The security check should be carried out as soon as possible once the concrete intention to deploy an REE is known. This process includes currently a preliminary security check (approximate length of check being two to three weeks) and a more in-depth security check according to the Security Screening Act (SÜG) and the Asylum Act (AsylG). BAMF informed that security checks can usually only be performed on persons residing in Germany for a specific period of time (no less than five years). Depending on the outcome of the preliminary security check the EUAA can proceed or not with the deployment of the REE. Meanwhile the in-depth security check continues and depending on the outcome, the deployment might continue or might have to be terminated.

In addition, BAMF requested to carry out a vetting process for all REEs prior to deployment.

Member State Experts (MSE) may be exempted from the security clearance process only for deployments not exceeding a duration of three months; for longer or recurring periods of a deployment, security clearance must be obtained.

EUAA staff with coordinating functions are fully exempted from the process for the whole duration of the operational support.

The aforementioned restrictions might lead to challenges in promptly identifying and deploying EUAA personnel meeting the relevant requirements in sufficient and/or requested numbers. Thoughtful consideration should be, therefore, given to the deployment planning and relevant modalities.

In accordance with the operational situation and needs assessment described herewith, the Parties agree to pursue the achievement of the following operational objectives and results:

- **Measure DE-AS 1: Support to Asylum**  
**Expected outcome:** *Increased capacity to process Dublin cases in line with CEAS*

The agreed outcome shall be achieved through the implementation of the measures specified in Annex I to the Plan.

The designated Coordinator(s), with the support of the Measure Coordinator(s) where relevant, shall follow up the implementation of the Plan through mechanisms and tools deemed appropriate by the implementing Parties, such as a joint quarterly steering committee or other.

The agreed measures may be subject to annual and/or *ad-hoc* reviews as necessary to ensure their continued relevance and added value.

The agreed measure can only be implemented, and outcomes can only be achieved, upon the necessary security clearance of the deployed personnel and through an efficient process for the clearance for the selected personnel, which will allow an adequate number of experts to be deployed in order to perform the tasks foreseen. Provided that EUAA experts will be deployed as planned, they will enhance the capacity to timely process outgoing take back and information requests.

### 3.0. MAIN NATIONAL PARTNERS

The host Member State’s main partners involved in the implementation of this Plan are the following:

Organisation	Responsibilities
Federal Ministry of the Interior and Community (BMI)	The Federal Ministry of the Interior and Community (BMI) and its executive agencies cover a broad range of tasks and activities, ranging from civil protection and integration to security. BMI also designs the Federal Government’s migration policy, sets laws on residence, freedom of movement and asylum at national and European level, and handles issues related to returns of third-country nationals.
Federal Office for Migration and Refugees (BAMF)	The Federal Office is a Federal authority within the portfolio of the Federal Ministry of the Interior (BMI). As the centre of excellence for migration and integration in Germany, the Federal Office is not only responsible for processing asylum applications and ensuring refugee protection, but is also a motor for the nationwide promotion of integration. The authority's remit also includes research into migration.
BAMF – Dublin Unit	Group 32 within the Directorate-General 3 (‘Business processes of asylum, Statistics, Dublin procedures’) is responsible in BAMF for processing Dublin cases (Dublin Unit). The Unit consists of six divisions:

Organisation	Responsibilities
	<ul style="list-style-type: none"> <li>• Division 32A, responsible for the operational management of Dublin cases including EURODAC.</li> <li>• Division 32B, responsible for transfer and information requests and coordination of transfers from Member States.</li> <li>• Division 32C, responsible for the coordination of transfers to Member States</li> <li>• Divisions 32D (Berlin Dublin Centre), 32E (Bochum Dublin Centre) and 32F (Bayreuth Dublin Centre), responsible for transfer and information requests to Member States, issuing transfer decisions, apprehension and detention cases in close cooperation with the Aliens Authorities of the Federal States and the Federal Police, which are also the enforcing bodies of the transfers.</li> </ul> <p>The Dublin Unit is responsible for the following actions:</p> <ul style="list-style-type: none"> <li>• Analyses of the Dublin interview in order to issue the transfer decision</li> <li>• Issuing transfer decisions</li> <li>• Sending and replying to take charge and take back requests to/from other Member States</li> <li>• Sending and replying to information requests to/from other Member States</li> </ul>

#### 4.0 MONITORING AND EVALUATION FRAMEWORK

EUAA is implementing a structured Monitoring and Evaluation methodology allowing evidence-based measurement of progress, corrective action-taking and reflective reviews.

