

**OPERATING PLAN**  
**SPECIAL SUPPORT ON RECEPTION**  
**AGREED BY EASO AND SPAIN**

Valletta Harbour and Madrid  
December 2020

Having regard to Articles 8, 10 and 13 to 23] of Regulation (EU) No 439/2010 of the European Parliament and of the Council of 19 May 2010 establishing a European Asylum Support Office (hereinafter ‘EASO Regulation’),

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

and

The State Secretary for Migrations of the Secretary of State for Migrations (Secretaría de Estado de Migraciones –hereinafter ‘SEM’) of Spain (hereinafter ‘Member State’)

Hereby agree on the Operating Plan for Special Support on Reception (hereinafter ‘the Plan’) for the deployment of experts and the provision of technical and operational assistance to [Member State] from 7 December until 31 December 2021.

Any amendments or adaptations of this Plan shall be agreed in accordance with Article 18(2) of the EASO Regulation.

EASO shall share a copy of the Plan with the Members of the EASO Management Board for information.

Valletta Harbour and Madrid

December 2020

Executive Director of the  
European Asylum Support  
Office

State Secretary for Migrations of Spain

Nina Gregori

Hana Jalloul Muro

## **1.0 INTRODUCTION**

In a letter sent on 5 August 2020 in reply to an initial request from State Secretary for Migrations Hana Jalloul Muro, EASO Executive Director Nina Gregori offered further collaboration and potential EASO support to the Secretary of State for Migrations, in relation to reception.

In the course of subsequent technical meetings, the proposal for a Joint Rapid Needs Assessment (JRNA) and the identification of possible areas of support were further discussed and analysed. A rapid needs assessment was conducted jointly by EASO and the Spanish Secretary of State's services throughout September-October 2020. The exercise resulted in a Joint Rapid Needs Assessment report followed by a draft Operating Plan for special support on reception which was then concluded in this document as the Operating Plan Special Support on Reception.

The Plan addresses the operational needs of Member States under pressure that have requested support from EASO. Such a Plan gives direction on the delivery of EASO's technical and operational assistance and the deployment of Asylum Support Teams.

This Plan including its amendments, composed of the Main part and Annexes (if included), is formally agreed with the authorities of Spain (hereinafter 'Host Member State').

The Main part (and its Annexes) are equally important and form the Operational Plan, having the same legal binding character for the participating authorities.

## **2.0 LEGAL FRAMEWORK**

### **2.1 General legal basis for the Plan as per EASO Founding Regulation**

The EASO Founding Regulation, in particular Article 2 (2) and (3), (4) and (5) thereof, foresees that 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 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 more in particular Articles 13 to 23.

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

EASO activities performed in the context of the support and technical assistance as identified in the Plan herewith are in principle governed by relevant 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.

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

This Plan shall be implemented by the Parties in full compliance with the applicable law, as indicated in Section 2.2 of the Plan, 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 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 current 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.

A declaration on the compliance with the EASO Code of Conduct constitutes Annex I to the Plan.

EASO may temporarily suspend the implementation of the Plan in cases of severe violations of the applicable law, especially the Fundamental Rights.

### **2.4. Confidentiality, Public Access to Documents and Data Protection**

Without prejudice to the public right of access to documents, as laid down in Regulation (EC) 1049/2001<sup>1</sup> and the EASO implementing rules on access to documents<sup>2</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.

This Plan shall be made publicly available once it has been signed by EASO and the Host Member State.

EASO and the Host Member State shall consult each other on any requests for public access to documents relating to this Plan (for instance concerning its evaluation) 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>3</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

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<sup>1</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>2</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>3</sup> Corrigendum, OJ L 127, 23.5.2018, p. 2 ((EU) 2016/679)

data, and repealing Directive 95/46/EC (Data Protection Directive), which is applicable to stakeholders at national level.

Whenever personal data is processed by the 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 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 point 2.3 Conditions of Deployment.

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 [authority] 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 [authority] 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 [authority]

### **3.0. OPERATIONAL SITUATION**

Migration challenges in Spain have increased significantly over recent years. Changing trends in migration routes have affected the country in general – and in particular the Canary Islands. In parallel to the relatively steady influx of migrants arriving through the airport, sea arrivals in the Canary Islands have increased dramatically in the last year<sup>4</sup>. This significant increase in sea arrivals has resulted in particular pressure on the reception system, which was unprepared to receive such a large number of migrants.

Overall, Spain has seen annual increases since 2013 with applications lodged rising more and more swiftly from 2017 onwards following a surge of applicants from Latin America countries. The annual volume of applications lodged in Spain averaged about 3,200 applications a year between 2008 and 2012, subsequently rising from about 4,500 applications in 2013 to nearly 118,000 in 2019, more than doubling from the 54,000 record-high registered in 2018. Such swift changes in the inflow of asylum applications have undoubtedly exerted a high level of pressure on the Spanish reception system.

