



Evaluation report of the EUAA's Management Board and Preparatory Group

External ex post evaluation report

Prepared by Ramboll Management Consulting

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Acronyms and definitions

Term	Definition
CEAS	Common European Asylum System
EASO	European Asylum Support Office
EUAA	European Union Agency for Asylum
EU	European Union
UNHCR	United Nations High Commissioner for Refugees
MB	Management Board
PG	Preparatory Group
EB	Executive Board
ECA	European Court of Auditors
ED	Executive Director
CAAR	Consolidated annual activity report
SPD	Single programming document

Executive summary

This report provides an evaluation of the effectiveness, efficiency, coherence, EU added value and relevance of the Management Board (MB) of the EUAA for the period November 2010 – March 2022, and of its Preparatory Group (PG) for the period October 2020 - March 2022.

The purpose of the MB is to act as the Agency's planning and monitoring body, giving the Agency its general orientation and ensuring that it performs the duties assigned to it. The PG was established in September 2017 with an advisory and non-decision-making role. Its main functions include assisting in the preparation of MB meetings, providing advice to the Agency's Executive Director, and assisting in the preparation of the MB's draft opinion on the consolidated annual activity report and annual report on the situation of asylum in the EU.

The MB has been effective in performing its functions. Since its establishment, it has undergone a positive evolution, having adapted to changing circumstances while working towards improved governance and monitoring of the Agency. **The PG also fulfilled the functions attributed to it and positively contributed to the performance of the MB.** Nonetheless, similarly to the MB, **the PG appears to insufficiently engage in active discussions**, which partly limits its effectiveness.

While the workload associated with the MB is broadly considered proportionate, being part of the MB requires significant effort at national level. Thus, **increased efficiency in the organisation of meetings over the years**, largely owing to the MB Secretariat, eased the efforts required for preparation and improved efficiency in the conduct of meetings. Overall, **the level of members' engagement increased over the years but tends to vary among members. Being a PG member creates an additional workload**, which is likely associated with recent difficulties in finding volunteers to participate in the PG. Notably, workload is increasing with the expanded EUAA mandate.

The work of the MB has remained relevant over time, adapting to changing needs. However, the evaluation found that conversations on certain difficult or sensitive matters related to the CEAS implementation tend to be restrained. **The role of the PG has also been relevant and broadly aligned with the needs of the MB since its establishment.** Nonetheless, there is scope for the PG to further contribute to identifying strategic priorities for MB meetings and address technical topics in more detail. Given the expected increase in the workload associated with the EUAA mandate, the MB will likely benefit from increased support on the part of the PG.

Against this background, **the establishment of a two-level governance structure, including the MB and a supporting body with limited decision-making powers – an Executive Board (EB) – is considered as a viable option to explore.** The majority of the consulted MB members appear to be open to the establishment of an EB. However, lack of a clear picture regarding the structure and tasks of an EB, and a number of concerns - regarding workload, participation, and engagement - continue to exist.

No inconsistencies were identified in the internal structure and processes of the MB, the PG and MB Secretariat. Finally, **the added value of the MB, along with the PG and MB Secretariat, stems from ensuring the effective governance of the Agency**, supporting it towards reaching its objectives.

On the basis of the above findings, six recommendations were made, partly addressed to the MB (Recommendations 1-4) and partly to the PG if an EB is not established (Recommendations 5-6). In the latter case, Recommendations 5 and 6 would apply to the EB.

Recommendation 1: Dedicate additional time to strategic and operational discussions during MB meetings

More of the available meeting time could be dedicated to discussing strategic and operational matters during MB meetings. However, adequate time should still be devoted to discussions on governance and financial aspects. These could be partly addressed within the PG or the EB (if established), thus reducing the time dedicated to them during MB meetings.

Recommendation 2: Introduce more flexible formats for MB meetings to allow for more active discussions

Ad hoc sessions could be dedicated to active MB discussions during meetings. These could be structured around flexible discussion formats, such as breakout-groups, with the objective of discussing a number of predefined topics in a smaller and less formal setting.

Recommendation 3: Establish a framework for more active involvement of alternates (and other experts) in the work of the MB

A formal framework for the involvement of alternates (and other experts) in the tasks of the MB could be established. Such a framework could primarily focus on the involvement of alternates within the PG (or EB if established), or on specific tasks required of MB members.

Recommendation 4: Consider establishing an EB

Establishing an EB would positively contribute to supporting the MB and the ED with regards to the preparation of the decisions, programmes and activities to be adopted by the MB. An EB could be charged with some of the administrative and financial functions attributed to the MB, including actions related to staff. In order to avoid any duplication of the work, an EB should replace the PG.

Recommendation 5: Introduce a rotational participatory system for the composition of the PG

A rotational participatory system could be introduced to foster regular participation in the PG, while allowing for sufficient time for MB members to prepare for their turn. The rotational system should ensure adequate representation of different geographies, while mitigating measures could be introduced to reduce the risk of negatively affecting members' engagement within the PG.

Recommendation 6: Enhance the role of the PG in stimulating discussion within the MB

PG meetings could be partly dedicated to identifying the most relevant topics for discussion, to be spelt out in a number of key strategic points or questions to engage MB members in discussion. Moreover, additional time could be dedicated to the analysis of governance-related and financial documents and issues, to allow for more concise discussions on these topics during MB meetings and, if applicable, a faster decision-making process.

1. Introduction: purpose and scope

This is the evaluation of the Management Board (MB) of the European Union Agency for Asylum¹ (hereinafter “the Agency” or “EUAA”) and its Preparatory Group (PG), conducted by Ramboll Management Consulting as an external evaluator.

The aim of this assignment was to conduct an evaluation of the functioning of the Agency’s MB, as well as of the work of its PG. While the MB evaluation covered the entire lifespan of the Board, from November 2010 to March 2022, the PG was evaluated over the period October 2020 to March 2022 (hence comprising the 13th to the 18th meeting). Particular attention was dedicated to the previous internal evaluation of the PG (which covered the April 2019 – October 2020 period), with reference to its recommendations. The evaluation covered all MB members, alternates and observers².

While the evaluation of the MB allowed due consideration to the transformations and practices of the MB since its establishment, particular focus was placed on the period starting from 2015 onwards. This period was deemed highly relevant in the history of the MB, as it encompassed the 2015 migration crises, the Agency’s management crisis, as well as the beginning of the discussions around the new EUAA Regulation, a proposal for which was put forward in 2016.

The evaluation explored the evolution and functioning of the MB and its PG, with the purpose of identifying key milestones, good practices, lessons learnt, and potential areas for improvement, while accounting for the changing functions of both bodies following the adoption of the new EUAA Regulation.

The evaluation assessed the relevance, effectiveness, efficiency, coherence, and EU added value of the MB and its PG. An emphasis was placed on the criterion of effectiveness, in order to acquire an understanding of how the MB and its PG have been performing their tasks, identify key milestones and lessons learnt, and identify any noteworthy event having affected their functioning. The Evaluation Question Matrix, outlining the evaluation questions proposed for this study, as well as their associated key indicators/descriptors, judgement criteria and sources of evidence, are presented in Annex 2.

The findings and results of this evaluation were based on a mix of desk review and field research. Key documents³, in large part provided by the EUAA, formed the basis of the desk review phase of the study. In the fieldwork phase of the evaluation, a total of 16 **interviews** were held with MB members or alternates, the MB Secretariat, and the Agency’s Executive Director (ED) and heads of centre. Moreover, a **visit** was conducted to the EUAA’s premises in Malta, in conjunction with the 44th MB meeting. Finally, an **online survey** was launched on the back of interviews, addressed at MB members, alternates and observers (the questionnaire is presented in Annex 7 and an overview of results in Annex 8).

¹ Established by Regulation (EU) 2021/2303 of the European Parliament and of the Council of 15 December 2021 on the European Union Agency for Asylum and repealing Regulation (EU) No 439/2010, (OJ L 468, 30.12.2021, p. 1). The EUAA was previously established as the European Asylum Support Office (EASO).

² In the text that follows, the term “MB members” covers MB members, alternates and observers, unless specified otherwise.

³ Key documents included MB and PG meeting agendas and minutes, MB decisions, previous evaluations and follow-ups, the EASO and EUAA founding regulations and the Agency’s Financial Regulation.

2. Intended results of the action

This section provides an overview of the MB and its PG, in terms of their role and functions.

2.1. Description of the action and its intended results

The Management Board

Article 39 of the EUAA Founding Regulation⁴ sets out the administrative and management structure of the Agency⁵, comprising: (a) a Management Board, (b) an ED, (c) a Deputy Executive Director, (d) a fundamental rights officer, and (e) a Consultative Forum. According to Article 40 of the Regulation, the Management Board shall be composed of a representative of each Member State, who shall have an alternate, two representatives of the Commission, as well as one non-voting member representing the UNHCR. In addition, Denmark is invited to attend Board meetings without the right to vote⁶. Countries that concluded agreements with the EU and participate in the Agency's work, i.e., Iceland, Liechtenstein, Norway and Switzerland, also participate as observers in the MB. Following the entry into force of the EUAA Regulation, Ireland participates in the meetings of the MB as observer⁷. The United Kingdom was represented in the MB until its withdrawal from the European Union⁸.

The purpose of the MB is to act as the Agency's planning and monitoring body, giving the Agency its general orientation and ensuring that it performs the duties assigned to it. The MB's tasks are listed more specifically within the Agency's Founding Regulation. While maintaining the MB's core functions, the EUAA Regulation has introduced a new set of tasks, expanding the MB's responsibilities. Among others, some of the MB's key functions include the appointment of the ED and the adoption of the Agency's key governance documents, the decision on the profiles and overall number of experts to be made available for asylum support teams (and for the asylum reserve pool), and the adoption of recommendations following a monitoring exercise. The intervention logic presented in Annex 3 provides a comprehensive overview of the functions attributed to the MB, highlighting which functions were established by the EASO Regulation, compared to the EUAA Regulation.

In addition, the MB may establish a small-sized Executive Board (EB) (previously "Executive Committee" under the EASO Regulation) to assist it and the ED with regard to the preparation of the decisions, work programme and activities to be adopted by the MB⁹. According to the Regulation,

⁴ Regulation (EU) 2021/2303 of the European Parliament and of the Council of 15 December 2021 on the European Union Agency for Asylum and repealing Regulation (EU) No 439/2010

⁵ The structure differs in part to what was previously outlined in the EASO Regulation (Regulation (EU) No 439/2010 of the European Parliament and of the Council of 19 May 2010 establishing a European Asylum Support Office); the latter established that the administrative and management structure of the Agency should comprise (a) a Management Board, and (b) an Executive Director and the staff of the Support Office.

⁶ Denmark consistently opted out of any Treaty provisions in the field of Justice and Home Affairs, including issues concerning asylum (Article 78 TFEU). Consequently, Denmark does not participate and is not bound by the treaty provisions or any secondary legislation relating to the CEAS.

⁷ In accordance with Protocol No 21 on the position of Ireland in respect of the Area of Freedom, Security and Justice, annexed to the TEU and to the TFEU Ireland may decide to take part in the adoption and application of measures establishing a Common European Asylum System. The opt-in exercise that would enable Ireland to take part in the adoption and application of the EUAA Regulation has not been completed.

⁸ The United Kingdom ceased its participation in the EU institutions and governance structures as of 1 February 2020.

⁹ So far, this function has never been put into effect.

where necessary, the EB may take certain provisional, urgent decisions on behalf of the MB. Further, the EUAA Regulation establishes that the MB shall adopt, in accordance with Article 110 of the Staff Regulations, a decision delegating relevant appointing authority powers to the ED and establishing the conditions under which that delegation of appointing authority powers can be suspended.

The Management Board's Preparatory Group

The PG was established in September 2017 by MB decision No 33. It was originally created as a pilot project for two periods of six months, with a first group running until June 2018 and a second group until January 2019¹⁰. The PG was set up on the back of the management crisis by the MB, with the initial goal to ensure enhanced control and management of the Agency in lieu of an Executive Committee. Following the positive evaluation of the PG, in April 2019, the MB extended its mandate by three additional years, until March 2022¹¹. In view of the current external evaluation of the PG and the recommendations it will yield, the MB extended the mandate of the PG by an additional year, until 31 March 2023¹².

As set out by MB Decision No 44, the PG is composed of the Agency's ED, the Chairperson and Deputy Chairperson, five members of the MB on rotation, and one member of the European Commission. The role of the PG includes advisory and non-decision-making responsibilities:

- Assisting the Chairperson and the ED in preparing for and in facilitating discussions at MB meetings;
- Providing advice to the Agency's ED on request in preparatory work relating to the Agency's strategy, including planning and budget;
- Assisting in the preparation of the draft opinion of the MB on the Agency's consolidated annual activity report (CAAR) and the annual report on the situation of asylum in the EU;
- Undertaking related tasks which may be requested by the MB.

2.2. Points of comparison

The MB-focused strand of this evaluation centred around the evolution of the Board throughout its existence. Hence, attention was placed on the changes that were progressively introduced within the MB, its functioning and organisation, and the extent to which it adapted to internal and external conditions. The perspective of both long-term and more recent members or alternates, as well as the views of the Management and supporting staff of the Agency thus formed the basis for the evaluation. Similarly, the evolution of certain key quantitative indicators (e.g., number of agenda points) also contributed to assessing the extent to which the MB was able to fulfil its functions and how this has evolved, according to the five evaluation criteria considered.

¹⁰ Management Board Decision No 33 of 27 September 2017 on the Terms of Reference of the Preparatory Group of the EASO Management Board.

¹¹ Management Board Decision No 44 of 1 April 2019 on the revised Terms of Reference of the Preparatory Group of the EASO Management Board.

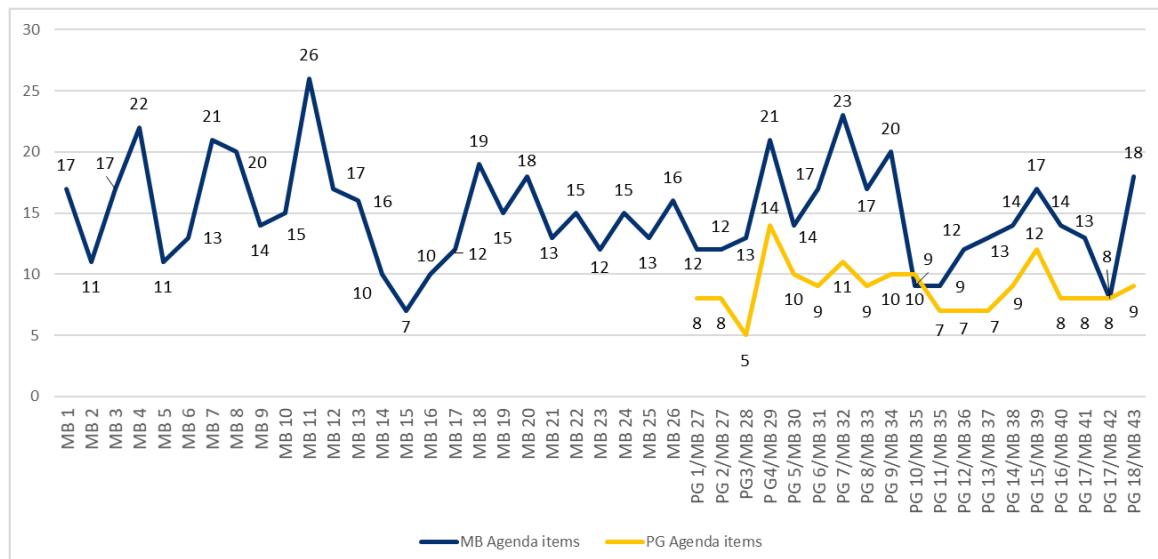
¹² Management Board Decision No 104 of 7 March 2022 on the revised Terms of Reference and extension of the mandate of the Preparatory Group of the Management Board.