In terms of monitoring, EUAA is making use of a number of tools developed in order to collect input from the implementation of the Plan and to guarantee feedback in real time.

Results from the monitoring activities shall be reported through mechanisms deemed appropriate by the implementing Parties, such as steering meetings or other.

Periodic or mid-term and final (ex-post) evaluations<sup>2</sup> can be carried out in order to take stock of lessons learned and good practices. The evaluation(s) will be conducted in line with EUAA's Evaluation Framework, which is based on the European Commission's Better Regulation methodological guidelines for evaluations. They may be performed externally through engagement of evaluation specialist(s), internally by Agency staff, or a hybrid approach.

In order to ensure completeness of evaluations and to take into account the views and feedback from the Parties involved, senior and other key persons from the National Authorities of the host Member State may be invited to interviews with the evaluators or to provide feedback by alternative means. The National Authorities shall commit to supporting the evaluation process and participating in such engagements with evaluators by mutually agreed appointments.

An evaluation report on the results of the operational and technical measures shall be submitted to the Management Board on conclusion of an evaluation. The report on the final (ex post) evaluation will be due within 60 days from the end of the provision of operational and technical measures. For transparency and accountability purposes, evaluation report(s) may be made publicly available on the

<sup>2</sup> Article 16(4) and Article 18(2)(k) EUAA Regulation.

Agency's website after internal checks have been made to ensure compliance with the applicable provisions in Regulation (EU) No 2018/1725<sup>3</sup> and Regulation (EC) No 1049/2001<sup>4</sup>.

Other monitoring and evaluation deliverables, as applicable, shall be shared with the host Member State and communicated to the EUAA governance structure (e.g. Management Board members and National Contact Points) where relevant.

## **5.0 LEGAL FRAMEWORK**

### **5.1 General legal basis for the Plan**

In accordance with Article 1 of the EUAA Regulation, the Agency shall contribute to ensuring the efficient and uniform application of Union law on asylum in the Member States in a manner that fully respects fundamental rights. The Agency shall facilitate and support the activities of the Member States in the implementation of the Common European Asylum System (CEAS), including by enabling convergence in the assessment of applications for international protection across the Union and by coordinating and strengthening practical cooperation and information exchange. The Agency, shall improve the functioning of the CEAS, including through the monitoring mechanism and by providing operational and technical assistance to Member States, in particular where their asylum and reception systems are under disproportionate pressure.

Article 2 of the EUAA Regulation specifies the tasks the Agency is entrusted to perform, while in accordance with Article 3 thereof, each Member State shall appoint at least one national contact point for communication with the Agency on matters relating to the tasks referred to in Article 2.

The Agency shall provide operational and technical assistance to a Member State in accordance with the provisions of Chapter 6 of the EUAA Regulation.

### **5.2. Legal framework applicable to the Plan**

EUAA activities performed in the context of the operational and technical assistance as identified in this Plan are in principle governed by EU law, complemented, where appropriate, by the national law of the host Member State. This includes, inter-alia, the safety and security of persons and assets participating in those EUAA activities.

### **5.3. Lawfulness and Respect for Fundamental Rights**

This Plan shall be implemented by the Parties in full compliance with the applicable law, and with full respects to human dignity. This includes, inter alia, the Charter of Fundamental Rights of the European Union, as well as the Convention Relating to the Status of refugees of 1951.

Any person contributing to EUAA operational support activities and taking part in the implementation of the Plan shall respect the applicable International law, European Union law and the national law of the host Member State. They shall maintain the highest standards of integrity and ethical conduct, professionalism, respect and promotion of fundamental rights and international protection.

They are to act responsibly and proportionally to the agreed objectives. Whilst carrying out supporting functions, all personnel must not discriminate persons on grounds of sex, race, religion, ethnic origin, age or sexual orientation. All persons are expected to treat every person with courtesy, respect and

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<sup>3</sup> Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC, (OJ L 295, 21.11.2018, p. 39).