The Spanish reception system falls under the responsibility of the recently established Ministry of Inclusion, Social Security and Migration (MISSM)<sup>5</sup>. The Ministry includes the Secretary of State for Migration (SEM) and its General Directorate for Inclusion and Humanitarian Aid (DGIAH), under which are two General Sub-Directorates respectively managing International Protection Programmes and Reception and Humanitarian Assistance Programmes. DGIAH is responsible for the planning,

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<sup>4</sup> In the first half of 2020, arrivals increased six-fold, particularly in the islands of Gran Canarias and Fuerteventura

<sup>5</sup> The new ministry replaced the former Ministry of Labour, Migration and Social Security, in accordance with the Royal Decree 2/2020 of 12 January 2020, which restructured government departments. Royal Decree 139/2020 of 28 of January supplements the new ministry by establishing an organisational structure of the government departments, including the recent Ministry of Inclusion, Social Security and Migration. Article 2.1 makes reference to the General Directorates.

development and management of the national system for a comprehensive reception and integration of asylum applicants, refugees, beneficiaries of international protection, stateless persons and people under temporary protection<sup>6</sup>.

In addition to the reception system for applicants for international protection, DGIAH manages a national humanitarian programme, which covers the basic needs of immigrants who arrive in Spain by boat<sup>7</sup>. Within that framework, DGIAH is responsible for the temporary facilities (CETI or *Centros de Estancia Temporal de Inmigrantes*) and refugee reception centres (CAR or *Centros de Acogida a Refugiados*)<sup>8</sup>, as well as the collaboration with private entities whose activities are related to reception.

Spain has a mixed reception system with a public network of migration centres, in addition to programmes providing care for asylum applicants, which are managed by entities, such as NGOs, charities and religious organizations that receive funding from the SEM. Along with regular reception facilities, entities design programmes and offer services for persons with special needs in accordance with the provisions of the resolution regarding the call for subsidies for programmes in the area of international protection.

Asylum seekers and beneficiaries of International Protection can reside for a maximum of 18 months in the reception system. This period can be extended for up to 24 months for vulnerable applicants<sup>9</sup>. In respect to reception, it is divided into two phases: i) the first phase, where the person resides in a reception facility; and ii) the second phase (or autonomy phase), where the applicant is required to secure private accommodation, with the aim of fostering autonomy within Spanish society. In addition, there is an initial phase of assessment and referral, which does not count towards the 18 months of the itinerary but is a required step for all beneficiaries of the reception system.

In this context, the Joint Rapid Needs Assessment (JRNA) conducted jointly by EASO and the Spanish Secretariat of State's services throughout September-October 2020 focused jointly assessing the situation in respect of asylum and on identifying **potential areas of EASO support**, namely:

1. Assessment of potential support in the design, development and subsequent implementation of a new national **model of reception system** for international protection.
2. Assessment of the needs related to the first area for the deployment by EASO of experts<sup>10</sup> to support the central reception authorities in terms of **planning, project management and identified technical functions at central level**.
3. Assessment of the need for actions in support of **emergency reception facilities<sup>11</sup> with a specific focus on the Canary Islands**.

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<sup>6</sup> Article 7.1(a) of Royal Decree 497/2020 of 28 of April establishes the basic organisational structure of the Ministry of Inclusion, Social Security and Migration.

<sup>7</sup> Royal Decree 450/2019, of July 19, which modifies the Royal Decree 441/2007, of April 3, which regulates the rules for direct granting of subsidies to entities and organizations that carry out care activities.

<sup>8</sup> [Ministry of Inclusion, Social Security and Migration](#), General Directorate for Inclusion and Humanitarian Aid (Functions). Accessed on 07 October 2020.

<sup>9</sup> There are several exceptions to time limits which refer to concrete pathways, such as access to the labour market (30 months maximum) and psychological assistance, legal support, language learning and translation support (during the entire period of the asylum procedure).

<sup>10</sup> EASO can deploy Member State Experts, Individual Experts Consultant Experts and temporary workers coordinated by EASO staff to support central asylum and reception authorities where this is requested and warranted by a validated assessment of needs.

<sup>11</sup> Current migratory flows have resulted in increased arrivals in for example the Canary Islands where there is a lack of emergency reception facilities.

4. Assessment of the need for **training and capacity building** for different categories of personnel in the Spanish national reception system.
5. Possible participation in EASO's **Resettlement Support Facility (RSF) Project** and wider support on resettlement.

The Joint Rapid Needs Assessment (JRNA) was adopted from both sides on [insert date]

## **4.0. IMPLEMENTATION**

### **4.1. Implementation Period**

The implementation period of this Plan is from [date in full, for example 1 January 2021] until [date in full, for example 31 December 2021].

