EASO’s Fifth Management Board meeting
Malta, 25 November 2011
Minutes

European Asylum Support Office
November 2011
Friday, 25th November, 2011

1. Adoption of the draft agenda

Adoption of the agenda.
The Chair welcomed the Head of the Centre for Operational Support, Claus Folden.
The Chair confirmed that he received a letter from LV to be represented by LT. Due to other obligations FR participant cannot take part, the Chair will also give the FR input in the meeting.

2. Adoption of the draft minutes of the fourth Management Board meeting

On request of IT the Minutes of the 4th Management Board were revised. On page 7 under topic 12 will be added: “IT suggested the Annual Report should include 1) a trend analysis, and 2) a regional approach. IT considers it essential to avoid duplication and repetition of MS data collections and ensure comparability. For that reason the data-sharing should first of all, take in consideration the already available data from European Statistical System (Regulation 862/2007).” The draft minutes of the 4th MB meeting were adopted.

3. Situation of asylum inside and outside the European Union

MB discussed the situation of asylum inside and outside the European Union. The Chair pointed out the following topics: a. Effects deriving from visa liberalisation (Western Balkans, WB); b. Dakar conference, which was concluded by a common statement between the EU, African countries and NGO’s on cooperation within the Global Approach, including some developments about asylum issues.
ED EASO refocused on the situation in North Africa and Syria.
COM informed the Management Board of the results of the Dakar Conference and in particular of the wish to shift the discussion on asylum from the North-South to a South-South dimension, based on an increased capacity of southern countries to manage and grant asylum. In this regards it was underlined how a development of the External Dimension of EASO could be an asset. On Western Balkans the COM reported that a sharp increase in the number of Asylum Seeker was linked to abuses of the new Visa waiver policy. For this reason an enhanced monitoring has been activated, and political discussion have been held with Balkan counterparts in order for them to move forward in tackling abuses. Some measures have already been taken. In this area also EASO can play an important role, and a further hope was expressed to achieve a tool allowing for the suspension of the Visa Waiver as a measure of last resort. On the situation in Belgium and Luxembourg it was underlined that such countries are particularly hit, and that the COM is mobilizing funds to support. The COM, upon input of the Chairman of the Management Board, also informed EASO that the last JHA Council contained a request for a report on irregular migration in Europe.

UNHCR published the new report Asylum Levels and Trends in Industrialized Countries, First Half 2011. Top 5 of Countries of Origin of asylum applicants: Afghanistan, China, Serbia, Kosovo, Iraq. Regarding the North Africa situation ongoing solidarity is needed with Tunisia, Egypt and Libya. Economic stabilisation and development is important. UNHCR started resettlement programmes from the border camps and asks the EU to take-over 2000 refugees.
SK recorded an increase of asylum applicants from Somalia. Also stated taking part in the AST in Greece was a positive experience. BE can be considered a country under pressure due to the large influx from Afghanistan, as well as from WB countries. BE stressed the implementation of CEAS as the solution for managing influx EU-wide. LU highlighted the very high rise in the number of asylum seekers from Serbia and Macedonia producing backlog and asked MS to suggest solutions how to deal with high asylum numbers from WB. DE stated the increasing number of asylum seekers from Serbia and stressed that border management goes hand in
hand with security of the EU. HU mentioned human trafficking routes via HU. The high influx from Serbia asks investments from the EU in Serbia, such as capacity building. EAC can be an instrument for that. SE underlined the speeding up of asylum procedures of asylum applicants from WB countries. MT pointed out the boat arrivals in 2011 from Libya, 1500 in total, but also the 300 asylum applicants who travelled by air from Libya and Syria. The numbers are high but could be handled, MT thanked MS, particularly DE and IE, who have agreed to relocate recognised asylum seekers. IT claimed continued pressure due to the persistent number of new-arrivals from North Africa. In addition, new migration routes coming from Egypt have been identified, as well as specific migration profiles: a significant number of 16-17 aged minors coming from Somalia. AT is also a country under pressure, especially with asylum cases from Afghanistan, Pakistan and Somalia. AT looks forward on the results of the COI report on Afghanistan. CY recorded in total a decrease, but an increasing influx from Syria. CY has the need for more COI, e.g. on Syria, but also on cases from Egypt (Christians claiming persecution). SI emphasized the importance of the external dimension and capacity building in relation to cope with migration flows and pressures. SI stressed the impact visa liberalisation has on migration flows, as well as COI and the safe country list has. NB. Reception conditions in EU countries can be of a pull factor. CZ is to be considered mainly as transit country, migrants from WB who get caught will return voluntarily to try again a move into the EU. NL stated a stable situation for asylum seekers from Afghanistan, an unexpected decreasing number from Somalia, and an increasing number from Belarus and Macedonia. FR attested an important increase of asylum applications from the Russian Federation, Caucasus, WB and Bangladesh.

