OPERATIONAL PLAN 2023-2024 AGREED BY THE EUROPEAN UNION AGENCY FOR ASYLUM AND ROMANIA

Amendment 1

Valletta Harbour and Bucharest
December 2023

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

and

The Minister of Internal Affairs of Romania (hereinafter 'Member State'),

Having regard to Regulation (EU) No 2021/2303 of the European Parliament and of the Council of 15 December 2021 on the European Union Agency for Asylum and repealing Regulation (EU) No 439/2010¹ (hereinafter referred to as 'EUAA Regulation'), and in particular Article 1, Article 2, Article 3, Articles 16 to 20 and Articles 23 to 28 thereof,

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

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

The implementation period of the Plan shall be extended by 12 months. The implementation period of the Plan shall thus be until 31 December 2024.

The present amendment enters into force after it has been signed by both Parties and as of 01 January 2024.

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

Valletta Harbour and Bucharest

21 December 2023

Executive Director of the European Union Agency for Asylum

General Inspector of the General Inspectorate for Immigration

Liviu BUTE

1.0. INTRODUCTION

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

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

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

2.0. OPERATIONAL SITUATION, NEEDS ASSESSMENT AND OBJECTIVES

Romania has been subject to persisting pressure on its asylum and reception systems during the last three years, with consecutive year-on-year increases in the number of new applications lodged. The launch of the Russian invasion in Ukraine earlier in 2022 has further exacerbated this pressure, as the country has received a significant share of the temporary protection beneficiaries fleeing to the European Union (EU).

Since 2020 asylum applications have been following an annual increase, which resulted in increased pressure on the country's asylum system. Although applications for international protection showed a significant downward trend in the first half of 2020 mainly as a result of the COVID-19 outbreak, they rose again in July 2020 and continued to substantially increase. In 2021, asylum applications remained at high levels and further increased compared to 2020 despite a temporary reduction during summer. The Russian invasion in Ukraine affected the asylum context critically, resulting in a spike of asylum applications for international protection, with some 12 300 applications for international protection being lodged in Romania in 2022. During the first seven months of 2023, close to 5 800 applications for international protection were lodged in Romania.

With the peak in asylum applications, both the processing of applications and the provision of reception encounter considerable challenges. In the field of asylum, the main challenges are linked to: (i) the limited human resources available, including for interpretation, which affect the timeline for, and quality of, decision-making; (ii)the lack of a mechanism with a sufficient capacity for the identification, assessment and referral of vulnerability; and, (iii) the absence of a systematic approach to training.

As regards reception, there are currently six operational reception centres across the country. They are all located either in Bucharest or close to the border, with most either in the north or the south-east of Romania. In case the reception capacity is exceeded, and no accommodation is available in the collective centres, Romanian authorities may provide financial support for private accommodation, or contract specialised services for the reception of applicants for international protection in individual or collective locations. The numbers of persons in reception remained volatile during the past years and due to the pressure on the reception system, extra capacity has been created in regional centres, often resulting however in challenges in terms of upholding reception standards.

After the launch of the Russian invasion, almost half of applicants for asylum in 2022 were people fleeing Ukraine, most of them in the first weeks after 24 February 2022 and before the activation of the temporary protection directive by the EU on 4 March 2022. The majority have opted to stay outside of reception facilities. As of January 2023, the national authorities estimated that more than 3.3 million Ukrainian citizens have entered Romanian territory. Notwithstanding the gradual decrease of influxes after May 2022, given Romania's geographical position, as well as the unpredictability of the conflict,

¹ https://www.presidency.ro/en/media/speech-held-by-the-president-of-romania-mr-klaus-iohannis-on-the-occasion-of-the-annual-meeting-with-the-heads-of-the-diplomatic-missions-accredited-in-romania

in the medium to long term, any continued increase in arrivals from Ukraine could put additional pressure on the asylum and reception systems.

