



Decision of the Executive Director No 34/2025

on the code of conduct for participants in activities for the purposes of monitoring of the operational and technical application of the Common European Asylum System

THE EXECUTIVE DIRECTOR,

HAVING REGARD to Regulation (EU) 2021/2303 of the European Parliament and of the Council of 15 December 2021 on the European Union Agency for Asylum¹ (hereinafter ‘the EUAA Regulation’), and in particular to Articles 14 and 47(5) thereof,

HAVING REGARD to Management Board Decision No 161 of 13 March 2024 establishing a common methodology for the monitoring mechanism on the operational and technical application of the Common European Asylum System (hereinafter ‘MB Decision No 161’), and in particular sub-section 8.1.7 of the Annex thereto,

WHEREAS:

- 1) Management Board Decision No 161 lays down the general principles for the Agency’s activities for the purposes of the monitoring mechanism. In particular, sub-section 8.1.7 of the Annex to MB Decision No 161 foresees that the Executive Director is to set out a code of conduct for the teams of experts, including any supporting personnel (e.g., interpreters).
- 2) Where experts who participate in the monitoring teams of experts receive training relevant for their participation in the monitoring exercises organised by the Agency, the provisions of the Decision of the Executive Director No 76 of 30 May 2022 on the code of conduct for persons participating in the EUAA’s training activities (hereinafter ‘ED Decision No 76/2022’) should apply to the training concerned,

HAS DECIDED AS FOLLOWS:

Article 1

Code of conduct for participants in activities for the purposes of monitoring of the operational and technical application of the Common European Asylum System

The code of conduct for participants in activities for the purposes of monitoring of the operational and technical application of the Common European Asylum System (hereinafter ‘Code of Conduct’), as annexed to this Decision, is hereby adopted.

¹ Regulation (EU) 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, (OJ L 468, 30.12.2021, p. 1).





Article 2

Relation with the Agency's Code of Conduct for participants in the EUAA's training activities

The Code of Conduct annexed to this Decision shall not apply when participants in activities for the purposes of monitoring of the operational and technical application of the Common European Asylum System receive training relevant for their participation in the monitoring exercises organised by the Agency. During such training activities, the provisions of the Code of Conduct for participants in the EUAA's training activities, as annexed to ED Decision No 76/2022, shall apply.

Article 3

Delegation to the Head of the Asylum Knowledge Centre

1. The Head of the Asylum Knowledge Centre is hereby delegated the task of implementing the Code of Conduct annexed to this Decision.
2. The Head of the Asylum Knowledge Centre shall ensure that the Code of Conduct is efficiently disseminated to participants in activities for the purposes of monitoring of the operational and technical application of the Common European Asylum System, who shall acquaint themselves with its contents prior to their participation in those activities.
3. The Head of the Asylum Knowledge Centre shall manage the internal and external publication of the Code of Conduct, in accordance with Article 4.

Article 4

Transparency

This Decision shall be made publicly available, including by publication on the Agency's website.

Article 5

Entry into force

This Decision enters into force on the date of its signature.

Done at Valletta Harbour, on 25 April 2025

Signature on file

Nina Gregori
Executive Director



Annex: Code of conduct for participants in activities for the purposes of monitoring of the operational and technical application of the Common European Asylum System.



Annex

Code of conduct for participants in activities for the purposes of monitoring of the operational and technical application of the Common European Asylum System.

1. Objectives and scope

The conduct of all persons participating in monitoring exercises of the European Union Agency for Asylum (hereinafter 'EUAA') for the purposes of the monitoring mechanism² is central to the success and reputation of the monitoring mechanism.

This Code of Conduct for persons participating in activities for the purposes of monitoring of the operational and technical application of the Common European Asylum System (hereinafter 'Code of Conduct') sets out the standards of conduct expected of participants in monitoring activities. It is the responsibility of each participant to familiarise themselves with the content of this Code of Conduct and to comply with it at all times when participating in monitoring activities.

Each participant shall sign a declaration of compliance with the Code of Conduct.

