

**OPERATING PLAN<sup>1</sup>**  
**AGREED BY THE EUROPEAN ASYLUM SUPPORT OFFICE<sup>2</sup> AND THE**  
**REPUBLIC OF LATVIA**

Valletta Harbour and Riga  
14 December 2021

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<sup>1</sup> Any reference to “Operating Plan” shall be construed as reference to “Operational Plan” upon the entry into force of the EUAA Regulation.

<sup>2</sup> The European Asylum Support Office (hereinafter ‘EASO’) established by Regulation (EU) No 439/2010 shall be replaced by the European Union Agency for Asylum (hereinafter ‘EUAA’ or ‘the Agency’) upon the entry into force of the EUAA Regulation, whereby any reference to “EASO” should be construed as referring to the “European Union Agency for Asylum (EUAA)”.

The Executive Director of the European Asylum Support Office (hereinafter 'EASO')

and

The Minister of the Interior of the Republic of Latvia (hereinafter 'Member State'),

Having regard to Regulation (EU) No 439/2010 of the European Parliament and of the Council of 19 May 2010 establishing a European Asylum Support Office<sup>3</sup> (hereinafter referred to as 'EASO Founding Regulation'), and in particular Articles 2, Article 8, 10 and 13 to 23 thereof.<sup>4</sup>

Having regard to the Operating Plan (hereinafter 'the Plan') for the provision of scientific, technical and operational assistance to the Republic of Latvia from 8 September 2021 until 31 December 2021.

Whereas:

On 12 November 2021 the Republic of Latvia requested an extension of the Plan due to sustained pressure on its asylum and reception systems,

Hereby agree to extend the duration of the Operating Plan of 8 September 2021 until 31 March 2022 and to modify the scope of training under Action 1.0.2 to include the possibility of delivering training on core EASO modules to caseworkers and other personnel that could be deployed in case of emergency.

The implementation period of the Plan shall be from 1 January 2022 until 31 March 2022.

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

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

Valletta Harbour and Riga  
14 December 2021

Executive Director of the  
European Asylum Support  
Office

Nina Gregori

Minister of the Interior  
of the Republic of Latvia

Marija Golubeva

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<sup>3</sup>. OJ L 132, 29.5.2010, p. 11-28.

<sup>4</sup> Any reference to the EASO Founding Regulation shall be construed as reference to the EUAA Regulation upon the entry into force of the latter. At the moment of the signature of this Operating Plan the EUAA Regulation has not yet come into application. However, any reference to the draft EUAA Regulation shall be construed as reference to the draft of 03 November 2021 and any reference to the Articles of the draft EUAA Regulation shall be construed as reference to the Articles of the final version of the EUAA Regulation upon its entry into force.

## 1.0. INTRODUCTION

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

- operational and technical needs of the Member State(s) whose asylum and/or reception systems are subject to disproportionate pressure;

And, upon the entry into force of the EUAA Regulation:

- 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 Asylum Support Office, including the deployment of asylum support teams.

## 2.0. OPERATIONAL SITUATION, NEEDS ASSESSMENT AND OBJECTIVES

In the course of 2021, the Republic of Latvia experienced a sharp increase in the irregular migration flows under a new migration route from Belarus.

In the first two weeks of August, a total of 321 irregular border crossing from Belarus to Latvia have been registered. In particular, with 214 irregular entries, the numbers in the second week of the month doubled compared to 107 in the previous week – thus showing an increasing trend. Mostly, irregular migrants are nationals of Middle East, African and Asian countries<sup>5</sup>.

The new migration route has resulted in a significant increase in the number of asylum applications. In the week of 9-15 August, 250 asylum applications were lodged in Latvia, making it the first EU+ receiving country in per capita terms (130 applications per million inhabitants). Applications more than doubled (+145 %) compared to the previous week, which had already set a record high, with 102 applications lodged<sup>6</sup>. The data are particularly significant in comparison to the numbers registered in 2020, when a total of 147 applications for international protection have been registered in the Republic of Latvia (it is of about 185 the annual average of asylum applications lodged in Latvia between 2018 and 2020)<sup>7</sup>. In total, 454 applications were received in the first thirty-two weeks of 2021 - six times as many as during the same period of 2020 (76).