### **4.2. 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 are 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 tasks 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 budget, do not require an amendment to or adaptation of the Plan, and that the Host Member State is timely informed in writing.

### **4.3. Amendments to the Plan**

Any changes that prove to require an amendment to or adaptation of the Plan, shall gain written agreement of both the Executive Director of EASO and the [Member State] in line with Article 18(2) of the EASO Founding Regulation.

## **5.0. COORDINATION STRUCTURE**

This chapter of the Plan describes the various conditions for and aspects of support to the authorities of the Host Member State in the field of international protection and reception.

EASO will 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. All rights in any writings or other work produced by 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 this 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.

### **5.1 Main National Partners**

The main partner in the Host Member State will be the Secretary of State for Migration at the Ministry of Inclusion, Social Security and Migration.

## **5.2. Composition of Asylum Support Teams – categories of resources**

[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 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 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>12</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>13</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.]

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, nor, in the case of embedded experts on contract, between these experts and the national authorities to which they may be assigned as per the embedded model described below. 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.

## **5.3. The embedded model**

The notion of the 'embedded model' represents an integrated approach to the implementation of the Plan, applicable exclusively with regard to experts on contract. In accordance with this model, experts on contract who are supplied by their employer (e.g. temporary-work agency) to be deployed as

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<sup>12</sup>. As laid down by Council Regulation (EEC, Euratom, ECSC) No 259/68, OJ L 56, 4.3.1968, p.1.

<sup>13</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).



Asylum Support Team members, are embedded within the structure of the respective national authorities to ensure utmost efficiency, quality and sustainability of the anticipated results. In practice, those experts on contract are seconded by EASO to national authorities of the Host Member State and therefore perform their assignment(s) on the premises of the relevant national authorities (e.g. the National Asylum Service).

In such cases, a coordination mechanism shall be agreed by Parties to oversee both the overall implementation of the Plan at national level and its implementation at local level (i.e. in the respective location of the host Member State) or for the respective measure foreseen in the Plan, including with regard to the allocation and the administration of resources. For this purpose, detailed administrative and reporting workflows and procedures related to the provision and management of 'embedded' resources and reflecting respective roles and responsibilities shall be established and agreed upon in writing between EASO and the host Member State. In setting up the aforementioned coordination mechanism, the following rules must be complied with as a minimum:

(a) EASO shall duly advise the employers of the experts on contract of their envisaged secondment to the national authorities of the host Member State before such secondment takes place;

(b) The national authority shall clearly acknowledge that they endorse the obligations and responsibilities pertaining to them as hosting authority vis-à-vis the experts on contract seconded to them;

(c) The national authority is responsible for ensuring proper working conditions for the expert on contract, and is responsible for the health, safety and security during work. EASO may not be held liable for any breach in the Health and Safety rules that might occur in the premises of the national authorities and/or under the supervision of the national authorities.

#### **5.4. 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 the members of the Asylum Support Team operating in the Host Member State.

#### **5.5 Acceptance of Deliverables**

EASO shall ensure quality control of agreed deliverables. Where applicable, steps shall be taken to document the Host Member State's formal acceptance of deliverables.

#### **5.6 Conditions for Deployment**

General rules and conditions for [experts' / Asylum Support Teams'] deployment, as well as special instructions for [experts /Asylum Support Team members] (including databases that they are authorised to consult and the equipment that they may carry in the Host Member State and practical information concerning location of deployment and related workflows) are published on the following platforms, which the experts/Asylum Support Team members are obliged to consult:

- EASO Asylum Intervention Pool's National Contact Point platform (EASO AIP NCP);
- EASO Asylum Intervention Pool System (EAIPS);
- EASO country-specific online platforms. These platforms are made available to members of ASTs upon their deployment, allowing for preparation for deployment (in case of MS national experts) and daily implementation of their tasks.

Relevant thematic pages of the EASO IDS concerning the reception system of the Host Member State, including information on relevant practices, legislation, case law and statistical background. The Host Member State shall contribute to information concerning the reception system of the Host Member

State, including information on relevant practices, legislation, case law and statistical background to be The Host Member State and EASO will provide experts with information on the general state of play with regard to the procedure for international protection and reception system 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 [expert / Asylum Support Team] deployment details are provided under each measure, where applicable.

### **5.7. Organisational and Operational Pre-Conditions**

Every effort shall be made by the different parties to provide a suitable working place for the expert(s) participating in the activities to implement the Plan.

EASO will provide the technical equipment required for the work of the Asylum Support Teams and will reimburse costs incurred by persons participating in the activities, according to the applicable EASO rules.

The Host Member State shall grant appropriate access rights for the [experts / Asylum Support Team members] to all relevant databases and commits to provide the [experts / Asylum Support Teams] with the required information and data in the context of this Plan.

