



**EUAA/MB/2026/117**

**Management Board Decision No 198  
of 16 June 2026**

**establishing the common methodology for the monitoring mechanism on the operational and technical application of the Common European Asylum System**

**THE MANAGEMENT BOARD,**

HAVING REGARD to Regulation (EU) 2021/2303 of the European Parliament and of the Council of 15 December 2021 on the European Union Agency for Asylum<sup>1</sup> ('EUAA Regulation'), and in particular Articles 14(2) and 41(1)(x) thereof,

**WHEREAS:**

- 1) Pursuant to Article 14(1) of the EUAA Regulation, the Agency, in close cooperation with the Commission, should establish a monitoring mechanism for the purpose of monitoring the operational and technical application of the Common European Asylum System ('CEAS') in order to prevent or identify possible shortcomings in the asylum and reception systems of Member States and to assess their capacity and preparedness to manage situations of disproportionate pressure so as to enhance the efficiency of those systems.
- 2) Pursuant to Article 14(2) of the EUAA Regulation, the Management Board should, on a proposal of the Executive Director and in consultation with the Commission, establish a common methodology for the monitoring mechanism ('Methodology'). The Methodology should include objective criteria against which the monitoring is to 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.
- 3) The first Methodology was adopted by the Management Board on 13 March 2024<sup>2</sup> ('MB Decision No 161').
- 4) Pursuant to Article 4 of MB Decision No 161, the Methodology was to be reviewed with a view to reflect relevant legislative changes and lessons learnt from the pilot phase.
- 5) Following conclusion of the pilot monitoring exercises conducted in the Netherlands and Estonia, a Management Board thematic meeting on monitoring was held on 12 January 2026

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<sup>1</sup> [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).

<sup>2</sup> Management Board Decision No 161 of 13 March 2024 establishing a common methodology for the monitoring mechanism on the operational and technical application of the Common European Asylum System





during which lessons learnt from the two pilot monitoring exercises were presented. Moreover, new legislative changes arising from the Pact on Migration and Asylum<sup>3</sup> were adopted, therefore a revision of the Methodology became necessary.

- 6) In accordance with Article 14(2) of the EUAA Regulation, the Commission has been consulted on the revision of the Methodology through bilateral exchanges and in writing.
- 7) The Monitoring Network established pursuant to MB Decision No 161 composed of representatives of the Member States and the Commission, as well as of the United Nations High Commissioner for Refugees (UNHCR) as an observer, under the coordination of the Agency has been consulted at technical level.
- 8) Pursuant to Article 41(1)(x) of the EUAA Regulation, the Management Board should adopt a decision establishing a (revised) Methodology for the monitoring mechanism,

**HAS DECIDED AS FOLLOWS:**

**Article 1**  
**Monitoring methodology**

The common methodology for the monitoring mechanism on the operational and technical application of the CEAS, as annexed to this Decision, is hereby adopted.

**Article 2**  
**Monitoring Network**

The Agency shall establish a Monitoring Network in line with the provisions set out in Chapter 11 of the Annex to this Decision.

**Article 3**  
**Transparency**

This Decision shall be made public on the Agency's website.

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<sup>3</sup> Published in the [Official Journal](#) on 22 May 2024, the Pact provides a set of legislative instruments for the management of migration and establishing a common asylum system. It consists of the Asylum and Migration Management Regulation replacing the 'Dublin III Regulation'; the Asylum Procedure Regulation; the Crisis and Force Majeure Regulation; the recast of the Eurodac Regulation; the new Screening Regulation; the Qualification Regulation; the revised Reception Conditions Directive; and the Union Resettlement and Humanitarian Admission Framework (Union Framework) Regulation.



**Article 4**  
**Entry into force**

This Decision enters into force on the date of its adoption and repeals and replaces MB Decision No 161.

Done at Valletta Harbour

For the Management Board

*Signature on file*

Marios Kaleas  
Chairperson of the Management Board

**Annex:** Common methodology for the monitoring mechanism on the operational and technical application of the CEAS



## Annex

### Common methodology for the monitoring mechanism on the operational and technical application of the CEAS



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## Acronyms and abbreviations

<b>AMMR</b>	<a href="#">Regulation (EU) 2024/1351</a> of the European Parliament and of the Council of 14 May 2024 on asylum and migration management, amending Regulations (EU) 2021/1147 and (EU) 2021/1060 and repealing Regulation (EU) No 604/2013, (OJ L, 22.5.2024, p. 1)
<b>APR</b>	<a href="#">Regulation (EU) 2024/1348</a> of the European Parliament and of the Council of 14 May 2024 establishing a common procedure for international protection in the Union and repealing Directive 2013/32/EU, (OJ L, 22.5.2024, p. 1)
<b>QR</b>	<a href="#">Regulation (EU) 2024/1347</a> of the European Parliament and of the Council of 14 May 2024 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection and for the content of the protection granted, amending Council Directive 2003/109/EC and repealing Directive 2011/95/EU of the European Parliament and of the Council
<b>RCD</b>	<a href="#">Directive (EU) 2024/1346</a> of the European Parliament and of the Council of 14 May 2024 laying down standards for the reception of applicants for international protection, (OJ L, 22.5.2024, p. 1)
<b>Regulation (EU) 2024/1350</b>	<a href="#">Regulation (EU) 2024/1350</a> of the European Parliament and of the Council of 14 May 2024 establishing a Union Resettlement and Humanitarian Admission Framework, and amending Regulation (EU) 2021/1147, (OJ L, 22.5.2024, p.1)
<b>Screening regulation</b>	<a href="#">Regulation (EU) 2024/1356</a> of the European Parliament and of the Council of 14 May 2024 introducing the screening of third-country nationals at the external borders and amending Regulations (EC) No 767/2008, (EU) 2017/2226, (EU) 2018/1240 and (EU) 2019/817, (OJ L, 22.5.2024, p. 1)

## Definitions

For the purposes of the Methodology:

**Methodology** means the ‘common methodology for the monitoring mechanism that 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’ (Article 14(2) EUAA Regulation).

**Monitoring exercise** means the exercise carried out as part of the monitoring mechanism, covering either ‘the operational and technical application of all aspects of the CEAS of a Member State [country monitoring] or thematic or specific aspects of the CEAS with regard to all Member States [thematic monitoring], or carried out on the initiative of the EUAA or at the request of the Commission when there are serious concerns regarding the functioning of a Member State’s asylum or reception system [*ad hoc* monitoring]’ (Article 15(1) and (2) EUAA Regulation).

**Country monitoring** means a monitoring exercise covering ‘the operational and technical application of all aspects of the CEAS’ in a specific Member State (Article 15(1)(a) EUAA Regulation).

**Ad hoc monitoring** means a monitoring exercise carried out ‘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’ and which is initiated either by the Agency on its own initiative in consultation with the Commission or at the request of the Commission (Article 15(2) EUAA Regulation).

**Thematic monitoring** means a monitoring exercise ‘focusing on thematic or specific aspects of the CEAS with regard to all Member States’ (Article 15(1)(b) EUAA Regulation).

**EUAA monitoring coordinator** means the EUAA staff member that acts as the coordinator of a country or thematic monitoring exercise.

**National monitoring coordinator** refers to both the main Member State representative and the alternates, undertaking the coordination of the monitoring exercise at the national level and serving as the main contact points for the Monitoring Network.

**Monitoring programme** means the programme indicating ‘which Member States’ asylum and reception systems are to be monitored in a particular year. The monitoring programme ensures that each Member State is monitored at least once in every 5-year period’ (Article 15(1) EUAA Regulation). The monitoring programme covers both the country monitoring and the thematic monitoring.

**Monitoring cycle** means a five-year period during which a country monitoring exercise is performed at least once for all Member States (Article 15(1) EUAA Regulation).



**Team of experts** means a team set up by the Executive Director for the purposes of a monitoring exercise and composed of experts from the Agency's own staff, the Commission and, where necessary, the Member States and, as observers, the UNHCR' (Article 47(5)(p) EUAA Regulation).

**On-site visit** means the visit to the Member State under review carried out by the teams of experts for the purposes of the monitoring exercise (Article 14(5) EUAA Regulation).

**Short notice visit** means an on-site visit carried out for the purposes of an *ad hoc* monitoring exercise in line with Article 15(2) EUAA Regulation. In the case of short-notice visits, the Executive Director is to notify the Member State concerned 72 hours in advance (Article 14(7) EUAA Regulation).

**Monitoring roster** means the roster of Member States' experts established and managed by the EUAA for the purposes of the monitoring mechanism.



## 1. Introduction

### 1.1. Background

The [EUAA Regulation](#) provides for the establishment of the monitoring mechanism (Articles 14 and 15). In this regard, the Management Board should, on a proposal of the Executive Director and in consultation with the European Commission ('Commission'), establish a common methodology for the monitoring mechanism.

The Methodology, initially adopted by MB Decision No 161 on 13 March 2024, established the objective criteria for conducting the monitoring, outlined the methods, processes, and tools for the monitoring mechanism, provided the framework for gathering and analysing information for the purpose of the monitoring exercises, and addressed procedural aspects such as arrangements for on-site visits and the establishment of teams of experts, along with rules and principles. Article 4 of MB Decision No 161 foresaw that the Methodology be reviewed with a view to reflect relevant legislative changes and lessons learned from the pilot phase.

This Decision revises the Methodology on the basis of the instruments included in the Pact on Migration and Asylum adopted on 14 May 2024, as well as lessons learnt from the pilot monitoring exercises conducted in 2025 in Estonia and the Netherlands. The Methodology has been reviewed in consultation with the Commission, the Monitoring Network (MoNet) and other relevant stakeholders.

### 1.2. Purpose and scope of the monitoring mechanism

In line with Article 78 of the Treaty on the Functioning of the European Union, the European Union (EU) should develop a common policy on asylum, subsidiary protection and temporary protection with a view to offering appropriate status to any third-country national requiring international protection and ensuring compliance with the principle of non-refoulement. This policy must be in accordance with the Geneva Convention of 28 July 1951 and the Protocol of 31 January 1967 relating to the status of refugees, and other relevant treaties. The CEAS aims to constitute a common area of protection and solidarity within the EU by establishing fair and effective asylum and reception procedures based on high protection standards, preventing or reducing secondary movements within the EU, and increasing mutual trust between Member States.

The EUAA is required to 'monitor the operational and technical application of the CEAS with a view to assisting Member States to enhance the efficiency of their asylum and reception systems' (Article 2(1)(q) EUAA Regulation).

Article 14(1) of the EUAA Regulation provides the Agency with the mandate to establish:

*'a monitoring mechanism for the purpose of monitoring the operational and technical application of the CEAS in order to prevent or identify possible shortcomings in the asylum and reception systems of Member States and to assess their capacity and preparedness to*



*manage situations of disproportionate pressure so as to enhance the efficiency of those systems.'*

Pursuant to Article 14(3) of the EUAA Regulation, 'the monitoring mechanism is to cover the operational and technical application of all aspects of the CEAS, in particular:

*'(a) the system for determining the Member State responsible for examining applications for international protection established by Regulation (EU) No 604/2013, 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;*

*'(b) 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;*

*'(c) reception conditions, capacity, infrastructure and equipment and, to the extent possible, financial resources for reception.'*

The institutional scope of monitoring includes relevant administrative authorities, as well as courts and tribunals competent in appeals and reviews concerning matters falling within the objective criteria of the monitoring mechanism (see Chapter [4 Objective criteria](#)). Matters of cassation or purely constitutional issues handled by national high courts fall outside the scope of the monitoring mechanism.

It is important to note that the transposition of the CEAS provisions into national legislation is not within the scope of the monitoring mechanism. The Commission is the sole responsible institution ensuring that transposed law is implemented and meets the required deadline(s).

## **Objective criteria**

Monitoring is carried out against objective criteria which reflect the requirements for the operational and technical application of the CEAS. The objective criteria are presented in Chapter [4 Objective criteria](#) of the Methodology.

## **Geographical application**

The EUAA Regulation is binding on all Member States<sup>4</sup> with the exception of Denmark. In accordance with Articles 1 and 2 of Protocol No 22 to the Treaties, as recalled in recital 63 of the EUAA Regulation, Denmark has not taken part in the adoption of the Regulation and is not subject to its application.

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<sup>4</sup> EU Member States are Austria, Belgium, Bulgaria, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain and Sweden.



Cooperation with associated countries, namely, Iceland, Liechtenstein, Norway and Switzerland is to be defined in arrangements concluded with the EU in line with Article 34 of the EUAA Regulation. Those arrangements will include provisions relating to participation in initiatives undertaken by the Agency, financial contributions, participation in the meetings of the Management Board and staff.

## **Entry into force**

In line with Article 73 of the EUAA Regulation, the provisions of the Regulation relating to the monitoring mechanism became applicable on 31 December 2023 and, initially, the follow-up of a monitoring exercise was limited to sharing the findings with the Member State concerned for their comments.

The entry into force of a second phase of the monitoring exercise – including the drafting and submission of recommendations for adoption by the Management Board, transmitting recommendations to the European Parliament and informing the Commission about the implementation of recommendations, and any possible further escalations in case recommendations are not met – has been made subject to the replacement of Regulation (EU) No 604/2013<sup>5</sup> (Dublin III Regulation). Therefore, Article 15(4) to (8) and Article 22 of the EUAA Regulation apply from the entry into application of Regulation (EU) 2024/1351 on asylum and migration management (AMMR).

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<sup>5</sup> Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (recast), (OJ L 180, 29.6.2013, p. 31).



## 2. Guiding principles

The EUAA monitoring mechanism is guided by the following principles.

### Forward-looking

Monitoring is future-oriented and preventative, focused on present and upcoming challenges, while also being informed by past challenges. It aims to formulate needs for improvement in the overall functioning of the asylum and reception systems, and to assess the capacity and preparedness of Member States to manage situations of disproportionate pressure. Monitoring evaluates whether the measures put in place by the Member States are fit for purpose in order to prevent shortcomings and enhance preparedness for situations of increased or disproportionate pressure.

Monitoring also identifies good practices and shares these with all the other Member States.

Any recommendations stemming from the findings shall be concrete and realistic, taking into account the actual situation and circumstances in the Member State concerned and the requirements stemming from the CEAS, *inter alia* the assistance of the EUAA.