The same rationale and approach were applied to the PG-focused strand of the evaluation. In addition, the latest internal evaluation¹³ of the PG, which covered the period April 2019 – October 2020, further served as a point of comparison. The previous PG evaluation provided an overall positive assessment of the PG, in line with the previous evaluations carried out during the first and second phases of the PG. The PG was found to enhance the transparency and efficiency of MB meetings, while having contributed to restoring a climate of trust towards the Agency's governance, its operational expansion, and its internal restructuring. Simultaneously, the evaluation put forward six clusters of recommendations, which are currently under implementation. These are reported in Annex 5, along with a qualitative assessment of the state of their implementation.

3. Functioning of the Management Board and its Preparatory Group: current state of play

Since its first meeting in November 2010, the MB has held 45 meetings in total, either three or four times per year. Each meeting was accompanied by an agenda and supporting documents. Since its first meeting in November 2017, the PG met 20 times and each meeting was similarly structured around a (shorter) agenda and preparatory documents. An overview of the timeline of both MB and PG meetings is provided in Annex 6. For both the MB and its PG, the number of agenda items has fluctuated throughout the years, depending on the meeting. **Error! Reference source not found.** below provides an overview of the number of agenda items covered during each meeting for both the MB and the PG.

Figure 1 Number of MB and PG meeting agenda items



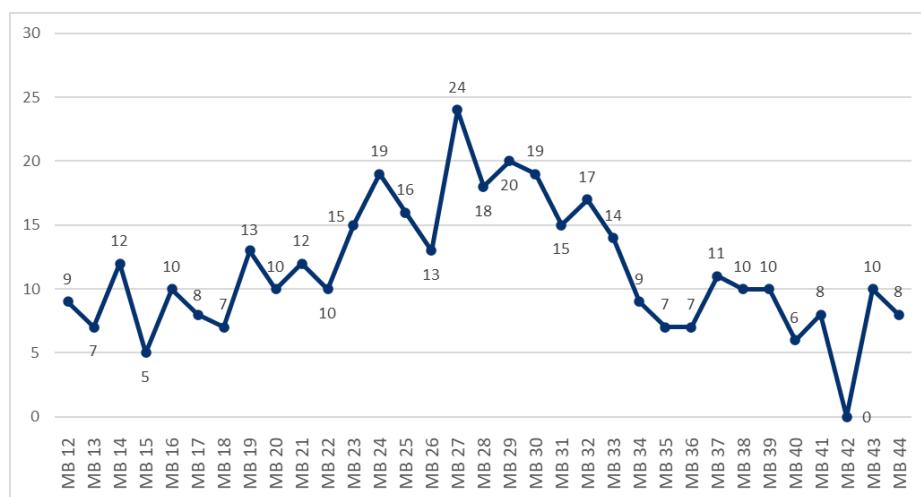
Source: MB and PG meeting agendas, November 2010 - March 2022, and November 2017 - February 2022 respectively

¹³ Evaluation of the EASO Management Board Preparatory Group, Period April 2019 – October 2020, Final Report; Prepared by the Evaluation Team in the Quality Management and Evaluation Sector, Executive Office, EASO.



The number of documents provided to MB members in preparation for each meeting includes at least one cover note and potential annexes for each discussion or decision point on the agenda, as well as multiple documents for information. The number of documents for information peaked in 2018 (for the 27th MB meeting) but decreased, on average, since then (see Figure 2 below). While this is a positive finding, calculations made on a sample of the 10 most recent MB meetings (35th-45th) indicate that the overall number of documents sent to MB members has not followed the same decreasing trend, with 35 documents on average sent per MB meeting. With the exception of the 42nd MB meeting (which was a shorter (extraordinary) meeting for the entry into force of the EUAA mandate and only had 8 documents), the number of documents distributed for the other 10 most recent meetings fluctuated between 26 (40th MB meeting) and 59 (39th MB meeting).

Figure 2 Number of documents for information tabled at each MB meeting



Source: MB meeting agendas

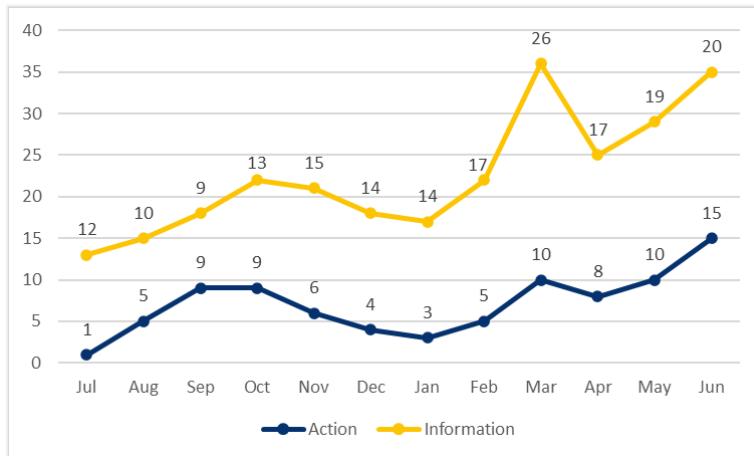
MB members are also regularly sent content via email by the MB Secretariat throughout the year. In 2021 and 2022, approximately two thirds of the correspondence received by MB members consisted of documents for information (e.g., overviews on the asylum situation, vacancy notices, press releases) and a third consisted of documents related to actions to be carried out by the MB or by the Agency (e.g., notes regarding written procedures, quarterly reports on governance monitoring indicators). Table 1 provides an overview of the material sent to MB members via email in 2021 and 2022, divided by content relating to “actions” and to “information”, for a total of 107 emails sent in 2021 and 164 sent in 2022. Figure 3 provides an overview of the evolution of the number of emails sent to MB members from July 2021 to June 2022.

Table 1 Overview of the material sent to MB members via email

Year/month	Action	Information	Total
2021			
Jul	1	12	13
Aug	5	10	15
Sep	9	9	18
Oct	9	13	22
Nov	6	15	21
Dec	4	14	18
Total	34	73	107
Average per month	5.6	12	17.8
2022			
Jan	3	14	17
Feb	5	17	22
Mar	10	26	36
Apr	8	17	25
May	10	19	29
Jun	15	20	35
Total	51	113	164
Average per month	8.5	18.8	27.3

Source: MB Secretariat

Figure 3 Evolution in the number of emails sent to MB members (July 2021 - June 2022)



Source: elaboration of data from the MB Secretariat

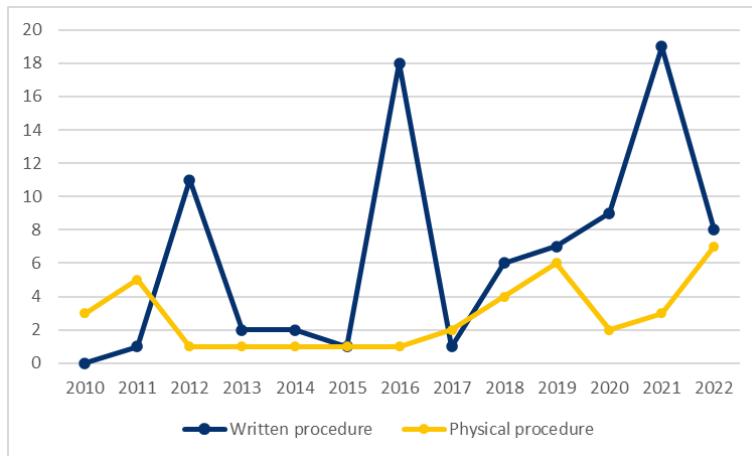
Since November 2017, the MB adopted 127 decisions, of which approximately 65% were taken by written procedure. A spike in the number of decisions taken by written procedure can be seen in 2016¹⁴, as well as in 2021, the latter likely being linked to the COVID-19¹⁵ pandemic and lack of in-person meetings. Over the past two years, and in line with one of the recommendations of the previous PG evaluation, the number of decisions taken during MB meetings increased comparatively to the number of decisions taken by written procedure.

¹⁴ The decisions taken in 2016 mainly concern staff and related matters and the asylum intervention pool.

¹⁵ Coronavirus disease 2019.



Figure 4 Number of decisions taken by physical and written procedure per year



Source: list of MB decisions, updated until 28 June 2022

The Agency's Founding Regulation attributes multiple functions and sub-functions to the MB. Sub-functions establish a detailed list of more specific and practical tasks for the Board to implement (see Intervention Logic in Annex 3). The EUAA Regulation, while maintaining most of the sub-functions that were foreseen by the EASO Regulation, has expanded the list of sub-tasks attributed to the MB, either by making more explicit a number of sub-tasks that the Board was already performing (e.g., adoption of an anti-fraud strategy), or by introducing new tasks (e.g., appointing a Fundamental Rights Officer). In addition, the Agency's Financial Regulation foresees additional functions for the MB.

Overall, a rapid review¹⁶ of MB agendas and of the decisions adopted by the MB until 28th June 2022 revealed that the MB has implemented most of its sub-functions throughout the years. Those that have not yet been implemented mainly correspond to some of the new sub-functions introduced by the EUAA Regulation, namely appointing the fundamental rights officer and the Deputy ED, taking measures for the application of Regulation (EU) 2018/1725 by the EUAA, and the sub-functions associated with the Monitoring mechanism introduced by the EUAA Regulation, which is subject to a sunrise clause. Besides, no evidence was found regarding the authorisation to accept donations which may involve a financial charge, as established by the Financial Regulation. A comprehensive overview of the status of performance of the MB's sub-functions is available in Annex 4.

A review of the agenda points that structured MB meetings over the years has identified a number of categories and recurring subjects for the items covered by MB agendas. Firstly, the review revealed that a significant number of agenda points have covered aspects related to the Agency's governance (e.g., election of the ED, follow-ups to the OLAF investigation), internal structure and organisation (e.g., the Agency's Information and Documentation System, aspects related to the establishment and functioning of the PG), and adoption of statutory documents (e.g., adoption of the single programming document (SPD), CAAR and budget)¹⁷.

¹⁶ Given that the assessment is based on a rapid review of agenda items and decisions taken, it should not be considered exhaustive, and it has not been possible to "fact-check" the status.

¹⁷ A typology was created based on a review of agenda items, grouping the agenda items in different categories. However, it should be acknowledged that the classification exercise was not equally straightforward for all agenda items.

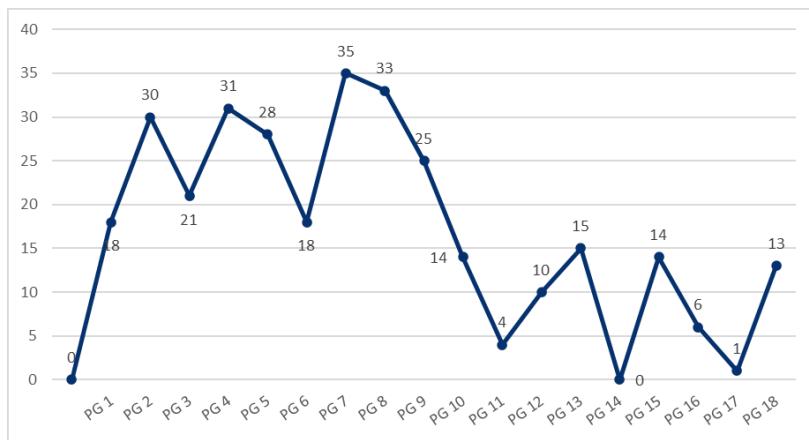
Moreover, several agenda items within each meeting over the years corresponded to updates on the activities carried out by the Agency (e.g., operations, practical tools, country guidance, workshops, training). Other recurring agenda points included the status of asylum in the EU+ and on relevant developments of the Common European Asylum System (CEAS), as well as the implementation, results and follow-ups to audits and evaluation exercises. Strategic discussions on the mission and role of both the Agency and the MB have also been held throughout the years. These mostly took place in the early years of the Agency, consisting, for instance, of discussions around the strategic plans and work programmes of EASO over the following years (2nd and 8th MB meetings), and on the vision and mission of the Agency (5th MB meeting). A few brainstorming sessions on specific topics were also held, for instance on country-of-origin information (10th MB meeting) and recognition rates (19th MB meeting). A discussion on the mission, vision and future direction of the Agency and the role of the MB was held in early 2017.

PG agendas were aligned with the priorities of the MB, with a view to contribute to the preparation of the respective upcoming MB meetings. Considering the three main functions attributed to the PG by MB Decision No 44, the PG has largely supported the Chair of the MB and ED in the preparation of MB meetings and discussions, and it has provided advice on a number of relevant matters (e.g., on alternative deployment options, on the evaluation of the PG itself). To a significantly lesser extent, the PG has provided assistance in the preparation of the draft opinion of the MB on the Agency's CAAR, due to the relevant document being sent too late to be adequately analysed and discussed.

As a result of the discussions held within the PG, multiple action points/follow-up actions are normally produced. These are mainly aimed at providing assistance and advice in the preparation of the MB agendas, and at delineating the main priorities for discussion. As outlined in Figure below, the number of action points following each PG meeting between the 10th and 18th PG meeting is lower, on average, than between the 1st and 9th meeting. Similarly, the average length of PG summary reports, which had increased to about 9 pages between the 9th and 13th PG meetings, decreased to 4 pages between the 14th and 18th meetings ("summary reports" were replaced by the more concise "flash reports").

During the 39th MB meeting, a proposal was advanced for the creation of a specific session during PG meetings dedicated to budgetary and financial issues. Following the decision of the MB to organise this work within the parameters of the PG, PG meetings are divided into two sessions, of which one is dedicated to the PG's regular functions and the other to budget and financial issues. Members can decide to be accompanied by technical experts or to be replaced by them during the budget-focused session. The restructuring of the PG agenda had the objective to more effectively address budgetary and financial matters, and to foster a greater level of engagement on the part of MB members.

Figure 5 Number of action points following PG meetings



Source: PG summary reports

4. Evaluation findings

The following section presents the evaluation findings, based on the evidence gathered following the methodology presented in Annex 1.

4.1. To what extent were the Management Board and its Preparatory Group successful and why?

4.1.1. Effectiveness

Management Board

The MB has largely performed its functions in accordance with the Agency's founding regulations. At present, although some of the sub-functions foreseen by the EUAA mandate have not been fully implemented yet, the MB is continuing to carry out its duties as already achieved under the EASO Regulation. Hence, the MB has ensured that the planning of the Agency, and all relevant governance documents and decisions, were adopted when needed. In turn, this has allowed for a smooth transition to the EUAA, as testified by interviewed members. Throughout the years, enhanced communication and trust have contributed to improved effectiveness of the MB.