The changed pattern of the migration flows to Latvia is reflected in the nationality of asylum seekers: 90% of the asylum applications have been presented by Iraqi nationals,<sup>8</sup> a novel country of origin of applicants in Latvia, while the main countries of origin of asylum seekers registered in 2020 were Belarus, Russian Federation and Syria<sup>9</sup>. While no claimed unaccompanied minors were reported in

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<sup>5</sup> European Commission - Directorate-General For Migration And Home Affairs, Directorate F – Audit & Situational Awareness, “F.2 – Situational Awareness”, Brussels HOME.F.2.001/VI, *Report on the situation at the external EU borders with Belarus*, 16 August 2021.

<sup>6</sup> Data from the Office of Citizenship and Migration Affairs for the Republic of Latvia.

<sup>7</sup> Data from the Office of Citizenship and Migration Affairs for the Republic of Latvia. Available at: <https://www.pmlp.gov.lv/en/statistics-asylum-seekers-until-2021>. Last consulted on 18 August 2021.

<sup>8</sup> European Commission - Directorate-General For Migration And Home Affairs, Directorate F – Audit & Situational Awareness, “F.2 – Situational Awareness”, Brussels HOME.F.2.001/VI, *Report on the situation at the external EU borders with Belarus*, 16 August 2021.

<sup>9</sup> Data from the Office of Citizenship and Migration Affairs for the Republic of Latvia. Available at: <https://www.pmlp.gov.lv/en/statistics-asylum-seekers-until-2021>. Last consulted on 18 August 2021.

2020, some 15 were accounted for in 2021, of which 14 (9 Iraqis and 5 Afghans) in the first half of August.

Due to the steady and unprecedented increase in arrivals, the Republic of Latvia's asylum and reception system reached its capacity limit. As a result, on 10 August 2021, the Republic of Latvia declared the state of emergency in the administrative territories bordering Belarus (Ludza, Krāslava, Augšdaugava and Daugavpils). On 11 August, Latvia activated its contingency plan for the mass influx of asylum seekers.<sup>10</sup>

On 18 August 2021, the Acting Chief of the Office of Citizenship and Migration Affairs of the Ministry of the Interior of the Republic of Latvia, with a letter addressed to the Executive Director of EASO, requested the support of the Agency to implement asylum and reception procedures in a timely manner.

A rapid needs assessment has been conducted by EASO, in close collaboration with the Republic of Latvia's authorities, on 25 August 2021. As a result, priority areas for the provision of immediate support by EASO have been identified.

On 12 November 2021, in view of the sustained on the asylum and reception systems of the Republic of Latvia, the Chief of the Office of Citizenship and Migration Affairs requested the extension of the support provided by EASO until the end of March, 2022.

The specific measures to be implemented are specified in Annex I to the Plan.

The designated Plan 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.

### 3.0. MAIN NATIONAL PARTNERS

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

Organisation	Responsibilities
<b>Ministry of the Interior of the Republic of Latvia</b> <a href="https://www.iem.gov.lv/en">https://www.iem.gov.lv/en</a>	The Ministry of the Interior (MoI) is the main institution responsible to manage and to coordinate the implementation of the Republic of Latvia's policies and regulations on migration and international protection.
<b>Office of Citizenship and Migration Affairs of the Republic of Latvia</b> <a href="https://www.pmlp.gov.lv/en">https://www.pmlp.gov.lv/en</a>	The Office of Citizenship and Migration Affairs (OCMA) is established under the Ministry of Interior of the Republic of Latvia. The OCMA is the national institution responsible for the implementation of the national migration and asylum policies. In particular, the OCMA performs the following functions: development and implementation of the state policy on migration and asylum; maintenance of the population register and registration of residents in the accommodation centers; determination of the legal status of individuals in the country and

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<sup>10</sup> European Commission - Directorate-General For Migration And Home Affairs, Directorate F – Audit & Situational Awareness, "F.2 – Situational Awareness", Brussels HOME.F.2.001/VI, *Report on the situation at the external EU borders with Belarus*, 16 August 2021.

Organisation	Responsibilities
	naturalization; issuance of personal identification and travel documents.
<b>State Border Guard of the Republic of Latvia</b> <a href="https://www.rs.gov.lv/en">https://www.rs.gov.lv/en</a>	The State Border Guard Service (SBG) is established under the Ministry of Interior of the Republic of Latvia. The SBG is responsible for the enforcement of public safety in the fields of State border guard and, within the scope of competence, to manage irregular migration. In this framework, the SBG implements the procedures associated to the management of entry, residence, exit and transit of third country nationals and stateless persons, according to the provisions of the national legislation on migration and asylum.

#### 4.0 MONITORING AND EVALUATION FRAMEWORK

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

In terms of monitoring, EASO 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>11</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 EASO'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 EASO 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.