ED EASO finalised the discussion by giving a final update of the discussion on the Early Warning Mechanism (see powerpoint presentation in annex 1).

Conclusion
Chair summarised topics for EASO focus: a. sharing of operational tools in line with relevant EU legislative instruments; b. COI and the safe country list, including its pull and push factors; c. impact on asylum of the visa liberalisation regime; d. focus on the second waves from the North Africa. EASO must be the platform to foster discussions, exchange information and best practices on how to address these situations. For the next MB meeting this agenda item need to be prepared by MS in advance.

COM suggested to have each country to send EASO in advance a picture of the main problems it is suffering (facts and information) in order to have a shared basis for discussion. This can also constitute an important tool to feed practical actions needed, and to better target EU funds. This is to be complemented with continuous dialogue with Third Countries.

NL intervened with the question for EASO to deliver a format for the MS to report on the factual situation.

Chair concluded that EASO will re-organize this agenda item and will ask MS to deliver input on the actual asylum situation in their MS, so the discussion can be focused on 1 or 2 topics.

4. Operating Plan Asylum Support Teams in Greece and key figures on asylum

The Chair introduced the two restricted documents, issued in hardcopy:
- Key figures on asylum and the Asylum Support Teams in Greece.
- Timeline on the Operating Plan for the deployment of the Asylum Support Teams to Greece.

The Chair emphasized the classified restricted status of both documents.

ED EASO stressed that the Key figures and Timeline are a first step and will be improved further by supporting the setting up of a Greek data system. ED EASO mentioned the following highlights as a resume of the current situation in Greece:
1. there is a significant increase on the decision making in asylum first instance;
2. there is a significant increase on the decision making in asylum appeal
3. the backlog has been reduced.
EL raised disappointment with the somewhat meagre results which have been achieved since the last MB meeting. Main reason is the intense political and economical situation in EL. The MB is more detailed informed by EL about the figures and in particularly about the decrease of illegal migration from Albania to Greece (visa liberalisation). The illegal migration from Turkey to Greece however is increasing.

COM stressed that the figures presented are not in line with those of the Commission. And further steps shall be taken to consolidate figures in particular as far as recognition rates are concerned. This is essential in order to have a solid knowledge of the improvements and shall be part of the EASO Core Business. There is also a need to better understand the impact of the AST deployment and how they are connected with the improvements. In particular a request for the number of AST deployed on the ground was made by COM. This is also compounded with a specific concern on the capacity of Greece to absorb EU Funds. The picture shall be clarified even regarding reception facilities as this is clearly an issue of concern for many Civil Society Organizations. All of this is driven by the common goal to have an analytical basis to mobilize resources.

UNHCR greatly values the operations in EL and the cooperation with the AST. UNHCR and EASO work complementary. AT suggests to look into more effective deployments of AST and trainings for MS experts in AST. Political questions will remain on the situation in EL. AT suggests a clear operational planning of OP and AST, evaluation of the EL situation based on the OP and on the MSS verdict. SE would like to have more insight in the activities and results of AST in order to inform the political level in more detail about the Greek situation. NL is interested to hear more about the reasoning of the sometimes publicly mentioned 12% recognition rate in Greece. As far as the lack of reactions on the call for experts is concerned, NL is awaiting further details in order to be able to consider further support. EL explains the 12% recognition rate refers to appeal cases only. In all, MS, UNHCR mentioned the need for consolidated numbers, a consolidated picture in EL and the possibility to measure progress, this is important for the evaluation of the OP as well on the political level in relation to the MSS verdict.

ED EASO assures the MB that the suggestions will be taken on board. The statistics give a good background of the asylum handling by EL, and will be up-dated for each MB meeting. ED EASO expressed his concern about the capacity available on Greek side, especially in the Ministry of Health. As well, ED EASO is concerned about the planning of AST. The Asylum Intervention Pool contains currently 400 experts (which is 100 more than allowed according to the EASO Regulation), however 50% of the ASTs, as mentioned in the latest call for proposals dated 14/10/2011, could not be filled as requested. ED EASO is especially concerned that there is still no expert found on European Funds, as this AST is of main importance for EL to absorb the EU migration funds.

COM underlined further the need for a common evidence base in order to feed into a shared assessment of the situation. On solidarity also FRONTEX is facing problems, but on the base of clear figures and needs it can be easier to push for a certain number of ASTs. The situation on the humanitarian grounds is also still critical and improvements are needed in that direction.