However, both among interviewees and survey respondents, the MB was also found to **insufficiently engage in active discussions**, particularly, as regards financial issues, but also in terms of asylum-related and strategic matters (see sections 4.1.2. Efficiency and 4.3. Relevance). Thus, while the MB has generally been able to cohesively give the Agency its general orientation, this endeavour could benefit from more engaged discussions among members.

The MB has progressively adapted its work and priorities to internal and external events, which have impacted the functioning of the Agency and constituted significant factors of change. The key milestones identified throughout the history of the Agency include the 2015 migration crisis, the management crisis in relation to the former ED, the transition to the EUAA, the COVID-19 pandemic and, currently, the Ukraine crisis. These events led the MB to improve its decision-making process, as

well as to adapt to the Agency's new activities and increasing requests for support by Member States. At the same time, these events resulted in progressively stronger monitoring of the Agency.

The 2017 management crisis was a turning point in the history of the MB, which undertook a significantly hands-on approach to address the issues. A number of emergency measures were adopted and backed up by consensus among the members, which ultimately led to re-establishing confidence within the Agency and the MB. **Lessons learnt were integrated in the working practices of the MB**, for instance, through the introduction of quarterly monitoring indicators, more attentive preparation of meetings thanks to the PG, and enhanced overall involvement in the governance of the Agency on the part of MB members.

Preparatory Group

The PG is largely considered to be a positive contributing factor to the performance of the MB and has broadly performed its functions in line with MB Decision No 104¹⁸. The PG has primarily been fulfilling two of the main functions attributed to it, namely 1) assisting the Chairperson of the MB and the ED in preparing for the discussions to be held during the MB meeting, and 2) providing specific advice to the ED upon request. Some efforts were made with respect to covering the third main function of the PG – assistance in the preparation of the draft opinion of the MB on the CAAR – following one of the recommendations of the previous internal PG evaluation. However, the evaluation finds that work in this regard remained significantly limited relative to the other functions, in particular, due to the late submission of the document.

Overall, significant efforts and progress have been made towards implementing the recommendations of the internal PG evaluation. A more detailed assessment of the achievement of the recommendations is provided in Annex 5.

Notably, quite a few respondents reported **the PG does not sufficiently engage in active discussions**. This hinders its capacity to prepare MB meetings most effectively. As pointed out by one survey respondent, the PG thus faces the risk of being a “rehearsal” of the following MB meeting.

Management Board Secretariat

The MB Secretariat further plays a crucial role in the organisation of MB meetings. Consulted MB members unanimously recognised the important supporting function of the Secretariat, and an improvement in the preparation of MB meetings over the years (see section 4.1.2. Efficiency). Hence, it can be concluded that **both the PG and the MB Secretariat have contributed to the improved effectiveness of the MB through a better and more structured preparation of the meetings**.

Written procedures also appear as a viable way to adopt certain decisions effectively. Their use is considered appropriate by the majority of survey respondents. A couple of consulted members specifically pointed out that the use of the written procedure allows them to dedicate more time to focus on policy and content discussions, and that they enable faster decision making.

¹⁸ Management Board Decision No 104 of 7 March 2022 on the revised Terms of Reference and extension of the mandate of the Preparatory Group of the Management Board.

4.1.2. Efficiency

MB members' workload

The workload associated with being an MB member is considered proportionate by the vast majority of survey respondents, especially considering the sensitivity and political relevance of the matters discussed. The reported percentages of work time dedicated by members to their MB related commitments range from 5% to 25%, for an average of 10%. In practice, such a workload mainly derives from the time and effort to be dedicated to reviewing and discussing documents provided in preparation for the meetings, and from following the documents and information sent via email throughout the year. The need for specific expertise on technical and governance-related topics (e.g., budgetary matters, policy issues) represents the second driver of the MB members' work.

Being a member of the PG creates an additional workload, associated with the preparatory work for and participation in PG meetings. This is likely to be associated with recent difficulties in finding volunteers to participate in the PG. As mentioned by a few interviewees and survey respondents, delays in the provision of preparatory documents to the PG partly undermine its efficiency.

Factors driving MB members' engagement

The level of members' commitment to fulfilling the tasks of the MB increased over the years. However, this tends to vary amongst members, depending on multiple factors. Firstly, **support from national colleagues plays a crucial role in allowing them to be actively involved in the MB**. Bigger administrations are more likely to have sufficient resources to prepare for the meetings and follow the correspondence associated with the MB, as opposed to smaller administrations. Notably, the increased workload expected with the EUAA mandate will require, where possible, to dedicate additional national-level resources to be actively involved in MB meetings. While recognising the importance of the responsibilities associated with the MB, a few interviewees expressed some concerns in this regard.

The degree of members' commitment also tends to depend on the severity and political prominence of migration and asylum issues at national level. In this respect, a few interviewees underlined the role of the ongoing Ukraine crisis in further uniting MB members and increasing engagement in the Agency's operations. One interviewee also mentioned the importance of each member's personal interest and commitment as influencing factors in the level of engagement in the MB.

The role of the Chairperson emerged as an additional important driver of discussions. The members having held the role of Chairperson over the years made a positive contribution to steering meetings, setting the right environment for discussion and guiding decision-making in contexts of emergency. Finally, **the way meetings are organised further impacts members' engagement**. For the most part, meetings are structured around presentations by the Agency to the MB, followed by formal statements by some of the members, which tends to prevent active discussions from taking place.

The composition of the Management Board

The EUAA Regulation requires that MB members and their alternates are "appointed in the light of their knowledge and expertise in the field of asylum, taking into account relevant managerial,

governance and budgetary skills”¹⁹. On this basis, Member States can choose the most suitable profile for the position at national level. While this has resulted in a high degree of expertise in the field of asylum within the MB, **diverging opinions emerged concerning the national level role of MB members**. A few interviewees underlined the usefulness of having government representatives as MB members, as they have higher decision-making power and are better positioned to assess the political nuances of migration issues. Others stressed the importance of migration and asylum expertise, which tends to be associated with those who work directly within the field (e.g., within the national agency in charge of asylum issues), as it allows for more technical discussions during meetings.

The mix of both types of national level representatives can affect the type of discussions held. For instance, it could result in more high-level policy discussions rather than content-related, or conversely, in excessively technical discussions, insufficiently focused on the broader political context. Such a variety has both a negative and a positive side. While the difference in perspectives can lead to enriching discussions that account for multiple points of view, members might have limited interest and be less involved in certain topics, depending on their background.

The organisation of MB meetings

Considering the workload associated with being part of the MB, **the efficient preparation of the meetings is considered to be of crucial importance**. With respect to the early years of the Agency, preparatory documents have become more concise and, for the most part, are sent sufficiently in advance of meetings. As shown in the previous section, the average number of documents for information sent prior to meetings has followed an overall decreasing trend since the 27th MB meeting (see Figure). However, this is not true for cover notes and annexes over the past two years, which together with documents for information, led to an average of 35 documents per meeting being sent to MB members. Multiple interviewed members stressed that there are still some delays in the receipt of certain documents, while room for improvement still exists in terms of sending shorter and more straight-to-the-point material.

Most MB members recognised the substantial work carried out by the Agency to maintain the MB’s work schedule during the COVID-19 pandemic, quickly setting up meetings in an online format. Even though online meetings allowed the work of the MB to continue, interviewed members considered them overall less effective, resulting in less active discussions. Moreover, online meetings led to a lack of networking opportunities, which usually happen on the side of in-person meetings (e.g., during breaks and meals). The chance to network with other members is considered crucial to ensure good communication within the meeting and to create stronger relationships with fellow members. Notwithstanding this, the less time spent travelling to MB meetings, according to a couple of stakeholders, could justify holding (some) meetings in a hybrid format, or choosing to potentially hold *ad hoc* meetings via videoconference.

4.1.3. Coherence

The functioning of the MB has remained coherent over time. Simultaneously, **no inconsistencies were identified in the internal structure and processes of the MB**, including with respect to the work of the MB Secretariat and of the PG. Nonetheless, lack of sufficiently active discussions within the PG,

¹⁹ Article 40(4) of the EUAA Founding Regulation.

similarly to the MB (see section 4.1.1. Effectiveness), creates the risk of globally limiting conversations on certain important and sensitive matters.

It is worth noting that, by their nature, **MB members tend to represent the interests and priorities of their respective Member State and administration**. In certain areas, this may lead to conflicting priorities or tensions when there is a need to prioritise resources or discuss sensitive topics. This could for example arise in relation to EUAA operations, where requests for support from specific Member States need to be balanced against the needs in the EU as a whole, or when national political priorities of Member States are divergent. This challenge can be considered inherent and is likely one reason active discussions on sensitive topics are rare in the MB. However, **the evaluation did not find signs of incoherence or inconsistencies in the actual decision making of the MB as a result of this aspect**.

Finally, **some differences were recognised in relation to the role played by alternates within the MB**. Quite a few alternate members frequently represent regular members in meetings, accompany them to meetings and/or are highly involved in their preparation, which overall suggests that **the role of alternates within the MB is highly valuable**. However, the extent to which alternates are involved in MB meetings is dependent on the specificities of each national administration.

4.2. How did the Management Board and the Preparatory Group make a difference through the action (EU added value)?

As outlined in the previous sections, the MB's effectiveness has improved over time, thus ensuring improved governance of the Agency. As such, **the Board's added value at EU level stems from the support provided to the Agency towards reaching its objectives**, in particular towards the implementation of the CEAS²⁰. In turn, given the support provided by the PG and the MB Secretariat to the MB (see section 4.1.1. Effectiveness), these both contribute to the EU added value created by the MB. Notwithstanding, the need for more active discussions within the MB and the PG, and increased engagement of MB members in governance-related and financial matters (see section 4.3. Relevance) suggests that the added value of the MB and of the PG could be further strengthened.

4.3. Is the functioning of the Management Board and its Preparatory Group relevant?

Management Board

Broadly, MB members find **the functioning of the MB and its PG relevant and appropriate to support the achievement of the objectives of the Agency**. Throughout the years, **the MB has also been able to progressively adapt its focus and functioning to emerging or urgent needs**, while continuing to perform its basic tasks (see section 4.1.1. Effectiveness).

²⁰ The objectives of the EUAA, as set out by its Founding Regulation include: contributing to ensuring the efficient and uniform application of Union law on asylum in the Member States in a manner that fully respects fundamental rights, facilitating and supporting the activities of the Member States in the implementation of the CEAS, and improving the functioning of the CEAS.

The discussions held during MB meetings are in general useful and appropriate. However, the evaluation found that conversations on certain difficult or sensitive matters related to the CEAS implementation tend to be restrained.

Preparatory Group

The PG is considered as a valuable instrument, which responds and has progressively adapted to the needs of the MB. At first, it achieved its original objective to strengthen the MB's control and oversight of the Agency following the management crisis. Subsequently, it evolved into the main function of assisting in the preparation of MB meetings, which is where the majority of stakeholders find it most useful. Nonetheless, multiple stakeholders underlined that the PG could do more to identify strategic priorities for discussion for the MB meeting.

The newly introduced session on budget and finance issues aligns with the need for increased members' engagement in budgetary and finance matters. However, some limitations in the working of this thematic session derive from limited involvement of members in budgetary and financial issues and difficulties faced by certain Member States in dedicating experts to specific discussions on these topics

As the workload is increasing with the transition to the EUAA, the MB would benefit from increased reliance on the preparatory and supporting work of the PG. At the same time, this suggests that having a formal, decision-making body supporting the MB might be relevant to continue meeting the needs of the MB, providing it with additional support going towards the future.

Executive Board

The establishment of a two-level governance structure, including an MB and an EB, is considered by the European Court of Auditors (ECA) as a viable option to increase governance efficiency in decentralised agencies²¹. For instance, having an EB overseeing the preparation and implementation of MB decisions was found to contribute to more efficient decision-making within the Eurofound MB. Against this background, and considering the expanded mandate of the EUAA, the establishment of an EB appears as a relevant option for discussion²².

Based on the findings in this evaluation, some reflections can be made on four potential scenarios²³:

- Status quo, PG only: the PG is maintained, and no EB is created;
- Both PG and EB: the PG is maintained, and an EB is created;
- EB only: the PG is discontinued, and an EB is created;
- No PG nor EB: the PG is discontinued, and no EB is created.

An assessment of how the four scenarios would affect the five evaluation criteria discussed in this report is presented in Annex 9.

²¹ European Court of Auditors (2020), Future of EU agencies – Potential for more flexibility and cooperation, Special Report.

²² As foreseen by Article 40(3) of the EUAA Founding Regulation.

²³ Reflections are made based on the stakeholder consultations conducted, which were part of a broader consultation process, covering a range of different topics. While the evidence gathered provides some insights and highlights certain advantages and disadvantages, the fours scenarios were not subject to any systematic comparative exercise.



Status quo, Preparatory Group only

As emerged from the current evaluation, the PG has proven to be a successful instrument, which positively contributed to the functioning of the MB. Its nature as a less formal group can be conducive to more open discussions than within the MB, while leaving the responsibility and accountability for formal decisions in the hands of the MB as a whole. Although some shortcomings were identified, the PG has the potential and capacity to further increase its preparatory and strategic role.

On the other hand, given its non-decision-making nature, the contribution of the PG to the work of the MB will remain limited to preparing meetings, providing advice and strategic guidance. As such, the time and work associated with the process of taking all formal decisions – which have increased with the transition to the EUAA – will not change for the MB.

A minority of the consulted members have expressed an openly negative opinion on the creation of an EB, while expressing their support to the PG.

Both Preparatory Group and Executive Board

While the PG and the EB are technically and formally different bodies, there is a risk that, if an EB was created alongside the PG, their work would at least partly overlap. For this reason, several consulted members suggested that, if created, an EB should completely replace the PG.

In addition, having both bodies would cause an excessive increase in the workload associated with the preparation of their respective meetings, for both the Agency and MB members. Finally, considering the difficulties faced in finding members willing to participate in the PG, having a second body requiring participation would have the likely effect of causing frustration and disengagement among members.

Executive Board only

The majority of MB members that replied to the survey and more than half of those consulted during interviews appear to be open to the establishment of an EB (mainly seen as a replacement of the PG)²⁴. Amongst the recognised advantages appear:

- Having a smaller group of people assessing certain subjects in more detail than what would be possible during MB meetings;
- Allowing for more time for strategic and operational discussions during MB meetings, by taking some of the more technical or governance-related decisions outside of the MB;
- Reducing the workload of the MB (for the reasons above);

However, some concerns emerged, slightly undermining the support to the creation on an EB:

- Excessive workload for EB members (on top of their duties as MB members);
- Risk of decreased commitment by the rest of the MB members due to reduced responsibility;

²⁴ Based on survey results, 36% of respondents agree completely with the statement that the establishment of an EB could be conducive to the functioning of the MB and the Agency, while 36% agree to some extent.

- Lack of flexibility in the functioning of the EB (as opposed to the PG), given its more formal structure (i.e., with rules of procedure);

Most notably, there is still no clear picture of what an EB would entail. Several of the consulted members conceive it as a body highly similar to the PG, undertaking most of the same functions. In this respect, while the positive experience associated with the PG creates some support for an EB, the potential duplication of the work of the PG leads members to question its added value.

Consulted members largely indicated that an EB could be charged with certain governance-related and technical issues, including in relation to staff. Addressing financial aspects was also mentioned multiple times as a way to further support the MB's work. A few respondents pointed out that an EB could be useful to support complex or urgent decision-making and the detailed analysis of rather technical topics.

