



EASO SPECIAL SUPPORT PLAN

TO ITALY

Malta, 4th June 2013



Hereby the Executive Director of EASO and the Head of the Department for Civil Liberties and Immigration of the Italian Ministry of Interior agree on the EASO Special Support Plan for the provision of technical and operational assistance in Italy.

Malta, 4 June 2013

SIGNED

The Executive Director
of the European Asylum
Support Office

Dr. Robert K. Visser

The Head of the Department for Civil Liberties and
Immigration
Italian Ministry of Interior

Prefect Angela Pria



1 INTRODUCTION

1.1. Specific needs of Italy

On 7 December 2012 Italy requested EASO for Special Support to improve and enhance the Italian Asylum and Reception System. Externally there has been evidence of lower courts in other Member States that have been handling cases questioning the reception conditions in the Italian reception system and as consequence questioning if Dublin referral should take place to Italy. This and the general monitoring from the Commission have led to a closer monitoring of the situation in Italy from the Commission side.

Internally, the Italian Asylum and Reception Authorities have been assessing the situation and on-going discussing the need for enhancing and reinforcing parts of the asylum and reception system.

The system has greatly improved in last years, however when significant numbers of arrivals take place, it encounters difficulties in guaranteeing a homogenous level of services foreseen by the national legislation.

There is an apparent need for a higher number of more specialised personnel on Country of Origin, for a reinforcement of the Dublin system and the analytical capability and for support to appeals instance.

In the light of all these facts EASO examined the request and the situation in Italy and came to the conclusion that there was a need for support. The Executive Director of EASO therefore decided on 13 December 2012 to render Special Support to Italy via a joint expertise of EASO and Member States, based on the fact that Italy's present asylum and reception system faces major challenges. The decision implies that EASO will give technical and operational support to Italy up to the end of 2014. The EASO Special Support Plan to Italy sets out the conditions for participation in these specific EASO activities.

Regulation 439/2010, of 19 May 2010, establishing EASO ("EASO Regulation"), in particular, in Article 2 (1), (3), (4) and (5) thereof, regulates EASO's duty to provide special support to Member States with specific needs, in order to improve their implementation of the instruments of the Common European Asylum System (CEAS).

The request of special support is also very timely with regard to the implementation of the asylum package, which will make additional challenges for the Italian asylum system.

1.2. Flexibility Clause

Given the nature of EASO's special support measure which has to be timely, active and flexible, and to take into consideration availability of resources and experts and changing circumstances of the asylum system in the Member States, the foreseen calendar of the activities is just a forecast and may change. Any change will be subject to discussion of EASO and the host state.

1.3. Lawfulness and Respect of Fundamental Rights

Support related to the participation in EASO activities under the EASO Special Support Plan to Italy must be carried out in a way that fully respects human dignity. All persons involved in support activities shall maintain the highest standards of ethical conduct, professionalism, and respect and promotion of fundamental rights and international protection. This particularly applies vis-à-vis persons who are in need of international protection. They are expected to meet obligations imposed upon them by the provisions of the EASO Special Support Plan to Italy and shall comply with the rules of their mandates. Whilst taking part in EASO support activities personnel shall respect the applicable International law, European Union law and the national law of the home and requesting Member States. They shall maintain the highest standards of integrity and conduct. They are to act responsibly and proportionally to current objectives. Whilst carrying out supporting and functions, personnel must not discriminate persons on grounds of sex, race, religion, ethnic origin, age or sexual orientation. Personnel are expected to treat every person with courtesy, respect and due consideration for the nature of any legitimate activity in which they are engaged. To perform their duties properly, they shall serve the public



interest and refrain from any activities which could undermine or compromise their independence and the appropriate performance of their duties.

During the implementation of the EASO Special Support Plan to Italy, all participants must apply a “zero tolerance” attitude with respect to the infringement of fundamental human rights. All participants in EASO activities shall act in accordance with the Code of Conduct as annexed at G.