### Comprehensive and relevant

Monitoring is 'comprehensive' (recital 20 EUAA Regulation). It covers all aspects of the CEAS, taking into account, *inter alia*, respect for fundamental rights, child protection safeguards and the specific needs of persons in a vulnerable situation.

Within its comprehensive framework, the monitoring mechanism prioritises any possible shortcomings with a higher impact on the operational and technical application of the CEAS, to ensure the relevance of the findings focusing on the present and potential challenges. In particular, priority is given to the assessment of findings with a higher impact on the:

1. effectiveness and efficiency of the asylum and reception systems at national level<sup>6</sup> (individual, impartial and fair assessment of the application within reasonable timeframes);
2. preparedness to manage situations of disproportionate pressure at national level;
3. functioning of the CEAS as a whole in connection with the possible shortcomings identified in the Member State under review;
4. fundamental rights of the persons concerned, child protection safeguards, and the specific needs of persons in a vulnerable situation.

**There shall be no interference with the competence of the Member State to decide on individual applications for international protection.**

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<sup>6</sup> Throughout the Methodology the term 'national level' comprises all levels of national organisation: central, federal regional and local authorities, depending on their respective mandate with regards to the implementation of the CEAS.



### **Collaborative and transparent**

Monitoring is conducted in close collaboration and in full transparency with the Member State concerned, ensuring that the Member States are regularly kept informed of the scope, activities, findings of the monitoring and the information on which the findings are based. In line with Article 14(7) of the EUAA Regulation, the Member State ‘shall cooperate with the Agency, including by facilitating any on-site visits carried out for purposes of the monitoring exercise’. This entails, in particular, ensuring that the team of experts has access to the required information, key personnel, and relevant locations, in view of the objective criteria. The findings of the monitoring are shared with the Member State concerned for their comments, in line with Article 15(3) of the EUAA Regulation.

### **Objective and accurate**

Monitoring findings are evidence-based, with information being collected in a systematic manner and from a wide range of sources as defined in the Methodology. This implies an analysis of large amounts of qualitative and quantitative information from various stakeholders in line with the Regulation to ensure a complete, balanced and objective approach. The information is collected and examined carefully against the pre-determined objective criteria ‘tak[ing] into account the operational standards, indicators, guidelines and best practices’ developed by the EUAA (Article 13(6) EUAA Regulation).

With regards to Member States’ inputs, information available within the Agency is used as much as possible to avoid duplication of requests. The information received is collected, analysed, cross-checked with the Member State, and critically assessed in line with the Methodology.



### 3. Monitoring process

The Methodology is structured around a single overall process applicable to all types of monitoring exercises as presented below.

#### 3.1. Types of monitoring

The 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) EUAA Regulation);
- **Thematic monitoring** covering thematic or specific aspects of the CEAS with regard to all Member States (Article 15(1)(b) EUAA Regulation);
- **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) EUAA Regulation).

#### 3.2. Monitoring stages

To enable effective planning and organisation, each country monitoring exercise is structured into the key stages outlined below. For thematic and *ad hoc* monitoring, adjustments may be required in line with the principle of proportionality (see Sub-sections [9.2 Thematic monitoring](#) and [9.3 Ad hoc monitoring](#)).

**Preparatory stage:** At least three months prior to the official initiation of the exercise by the Executive Director, the Monitoring Unit reaches out to the national monitoring coordinators (NMCs), with a view to:

- Identifying and engaging, in collaboration with the Member State concerned, relevant stakeholders, to inform them about the upcoming monitoring exercise;
- Discussing practical arrangements for information gathering and for the organisation of the on-site visit;
- Identifying as early as possible potential logistical and practical challenges with a view to address them in a timely manner and in accordance with the Methodology;
- Enabling the Member State authorities to present to the designated EUAA monitoring coordinator and/or other relevant staff members in the Monitoring Unit, the national asylum and reception system, in order for them to familiarise themselves with the context, and
- Planning the overall organisation of the monitoring exercise, including the tentative period for the onsite visit.

A preparatory mission by the EUAA to the Member State is organised in coordination with the NMC.

**Figure 1. Stages and indicative duration in a country monitoring exercise**



Source: EUAA

**Initiation and information gathering:** The Executive Director launches the monitoring exercise by sending an official communication to the Member State. This also marks the beginning of the information gathering stage (see Chapter [5 Framework for information gathering and analysis](#)) when the Member State is officially requested to complete the Member State monitoring questionnaire (see Section [6.1 Member State questionnaire](#)) and prepare the randomly selected case files for the case sample analysis (see Section [6.2 Case sampling](#)).

Up-to-date information and data already available to the EUAA is taken into account and is not requested again to ensure efficiency and avoid duplication of effort. In addition, the EUAA collects information from other stakeholders as defined below in [5 Framework for information gathering and analysis](#).

Preparations are made by the EUAA to compose the team of experts (see Section [8.1 Rules and principles for the establishment of teams of experts](#)).

**Consolidation of information and analysis:** All information gathered is consolidated and analysed by the Monitoring Unit. Preliminary shortcomings and potential good practices are identified, in view of the organisation of the on-site visit, where applicable, in line with Chapter [5 Framework for information gathering and analysis](#) and Chapter [6 Tools for the purpose of the monitoring mechanism](#). The Member State is consulted in a timely manner on the draft agenda for the on-site visit and preparatory meetings to further exchange on practical aspects of the on-site visit are organised by the Monitoring Unit with the relevant NMCs, as needed.

**On-site visits:** The Agency may carry out an on-site visit for the purposes of the monitoring exercise. The Agency shall carry out short-notice visits only for the purposes of Article 15(2) of the EUAA



Regulation. During the on-site visit, the team of experts assesses the operational and technical application of the CEAS in the concerned Member State on the basis of systematic gathering and thorough analysis of relevant information (see Section [8.2 Practical arrangements for the on-site visit](#)). The average duration of an on-site visit may vary and be up to 15 working days depending on the scope of the monitoring exercise and on the geographical context. The Member State shall cooperate with the Agency including by facilitating any on-site visit carried out for the purposes of the monitoring exercise, in line with the EUAA Regulation.

**Finalisation of findings:** The Executive Director shall send the (draft) findings of a monitoring exercise to the Member State for comments, including, as appropriate, indications of its needs. The Member State shall have one month from the date of receipt of the findings to submit comments. (see Section [7.1 Findings](#)).

**Drafting of recommendations and follow-up:** The Executive Director shall, on the basis of the findings and taking into account the comments of the Member State concerned, and in consultation with the Commission, draw up draft recommendations. The Executive Director shall send the draft recommendations to the Member State concerned for comments. The Member State concerned shall have one month from the date of receipt of the draft recommendations to submit comments thereon. In the case of an *ad hoc* monitoring exercise, the Member State concerned shall submit its comments within 15 (calendar) days. After taking into account the comments of the Member State concerned, the Executive Director shall submit the report with the findings and the draft recommendations to the Management Board (see Section [7.3 Recommendations and follow-up](#)).

### 3.3. Actors, roles and responsibilities

The EUAA Regulation defines the roles and responsibilities of all stakeholders with regard to the monitoring mechanism.

#### European Union Agency for Asylum

Various legal provisions outline the responsibilities of the **Executive Director**. Notably, the Executive Director sets up the teams of experts for the purpose of monitoring, initiates a monitoring exercise in accordance with Article 15(2) of the EUAA Regulation, and submits the findings and draft recommendations to the Member State concerned and subsequently to the Management Board in accordance with Article 15(3) and (4) of the EUAA Regulation. The Executive Director shall notify the Member State(s) concerned sufficiently in advance of any on-site visit. In the case of short-notice visits, the Executive Director shall notify the Member State concerned 72 hours in advance<sup>7</sup>.

The Agency carries out monitoring exercises with the support of teams of experts. Within the Agency, the **Monitoring Unit**<sup>8</sup> is designated to carry out the monitoring tasks and to lead the planning and implementation of the monitoring exercises. The Monitoring Unit is also the primary information channel for Member States in relation to the EUAA's monitoring mandate.

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<sup>7</sup> Article 14(7) of the EUAA Regulation.

<sup>8</sup> References to the Monitoring Unit shall also apply to another entity that may become responsible for the implementation of Chapter 5 of the EUAA Regulation as a result of an internal reorganisation.



The EUAA Regulation stipulates that the **liaison officers** deployed in EU Member States regularly provide reports to the Executive Director on the situation of asylum in the Member State concerned and its capacity to manage its asylum and reception systems effectively. These reports and the information shared therein may be taken into account for the purpose of the monitoring, throughout the stages of implementation. Where the reports of a liaison officer to the Executive Director raise concerns about one or more aspects relevant for the Member State concerned, those reports shall be taken into account for the purposes of the monitoring mechanism and shall be transmitted to the Member State concerned (Article 7(4) of the EUAA Regulation).

The **Management Board**, on a proposal of the Executive Director and in consultation with the Commission, establishes a common methodology for the monitoring mechanism<sup>9</sup>, and adopts the monitoring programme<sup>10</sup>. Following a monitoring exercise, the Management Board adopts the recommendations<sup>11</sup>.

### European Commission

The **Commission** closely cooperates with the EUAA in the implementation of the monitoring mechanism. *Inter alia*, the Commission participates in the team of experts<sup>12</sup> and is consulted by the Agency on the Methodology, the multiannual and annual monitoring programme, and when drawing up draft recommendations<sup>13</sup>. '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, the Agency shall initiate a monitoring exercise either on its own initiative in consultation with the Commission or at the request of the Commission'<sup>14</sup>. Where a Member State does not implement the measures outlined in the recommendations of the Agency, the Commission is responsible for further follow up<sup>15</sup>.

### Member States

The Methodology is built on a collaborative approach between the EUAA and the Member States. Member States shall, at the request of the Agency, provide it with information on the aspects of the CEAS covered by the monitoring mechanism, including on their contingency planning for measures to be taken to deal with possible disproportionate pressure on their asylum or reception system<sup>16</sup>.

The EUAA Regulation foresees that Member States' experts participate in the teams of experts, where necessary<sup>17</sup>.

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<sup>9</sup> Article 14(1) of the EUAA Regulation.

<sup>10</sup> Article 15(1) of the EUAA Regulation.

<sup>11</sup> Article 15(4) of the EUAA Regulation.

<sup>12</sup> Article 47(5)(p) of the EUAA Regulation.

<sup>13</sup> Article 15(1) and (4) of the EUAA Regulation.

<sup>14</sup> Article 15(2) of the EUAA Regulation.

<sup>15</sup> Article 15(5) to (8) of the EUAA Regulation.

<sup>16</sup> Article 14(6) of the EUAA Regulation.

<sup>17</sup> Article 47(5)(p) of the EUAA Regulation.



The monitored Member States shall cooperate with the Agency, including by facilitating any on-site visit carried out for the purposes of the monitoring exercise<sup>18</sup>. The Member States may also submit comments on the findings and the recommendations.

The **NMC** acts as the Member State coordinator and the main contact point for the monitoring exercise with regard to information collection, communication with national authorities and implementing partners and follow-up to the findings and recommendations. The NMC cooperates with the EUAA in the preparation of the on-site visit, liaises with relevant authorities and/or organisations, if required, to identify relevant staff, ensure access to premises and other locations as indicated in the agenda of the visit, and facilitates all the practical arrangements (see Section [8.2 Specific framework for ad hoc monitoring](#)). The NMC may accompany the team of experts during the on-site visit and may participate in meetings with the national authorities. Two alternate NMCs may be appointed by the Member State.

In May 2024, the **MoNet** composed of NMCs was established (see Chapter [11 Role of the Monitoring Network](#)).

### **United Nations High Commissioner for Refugees**

The UNHCR is part of the team of experts as an observer<sup>19</sup> and is also explicitly mentioned as a source of information in the context of the information gathering for the purposes of monitoring mechanism<sup>20</sup>.

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<sup>18</sup> Article 14(7) of the EUAA Regulation.

<sup>19</sup> Recital 24 and Article 47(5)(p) of the EUAA Regulation.

<sup>20</sup> Article 14(4) of the EUAA Regulation.



## 4. Objective criteria

The EUAA performs monitoring against objective criteria which indicate the **benchmarks** of the operational and technical application of all aspects of the CEAS as outlined in Article 14(3) of the EUAA Regulation. The objective criteria are organised in the following themes:

- Institutional framework
- Determining the responsible Member State, transfers and relocation
- Asylum procedure
- Reception
- Appeals and reviews
- Contingency planning and preparedness for situations of pressure and crisis
- Temporary protection
- Resettlement and humanitarian admission

Source: EUAA

The objective criteria are devised and structured in line with the different provisions of the CEAS. The objective criteria are intended to cover all aspects of the CEAS .

They are formulated at **macro level** in order to take into account the specificities of national systems and context while providing an overview of which operational processes are to be monitored. The objective criteria need to be read together with the **legal provisions of the CEAS**. In case of uncertainty, the legal text of the CEAS and the interpretation by the European Court of Justice always prevails. All objective criteria take into account and are assessed in view of respect for **fundamental rights**, including non-discrimination, respect for private and family life, child protection, and the primary consideration to the best interests of the child, as well as access to an effective remedy. Moreover, their formulation takes into account the standards, indicators, guidelines and best practices related to the implementation of Union law on asylum in accordance with Article 13(6) EUAA Regulation.

In case of legal changes to the CEAS, the objective criteria may need to be reviewed by the Management Board.

The objective criteria are grouped under the respective thematic areas and coded accordingly.

### 4.1 Institutional framework

These overarching criteria aim to capture the systemic elements necessary for the efficient operational and technical application of the CEAS. They should be read and applied in conjunction with the criteria



under sections [4.2 Determining the responsible Member State, transfers and relocation](#), [4.3 Asylum procedure](#), and [4.4 Reception](#).

### **INS01. Appropriate administrative structures and necessary resources**

The competent authorities have appropriate administrative structures and the necessary human, material and financial resources and infrastructure to effectively fulfil their respective responsibilities in relation to the procedure for international protection, including access thereto, determining the Member State responsible for the examination and transfers in accordance with the AMMR, as well as the reception of applicants. Their efficient functioning is supported by human resource processes that ensure the recruitment, development, and retention of competent staff. In addition, independent monitoring of fundamental rights is established and appropriately resourced in the framework for screening and the asylum border procedure.