The main challenges identified in the field of reception are linked to the: (i) limited reception capacity and the conditions in reception centres, which could become more poignant in case of continued increase in applications for international protection; (ii) information provision to beneficiaries; (iii) vulnerability identification, assessment, and referral; (iv) training needs.

Against the backdrop of the war in Ukraine Romanian authorities submitted a request for support from EUAA, resulting in the first Operational Plan between EUAA and Romania, which ended at the end of 2022.

In light of the persisting needs in the areas of asylum and reception and the uncertainty over the Ukraine crisis, Romanian authorities requested the support from the Agency to continue throughout 2023. Acknowledging the needs identified in the areas of Asylum, Reception and Temporary Protection during the 2024 Needs Assessment Exercise, the Romanian authorities requested the support of the Agency to be extended throughout 2024, through a Letter of Request for Assistance addressed to the Executive Director on 09/10/2023. The Needs Assessment Exercise which was conducted during the period of August to November 2023, identified the aforementioned needs and challenges.

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

➤ Measure RO-TP 1: Support to Temporary Protection

Expected Outcome: Effective implementation of the Temporary Protection Directive.

Measure RO-AS 2: Support to Asylum

Expected Outcome: Enhanced capacity of the Romanian authorities to process asylum applications in line with the CEAS.

➤ Measure RO-REC 3: Support to Reception

Expected Outcome: Enhanced capacity of the Romanian authorities to provide reception conditions in line with the CEAS.

The agreed outcomes shall be achieved through the implementation of the measures 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
General Inspectorate for Immigration – Directorate for Asylum and Integration (IGI-DAI) & Migration Directorate	Access to procedure
(IGI – DM)	First instance determination
	Subsequent application
	Registration of Temporary
	Protection and Management of

	complex cases (incl. court proceedings where applicable)
Ministry of Internal Affairs of Romania responsible for overall return policy - General Inspectorate for Immigration - Migration Directorate (IGI-DM) responsible for issuing return decisions.	Returns

4.0 MONITORING AND EVALUATION FRAMEWORK

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

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

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

Periodic or mid-term and final (ex-post) evaluations² can be carried out in order to take stock of lessons learned and good practices. The evaluation(s) will be conducted in line with EUAA's Evaluation Framework, which is based on the European Commission's Better Regulation methodological guidelines for evaluations. They may be performed externally through engagement of evaluation specialist(s), internally by Agency staff, or a hybrid approach.

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

An evaluation report on the results of the operational and technical measures shall be submitted to the Management Board on conclusion of an evaluation. The report on the final (ex post) evaluation will be due within 60 days from the end of the provision of operational and technical measures. For transparency and accountability purposes, evaluation report(s) may be made publicly available on the Agency's website after internal checks have been made to ensure compliance with the applicable provisions in Regulation (EU) No 2018/1725³ and Regulation (EC) No 1049/2001⁴.

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

5.0 LEGAL FRAMEWORK

5.1 General legal basis for the Plan

In accordance with Article 1 of the EUAA Regulation, the Agency shall contribute to ensuring the efficient and uniform application of Union law on asylum in the Member States in a manner that fully respects fundamental rights. The Agency shall facilitate and support the activities of the Member States

² Article 16(4) and Article 18(2)(k) EUAA Regulation.

³ 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).

⁴ 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).

in the implementation of the Common European Asylum System (CEAS), including by enabling convergence in the assessment of applications for international protection across the Union and by coordinating and strengthening practical cooperation and information exchange. The Agency, shall improve the functioning of the CEAS, including by providing operational and technical assistance to Member States, in particular where their asylum and reception systems are under disproportionate pressure.

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

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

5.2. Legal framework applicable to the Plan

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

5.3. Lawfulness and Respect for Fundamental Rights

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

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

They are to act responsibly and proportionally to the agreed objectives. Whilst carrying out supporting functions, all personnel must not discriminate persons on grounds of sex, race, religion, ethnic origin, age or sexual orientation. All persons are expected to treat every person with courtesy, respect and due consideration for the nature of any legitimate activity in which they are engaged. To perform their duties properly, they shall serve the public interest and refrain from any activities which could undermine or compromise their independence and the appropriate performance of their duties.