2. Definitions

For the purpose of the Code of Conduct, the following definitions shall apply:

1. 'Monitoring activities' means all activities connected with the organisation and carrying out of a monitoring exercise, with the exception of training activities³;
2. 'Person participating in monitoring activities' means any member of the teams of experts, as well as any personnel providing interpretation support or support during on-site visits;
3. 'Centre' means the Agency's Asylum Knowledge Centre;
4. 'Monitoring environment' means the physical or virtual space in which the monitoring activities take place;
5. 'Conflict of interest' means a situation where the impartial and objective exercise of an individual's functions is compromised by economic or financial interests, family or emotional ties, or any other interest shared with another party;
6. 'Discrimination' means any unfair treatment or arbitrary action, or distinction based on a person's sex, race, colour, ethnic or social origin, genetic features, language, religion, or belief, political or other opinion, membership of a minority, property, birth, disability, age or sexual orientation;

² Pursuant to Articles 14 and 15 of the EUAA Regulation.

³ During training activities, the provisions of the [code of conduct for participants in the EUAA's training activities](#), as annexed to ED Decision No 76/2022, shall apply.



7. ‘Harassment’ means psychological and/or sexual harassment, whereby psychological harassment means any improper or unwelcome conduct that takes place over a period, is repetitive and systematic and involves physical behaviour, spoken or written language, gestures or other acts that are intentional and that may undermine the personality, dignity or physical or psychological integrity of the person, while sexual harassment means conduct relating to sex which is unwanted by the person to whom it is directed and which has the purpose or effect of offending that person or creating an intimidating, hostile, offensive or disturbing environment.

3. Professional standards

Persons participating in monitoring activities must:

- Perform their assigned tasks to the best of their ability, professional skills, knowledge and applying the highest ethical and moral standards;
- Work in a collegial and cooperative manner with all relevant stakeholders and be open to and respond positively to constructive feedback;
- Ensure that their actions promote, enforce, respect, fulfil and protect the fundamental rights of every individual, in particular as enshrined in the Charter of Fundamental Rights of the European Union and other relevant international and European instruments in the area of fundamental rights protection. Comply with the relevant policies and procedures applicable to their tasks or function, as well as all applicable laws and regulations, in particular as regards health and safety matters.

4. Core values and guiding principles

4.1 *Commitment to the European Union and its citizens*

Persons participating in monitoring activities should be conscious that the European Union’s institutions, bodies, offices and agencies exist in order to serve the interests of the Union and of its citizens in fulfilling the objectives of the Treaties. They must act with loyalty to the EUAA’s values and principles and those of the European Union and refrain from behaviour likely to compromise the reputation and nature of the public mission in which they are participating or to bring discredit upon their organisation, entity or the EUAA.

4.2 *Impartiality, integrity and objectivity*

Persons participating in monitoring activities must perform their tasks in an objective, confidential and impartial manner, be guided by a sense of propriety and conduct themselves at all times in a manner that would bear the closest public scrutiny. This obligation is not fully discharged merely by acting within the law.

They should be impartial, open-minded, guided by evidence, and willing to hear different viewpoints. They should be ready to acknowledge and correct mistakes. They should base their views and opinions



only on objective criteria and any other factors expressly prescribed in the EUAA's monitoring methodology⁴.

4.3 Conflicts of interest

Persons participating in monitoring activities must abide by the Agency's policy on the prevention and management of conflicts of interest⁵.

4.4 Confidentiality

Persons participating in monitoring activities must treat in a confidential manner any information in any form (i.e. paper or electronic), disclosed in writing or orally in relation to the performance of their tasks. Confidential handling of information means that the said information cannot be disclosed to any third parties unless there is a legal requirement for such disclosure. This obligation persists after the persons have ceased to perform their tasks. It is only the Agency that can authorise, in consultation with the monitored Member State, the public disclosure of the said information.