The Host Member State and EASO shall designate an overall Plan Coordinator, as well as a specific Measure Coordinator for each measure stipulated in the Plan. The host member state will also facilitate the provision of appropriate working spaces.

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).

Minimum working and security conditions (see section 3) are considered as organisational pre-conditions.

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.

### **5.8. Communication**

The Executive Director shall designate the Union Contact Point under Article 20 of the EASO Regulation, who acts as an interface between EASO, the Host Member State, and the [experts / Asylum Support Team members]. The Union Contact Point provides assistance, on behalf of EASO, on all issues relating to the conditions of deployment of the [experts / Asylum Support Teams], monitors the correct implementation of the Plan, and reports to EASO on all aspects of [experts' / Asylum Support Teams'] deployment.

Further, at the end of their deployment, [experts / Asylum Support Team members] will provide a Final Report to EASO using the template available on the [name of platform]. Feedback from the deployed [experts / Asylum Support Team members] shall be gathered on the completion of their deployment and prior to reimbursement of expenses.

During the implementation of this Plan, experts as well as other personnel [deployed as part of Asylum Support Teams] will be briefed regularly on 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.

The Host Member State and the Union Contact Point will manage the exchange of information concerning the tasks under the Plan.

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.

### **5.9. Incident reporting**

Participants in EASO activities who have reason to believe that a violation of the 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: [operations@easo.europa.eu](mailto:operations@easo.europa.eu). The incident is reported using the Incident Report Form (Annex II). Any incidents that may occur during the deployment of an expert [in the Asylum Support Teams] shall be reported through the same channels.

### **5.10 Monitoring and Evaluation Framework**

EASO is implementing a structured Monitoring and Evaluation (M&E) 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 (e.g. monitoring plan/framework, planning and monitoring software, data systems) developed in order to collect input from the implementation of the Plan and to guarantee feedback in real time.

Periodic or mid-term and final evaluations can be carried out in order to take stock of lessons learned and good practices. The evaluation(s) will be delivered within the European Commission's methodological guidelines for evaluations. They may be performed externally through engagement of evaluation specialist(s) or by EASO internally.

Monitoring and evaluation findings, 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).

## **6.0. SECURITY**

EASO applies the security principles of the Commission's security rules. 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 are 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.

To that end:

- Standard security and safety requirements, identified herewith, should apply as a general rule.

- Specific security and safety requirements for the specific plan, to be identified jointly by EASO and the host Member State security responsible, should be established in an annex to this plan.
- The safety and security measures shall be identified jointly on a basis of field assessment visits.

### **6.1 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 named security responsible, acting as a single point of contact for security matters for the operation, both at central and local level.
- The host Member State should 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 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. A security responsible should maintain updated information on the availability of evacuation plans and routes.
- Communication tools. As considered relevant by the EASO Security sector, EASO operational staff should have access to independent radio communication equipment. If possible, to the equipment should be interoperable with the local law enforcement in charge of the security of the operation.
- Security of information. Sensitive non-classified and classified information should be protected adequately. EASO security responsible should 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 should 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.

### **6.2 Specific security 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 MS and involved stakeholders, prior to the deployment.

### **6.3 Suspension of operational activities on security and safety grounds**

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

## **7.0. SPECIFIC PROVISIONS**

### **7.1 Cooperation with the European Commission**

All activities under this Plan will be closely coordinated with the Host Member State and with the steady support of the European Commission.

### **7.2 Cooperation with UNHCR**

In accordance with Article 50 of the EASO Regulation, 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.