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

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

Participants in EUAA's operational activities⁵ who have reason to believe that a violation of the EUAA Code of Conduct has occurred or is about to occur, are obliged to report the matter to the Executive Director of EUAA and to the host Member State Coordinator for the Plan via the appropriate channel: operations_incident@euaa.europa.eu. Such an incident is to be reported using the Incident Report Form (Annex II).

Pursuant to Article 49 of the EUAA Regulation, a Fundamental Rights Officer appointed by the Management Board shall be responsible for ensuring the Agency's compliance with fundamental rights

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

in the context of its activities and promoting the respect of fundamental rights by the Agency. The Fundamental Rights Officer shall, *inter alia*, provide observations to the detailed evaluation reports, and be in charge of implementing the complaints mechanism of the EUAA⁶.

Under the complaints mechanism set up by the Agency⁷, Any person who is directly affected by the actions of experts in the asylum support teams, and who considers that his or her fundamental rights have been breached due to those actions, or any party representing such a person, may submit a complaint in writing to the Agency.

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

Without prejudice to the right of access to documents, as laid down in Regulation (EC) No 1049/2001⁸ and the EUAA implementing rules on access to documents⁹, all versions of this document shall be made available to the competent authorities in each EU Member State, as well as the associate countries, Iceland, Liechtenstein, Norway and Switzerland.

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

Personal data will be processed in accordance with Regulation (EC) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data. The current Plan also takes into account the General Data Protection Regulation as updated in May 2018¹⁰ 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 EUAA within the activities agreed in the current Plan, EUAA will act as data processor on behalf of the competent authorities of the host Member State, following the applicable EU and national laws and regulations, as well as the instructions received from the Host Member State as the data controller.

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

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

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

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

All rights in any writings or other work produced by members of asylum support teams which are not intended for the exclusive use of the national authorities of the host Member State shall be the property of EUAA and/or the European Union, where such writings or work relate to activities

⁶ As soon as it is established in the EUAA.

⁷ As soon as it is established in the EUAA.

⁸ 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

⁹ Decision No. 6 of the Management Board of EUAA of 20 September 2011 laying down practical arrangements regarding public access to the documents of EUAA

¹⁰ Corrigendum, OJ L 127, 23.5.2018, p. 2 ((EU) 2016/679)

undertaken in the context of the Plan. EUAA and/or the European Union acquires irrevocably ownership of the results and of all intellectual property rights, such as copyright, and industrial property rights, on the materials produced specifically for EUAA under the Plan and incorporated in such works, without prejudice, however, to the specific rules concerning pre-existing rights on pre-existing materials or other detailed rules contained in the relevant Framework Contracts concluded by EUAA for purposes related to the implementation of this Plan. Selected deliverables developed under this Plan may be published.

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

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

5.6. Non-substantial changes during implementation

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

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

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

5.7. Amendments to the Plan

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

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

5.8. Suspension of measures and/or the Plan implementation

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

5.9. Protocol (No 7) on Privileges and Immunities

Protocol (No 7) on the privileges and immunities of the European Union ('the Protocol') ¹¹ applies to the Agency staff members (statutory staff), when they are deployed for the purposes of the implementation of the Plan on the territory of Romania, including to the Asylum Support Teams.