On the basis of a preliminary assessment, the tasks delegated to an EB could include²⁵:

- Undertaking the provisions of Article 90(2) of the Staff Regulations (adoption of decisions in response to complaints filed under Article 90(2));
- Taking a decision to carry over the appropriations that have not been used by the end of the financial year;
- Authorising the acceptance of donations which may involve a financial charge;
- Authorise expenditure in excess of one provisional twelfth if needed for the continuity of action by the Agency;
- Authorising and approving the conclusion of working arrangements;
- Exercising certain appointing authority powers;
- Analysing budgetary and financial documents in detail, for adoption within the MB.

No Preparatory Group nor Executive Board

A no PG or EB scenario would lead to a decrease in both the Agency's and MB members' workload, as preparation and participation would be required for MB meetings only. Besides, potential inconsistencies or duplication of the work between the different bodies could be avoided.

However, given the positive experience associated with the PG, despite some of its highlighted shortcomings, a discontinuation of the body – without transforming it into a potential EB – does not appear as a viable option. As outlined in the ECA report, the composition of decentralised agencies' MBs can hinder efficient decision-making, primarily due to their (large) size. Moreover, due to expanded responsibilities under the EUAA mandate, the MB is expected to highly benefit from the support of either the PG or the EB as a more formal governance body with limited decision-making powers.

Regardless of each member's opinion on the EB, abolishing the PG was never mentioned as a potential option.

²⁵ It should be noted that due to time constraints, it was not possible to discuss in-depth with interviewed MB members on what specific tasks an Executive Board could undertake. This list presented here is primarily an analysis by the evaluators based on what tasks can legally be delegated.



5. Conclusions, lessons learnt and recommendations

5.1. Conclusions

The MB has been effective in performing its functions. Since its establishment, it has undergone a positive evolution, having adapted to changing circumstances while working towards improved governance and planning of the Agency. The commitment of its members and monitoring of the Agency overall increased, mainly as a result of lessons learnt from internal and external crises that emerged over the years. However, **the MB was also found to insufficiently engage in active discussions**, in particular, regarding strategic matters.

While the workload associated with the MB is considered proportionate by most of its members, multiple factors affect their degree of involvement; most notably, the amount of resources available at national level. As such, **although the level of engagement overall increased over the years, this tends to vary among members. The way meetings are structured** – primarily around presentations made by the Agency, followed by members' formal statements – **tends to limit discussions**. Similarly, while MB agendas are largely dedicated to governance-related matters and the Agency's operations, limited time is left for open conversations on more sensitive and strategic topics.

Conversely, the role of the Chair emerged as a positive driver of discussions over the years. Finally, **diverging opinions exist regarding the composition of the MB**. The Board currently includes a mix of government (ministerial) representatives and officials, working for instance, within national agencies. This can impact the type of discussions held and the interest of members in different topics; however, such a variety of perspectives is also deemed to enrich discussions.

The organisation of meetings has become increasingly more efficient throughout the years, largely owing to the MB Secretariat. As a consequence, this positively contributed to the efficient conduct of meetings. Notwithstanding, room for improvement still exists in terms of sending shorter preparatory documents prior to meetings, while avoiding delays. At the same time, **being actively engaged in the MB requires significant preparation**, given the considerable amount of material to review and correspondence to follow. Such a workload is expected to increase with the expanded EUAA mandate.

The work of the MB has remained relevant over time, adapting to emerging or urgent needs while ensuring fulfilment of its basic tasks. However, the evaluation found that conversations on certain difficult or sensitive matters related to the CEAS implementation tend to be restrained.

The PG was also found to constitute an effective instrument for the preparation of MB meetings, having positively contributed to the performance of the MB. Over the period considered, the PG has fulfilled the functions attributed to it, while implementing most of the recommendations of the previous PG evaluation. However, there is room to further exploit the PG to engage in open discussions, for a more effective preparation of MB meetings. At the same time, challenges currently exist with regards to the lack of volunteers to take part in the PG, which is likely motivated by the additional workload associated with being a PG member.

The work of the PG has been relevant and broadly aligned with the needs of the MB. However, there is scope for the PG to play a stronger role in identifying strategic priorities for MB meetings and addressing technical and governance-related topics in more detail (e.g., financial matters).

Support to the work of the MB is especially relevant given the expected workload increase under the EUAA. In this context, **a two-level structure, including the MB and a supporting body, ought to become even more important to ensure efficient decision-making.** Following this rationale, the evaluation explored four possible scenarios: 1) maintaining the PG, 2) establishing an EB alongside the PG, 3) discontinuing the PG while establishing an EB, and 4) having neither the PG nor an EB. Out of the four scenarios, having both bodies or none of the two are both deemed sub-optimal options. On the other hand, having the PG or the EB as a single supporting body both represent potentially viable options. The majority of the consulted MB members appear to be open to the establishment of an EB. Overall, the EB is evaluated as having the potential to being effective and relevant in supporting the MB, in particular by allowing it to increase its focus and discussions of strategic aspects and asylum-related matters, and by reducing its workload.

No inconsistencies were identified in the internal structure and processes of the MB, including with respect to the work of the MB Secretariat and of the PG. Some differences exist with respect to alternates' involvement in the functions of the MB. Quite a few members rely on a high degree of involvement on the part of their alternates and other experts in their administrations, which is deemed useful.

It can be concluded that **the MB and its PG have ensured the effective governance of the Agency, thus contributing to the implementation of the CEAS** and, ultimately, to the creation of added value at EU level. Nevertheless, more active and open discussions within the MB and the PG would allow for enhanced governance of the Agency, therefore greater EU added value. Notably, considering both the increased functions of the EUAA and the rising requests for support by Member States, future decisions, particularly on how to distribute available financial resources, will be of key importance for the functioning of the Agency and the degree to which it can facilitate the implementation of the CEAS.

Table 2 Evaluation criteria by result

	Planning ²⁶	Monitoring ²⁷	General orientation ²⁸	Preparatory Group
Relevance	Very good	Very Good	Good	Good
Effectiveness	Very Good	Very Good	Good	Good
Efficiency	Good	Good	Good	Fair
Coherence	Very Good	Very Good	Very Good	Good
EU added value	Very good	Very good	Very good	Very good

²⁶ The MB ensures the planning of the Agency in line with its Regulation.

²⁷ The MB ensures the monitoring of the Agency in line with its Regulation.

²⁸ The MB gives the Agency its general orientation and ensures it performs its tasks.

5.2. Good practices and lessons learnt

Over the years, communication and mutual trust among members have been an important contributing factor to the improved effectiveness of the MB. At the same time, the role of the Chairperson has proven to be very important in guiding discussions and decision-making, in particular at times of crisis, something that was evident during the management crisis. Thanks to these factors, the MB was able to act in a united way, introducing emergency measures, which partly remain in force today and ultimately contributed to improved oversight of the Agency.

Improvements in the functioning of the MB are also partly owed to the increasingly efficient preparation of meetings by the MB Secretariat. This primarily takes the form of more timely provision of shorter material sent to members and their administrations in preparation for the upcoming meetings. Smaller administrations, which have more limited resources to dedicate to MB meetings, benefit significantly from such support. At the same time, the structure of meeting agendas also plays a key role in ensuring efficient and engaged discussions during meetings. For this reason, efforts to reach a balance between governance and content-related topics are welcome.

The introduction of the PG has proven highly useful to enhance the governance structure of the Agency. In this respect, the recently established session on budgetary and financial matters was welcomed by most survey participants as a positive development. However, not all members were able to have experts accompanying them for the sessions, while members' engagement remained limited. Certain topics, such as financial matters, tend to spark limited discussion among members.

The COVID-19 pandemic led to moving part of the MB meetings online over the past two years. While the Agency was able to do this efficiently, the loss of networking opportunities was considered a downside by members. Networking on the side of MB meetings represents an important way to strengthen cooperation both within the MB and at national level. On the other hand, online meetings can be more efficient as travel time and costs are avoided, which validates the decision to hold at least part of the future meetings in a hybrid format.

5.3. Recommendations

5.3.1. Recommendations regarding the MB

Recommendation 1: Dedicate additional time to strategic and operational discussions during MB meetings

- A greater proportion of time could be dedicated to discussions on strategic and operational matters, related to the asylum situation in the EU and the interventions of the Agency.
- It is nonetheless important to ensure adequate balance with discussions on governance-related and financial aspects. These could be partly addressed within the PG or the EB (if established). In the first case, a concise summary of the matters under review could be presented to the MB, following a detailed analysis carried out by the PG. In the second, a number of decisions could be taken directly by the EB (delegated by the MB).
- In order to ensure active and informed discussions, all preparatory documents should be consistently sent to MB members sufficiently in advance of MB meetings.

Recommendation 2: Introduce more flexible formats for MB meetings to allow for more active discussions

- A section of each MB meeting could be dedicated to more active discussions on a number of predefined topics.
- More flexible discussion formats, for example with breakout-groups (changing in composition for each meeting), could be established, with the objective of discussing in a smaller and less formal setting. Topic experts could potentially accompany MB members during these sessions.

Recommendation 3: Establish a framework for more active involvement of alternates (and other experts) in the work of the MB

- To reduce the workload associated with being an MB member, a formal framework for the involvement of alternates (and other experts) in the tasks of the MB could be established.
- As many MB members rely on national experts to support them in their functions, a more formal framework could ensure that resources and expertise (e.g., in the areas of human resources, finance) are adequately allocated. This might also lead to a more efficient execution of relevant functions.
- In order to ensure continued participation of the official MB member, the framework should primarily focus on the involvement of alternates within the PG (or EB if established), or on specific additional tasks required of MB members (e.g., the adoption of decisions in response to complaints filed under Article 90(2) of the Staff Regulations).

Recommendation 4: Consider establishing an EB

- Establishing an EB would positively contribute to supporting the MB and the ED with regards to the preparation of the decisions, programmes and activities to be adopted by the MB.
- Prior to the establishment of an EB, one or more brainstorming sessions should be held within the MB, to ensure a clear identification of the tasks to delegate to the body.
- If established, an EB should replace the PG in order to avoid any duplication in their work.
- It is important to ensure that sufficient engagement is maintained by the members of the MB, despite the potential delegation of certain decisions to an EB.

5.3.2. Recommendations regarding the PG

Recommendation 5: Introduce a rotational participatory system for the composition of the PG (applicable to an EB, if established instead)

- A rotational participatory system would contribute to ensuring regular participation in the PG, while allowing for sufficient time for MB members to prepare for their turn.
- The rotational system should be planned in a way to ensure adequate representation of different geographies and migratory contexts.
- It is important to make sure that mandatory participation does not negatively affect members' engagement within the PG. Mitigating measures to reduce such a risk could include:
 - Formally inviting alternates to participate in the PG instead of official members, to increase the resource pool and spread the workload.



- Fostering more open discussions within the PG, with more limited presentations by the Agency. Active discussions could anticipate or solve potential issues, clarify matters, and address some of the topics to be covered during MB meetings. The increased usefulness associated with the PG might, as a consequence, lead to increased engagement.

Recommendation 6: Enhance the role of the PG in stimulating discussion within the MB (applicable to an EB, if established instead)

- Part of the PG meeting could focus on identifying the most relevant topics for discussion in the following MB meeting. These could be spelt out in a number of key strategic points or questions to engage MB members in discussion during the meeting. Such points/questions should be sent to MB members sufficiently in advance of meetings.
- Additional time could be dedicated to the analysis of governance-related and financial documents (e.g., budget, actions relating to staff, preparation for the MB to exercise appointing authority powers). Addressing such matters in detail within the PG would allow for more concise discussions during MB meetings and, if applicable, a faster decision-making process.
- In order to allow for fruitful discussions, it is fundamental that preparatory documents are sent to PG members consistently in advance of PG meetings.



Annex 1: Methodology and analytical models used

Desk review

During the inception phase, the Agency shared a selection of relevant documents, which were reviewed and used to gather qualitative conclusions, as well as quantitative indicators.

Compared to the plan presented in the inception report, two quantitative indicators were not developed. On the one hand, the number of MB meeting follow-up actions was not available for all MB meetings, which prevented the calculation of a consistent indicator. On the other, the duration of MB and PG meetings was ultimately not deemed useful to the study given the fixed agendas followed, as well as the difficulties in assessing the actual duration of the meetings. Additional quantitative indicators were instead developed, including:

- A calculation of the number of decisions taken by written as opposed to physical procedure;
- The average length of PG summary reports.

Interviews

The team conducted 16 interviews in total, including two exploratory interviews, in line with the inception report. Fourteen individual interviews with MB members or alternate members were carried out, as well as two group interviews, one with the MB Secretariat and one with the Executive Director and heads of centre. Four interviews were conducted in person (in Valletta), while the rest were held online.

The questions were sent to interviewees ahead of time, following the template included in the inception report, and were conducted following a semi-structured approach. The Task Lead of the evaluation carried out all of the interviews.

While the allotted time to in-person interviews was less than for online interviews, they still provided relevant and useful insights, which were integrated in the study. Overall, despite the tight work schedules of interviewees, all planned interviews were conducted, each lasting approximately one hour.

Online survey

An online survey was launched at the end of the fieldwork phase of the study. The survey was addressed to MB members, alternates and observers and remained open for 10 days, including a two-day extension to allow for more respondents to participate. The purpose of the survey was to validate the main findings from desk review and targeted interviews, as well as to further investigate certain aspects of the study and allow for any additional input from MB members and alternates.

The survey included 19 binary or Likert scale questions and 13 open questions. The survey questionnaire was revised with respect to the draft survey questionnaire included in the inception report and is available in Annex 7.

Overall, the survey registered 46 complete or partially complete responses. Amongst these, survey entries where less than 20% of the multiple-choice questions was complete (meaning that participants had responded to the first two questions only) were excluded from the analysis. Out of the remaining entries, one was duplicated and was therefore included in the analysis only once, while one was clearly stated to be a “test” answer, so it was not taken into consideration. Ultimately, 33 responses were analysed. Nonetheless, as not all respondents completed the survey, the total number of respondents per question decreased while reaching the end of the survey.

Survey entries were analysed in Excel both quantitatively, by calculating response percentages, linked to specific graphs, and qualitatively, by reviewing the answers to open questions.

Field visit

A field visit was organised to the EUAA’s premises in Malta in conjunction with the 44th MB meeting, held between 22 and 23 June, and was undertaken by the Task Lead and Project Support Consultant involved in the study.

The main purpose of the trip was to enable the direct observation of part of the MB meeting. The team took part in the second day of the meeting, which allowed them to gain a better understanding of the procedures, interactions and approach adopted during the meetings. Moreover, the Task Lead was able to present the study to the MB.

Being physically present at the EUAA’s premises further allowed for the scheduling of four in-person interviews with the members of the MB or alternates. While shorter than the online interviews, these equally provided useful insights for the study.

Limitations

Given the tight schedules of the MB members, interviews were kept under an hour in most cases. Interviews were semi-structured and open, giving MB members the opportunity to convey what they saw as the most important messages while still ensuring different themes were covered. This means that not all questions were answered in detail by all interviewed MB members.

In terms of the survey, it should be noted that given that respondents were anonymous, it is not possible to identify the number of survey respondents who were also interviewed.