### **INS02. Competent staff**

Staff of authorities or bodies responsible for the implementation of one or more aspects of the CEAS have the required competencies relevant to their functions and tasks, including through the provision of the necessary and adequate training, developed and/or implemented on the basis of the European asylum curriculum and with due attention to fundamental rights, special procedural and reception needs, and the best interests of the child.

### **INS03. Effective governance and coordination**

A sound national strategy is in place in accordance with Article 7 of the AMMR. Available written guidance and oversight mechanisms for quality assurance further support the efficient functioning of the competent authorities. Established processes and communication channels ensure the effective coordination and exchange of information at the national level, as well as the timely and appropriate exchange of information with other Member States.

### **INS04. Adequate interpretation and translation services**

The required interpretation and translation services are appropriately ensured in the context of the procedure for international protection and access thereto, for the determination of the Member State responsible for the examination, as well as in the context of providing reception conditions to applicants.

### **INS05. Accessible free legal counselling and free legal assistance and representation**

Applicants for international protection have effective access to free legal counselling in the administrative procedure and to legal assistance and representation in the appeal or judicial review procedures, including free legal assistance and representation where applicable.



### **INS06. Timely and effective representation of unaccompanied children**

The necessary organisational and practical arrangements are in place in the Member State to ensure timely, effective and continuous representation of unaccompanied children from the moment of making an application for international protection, in full respect of the best interests of the child principle.

### **INS07. Effective confidentiality arrangements and appropriate handling of documents and personal data**

Rules, systems and processes have been put in place to ensure effective confidentiality and appropriate handling of documentation and personal data in the context of the procedure for international protection, and access thereto, the determination of the responsible Member State and the transfers in accordance with the AMMR, and the reception system in the Member State.

## **4.2 Determining the responsible Member State, transfers and relocation<sup>21</sup>**

### **AMM01. Early identification of potential AMMR cases**

Systems and processes in place enable the early identification of cases in which another Member State may be responsible for the examination of the application, as well as their prompt referral to the process of determining the responsible Member State or to the take back procedures.

### **AMM02. Timely and effective information provision**

Persons subject to the AMMR procedure are provided with information on the implementation of the AMMR within the applicable time limits. Comprehensive information, relevant to the taking of biometric data and the transmission of this information to Eurodac, is provided at the time at which the biometric data is taken. Information on the AMMR and Eurodac is provided through suitable methods of communication and using the information material drawn up by the EUAA for that purpose.

### **AMM03. Efficient assessment of the responsibility criteria**

The responsibility criteria under the AMMR are applied in an efficient manner, taking into account all available information, in particular the information collected through the personal interview, unless the latter was omitted, as well as through the family tracing template drawn up by the EUAA. Procedures concerning children, family unity and dependent persons are prioritised.

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<sup>21</sup> Solidarity-related aspects under the AMMR fall outside the scope of the objective criteria, except for the implementation of relocation, where applicable.



#### **AMM04. Efficient procedure for take charge requests**

The responsible authorities of the Member State ensure the efficient processing of take charge requests. This includes, as a requesting Member State, ensuring that the applicable time limits are respected, and that take charge requests include full and detailed reasons, as well as necessary proof and circumstantial evidence. As a requested Member State, this includes the appropriate assessment of the available proof and circumstantial evidence and ensuring that replies are sent within the applicable time limits and include substantiated reasons in case of objections.

#### **AMM05. Efficient procedure for take back notifications**

The responsible Member State authorities ensure efficient take back procedures, including submitting notifications and confirmations of receipt of such notifications, unless one of the specific grounds for non-confirmation apply.

#### **AMM06. Consistent and efficient use of Eurodac**

The responsible authorities of the Member State ensure that the information registered in the Eurodac database is kept updated to reflect the latest status of the circumstances of the person concerned.

#### **AMM07. Timely and effective transfers**

The Member State effectively collaborates with other Member States in the implementation of transfers following a take charge request, a take back notification, or a relocation decision, and transfers are implemented as soon as possible. Efficient procedures and appropriate systems are in place for timely information exchange, including the transmission of personal data of the transferee, information on transfer modalities and practical arrangements and information on delays, postponements and cancellations. The use of detention for the purposes of transfer is assessed on an individual basis in accordance with the provisions of the AMMR. When applied, detention is as short as possible and for no longer than the time reasonably necessary to complete the required administrative procedures with due diligence until the transfer is carried out.

#### **AMM08. Effective relocation procedures**

Where the Member State is benefitting from or contributing to solidarity measures in the form of relocation, effective procedures and communication channels are in place to facilitate relocations. In case the Member State is a benefitting Member State, it effectively ensures the identification of applicants suitable for relocation, verifies that there are no reasonable grounds to consider that they pose a threat to internal security, and facilitates their appropriate matching. As a contributing Member State, the Member State effectively fulfils its post-transfer obligations.



## 4.3 Asylum procedure

### **ASY01. Swift and effective access to the procedure for international protection**

Third-country nationals and stateless persons are provided with an effective opportunity to apply for international protection, including in the context of an efficiently implemented screening process under the Screening Regulation. The systems and processes in place ensure the appropriate identification of the persons' intent to apply for international protection, the identification of possible statelessness, the timely identification and support for persons with special needs, the effective provision of information on the right to apply for international protection, and the efficient registration and lodging of applications. The relevant procedural steps are carried out in a timely and effective manner, ensuring that the necessary information is collected and appropriately recorded at an early stage and without duplication of efforts.

### **ASY02. Appropriate and timely documentation**

Applicants for international protection, unless they are detained and for the period of their detention, are promptly provided with documents in accordance with Article 29 of the APR, which allow them to identify themselves to national authorities and to access their rights for the duration of the procedure for international protection.

### **ASY03. Appropriately guaranteed right to remain**

The right to remain on the territory of the Member State, when applicable, is appropriately guaranteed by administrative rules and practices, in full consideration of the principle of non-refoulement.

### **ASY04. Timely and effective information provision and access to information**

Applicants are provided with the necessary information at the different stages of the procedure for international protection in a timely and effective manner. Applicants and, where applicable, their representatives or legal advisers have timely and effective access to the information in the applicant's file on the basis of which a decision is to be taken, including the report or transcript of the interview, country information, and expert advice where applicable.

### **ASY05. Timely identification and assessment of the need for special procedural guarantees**

Applicants' potential needs for special procedural guarantees are identified and assessed as early as possible, including through the appropriate use of medical examinations and age assessment, where relevant.

### **ASY06. Efficient asylum border procedure**

Where a ground for applying the asylum border procedure is applicable and the necessary conditions are met, the asylum border procedure is applied in a timely and efficient manner, while enabling a complete and fair examination of the applications within its scope. When adequate support cannot be



provided to an applicant with special reception needs and/or in need of special procedural guarantees, the asylum border procedure is not applied or ceases to apply.

#### **ASY07. Efficient examination of admissibility**

The inadmissibility grounds under the APR are efficiently examined and effectively applied, including in relation to subsequent applications and to the appropriate and thorough consideration of the grounds of 'safe third country' and 'first country of asylum', where relevant.

#### **ASY08. Efficient processing of withdrawn applications**

Explicit and implicit withdrawals of applications are handled in an efficient manner, ensuring that procedures are appropriately concluded.

#### **ASY09. Effective personal interviews**

Applicants are given an effective opportunity to substantiate their application for international protection through appropriately conducted personal interviews, including, where applicable, interviews concerning the admissibility of the application. The necessary procedural safeguards are in place for applicants in need of special procedural guarantees. Personal interviews are audio-recorded. The recording and a transcript of the interview or of the recording, or a thorough factual report containing all main elements of the interview, is included in the applicant's file.

#### **ASY10. Complete and appropriate evidence assessment**

The examination of applications for international protection is supported by sound evidence assessment, based on facilitating timely and informed submissions by the applicants, proportionate and rights-compliant searches where applicable, effective use of relevant, precise and up-to-date country information and of expert advice whenever necessary, and a properly documented credibility analysis.

#### **ASY11. Well-reasoned decisions on the granting of international protection**

Applications for international protection are examined in accordance with the qualification criteria laid down in the QR and taking into account relevant EUAA common analysis and guidance notes, where available. Decisions are motivated and written notice of the decision is given to applicants or their authorised representative as soon as possible after the decision is taken. In case of a negative decision, the applicant is provided with the necessary information on how to challenge the decision.

#### **ASY12. Efficient decisions on the granting of international protection**

Decisions are issued in line with the procedural guarantees and time limits set out in the APR, including those applicable to the accelerated examination procedure. Where relevant, the use of procedural measures, such as the prioritisation or suspension of the examination of certain applications, or the application of the 'safe country of origin' concept in the accelerated examination procedure, is appropriate.



### **ASY13. Timely detection and thorough assessment of exclusion indications**

Indications of possible exclusion grounds are promptly detected, sufficiently explored and assessed appropriately. This is supported by effective cooperation with law enforcement and other relevant authorities, when necessary, with due regard to the confidentiality of the asylum procedure.

### **ASY14. Well-reasoned and efficient decisions on withdrawal of international protection**

Clear and efficient procedures are in place to ensure that where indications of reasons to reconsider the validity of an international protection status arise, these are effectively identified and assessed with due respect for the rights of the beneficiaries of international protection and applicable procedural guarantees.

## **4.4 Reception**

### **REC01. Sufficient and appropriate reception capacity\_**

Sufficient reception capacity is available to ensure that the required level of reception conditions is provided to all applicants, including applicants with special reception needs. Up-to-date data, along with effective monitoring of the reception conditions provided to applicants, support the competent authorities in making efficient operational decisions.

### **REC02. Prompt and appropriate allocation of applicants\_**

The allocation of applicants to a specific place and/or to a geographical area is prompt and appropriate and ensures effective access to rights under the RCD, taking into account the individual circumstances of the applicant, their identified special needs, the respect for the principle of family unity and the best interests of the child.

### **REC03. Effective management of reception facilities**

Reception facilities are effectively managed, including through the provision and implementation of house rules, an effective case management system, rules of conduct for the staff and other relevant personnel, a functional complaint and response mechanism, and appropriate safety and security measures.

### **REC04. Timely and effective information provision and access to information**

Applicants are promptly and effectively provided with and have access to adequate information concerning the reception conditions in the Member State and their respective rights and obligations.



### **REC05. Timely identification and assessment of special reception needs**

The special reception needs of applicants are appropriately identified and assessed as early as possible and in a continuous manner in order to ensure the provision of the necessary special reception conditions and guarantees.

### **REC06. Timely access to sufficient and adequate material reception conditions**

Material reception conditions are made available to applicants from the moment they make an application for international protection and are effectively provided to ensure an adequate standard of living, taking into account the applicants' special reception needs where applicable.

### **REC07. Timely and effective access to essential rights and services**

Applicants have timely and effective access to essential rights and services, including necessary and adequate health care, schooling and education for children, language courses, civic education and vocational training courses, as well as effective access to the labour market, where applicable. In addition, the special reception needs of applicants are duly taken into account and additional support, such as family tracing, and medical and psychological treatment and care, including rehabilitation services and counselling, are provided where applicable.

### **REC08. Appropriate reduction or withdrawal of reception conditions**

Decisions on the reduction or withdrawal of reception conditions are taken in an individual, objective, impartial, proportionate and justified manner, and ensure that the applicant continues to have access to health care and a standard of living which respects human dignity and meets the applicant's most basic needs.

### **REC09. Appropriate restrictions to freedom of movement**

Decisions restricting an applicant's freedom of movement are appropriate to address concerns related to public order or a risk of absconding and are systematically used in the asylum border procedure. They are proportionate and take into account relevant aspects of the individual situation of the applicant, including their special reception needs. Applicants are duly informed in writing of such decisions, of the procedures for challenging them, and of the consequences of non-compliance. A mechanism is in place to receive and assess requests of applicants to reside temporarily outside the specific designated place, and applicants are informed about it.

### **REC10. Appropriate detention**

Detention is resorted to only when necessary and proportionate, and strictly as a measure of last resort, if other less coercive alternative measures cannot be applied effectively, while alternatives to detention are applied as the first option, where appropriate. Detention decisions are based on an individual assessment, in conformity with the requirements and procedural safeguards laid down in the RCD and taking into account the special needs of applicants. Detention takes place in full respect of the applicant's fundamental rights and the conditions of detention in accordance with the RCD.



## 4.5 Appeals and reviews

The objective criteria in this section are assessed in direct reference to the respective legal provisions and in relation to the right to an effective remedy and to a fair trial and without prejudice to the principle of judicial independence.

### **APP01. Efficient handling of reviews or appeals against transfer decisions**

The competent court(s) or tribunal(s) have the capacity to ensure the efficient handling of reviews or appeals against transfer decisions, including requests for suspension of transfers pending the outcome of the proceedings. This is supported by adequate staffing, including judges and legal and other support personnel, relevant training, and appropriate organisational arrangements and tools.

### **APP02. Efficient handling of appeals against decisions issued in the administrative procedure for international protection**

The competent court(s) or tribunal(s) have the capacity to ensure the efficient handling of the appeal of decisions rejecting an application for international protection, decisions to withdraw refugee or subsidiary protection status, and return decisions issued together with the negative international protection decisions. This is supported by adequate staffing, including judges and legal and other support personnel, relevant training, and appropriate organisational arrangements and tools.

### **APP03. Efficient handling of reviews and appeals in the context of reception and detention**

The competent court(s) or tribunal(s) have the capacity to ensure the efficient handling of the review or appeal against the following categories of individual decisions: withdrawal or reduction of benefits under the RCD, refusing to grant the permission to temporarily leave the applicant's allocated geographical area, and decisions on restrictions of movement according to Article 9 of the RCD and on detention. This is supported by adequate staffing, including judges and legal and other support personnel, relevant training, and appropriate organisational arrangements and tools.

### **APP04. Adequate interpretation and translation in the context of appeal procedures**

Adequate interpretation and translation services are ensured in the context of appeal procedures.

### **APP05. Effective confidentiality and personal data protection at appeal level**

Applicable rules, systems and processes in place ensure appropriate confidentiality and personal data protection in relation to handling of the appeal or review of cases concerning applicants for international protection.