### **7.3 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.

## 8.0 MEASURES

<b>Measure ES 1.0: Facilitated support to the Spanish authorities in the transition towards a new model for reception</b>	
<b>Responsible Authorities</b>	Ministry for Inclusion, Social Security and Migrations, State Secretary for Migrations ( <i>Secretaría de Estado de Migraciones - SEM</i> )- Directorate General of Inclusion and Humanitarian Assistance ( <i>Dirección General de Inclusión y Atención Humanitaria - DGI AH</i> ).
<b>Description of the situation and needs</b>	<p>Spain has a mixed reception system with a public network of migration centres and other reception facilities, in addition to programmes providing care for asylum applicants, which are managed by entities, such as NGOs, charities and religious organisations that receive funding from MISSM. Along with regular reception facilities, entities design programmes and offer services for persons with special needs in accordance with the provisions of the resolution regarding the call for subsidies for programmes in the area of international protection. The Spanish Reception Model was designed for small numbers of arrivals. Despite an increasing number of external entities (e.g. NGOs, charities, etc.) involved and reception places managed by these entities, the reception system has been struggling to cope with increasing arrivals over the past few years. Its main challenge appears in being able to guarantee unconditional and timely access to reception to applicants with reception needs, as requested by the EU Reception Conditions Directive. Other challenges concern the low capacity of the system, a limited homogeneity of reception conditions across the country, due to differences in implementation by the entities involved, and some difficulties in the identification and referral of vulnerable applicants. To these challenges can be added the stated need to empower regional authorities (autonomous communities) in reception and integration policies for asylum seekers to respond to a judgement of the High Court of Justice of Madrid.</p> <p>Overall, the challenges identified in relation to the reception model appear difficult to tackle without a rethinking of the model itself. This process clearly depends on a wide range of factors, including financial, administrative and political elements, which are usually complex and therefore deserve deeper understanding, analysis and coordination.</p> <p>As a main response, this section therefore proposes EASO special support to SEM in view of the definition and subsequent implementation of a new reception model suitable to the Spanish environment. This special support could foresee an initial inception period whereby EASO could support SEM in exploring the feasibility of alternative models, good practices and options adopted in other European countries.</p>
<b>Outputs</b>	<p>1.1 The process of designing a new reception model for Spain is enriched by exposure to in-depth understanding of the European reception framework, alternative decentralised reception models and innovation and good practices within models adopted in other European countries</p> <p>1.2 The process of designing a new reception model is supported by EASO personnel through provision of targeted technical expertise and specific required human resources.</p>

	<p>1.3 Enhanced knowledge and understanding of how vulnerability is addressed in other jurisdictions and an analysis of the situation regarding vulnerability in Spain contributes to the streamlining of vulnerability aspects within the design of the new model.</p>
<p><b>Description of the action deliverable(s)</b></p>	<p>1.1 Field visits (physical and / or remote) for key personnel within SEM to study alternative reception models in other MS.</p> <p>1.2 A feasibility study on alternative models, good practices and options adopted in other European countries potentially applicable to the Spanish system.</p> <p>1.3 Study on alternative vulnerability workflows, good practices and options adopted in other European countries potentially applicable to the Spanish system</p> <p>1.4 Practical propositions for the design and pilot implementation, of a new reception model and related organisational structures and change-management processes together with related technical tools and workflows (e.g. development of indicators and standards on reception conditions, monitoring and coordination mechanisms, standard operating procedures). I.e. technical advice.</p> <p>1.5 Mapping of available services for vulnerable asylum seekers in the autonomous regions or specific municipalities.</p>
<p><b>Inputs</b></p>	<ul style="list-style-type: none"> <li>• Field visits (physical and / or remote)</li> <li>• High-level Reception Expert(s) / Consultants / staff specialised in integrated reception-related strategic planning and decentralised systems deployed to Spain</li> <li>• High level Experts / Consultants / staff specialised in designing organisational structures, systems and organisational change management plans</li> <li>• High-level Reception Expert(s) / staff specialised in vulnerability planning</li> </ul>

<p><b>Measure ES 2.0: Organisational structures and related systems developed to implement the new reception model for the Spanish reception system</b></p>	
<p><b>Responsible Authorities</b></p>	<p>Ministry for Inclusion, Social Security and Migrations, State Secretary for Migrations (<i>Secretaría de Estado de Migraciones - SEM</i>)- Directorate General of Inclusion and Humanitarian Assistance (<i>Dirección General de Inclusión y Atención Humanitaria - DGIAH</i>).</p>
<p><b>Description of the situation and needs</b></p>	<p>As part of the JRNA, there are evident needs related to structural, organisational and planning /technical elements, which have an impact on the wider management of, and daily work in, the Spanish reception system.</p> <p>Human resources While SEM has articulated solid ambitions of promoting changes within DGIAH, there appears to be limited capacity to spare dedicated organisational change management resources and expertise within the current human resources setting. Moreover, the high turnover of DGIAH personnel and the existing vacancies appears to impact on the retention and management of asylum and reception related expertise and knowledge within the Directorate. Within this context, it seems inevitable that key technical and</p>