<sup>4</sup> Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents, (OJ L 145, 31.05.2001, p. 43).

due consideration for the nature of any legitimate activity in which they are engaged. To perform their duties properly, they shall serve the public interest and refrain from any activities which could undermine or compromise their independence and the appropriate performance of their duties.

During the implementation of this Plan, all personnel must apply a zero-tolerance attitude with respect to the infringement of fundamental human rights.

This obligation is particularly important when dealing with persons who are in need of international protection. To that end, participants in EUAA operational support under this Plan shall comply and act in accordance with the 'EUAA Code of Conduct for persons participating in EUAA operational support activities'. Participants in operational support activities will be requested to sign a declaration on compliance with the EUAA Code of Conduct.

Participants in EUAA's operational activities<sup>5</sup> who have reason to believe that a violation of the EUAA Code of Conduct has occurred or is about to occur, are obliged to report the matter to the Executive Director of EUAA and to the host Member State Coordinator for the Plan via the appropriate channel: [operations\\_incident@euaa.europa.eu](mailto:operations_incident@euaa.europa.eu) Such an incident is to be reported using the **Incident Report Form (Annex II)**.

Pursuant to Article 49 of the EUAA Regulation, a Fundamental Rights Officer appointed by the Management Board shall be responsible for ensuring the Agency's compliance with fundamental rights in the context of its activities and promoting the respect of fundamental rights by the Agency. The Fundamental Rights Officer shall, *inter alia*, provide observations to the detailed evaluation reports, and be in charge of implementing the complaints mechanism of the EUAA<sup>6</sup>.

Under the complaints mechanism set up by the Agency, any person who is directly affected by the actions of experts in the asylum support teams, and who considers that his or her fundamental rights have been breached due to those actions, or any party representing such a person, may submit a complaint in writing to the Agency.

#### **5.4. Confidentiality, Public Access to Documents and Data Protection, Intellectual property rights**

Without prejudice to the right of access to documents, as laid down in Regulation (EC) No 1049/2001<sup>7</sup> and the EUAA implementing rules on access to documents<sup>8</sup>, all versions of this document shall be made available to the competent authorities in each EU Member State, as well as the associate countries, Iceland, Liechtenstein, Norway and Switzerland.

EUAA and the host Member State shall consult each other on any requests for public access to documents relating to this Plan and treat such requests in accordance with Regulation (EC) 1049/2001 or the respective national law, whichever is applicable.

Personal data will be processed in accordance with Regulation (EC) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data. The current Plan also takes into account the General Data Protection Regulation as updated in May 2018<sup>9</sup> with a Corrigendum to the 2016/679 Regulation on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (Data Protection Directive), which is applicable to stakeholders at national level.

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<sup>5</sup> The 'participants in EUAA's operational activities' are to be construed as persons deployed to asylum support teams ('AST') referred to in Section 6.3. of the Plan.

<sup>6</sup> MBD 159/2024 on the setting up of the complaints mechanism.

<sup>7</sup> Regulation (EC) 1049/2001 of the European Parliament and of the Council of 30 May 2001, regarding public access to European Parliament, Council and Commission documents

<sup>8</sup> Decision No. 6 of the Management Board of EASO of 20 September 2011 laying down practical arrangements regarding public access to the documents of EASO.

<sup>9</sup> Corrigendum, OJ L 127, 23.5.2018, p. 2 ((EU) 2016/679)

Whenever personal data is processed by EUAA within the activities agreed in the current Plan, EUAA will act as data processor on behalf of the competent authorities of the host Member State, following the applicable EU and national laws and regulations, as well as the instructions received from the Host Member State as the data controller.

In order to perform their tasks in accordance with this Plan, participants to activities under this Plan are only allowed to access the data bases mentioned below, under section 6.

EUAA will implement the necessary technical and organisational measures to ensure the security and confidentiality of the personal data it processes taking into account possible additional instructions received from the host Member State. This is to prevent any unauthorised disclosure of or access to this information.

The host Member State agrees that any personal data obtained in the course of the implementation of the Plan and by any EUAA personnel working on behalf of the Member State authorities can be processed in the EUAA IT systems, including cloud-based systems, exclusively under the instructions of the Member State and until an alternative system exists that can substitute the processing system used by EUAA.