¹¹ EUR-Lex - 12012E/PRO/07 - EN - EUR-Lex (europa.eu)

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

6.0 IMPLEMENTATION AND COORDINATION STRUCTURE

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

6.1. Organisational Pre-Conditions

The host Member State will:

- designate an overall Plan Coordinator, specific Measure Coordinator for each measure stipulated in the Plan, as well as focal points for security and data protection.
- grant appropriate access rights for the members of asylum support teams and EUAA representatives to all relevant databases and provide the relevant parties with the required information and data in the context of the implementation of this Plan.
- facilitate the provision of appropriate working space. Every effort shall be made by the Parties to provide suitable working conditions and, where required, working place for the participants in the activities implemented in the framework of the Plan. Minimum working and security conditions are considered as organisational pre-conditions.
- as far as operationally feasible, and where relevant, the working files shall be made available by the host Member State in English (unless otherwise agreed).
- the host Member State shall provide EUAA with information on the implementation of the Plan through timely input to the Early warning and Preparedness System and the delivery of tailored information on the implementation of measures agreed in the Plan.
- facilitate the implementation of the EUAA survey data collection systems (including but not limited to Surveys with Asylum Related Migrants (SAM), Surveys of Arriving Migrants from Ukraine (SAM-UKR)).

EUAA will:

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

6.2. Conditions for Deployment

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

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

The platforms contain relevant information, such as:

- special instructions for the members of asylum support teams, including databases that they are authorised to consult;
- o description of specific tasks, workflows and procedures, as relevant;
- o location in the host Member State where the asylum support teams will be deployed;
- o 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;
- o other specific instructions and provisions as necessary.

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

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

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

6.3. Composition of asylum support teams

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

- i. The Agency's staff members, i.e. statutory staff employed by the Agency subject to the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Union¹²;
- ii. Member States experts, including Member State experts made available through the Asylum Reserve Pool;
- iii. Associate Countries experts, i.e. experts made available through contributions to the Asylum Intervention Pool by associate countries referred to in Article 34 of the EUAA Regulation, with which the European Union has an arrangement in place on the modalities of its participation in EUAA's work;
- iv. Seconded National Experts (SNEs), i.e. experts employed by a national, regional or local public administration of an EU Member State or an associate country or by a public inter-governmental organisation and seconded to the Agency¹³ for the provision of support to its operational activities;
- v. Other experts not employed by the Agency: Experts on contract, i.e. individuals providing services in relation to the Plan upon conclusion of a public contract between the Agency and the legal entity with which these individuals have an employment and/or contractual relationship, including temporary agency workers, or with remunerated external experts in line with Article 93 of EUAA Financial Regulation¹⁴ and Article 19 of EUAA Regulation.

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

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

¹³ Decision No 01 of the Management Board of EUAA of 25 November 2010 laying down rules on the secondment of national experts (SNE) to the European Asylum Support Office (ref. number: EUAA/MB/2010/03).

¹⁴ Article 93 of Management Board Decision No 54 of 14 August 2019 on the EUAA 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 EUAA being replaced by the EUAA. Any references in the EUAA Financial Regulation to 'EUAA' or the 'EUAA Regulation', should therefore be construed as references to the 'EUAA' or equivalent provisions in the 'EUAA Regulation', respectively.

the asylum support teams in the activities undertaken in the context of the present Plan, the employer of the asylum support teams members is and remains their employer.

7.0 SECURITY AND SAFETY

The principles of EUAA's Security Governance Framework¹⁵ are based on the security principles contained in the Commission's security rules. That Commission Decision 443/2013 on the security in the Commission defines that security shall be based on the principles of legality, transparency, proportionality and accountability.

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

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

To that end:

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

7.1. Standard security requirements

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

- Both the host Member State on one side and EUAA on the other shall appoint a single point of contact responsible for security matters under the Plan both at central and local level (hereafter 'security responsible').
- The host Member State shall ensure that the working conditions for the performance of the activities under the Plan are compliant with the national occupational health and safety norms and regulations.
- A pre-deployment briefing programme, drafted in close cooperation with the respective national authorities, focusing both on general security rules and awareness, as well as on specific security aspects for each deployment will be provided. With regard to the decentralised nature of deployments, the use of e-learning and other distance-based training techniques should be considered.
- Emergency (evacuation) plan. Certain operational activities, such as operations in field locations, require that staff shall have clear guidance and training on how to evacuate quickly in case of emergencies. In a more general context, there could be a need to evacuate from the operational area as well. Emergency plans shall be drafted and maintained up-to-date by the competent authority/person(s), whereas they shall be made available to the concerned parties and exercised regularly. A security responsible shall maintain updated information on the availability of evacuation plans and routes.
- Communication tools. As considered relevant by the EUAA Security sector, EUAA operational staff shall have access to independent radio communication equipment. If possible, the

¹⁵ Decision of the Executive Director No 61 of 12 April 2021 on the Security Governance Framework.