1.4. Confidentiality and data protection

Without prejudice to the public right of access to documents as laid down in Regulation (EC) 1049/2001 of the European Parliament and of the Council of 30 May 2001, regarding public access to European Parliament, Council and Commission documents and the EASO implementing rules on access to documents¹, all versions of this document shall be made available to the authorities referred to in each EU Member State, including and where participating, Iceland, Liechtenstein, Norway and Switzerland. This document shall be made available to interested parties on a need to know basis, in accordance with national rules for the dissemination of levels of information. This will be done on a case-by-case basis.

After finalising the implementation of the EASO Special Support Plan to Italy, this document shall be made publicly available.

Personal data will be processed in accordance with Regulation (EC) 45/2001 of the European Parliament and the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data.

2 MISSION

2.1 Stakeholders

EASO and Italy will each appoint a Contact Point, a Focal Point and a Measure/Activity Coordination Point in view of the implementation of the EASO Special Support Plan to Italy. This will occur through an exchange of letters before end of June 2013.

The Italian stakeholders involved in the process and their respective roles are the following:

Stakeholders	Role
Department for Civil Liberties and Immigration – Directorate Central of services for immigration and asylum	The Department for Civil Liberties and Immigration is responsible for the organisation of the assistance/reception of irregular migrants (including vulnerable and trafficked persons); of the assistance/reception of asylum applicants (including Dubliners) and refugees. The Department manages the National Fund for Asylum policies and services (FNPSA), the ERF and the RF.
Department for Civil Liberties and Immigration – Directorate Central of policies for immigration and asylum	The Department for Civil Liberties and Immigration is responsible for the provision of data on immigration and asylum to EUROSTAT.
Department of Public Security – Directorate Central of immigration and border Police	The Department of Public Security is responsible for data elaboration on regular migrants and for data on removal decisions.

¹ Decision No 6 of the Management Board of EASO of 20 September 2011 laying down practical arrangements regarding public access to the documents of EASO.



	<p>The Department manages the External Borders Fund.</p> <p>The Immigration Service is responsible for removal/return; coordination of the enforcement actions by sea; for the international police cooperation.</p> <p>The Border Police and Aliens Service are responsible for the border security and the coordination of the Police Immigration Offices.</p> <p>The Department participates in the activities of the FRAN Group within FRONTEX.</p>
National Asylum Commission	<p>The National Asylum Commission (NAC) is responsible for the coordination of the Territorial Commissions (TCs); for COI; for the guidelines and training of TCs' staff and for the management of asylum seekers' database.</p> <p>The Department is also responsible for status cessation and withdrawal.</p>
Territorial Commissions for the recognition of the international protection	<p>The Territorial Commissions (TC) are chaired by a deputy prefect and composed of a representative of the local police headquarter, a representative of the municipality and a representative of UNHCR.</p> <p>The asylum applications (lodged at the police headquarters) are registered in an IT system. The application is examined by the relevant TC. The applicant is personally interviewed by the TC (with the assistance of a guardian in case of unaccompanied minors) at the presence of the relevant interpreter.</p> <p>The Commission makes the decision (accepting or rejecting the application). The decision is registered in the IT system that gives an automatic warning to the Police Headquarter so as it can notify the decision to the asylum seeker.</p>
Border Police	<p>The Border Police is responsible for border controls, i.e. patrol ports, airports and land crossings.</p> <p>The asylum application can be made at the border but it must be formally lodged at the Police Headquarters.</p>
Police Headquarters	<p>Police Headquarters are based in 103 provinces throughout the Country, which is responsible for:</p> <ul style="list-style-type: none"> - receiving asylum applications, fingerprinting the applicant and issuing a temporary residence permit for asylum, - recording every available data into the IT system, - notifying to the applicant the date fixed for the interview, - notifying the TC's decision, - Issuing a new residence permit (for refugee or subsidiary

