



The EUAA Monitoring Mechanism explained

What is the aim of EUAA monitoring mechanism?



The EUAA monitoring mechanism is established by the European Union Agency for Asylum (EUAA) for the purpose of monitoring the operational and technical application of the Common European Asylum System (CEAS)⁽¹⁾.

The overall objective of the EUAA monitoring mechanism is to assist EU Member States in enhancing the efficiency of their asylum and reception systems, in particular by preventing and identifying possible shortcomings. Furthermore, the EUAA monitoring is designed to assess Member States' capacity and preparedness to manage situations of disproportionate pressure so as to enhance the efficiency of those systems.

Following a monitoring exercise, the EUAA Executive Director shares its findings with the Member State concerned for comments. Following the full entry into application of the new Pact on Migration and Asylum, recommendations on possible measures to be taken by the Member State concerned may be proposed by the EUAA Executive Director and adopted by the Management Board. The recommendations aim to address the shortcomings or issues of capacity and preparedness identified in the monitoring exercise.

⁽¹⁾ The monitoring mechanism Regulation (EU) No 2021/2023 on the European Union Agency for Asylum (EUAA) foresees a new role for the EUAA to set up and implement a monitoring mechanism for the operational and technical application of the Common European Asylum System (CEAS) (Articles 14 and 15).

What is the scope of the EUAA monitoring mechanism?

The monitoring mechanism covers the operational and technical application of all aspects of the CEAS, in particular:

- 01** the system for determining the Member State responsible for examining applications for international protection, procedures for international protection, the application of criteria for assessing the need for protection and the type of protection granted, including as regards respect for fundamental rights, child protection safeguards and the specific needs of persons in a vulnerable situation.
- 02** the availability and capacity of staff in terms of translation and interpretation, and the capacity of staff to handle and manage asylum cases efficiently, including handling appeals, without prejudice to judicial independence and with full respect for the organisation of the judiciary of each Member State.
- 03** reception conditions, capacity, infrastructure and equipment and, to the extent possible, financial resources for reception.

Furthermore, at the request of the Agency, Member States provide information on their contingency planning, outlining measures to be taken to address possible disproportionate pressure on their asylum or reception system.

SCOPE LIMITATIONS

The EUAA monitoring mechanism is not an investigative body, nor will it consider individual complaints or communications. It should be further underlined that the monitoring mechanism will not evaluate the performance of employees.

There shall be no interference with the competency of the:

- Member State to decide on individual applications for international protection.
- European Commission to ensure that EU Member States properly apply the EU law, as the 'guardian of the treaties'.



What are the criteria and general principles

of the EUAA monitoring mechanism?

The common methodology for the monitoring mechanism (Monitoring Methodology)⁽²⁾ sets out the objective criteria and general principles for the monitoring.

The objective criteria indicate the expected results of the operational and technical application of each aspect of the CEAS, in view of the overall objectives of the EUAA monitoring mechanism. The objective criteria are structured in line with the different provisions

of the CEAS and are complemented with a set of criteria related to contingency planning and preparedness. They include overarching criteria which refer to all the domains of the CEAS (the reception system, the asylum procedure and the Dublin procedure, including, with full respect of judicial independence, appeal procedures) and contingency planning and preparedness, as well as three sets of domain specific criteria.



⁽²⁾ The Management Board Decision No 161 of 13 March 2024 on the Monitoring Methodology was adopted in March 2024, and it includes objective criteria against which the monitoring shall be carried out, a description of the methods, processes and tools for the monitoring mechanism such as practical arrangements for on-site visits, including short-notice visits, and rules and principles for the establishment of teams of experts.

Are all EU+ countries covered under the EUAA Monitoring?

The EUAA Regulation is binding on all EU Member States⁽³⁾ with the exception of Denmark⁽⁴⁾. In line with recital 63, Denmark has not taken part in the adoption of the Regulation and is not subject to its application.



Iceland



Liechtenstein



Norway



Switzerland

Associated countries will be able to participate in the EUAA monitoring mechanism only after new arrangements with the Union are concluded (Recital 65 and Article 34 of the EUAA Regulation).

⁽³⁾ EU Member States are Austria, Belgium, Bulgaria, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland (following opt-in), Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain and Sweden.

⁽⁴⁾ In view of the position of Denmark as laid down in the EUAA Regulation, if mutually agreed between Denmark and the Agency, the Member State may participate in the monitoring mechanism.

Which are the types of monitoring exercises?