## **4.6 Contingency planning and preparedness to manage situations of pressure and crisis**

### **COP01. Effective situational awareness**

The national system has an operational monitoring and reporting mechanism relying on situational awareness, and supported by structured processes for situational analysis, early warning, and risk assessment. It systematically collects and analyses relevant trends, as well as operational data affecting asylum and reception systems, through a standardised set of early warning indicators. It is equipped to detect in a timely manner early warning indicators pointing to a risk of a situation of pressure to the national systems.

### **COP02. Effective governance and coordination**

There is a clear and effective governance framework in place with well-defined roles and responsibilities across all key processes in contingency planning. Clear roles and procedures and established communication channels ensure timely information-sharing, effective coordination, and efficient decision-making for the (de-)activation of the plan and in the framework of its implementation.

### **COP03. Comprehensive and scenario-based planning**

The national contingency plans are scenario-based, identifying different relevant situations of pressure or crisis, and assessing their potential impact on the asylum and reception systems. They are comprehensive, covering asylum, reception and provisions for vulnerable groups, including unaccompanied children, making use of the EUAA's contingency planning template as required.

### **COP04. Effective up-to-date preparedness and response actions**

National contingency plans include preparedness measures and response actions that are concrete, effective and up to date. Response actions are coherent with the identified scenarios, and ensure swift mobilisation of additional resources, infrastructure and capacities required to rapidly respond to situations of pressure or crisis to the asylum and reception systems. The necessary administrative and practical measures for such rapid response actions are effectively put in place. The national contingency plans are regularly reviewed and updated to ensure response actions remain relevant and functional.



## 4.7 Temporary protection

### TPD01. Preparedness for swift activation

Clear roles and responsibilities and appropriate mechanisms are established in the Member State to ensure the swift activation of the temporary protection regime in the event of a Council decision introducing temporary protection in accordance with Article 5 of Council Directive 2001/55/EC<sup>22</sup>.

### TPD02. Timely and effective access to rights for the duration of temporary protection

Upon the activation of temporary protection and for its duration, beneficiaries of temporary protection have timely and effective access to rights deriving from Council Directive 2001/55/EC, supported by a swift confirmation of status, an efficient registration process, and effective administrative and practical arrangements. The framework appropriately considers the specific needs of children, especially unaccompanied children.

## 4.8 Resettlement and humanitarian admission

These criteria are only applicable where the Member State carries out resettlement and humanitarian admission in accordance with Regulation (EU) 2024/1350<sup>23</sup>.

### RST01. Effective governance and coordination

There is a clear and effective governance framework in place with well-defined roles and responsibilities across all key processes of resettlement and humanitarian admission. Clear roles and procedures and established communication channels ensure timely information-sharing, effective coordination, and efficient decision-making for all the relevant steps of the resettlement and humanitarian admission procedures, including with relevant international organisations.

### RST02. Efficient resettlement and humanitarian admission

Decisions are issued in line with the procedural guarantees and time limits set out in Regulation (EU) 2024/1350. Where necessary, appropriate travel arrangements are offered as well as facilitation of exit procedures in the third country. Where such travel arrangements are organised, the specific needs of the persons concerned are duly taken into account. Information is appropriately provided. Where feasible, pre-departure orientation programmes are offered to the persons concerned, free of charge and easily accessible.

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<sup>22</sup> Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, (OJ L, 7.8.2001, p. 12).

<sup>23</sup> Regulation (EU) 2024/1350 of the European Parliament and of the Council of 14 May 2024 establishing a Union Resettlement and Humanitarian Admission Framework, and amending Regulation (EU) 2021/1147, (OJ L, 22.5.2024, p.1)

## 5. Framework for information gathering and analysis

The scope of information gathering and analysis for the purposes of monitoring covers all the aspects of the operational and technical application of the CEAS, as specified in the objective criteria (see Chapter [4 Objective criteria](#)), to ensure a complete, balanced and objective approach.

### 5.1. Key elements for information gathering and analysis

Information gathering and analysis is the basis of every monitoring exercise.

To ensure a comprehensive and reliable information collection process, a clear and comprehensive mapping of the relevant actors and organisations at national level is necessary. To this end, the EUAA takes into account ongoing work and reporting, e.g., in the context of the EUAA's thematic networks, liaison officers (see Section [3.3 Actors, roles and responsibilities](#)), Fundamental Rights Officer, situational awareness, and training and operational activities. The EUAA may consult the Member States for the identification of relevant stakeholders as necessary.

Furthermore, the EUAA continues to develop contacts and enhance collaboration with relevant stakeholders, which are essential for the efficient implementation of the monitoring mechanism, namely national authorities and institutions, and relevant intergovernmental organisations or other relevant bodies on the basis of their expertise in the field as specified in the next section.

Information gathering for monitoring purposes should be targeted, specific, up to date and timely on the basis of specific timelines. To this end, the EUAA informs the Member State concerned, as well as other relevant stakeholders, prior to each monitoring exercise on the expected information gathering process, scope, templates, and timelines.

**All information is assessed and evaluated** for its:



The information-gathering process involves cross-checking, corroborating, and balancing data with inputs from multiple sources in line with this Methodology, to ensure a comprehensive and evidence-based analysis.

Information collected for monitoring purposes may include qualitative and quantitative data, jurisprudence, as well as a sample of individual cases for case sampling – without prejudice to the



competence of the Member State on the individual decision-making process (see analytically Section [6.2 Case sampling](#)).

The modalities for gathering information vary depending on the stages of the monitoring exercise and, in addition to the information provided by the Member State, can include desk research, written exchanges, meetings with different stakeholders and observations.

The analysis of data gathered for monitoring purposes should follow an objective and rigorous approach, ensuring that all key aspects of the operational and technical application of the CEAS, including respect for fundamental rights, child protection safeguards, the best interests of the child and the specific needs of persons in a vulnerable situation, are taken into account.

Information and sources leading to findings are referenced in the report, as appropriate, in footnotes, in the list of documents consulted by the team of experts or as annexes.

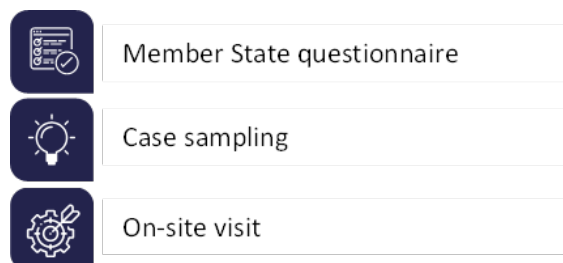
## 5.2. Sources of information for the purposes of monitoring

In line with the EUAA regulation, monitoring is carried out on the basis of the information provided by the Member State concerned, the information analysis on the situation of asylum<sup>24</sup> and case sampling. Additionally, the EUAA may take into account information available from relevant intergovernmental organisations or bodies – in particular the UNHCR – and other relevant organisations on the basis of their expertise<sup>25</sup>, as well as from the EUAA liaison officers in Member States<sup>26</sup>. On-site visits<sup>27</sup> are carried out to validate the information collected and gather additional data as necessary (see Section [6.3 Tools for the on-site visit](#)).

### Information provided by the Member State

Monitoring is carried out, primarily, on the basis of the information provided by the Member State concerned<sup>28</sup>.

The three main modalities for collecting information from the Member State are elaborated in Chapter [6 Tools for the purpose of the monitoring mechanism](#). These include:



<sup>24</sup> Article 5 of the EUAA Regulation.

<sup>25</sup> Article 14(4) of the EUAA Regulation.

<sup>26</sup> Recital 12 and Article 7(4) of the EUAA Regulation.

<sup>27</sup> Article 14(5) of the EUAA Regulation.

<sup>28</sup> Article 14(4) of the EUAA Regulation.



Where other stakeholders are actively engaged as implementing actors in the asylum or reception system, e.g., by delegation of powers to other actors, deployment, or secondment of staff by intergovernmental organisations or bodies (e.g. UNHCR) and/or EU agencies, and partnerships with other stakeholders, the EUAA may seek additional information by reaching out to these implementing partners, after coordination with the Member State, as necessary.

The EUAA may consult national independent organisations and/or bodies with competence in migration and asylum, such as national human right institutions<sup>29</sup> and ombudspersons, on the basis of their expertise, as they play a crucial role in promoting and monitoring the effective implementation of international human rights standards at the national level.

The EUAA also cooperates, where appropriate, with national independent monitoring mechanisms set up under Article 10 of the Screening regulation, and Article 43(4) of the APR, respecting the principle of confidentiality.

### Information available to the EUAA

The EUAA continuously collects, analyses and disseminates information on the situation of asylum in the EU and provides permanent and operational support (e.g. information exchange, information and analysis, training, guidance, and other types of technical assistance). The Agency uses relevant information already available as a basis for the monitoring exercises, avoiding duplication of requests and ensuring a resource-efficient information gathering and analysis process.

In particular, the EUAA Regulation notes that monitoring is carried out *inter alia* on the basis of the information analysis on the situation of asylum in the Union referred to in Article 5. Accordingly, the EUAA's analysis and research products supplement information collection for the purposes of the monitoring mechanism, reducing the burden on the Member States to repeatedly provide the available information. This includes *inter alia* information and analysis on developments in asylum, particularly through the asylum report<sup>30</sup>, the EUAA Database on International Protection in Europe (DIP) and related platforms, as well as, data analysis and research, through analytical and research products and information exchanged under the Early Warning and Preparedness System (EPS). In this regard, Member States are encouraged to ensure the timely and up-to-date provision of data in the relevant situational awareness platforms, such as the EPS and the DIP, and other relevant platforms to enhance the smooth information gathering process.

In the context of monitoring the Member State's contingency planning for measures to be taken to deal with possible disproportionate pressure on their asylum or reception system, the EUAA also draws on the contingency plans and relevant documentation already submitted by Member States pursuant to the RCD, minimising the administrative burden associated with re-submission.

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<sup>29</sup> The UN [Paris Principles](#) relating to the status of national institutions for the promotion and protection of human rights set out minimum international standards for the establishment of national human right institutions. See more at European Union Agency for Fundamental Rights (FRA), [Strong and effective national human rights institutions – challenges, promising practices and opportunities](#), 21 January 2021, and FRA, [June 2022 update - NHRI accreditation status and mandates](#), 29 June 2022.

<sup>30</sup> An annual report drawn up by the Agency pursuant to Article 69 of the EUAA Regulation.



The EUAA also uses information available via the liaison officers, including the reports they submit, or information that they may be in a position to provide specifically in view of the monitoring exercise.

### **Additional contextual information from relevant stakeholders**

The Regulation stipulates that the EUAA may take into account information available from other relevant stakeholders including:

#### ***EU institutions, bodies and agencies***

The EUAA establishes regular contacts with the relevant EU institutions, bodies and agencies on the basis of their expertise with emphasis on the Commission's Directorate General for Migration and Home Affairs and the relevant Justice and Home Affairs agencies, such as the European Border and Coast Guard Agency (Frontex) and the FRA, for the purpose of information sharing and exchanges for monitoring.

#### ***International and other intergovernmental organisations***

In addition, where international and other intergovernmental organisations are present in a Member State, covering areas of migration and asylum, the EUAA may pursue additional information from these organisations.

The UNHCR, in particular, is explicitly mentioned in the EUAA Regulation as a source of information.

#### ***Other relevant organisations on the basis of their expertise***

National independent organisations and/or bodies, as well as civil society organisations (CSOs), fall under the scope of *other relevant organisations on the basis of their expertise*, which may serve as additional sources of information. Accordingly, the EUAA may seek additional information from relevant organisations or bodies for the purposes of a specific monitoring exercise and coordinate the relevant process.

#### ***Civil society organisations***

In the EU, civil society plays an important role in exchanging information and pooling knowledge, as acknowledged in the EUAA Regulation<sup>31</sup>. Accordingly, civil society organisations in the field of migration and asylum are considered relevant organisations on the basis of their expertise that can provide a valuable contribution to the implementation of monitoring exercises.

In order to define eligible CSOs, the criteria in Annex 1 to [Management Board Decision No 111 of 23 June 2022 on the establishment and composition of the Consultative Forum and on the conditions for transmitting information](#) is to be followed by analogy.

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<sup>31</sup> Recital 40 and Article 50 of the EUAA Regulation.



In addition, to further ensure a transparent process, CSOs providing information for monitoring purposes shall be:

- a member of the Consultative Forum, and/or
- registered in the [EU Transparency register](#)<sup>32</sup>.

The call for CSO input is channelled via the Consultative Forum. The Consultative Forum members may further disseminate it to additional CSOs at local, regional, national, EU or international level and may bring to the attention of the EUAA other relevant information for monitoring purposes. The information gathered in this manner is analysed, cross-checked and critically assessed.

### ***Applicants for international protection and beneficiaries***

To complement the sources indicated above, the Agency may seek the feedback and/or experiences of applicants for international protection and/or beneficiaries via dedicated tools, such as surveys. In these cases, full compliance with fundamental rights standards and data protection obligations is ensured.

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<sup>32</sup> The transparency register is a database that lists organisations that try to influence the law-making and policy implementation process of the EU institutions. The register makes visible what interests are being pursued, by whom and with what budgets. In this way, the register allows for public scrutiny, giving citizens and other interest groups the possibility to track the activities of lobbyists. Read more here: [https://commission.europa.eu/about-european-commission/service-standards-and-principles/transparency/transparency-register\\_en](https://commission.europa.eu/about-european-commission/service-standards-and-principles/transparency/transparency-register_en)



## 6. Tools for the purpose of the monitoring mechanism

Monitoring tools are employed to maintain consistency and reliability in the monitoring process. These tools serve as means to guide monitoring activities and ensure that they are conducted in a standardised manner across different types of monitoring exercises.

Depending on the type and scope of the monitoring exercise, all or some of these tools may be utilised. Monitoring tools may be further adapted or adjusted as necessary to fit the specific requirements of each exercise.

### 6.1. Member State questionnaire

In line with Article 14(6) of the EUAA Regulation, Member States have the obligation to share at the request of the EUAA the information needed to assess the objective criteria, complementing the information already available to the Agency.