	<p>management functions do suffer from the limited possibility to count on permanent teams and carry out multi-year strategic planning efficiently.</p> <p><b>Monitoring &amp; Evaluation</b>  These human resources limitations also hinder the possibility to invest in, and implement, an internal monitoring and evaluation strategy aimed at systematically enhancing the learning process and improving the service.</p> <p><b>Knowledge and data management</b>  Knowledge and data management has emerged in all exchanges with SEM officials as a key area where technical support is needed. According to a wide number of stakeholders interviewed, the SIRIA database has not been designed for such a high volume of applicants, and consequent data inputs. SIRIA struggles to cope as the data management tool in providing adequate and timely information to its users. The inability to produce accurate statistics appears not only as a limitation for communication and other external purposes, but, more importantly, for informed decision-making processes.</p> <p>Related to knowledge and data management, but equally to human resources, there appears some constraints in dedicating specialised staff to manage statistics and data management within DGIAH.</p> <p><b>Funding</b>  The intention of pursuing the implementation of a a new model of reception system has possible repercussions on the management of reception-specific national and European funds. Depending on the model pursued, there appears the need to enhance the role of administrative support structures, including boosting the technical capacity of the General Sub-Directorate of Strategic Planning and European Funds.</p> <p><b>Reception conditions Monitoring</b>  The needs for effective reception conditions monitoring systems to ensure common standards in delivery of reception services is evident from the JRNA. The development and adoption of a national reception conditions monitoring system building on the EASO ARC (Assessments of Reception Conditions) tool, based on EASO Standards and Indicators for reception conditions, would assist in ensuring common European standards are maintained across the Spanish reception system and regardless of the entity involved.</p> <p><b>Vulnerability</b>  The reception Management Manual highlights systematically the importance of identifying vulnerable persons and assessing the special reception needs of the applicants, and how these circumstances should guide the allocation of specialised places. In this context, the asylum reception system can attend some categories of vulnerable persons (e.g., families with minors or pregnant women) in standard facilities. However, while specialised entities provide the system with reception places for very specific vulnerabilities that cannot be addressed in standard facilities, stakeholders highlighted the limited capacity of the system (around 200 places).</p> <p>Despite the extensive and detailed instructions present in the Manuals, there appears to be a need to reinforce SOPs, monitoring mechanisms and tools across the different phases of the reception system and in emergency settings to ensure an effective process of identification and referral. A more harmonised approach should include tools on how to identify and respond to</p>
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	<p>special reception needs for vulnerable persons – and prevent the use of different tools by different stakeholders.</p> <p>Legal advice Recent judgments have important implications in the organization and management of the asylum reception system. The lack of specialized staff at the DGIAH limits the possibilities of finding the most appropriate alternative within the current legal framework.</p>
<b>Outputs</b>	<p>2.1 Implementation plan, change management plan, organisational change management plans developed to support the transition to a new reception model as identified under Measure 1</p> <p>2.2 Enhanced culture of adaptation to changes, strengthened teamwork approaches, improved internal communication, and enhanced understanding of organisational changes and their dynamics.</p> <p>2.3 Strengthened capacity of the Sub-Directorate of Strategic Planning and European Funds to identify, access and plan for management of available funding mechanisms.</p> <p>2.4 Optimisation of data management across the reception system and related institutions.</p> <p>2.5 Enhanced monitoring and evaluation culture at central level and learning in the service.</p> <p>2.6 Development, testing and implementation of a national reception conditions monitoring system to ensure common standards are maintained in the delivery of reception services</p> <p>2.7 Development of harmonised vulnerability approach and workflows across Spain's reception system, including in terms of the identification and assessment of applicants' special needs.</p> <p>2.8 Strengthened capacity of the DGIAH to make legal analysis</p>
<b>Description of the action deliverable(s)</b>	<p>2.1 Support not only the design, but also the implementation of any institutional changes at the DGIAH, including those related to the new reception model as an Output from Measure 1</p> <p>2.1 Support for development of the strategy / plans / budget for the new design, modeling and implementation of the proposed reception system in its required components as per Output 2.1</p> <p>2.1. Development of required human resource plans, organisational charts and organograms to promote organisational changes</p> <p>2.2. Creation / agreement of required tools and mechanisms to promote organisational changes</p> <p>2.3 In-depth analysis and understanding of the current national and European funding mechanisms</p> <p>2.4 Assessment of technical resource gaps and the functionality needs of the SIRIA database</p> <p>2.4 Support for the automation of data collection and report production</p> <p>2.5 Support in the creation of an internal monitoring and evaluation structure (and resourcing for a required team).</p> <p>2.5 Technical and methodological support in internal (thematic) evaluations as needed</p>

	<p>2.6 Support for developing and rolling out a national reception conditions monitoring system managed by a dedicated team at central level.</p> <p>2.6 Definition of strategic indicators at different levels to monitor in real-time the evolution of the reception system, its capacity, the situation of reception residents</p> <p>2.7 Support in the implementation of vulnerability protocols (mid-term) or those existing (immediate)</p> <p>2.7 Support the design, and testing, of tools and SOPs dedicated to enhancing identification, assessment and referral of persons with special reception needs (including adapting EASO tools)</p> <p>2.7 Develop guidance (and template) on conducting interviews to new arrivals to enhance the detection of vulnerabilities</p> <p>2.8 Legal analysis on the different alternatives for the new reception system model based on the recent judgements</p>
<b>Inputs</b>	<p>Asylum Support team(s) deployed (on short- and long-term missions – including remote support (if <i>force majeure</i> applies) including:</p> <ul style="list-style-type: none"> <li>• Reception experts / consultants / staff experienced in Reception Strategy &amp; Planning; Organisational Transformation Management Design and Delivery of National Reception Services, etc.</li> <li>• Reception system monitoring experts / consultants / staff</li> <li>• Structural and EU funding mechanisms expert(s) / consultants / staff</li> <li>• Data expert/ IT Project Officer(s) for the assessment</li> <li>• Vulnerability experts</li> <li>• Legal experts</li> <li>• Monitoring &amp; Evaluation experts</li> </ul>