**Conclusion**

The Chair concluded the agenda item taking into account the needed evaluation of the OP also against the MSS judgement. The Chair stressed the importance of sufficient reactions of MS on calls for experts for AST in Greece. These calls should be forwarded by EASO also to the members of the MB EASO in order to give more priority in selecting experts for AST.

5. **Vision & Mission paper of EASO**
ED EASO introduced the Vision & Mission paper, which conceptualises the keywords, vision and mission of EASO. This document is to be used within EASO for common frame of reference and for means of communication, e.g. on the EASO website. ED EASO thanked AT for their assistance designing the graphic of the document.

DE suggested written comments or suggestions could be sent to the ED. The Chair stated that the paper was not a point for decision and close to final document, agreed suggestions could be sent on paper to ED EASO.

6. EASO Work Programme 2011 and 2012 and the setting up of EASO

ED EASO updated the MB on the adoption of WP2012 and the positive EC opinion with requested changes integrated in the final version. The WP 2012 is finalised and now sent to EP, Council and Commission. ED EASO updated the MB on the recruitment process and progress to date. Next vacancies are to be issued after December 2011.

The Chair thanked the COM for the support shown to the director in helping to build up the agency.

a) State of Play European Asylum Curriculum
   Presentation of by the Executive Director and discussion

ED EASO presented list of expert pool responses and gave an update on EAC activities. He also underlined the need to take into account the legislative process on the Asylum Package in the updating and training process.

AT AT requested a correction of the number of the AT EAC experts. For the moment AT can just provide three experts for the content expert pool. The Chair agreed it was a good opportunity to use this to prepare for future training and investment of people.

b) State of Play Country of Origin Information
   Presentation by the Executive Director and discussion

ED EASO presented the state of play of the setting up of the EASO COI Division. ED EASO stated that the IT-facilities in EASO are not as such that the hardware of the COI-portal can be taken over in the temporary premises at this moment, the same goes for EAC platform and TDI.

ED EASO explained that EASO is aiming to produce 1st draft-results from some Working Parties at the end of January 2012. The EC stated that the COI Governance structure is a bit complex and this could potentially delay the establishment of the EASO COI functions. Furthermore, it is essential to have an equitable presence of Member States in the various bodies that have been established. The Chair responded that the governance should reflect the diversity of the MS and the COI systems available. EASO has to take care that when building up the unit and the system this system belongs to all and should be used by all. ED EASO agreed with the concept of broader involvement and ownership. A presentation on COI will be prepared for the MB meeting in February 2012.

c) Decision on the system of EASO list of Interpreters
   Presentation by the Executive Director, discussion and decision

ED EASO stressed that the GDISC Interpreters’ Pool project will end in June 2012. Referring to MB doc. EASO/MB/2011/47 and the EASO Regulation, he presented his proposals for the system of the EASO list of interpreters. These proposals were intended to provide added value also in cases that are not explicitly covered by the EASO Regulation. As regards long-distance
interpretation, EASO would be ready to take the lead or give its support for identifying new technologies that are secure and cost-effective. In particular the importance of ensuring security and privacy of data was underlined.

**FR, MT, BE and IE** claimed that for privacy and legal reasons they could not provide the names of interpreters they use in their countries. **DE** proposed to solve the problem by submitting only a list of available languages without giving the names of specific interpreters. ED EASO agreed to this approach.

**DK** requested to clarify that the responsibility for background and quality checks lies with the MS nominating an interpreter. **MT** and **BE** saw problems in ensuring the availability of interpreters. **MT** supported the idea of a list of languages, but **BE** was concerned that it could end up as a list of interpreters for countries MS already had. **IE** stated they do not recruit interpreters directly, but through EU procurement competition, and therefore could not provide any interpreters for the list. Also **IE** rely on the company to ensure the relevant standards are met.

With regard to on-the-spot interpretation, **DE** stressed that in many cases the lump sums laid down in EASO MB Decision No. 5 would not be sufficient to attract interpreters. As interpreters are generally self-employed (and not civil servants like others members of an Asylum Support Team), additional fees were necessary. Therefore, **DE** proposed that either EASO or the requesting MS should pay for the exceeding costs.