In keeping with its guiding principles, monitoring is to be comprehensive in covering all aspects of the CEAS, in accordance with Article 14(3) of the EUAA Regulation. At the same time, it is targeted towards identifying possible shortcomings and areas for improvement in the operational and technical application of the CEAS in the Member State and the assessment of Member State's preparedness to manage situations of disproportionate pressure. This requires a balanced approach between the breadth of the assessment and the depth to which specific topics are further explored.

In this regard, the Member State questionnaire is a key tool for the collection of information in order to assess the operational and technical application of the different aspects of the CEAS and to identify potential preliminary shortcomings and good practices to further assess during the on-site visit.

In the context of country monitoring exercises, the EUAA utilises a standardised Member State questionnaire developed in accordance with the objective criteria in Chapter 4, and in consultation with the MoNet. Dedicated thematic questionnaires are to be similarly developed for the purposes of thematic monitoring exercises. In the context of *ad hoc* monitoring exercises, targeted questionnaires may be developed by the EUAA depending on the scope of such exercises.

In order to avoid duplication of effort for the Member State and reduce the amount of information requested through the questionnaire, the EUAA makes use, as much as possible, of existing up-to-date information from the sources referred to under Chapter 5 [Framework for information gathering and analysis](#). In particular, in the monitoring exercises the EUAA relies directly on information which is available in the DIP and the EPS. To the extent that certain information is systematically available through those platforms or other means available to the EUAA, the questionnaire does not include corresponding questions.

## Procedure for collecting information through the Member State questionnaire

The Member State questionnaire is shared with the NMC immediately after the official communication by the Executive Director initiating the monitoring exercise. The NMC is responsible for disseminating the questionnaire to the relevant national stakeholders, the compilation of the answers and the timely submission of the answers to the EUAA.

For the country monitoring exercises and the thematic monitoring exercises, the Member State is informed at least three months before the official initiation of the monitoring exercise when the questionnaire is to be dispatched to them to allow the Member State to inform the relevant stakeholders, plan and prepare the necessary resources. From the moment of the dispatch, the Member State is given three months for country monitoring exercises to complete the questionnaire. The timeframe for the thematic monitoring questionnaire submission would depend on the nature of the thematic monitoring and be determined on a case-by-case basis (see Sub-section [9.2 Thematic monitoring: annual thematic monitoring programme](#)). In the context of an *ad hoc* monitoring exercise, if a questionnaire is deemed necessary, no prior notifications may be given and shorter timeframes may apply. Such timeframes should be reasonably tailored to the purpose of the *ad hoc* monitoring exercise, while still allowing the Member State sufficient time to provide the necessary answers. The applicable timeframes would be determined on a case-by-case basis.

Based on the initial responses to the questionnaire provided by the Member State, further clarifications may be asked by the Monitoring Unit on specific questions. These additional questions would be submitted to the NMC in written form and a reasonable amount of time for completing the additional questions would be provided. The timeframes would be determined on a case-by-case basis.

In addition to their responses to the questionnaire, Member States may be requested to share relevant documents and other material, including national standard operating procedures, internal guidance documents and templates. The Member State questionnaire may also be supplemented by requests for national authorities to share the results of self-assessments conducted on key thematic elements, as relevant, as well as the results of recent simulations and/or tabletop exercises conducted in relation to the national contingency plan.

Member States are invited to submit their answers and any supporting documents in English, the working language of the EUAA. When it is not possible for the Member State to provide the supporting documents in English, the EUAA undertakes the translation.

## 6.2. Case sampling

Case sampling is one of the types of information on which monitoring may be based, in support of a country, thematic or an *ad hoc* monitoring exercise<sup>33</sup>.

The purpose of the case sample analysis is to provide insight to monitoring into how processes are being implemented in concrete cases for specific types of administrative procedures or workflows.

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<sup>33</sup> Article 14(4) of the EUAA Regulation.



Through the case sample analysis, the EUAA identifies potential preliminary shortcomings that require further clarification either in writing or during the on-site visit, as well as potential good practices. The aim is to review a variety of cases that can offer leads to further guide the monitoring exercise, rather than establishing a sample that is representative for the whole population. Case sampling analysis is not used to draw general conclusions.

In line with recital 21 of the EUAA Regulation '[c]ase sampling is without prejudice to the competence of the Member States to decide on individual applications for international protection and is to be carried out in a manner that fully respects the principle of confidentiality.' The EUAA shall not reassess the individual facts of the case.

The case sample analysis is conducted in view of the objective criteria and focuses on the following questions:

- Have all relevant legal criteria of the respective CEAS instruments been assessed when deciding on an individual application or case?
- Have all the procedural provisions in the relevant CEAS instruments been respected when coming to a decision on the individual application or case?
- Were all the relevant deadlines respected and were the processes through which a decision has been reached efficient?

Particular attention is given to whether special procedural needs and/or reception needs have been identified and adequately responded to.

In the context of a country monitoring exercise, during the preparatory stage, the EUAA may reach out to the Member State and organise dedicated meetings to receive additional information concerning relevant processes within the asylum and reception systems in the country, as well as to ensure timely familiarisation with the relevant national case management and filing systems. This preliminary step aims to prevent or address in a timely manner potential logistical and operational challenges related to retrieval of the requested types of case files, data storage and confidentiality, as well as to facilitate the ensuing request for documents within the respective case files.

The Member State shall share with the EUAA the case files for the sampling analysis within one month of the official communication by the Executive Director initiating the exercise. This timeframe shall be extended to one and a half months where the Member State submits the documents following anonymisation as instructed by the EUAA, and to two months where the case files are submitted by the Member State anonymised and translated in English.

The EUAA analyses the case files through the dedicated monitoring tools, taking into account relevant available tools, such as the Quality Assurance Tool<sup>34</sup>.

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<sup>34</sup> Available at <https://www.euaa.europa.eu/quality-assurance-tool>.

## Types of case files to be subject to sample analysis

Recital 21 of the EUAA Regulation states that '[i]t is appropriate that case sampling consist of a selection of positive and negative decisions that cover a particular period of time and are relevant to the aspect of the CEAS that is being monitored. It is appropriate to base case sampling on objective indications, such as recognition rates'.

The case files that are subject to case sampling analysis are defined by the main administrative procedures and workflows that are implemented. The case files corresponding to the following aspects may be requested:

1. Screening form in the case of referral to the asylum (border) procedure;
2. Procedures in the context of the AMMR: determination of the responsible Member State, transfers and relocation<sup>35</sup>;
3. Examination of the admissibility of the application for international protection;
4. Examination of the application for international protection within:
  - a) the asylum border procedure;
  - b) the accelerated procedure;
  - c) the 'regular' procedure;
5. Withdrawal of international protection status;
6. Reduction or withdrawal of material reception conditions;
7. Restrictions of freedom of movement under the RCD;
8. Detention under the RCD;
9. Procedures under Regulation (EU) 2024/1350.

The exact configuration of the cases to be analysed would depend on types of procedures implemented in the Member State, the composition of the caseload of the Member State and possible points of attention based on information already at the disposal of the EUAA.

Depending on the national context, the EUAA may define additional criteria to further specify the types of cases for the case sample analysis, taking into account the functionalities and limitations of the national case file management system. These criteria may include, e.g., main countries of origin, recognition rates, gender and/or age of the main/or principal applicant, and relevance of special procedural guarantees or special reception conditions.

Special attention is to be given to cases of unaccompanied children.

The number of cases per type of case file and the time period of reference is specified depending on the national caseload.

## Case file composition

Different elements of the respective case files are subject to case sample analysis, such as:

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<sup>35</sup> Solidarity-related aspects under Regulation (EU) 2024/1351 (AMMR) fall outside the scope of the objective criteria, and therefore the corresponding types of case files, except for the implementation of relocation, where applicable.



- the individual decision;
- all the elements relating to the procedural steps followed, including with regard to the respect of procedural guarantees;
- the elements that have been taken into account in order to reach the decision.

The case file may, depending on the type of administrative procedure in which the decision is taken, consist of, for example, screening forms, registration forms, interview transcripts, relevant country of origin information (COI)<sup>36</sup>, vulnerability assessments and the reasoned decision, among others.

Case files shared with the EUAA shall not contain classified information or other information which cannot be disclosed due to national security, public order or other confidentiality requirements under applicable law.

In line with Regulation (EU) 2018/1725<sup>37</sup>, the EUAA follows the data minimisation principle and requests only the elements necessary to achieve the purposes of the sampling analysis.

The request for documents as part of the case files for the case sampling analysis includes the core elements expected per type of file and is duly informed by the preliminary familiarisation with the national case management and filing systems. In addition, for efficiency purposes and in order to minimise access to confidential data, the EUAA requests the Member State to provide a list of all documents included in each of the selected case files. When deemed necessary for the objective and comprehensive analysis of the respective file(s), the EUAA may request additional documents from that list in writing to the Member State concerned. While additional documents requested do not necessarily have to be provided within the original time limit for submitting the case files, they should be transmitted to the EUAA in a timely manner.

## Sample size

Taking into account the available resources and the monitoring programme cycle, on average, a total of 50 cases are reviewed per country monitoring exercise. The exact number can vary depending on the size of the caseload of the Member State. Each case, with its supporting documents, is in principle counted as one case file. Where one decision covers more than one adult and/or one or more dependent children, this is still be counted as one.

## Method for random selection

Case sampling relies on a random selection of the cases to be analysed.

For each type of case file deemed relevant for the case sample analysis, the EUAA liaises with the Member State to randomly select the requested number of case files, in line with the principles of

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<sup>36</sup> If the COI is publicly available, references to the relevant source are sufficient.

<sup>37</sup> Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC, (OJ L 295, 21.11.2018, p. 39). ELI: <http://data.europa.eu/eli/reg/2018/1725/oj>.

confidentiality and data protection. The randomised selection of case files is intended to ensure an unbiased sample, supporting the reliability and impartiality of the monitoring findings.

### **Protection of personal data and file sharing for the purpose of case sampling**

In line with Article 31(1) of the EUAA Regulation, the Agency ‘shall process personal data only to the extent necessary and for the following purposes: [...] (b) carrying out case sampling for the purposes of monitoring as referred to in Article 14’, and, in line with Article 31(2) of the same regulation, ‘any processing of personal data shall respect the principle of proportionality and be strictly limited to personal data necessary for the purposes’.

Respect for the necessary data protection safeguards is fundamental to the sampling process.

Member States are strongly encouraged to ensure anonymisation prior to sharing the case files with the EUAA. In particular, in line with the principle of data minimisation, Member States should redact the name of the person concerned and/or direct family members from the case file, as well as photographic images or other biometric data, and specific addresses or other data which would allow for those persons’ identification. Member States should also redact any personal data concerning the individuals working on the case (case officers, interpreters, legal advisers, etc.). Personal data that are necessary for the appropriate analysis of case samples (e.g., place of origin, age, gender of the applicant) should be retained. The designated EUAA monitoring coordinator assists the Member State in this regard and provides the necessary clarifications and support.

Where the Member State is not in a position to ensure data minimisation accordingly, the EUAA may organise a dedicated preparatory mission to support in the anonymisation process.

The transfer of case files from the Member State to the EUAA is done securely with an IT solution provided by the EUAA in agreement with the Member State or, in exceptional circumstances, through consultation of the case file on site. The EUAA consults the Member State on the modalities for data transfer and retains access to the case files until the end of the monitoring exercise.

After the monitoring exercise is completed, the files are securely deleted from any media and data carrier used. Once the data has been deleted, the Member State is notified.

### **Translation arrangements**

Member States are strongly encouraged to share English translations of the selected case files with the EUAA. Where this is not possible, the EUAA makes arrangements for the translation.

In addition, the documents are shared in their original language in line with applicable data protection regulations.

Given the relatively high number of cases that are to be analysed, for documents provided in the original language, the EUAA relies on translations carried out via machine translation tools, including

those provided by the Commission (e.g., eTranslation, which can translate documents in all the 24 official EU languages and includes embedded safeguards for the secure processing of information)<sup>38</sup>.

For documents which cannot be processed by machine translation tools, or for passages where these tools produce insufficiently clear results, the EUAA requests the Member State to provide an accurate translation or the necessary clarification to ensure a comprehensive and reliable analysis of the relevant files. During potential in-situ consultation of the case files, the Member State should make an interpreter available. If such interpretation cannot be provided by the Member State, the NMC is to notify the EUAA in a timely manner to allow for the required procurement.

### 6.3. Tools for the on-site visit

During the on-site visit, the members of the team of experts collect additional information and verify all gathered information through the tools and activities listed below.

#### Meetings with the Member State

During the on-site visit, meetings are organised with the national authorities at central and regional/local level as needed.

The following meetings are held, in particular, with all national authorities present at central level:

- an **inception meeting** at the beginning of the on-site visit with a view to presenting the detailed programme of the on-site visit and its focus, exchange information, explain the working modalities and structure of the team of experts, update on specific details of the locations to be visited, as well as key issues to be clarified during the on-site visit. In exceptional cases, possible adaptations of the programme on the basis of limitations that arise due to unpredictable events may be discussed during this meeting.
- a **closing meeting** at the end of the visit with a view to informing on the activities that have taken place during the visit, to clarify any inconsistencies in the information gathered, address any possible information gaps, and inform the Member State of any necessary follow-up in preparation for the findings, including the request of submission of additional documentation in writing, and next steps.

Additional meetings may be scheduled if necessary. Where applicable, a similar approach is followed for visits on regional and/or local level.

The team of experts is bound at all times by the applicable data protection and confidentiality rules in line with the EUAA Regulation and the relevant data protection framework<sup>39</sup>.

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<sup>38</sup> For further information on the safeguards and processing of personal data in Commission machine translation tools, see: European Commission Language Tools – Help page (Data protection and privacy), available at <https://language-tools.ec.europa.eu/help?lang=en&app=dpr>. In certain cases, binding national data protection rules may apply in addition.

<sup>39</sup> See footnote no 46. Where relevant, also Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), (OJ L 119, 4.5.2016, p. 1).



## Meetings with other stakeholders relevant to the application of the CEAS

Meetings with other stakeholders that are relevant to the application of the CEAS, if deemed necessary by the team of experts, are organised under the conditions described in the framework for information gathering.