The long time period covered by the evaluation of the MB (approximately 12 years) meant that not all events could be addressed in detail. While several MB members have been part of the MB since its inception, this is not the case for all. In addition, over the years, the documents accompanying the preparation and follow up to MB meetings and, more recently, PG meetings, evolved in terms of their structure and the type of information reported. Hence, it was not always possible to consistently retrieve the necessary data to develop certain quantitative indicators (e.g., number of follow-up actions to MB meetings).

Annex 2: Evaluation matrix

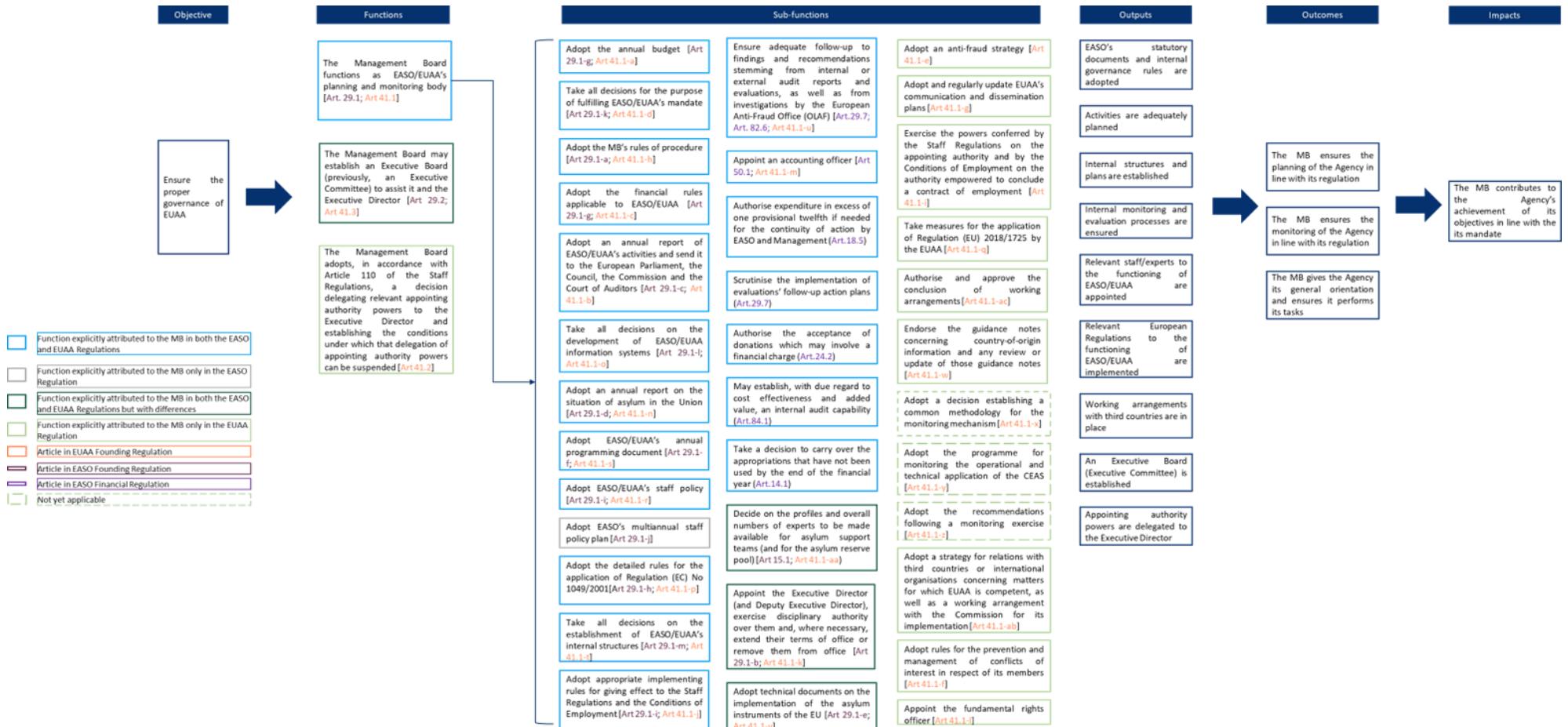
Operationalised questions	Indicators / descriptors	Norms / judgement criteria	Sources of evidence
Effectiveness			
To what extent has the MB performed its functions in line with Article 29 of the EASO Regulation/ Article 41 of the EUAA regulation?	Trends in quantitative indicators (see Error! Reference source not found.) Indicators on outputs (see intervention logic) Perception of interviewees	Positive trends in indicators Output indicators are achieved in a timely manner Interviewees perceive MB performs its functions effectively	Desk review Interviews Survey
To what extent have internal or external factors influenced the functioning of the MB and its PG? How has this evolved over time?	Evidence from meeting minutes Perception of interviewees	N/A explorative	Desk review Interviews Survey
Were there any major events that influenced the MB's functioning since 2015? How were they handled by the MB? To what extent were lessons learnt integrated in the working practices of the MB as well as in the functioning of its PG?	Evidence from meeting minutes Perception of interviewees	Interviewees perceive the MB has effectively handled major events Interviewees perceive the MB has implemented lessons learned	Desk review Interviews Survey
To what extent has the PG performed its tasks in line with Article 2 of MB Decision no 44? To what extent and how has the PG been conducive to the performance of the MB? How have the recommendations from the evaluation of the PG been implemented? Can any results be seen already?	Trends in quantitative indicators (see Error! Reference source not found. Error! Reference source not found.) Response tracker status Perception of interviewees	Positive trends in indicators Response tracker indicates progress on implementation of recommendations Interviewees confirm that recommendations are being implemented Interviewees perceive PG performs its functions effectively	Desk review Interviews Survey

Operationalised questions	Indicators / descriptors	Norms / judgement criteria	Sources of evidence
		Interviewees perceive the PG support is conducive to the performance of MB	
To what extent and how has the MB secretariat been conducive to the performance of the MB?	Trends in quantitative indicators Perception of interviewees	Interviewees perceive the MB Secretariat performs its functions effectively Interviewees perceive MB Secretariat support is conducive to the performance of the MB	Desk review Interviews Survey
Efficiency			
How proportionate are the efforts required from members/alternates by their role in the MB and its PG? How do MB members/ alternates perceive the level of effort required for an effective functioning of the MB? To what extent is the workload considered reasonable and proportionate, taking into account members'/alternates' other tasks? To what extent has members'/ alternates' level of commitment been sufficient to fulfil the tasks and objectives of the MB? What factors influence the level of commitment? What could be done to improve it?	Perception of interviewees	The perceived efforts are considered adequate to the effective functioning of the MB The workload is considered reasonable General commitment is considered adequate	Interviews Survey
To what extent have agenda points been adequately prioritised, considering members' time availability?	Perception of interviewees	Interviewees perceive agenda points to be	Interviews Survey

Operationalised questions	Indicators / descriptors	Norms / judgement criteria	Sources of evidence
To what extent has preparatory work (documents, information) been adequately shared well in time for MB members/ alternates to be properly prepared?		adequately prioritised Interviewees perceive preparatory work to be adequate	
To what extent has the level of required effort changed (and will be changing) with the adoption of the EUAA Regulation?	Perception of interviewees	N/A explorative	Interviews Survey
Relevance			
To what extent were the functioning of the MB and its PG relevant and appropriate to support the achievement of the objectives of the Agency?	Perception of interviewees	Interviewees perceive the MB (and the PG) to be relevant to the needs of the Agency	Interviews Survey
To what extent has the functioning of the MB adapted to changing circumstances and needs within the Agency/ Member States? How has this evolved over time?	Perception of interviewees	Interviewees perceive that the function of the MB has adapted to changing circumstances	Interviews
To what extent has the PG been able to meet the needs of the MB since its establishment? How is the role of PG likely to evolve with the new mandate?	Perception of interviewees	Interviewees perceive that the PG has met the needs of the MB	Interviews Survey
To what extent could the establishment of an Executive Board (as per EUAA Regulation) be conducive to the functioning of the MB and the Agency? What could be the advantages/disadvantages of the Executive Board and compared to the PG?	Perception of interviewees	N/A explorative	Interviews Survey
Coherence			
To what extent has the MB's functioning been coherent over time? Are there any inconsistencies among MB's internal operations/processes	Evidence from meeting minutes Perception of interviewees	Documentary evidence show coherence in functioning/absence of inconsistencies	Desk review Interviews

Operationalised questions	Indicators / descriptors	Norms / judgement criteria	Sources of evidence
(including the MB Secretariat and the PG)?		Interviewees perceive no inconsistencies or incoherence	
How may this evolve with the EUAA Regulation?	Perception of interviewees	N/A explorative	
To what extent have MB functions ensured coherence with the Agency's actions (in particular operational plans and roadmaps)?	Perception of interviewees Evidence from Agency's working documents	Documentary evidence shows coherence in functioning/absence of inconsistencies	Desk review Parallel external operational plan and roadmap evaluations
EU added value			
To what extent are the MB's functions instrumental to achieving the Agency's objectives and priorities, consequently creating value to the EU at large?	Assessment on effectiveness Perception of interviewees	N/A analytical overall question	Desk review Interviews Survey
What is the added value resulting from the support provided by the PG and the MB secretariat to the MB?	Assessment on effectiveness Perception of interviewees	N/A analytical overall question	Desk review Interviews

Annex 3: Intervention logic





Annex 4: Overview of the status of performance of the sub-functions attributed to the Management Board

Table 4 below provides an overview of the status of implementation of the MB's sub-functions listed under Article 29 of the EASO Regulation, Article 41 of the EUAA Regulation, and Financial Regulation, as presented in the Intervention Logic in Annex 3. Based on a rapid review of MB agenda items and of the list of decisions adopted by the MB until 8th of June 2022, sub-functions have been classified as "Performed", "Performed as EASO" (when a specific sub-function which is only explicitly listed by the EUAA Regulation was performed before the transition to the EUAA), "Not yet performed", or "Not yet applicable" (which relates to the sub-functions associated with the monitoring mechanism introduced by the EUAA Regulation, subject to a sunrise clause). Note that the assessment here should not be considered exhaustive, and it has not been possible to "fact-check" the status.

Overall, most of the sub-functions have been performed. A few of the new sub-functions introduced by the EUAA Regulation, which only recently came into force, have not yet been implemented.

Table 3 Status of implementation of the MB's sub-functions

Sub-function	Status
Adopt the annual budget [EASO Regulation: Art 29(1)(g); EUAA Regulation: Art 41(1)(a)]	Performed
Take all decisions for the purpose of fulfilling EASO/EUAA's mandate [EASO Regulation: Art 29(1)(k); EUAA Regulation: Art 41(1)(d)]	Performed
Adopt the MB's rules of procedure [EASO Regulation: Art 29(1)(a); EUAA Regulation: Art 41(1)(h)]	Performed
Adopt the financial rules applicable to EASO/EUAA [EASO Regulation: Art 29(1)(g); EUAA Regulation: Art 41(1)(c)]	Performed
Adopt an annual report of EASO/EUAA's activities and send it to the European Parliament, the Council, the Commission and the Court of Auditors [EASO Regulation: Art 29(1)(c); EUAA Regulation: Art 41(1)(b)]	Performed
Take all decisions on the development of EASO/EUAA information systems [EASO Regulation: Art 29(1)(l); EUAA Regulation: Art 41(1)(o)]	Performed
Adopt an annual report on the situation of asylum in the Union [EASO Regulation: Art 29(1)(d); EUAA Regulation: Art 41(1)(n)]	Performed
Adopt EASO/EUAA's annual programming document [EASO Regulation: Art 29(1)(f); EUAA Regulation: Art 41(1)(s)]	Performed
Adopt EASO/EUAA's staff policy [EASO Regulation: Art 29(1)(i); EUAA Regulation: Art 41(1)(r)]	Performed



Sub-function	Status
Adopt EASO's multiannual staff policy plan [EASO Regulation: Art 29(1)(j)]	Performed
Adopt the detailed rules for the application of Regulation (EC) No 1049/2001 [EASO Regulation: Art 29(1)(h); EUAA Regulation: Art 41(1)(p)]	Performed
Take all decisions on the establishment of EASO/EUAA's internal structures [EASO Regulation: Art 29(1)(m); EUAA Regulation: Art 41(1)(t)]	Performed
Adopt appropriate implementing rules for giving effect to the Staff Regulations and the Conditions of Employment [EASO Regulation: Art 29(1)(i); EUAA Regulation: Art 41(1)(j)]	Performed
Ensure adequate follow-up to findings and recommendations stemming from internal or external audit reports and evaluations, as well as from investigations by the European Anti-Fraud Office (OLAF) [EASO Regulation: Art.29(7); Financial Regulation: Art. 82(6) ; EUAA Regulation: Art 41(1)(u)]	Performed
Appoint an accounting officer [Financial Regulation: Art 50(1) ; EUAA Regulation: Art 41(1)(m)]	Performed
Authorise expenditure in excess of one provisional twelfth if needed for the continuity of action by EASO and Management (Financial Regulation: Art.18(5))	Not yet performed (not required)
Scrutinise the implementation of evaluations' follow-up action plans (Financial Regulation: Art.29(7))	Performed
Authorise the acceptance of donations which may involve a financial charge (Financial Regulation: Art.24(2))	Not yet performed (not required)
May establish, with due regard to cost effectiveness and added value, an internal audit capability (Financial regulation: Art.84(1))	Performed
Take a decision to carry over the appropriations that have not been used by the end of the financial year (Financial Regulation: Art.14(1))	Performed as EASO
Decide on the profiles and overall numbers of experts to be made available for asylum support teams (and for the asylum reserve pool) [EASO Regulation: Art 15(1); EUAA Regulation: Art 41(1)(a)]	Performed



Sub-function	Status
Appoint the Executive Director (and Deputy Executive Director), exercise disciplinary authority over them and, where necessary, extend their terms of office or remove them from office [EASO Regulation: Art 29(1)(b); EUAA Regulation: Art 41(1)(k)]	Performed; appointment of Deputy Executive Director not yet performed
Adopt technical documents on the implementation of the asylum instruments of the EU [EASO Regulation: Art 29(1)(e); EUAA Regulation: Art 41(1)(v)]	Performed
Adopt an anti-fraud strategy [EUAA Regulation: Art 41(1)(e)]	Performed as EASO
Adopt and regularly update EUAA's communication and dissemination plans [EUAA Regulation: Art 41(1)(g)]	Performed as EASO
Exercise the powers conferred by the Staff Regulations on the appointing authority and by the Conditions of Employment on the authority empowered to conclude a contract of employment [EUAA Regulation: Art 41(1)(i)]	Performed
Take measures for the application of Regulation (EU) 2018/1725 by the EUAA [EUAA Regulation: Art 41(1)(q)]	Not yet performed
Authorise and approve the conclusion of working arrangements [EUAA Regulation: Art 41(1)(ac)]	Performed as EASO
Endorse the guidance notes concerning country-of-origin information and any review or update of those guidance notes [EUAA Regulation: Art 41(1)(w)]	Performed
Adopt a decision establishing a common methodology for the monitoring mechanism [EUAA Regulation: Art 41(1)(x)]	Not yet applicable
Adopt the programme for monitoring the operational and technical application of the CEAS [EUAA Regulation: Art 41(1)(y)]	Not yet applicable
Adopt the recommendations following a monitoring exercise [EUAA Regulation: Art 41(1)(z)]	Not yet applicable
Adopt a strategy for relations with third countries or international organisations concerning matters for which EUAA is competent, as well as a working arrangement with the Commission for its implementation [EUAA Regulation: Art 41(1)(ab)]	Performed as EASO