	<p>protection or humanitarian reasons).</p> <p>Whereas an application is refused, a removal decision is adopted and the concerned applicant is escorted to an identification and expulsion Centre.</p> <p>Whereas a negative decision on an asylum application is challenged, a temporary residence permit for “asylum request” is issued until the conclusion of the appeal.</p>
Prefectures	The Prefectures are based in 107 provinces throughout the Country and are responsible for the management of Governmental centres in those provinces where centres are present and are generally involved in guaranteeing a suitable reception facility for asylum seekers.
Higher School of the Ministry of Interior (SSAI)	The Higher School of the Ministry of Interior is responsible for the training of the civil personnel of the Ministry of Interior.
Italian School for the Judiciary	The Italian School for the Judiciary is responsible for the training of civil judges and justices of the peace; it is a fully independent body, committed to develop independent training mainly performed by judge-trainers.
Civil judges and justices of the peace.	<p>Civil judges are competent on the appeals of asylum seekers whose application has been rejected or in case the TCs have granted a form of international protection other than the refugee status (subsidiary protection or a residence permit for humanitarian reasons).</p> <p>Justices of the peace are competent on the appeals against the decision of removal.</p>

2.2 Ongoing activities

Data collection:

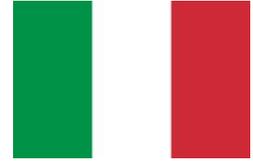
As to the processing of the asylum applications, the IT platform *Vestanet* is undergoing further improvements (with regard to, *inter alia*, subsequent and discontinued applications) and expected to become operational since mid-April.

As to the Dublin process, since the 11th March the *Dublinet* has been improved by easing the electronic exchange of data and information among the relevant actors: Dublin Unit in the Department for civil liberties and immigration, Dublin section in the Department of Public Security (Directorate Central of immigration and Border Police), Police Headquarters and Border Police. An *ad hoc* training session of the staff concerned was already held beginning of March.

The above mentioned IT enhancements, concerning both the procedures for granting international protection and the Dublin procedure, will also have positive effects on data collection.

Country of Origin Information:

Currently, the National Asylum Commission prepares specific country files, which are constantly updated. They are made available to territorial Commissions and judicial bodies that are called upon to state when a negative decision is challenged. In order to ease the Territorial Commissions’ access to country of origin information, each



Italian Chairman has been granted the authorization to enter the COI PORTAL system. Furthermore, *ad hoc* agreements with several Universities have been signed for stages on COI.

Reception System:

A monitoring activity of the reception centres, through audit procedures, is already in place, run locally by the Prefectures. In order to widen and improve it, within the framework of the Project “*Praesidium VIII*”, an *addendum* to the VIII edition agreement for 2013 has been signed by the Ministry of Interior and the Organizations concerned (IOM, UNHCR, Red Cross, Save the Children). It foresees that in each Governmental centre an *ad hoc* committee is to carry out the task of controlling the reception standards.

Training of the judiciary:

On 11 April 2013 a first meeting took place in Malta with the participation of a representative of the Italian School for Judiciary and the Chair of the International Association for Refugee Law Judges (IARLJ). This gave the School for the Judiciary the necessary support in order for it to assess the specific needs in the field of professional training.

Based on the said assessment, a workshop has taken place at the EASO on 16-17 May 2013, that was tailor-made for the representatives from the Italian School and MS experts.

The present SSP is, thus, complemented by independent training activities of the Italian School for Judiciary purposely supported by the EASO, as specified in the box below pag.13-14 (“EASO Support to Appeals Instances”) following the said workshop of 16-17 May.

3 MEASURES

Within the context of Italy's present asylum and reception system facing major challenges, chapter 3 of the EASO Special Support Plan to Italy describes the various measures to support the Italian authorities in the field of asylum and reception.

Italy and EASO will provide the Member States experts with information on the general state of play in the asylum and reception portfolio in Italy and specific information about the state of play of the deliverables as described in the specific measure. The responsible Italian authority where the experts(s) will participate in the activities shall provide a working place. EASO will provide for the reimbursement of costs, according to the EASO rules. All participants will be allocated 1 travel day in addition to the length of their mission.