**Upon the entry into force of the EUAA Regulation:** 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 Plan. For transparency and accountability purposes, evaluation report(s) may be shared publicly on the Agency's website after internal checks have been made to ensure compliance with applicable provisions in Regulation (EU) No 2018/1725<sup>12</sup> and Regulation (EU) No 1049/2001<sup>13</sup>.

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

<sup>11</sup> Should the EUAA Regulation enter into force during the term of the Plan, a final evaluation will be mandatory and subject to a prescribed deadline in line with the applicable Articles.

<sup>12</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>13</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).

## **5.0 LEGAL FRAMEWORK**

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

#### **Current legal basis:**

The EASO Founding Regulation, in particular Article 2 (2) and (3), (4) and (5) thereof, foresees that EASO shall provide effective operational support to Member States subject to particular pressure on their asylum systems, drawing upon all useful resources at its disposal, which may include the coordination of resources provided by the Member States, as well as technical assistance in regard to the policy and legislation of the EU in all areas having a direct or indirect impact on asylum.

The definition of particular pressure on the asylum and reception system is laid down in Article 8 of the EASO Founding Regulation.

EASO may support the Member State(s) by coordinating action to help facilitate an initial analysis of asylum applications under examination by the competent national authorities (Article 10(a)), action designed to ensure that appropriate reception facilities can be made available by the Member States, in particular emergency accommodation, transport and medical assistance (Article 10(b), and other technical and operational assistance through the deployment of asylum support teams (Article 10(c)).

The operating arrangements of the deployment of the asylum support teams are governed by Chapter 3 of the EASO Founding Regulation, and in particular Articles 13 to 23.

#### **Legal basis upon the entry into force of the EUAA Regulation:**

Regulation (EU) No 439/2010 shall be replaced for Member States bound by the EUAA Regulation in accordance with Article 72 of the draft EUAA Regulation. Regulation (EU) No 439/2010 shall be repealed with effect from the date of entry into force of the EUAA Regulation and the present operating plan shall be implemented in accordance with the Articles 1, 2, 3, 16 to 20 and 23 to 28 of the draft EUAA Regulation.

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

EASO 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 EASO 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 EASO 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 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 EASO operational support under this Plan shall comply and act in accordance with the 'EASO Code of Conduct for persons participating in EASO operational support activities'. Participants in operational support activities will be requested to sign a declaration on compliance with the EASO Code of Conduct.

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

#### **Upon the entry into force of the EUAA Regulation:**

In this respect, upon the entry into force of the EUAA Regulation (and pursuant to Article 49 of the current draft thereof), a Fundamental Rights Officer shall be appointed by the Management Board from a selection of candidates proposed by the Executive Director and 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 also be in charge of implementing the complaints mechanism<sup>14</sup>.

Also upon the entry into force of the EUAA Regulation, 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 through the complaints mechanism<sup>15</sup>, set up by the Agency.

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

Without prejudice to the public right of access to documents, as laid down in Regulation (EC) 1049/2001<sup>16</sup> and the EASO implementing rules on access to documents<sup>17</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.

EASO 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>18</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.

Whenever personal data is processed by EASO within the activities agreed in the current Plan, EASO will act as data processor on behalf of the competent authorities of the host Member State, following

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<sup>14</sup> As soon as it is established in the EUAA, following the entry into force of the EUAA Regulation.

<sup>15</sup> As soon as it is established in the EUAA, after coming into application of the EUAA Regulation.

<sup>16</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>17</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>18</sup> Corrigendum, OJ L 127, 23.5.2018, p. 2 ((EU) 2016/679)

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.

EASO 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 EASO personnel working on behalf of the Member State authorities can be processed in the EASO 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 EASO.

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 EASO 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 shall be the property of EASO and/or the European Union, where such writings or work relate to activities undertaken in the context of the Plan. EASO and/or the Union acquires irrevocably ownership of the results and of all intellectual property rights, such as copyright and any other intellectual or industrial property rights, on the materials produced specifically for EASO 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 Framework Contracts concluded by EASO 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 21 and 22 of the EASO Founding Regulation will be applicable to all members of the asylum support teams deployed in the host Member State.<sup>19</sup>

### **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 EASO 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 EASO budget, as well as when they impact on and/or require an amendment of the agreed Outcome(s).

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

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<sup>19</sup> Reference to Articles 21 and 22 of the EASO Founding Regulation shall be construed as reference to Articles 26 and 27 of the draft EUAA Regulation.