Sub-function	Status
Adopt rules for the prevention and management of conflicts of interest in respect of its members [EUAA Regulation: Art 41(1)(f)]	Performed as EASO
Appoint the fundamental rights officer [EUAA Regulation: Art 41(1)(l)]	Not yet performed



Annex 5: Assessment of achievement of recommendations from the Preparatory Group evaluation 2019-2020

Recommendation	Assessment of achievement
<p>In view of the positive findings of this evaluation, the Preparatory Group should be continued in its current format and has the potential to achieve even more</p> <ul style="list-style-type: none"> Further identifying core priorities and strategic questions for MB discussion and decision making. Core but often administrative governance documents (including budget, work programme and reports) should be brought to life by highlighting strategic choices, goals, and interlinkages; Retain the advisory nature of the PG and refrain from content decision making and strategic discussions which need to take place in the MB. The PG needs to set the scene for and prompt strategic MB discussions but not engage in such discussion at its level. 	<p>The PG has been continued in its format since the former internal evaluation.</p> <ul style="list-style-type: none"> The PG is judged to have positively contributed to preparing MB meetings, but a few of the consulted members believe that it could further enhance its contribution to identifying core priorities and strategic questions to guide MB meetings. The PG has remained a non-decision-making body and has maintained its advisory nature. However, some of the consulted members found the PG to insufficiently engage in open discussions, which hinders its supporting role to the MB.
<p>At times less is more - The PG related reporting needs to be proportionate and adapted to the target group</p> <p>In its advisory role, the PG is often a catalyst for information sharing and flows and needs to approach these in a smart and selective way. Examples are:</p> <ul style="list-style-type: none"> When possible, PG and MB cover notes need to be shorter, and use non-technical language; Provide PG only with documentation that can add value, and respect a balanced volume of background information; 	<ul style="list-style-type: none"> Since the former evaluation, it was found that minutes from PG meetings have become more concise and straight to the point. From the 14th PG meeting, instead of "summary reports", "flash reports" were produced. Between the 14th and 18th PG meeting, these have been, on average, 4 pages long. This testifies an improvement with respect to the PG meetings included in the former PG evaluation (7th to 13th PG meeting), which were followed by summary reports of an average of 9 pages. The cover note is structured as follows: 1. action required by the Preparatory Group, 2. background and 3. next steps. As mentioned in the follow-up document to the recommendations made by the PG evaluation, since transitioning to the EUAA, more attention has been



Recommendation	Assessment of achievement
<ul style="list-style-type: none"> While PG summary reports are appreciated, they can still be shorter and to the point – some details (such as who spoke on which subject) are not necessary; Prepare and share short debriefing notes (e.g., one pagers) after each PG to quickly flag MB members on the direction of the preparations well ahead of MB meetings. 	<p>paid to the preparation of the content of the cover note to follow what the structure is allowing.</p>
<p>Promote balanced Member State participation and rotation in the broadest way</p> <ul style="list-style-type: none"> For new MB and PG members: prepare a welcome/starters kit including the core documentation; periodically make short presentations/provide reminders on the role and work of the PG as an information point during MB meetings; Find a right balance of digital working methods – aim at a hybrid model of alternating face-to-face and online meetings; Enhance preparedness and accountability: MB members and their alternates can be periodically consulted if they would be interested in supporting specific capacity building; Embed smart participation incentives (e.g., networking opportunities), in particular for those Member States which have not yet participated in the PG; Beyond participation in the PG, continuously consult all MB members for MB agenda items proposals (to be reviewed during PG meetings). 	<ul style="list-style-type: none"> Ongoing issues exist with respect to the lack of volunteers to participate in the PG meeting. As mentioned in the follow-up document to the recommendations made by the PG evaluation, a document containing relevant information on the functioning of the MB and PG, key governance documents and practical information was published on the EUAA website and is sent to new MB members and alternates. Online PG meetings were held throughout the period under consultation due to the ongoing COVID-19 pandemic. Despite the overall improvement of the COVID-19 pandemic, PG meetings have continued to be held remotely. The 35th to 43rd MB meetings were held remotely, with the exception of the 40th MB meeting, which was held in a hybrid format. Following the overall improvement of the COVID-19 pandemic, the 44th and 45th MB meetings were organised in a hybrid format. As outlined in the follow-up document to the recommendations made by the PG evaluation, MB members are regularly invited to propose agenda items for MB meetings. Items proposed by MB members for discussion at MB meetings have been included on the meeting agendas. For instance: Contingency planning (40th MB meeting), Situation in



Recommendation	Assessment of achievement
	<p>Afghanistan (40th MB meeting), Secondary Movements (39th MB meeting) and Third Country Support (39th MB meeting)</p> <ul style="list-style-type: none"> • A thematic meeting on the practical implementation of the EUAA was held on 28 February 2022. • As outlined in the follow-up document to the recommendations made by the PG evaluation, the Management Board Work Plan 2022, containing the MB's key objectives and priorities, was shared with the Management Board members at the 43rd MB meeting. A revised version (taking into account any changes that occurred in time) was to be prepared for the Management Board meeting in September 2022.
<p>Carefully plan the dates of the PG and the MB in view of the legal deadlines of core governance documents</p> <p>If the PG is to deliver on its intended advisory role on core governance documents, the following recommendations should be considered:</p> <ul style="list-style-type: none"> • PG meetings should be planned to align with the legal deadlines linked to key governance documents to optimise the potential contribution of the PG to the preparation of MB opinions/positions; • While the current article 2 is not exhaustive on the different documents which need MB opinions, the PG should reassess the feasibility of providing advice on MB opinions in view of anticipating deadline practices; • The PG could play - in a balanced way - an advisory role on planning the optimal use of written versus plenary MB Decisions; • Put the discussion on the EASO budget more central as an agenda point, highlighting strategic options, challenges, and opportunities. 	<ul style="list-style-type: none"> • PG meetings were found to be aligned with MB's legal deadlines. • In the period under consideration, the PG has been consistent in assessing the SPD and budget prior to each MB meeting, as well as the CAAR and annual accounts for the year 2020. No discussions were held concerning the annual asylum report to be adopted by the MB. However, this is due to the fact that the Asylum Report follows a specific production process before it is presented to the MB for adoption. This includes consulting the MB through written consultations for validation and feedback on the draft report. • A working group on budgetary and financial issues was created within the PG. While the majority of survey respondents found that it allowed to more effectively discuss budgetary and financial matters in the MB, discussions on budgetary and financial aspects are still judged by many of those consulted as in need of more detailed and engaged discussions. Moreover, multiple members were not able to have national experts accompanying them during the dedicated sessions.



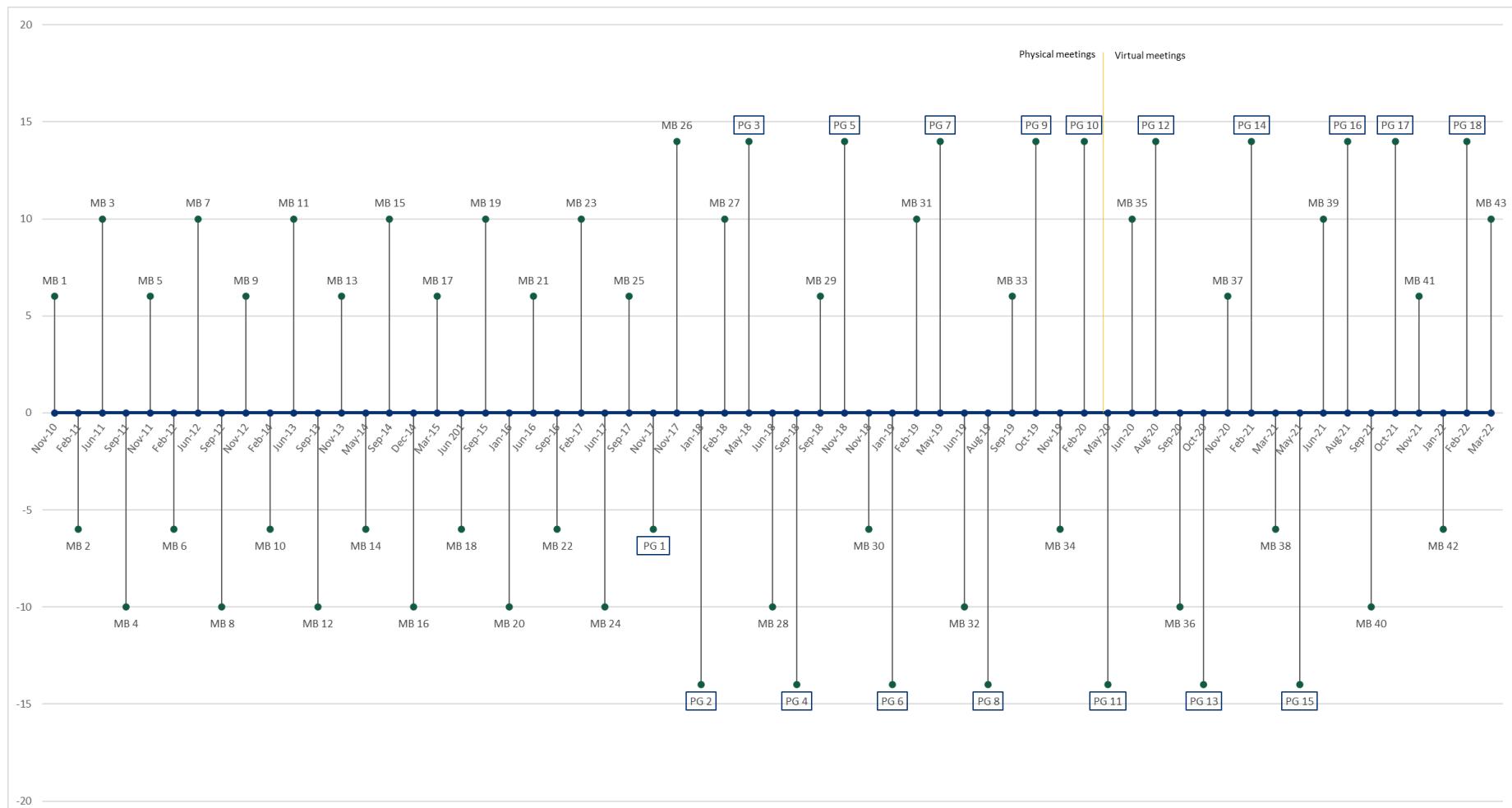
Recommendation	Assessment of achievement
<p>The PG should look beyond the preparation of the next MB meeting towards a more longer-term EASO agenda building on subsequent MB meetings</p> <p>There is scope to optimize the contribution of the PG to the MB, and the following elements should be considered</p> <ul style="list-style-type: none"> • While preparing MB agendas, the PG should carefully balance operational and strategic matters; it should prepare the MB for longer term planning of milestones which guide the MB towards consensus on an intervention logic with SMART results and clear responsibilities; • Stimulating the MB monitoring function, the PG should promote institutional memory and follow-up of PG and MB meetings in view of its rotation and mobility; • Assessing the PG is related to the performance of the MB as EASO's main planning and monitoring body. The current evaluation is limited in its scope and only looks into the role of the PG in support of the MB. For the PG to enhance even more the efficiency and effectiveness of the MB, there would be need for an evaluation of the MB itself in order to better grasp its strengths and weaknesses. This may be timely in view of the 	<ul style="list-style-type: none"> • As mentioned in the follow-up document to the recommendations made by the PG evaluation, a provisional plan of written procedures was prepared and published on the EUAA MB Restricted area of the EUAA website for 2021 and for the first half of 2022. • There appears to be more of a balance in the use of physical and written procedures in 2022. Covid-19 has likely played a role in the spike in the use of written procedures in 2021.



Recommendation	Assessment of achievement
<p>possible increased responsibilities in case the agency evolved towards the EUAA.</p> <p>As EASO may evolve in the future with a wider mandate, the PG could become more relevant on condition that it continues to proactively pursue added value in a flexible way</p> <p>The current evaluation describes multiple good practices and lessons learned of the PG under the period under consideration. Looking forward, the following recommendations can be made:</p> <ul style="list-style-type: none"> • The Chair and the ED are the main drivers of the PG; they do not only need to be committed to the PG to make it work but also need carefully balanced support to fulfil their role; • Be proactive and flexible as matters arise. The PG needs to become a measure of reflection, a hub to prepare new ideas and think outside the box. The PG support to efficient MB planning, monitoring and decision making will be even more important within an Agency with a larger mandate; • In the case that the Agency becomes responsible for a different and wider set of tasks (e.g., What would be the role of the PG if a future EUAA MB were to have a mandate in Member State monitoring?), there would be a need for an updated MB Decision scripting these additional PG tasks. 	<ul style="list-style-type: none"> • There is agreement among the MB members and Agency representatives consulted that, going forward, the PG could undertake more responsibilities in order to further support the MB in its expanded mandate. • It was found that the Chairperson and the ED are largely supported by PG members. Reciprocal support was outlined as an important element for the good governance of the Agency. • The recommendations provided as part of this evaluation provide an indication of how the PG could evolve towards the future, to ensure that it continues to valuably support the MB. • The option to replace the PG with an Executive Board, charged with making certain decisions on behalf of the MB, was also part of the recommendations made by this evaluation. According to many of those consulted, an Executive Board could allow the MB to focus on the most urgent and relevant matters, while decreasing the focus of its meetings on governance-related and financial matters.