Following inconclusive discussion, the Chair asked for a revised proposal that takes into account the comments made by MS. ED EASO promised to present a modified proposal in the next MB meeting in February 2012.

d) **State of Play EASO activities Unaccompanied Minors**

*Presentation by the Executive Director and discussion*

**ED EASO** updated MB on EASO plans for EC Action Plan on Unaccompanied Minors. EASO will work closely with COM in implementing activities. **ED EASO** confirmed Age Assessment (AA) will be the main focus for 2012, since it is a topic of great importance and debate for MS. **AT** requested that work on AA included consideration of those found not to be minors, in particular how to deal with these cases and prevent abuse of the reception systems. **AT** also considers taking action on Family Tracing, since early tracing can lead to a quick return. **AT** suggested a screening of projects currently undertaken by MS. **SE** also raised family tracing and reunification as important aspects of the EU Action Plan. They stated that information sharing and developing best practise were priorities for them. **UK** whilst acknowledging the risk of putting too much in, they saw a gap on returns. They suggested EASO should support work relating to returns of 16/17 year olds to their country of origin. **SI** supported AA and AT comments. They also raised concerns that work on UM should avoid overlapping other areas and whether EASO was the right place for a focus on integration. **ED EASO** concluded that rather than duplicating efforts UM work should be seen as added value through horizontal linking of subjects previously considered in isolation. He clarified it was not the intention of EASO to focus on integration work relating to minors, and comment on COI should be seen in context that reports will always have a section on minors.

e) **State of Play EASO practical cooperation (EURASIL)**

*Presentation by the Executive Director*
ED EASO made a brief presentation on the one-pager circulated to delegations on the topic. He stated that EURASIL is in the process of being transferred from COM to EASO and that a working party will define the way forward. NL underlined that there should not be any gaps or overlaps in EURASIL activities during the transfer period so as to ensure continuity.

f) State of Play Annual Report on the situation of asylum in the EU
   Presentation by the Executive Director

ED EASO confirmed to the MB that the remarks made at its 4th Meeting in September have been taken on board. He observed, however, that discussions currently underway in the Council regarding an early warning mechanism within the Dublin system may influence the content of the Annual Report in the future. As it was a point for information, no discussion ensued.

g) State of Play Consultative Forum
   Presentation by the Executive Director and discussion

ED EASO informed that preparations for the 15 December plenary meeting are on track. A register of civil society (ECSR) is being established. ED EASO thanked the members of the ad hoc advisory group for their continuous support to EASO in setting up the Consultative Forum. EASO expects around 75 participants at the 15 December meeting and asked the MB members to have more participation subscribed to the Consultative Forum from the Member States.

COM underlined that this is an important occasion for EASO to show that it is willing to cooperate with the various stakeholders in a transparent manner.

The Chair reminded that the EASO Regulation specifies the role of the Consultative Forum. ED EASO confirmed that the parameters of the EASO Regulation will be respected and the Consultative Forum will be used as a platform to consult NGO’s, civil society and international organisations. A report on the Consultative Forum will be presented in the next MB meeting in February 2012.

h) State of Play Implementing rules of the Staff Regulations
   Presentation by the Executive Director and discussion

ED EASO informed that following approval of the MB in September of the draft decisions of the implementing rules of the Staff Regulations, EASO has sought informal comments from DG HR before requesting the formal COM agreement on them. The COM agreement could take months before it is delivered.

7. Implementation 2011 budget
   Presentation by the Commission

COM updated on Budget 2011 and financial expenditure progress since presentation at MB September 2011. ED EASO updated the MB on the works on the EASO permanent building on the Valletta Waterfront. For additional works on security features of the building and specific lay-outs, decisions were postponed until ED EASO took office. That means, these works are not part of the Grant Agreement of 2010. For the works to be carried out there are two possibilities, either EASO will launch a tender, or an amendment to the current grant with the MT authorities will be concluded so as to incorporate the work in the total reconstruction project which is now carried out. The last option is favourable in time and experience and
would allow minimizing operational risks. COM and MT are willing to consider this latter option (of €800,000 – €1 mln). As EASO is not financially independent yet, COM would be responsible for amending the current grant. The MB agrees with this proposal and would like to be regularly informed about the works in progress.

8. Draft 2012 Budget – State of play

*Presentation by the Commission*

**COM** updated on the draft budget 2012; the budget cut of €2 million remains for EASO. This means EASO will have a total budget of €10 million for 2012. COM stressed that all other agencies faced budgetary cuts and that EASO was the only Agency (with Frontex) to be spared by the latest Council cuts. The formal adoption of the budget by the EP will take place following the plenary session held at the end of November.

9. Dates of the Management Board meetings in 2012

The **Chair** confirmed that, as discussed at previous MB, 4 MB meetings will be held in 2012. These are scheduled to take place 2-3 February, 18-19 June, 17-18 September & 22-23 November.

COM proposed having one day meetings unless necessary.

10. AOB

**AT** thanked EASO for good and timely delivery of MB documents.

11. Conclusions of the Management Board by the Chairperson

The **Chair** suggested future meetings to be held over 1/1½ days with a better planning of flights of MB members.

*Annex 1: Powerpoint presentation on the Early Warning*