### Observation

Observation of relevant working procedures, practices and facilities allows the team of experts to gather direct information on the practical implementation of the different procedures and of the conditions in the Member States' facilities.

The members of the teams of experts should not interrupt or hinder the work of the officials, thus ensuring that their presence does not affect procedural fairness or applicants' access to support. When visiting facilities and/or authorities, the privacy of guests and/or applicants must always be respected.

The team of experts conducts observations of individual procedures in full respect of the applicants' fundamental rights, including their dignity, privacy, and physical and mental integrity. Applicants should be clearly informed by the relevant responsible national officer, in an accessible manner, about the purpose of the monitoring, the role of the observers, and on how their information is to be used. Their consent must be obtained by the NMC using standardised material provided by the EUAA, and it must be clearly stated that refusal does not lead to any negative consequences for their asylum procedure or reception conditions. If others are present during the observed procedure, including for example interpreters and legal advisers, their consent should also be obtained accordingly. No personal data of applicants for international protection is collected during observations and recorded by the teams of experts.

The responsibility for ensuring that these principles and safeguards are respected during the observation of procedures lies with the Member State authorities conducting the procedure.

Photos and video recording may be used to support observations with due regard to national restrictions and with the agreement of the Member State and/or persons concerned 'in accordance with applicable EU and national data protection rules'. In this case, EUAA equipment is used to record and store information. The use of private phones is not permitted.

### Interviews

Interviews with key personnel allow for in-depth discussions on practical and technical matters. The purpose is to gain insights into the relevant procedures directly from practitioners based on their experience and expertise.

The EUAA identifies with the concerned Member State ahead of the on-site visit the appropriate personnel with expertise relevant for the purpose of the monitoring exercise to be interviewed. Modalities for interviewing relevant personnel and/or non-officials and third parties are established in consultation with the MoNet.



When collecting the necessary information, experts should limit themselves to the collection of objective data, without using suggestive or provocative questions. Interviews and discussions are to be conducted in a respectful and professional manner and in a collaborative spirit.

### **Scenario-based questions**

Scenario-based questions are a complementary tool to gather additional information on the processes and practices followed by Member State officials in specific situations relevant to the objective criteria, while taking the officials' position and area of expertise into account. The aim is to better understand and be guided on the applicable procedures in specific instances, and not to speculate about individual cases.

### **Additional documentation and/or information**

The team of experts may consult relevant documentation as necessary, including national and internal guidelines and instructions, records and (parts of) a case file management system, to the extent required for the purpose of the monitoring exercise. The classification of documents by the Member State concerned is to be respected.

Member States would be given the opportunity to provide additional information on any outstanding questions after the on-site visit within a mutually agreed timeframe.

Should additional clarifications be required by the EUAA monitoring coordinator after the on-site visit, the request is to be addressed to the Member State through the NMC(s) in written form by no later than three working days after the end of the on-site visit (i.e., the closing meeting). Depending on the complexity of the question(s), a reasonable timeframe is agreed for the Member State to provide feedback.

## **6.4. Security aspects**

### **EUAA access to national classified information**

Article 65(1) of the EUAA Regulation requires the Agency to apply the Commission's rules on security as set out in Commission Decisions (EU, Euratom) 2015/443<sup>40</sup> and (EU, Euratom) 2015/444<sup>41</sup>. Those apply, in particular, to the exchange, processing and storage of classified information.

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<sup>40</sup> Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission, (OJ L 72, 17.3.2015, p. 41); available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32015D0443>.

<sup>41</sup> Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information, (OJ L 72, 17.3.2015, p. 53); available at: <https://eur-lex.europa.eu/eli/dec/2015/444/oj/eng>.



Accordingly, the EUAA:

- cannot use the information for any other purpose than the one for which it was provided without the prior agreement of the releasing party;
- cannot further release or disclose classified information received;
- must comply with any limitations on the release of classified information specified by the releasing party;
- must protect the rights of the originator of the classified information, as well as intellectual property rights (e.g., patents, copyright and trade secrets).

### **Personnel authorisation and security clearance**

Access to classified information is reserved to EUAA authorised persons and those whose official duties may require it. The EUAA ensures that all persons are duly authorised and security-cleared before being given access, if the classification level requires a security clearance, and that these persons are aware of their responsibilities.

### **Transfer rules**

The releasing party ensures that classified information is adequately protected until it reaches the intended recipient. Once in the recipient's possession, the recipient is responsible for seeing that it is properly protected. The electronic transmission of classified information is encrypted in accordance with the releasing party's or EU requirements. These requirements must be met when transmitting, storing and processing this information.

### **Security and technical security arrangements**

The EUAA ensures the security of facilities and establishments where classified information is kept.

### **Particular cases**

Classified information should be downgraded or declassified once it no longer needs protection. The releasing party can downgrade or declassify its own information at its own discretion. The recipient cannot downgrade or declassify information received without the prior written consent of the releasing party. The releasing party must be informed immediately of any loss or compromise of its classified information. The recipient party investigates the matter and informs the other party of the results.

### **Classification levels and equivalency**

The EUAA legal framework defines that the Agency may handle sensitive non-classified information and classified information up to and including RESTREINT UE/EU RESTRICTED or information classification at the equivalent level as set out in the table of equivalence of security classifications contained in the annex to the intergovernmental agreement between Member States of the EU,



meeting within the Council, regarding the protection of classified information exchanged in the interests of the EU<sup>42</sup>.

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<sup>42</sup> Agreement between the Member States of the European Union, meeting within the Council, regarding the protection of classified information exchanged in the interests of the European Union, (OJ C 202, 8.7.2011, p. 13); available at [https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=oj:JOC\\_2011\\_202\\_R\\_0013\\_01](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=oj:JOC_2011_202_R_0013_01).

## 7. Formulation of monitoring findings and recommendations

The EUAA Regulation defines the framework for the finalisation of findings, recommendations and further follow-up in Article 15(3) and (4).

### 7.1. Findings

On the basis of the assessment, findings are drafted in line with the Methodology. Findings denote the outcome of the assessment made to identify elements and/or areas that require improvement in order to progressively achieve the full realisation of the CEAS provisions, indication of possible remedial measures where feasible, as well as any identified good practices.

Each finding is assessed in consideration of its impact on the functioning of the CEAS.

#### Drafting of findings

Findings for all monitoring exercises should be short and concise, focusing on identified shortcomings, challenges and areas for improvement. When applicable, good practices should also be identified. Findings in the report may be organised thematically according to the key components or key stages of the CEAS.

Findings are supported by evidence-based analysis. Each finding is presented with a clear description of the shortcomings and challenges, supported by relevant evidence, and a reference to the methodology used for its identification.

The findings would include where feasible, indications of possible improvements needed to address any shortcomings identified during the evaluation taking into account the national system of each Member State and give an indication to the Member State concerned of the priorities with regard to the impact on the functioning of the CEAS. This may serve as the basis for the recommendations.

Main findings are based on consolidated observations from the team of experts which have been discussed and agreed upon prior to the conclusion of the on-site visit and inform the drafting of the report with findings by the EUAA.

#### Consultation process with the concerned Member State

The Executive Director shall send the (draft) findings of a monitoring exercise to the Member State concerned for comments, including, as appropriate, indications of its needs. Member States shall have one month from the date of receipt of the findings to submit comments. This is applicable to all types of monitoring exercises.

The comments of the Member State are taken into consideration in the finalisation of the findings.



In the case of thematic monitoring, the (draft) findings are distributed individually to each Member State for comments. One final report is prepared, encompassing all Member States' findings in order to ensure a consistent and comprehensive approach in line with the scope of the thematic monitoring and the need for horizontal coordination and action.

## 7.2. Monitoring report

To ensure a comprehensive assessment and enhance transparency on the methodology and tools used, a monitoring report is prepared for each monitoring exercise.

The monitoring report should be clear and evidence-based, identify possible shortcomings, be focused on improvements, and enhance efficiency in the operational and technical application of the CEAS. The monitoring report should be concise and succinct, focusing on shortcomings with significant impact on the operational and technical application of the CEAS, and highlight areas where important improvements should be made as well as good practices.

The monitoring report follows a structured format including:

- **Introduction:** the context and purpose of the report including a general description of the monitoring exercise, the composition of the team of experts, the dissemination policy and relevant disclaimers;
- **Scope, methods and timeframe of the monitoring exercise:** the framework for information gathering and analysis for the purposes of the monitoring exercise, a description of the monitoring tools used in the specific exercise (e.g., case sampling, monitoring questionnaire, stakeholders that provided input), an overview of the on-site visits indicating meetings held with Member State authorities and other stakeholders;
- **Contextual analysis:** a brief overview of the national context on asylum and reception, including the most recent and relevant data, highlighting any relevant contextual limitations or positive aspects. When relevant, this section should also include any progress made since previously reported monitoring exercises;
- **Findings:** as finalised and taking into account Member State's comments, as well as identified good practices (see Sub-section [7.1 Findings](#));
- **Conclusion:** summarises the next steps and follow-up.

The monitoring report may contain, as necessary,

- **Acknowledgments** to organisations and entities that contributed to the report and to the broader monitoring exercise;
- **References** citing sources and supporting evidence used in the report.

**Annexes** are attached including any relevant materials that the team of experts considers necessary to support the findings, including supplementary documents.



## Dissemination policy of the monitoring report

The classification status of the monitoring reports is determined in accordance with Decision (EU, Euratom) 2015/443. In any case, the monitoring report as such is not intended for public dissemination.

Requests for access to the monitoring report shall be handled by the Agency in accordance with Regulation (EC) No 1049/2001<sup>43</sup>.

To foster transparency, the EUAA, in consultation with the Member State, develops a summary outlining the implementation of the monitoring exercise, main areas of findings and recommendations for public dissemination by the Member State. This summary may be made available in the official language(s) of the Member State.

## 7.3. Recommendations and follow-up

As stated in Article 15(4) of the EUAA Regulation '[t]he Executive Director shall, on the basis of the findings and taking into account the comments of the Member State concerned, and in consultation with the Commission, draw up draft recommendations. The draft recommendations shall outline the measures to be taken by the Member State concerned, including with the assistance of the Agency, as necessary, and a time limit by which any necessary measures need to be taken by the Member State concerned to address the shortcomings or issues of capacity and preparedness identified in the monitoring exercise'. The Member State concerned should be able to request assistance from the Agency for the implementation of the recommendations and can request specific financial support from relevant EU financial instruments (recital 20 of the EUAA Regulation).

The draft recommendations shall be prioritised based on their urgency and potential impact on the functioning of the CEAS.

### Consultation process with the concerned Member State

In line with Article 15(4) of the EUAA Regulation '[t]he Executive Director shall send the draft recommendations to the Member State concerned. For country and thematic monitoring exercises, the Member State concerned shall have one month from the date of receipt of the draft recommendations to submit comments thereon.

In the cases referred to in Article 15(2) of the EUAA Regulation concerning *ad hoc* monitoring, the Member State concerned shall submit its comments within 15 (calendar) days.

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<sup>43</sup> Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents, (OJ L 145, 31.5.2001, p. 43); available at: <https://eur-lex.europa.eu/legal-content/TR/TXT/?uri=celex%3A32001R1049>.



## **Adoption of the recommendations**

After taking into account the comments of the Member State concerned, the Executive Director shall submit the findings and draft recommendations to the Management Board. The Management Board shall, by a decision of two-thirds of its members with the right to vote, adopt the recommendations. Adopted recommendations are transmitted to the European Parliament. The NMC would be notified in a timely manner of this transmission by the Monitoring Unit.

## **Action plan and reporting**

Within two months from the adoption of the recommendations by the Management Board, the Member State is to prepare an action plan on the implementation of the recommendations as necessary and share this with the EUAA. The action plan details the measures and timeline to implement the recommendations. The EUAA may support the Member State in this regard, including through the provision of a template.

The Member State is to report periodically to the EUAA on the progress of implementation of the action plan in line with the timeframe agreed upon with the Agency and in accordance with Article 4 of the EUAA Regulation. The EUAA reports to the Commission, and the Management Board is kept regularly informed of progress made in the implementation of recommendations.

In case a Member State does not implement the measures outlined in the recommendations of the Agency within the set time limit, resulting in serious consequences for the functioning of the CEAS, the follow-up process by the Commission is detailed in Article 15(4) to (8) of the EUAA Regulation.

In line with Articles 7 and 9(3)(e) of the AMMR, the results of the monitoring shall also feed into the Annual Asylum and Migration Report and may also inform the national strategies for asylum and migration management prepared by Member States. Moreover, in line with Article 10 of the aforementioned Regulation, the assessment of the overall migratory situation, or whether a Member State is under migratory pressure, at risk of migratory pressure or confronted with a significant migratory situation should take into account the result of the monitoring undertaken by the EUAA and the relevant recommendations.



## 8. Procedural aspects for the monitoring exercises

### 8.1. Rules and principles for the establishment of teams of experts conducting the on-site visit

#### 8.1.1. Composition of the teams of experts

The Executive Director is responsible for setting up teams of experts (Article 47(5)(p) of the EUAA Regulation), which shall be composed of experts from the Agency's own staff, the Commission and, where necessary, the Member States and, as observer, the UNHCR.

#### **EUAA staff**

The teams of experts are primarily composed of the Agency's staff. The Agency assumes the overall responsibility for and undertakes coordination of the teams of experts as well as necessary preparations.

#### **European Commission**

The Commission participates in the teams of experts in line with the indicative proposed structure below.

#### **Member State experts**

The team of experts shall be composed of experts from the Member States, where necessary. Although the monitoring mechanism is not conceived as a peer review process, the EUAA supports the active involvement of Member State experts in the teams of experts. To facilitate the nomination of experts in the teams, a roster of Member State experts for the purposes of monitoring ('monitoring roster') has been established and is presented below (see Sub-section [8.1.4 Establishment of the monitoring roster](#)). The teams of experts can perform their tasks and conduct the onsite visit in the absence of Member State experts.

The Member State experts participate in monitoring exercises in their individual capacity and not as representatives of their respective Member State. Consequently, they should not seek advice and/or guidance from their respective Member State when conducting the monitoring exercise.