Annex 6: Timeline of Management Board and Preparatory Group meetings



Annex 7: Survey questionnaire

Question	Answer
General questions	
1. Please indicate whether you are/have been an MB member and/or an alternate?	<ul style="list-style-type: none"> • MB member • Alternate
2. Since when have you been an MB member and/or alternate?	<ul style="list-style-type: none"> • Year:
3. Have you been/are you a PG member?	<ul style="list-style-type: none"> • Yes, I am currently • Yes, I have been previously • No
Effectiveness	
4. To what extent do you think the MB has performed its functions in line with Article 29 of the EASO Regulation/ Article 41 of the new EUAA Regulation? ²⁹	<ul style="list-style-type: none"> • <i>Open question</i>
5. To what extent do you think the PG has performed its tasks in line with Article 2 of MB Decision no 44? ³⁰	<ul style="list-style-type: none"> • <i>Open question</i>
<i>Please indicate the extent to which you agree with the following statements:</i>	
6. The PG has been conducive to the performance of the MB	<ul style="list-style-type: none"> • Agree completely; • Agree to some extent; • Disagree to some extent; • Disagree completely; • Prefer not to answer/Do not know
If you wish, please elaborate on anything that could be improved in the performance of the PG?	<ul style="list-style-type: none"> • <i>Open question</i>
7. The discussions held in the MB meetings are in general useful and appropriate	<ul style="list-style-type: none"> • Agree completely; • Agree to some extent; • Disagree to some extent; • Disagree completely; • Prefer not to answer/Do not know
If you wish, please elaborate on anything that could be improved in MB discussions?	<ul style="list-style-type: none"> • <i>Open question</i>

²⁹ An explanation and general overview of the functions of the MB was included in the survey

³⁰ An explanation and general overview of the functions of the PG was included in the survey

Question	Answer
8. The written procedure for MB decisions is used in an appropriate manner	<ul style="list-style-type: none"> • Agree completely; • Agree to some extent; • Disagree to some extent; • Disagree completely; • Prefer not to answer/Do not know
If you wish, please elaborate on anything that could be improved in how written procedures are used?	<ul style="list-style-type: none"> • <i>Open question</i>
9. The creation of a working group responsible for budget and finance issues within the PG has allowed to more effectively discuss budgetary and financial matters in the MB	<ul style="list-style-type: none"> • Agree completely; • Agree to some extent; • Disagree to some extent; • Disagree completely; • Prefer not to answer/Do not know
If you wish, please elaborate on anything that could be further improved in how budgetary and financial issues are dealt with in the MB?	<ul style="list-style-type: none"> • <i>Open question</i>
Efficiency	
10. How much time do you spend approximately, as a percentage of your worktime, on your duties as an MB member/alternate? This includes preparation and participation in meetings, other communications and requests.	<ul style="list-style-type: none"> • <i>Open question</i>
11. If you are (or were) a member of the PG, how much time do you spend approximately, as a percentage of your worktime, on your duties (including preparation and attendance)?	<ul style="list-style-type: none"> • <i>Open question</i>
<i>Please indicate the extent to which you agree with the following statements:</i>	
12. Your perceived workload as an MB member/alternate is reasonable and proportionate	<ul style="list-style-type: none"> • Agree completely; • Agree to some extent; • Disagree to some extent; • Disagree completely; • Prefer not to answer/Do not know
If you wish, please elaborate on anything that could be improved in relation to your workload?	<ul style="list-style-type: none"> • <i>Open question</i>

Question	Answer
13. Members'/alternates' level of commitment has been sufficient to fulfil the tasks and objectives of the MB	<ul style="list-style-type: none"> • Agree completely; • Agree to some extent; • Disagree to some extent; • Disagree completely; • Prefer not to answer/Do not know
If you wish, please elaborate on how their commitment could be further enhanced?	<ul style="list-style-type: none"> • <i>Open question</i>
14. Documents and information for MB meetings have been adequately shared well in time for MB members/alternates to be properly prepared	<ul style="list-style-type: none"> • Agree completely; • Agree to some extent; • Disagree to some extent; • Disagree completely; • Prefer not to answer/Do not know
Relevance	
<i>Please indicate the extent to which you agree with the following statements:</i>	
15. The functioning of the MB and its PG is relevant and appropriate to support the achievement of the objectives of the Agency	<ul style="list-style-type: none"> • Agree completely; • Agree to some extent; • Disagree to some extent; • Disagree completely; • Prefer not to answer/Do not know
16. The establishment of an Executive Board (as per new Regulation) could be conducive to the functioning of the MB and the Agency	<ul style="list-style-type: none"> • Agree completely; • Agree to some extent; • Disagree to some extent; • Disagree completely; • Prefer not to answer/Do not know
17. If the MB was to establish an Executive Board, what tasks do you think the MB could delegate to the Executive Board?	<ul style="list-style-type: none"> • <i>Open question</i>
18. Please identify any specific advantages or disadvantages to the establishment of an Executive Board	<ul style="list-style-type: none"> • <i>Open question</i>
EU added value	
19. The MB and its PG have contributed to ensuring efficient and uniform application of the CEAS in the Member States	<ul style="list-style-type: none"> • Agree completely; • Agree to some extent; • Disagree to some extent; • Disagree completely; • Prefer not to answer/Do not know



Question	Answer
20. If you wish, please elaborate on what you see as the main challenges and opportunities ahead for the MB?	<ul style="list-style-type: none">• <i>Open question</i>



Annex 8: Overview of survey results

Figure 6 Question 1: Please indicate whether you are/have been a member of the MB and/or an alternate member - Management Board member (N=34)

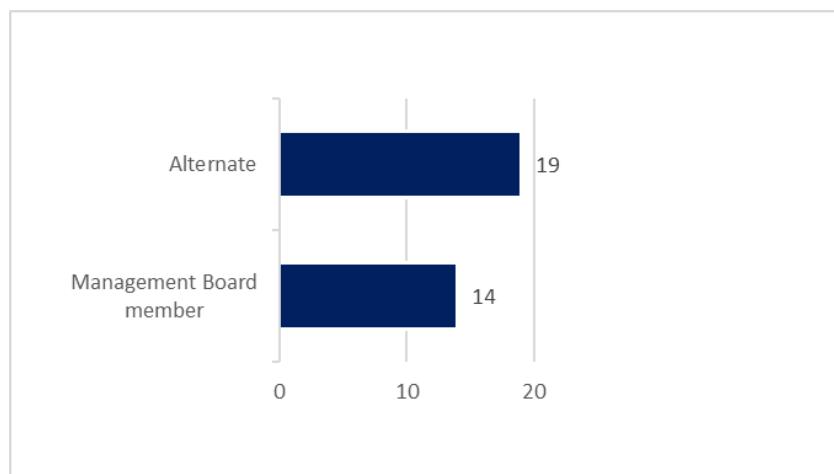


Figure 7 Question 2: Since when have you been a MB member and/or alternate? (Please indicate a year) (N= 29)

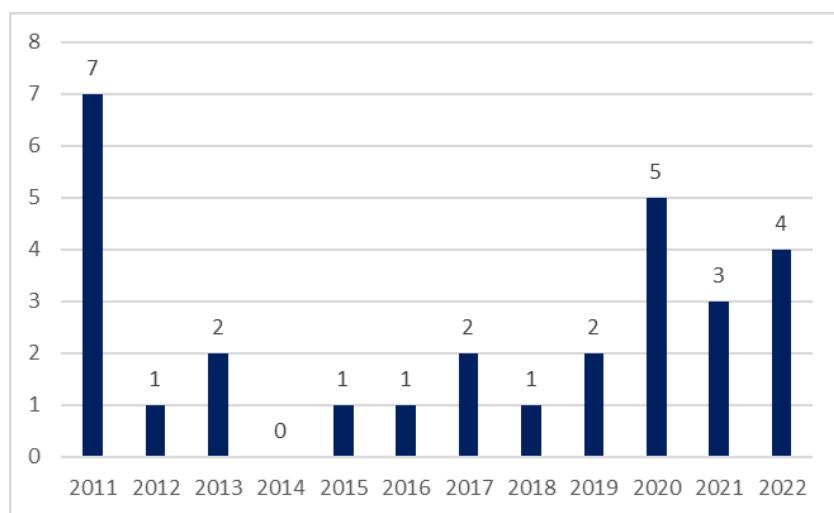




Figure 8 Question 3: Have you been/are you a PG member? (N= 32)

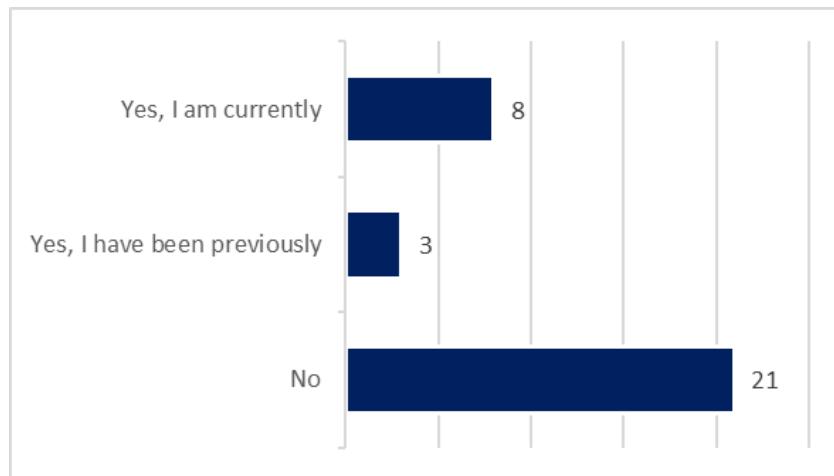


Figure 9 Question 6: The PG has been conducive to the performance of the MB (N=24)

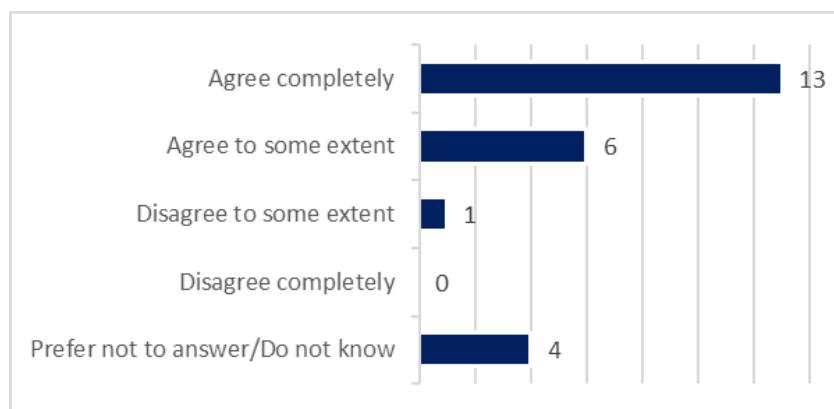


Figure 10 Question 7: The discussions held in the MB meetings are in general useful and appropriate (N=24)

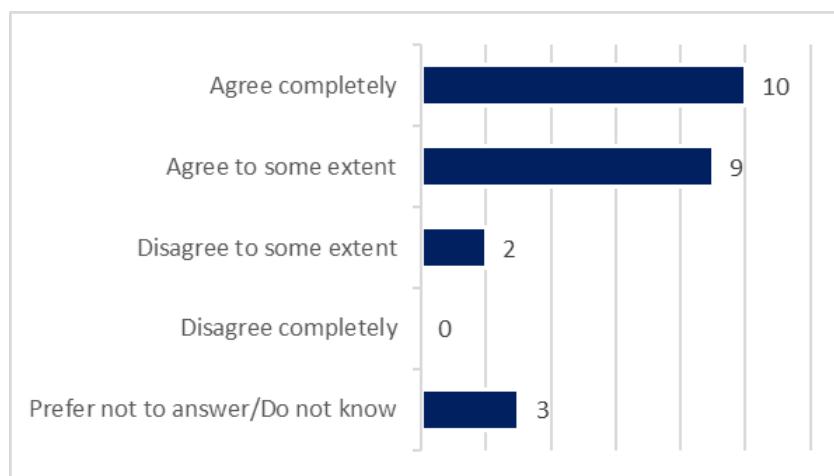




Figure 11 Question 8: The written procedure for MB decisions is used in an appropriate manner (N=24)

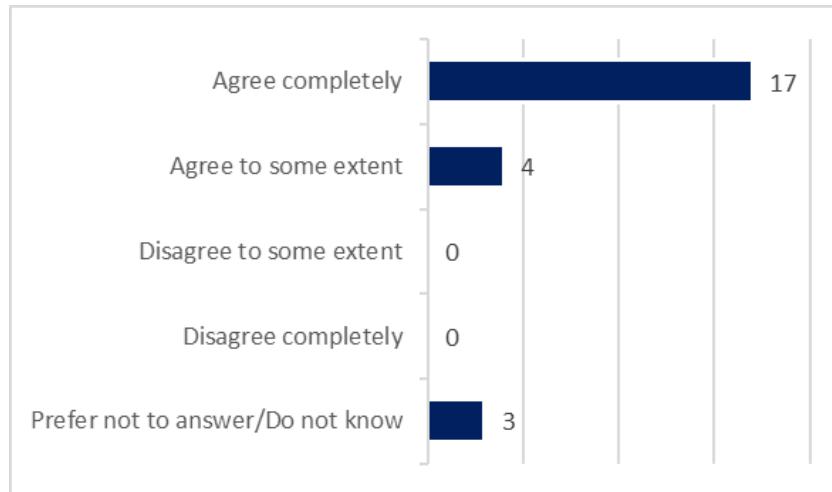


Figure 12 Question 9: The creation of a working group responsible for budget and finance issues within the PG has allowed to more effectively discuss budgetary and financial matters in the MB (N=24)

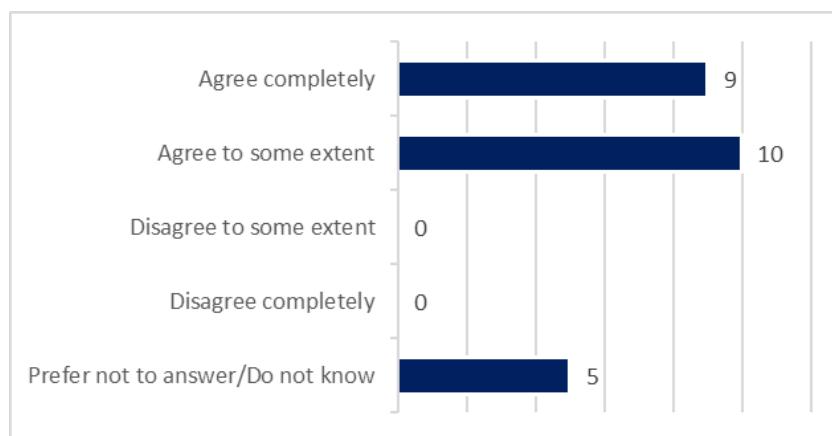




Figure 13 Question 12: Your perceived workload as an MB member/alternate is reasonable and proportionate (N=22)

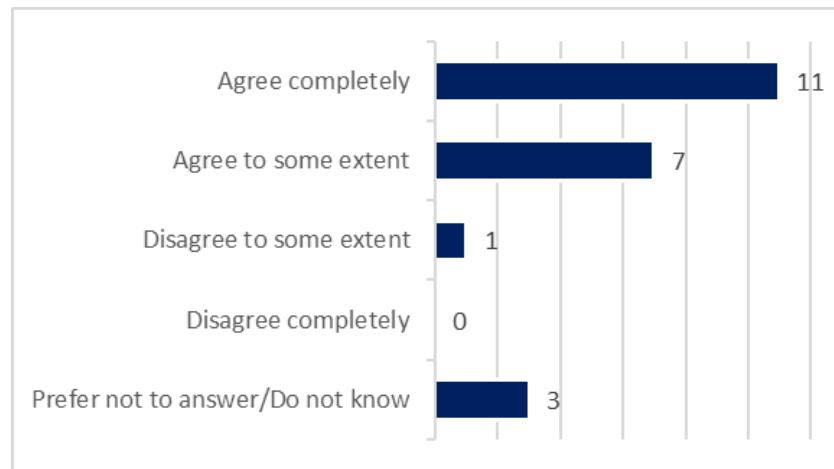


Figure 14 Question 13: Members'/alternates' level of commitment has been sufficient to fulfil the tasks and objectives of the MB (N=22)

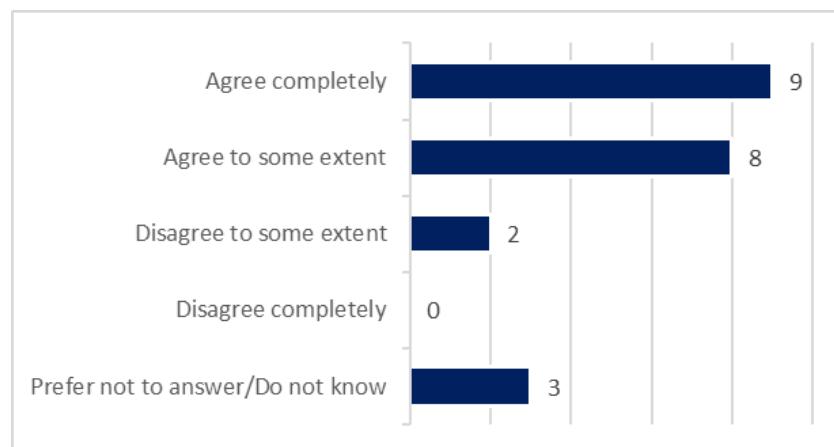




Figure 15 Question 14: Documents and information for MB meetings have been adequately shared well in time for MB members/alternates to be properly prepared (N=22)