The host Member State also agrees to indicate a contact point in view of its role as a data controller for any data processed by EUAA on behalf of the national authorities of the host Member State.

All rights in any writings or other work produced by members of asylum support teams which are not intended for the exclusive use of the national authorities of the host Member State shall be the property of EUAA and/or the European Union, where such writings or work relate to activities undertaken in the context of the Plan. EUAA and/or the European Union acquires irrevocably ownership of the results and of all intellectual property rights, such as copyright, and industrial property rights, on the materials produced specifically for EUAA under the Plan and incorporated in such works, without prejudice, however, to the specific rules concerning pre-existing rights on pre-existing materials or other detailed rules contained in the relevant Framework Contracts concluded by EUAA for purposes related to the implementation of this Plan. Selected deliverables developed under this Plan may be published.

### **5.5. Civil and criminal liability of members of the Asylum Support Team**

Articles 26 and 27 of the EUAA Regulation will be applicable to the members of the asylum support teams deployed in the host Member State.

### **5.6. Non-substantial changes during implementation**

The Plan aims to provide effective and flexible support to the identified needs of the host Member State. Therefore, the foreseen activities will be implemented in consideration of the changing circumstances which may occur in the international protection and reception systems in the Member States or on the ground, as well as in the context of the availability of financial resources and experts.

The implementation of measures and delivery of technical and operational assistance foreseen in the Plan may be subject to non-substantial changes that may be accommodated within the objectives of a measure, so long as they do not affect the overall EUAA budget, do not require an amendment to or adaptation of the Plan, and that the host Member State is timely informed in writing.

Changes required to the agreed Input(s) and Output(s) in the framework of the Plan shall as a general rule be considered non-substantial, unless such changes require significant additional resources which cannot be accommodated within the overall EUAA budget, as well as when they impact on and/or require an amendment of the agreed Outcome(s).

### **5.7. Amendments to the Plan**

Any changes that prove to require an amendment to or adaptation of the Plan, shall be agreed in writing between the Executive Director of EUAA and the host Member State, after consulting the participating Member States, where necessary, in line with Article 18(5) of the EUAA Regulation.

Changes to outcome(s) specified in Section 2.0. shall as a general rule be considered substantial changes and will be subject to an amendment.

### **5.8. Suspension of measures and/or the Plan implementation**

In accordance with Article 18(6)(c) of the EUAA Regulation, the Executive Director shall, after informing the host Member State, suspend or terminate, in whole or in part, the deployment of the asylum support teams if the conditions to carry out the operational and technical measures are no longer fulfilled or if the Plan is not respected by the host Member State or if, after consulting the Fundamental Rights Officer of the EUAA, it considers that there are breaches of fundamental rights or international protection obligations by the host Member State that are of a serious nature or are likely to persist.

### **5.9. Protocol (No 7) on Privileges and Immunities**

Protocol (No 7) on the privileges and immunities of the European Union ('the Protocol')<sup>10</sup> applies to the Agency staff members (statutory staff), when they are deployed for the purposes of the implementation of the Plan on the territory of the host Member State, including to the Asylum Support Teams.

The host Member State shall ascertain that the relevant provisions of the Protocol are implemented and shall provide the necessary support to the Agency in this regard.

## **6.0 IMPLEMENTATION AND COORDINATION STRUCTURE**

This chapter describes the various conditions for and aspects of support to the authorities of the host Member State in the framework of the Plan.

### **6.1. Organisational Pre-Conditions**

**The host Member State will:**

- designate an overall Plan Coordinator, as well as a specific Measure Coordinator for each measure stipulated in the Plan.
- grant appropriate access rights for the members of asylum support teams and EUAA representatives to all relevant databases and provide the relevant parties with the required information and data in the context of the implementation of this Plan.
- facilitate the provision of appropriate working space. Every effort shall be made by the Parties to provide suitable working conditions and, where required, working place for the participants in the activities implemented in the framework of the Plan. Minimum working and security conditions are considered as organisational pre-conditions.
- as far as operationally feasible, and where relevant, the working files shall be made available by the host Member State in English (unless otherwise agreed).
- the host Member State shall provide EUAA with information on the implementation of the Plan through timely input to the Early warning and Preparedness System and the delivery of tailored information on the implementation of measures agreed in the Plan.