The procedure for the selection of experts to be assigned to the monitoring roster, including creation and management of the roster, reimbursement of mission-related costs, procedure for the nomination and appointment of experts in a monitoring exercise, confidentiality, Member State experts' post-



appointment activities and the handling of personal data, is detailed in a decision of the Executive Director<sup>44</sup>.

## UNHCR observers

The UNHCR participates as an observer in the teams of experts in line with the indicative proposed structure presented below. The UNHCR observer serves as a resource person to the teams of experts and does not take an active role in meetings and interviews with the Member State monitored during the on-site activities.

The teams of experts can perform their tasks and conduct the onsite visit in the absence of UNHCR experts (recital 24 of the EUAA Regulation).

### ***8.1.2. Structure and size of the teams of experts***

The structure and the size of the teams depend on the type and scope of the monitoring exercise as follows.

#### **Country monitoring exercise**

The team of experts for a specific country monitoring exercise is coordinated by an EUAA senior officer acting as the **EUAA country monitoring coordinator**.

To adequately cover the wide range of expertise required for the purposes of the monitoring exercise, but also to better manage the workload, the country team of experts is organised in specific **thematic sub-teams** composed of experts in the areas of **asylum and reception**.

Each sub-team is coordinated by an **EUAA monitoring thematic leader** with relevant thematic expertise.

The size of the team of experts may vary depending on the size of and contextual situation in the country concerned.

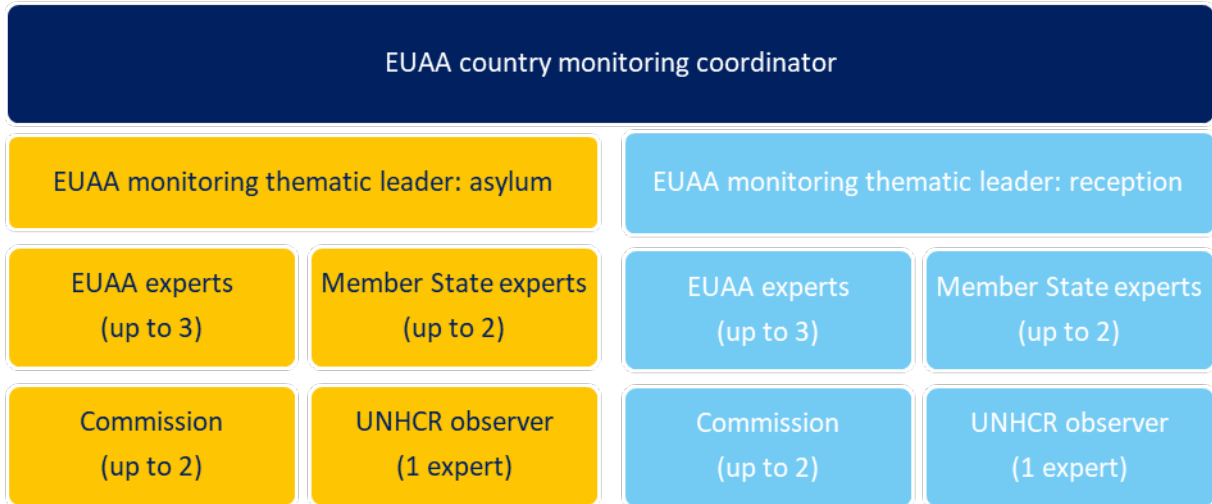
Indicatively, the team of experts for a country monitoring exercise may be composed as follows:

- Three to nine EUAA staff, including the EUAA country monitoring coordinator and two thematic leaders;
- One to four experts of the Commission;
- Up to four Member State experts depending on the overall size of the team;
- Up to two experts of the UNHCR as observers.

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<sup>44</sup> See the [Decision of the Executive Director No 36 of 8 May 2025 on the terms of reference for Member State experts participating in the monitoring of the operational and technical application of the Common European Asylum System, including the Monitoring Roster](#) and the [Decision of the Executive Director No 34 of 25 April 2025 on the code of conduct for participants in activities for the purposes of monitoring of the operational and technical application of the Common European Asylum System](#).

**Figure 2. Indicative presentation of the team of experts for a country monitoring exercise**



Source: EUAA

The EUAA retains flexibility as regards the size of the teams of experts in order to increase efficiency and to reduce the administrative burden.

The EUAA defines and adjusts the size of the monitoring team depending on the needs and challenges of each specific monitoring exercise, the size and the migratory flows of the Member State to be monitored, the complexity of its asylum/reception system as well as the number of locations to be covered in an on-site visit.

Taking into account the number of countries and thematic exercises planned each year, the EUAA defines the composition of the team of experts prior to each exercise and notifies the Member State concerned. Each team of experts may be supported by additional EUAA staff overseeing logistics, preparations, and supporting the overall operational implementation of the monitoring exercise.

### Ad hoc monitoring exercise

The above team composition is adjusted in line with the specific focus depending on the serious concerns identified by the EUAA or the Commission, covering all or partly the areas under review in line with the objective criteria.

### Thematic monitoring exercise

The team of experts for a specific thematic exercise, where an on-site visit is envisaged, is coordinated by an EUAA senior staff member acting as the thematic monitoring coordinator.

Where applicable, and depending on the scope of the thematic monitoring exercise, the team of experts is indicatively expected to be composed as follows:



- Three to six EUAA staff, including the EUAA thematic monitoring coordinator;
- Up to two experts of the Commission;
- Up to two Member State experts;
- Up to one expert of the UNHCR as observer.

The indicative size of the team is between four to nine experts. The EUAA may further adjust the size and composition of the team as needed.

### **8.1.3. Establishment of the team of experts**

According to Article 47(5)(p) and (q) of the EUAA Regulation, the Executive Director is responsible for setting up teams of experts for the purpose of the monitoring mechanism and for initiating a monitoring exercise in accordance with Article 15(2). The Executive Director defines, in line with the indicative structure presented above, the team of experts for each monitoring exercise indicating name, role and thematic sub-team for the experts to be appointed among:

- EUAA staff;
- Member State experts;
- Commission representatives;
- UNHCR observers.

The overall number of the team of experts is confirmed as part of the establishment of the team and communicated to the Member State being monitored.

### **Withdrawal of an expert/cancellation of participation**

Cancellation of participation should be avoided as much as possible, especially once the travel arrangements are made. A cancellation of participation of an expert may nevertheless happen for justified, serious and unforeseen reasons. Cancellations are to be communicated by notifying the EUAA's Monitoring Unit in writing.

In case the withdrawal of the expert takes place before the finalisation of the on-site visit schedule and the travel arrangements, the EUAA may seek a replacement. In line with Sub-section [8.1.1 Composition of the teams of experts](#), the absence of a Member State expert or a UNHCR observer does not impact the realisation of the on-site visit.

The Member State concerned shall be duly notified of any changes in the composition of the team of experts established by the Executive Director.

### **8.1.4. Establishment of the monitoring roster**

A roster of Member State experts is established for the purposes of monitoring. The monitoring roster constitutes a reserve of Member State experts which are to be made available for the purposes of the monitoring mechanism. In this regard, the EUAA, in consultation with the MoNet (see Chapter [13 Role of the Monitoring Network](#)), has developed a template for the nomination form.



Each Member State may nominate a **maximum of five experts** for the monitoring roster on a voluntary basis in accordance with the general criteria set out below. In addition, Member States may nominate up to two additional experts from the judiciary, with a view to facilitating the assessment of aspects related to appeals procedures.

If for the purposes of a monitoring exercise, specific expertise not covered by the Member State experts nominated on the roster is required, the Agency may publish additional calls for Member State experts for the specific monitoring exercise.

The call for the nominations of experts is shared with the MoNet. Nominations are valid for **five years** and may be renewed. The Member State may recall or submit a new nomination at any time if the criteria and/or the availability of the expert cease to exist.

The Executive Director shall establish internal rules, procedures and support tools to manage the monitoring roster.

### **General criteria for the nomination of Member State experts for the monitoring roster**

Member State experts made available to the monitoring roster shall satisfy the following criteria:

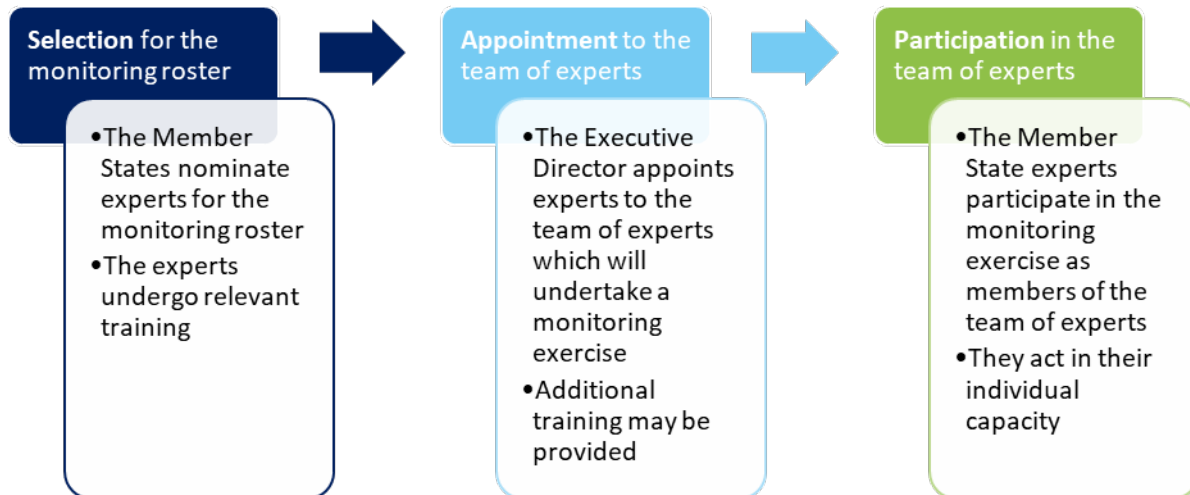
1. professional experience of at **least three years** in the field of the CEAS, in areas such as overall coordination, planning, implementation, monitoring and reporting of interventions and/or projects regarding the asylum procedure or reception systems, evaluations, process management, reception centre management, vulnerability assessment, fundamental rights, coordination with national authorities, quality assurance and identification of good practices;
2. demonstrated sound knowledge of the applicable CEAS standards (e.g., knowledge of the CEAS instruments, EUAA practical tools);
3. fluency in English, the Agency's working language;
4. be employed by a national authority.

The NMC should ensure that the above criteria are fulfilled when nominating the experts to the roster.

Additional optional criteria that can be considered by the EUAA for the selection of Member State experts include knowledge of other relevant languages, as well as direct experience in and understanding of the asylum and reception systems in EU countries other than their country(ies) of nationality. The nomination of experts from different areas of expertise including members of courts and tribunals is encouraged.

The EUAA aims to include an equal number of experts in asylum and reception procedures.

**Figure 3. Schematic presentation of the procedure for Member State experts' participation in the teams of experts**



Source: EUAA

### **8.1.5. Training, selection and appointment in the teams of experts**

The Agency ensures that experts who participate in the teams of experts have received the necessary training relevant for their participation in the monitoring exercises organised by the Agency. The Agency, where necessary and in advance of or upon appointment to a specific exercise, provides the experts with training which is specific to the monitoring mechanism.

Member States should authorise the participation of the experts nominated for the monitoring roster in the necessary EUAA training for the monitoring mechanism and, upon appointment to a team, in the monitoring activities.

The Executive Director established rules and procedures for the appointment of experts from the Agency's staff, Member State experts as well as Commission and UNHCR experts to be part of a team of experts for a specific monitoring exercise<sup>45</sup>. To the extent possible, consideration is given to ensuring gender balance and equitable geographic representation during each monitoring cycle. Experts from Member States that are being monitored during the same year, or in the first half of the following year, may be exempted from serving on a team of experts that year.

The EUAA and the Commission are committed to participating in monitoring activities with highly qualified members in the team of experts. Due consideration is given to the relevant professional experience and thematic expertise when appointing their members of the team of experts.

Member State experts shall not be part of a team of experts performing a monitoring exercise in their country(ies) of nationality or the country where they are employed (including staff on unpaid leave and seconded national experts).

<sup>45</sup> See footnote no 44.



In addition to regular measures to prevent conflicts of interest and to underpin the impartiality of the team of experts, a 'cooling-off period' of a minimum of three years shall be observed by any members of the team who have been employed by or have worked for the national administration (including as implementing partner or contractor) and/or in the field of asylum (e.g., for a non-governmental organisation, as a lawyer directly engaged in the national procedure) in the Member State under review. The same restriction applies to experts previously deployed by the EUAA as part of an asylum support team<sup>46</sup> in the Member State concerned.

Members of the team of experts are subject to the applicable provisions in the Decision of the Executive Director No 20/2025 on the policy on the prevention and management of conflicts of interest, related postemployment and ethical guidance, and the role of ethics correspondent<sup>47</sup>.

### **8.1.6. Implementation**

The Decision of the Executive Director No 34 of 25 April 2025 sets out the code of conduct for participants in activities for the purposes of monitoring of the operational and technical application of the CEAS.

Further details concerning the participation of the teams of experts in the monitoring activities are defined in other relevant Decisions of the Executive Director referenced above, including applicable Decisions of the Executive Director issued following the adoption of this Methodology.

## **8.2. Specific framework for ad hoc monitoring**

The overall aim of *ad hoc* monitoring is, similar to country monitoring and thematic monitoring, the identification of possible shortcomings in the asylum and reception systems of Member States and of any issues with the capacity and preparedness to manage situations of disproportionate pressure, with the purpose of enhancing the efficiency of those systems.

*Ad hoc* monitoring exercises are initiated if there are 'serious concerns' arising from the information analysis. Serious concerns must be based on concrete and reliable information and the potential adverse impact of shortcomings or issues of capacity and preparedness on the functioning of a Member State's asylum or reception system needs to be significant. A concern implies however that respective shortcomings or issues of capacity and preparedness do not have to be considered as established prior to the decision to initiate the monitoring, as this is the very object of the *ad hoc* monitoring visit.

Firstly, information on which the concerns are based must be concrete and reliable. The EUAA derives the relevant information from the analysis of the situation of asylum in the EU conducted by the Agency under Article 5(1) of the EUAA Regulation. The reports from the EUAA's liaison officers 'who regularly provide reports to the Executive Director on the situation of asylum in the Member State concerned and its capacity to manage its asylum and reception systems effectively' (Article 7(4)(f) of

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<sup>46</sup> Pursuant to Articles 19 and 20 of the EUAA Regulation.