Persons participating in monitoring activities are expected to comply with the EUAA's guidance on maintaining the principle of confidentiality of any documents or electronic files. In addition, upon completion of their work they undertake to comply with the EUAA's instructions regarding return, erasure or destruction of the said files.

If their work takes place on premises or using electronic means controlled by the EUAA, they undertake not to download or remove from the premises any copies or notes, either on paper or in electronic form.

If a person participating in monitoring activities seeks further information (for example through the internet, specialised databases, etc.) to complete their work, they: (a) must act in a diligent manner (for instance not leaving their device unattended or deleting browser data), and (b) must not contact third parties without prior written approval of the Agency.

The processing of personal data by participants must comply with the principles and rules as detailed in Regulation (EU) 2018/1725⁶.

5. Behavioural standards

Persons participating in monitoring activities must, at all times, maintain professional boundaries, be fair, courteous, and respectful towards others.

⁴ Annexed to [MB Decision No 161](#).

⁵ [Decision of the Executive Director No 20 of 23 April 2025](#) on the policy on the prevention and management of conflicts of interest, related post-employment and ethical guidance, and the role of ethics correspondent.

⁶ [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).



They must refrain from being under the influence or after-effects of drugs, alcohol or other illicit substances whilst participating in the Agency's monitoring activities.

6. Respect for diversity and equality

Persons participating in monitoring activities have a responsibility to contribute to an environment which promotes diversity, equality and inclusiveness. They must not discriminate against any individual during the course of their participation in monitoring activities.

They must behave in a culturally sensitive manner, particularly in situations where they interact with individuals from different cultural backgrounds and refrain from using vulgar, obscene or otherwise offensive speech or gestures that may be considered abusive.

7. Prevention of harassment

Persons participating in monitoring activities must refrain from any acts of harassment against any individual.

When harassment takes place and poses an imminent threat or risk to the safety or wellbeing of others, the EUAA's monitoring coordinator⁷ or other responsible person has the right to take immediate and proportionate actions to address the situation, including by asking the perpetrator to leave the monitoring environment.

8. Performance of tasks

Any person participating in monitoring activities must follow any instructions and time-schedules given by the EUAA. The person may not delegate another person to carry out the work or be replaced by any other person without the prior written authorisation of the EUAA.

Participants must ensure that they carry out all required duties promptly and diligently, including as laid down in any invitation letter and internal EUAA acts applicable to the experts and that they do so in accordance with the training received.

Whenever unsure of their role or obligations, experts must actively seek instructions from the EUAA.

⁷ As defined in the Annex to [MB Decision No 161](#).



9. Reporting of violations

Any person participating in monitoring activities who has reason to believe that a violation of this Code of Conduct has occurred or is likely to occur should report the matter to the Agency without delay. Such reports shall be handled by the Agency in a confidential manner.

The Agency shall assess the circumstances of the reported incident and shall take any appropriate and proportionate measures to address the issue and/or to prevent its re-occurrence. When a Member State expert is involved, the national monitoring coordinator of their nominating Member State should be informed without delay by the EUAA.

In the case of a confirmed violation of this Code of Conduct by a person participating in monitoring activities, these may include the immediate suspension or removal of the expert concerned from the EUAA's monitoring activities.

Where applicable, the Executive Director may also request the removal of a Member State expert from the monitoring roster.

In serious cases and pending a final decision on a report of a violation of this Code of Conduct, the Executive Director or, in cases of urgency, the country monitoring coordinator in consultation with the Head of the Monitoring Unit, may take interim measures to ensure the safety and wellbeing of any individual, including such as to temporarily exclude the alleged perpetrator from the monitoring environment.

Where appropriate, the Executive Director may also refer the matter to the relevant national authorities for further follow-up in accordance with national law.

10. Dissemination of the code of conduct

The EUAA shall ensure that this Code of Conduct is brought to the attention of all persons participating in the Agency's monitoring activities.

This Code of Conduct shall be made publicly available on the EUAA's website.

11. Monitoring and review

The EUAA will monitor the application of this Code of Conduct on a regular basis and review and update it as necessary.