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 framework¹⁶. EUAA's security responsible
 shall be involved in supporting the proper classification of relevant information.
- Security of IT and communication equipment. EUAA's IT equipment is adequately prepared to protect the information level it has been foreseen to process.
- Personal security behavior shall be included in the pre-deployment training, led by operational teams and performed for the experts during the first days of arrival to the operational area.
 This may refer to the EUAA Code of Conduct as well.
- Reporting security incidents from the operational area to the EUAA Headquarters is essential to ensure an overview of the overall security management is maintained.

7.2. Specific security and safety requirements

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

7.3. Suspension of operational activities on security and safety grounds

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

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

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

7.4. Security incident reporting

Any participant¹⁷ in EUAA's operational activities who becomes aware of a(n) (impending) incident related to the security and safety of persons, assets or premises is obliged to report the matter to the Executive Director of EUAA and to the Host Member State Coordinator for the Plan via the appropriate channel: security_incidents_operations@euaa.europa.eu. Such an incident is to be reported using the Security Incident Report Form (Annex III).

8.0. COMMUNICATION

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

¹⁶ Including, inter alia, the security principles contained in Commission Decision (EU, Euratom) 2015/444.

¹⁷ The 'participants in EUAA's operational activities' are to be construed as persons deployed to asylum support teams ('AST') referred to in Section 6.3. of the Plan.

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

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

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

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

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

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

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

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

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

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

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

9.0. COOPERATION WITH OTHER STAKEHOLDERS

9.1. Cooperation with the European Commission

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

9.2. Cooperation with UNHCR

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

9.3. Cooperation with IOM

In accordance with Article 52 of the EUAA Regulation¹⁸, In July 2019 the Agency signed a working arrangement with IOM to establish a cooperation framework covering the relevant areas of common work and interest setting objectives and principles of such cooperation. Therefore, the EUAA Coordinating Officer will liaise with the IOM office in the host Member State for a continuous cooperation and coordination of practical activities agreed with the host Member State under the current Plan and in accordance with the working arrangement.

 18 Reference to Article 52 of the EUAA Regulation shall be construed as reference to Article 38 of the EUAA Regulation.

ANNEX I – Operational Measures

The full implementation of the OP is conditional on availability of EUAA capacity and resources. In view of the uncertainty regarding the availability of sufficient EUAA statutory staff posts in 2024, the operational measures and/or actions hereby agreed may be revised and/or discontinued.

Measure RO-TP 1: Support to Temporary Protection		
Expected outcome 1: Effective implementation of the Temporary Protection Directive		
Responsible Authority(ies)/Main National Partner(s)	General Inspectorate for Immigration – Directorate for Asylum and Integration (IGI-DAI) & Directorate for Migration (IGI-DM)	
Operational Preconditions	 Working arrangements have been agreed, and regular coordination meetings are held between the concerned representatives of the national authorities and EUAA to ensure effective collaboration and coordination. Romanian authorities make available the necessary office space for the Agency's deployed personnel and provide the necessary equipment for implementation of the activities, unless otherwise agreed. A two-way data sharing procedure is established between EUAA and the Romanian authorities to measure the results from the intervention. Romanian authorities will be responsible for securing all permits necessary for the provision of the agreed support, including with regards to the deployed personnel. EUAA and Romanian authorities agree on practical and administrative arrangements necessary for the deployment of EUAA personnel, including as regards linguistic requirements and professional qualifications. Romanian authorities grant access to relevant databases/IT systems, where necessary. 	
Outputs	RO-TP 1.1 Enhanced capacity of the MS to register beneficiaries of temporary protection	
Actions RO-TP 1.1	 Registration Support the Romanian authorities in registering beneficiaries of temporary protection. Communication and information provision Support communication and information provision to beneficiaries of temporary protection, including through the development, design and publication and/or distribution of agreed information content. Training Provide training on other topics relevant to temporary protection, to personnel deployed by GII and EUAA and entities working on behalf of the relevant asylum authorities. Cross-cutting activity: provision of interpretation support. 	
Inputs	Indicative resources ¹⁹ :	