**EUAA will:**

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10 [EUR-Lex - 12012E/PRO/07 - EN - EUR-Lex \(europa.eu\)](https://eur-lex.europa.eu/lexuri-uri.do?uri=OJ:L:2012:0007:TOC)

- designate an overall Coordinator (also referred to as Coordinating Officer in accordance to Article 25 of EUAA Regulation), as well as a specific Measure Coordinator for each measure stipulated in the Plan.
- provide technical support to experts participating in this Plan with the aim of ensuring that all deliverables make good use of the expertise and information already available to EUAA.
- provide the technical equipment required for the work of the asylum support teams and reimburse costs incurred by persons participating in the support activities deployed by EUAA in the framework of this Plan, according to the applicable EUAA rules.
- support the development and implementation of agreed tools and procedures, taking into account the EUAA tools and guidance.

## **6.2. Conditions for Deployment**

General rules and conditions for deployment are published on the following platforms, which the experts/asylum support team members are obliged to consult:

- EUAA Operational Deployment System (ODS)
- EUAA country-specific operations platforms. These platforms are made available to members of asylum support teams upon their deployment, allowing for preparation for deployment and daily implementation of their tasks.
- Other appropriate communication tools may be used as necessary.

The platforms contain relevant information, such as:

- special instructions for the members of asylum support teams, including databases that they are authorised to consult;
- description of specific tasks, workflows and procedures, as relevant;
- location in the host Member State where the asylum support teams will be deployed;
- logistical arrangements including information on working conditions, practical information concerning location of deployment and related workflows, etc.;
- equipment that members of asylum support teams may carry in the host Member State, transport and other logistics;
- other specific instructions and provisions as necessary.

Relevant thematic pages of the EUAA Information and Documentation System concerning the asylum and reception system of the host Member State, including information on relevant practices, legislation, case law and statistical background may be consulted.

The host Member State shall contribute to information concerning its asylum and reception systems, including information on relevant practices, legislation, case law and statistical background.

The host Member State and EUAA will provide experts with information on the general state of play with regard to the procedures for international protection and reception in the host Member State and specific information about the state of play of the deliverables as necessary for the specific measures on a continuous basis. Specific asylum support team deployment details may be provided under each measure, where relevant.

The host Member State will ensure an efficient security clearance process for all deployed personnel, and will inform the EUAA on the necessary steps to undertake prior to the deployment. The EUAA will inform experts and other personnel on the security clearance process. The host Member State will inform EUAA on any exceptions and derogations from the security clearance process.

## **6.3. Composition of asylum support teams**

The asylum support teams may be composed of the following resources:

- i. The Agency's staff members, i.e. statutory staff employed by the Agency subject to the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Union<sup>11</sup>;
- ii. Member States experts, including Member State experts made available through the Asylum Reserve Pool;
- iii. Associate Countries experts, i.e. experts made available through contributions to the Asylum Intervention Pool by associate countries referred to in Article 34 of the EUAA Regulation, with which the European Union has an arrangement in place on the modalities of its participation in EUAA's work;
- iv. Seconded National Experts (SNEs), i.e. experts employed by a national, regional or local public administration of an EU Member State or an associate country or by a public inter-governmental organisation and seconded to the Agency<sup>12</sup> for the provision of support to its operational activities;
- v. Other experts not employed by the Agency: Experts on contract, i.e. individuals providing services in relation to the Plan upon conclusion of a public contract between the Agency and the legal entity with which these individuals have an employment and/or contractual relationship, including temporary agency workers, or with remunerated external experts in line with Article 93 of EUAA Financial Regulation<sup>13</sup>.

The implementation of the Plan shall be based on the common understanding that the provision of resources, other than EUAA (statutory) staff, to be deployed for the purposes described above can under no circumstances lead *per se* to the establishment of an employment relationship between EUAA and the members of the asylum support teams. Throughout the duration of the deployment of the asylum support teams in the activities undertaken in the context of the present Plan, the employer of the asylum support teams members is and remains their employer.