In the course of the participation in EASO activities under the EASO Special Support Plan to Italy, EASO will provide technical support to experts with the aim of ensuring that the products developed make good use of the expertise and information available to EASO. EASO shall make use of the products developed under the EASO Special Support Plan to Italy and will be entitled to their publication. EASO will publish selected products under the EASO Special Support Plan to Italy.

The impact of the products developed by the experts will be assessed as part of the evaluation process to be carried out under measure 3.7. Annex F provides a generic template for products developed in the context of the EASO Special Support Plan to Italy.

EASO Measure 3.1: Support Italian Data Collection and Analytical Capacity	
Responsible authority	Ministry of Interior – National Asylum Commission
Objective	Enhance the capacity of staff with regard to methodologies and methods of analysis aimed at assessing Italian asylum system within the Common European Asylum System.
Deliverable(s)	<ul style="list-style-type: none">Operative guidelines of collecting asylum information for improving the

	<p>implementation of asylum system are drafted.</p> <ul style="list-style-type: none"> • Definition of qualitative and quantitative indicators of efficiency of the asylum process in 1st and subsequent instances is established. • Definition of quantitative indicators regarding appeals. • A plan for systematic monitoring of efficiency (by defined indicators) in order to improve the asylum process and identify potential gaps in the asylum system is drafted. • A monitoring system of comparability (by defined indicators) for validated data processing is established. • A set of indicators to qualify coherency of data provided according to EC 862/2007 Art. 4 and Art.6 are established. • One workshop which presents the aforementioned deliverables to all stakeholders involved is organized.
Pre-condition(s)	<ul style="list-style-type: none"> – Appointment of a focal point. – Appointment of staff responsible for subject-related topics. – Appointment of a national representative in the EASO Group for the Provision of Statistics (so-called EASO GPS-Network). – Video-conference device for distance training sessions to territorial offices, translation, meeting facilities at disposal. – Face to face training sessions for central offices: NAC, Department for Public Security (National Contact Point for FRAN – FRONTEX Networking), Department for Civil Liberties and Immigration (National contact points for Eurostat, IT officers) and the National Statistics Institute (ISTAT).
EASO support	<p>Involvement of EASO specialised staff</p> <p>1 activity / 2 experts / 20 calendar days each, 1 travel day each / 2014: Q1</p> <p>1 activity / 2 experts / 20 calendar days each, 1 travel day each / 2014: Q2</p> <p>1 activity / 3 experts (incl. 2 experts from EUROSTAT) / 3 calendar days each, 1 travel day each / 2014: Q2</p> <p>-----</p> <p>3 activities / 7 experts / 89 calendar days / 2014: Q1, Q2.</p>

EASO Measure 3.2: Support Italian Country of Origin Information (COI) Capacity	
Responsible authority	Ministry of Interior – National Asylum Commission
Objective	Strengthen the research standards regarding Country of Origin Information to the benefit of asylum decision-makers, both on territorial and on central level.
Deliverable(s)	<ul style="list-style-type: none"> • 4 Workshops on relevant Countries of Origin, indicated by IT, will be organized which address the following themes:

	<ul style="list-style-type: none"> • Defining high-quality standards (as to methodology, analysis and research of sources) in country of origin information, in order to improve the quality of decisions. • Presenting the case law of the EU Court of Justice and the European Court of Human Rights with regard to countries of origin. • Presenting available sources in the field of COI and support the TCs in entering and the use of the COI Net Portal. • Analysis of information and capacity building on useful and reliable COI. • Support the National Asylum Commission (NAC) with drafting a proposal to replace the current system based on paper documents sent by NAC itself to the Territorial Commissions (TCs) by a digitalized system.
Pre-condition(s)	<ul style="list-style-type: none"> – Appointment of a focal point. – Appointment of staff responsible for subject-related topics. – Appointment of a national representative in the EASO Strategic COI Network. – Appointment of a national representative for the EASO Common Portal Administrators Network. – Case workers (translation will be provided by Italy). – Ten connections in video-conference for distance training and further development of a national platform, translation – Meeting facilities to host the trainings.
EASO support	<p>Involvement of EASO specialised staff</p> <p>4 activities / 2 experts each / 5 calendar days each / 1 travel day each / 2013: Q3</p> <p>1 activity / 2 experts / 20 calendar days each, 1 travel day each / 2013: Q4</p> <p>-----</p> <p>5 activities / 10 experts / 80 calendar days / 2013: Q3, Q4</p>