<sup>47</sup> Available [here](#).



the EUAA Regulation) are taken into account, particularly in cases where these reports raise concerns about one or more aspects relevant for the Member States concerned.

In addition, ‘violations of fundamental rights or international protection obligations’ by the Member State receiving the EUAA’s operational and technical assistance, raised in the context of the application of Article 18(6)(c) of the EUAA Regulation, are duly considered, particularly when they are ‘of a serious nature or are likely to persist’.

Secondly, the possible impact of the shortcoming or any issue with capacity and preparedness should be significant to the extent that there can be material consequences for the functioning of the Member State’s asylum and reception system as a whole.

The EUAA takes into account any available information on actions already taken by the Member State to remediate the situation.

### **Steps to initiate the ad hoc monitoring exercise**

In case of serious concerns which necessitate the initiation of an *ad hoc* monitoring exercise, the EUAA consults the Commission. In accordance with Article 15(2) of the EUAA Regulation, the Commission may also request the *ad hoc* monitoring exercise that the Agency shall initiate.

The Executive Director is responsible for initiating *ad hoc* monitoring exercises. The Member State is informed as soon as possible in writing that an *ad hoc* monitoring exercise is being initiated based on serious concerns. This communication indicates whether the monitoring exercise is initiated as an EUAA initiative or at the Commission’s request, the reasons why the monitoring is initiated and the aspects of the CEAS that are the object of the *ad hoc* monitoring exercise, which determine the scope of the exercise. Notifications are addressed to the Member State.

The EUAA may carry out short-notice visits in support of the *ad hoc* monitoring exercise. The Member State is to be informed 72 hours prior to a short-notice monitoring visit. Ahead of the visit, a meeting is planned as well with the NMC and responsible authorities.

In support of the *ad hoc* monitoring, the EUAA may send a tailored questionnaire to the Member State concerned. Deadlines to reply to the questions should be long enough for the Member State to reasonably provide the answer.

Member States are given the opportunity to provide additional information on any outstanding questions after the on-site visit within an agreed timeframe.

The timeframes for the preparation and implementation of *ad hoc* monitoring exercises, including the timeframe for the engagement and number of members of the team of experts vary depending on the scope of the exercise.



## Specific practical arrangements applicable to ad hoc monitoring exercises

Given the urgent nature of the visit, it is the sole responsibility of the Agency to establish the detailed agenda. Once the Member State has been notified, the Agency shares the timetable and detailed programme with the Member State concerned and takes into account any observations made by the Member State in this regard.

Consequently, the logistical burden lies with the Agency, which undertakes the coordination of all necessary arrangements and ensures the availability of qualified interpreter(s) to support the team of experts.

The **short notice on-site visit requires high flexibility and adaptability from the team** of experts and the Member State concerned. The details of the visit are made available once the Member State concerned is notified of such visit.

### 8.3. Practical arrangements for the on-site visit

#### 8.3.1. General rules for the organisation of on-site visits

The monitoring exercise takes place in close collaboration with the Member State, which facilitates any on-site visit carried out for the purposes of the monitoring mechanism. In the case of an *ad hoc* monitoring exercise as foreseen in Article 15(2) of the EUAA Regulation, the Agency shall carry out short-notice visits.

The EUAA shall notify the Member States concerned sufficiently in advance of any such visit.

The on-site visits are organised in cooperation with the Member State concerned in line with the annual monitoring programme (see Chapter [9 Monitoring programme: structure and grouping criteria](#)). The Agency undertakes all necessary preparatory activities in order to ensure the efficient organisation of on-site visits. The scope of the on-site visit is determined on the basis of the information gathering and analysis in preparation for the monitoring exercise.

The **draft agenda** for the on-site visit is prepared by the Agency indicating:

- the scope, timeline and duration of the on-site visit, as well as the meetings that the team of experts is planning to hold with national authorities and other relevant stakeholders;
- the list of possible locations to be visited<sup>48</sup>, e.g., reception facilities, detention centres used for the purposes of Article 10 of the RCD, screening facilities, facilities designated for the asylum border procedures, and planned activities. Upon consultation with the Member State, the team of experts may request during the on-site visit to go and see additional places on the basis of information collected during the on-site visit.

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<sup>48</sup> Where the EUAA does not have a comprehensive list of relevant locations and/or facilities in the Member State concerned, the designated monitoring coordinator identifies with the NMC relevant locations and/or facilities to be visited during the on-site visit.



The Member State concerned is consulted via the NMC on the draft agenda:

- at least six weeks before an on-site visit is due to take place;
- 72 hours before a short notice on-site visit takes place.

The Member State to be monitored shall assist the team of experts in performing its tasks during the on-site visit.

### **8.3.2. Security and occupational health and safety**

Security and occupational health and safety (OHS) risks must always be taken into account during the monitoring exercise, and adequate mitigating measures must be planned in advance by the host Member State. The host Member State should inform the team of experts of all the necessary elements referring to the specific security, OHS and potential risks that may occur during the visit (e.g., visit to reception centres), provide instructions on the precautions and rules to be followed as well as any required formalities and/or possible limitations, and implement relevant measures. The EUAA commits to comply with the necessary elements for the security and/or OHS of the teams of experts.

In the event of unplanned situations or unforeseeable circumstances (e.g., emergencies, natural disasters), the programme of the on-site visit may be adjusted for the locations concerned in consultation with the Member State.

### **8.3.3. Interpretation**

The working language of the team of experts is English.

Where interpretation is necessary to ensure effective communication with staff of the national authorities or implementing partners, the Member State is strongly encouraged to ensure such interpretation. Alternatively, interpretation services are provided by the EUAA.

### **8.3.4. Travel arrangements**

The Agency organises and covers the costs of the necessary travel arrangements within the country where the monitoring exercise is implemented (e.g., travel between the locations to be visited in different regions/provinces for the purpose of the monitoring) and the accommodation costs for all members of the teams of experts and support staff performing the monitoring exercise.

The reimbursement of daily subsistence and any additional travel-related expenses (e.g., travel from and to the place of employment to the first location of the EUAA monitoring exercise within the Member State concerned), is organised as follows:

- for Member State experts, Commission representatives and UNHCR observers that are nominated members of the teams of experts, in line with the Decision of the Executive Director No 79/2024 of 19 February 2025 on the rules for reimbursement of expenses incurred by participants invited



to attend the Agency's activities. For Commission staff members, costs are covered provided that the mission is not reimbursed by the Commission;

- for EUAA staff, according to Management Board Decision No 192 of 10 February 2026 on the application by analogy of Commission Decision C(2025) 2495 of 13 May 2025 on the general provisions for implementing Articles 11, 12 and 13 of Annex VII to the Staff Regulations of Officials and on authorised travel.

### ***8.3.5. Other logistical arrangements - meeting rooms***

The monitored Member State should provide meeting rooms for the organisation of meetings with the national authorities or indicate during the preparatory stage if such rooms are not available. In that case, the EUAA would seek different arrangements.

For meetings with other stakeholders, the Agency covers the relevant costs for meeting rooms.

## 9. Monitoring programme: structure and grouping criteria

In accordance with Article 15(1) of the EUAA Regulation, 'the Management Board shall, on the basis of a proposal of the Executive Director and in consultation with the Commission, adopt a programme for the purposes of the monitoring mechanism referred to in Article 14 [...] ('monitoring programme').

In order to ensure transparency and predictability, the monitoring mechanism for the operational and technical application of the CEAS shall be based on a **five-year monitoring cycle** ('monitoring cycle') set out in a multiannual monitoring programme complemented by an annual monitoring programme for each of the five calendar years.

The **multiannual monitoring programme** shall set out:

- the schedule of Member States to be monitored under Article 15(1)(a) of the EUAA Regulation (country monitoring) in each of the five years of a monitoring cycle. Each Member State shall be evaluated at least once every five years. The order and the timeline for country monitoring exercises in a specific year is to be defined in the annual monitoring programme;
- the number of thematic monitoring exercises on the implementation of thematic or specific aspects of the CEAS across all Member States, in line with the Regulation and insofar as these can be forecast. The number and the topics for the thematic monitoring exercises is to be set in the annual monitoring programme.

An **annual monitoring programme** shall in turn confirm:

- the Member States that will be subject to country monitoring exercises for the next year along with the order and the timeline of the respective on-site visits in cooperation with the Member States, and
- the number and topics of thematic monitoring exercises along with the timeline for the next year.

The annual monitoring programme is adopted by the Management Board by 30 June of the preceding year.

In the event of *force majeure*<sup>49</sup>, adjustments to the programme shall be made in agreement with the Member States concerned without the need for re-adoption of the updated programme by the Management Board. The Agency shall inform the Management Board accordingly.

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<sup>49</sup> '*Force majeure*' refers to circumstances arising beyond the control of the Agency and the Member States in line with EU law and Court of Justice of the EU (CJEU) jurisprudence. In the *Busseni* case, the Court defined *force majeure* as covering 'unusual circumstances which make it impossible for the relevant action to be carried out. Even though it does not presuppose absolute impossibility, it nevertheless requires abnormal difficulties, independent of the will of the person concerned and apparently inevitable, even if all due care is taken'. Judgment of the Court (Second Chamber) of 9 February 1984. *Acciaierie e Ferriere Busseni SpA v Commission of the European Communities*. Case 284/82. European Court Reports 1984–00557, ECLI identifier: ECLI:EU:C:1984:47.



## 9.1. Country monitoring: grouping of Member States

To define the order in which the Member States are to be monitored for the purposes of country monitoring, the order in which the Member States hold the Presidency of the Council of the EU as established in Council Decision 2009/908/EU of 1 December 2009 (as amended)<sup>50</sup>, is followed.

In this regard, the provisional five-year cycle of the country monitoring is formulated as follows.

**Figure 4. Schematic presentation of the grouping of Member States for the country monitoring**

Year 1	Year 2	Year 3	Year 4	Year 5
The Netherlands*	Austria	Portugal	Spain	Lithuania
Slovakia	Romania	Slovenia	Belgium	Greece
Malta	Finland	France	Hungary	Italy
Estonia*	Croatia	Czech Republic	Poland	Latvia
Bulgaria	Germany	Sweden	Cyprus	Luxembourg
			Ireland	

\*Pilot countries in 2025

Source: EUAA

The schedule above indicates the order of the Member States for the country monitoring exercises per year.

The order and the timeline for on-site visits for country monitoring exercises in a specific year is defined in the annual monitoring programme.

The EUAA strives to avoid scheduling a country monitoring exercise when coinciding with the six-month Presidency of the Council of the EU for the concerned Member State. To the extent possible and in full respect of the five-year cycle rule, the EUAA also takes into consideration the participation of a Member State in the EU Council 'Presidency trio' when planning an on-site visit.

<sup>50</sup> Council Decision 2009/908/EU of 1 December 2009, laying down measures for the implementation of the European Council Decision on the exercise of the Presidency of the Council, and on the chairmanship of preparatory bodies of the Council, (OJ L 322, 9.12.2009, p. 28), as last amended by Council Decision (EU) 2024/2541 of 23 September 2024 (OJ L, 26.9.2024, p. 1).



## 9.2. Thematic monitoring: annual thematic monitoring programme

For the purposes of the monitoring mechanism, thematic monitoring allows for the monitoring of thematic or specific aspects of the CEAS with regard to all Member States.

The thematic monitoring exercise is initiated on the basis of a proposal of the Executive Director and in consultation with the Commission. This proposal is made in consideration of the available resources as well as pre-identified needs for such monitoring across Member States. The MoNet may bring to the attention of the Agency for its consideration a topic of particular interest for thematic monitoring.

The organisation of a thematic monitoring exercise, including the exact topic is to be decided by the Management Board as part of the annual monitoring programme by 30 June of the preceding year. Following this Management Board Decision, the MoNet shall be consulted on the practical modalities including content and timelines of questionnaires and any possible onsite visit for the purpose of thematic monitoring. The identification of the Member States in which the on-site visits are to be conducted shall be based on the preliminary analysis of shortcomings and good practices carried out by the Agency.

To avoid duplication the thematic monitoring is to the extent possible integrated in the country monitoring for the Member States to be monitored during that year.

## 9.3. Ad hoc monitoring

*Ad hoc* monitoring is neither subject to programming nor is it dependent on other monitoring exercises (thematic and/or country monitoring) organised in the same period.



## 10. Protection of personal data for the purpose of the monitoring mechanism

In accordance with Article 30 of the EUAA Regulation, any processing of personal data carried out by the Agency takes place in compliance with Regulation (EU) 2018/1725, including in the context of the monitoring mechanism. The respective responsibilities for compliance with data protection obligations for each step of the monitoring process in which personal data are to be processed should in principle be clear for all the parties involved before a monitoring exercise starts.

The EUAA has designed the monitoring mechanism by taking into account data minimisation, privacy-by-design and privacy-by-default principles and is committed to a high standard of protection of personal data.



## 11. Role of the Monitoring Network

The monitoring mechanism is implemented in consultation with the Member States.

The MoNet established in 2024, pursuant to MB Decision No 161, is the network of the NMCs (both the main Member State representative and the alternates). The MoNet is a forum designed to support the implementation of the monitoring mechanism, to regularly exchange feedback and to draw lessons from the implementation of the monitoring mechanism. The MoNet is also consulted in reviewing technical aspects of the implementation of the Methodology with a view to improving the monitoring processes and to facilitate their uniform application.

The Network includes:

- EUAA staff;
- the main NMC of the respective Member States bound by the EUAA Regulation, and their alternate(s);
- the Commission;
- the UNHCR, as observer.

Further details on the work, functioning and role are provided in the terms of reference developed by the EUAA.



## 12. Review of the Methodology

The Methodology outlined in this document is subject to improvement and adaptation to changes in the legislative framework in the future. All amendments or changes to the Methodology are established by the Management Board, based on a proposal by the Executive Director and in consultation with the Commission.

A periodic, cycle-based, review is foreseen with a view to implement relevant changes, if needed, ahead of the new monitoring cycle.