¹⁹ The resources are indicative and may be adjusted to address evolving needs on the ground. Such adjustments will be subject to budget availability.

All inputs are subject to Agency budget and human resources availability.

Human resources:

Information provision Experts: up to 3

Registration Experts: up to 20

Interpreters: up to 25

In case of unexpected increase in flows, an additional capacity of up to 30 experts and a corresponding number of interpreters may be mobilised.

Personnel deployed to GII locations that conduct activities pertaining to temporary protection as well as asylum, may support registration activities related to Measures 1 and 2.

Cross-cutting:

 Organisation of training sessions on topics relevant to the implementation of the temporary protection framework.

Material Support

Conditional on an agreement between EUAA and Romanian authorities and subject to budget availability for the present Operational Plan, material and operational support by the Agency could include inter alia provision of equipment, works, services, communication/promotional materials, required translations, costs for trainings/meetings/workshops, infrastructure costs, IT equipment, office supplies and others where required for the joint EUAA and national authorities' activities.

Measure RO-AS 2: Support to Asylum			
Expected outcome 2: Enhanced capacity of the Romanian authorities to process asylum applications in line with the CEAS			
Responsible Authority(ies)/Mai n National Partner(s)	General Inspectorate for Immigration – Directorate for Asylum and Integration (IGI-DAI)		
Operational Preconditions	 Romanian legislation is in force to allow EUAA deployed personnel to fulfill the tasks assigned. Standard operating procedures and working instructions (as relevant) to be developed and updated as necessary to cover the procedural stages where EUAA Asylum Support Teams are going to be involved. A Steering Committee is established, and regular coordination meetings are held among the concerned representatives of the national authorities and with EUAA to ensure effective collaboration and coordination, both at central and local level. Romanian authorities make available the necessary office space for the Agency's deployed personnel and provide the necessary equipment for implementation of the activities, unless otherwise agreed. A two-way data sharing procedure is in place between EUAA and the Romanian authorities to measure the results from the intervention. The host Member State will be responsible for securing all national permits and permissions necessary for the provision of the agreed support, including with regard to the deployed personnel. An agreement is reached between EUAA and the host Member State on practical and administrative arrangements necessary for the deployment of EUAA personnel, e.g., as regards linguistic requirements and a coordination model that will support the cooperation between GII and EUAA pertaining to the deployed EUAA personnel. Romanian authorities grant access to relevant databases/IT systems, where necessary. 		
Outputs	RO-AS 2.1: Enhanced registration and lodging of asylum applications RO-AS 2.2: Enhanced first instance processing RO-AS 2.3: Enhanced processing of Dublin requests		