EASO Measure 3.3 Support Italian Dublin Unit	
Responsible authority	Ministry of Interior - Department for civil liberties and immigration – Directorate Central of services for immigration and asylum
State of play	Enhance the knowledge of a critical number of territorial offices (border police, police headquarters and concerned prefectures) and central offices (Dublin Unit and Directorate Central of immigration and border police of the Department of Public Security) on the management and implementation of the Dublin procedures.
Deliverable (s)	<ul style="list-style-type: none"> • Support the Italian Asylum System for more effective inter-institutional relations between the central and territorial offices via: <ul style="list-style-type: none"> – A report is prepared by an expert, describing the requirements in infrastructure, staff, resources, training etc. of the offices to set up the EURODAC and DubliNet systems.

	<ul style="list-style-type: none"> – A plan on how to further develop the DubliNet working stations in the territorial offices is drafted by an expert. – A training plan (train the trainer) to train staff on the DubliNet system, Dublin procedures and best handling of vulnerable cases is prepared by an expert. <ul style="list-style-type: none"> • 5 Thematic Workshops are organised on the management and practical implementation of the Dublin Regulation Procedures.
Pre-condition(s)	<ul style="list-style-type: none"> – Appointment of a focal point. – Appointment of staff responsible for subject-related topics. – A number of Italian Officials from the territorial and central Offices to attend the trainings and thematic workshops held both in the Ministry of Interior and the High School of the Ministry of Interior (SSAI). – Meeting facilities and video-conference device to host the workshops.
EASO support	<p>1 activity / 3 experts / 30 calendar days each, 1 travel day each / 2013: Q2, Q3</p> <p>5 activities / 2 experts / 5 calendar days each, 1 travel day each / 2013: Q3, Q4, 2014: Q1, Q2, Q3, Q4</p> <p>-----</p> <p>6 activities / 13 experts / 140 calendar days / 2013: Q2, Q3, Q4, 2014: Q1, Q2, Q3, Q4</p>

EASO Measure 3.4 Reception System	
Responsible authority	Ministry of Interior - Department for Civil Liberties and Immigration – Directorate Central of services for Immigration and Asylum
Objective	Improvement of mainstream monitoring activities of the reception facilities and systems in order to evaluate amongst others the quality conditions by centres, the treatment of vulnerable cases and their reception capacity.
Deliverable(s)	<ul style="list-style-type: none"> • Mapping of reception centres according to a set of national qualitative and quantitative indicators already defined, in order to ensure the compatibility of the Italian reception system to the EU Acquis. • Definition of a set of quality standards and mechanisms for reception, addressing also the implementation of the recast Reception Directive. • A plan is drafted to increase the flexibility and harmonize the existing reception capacities in line with current needs and resources.
Pre-condition(s)	<ul style="list-style-type: none"> – Appointment of a focal point. – Appointment of staff responsible for subject-related topics.
EASO support	<p>Involvement of EASO specialised staff</p> <p>1 activity / 2 experts / 12 calendar days each, 1 travel day each / 2013: Q3</p> <p>1 activity / 2 experts / 12 calendar days each, 1 travel day each / 2013: Q3</p>