The EUAA monitoring mechanism comprises three types of monitoring exercises on the basis of their scope:



Country monitoring

Covering the operational and technical application of all aspects of the CEAS in a specific Member State (Articles 14 and 15(1)(a));



Thematic monitoring

Covering thematic or specific aspects of the CEAS with regard to all Member States (recital 22, Article 15(1)(b));



Ad-hoc monitoring

Where the information analysis on the situation of asylum referred to in Article 5 of the EUAA Regulation raises serious concerns regarding the functioning of a Member State's asylum or reception system. In this case, the Agency shall initiate a monitoring exercise either on its own initiative in consultation with the Commission or at the request of the Commission (Article 15(2)).



Thematic scope	Geographic scope	Frequency
Operational and technical application of all aspects of the CEAS	In a specific Member State	At least once every five year
Thematic or specific aspects of the CEAS	In all Member States	Depending on the Multiannual Programme
Specific aspects raising serious concerns on the functioning of the asylum or reception system	Initiated in a specific Member State by the European Commission or the Executive Director	In case of serious concerns

How often are the EU Member States monitored?

In accordance with Article 15(1) of the EUAA Regulation, each Member State is monitored at least once in a five-year period, which is also referred to as the ‘monitoring cycle’.

The provisional schedule of Member States to be monitored during each year of the monitoring cycle is defined

in the multiannual monitoring programme, which also sets out the provisional number of thematic monitoring exercises which can be forecasted.

The exact order and the timeline for the country monitoring exercises in a specific year are defined in the annual monitoring programme, adopted by the

Management Board by 30 June of the preceding year, in line with the fifth paragraph of section 11 of the Annex to MB Decision No 161. The annual monitoring programme also establishes the exact number and topics of the thematic monitoring exercises along with their provisional timeline.

The Management Board Decision No 165 of 14 May 2024 covers the multiannual programme for the period 2026-2030 and the preceding pilot phase for monitoring the operational and technical application of the Common European Asylum System as follows:



**2028**

- Portugal
- Slovenia
- France
- Czech Republic
- Sweden

2029

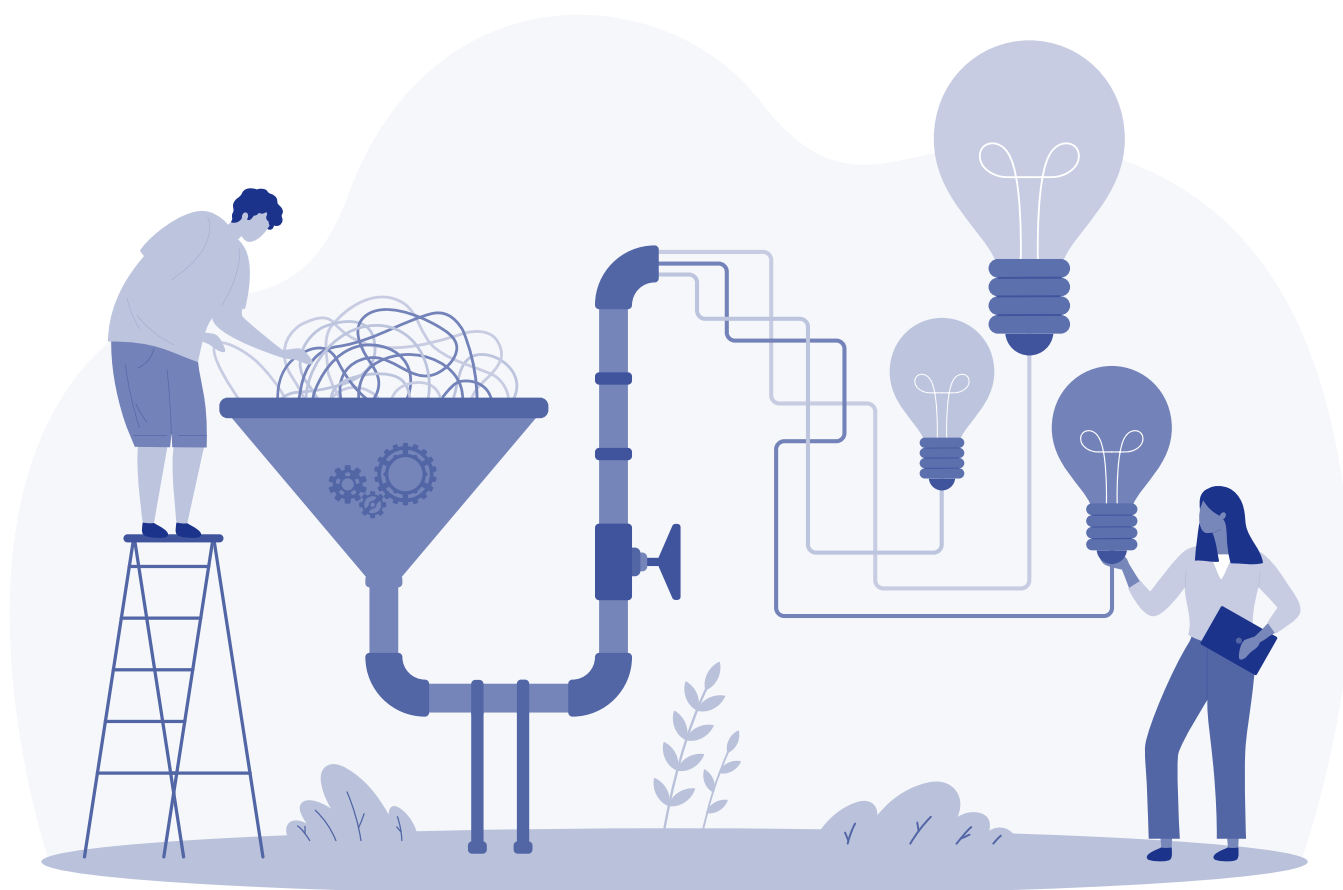
- Spain
- Belgium
- Hungary
- Poland
- Cyprus
- Ireland