<b>Measure ES 3.0: Strengthened capacity within the Spanish reception system through professional development, tools and materials</b>	
<b>Responsible Authorities</b>	Ministry for Inclusion, Social Security and Migrations, State Secretary for Migrations ( <i>Secretaría de Estado de Migraciones - SEM</i> )- Directorate General of Inclusion and Humanitarian Assistance ( <i>Dirección General de Inclusión y Atención Humanitaria - DGI AH</i> ).
<b>Description of the situation and needs</b>	<p>The needs assessment consultations with the Spanish authorities, UNHCR as well as members of civil society, who are directly involved in the management of reception centres and relevant programmes, highlighted the need for continuous and harmonised training across all relevant entities.</p> <p>These are the main challenges identified with regard to training and professional development for different categories of Spanish personnel in the national reception system:</p> <p><b>Lack of permanent staff to address all competencies of the General Sub-Directorate for International Protection Programmes</b></p> <p>The re-structuring process coupled with other challenges identified since 2016, left gaps in terms of permanent staff in the organisational structure of the General Sub-Directorate for International Protection Programmes. Most of the measures taken so far focus on the short-term hiring of a wide number</p>

	<p>of interim staff to fill permanent positions. The temporary nature of staff's employment contracts prevents a clear and planned investment in professional development across the board.</p> <p><b>Training gaps of various functionalities</b>  Due to the overwhelming and rapid increase of applicants requiring access to the reception system, both the number of organisations and their staff multiplied in a short time in order to cope with the applicants' reception needs. This has created an additional challenge to allocate appropriate time for training and learning activities. In addition, the need to match training activities with funding priority areas, as pre-identified by the authorities in funding programmes, limited the potential thematic of training that could be offered to respond to the identified needs.</p> <p>Overall, the need for government officials with several years of experience working with applicants for international protection to receive specialised training sessions, responding to their particular needs, including on working with vulnerabilities (e.g. prevention and response to GBV, victims of trafficking, LGBTI cases, and resettlement cases) was also highlighted. Exposure to other European reception realities is limited and has been clearly identified as a learning opportunity for the exchange of good practice.</p> <p><b>Lack of a national Training Programme/s and national trainers</b>  Currently there is a lack of a common, mandatory training programme focusing on reception related matters at national level and the existent training offer is limited and not easily accessible.</p> <p>Moreover, content-related training is fragmented and usually offered by UNHCR and NGOs on an ad-hoc basis. Whilst the cooperation with UNHCR and NGOs is perceived as good practice there is a lack of coordination and standardisation of on-boarding training programmes and knowledge management pathways for reception officials, having more experience in the field.</p> <p>The Needs Assessment also revealed that many of the newly recruited staff working in first line reception have other relevant learning needs in relation to essential principles, standards and concepts related to International Protection (including identification of vulnerabilities, THB, etc.).</p>
<p><b>Outputs</b></p>	<p>3.1 A more harmonised/coordinated training approach in the reception system involving both government and civil society actors through development of an agreed one-year and multi-year Professional Development and Training plan</p> <p>3.2 Tailor-made professional development and training programmes for senior and intermediate reception officials in reception centers.</p> <p>3.3 Tailor-made training programmes for managers, directors and policy makers</p> <p>3.4 Tailor-made onboarding and training programme for newcomers</p> <p>3.5 Supporting national training capacity through the establishment of a trainer's pool</p> <p>3.6 EASO training modules translated into Spanish</p>

<b>Description of the action deliverable(s)</b>	<p>3.1 Delivery of targeted/thematic professional development and training events for both governmental and non-governmental reception stakeholders</p> <p>3.2 Development and delivery of professional development and training programmes for senior and intermediate reception officials</p> <p>3.3 Development and delivery of professional development and training programme for managers, directors and policy makers</p> <p>3.4 Development and delivery of onboarding and training programme for new staff working in the context of reception</p> <p>3.5 Establish Training of Trainers programme to support development of national training capacity in the area of reception</p> <p>3.6 Facilitation of national trainings through translation, publication and distribution of EASO's relevant training modules</p>
<b>Inputs</b>	<p>Asylum Support team(s) deployed (on short- and long-term missions – including remote support (if <i>force majeure</i> applies) including:</p> <ul style="list-style-type: none"> <li>• Ad hoc Training Sessions</li> <li>• Participation of national trainers in EASO train-the-trainer sessions</li> <li>• 3 Training Support Officers</li> <li>• Trainers from the EASO Trainers Pool</li> </ul>