Any changes that prove to require an amendment to or adaptation of the Plan, shall be agreed in writing between the Executive Director of EASO and the host Member State in line with Article 18(2) of the EASO Founding Regulation.<sup>20</sup>

Changes to agreed Outcome(s) 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**

After the entry into force 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, 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.<sup>21</sup>

## **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 EASO 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 EASO 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 execution of measures agreed in the Plan.

#### **EASO will:**

- designate an overall Plan Coordinator (also referred to as Union Contact Point in accordance to Article 20 of EASO 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 EASO.

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<sup>20</sup> Reference to Article 18(2) of the EASO Founding Regulation shall be construed as reference to Article 18(5) of the draft EUAA Regulation.

<sup>21</sup> In accordance with Article 18(6)(c) of the draft EUAA Regulation.

- 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 EASO in the framework of this Plan, according to the applicable EASO rules.

## **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:

- EASO Operational Deployment Management System (ODMS)
- EASO 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 EASO 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 EASO 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.

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

### **Under the EASO Founding Regulation:**

The asylum support teams may consist of the following categories of resources, being members of the asylum support teams:

- a) Member States experts, i.e. experts made available through contributions to the Asylum Intervention Pool by EU Member States via national expert pools on the basis of defined profiles, in accordance with Article 15 of the EASO Founding Regulation;
- b) Associate Countries experts, i.e. experts considered to be Member States experts, made available through contributions to the Asylum Intervention Pool by associate countries referred to in Article 49 of the EASO Founding Regulation, with which the European Union has an arrangement in place on the modalities of its participation in EASO's work. Currently such arrangements have been concluded with the Kingdom of Norway, the Principality of Liechtenstein, the Swiss Confederation, and the Republic of Iceland;
- c) Individual experts, i.e. experts considered to be Member States experts, made available through contributions to the Asylum Intervention Pool by EU Member States via national

- expert pools on the basis of defined profiles, in accordance with Article 15 of the EASO Founding Regulation, but whereby the Member State does not have an employment relationship with the individual expert;
- d) EASO staff members, i.e. statutory staff employed by the Agency (temporary and contract staff) subject to the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Union<sup>22</sup>;
  - e) 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>23</sup> for the provision of support to its operational activities;
  - f) 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 EASO Financial Regulation<sup>24</sup>.

The implementation of the Plan shall be based on the common understanding that the provision of resources, other than EASO (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 EASO 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 team members is and remains their employer.

**Upon the entry into force of the EUAA Regulation:**

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>25</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 draft EUAA Regulation, with which the European Union has an arrangement in place on the modalities of its participation in EASO'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>26</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 EASO Financial Regulation<sup>27</sup>.

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<sup>22</sup> As laid down by Council Regulation (EEC, Euratom, ECSC) No 259/68, OJ L 56, 4.3.1968, p.1

<sup>23</sup> By virtue of 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>24</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>25</sup> As laid down by Council Regulation (EEC, Euratom, ECSC) No 259/68, OJ L 56, 4.3.1968, p.1.

<sup>26</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>27</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

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 EASO's Security Governance Framework<sup>28</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 EASO 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.

EASO 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 EASO and the host Member State security responsible, shall be established in an annex to this plan.
- 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 EASO 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 regards 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

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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>28</sup> Decision of the Executive Director No 61 of 12 April 2021 on the Security Governance Framework.

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.

- Communication tools. As considered relevant by the EASO Security sector, EASO operational staff shall have access to independent radio communication equipment. If possible, the equipment shall be interoperable with the local law enforcement in charge of the security of the operation.
- Security of information. Sensitive non-classified and classified information shall be protected adequately, in accordance with the applicable legal framework<sup>29</sup>. EASO's security responsible shall be involved in supporting the proper classification of relevant information.
- Security of IT and communication equipment. EASO 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 EASO Code of Conduct as well.
- Reporting security incidents from the operational area to the EASO HQ 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**

EASO 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.

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 EASO Plan Coordinator and the EASO 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 in EASO'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 EASO and to the Host Member State Coordinator for the Plan via the appropriate channel: [security\\_incidents\\_operations@easo.europa.eu](mailto:security_incidents_operations@easo.europa.eu). Such an incident is to be reported using the **Security Incident Report Form (Annex III)**.

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<sup>29</sup> Including, *inter alia*, the security principles contained in Commission Decision (EU, Euratom) 2015/444.

## **8.0. COMMUNICATION**

The Executive Director will designate the Union Contact Point referred under Article 20 of the EASO Regulation, who acts as an interface between EASO, the host Member State, and the members of the asylum support teams. The Union Contact Point provides assistance, on behalf of EASO, on all issues relating to the conditions of deployment of the asylum support teams, monitors the correct implementation of the Plan, and reports to EASO on all aspects of the asylum support teams' deployment. Upon entry into force of the EUAA Regulation, the Union Contact Point will assume the functions of Coordinating Officer.