## 7.0 SECURITY AND SAFETY

The principles of EUAA's Security Governance Framework<sup>14</sup> are based on the security principles contained in the Commission's security rules. That Commission Decision 443/2013 on the security in the Commission defines that security shall be based on the principles of legality, transparency, proportionality and accountability.

The safety and security of persons participating in EUAA activities under the Plan falls under the overall legal framework of the host Member State and shall be provided by the respective authorities legally responsible and accountable for the public order and security and safety on the territory of that Member State.

EUAA will endeavor to support the identification of required security and safety measures and the implementation of those that are under its remit, both legally and functionally, in close cooperation with the MS security responsible (see relevant definition in Section 7.1 below).

To that end:

- Standard security and safety requirements, identified herewith, shall apply as a general rule.
- Specific security and safety requirements for the Plan, to be identified jointly by EUAA and the host Member State security responsible, shall be established in an annex to this plan.

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<sup>11</sup> As laid down by Council Regulation (EEC, Euratom, ECSC) No 259/68, OJ L 56, 4.3.1968, p.1.

<sup>12</sup> Decision No 01 of the Management Board of EASO of 25 November 2010 laying down rules on the secondment of national experts (SNE) to the European Asylum Support Office (ref. number: EASO/MB/2010/03).

<sup>13</sup> Article 93 of Management Board Decision No 54 of 14 August 2019 on the EASO Financial Regulation (as amended by Management Board Decision No 74 of 28 July 2021). The MB Decision nr 54 of 14 August 2019 remains in force despite EASO being replaced by the EUAA. Any references in the EASO Financial Regulation to 'EASO' or the 'EASO Regulation', should therefore be construed as references to the 'EUAA' or equivalent provisions in the 'EUAA Regulation', respectively.

<sup>14</sup> Decision of the Executive Director No 61 of 12 April 2021 on the Security Governance Framework.

- The safety and security measures shall be identified jointly on a basis of field assessment visits.

### **7.1. Standard security requirements**

The standard security and safety requirements are rather pertaining to elements to be present in the implementation of the Plan, not to minimum security standards:

- Both the host Member State on one side and EUAA on the other shall appoint a single point of contact responsible for security matters under the Plan both at central and local level (hereafter 'security responsible').
- The host Member State shall ensure that the working conditions for the performance of the activities under the Plan are compliant with the national occupational health and safety norms and regulations.
- A pre-deployment briefing programme, drafted in close cooperation with the respective national authorities, focusing both on general security rules and awareness, as well as on specific security aspects for each deployment will be provided. With regard to the decentralised nature of deployments, the use of e-learning and other distance-based training techniques should be considered.
- Emergency (evacuation) plan. Certain operational activities, such as operations in field locations, require that staff shall have clear guidance and training on how to evacuate quickly in case of emergencies. In a more general context, there could be a need to evacuate from the operational area as well. Emergency plans shall be drafted and maintained up-to-date by the competent authority/person(s), whereas they shall be made available to the concerned parties and exercised regularly. A security responsible shall maintain updated information on the availability of evacuation plans and routes.
- Security of information. Sensitive non-classified and classified information shall be protected adequately, in accordance with the applicable legal framework<sup>15</sup>. EUAA's security responsible shall be involved in supporting the proper classification of relevant information.
- Security of IT and communication equipment. EUAA's IT equipment is adequately prepared to protect the information level it has been foreseen to process.
- Personal security behavior shall be included in the pre-deployment training, led by operational teams and performed for the experts during the first days of arrival to the operational area. This may refer to the EUAA Code of Conduct as well.
- Reporting security incidents from the operational area to the EUAA Headquarters is essential to ensure an overview of the overall security management is maintained.

### **7.2. Specific security and safety requirements**

Specific security and safety requirements for the implementation of the Plan shall be defined on the basis of a pre-deployment security assessment visit with the aim of identification of specific potential risks, identification of mitigation measures and communication of those measures to the Member State and involved stakeholders, prior to the deployment of asylum support teams.

### **7.3. Suspension of operational activities on security and safety grounds**

EUAA reserves the right to suspend operational activities on the basis of current risk assessment(s), while keeping informed the host Member State on the findings and identified mitigating measures required for resumption.

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<sup>15</sup> Including, *inter alia*, the security principles contained in Commission Decision (EU, Euratom) 2015/444.