<b>Measure ES 4.0: Enhanced capacity to offer reception services in locations under particular pressure</b>	
<b>Responsible Authorities</b>	<p>Ministry for Inclusion, Social Security and Migrations, State Secretary for Migrations (<i>Secretaría de Estado de Migraciones - SEM</i>)- Directorate General of Inclusion and Humanitarian Assistance (<i>Dirección General de Inclusión y Atención Humanitaria - DGI AH</i>).</p>
<b>Description of the situation and needs</b>	<p>Changing trends in migration routes have affected Spain over the past few years, and particularly the Canary Islands. In parallel to the relatively steady influx of migrants arriving through the airport, sea arrivals in the Canary Islands have increased swiftly in the last year. This significant increase in sea arrivals meant enormous pressure for the reception system in the islands, which was unprepared to receive a large number of migrants</p>
<b>Outputs</b>	<p>4.1. Reception capacity for asylum seekers in the Canary Islands is strengthened</p> <p>4.2. Enhanced identification, assessment and referral of asylum seekers with special needs in Canary Islands and harmonised with other Spanish regions (link to SP 2.0 – output 2.4)</p> <p>4.3. Arrivals to Canary Islands benefit from a reliable, standardised and systematised information provision mechanism within the reception system.</p>
<b>Description of the actions</b>	<p>4.1 Feasibility study on the reinforcement for a stable reception infrastructure for international protection in the Canary Islands</p>

	<p>4.1 Enhancement of the regional/local coordination between relevant reception stakeholders, for example, by supporting regular coordination in Canary Islands</p> <p>4.1 Identification, design and testing of mechanisms to ensure the timely referral to reception centres for international protection</p> <p>4.2 Design of indicators and standards on vulnerability in emergency settings</p> <p>4.2 Study of best practices and available tools that can be applied to reception centres under particular pressure,</p> <p>4.3. Guidance on how to conduct vulnerability assessment interviews, including remotely</p> <p>4.3. Design a reliable, standardised and systematised information provision intervention potentially including the delivery of info-sessions, training on information provision and available info-tools within the reception system.</p>
<b>Inputs</b>	To be further defined during inception but will include Experts / Consultants / staff in support of reception centre management and related implementation of required vulnerability workflows as necessary and reception infrastructure, site planning, engineering and design experts .
<p><b>Measure ES 5.0: Inception of support for Spanish authorities to facilitate the fulfilment of their resettlement pledges.</b></p> <p><b>(6-month inception measure)</b></p>	
<b>Responsible Authorities</b>	Ministry for Inclusion, Social Security and Migrations, State Secretary for Migrations ( <i>Secretaría de Estado de Migraciones - SEM</i> )- Directorate General of Inclusion and Humanitarian Assistance ( <i>Dirección General de Inclusión y Atención Humanitaria - DGIAH</i> ).
<b>Description of the situation and needs</b>	<p>As part of the JRNA, there are evident needs related to Resettlement:</p> <p>Spain is currently engaged in promoting a National Resettlement Programme. Some refugees resettled are accepted through a pilot Community Sponsorship Programme. The stakeholders involved in the Spanish resettlement and complementary pathways programmes are a combination of state and non-state actors. Among state actors, two can be identified as the main stakeholders, namely MISSM and the Ministry of Interior. These two actors share a joint responsibility and common processes. Overall, from the information collected, needs have been identified concerning two main aspects of resettlement. On one hand, the professional development and training of MISSM. On the other hand, Spain's participation to resettlement missions within a wider European framework could contribute to efficiency gains and improved outcome of resettlement processes.</p>
<b>Outputs</b>	<p>5.1. Enhanced implementation of national resettlement programme through a six-month inception phase.</p> <p>5.2. Tailor-made training programme for staff of MISSM with resettlement related tasks within the reception system</p>

<b>Description of the action deliverable(s)</b>	<p>5.1. Analysis of the potential participation of Spain and subsequent involvement in the EASO RSF Project in Turkey and wider involvement in the EASO Resettlement and Humanitarian Admission Network.</p> <p>5.2. development and delivery of training programmes for staff of MISSM with resettlement related tasks within the reception system</p> <p>5.3. Support in the development of written and digital materials for resettlement</p> <p>5.4. Enhancement of a resettlement PDO/CO curriculum</p>
<b>Inputs</b>	<p>Provision of access to the EASO Resettlement Support Facility in Istanbul &amp; its related services and supports.</p> <p>Technical assistance from EASO Resettlement Sector in respect of support for resettlement in Spain and related training on resettlement</p> <p>Resettlement experts</p>