2030

- Lithuania
- Greece
- Italy
- Latvia
- Luxembourg

During this period, the Agency shall perform at least one thematic monitoring exercise.

Who performs the monitoring?



A dedicated unit within the EUAA, the Monitoring Unit, is designated to oversee the monitoring process and all subsequent activities, including the coordination of the team of experts set up to carry out the monitoring exercise in the Member State. The team of experts is composed of officials from the Agency's own staff, the European Commission, Member States and, as observers, the UNHCR.

What are the stages of a monitoring exercise?

Each monitoring exercise spans across five main stages, to ensure a thorough assessment and collaboration with Member States:



Once the Pact on Migration and Asylum enters into application (2026), the monitoring exercise will include a fifth and final stage during which the Executive Director will draw up the recommendations, in consultation with the European Commission. The Member State concerned will submit its comments on the draft findings.

This procedure will be followed for the country monitoring exercises and adapted for the thematic monitoring exercises. If triggered, the ad-hoc monitoring exercise will follow a similar approach, but with shorter timeframes to ensure immediate response.

Which types of information will be used for the purposes of monitoring?

In order to be as comprehensive, objective and accurate as possible, the monitoring of the CEAS relies on information collected in a systematic manner from a wide range of sources. This includes qualitative and quantitative information, provided both in written and oral form.

The primary source of information for the monitoring exercise is the Member State concerned, which will be invited to supply information through the compilation of the Member State questionnaire, via ad hoc meetings, and by sharing relevant documents upon request. Information gathered from the Member State is complemented with knowledge already available within the Agency, collected by different EUAA sectors and centres.

Additionally, the EUAA may take into account information available from relevant intergovernmental organisations or bodies – in particular UNHCR – and other relevant organisations on the basis of their expertise, including national independent organisations and/or bodies with competence on migration and asylum, such as National Human Right Institutions and Ombudspersons as well as civil society organisations (CSOs).



What tools will be used in a monitoring exercise?

The primary tools for information gathering in the context of a monitoring exercise include:



Member State questionnaire

A comprehensive questionnaire is shared with the Member State at the onset of the monitoring exercise, covering all aspects of the CEAS: access to the asylum procedure, first and second instance determination, Member State determination, reception and contingency planning. Through the questionnaire, the EUAA aims to collect detailed information on the functioning of the asylum and reception system in the Member State, to assess the objective criteria and identify any areas that require further attention during the on-site visit.



Case sample analysis

To gain insights into how processes are being implemented in concrete cases, the EUAA will review and analyse a sample of files relating to applications for international protection in the Member State being monitored. The analysis will focus on the adherence to the applicable legal standards and procedural provisions, the timeliness and efficiency and the attention given to special procedural and reception needs.



On-site visit

During the on-site visit, the monitoring team will verify information previously gathered and collect additional insight on how the asylum and reception processes are implemented within the daily tasks of Member State personnel, experts and contracted third parties. This is done through a variety of tools and activities which include: meetings with the Member State authorities and other relevant stakeholders, on-site observations, on-site interviews, scenario-based questions, requests for information and/or documentation.



For more information, visit the EUAA website:
[https://euaa.europa.eu/asylum-knowledge/
monitoring-ceas](https://euaa.europa.eu/asylum-knowledge/monitoring-ceas)

The Management Board Decision No 161/2024
remains the officially adopted text and prevails in
the event of discrepancies with this brochure.