The host Member State may also suspend temporarily, in whole or in part, the implementation of operational activities in case of serious imminent safety and security incidents, developments, or as mitigating or preventive measures or direct threats to personnel, activities or physical presence. The EUAA Coordinator and the EUAA security responsible shall be informed without delay.

The Parties will agree on conditions for resumption as soon as possible.

#### **7.4. Security incident reporting**

Any participant<sup>16</sup> in EUAA's operational activities who becomes aware of a(n) (impending) incident related to the security and safety of persons, assets or premises is obliged to report the matter to the Executive Director of EUAA and to the Host Member State Coordinator for the Plan via the appropriate channel: [duty.officer@euaa.europa.eu](mailto:duty.officer@euaa.europa.eu). Such an incident is to be reported using the **Security Incident Report Form (Annex III)**.

### **8.0. COMMUNICATION**

The Executive Director will appoint one or more experts from the Agency's staff to act or to be deployed as a Coordinating Officer in accordance with Article 25 of the EUAA Regulation.

The Coordinating Officer will act as an interface between the Agency, the host Member State, and experts participating in asylum support teams, and will foster cooperation and coordination between the host Member State and the participating Member States.

The Coordinating Officer will also monitor the correct implementation of the operational plan, act on behalf of the Agency as regards all aspects of the deployment of asylum support teams and report to the Agency on all those aspects, and report to the Executive Director where the operational plan is not adequately implemented.

The host Member State and the Coordinating Officer will manage the exchange of information concerning the tasks under the Plan.

During the implementation of this Plan, members of asylum support teams shall be briefed regularly on the current situational and operational developments to address challenges and identify improvements.

Particular attention shall be paid to the need to continuously develop, improve and make available EUAA support tools. Should such need be identified or changed during the Plan implementation, it shall be communicated to EUAA for further consideration.

EUAA will maintain close cooperation and communication with the relevant stakeholders. EUAA will also provide information to its partners (i.e. the European Commission, concerned EU Agencies, and international organisations) about the operational activities, as appropriate and in line with EUAA transparency and communication policies. The timing and content of communication with the media shall be agreed upon between EUAA and the host Member State.

Where relevant, the Parties will facilitate media coverage to ensure a wider dissemination and visibility of results.

As a publicly funded EU body, the Agency is accountable for and committed to transparency for the public resources it makes use of.

In this regard, EUAA may brand its operational activities to ensure appropriate visibility. This includes the application of fixed branding and use of visibility items, such as on, but not limited to, containers and premises, as well as in offices where the Agency provides operational and technical assistance. It also includes the branding of mobile assets which it may deploy, including vehicles.

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<sup>16</sup> The 'participants in EUAA's operational activities' are to be construed as persons deployed to asylum support teams ('AST') referred to in Section 6.3. of the Plan.

Such branding may also include visibility clothing and materials worn by personnel deployed by the Agency in order to identify their association to, or funding by, the Agency.

In specific cases, the Agency and the respective national authority/ies may agree on co-branding of visibility clothing and/or materials, in line with the visual identity rules and guidelines of both/all parties.

## **9.0. COOPERATION WITH OTHER STAKEHOLDERS**

### **9.1. Cooperation with the European Commission**

All activities under this Plan will be closely coordinated with the host Member State and in close cooperation with the European Commission.

### **9.2. Cooperation with UNHCR**

In accordance with Article 38 of EUAA Regulation, the Agency aims at a coherent and complementary continuation of the fruitful cooperation with UNHCR. The EUAA Coordinating Officer will liaise with the UNHCR office in the host Member State for a continuous cooperation and coordination of practical activities agreed with the host Member State under the current Plan.

### **9.3. Cooperation with IOM**

In accordance with Article 52 of the EASO Regulation<sup>17</sup>, In July 2019 the Agency signed a working arrangement with IOM to establish a cooperation framework covering the relevant areas of common work and interest setting objectives and principles of such cooperation. Therefore, the EUAA Coordinating Officer will liaise with the IOM office in the host Member State for a continuous cooperation and coordination of practical activities agreed with the host Member State under the current Plan and in accordance with the working arrangement.

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<sup>17</sup> Reference to Article 52 of the EASO Regulation shall be construed as reference to Article 38 of the EUAA Regulation.