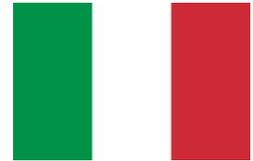


	1 activity / 2 experts / 20 calendar days each, 1 travel day each / 2013: Q4 ----- 3 activities / 6 experts / 88 calendar days/ 2013: Q3, Q4
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EASO Measure 3.5 Support Italian Emergency Capacity	
Responsible authority	Ministry of Interior - Department for Civil Liberties and Immigration – Directorate Central of Services for Immigration and Asylum Ministry of Interior – Department of Public Security – Directorate Central of Immigration and Border Police.
Objective	Setup agreed procedures, in application of the Council Directive 2001/55/EC of 20 July 2001 on temporary protection, between Italian and European Union authorities in order to tackle emergency situations related to sudden influx of mixed migration groups.
Deliverable(s)	<ul style="list-style-type: none"> • 5 workshops with MS experts, Italian caseworkers and policy makers (Department for Civil Liberties and Immigration, Department of Public Security, Heads of Immigration Offices in Police Headquarters and in Prefectures) are delivered on the application of Council Directive 2001/55/EC on Temporary Protection. • A common inter-institutional manual is drafted how to deal in an emergency situation with mass influx and presented to the responsible Italian authorities. • 5 Workshops on the use of the aforementioned manual on emergency are delivered.
Pre-condition(s)	<ul style="list-style-type: none"> – Appointment of a focal point. – Appointment of staff responsible for subject-related topics. – Policy makers from the Ministry of the Interior, local responsible persons from Police Headquarters and Prefectures. If necessary, translation will be provided by Italy. – Meeting facilities and video conference device to host the workshops. Workshops possibly held also in the High School of the Ministry of Interior (SSAI).
EASO support	Involvement of EASO specialised staff 5 activities / 2 experts each / 3 calendar days each, 1 travel day each / 2013: Q4 1 activity / 2 experts / 30 calendar days each, 1 travel day each / 2013: Q4 5 activities / 2 experts / 3 calendar days each, 1 travel day each / 2014: Q1, Q2, Q3 ----- 11 activities / 22 experts / 120 calendar days / 2013: Q4, 2014: Q1, Q2, Q3

EASO Measure 3.6 Final evaluation of the implementation of the EASO Special Support Plan to Italy	
Responsible	EASO

authority	
State of play	Evaluation of the support offered via EASO to Italy under the EASO Special Support Plan to Italy.
Deliverable(s)	<p>Evaluation report drafted.</p> <p>The evaluation report will make an overall assessment about the past performance of the EASO Special Support Plan to Italy, paying particular attention to the impact of the special support plan against its objectives; it will identify key lessons and propose practical recommendations for follow-up actions; cross-cutting issues such as human rights, good governance and gender will also be assessed.</p> <p>The report should cover the main evaluation criteria:</p> <p>RELEVANCE - The extent to which the objectives of the intervention are consistent with beneficiaries requirements, country needs, global priorities and EU/EASO's policies.</p> <p>The analysis of relevance will focus, among others, on the following questions:</p> <ul style="list-style-type: none"> – coherence with current/on-going initiatives; – the extent to which stated objectives correctly address the identified problems and needs, clarity and internal consistency of the stated objectives; – the degree of flexibility and adaptability to facilitate rapid responses to changes in circumstances; – the quality of the identification of key stakeholders and target groups (including gender analysis and analysis of vulnerable groups) and of institutional capacity issues. <p>EFFECTIVENESS - The effectiveness criterion, concerns how far the results were attained, and the specific objective(s) achieved, or are expected to be achieved.</p> <p>EFFICIENCY - The efficiency criterion concerns how well the various activities transformed the available resources into the intended results (sometimes referred to as outputs), in terms of quantity, quality and timeliness. Comparison should be made against what was planned. This criterion also refers to sound management and value for money.</p> <p>IMPACT - The term impact denotes the relationship between the specific and overall objectives. At Impact level the final evaluation will make an analysis of the following aspects:</p> <ul style="list-style-type: none"> – Extent to which the objectives of the special support plan have been achieved as intended in the planned overall objective. – Whether the effects of the activities have produced the expected results and have changed the situation on the ground. <p>SUSTAINABILITY -The sustainability criterion relates to whether the positive outcomes of the project and the flow of benefits are likely to continue after external the emergency support ends.</p> <p>The report will focus on: the ownership of objectives and achievements, institutional sustainability, to which extent the changes triggered by the activities under the special support plan are embedded in local institutional structures; if it involved creating a new institution, how far good relations with existing institutions have been established;</p>



	whether the institution appears likely to be capable of for taking over, technically, financially and managerially; financial and economic sustainability.
Pre-condition(s)	<ul style="list-style-type: none"> – Appointment of a focal point. – Appointment of staff responsible for subject-related topics. – To aggregate and summarise the views of the Italian responsible services – To ensure that the evaluation team has access to and has consulted all relevant information sources and documents related to the special support plan.
EASO support	<p>Involvement of EASO specialised staff</p> <p>1 activity / 2 experts/ 60 calendar days, 1 travel day each / 2014: Q4</p>