The host Member State and the Union Contact Point 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 EASO support tools. Should such need be identified or changed during the Plan implementation, it shall be communicated to EASO for further consideration.

EASO will maintain close cooperation and communication with the relevant stakeholders. EASO 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 EASO transparency and communication policies. The timing and content of communication with the media shall be agreed upon between EASO and the host Member State.

Where relevant, the two 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, the Agency 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.

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 as well as with the other EU Agencies.

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

In accordance with Article 50 of the EASO Regulation<sup>30</sup>, EASO aims at a coherent and complementary continuation of the fruitful cooperation with UNHCR. The Union Contact Point 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, in July 2019 EASO 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 Union Contact Point 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>30</sup> Reference to Article 52 of the EASO Regulation shall be construed as reference to Article 38 of the draft EUAA Regulation.

## ANNEX I – Operational Measures

<b>Measure LV-AS-REC 1: Asylum and Reception Support</b>	
<p><b>Outcome:</b> <i>Effectiveness and efficiency in processing asylum applications and in the provision of reception services for applicants of international protection are improved</i></p> <p><b>Measure Indicator:</b></p> <ol style="list-style-type: none"> <li>1. Percentage of cases processed with EASO support</li> <li>2. Percentage of reception sites where reception procedures are implemented with EASO support</li> </ol> <p><b>Measure Target:</b> To be defined after conclusion of the Inception Phase</p>	
<b>Responsible Authorities</b>	<ul style="list-style-type: none"> <li>• Office of Citizenship and Migration Affairs under the Ministry of the Interior of the Republic of Latvia.</li> </ul>
<b>Preconditions</b>	<ul style="list-style-type: none"> <li>• Republic of Latvia’s authorities appoint focal points to liaise with EASO and ensure effective operational coordination, quality assurance and implementation.</li> <li>• A bi-directional data sharing procedure is in place between EASO and the Republic of Latvia’s authorities to measure the impact of the intervention.</li> </ul>
<b>Outputs</b>	<p><b>LV-AR 1.0 Enhanced capacity of the Office of Citizenship and Migration Affairs to manage asylum procedures</b></p> <p><b>LV-AR 1.1 Enhanced capacity of the Office of Citizenship and Migration Affairs to manage reception procedures</b></p>
<b>Description of the actions</b>	<p><b>LV-AR 1.0 Enhanced capacity of the Office of Citizenship and Migration Affairs to manage asylum procedures</b></p> <ul style="list-style-type: none"> <li>• <b>Action 1.0.1</b> Provide support to the Office of Citizenship and Migration Affairs in managing asylum procedures, in particular in the following areas: conducting asylum interviews, notification of decision, provision of legal aid.</li> <li>• <b>Action 1.0.2</b> Provide support through the delivery of training to new and experienced case officers</li> </ul> <p><b>LV-AR 1.1 Enhanced capacity of the Office of Citizenship and Migration Affairs to manage reception procedures</b></p> <ul style="list-style-type: none"> <li>• <b>Action 1.1.1</b> Provide support to the Office of Citizenship and Migration Affairs in managing reception procedures, particularly in the area of information provision.</li> </ul>
<b>Inputs</b>	<p>Indicative number of the following inputs:</p> <p><u>Human resources:</u>            Field Support Officer: Up to 1            Member States Expert: Up to 1            Interpreters to support asylum and reception procedures: Up to 20</p> <p><b>For All:</b></p> <ul style="list-style-type: none"> <li>• Equipment, material and operational support where required for the joint EASO and national authorities’ activities</li> </ul>



## ANNEX II - Incident Report Form

### [CONFIDENTIAL] Incident Report

<b>Location:</b>	
<b>Date:</b>	
<b>Name of EASO staff:</b>	
<b>Name of responsible National Authority Authorised Representative:</b>	

Date of incident:

Information on the incident:

## ANNEX III – Security Incident Report Form

### [CONFIDENTIAL] Security Incident Report

<b>Location:</b>	
<b>Date:</b>	
<b>Name of EASO staff:</b>	
<b>Name of responsible National Authority Authorised Representative:</b>	

1. Time of the incident:
2. Date and time of the report:
3. Type of incident:
4. Persons involved:
5. Incident description:
6. Consequences:
7. Actions taken:
8. Annexes:
9. Recipients of Security Incident Report