## ANNEX I – Operational Measures

<b>Measure DE-AS 1: Support to Asylum</b>	
<b>Expected Outcome:</b> Increased capacity to process Dublin cases in line with CEAS	
<b>Responsible Authority(ies)/Main National Partner(s)</b>	<ul style="list-style-type: none"> <li>• Federal Ministry of the Interior and Community (BMI)</li> <li>• Federal Office for Migration and Refugees (BAMF)</li> <li>• Dublin Unit (BAMF Group 32)</li> </ul>
<b>Operational Preconditions</b>	<ul style="list-style-type: none"> <li>• The German authorities grant security clearance (depending on the outcome of necessary security checks) to EUAA personnel deployed in Germany under the present Operational Plan, as per the terms and conditions agreed between the EUAA and authorities.</li> <li>• BAMF makes available the necessary office space for the Agency's deployed personnel in the identified locations (BAMF Headquarters and Dublin Centres) and provides the necessary equipment for the implementation of activities.</li> <li>• BAMF grants the EUAA personnel access to relevant information and data management systems, databases and tools, as needed for the implementation of the planned activities.</li> <li>• The EUAA personnel deployed meet relevant requirements (e.g., legal and linguistic requirements) in line with the national legal framework and as agreed between the EUAA and BAMF for the purposes of the present Operational Plan.</li> <li>• A two-way data sharing procedure covering data, statistics and information related to operational activities is established between EUAA and the German authorities, to support measuring the results/outputs of the intervention.</li> <li>• BAMF appoints a Plan Coordinator, a security focal point and a Dublin (quality) focal point to facilitate coordination and cooperation with the EUAA.</li> <li>• Regular coordination meetings are held between the EUAA and the BAMF units at relevant levels to ensure effective operational coordination, implementation and monitoring of the Plan.</li> <li>• The tasks of the EUAA personnel deployed are agreed between the EUAA and BAMF prior to the deployment and may be amended by BAMF only upon consultation with the EUAA.</li> <li>• Joint standard operating procedures are established and implemented between the EUAA and BAMF, to facilitate efficient collaboration at local and national level. Agreed tasks are detailed in Working Instructions and are endorsed by BAMF.</li> <li>• For the implementation of the planned activities, guidelines are provided by BAMF to the EUAA personnel within the framework of the agreed tasks and in line with EUAA guidance documents. BAMF Team Leaders are also assigned to EUAA personnel deployed in the Dublin Centres to facilitate coordination and allocation of operational tasks.</li> <li>• BAMF delivers an induction training on the information management system (MARiS) and the Dublin case management system (DUBLiS) to the EUAA personnel before/upon deployment.</li> </ul>

<b>Outputs</b>	<b>DE-AS 1.1 – Dublin support:</b> Outgoing take back and information requests processed in support of the Dublin Centres.
<b>Actions</b>	<ul style="list-style-type: none"> <li>• <b>Outgoing take back requests:</b> EUAA will support BAMF in processing outgoing take back requests, in communication and cooperation with involved authorities and the concerned Member State.</li> <li>• <b>Outgoing information requests:</b> EUAA will support BAMF in processing outgoing information requests, in close coordination with relevant authorities in Germany and the concerned Member State.</li> </ul>
<b>Inputs</b>	<p><b>Indicative resources:</b></p> <p><u>Deployment of Asylum Support Teams (ASTs)</u> Up to 15 Experts (<i>inter alia</i> Dublin Regulation Experts, Asylum Experts).</p> <p>The EUAA personnel will be deployed gradually to the Dublin Centres (Berlin, Bochum, Bayreuth): the exact locations and the number of personnel in each location will be mutually agreed between the EUAA and BAMF depending on the needs. The timeline of deployments will depend on the conditions of the security clearance process, as well as the composition of the resources.</p> <p><u>Horizontal</u> Conditional upon EUAA assessment and approval of any request, and subject to budget availability for the present Operational Plan, support could include <i>inter alia</i> equipment, works, services, communication/promotional materials, costs for trainings/meetings/workshops, infrastructure costs, IT equipment, office supplies and other material and operational support where required for the joint EUAA and national authorities' activities.</p>