Actions		
	RO-AS 2.1	
	Support to the registration and lodging of applications	
	RO-AS 2.2	
	 Support to conducting interviews in the first instance 	
	 Support to conducting interviews in the first instance Support to the preparation of first instance assessments 	
	Support to the preparation of first instance assessments	
	RO-AS 2.3:	
	Support the further development and/or update of Dublin	
	workflows/processes.	
	Cross-cutting activities:	
	Development and/or update of Standard Operation O	
	Procedures, guidelines and practical tools.Support to the development and harmonised implementation	
	of information provision products and tools.	
	 Support to the enhancement and development of existing 	
	databases, applications and IT systems used by GII in the	
	context of asylum and reception.	
	 Support to the provision of training to GII, EUAA personnel and 	
	other relevant entities, through translation of prioritised	
	modules and roll-out of training sessions.	
	 Support for Train—the-Trainers participation and translation of 	
	relevant training modules.	
	Organisation of technical exchanges.	
lto	In diaghing years was 20.	
Inputs	Indicative resources ²⁰ : All inputs are subject to Agency budget and human resources	
	availability.	
	,	
RO-AS 2.1	<u>Human resources:</u>	
	Registration experts: up to 15	
RO-AS 2.2		
RO-AS 2.3	Case Experts: up to 15	
NO-A3 2.3	Dublin experts: up to 3	
	Submit expertes, up to 5	
	Horizontal support	
	ICT consultancy	
	Interpretation support: up to 40 interpreters	
	Personnel deployed to GII locations that conduct activities pertaining to	
temporary protection as well as asylum, may support registr		
	activities related to Measures 1 and 2.	
	Cross-cutting:	
	Organisation of trainings/meetings/workshops/visits	
	Matarial Support	
	Material Support	

 $20\,\text{The}$ resources are indicative and may be adjusted to address evolving needs on the ground. Such adjustments will be subject to budget availability.

Conditional on an agreement between EUAA and Romanian authorities and subject to budget availability for the present Operational Plan, material and operational support by the Agency could include inter alia provision of equipment, works, services, communication/promotional materials, required translations, costs for trainings/meetings/workshops, infrastructure costs, IT equipment, office supplies and others where required for the joint EUAA and national authorities' activities.

	Measure RO-REC 3: Support to Reception	
Expected outcome 3: conditions in line with	Enhanced capacity of the Romanian authorities to provide reception the CEAS	
Responsible Authority(ies)/Main National Partner(s)	General Inspectorate for Immigration – Directorate for Asylum and Integration (IGI-DAI)	
Operational Preconditions	 Regular coordination meetings are held among the concerned representatives of the national authorities and with EUAA to ensure effective collaboration and coordination. Romanian authorities make available the necessary office space for the Agency's deployed personnel and provide the necessary equipment for implementation of the activities, unless otherwise agreed. A two-way data sharing procedure is in place between EUAA and the Romanian authorities to measure the results from the intervention. The host Member State will be responsible for securing all national permits and permissions necessary for the provision of the agreed support, including with regard to the deployed personnel. An agreement is reached between EUAA and the host Member State on practical and administrative arrangements necessary for the deployment of EUAA personnel, e.g., as regards linguistic requirements and professional qualifications. An agreement on the technical specifications for reception units is reached in a timely manner. Romanian authorities will be responsible for all preparatory works linked to the installation of the containers. 	
Outputs		
Actions RO-REC 2.1	 Support in the development of technical specifications in view of procuring specialised services concerning reception. Support in the enhancement and improvement of reception capacity. Provision of training to GII and relevant stakeholders, on reception- and vulnerability-related topics. Support in the development and implementation of information provision products and tools. Organisation of technical exchanges. 	
Inputs	Indicative resources: All inputs are subject to Agency budget and human resources availability.	

Material Support

• 74 containers²¹

Conditional on an agreement between EUAA and Romanian authorities and subject to budget availability for the present Operational Plan, material and operational support by the Agency could include inter alia provision of equipment, works, services, communication/promotional materials, required translations, costs for trainings/meetings/workshops, infrastructure costs, IT equipment, office supplies and others where required for the joint EUAA and national authorities' activities.

 21 This figure may be subject to changes based on changes in operational needs, as assessed by the Agency and agreed with the authorities.

ANNEX II - Incident Report Form

[CONFIDENTIAL] Incident Report

Location:	
Date:	
Name of EUAA staff:	
Name of responsible National	
Authority Authorised	
Representative:	

Date of incident:

Information on the incident:

ANNEX III – Security Incident Report Form

[CONFIDENTIAL] Security Incident Report

Location:		
Date:		
	ame of EUAA staff:	
	ame of responsible National	
	uthority Authorised	
R	epresentative:	
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 Repo	ort