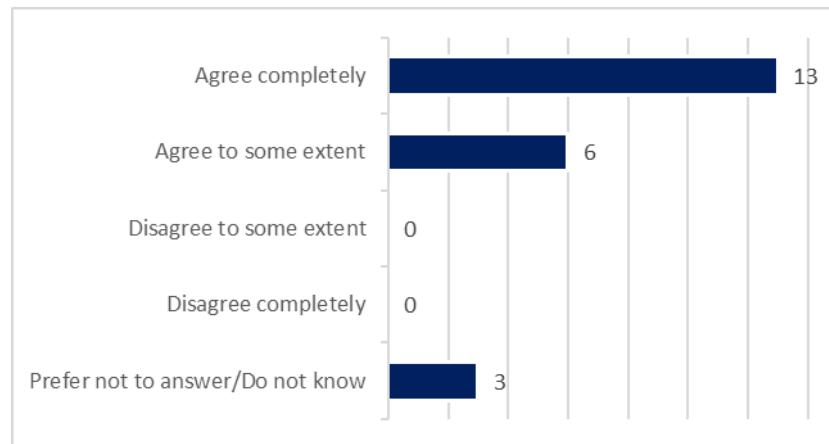


Figure 16 Question 15: The functioning of the MB and its PG is relevant and appropriate to support the achievement of the objectives of the Agency (N=22)

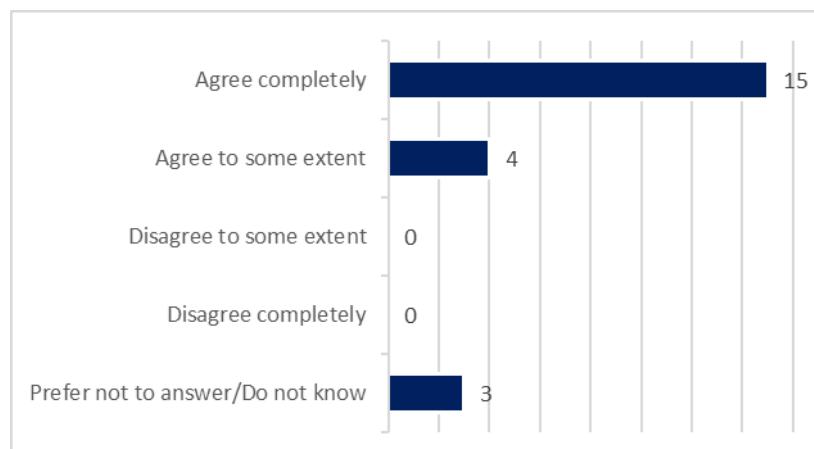




Figure 17 Question 16: The establishment of an Executive Board (as per new Regulation) could be conducive to the functioning of the MB and the Agency (N=22)

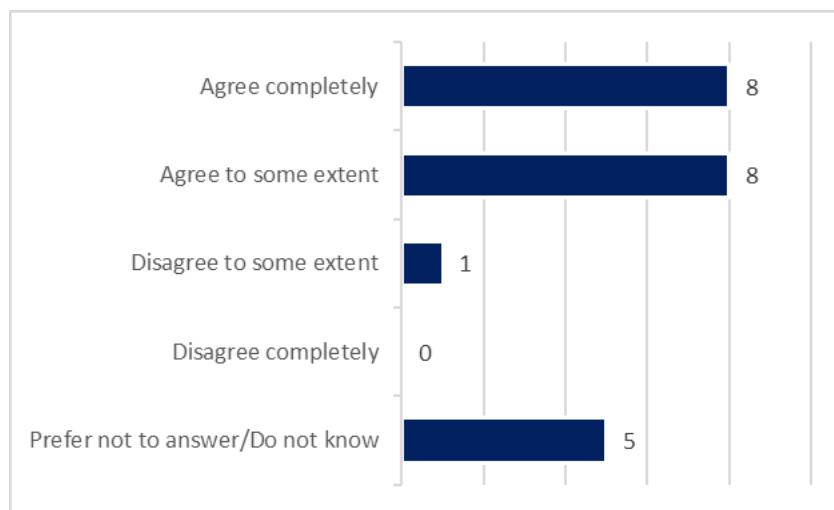
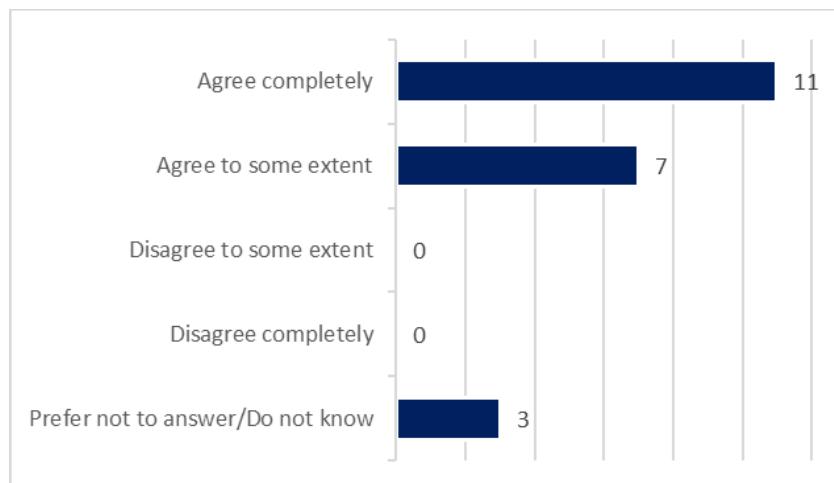


Figure 18 Question 19: The MB and its PG have contributed to ensuring an efficient and uniform application of the CEAS in the Member States (N=21)





Annex 9: Assessment of the four scenarios by evaluation criteria

In order to properly assess the four scenarios, it is important to clearly identify the main characteristics of and differences between the PG and EB.

The PG was established by MB Decision No 33, following a joint proposal of the Chairperson of the EASO MB and ED. Its mandate was extended by MB Decision No 44 and subsequently by MB Decision No 104, which prolonged it until March 2023. It is an advisory body, which does not have any decision-making power. It is composed of the Agency's ED, the MB Chairperson and Deputy Chairperson, five MB members, and one member of the European Commission.

Four main functions are attributed to the PG, including:

- Assisting the Chairperson and the ED in preparing for and in facilitating discussions at MB meetings;
- Providing advice to the Agency's ED on request in preparatory work relating to the Agency's strategy, including planning and budget;
- Assisting in the preparation of the draft opinion of the MB on the Agency's CAAR and the annual report on the situation of asylum in the EU;
- Undertaking related tasks which may be requested by the MB.

As opposed to the PG, the establishment of a “small-sized Executive Board” is foreseen by Article 41(3) of the EUAA Regulation. Previously, the EASO Regulation foresaw the option to establish an Executive Committee, if appropriate. However, this option was never activated.

As outlined in the EUAA Regulation, an EB should “assist [the MB] and the Executive Director with regard to the preparation of the decisions, programmes and activities to be adopted by the Management Board”. Notably, the main difference between the PG and an EB lies in the fact that the latter “may take certain provisional, urgent decisions on behalf of the Management Board” and be delegated “certain clearly defined tasks” by the MB. The delegated decisions or tasks shall only be limited to those decisions that do not require a majority of either two-thirds or three-fourths of the MB members to be adopted.

Finally, an EB will require the MB to adopt its rules of procedure, which should, in particular, “cover the composition and functions of the EB”.

A preliminary comparison of four scenarios (1) only maintaining the PG, 2) establishing an EB besides the PG, 3) discontinuing the PG and establishing an EB, and 4) discontinuing the PG while not establishing an EB) was carried out as part of this evaluation. The following table provides a brief assessment of how each of the five evaluation criteria considered would evolve within three of the four scenarios with respect to the status quo (PG only). This is done by means of one to three “plus” (three +++ being the best) and “minus” (three --- being the worst).



Criteria/scenarios	PG only ³¹	PG and EB	EB only	No PG nor EB
Effectiveness	Status quo <p>The PG is considered effective in carrying out the three main functions attributed to it. Notably, however, only limited work was carried out with respect to its third function, as opposed to the first two. Significant efforts and progress have been made towards implementing the recommendations of the internal PG evaluation. Overall, the PG is a positive contributing factor to the performance of the MB. Nonetheless, it is found to insufficiently engage in active discussions.</p>	Expected change in effectiveness: - <p>Having both bodies might decrease the workload of the MB as a whole, while also allowing for enhanced preparation of each meeting. This could enable the MB to further focus on effectively performing its main functions. However, increased workload associated with having to frequently be part of a second body (either the PG or the EB on top of the MB) or even both might lead to decreased engagement within the MB as a whole, thus hindering its effectiveness. In addition, potential overlap in the work carried out by the two</p>	Expected change in effectiveness: ++ <p>The creation of an EB might lead to improved effectiveness of the MB's decision-making. This would be achieved by 1) having a smaller group of people assessing certain subjects in more detail than what would be possible during MB meetings; 2) allowing more time for strategic and operational discussions during MB meetings; and 3) reducing the workload of the MB. However, delegating part of the MB's responsibilities to an EB might lead to decreased engagement within the MB as a whole, thus potentially reducing its effectiveness.</p>	Expected change in effectiveness: -- <p>Numerous tasks are attributed to the MB (especially considering its expanded mandate under the EUAA Regulation). The PG was evaluated as having positively impacted the performance of the MB, while an EB is also considered as a potentially positive contributor to the effectiveness of the MB. For these reasons, having no preparatory/supporting body would likely decrease the overall effectiveness of the MB, negatively impacting the quality of its outcomes. It is worth noting that the MB was able to carry out its functions prior to the establishment of the PG.</p>

³¹ Assessments regarding the first scenario (status quo) will reflect the judgments expressed in the report and will not be assigned any "plus" or "minus"



Criteria/scenarios	PG only ³¹	PG and EB	EB only	No PG nor EB
		bodies would negatively affect their effectiveness.		Nonetheless, considering the MB's expanded responsibilities under the EUAA mandate, support from the PG (or an EB) is expected to be important to continue fulfilling its role in the future.
Efficiency	Status quo	Expected change in efficiency: ---	Expected change in efficiency: -	Expected change in efficiency: -
	Being a member of the PG creates additional workload for MB members. This is likely associated with recent difficulties in finding volunteers to participate in the PG. Some delays in the provision of preparatory documents to the PG also partly undermine its efficiency.	Having both the PG and an EB would negatively affect their efficiency. Firstly, in terms of the work required for the preparation of both meetings on the part of the Agency and of MB members. Secondly, in terms of the difficulties to engage members to participate in both bodies.	The exact functions attributed to the PG will be subject to discussion within the MB. However, if the EB was to fully replace the PG and undertake most of its functions, while also being delegated new tasks and decisions, this might lead to a significant workload for EB members. As a consequence, this could cause a decrease in members' capacity to be actively involved in both the MB and the EB.	Not having a PG nor an EB would decrease MB members' workload, as they would not be required to dedicate additional time to preparing for and participating in PG (or EB) meetings, on top of MB meetings. Moreover, a no-PG-or-EB scenario would imply a decreased workload for the Agency, which would not have to prepare two (or three, if an EB was established) meetings and the relevant documents



Criteria/scenarios	PG only ³¹	PG and EB	EB only	No PG nor EB
				necessary for each (including documents that are produced as a result of the PG, such as flash reports). However, the lack of a supporting body contributing to the preparation of discussions and assessing the upcoming MB meeting's agenda might lead to the less smooth running of MB meetings. Simultaneously, it would require discussing all MB-relevant matters (and decisions, in the case of an EB) within the MB as a whole.
Coherence	Status quo	Expected change in coherence: ---	Expected change in coherence: +	Expected change in coherence: + + +
	No inconsistencies were found between the internal structure and processes of the MB and the PG. However, lack of sufficiently active discussions within the	Having both bodies would create overlaps and duplication in their work.	Having an EB that is more engaged in undertaking certain smaller tasks or adopting certain decisions (as delegated by the MB) would allow for more time to	In a scenario of no PG or EB, having a single central meeting would allow to avoid coherence issues between the preparation, work and outcomes of two



Criteria/scenarios	PG only ³¹	PG and EB	EB only	No PG nor EB
	PG, similarly to the MB, creates the risk of globally limiting conversations on certain important and sensitive matters.		discuss the most relevant and sensitive matters within the MB.	(or three, if an EB was also established) meetings. Moreover, it would allow to avoid the potential risk of inconsistencies in communication and coordination between the different bodies.
EU added value	Status quo	Change in EU added value: -	Change in EU added value: ++	Expected change in EU added value: --
	By way of positively contributing to the preparation of MB meetings, the PG creates added value at EU level. However, the need for more active discussion suggests that support provided to the MB, hence the EU added value of the PG, could be strengthened.	Given the risk of duplication and expected excessive workload, establishing an EB besides the PG would negatively affect its capacity to positively contribute to the performance of the MB, hence to its added value at EU level.	The EU added value of an EB would increase by way of better supporting the MB in carrying out its functions. This would be achieved by enabling the MB to focus more on discussing strategic and sensitive matters, while still dedicating sufficient attention to governance-related and financial matters within the EB.	The PG has positively contributed to the MB's added value at EU level. Moreover, a positive evaluation was made concerning the potential EU added value of an EB. For these reasons, although the MB was already contributing to creating value at EU level prior to the establishment of the PG, not having any of the two bodies would likely decrease the MB's capacity to effectively contribute to reaching the Agency's



Criteria/scenarios	PG only ³¹	PG and EB	EB only	No PG nor EB
				objectives, thus decreasing its overall EU added value.
Relevance	Status quo	Change in relevance: +	Change in relevance: +++	Change in relevance: --
	The PG has remained relevant over time, adapting to the changing needs of the MB. However, it could further align with MB needs by further contributing to identifying strategic points for discussion during MB meetings.	Having both the PG and an EB could positively affect relevance by more comprehensively meeting the need for support by the MB. This would be achieved by delegating some tasks and decisions directly to the EB, while maintaining the PG as a preparatory body.	The increased relevance of the EB stems from the fact that certain administrative and financial matters (or other tasks, depending on its exact functions) can be addressed outside of the MB, on top of some of the preparatory and supporting work already carried out by the PG. This would respond to the need to dedicate more time and attention to discussing strategic and sensitive matters within the MB, while still supporting it in carrying out governance-related matters.	The PG is currently found to respond to the needs of the MB, while having the potential to enhance its role and discussions to further support the MB in carrying out its functions. Similarly, the EB was evaluated as being able to potentially meet the needs of the MB, especially going towards the future. For these reasons, discontinuing the PG while not establishing an EB would create a gap in terms of fully supporting the MB in carrying out its functions, particularly with respect to its expanded responsibilities under the EUAA mandate.