



**EASO Consultative Forum Plenary
Brussels, 11-12 December 2014**

**Round Table 1: Early warning and preparedness in view of the Ukrainian and other crises –
planning and cooperation to strengthen EU and MS responses**

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1. Aim

- To discuss the scope and use of early warning systems in the context of asylum and reception
- To discuss the need for contingency planning by Member States (MS) and other stakeholders and the question of triggers for their implementation based on the above

2. Background

The large increase in asylum applications by Ukrainian nationals as of March 2014 and which continues to this day, making Ukrainians the 5th most important single country of origin at EU+ level was captured quickly after it began thanks to the start of Stage II of EASO's Early warning and Preparedness System (EPS). The new monthly collection of data on applications, pending cases, first instance decisions and withdrawn applications allowed the tracking of the development of the flow with very little delay.

EPS further allowed the comparison of decisions made by MS at first instance on Ukrainian applications and showed some evidence of a freezing of decision-making initially, followed by a prioritization of manifestly unfounded cases leading to negative decisions for about 10% of the flow and pending cases for the rest. Recent data shows that some states have recently begun to make positive decision based on the use of subsidiary protection.

How Ukrainians tend to apply is less clear. Data from Frontex shows no increase in illegal border crossings while bordering EU States report some use by Ukrainians of other modes of entry and stay in than applying for asylum. While it seems reasonable to suppose that most initial claims early on in the crisis were *sur place*, made by Ukrainians already present on the territory of the EU+, the significant rise in numbers since might indicate that asylum claims are increasingly being made by Ukrainians who arrive legally from Ukraine directly to the EU+. Moreover, the spread of the applications is unusual, affecting as it does nearly every MS and being higher in MS geographically quite far from the land border (e.g. IT, ES, CY, PT etc).

The above is despite large numbers of internally displaced persons (IDPs) in Ukraine (nearly 500,000 by November) and many more requests for protection being made in Russia than in the EU+. With winter coming and doubts about the preparedness of the Ukrainian government to house large numbers of IDPs in winter, combined with COI on the ongoing situation in the East as well as recent policy shifts by the Ukrainian government in regard to cancellation of social benefits for those in rebel-held areas, the Ukrainian situation remains a very pertinent example of the need for contingency planning in MS in the case of a full-blown crisis leading to the arrival of large numbers of persons in need of protection.

Defining what would trigger the use of a contingency plan, such as an “emergency,” has proved to be challenging. Although not many official national definitions are in place, the concept of emergency differs in each Member State, in terms of numbers of asylum applications received and timing (relating to response). There are also more general definitions of emergency related to the need for immediate and appropriate action to ensure that the life or well-being of asylum seekers and refugees will not be threatened.

Contingency planning can, therefore, be used as a tool to prepare for the impact of potential crises to ensure that adequate and appropriate arrangements are made in advance to respond in a timely, effective and appropriate way.

EASO organised two Practical Cooperation Workshops on Contingency Planning, in May and October 2014. EU Member States agreed on the need to have a Contingency/Preparedness Plan in case of increased influx of applicants for international protection. EASO drafted a contingency outline, which provides an indication of the steps Member States could take in case of emergency situations.

EASO Contingency Planning Outline - Three-Phased Model:

- Phase 1 – current internal capacity employed;
- Phase 2 – buffer internal/external capacity employed;
- Phase 3 – new resources employed.

A questionnaire was circulated by Ireland via the European Migration Network ad hoc query system, as well as by EASO in the Contingency Experts Network in November 2014.

Based on all these inputs, EASO intends to develop a practical handbook, containing best practice guidance in EU Member States towards setting up a contingency plans to face large migratory flows including potential asylum-seekers.

3. Expected outcomes

- Clearer vision on the need for, use and scope of national contingency plans for reception in the context of possible applications for international protection
- A better view of necessary information to be factored in to early warning for this purpose

4. Discussion points

- Is up to date information on the situation sufficient for the purposes of contingency planning?
- What further information would be needed to try and better understand the situation?
- It is necessary and/or possible to attempt to make predictions (at least in the form of possible scenarios) of the how the situation will be in the future (and on what time scale? Weeks? Months? Years?)
- At what point would/should a contingency plan be triggered?
- If large numbers of migrants are expected, does it make sense to have contingency plans only for asylum services (which may not be the first port of call for some flows) or should these be part of national plans mobilising all necessary resources for dealing with very large numbers of persons in need of protection? How should the governmental and non-governmental actors get involved in Member States’ Contingency Planning? Which possible roles could they fulfil?