The following measure, although included in the present SSP, will be implemented under the sole responsibility of the Italian School for the Judiciary, according to its competencies in training matters for the judiciary.

EASO Support to Independent training of the Italian School for the Judiciary	
Responsible authority	Italian School for the Judiciary
Objective	Support to the professional development activities organized by the Italian School for the Judiciary to the benefit of ordinary judges who deal with asylum-related cases, in the event of appeals filed by asylum seekers against decisions made by Territorial Commissions and by the National Commission, as well as by the Dublin Unit.
Deliverable(s)	<ul style="list-style-type: none"> • Support the Italian School for the Judiciary to assess the specific needs in the field of professional development activities. • Based on the aforementioned assessment three tailor made workshops will be provided by representatives from the Italian School for the Judiciary, EASO and MS experts, in Malta. These activities will cover relevant legal aspects on the implementation of the CEAS, COI needs (including research and practice on selected caseloads) and relevant techniques (including interviewing techniques). • An evaluation mission will be conducted on the development of these three activities. The evaluation will look at the methodology and assess its suitability to the Italian context. • Based on the results of the evaluation, a professional development plan will be jointly developed and implemented via 4 to 8 workshops, that will be included in the 2014 programme of the Italian School for the Judiciary.
Pre-condition(s)	<ul style="list-style-type: none"> – Appointment of a focal point. – Appointment of staff responsible for subject-related topics. – A minimum number of 5 judges to attend the workshops is necessary to ensure the effectiveness of the measure. – Meeting facilities to host the workshops.



EASO support	<p>1 activity / 2 experts / 2 calendar days each, 1 travel day each / 2013: Q3</p> <p>1 activity (in Malta) / 16 IT persons + 4 experts / 2 calendar days each, 1 travel day each / 2013: Q4</p> <p>1 activity (in Malta) / 20 IT persons + 2 experts / 2 calendar days each, 1 travel day each / 2013: Q4</p> <p>1 activity (in Malta) / 20 IT persons + 3 experts / 2 calendar days each, 1 travel day each / 2013: Q4</p> <p>1 activity / 2 experts / 2 calendar days each, 1 travel day each / 2013: Q4</p> <p>8 activities / 2 experts each / 3 calendar days each, 1 travel day each / 2014: Q1, Q2, Q3, Q4</p> <p>-----</p> <p>13 activities / 21 experts + 56 IT persons / 182 calendar days/ 2013: Q3, Q4, 2014: Q1, Q2, Q3, Q4.</p>
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ANNEXES

Annex A: Legal Basis

Annex B: Format for the Final Report of special support measures

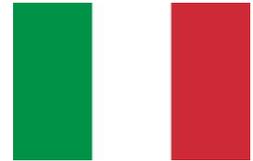
Annex C: Incident reporting template

Annex D: Special Support Background

Annex E: Evaluation Format

Annex F: Generic template for products developed in the context of the EASO Special Support Plan to Italy

Annex G: EASO Special Support Plan Code of Conduct for participants



Annex A: Legal Basis

(1) EASO was established to improve the implementation of the Common European Asylum System, to strengthen practical cooperation among Member States on asylum and to provide and coordinate the provision of operational support to Member States subject to particular pressure on their asylum and reception systems.

(2) Regulation 439/2010, of 19 May 2010, establishing EASO ("EASO Regulation"), in particular, in Article 2 (1), (3), (4) and (5) thereof, regulates EASO's duty to provide special support to Member States with specific needs, in order to improve their implementation of the instruments of the Common European Asylum System (CEAS).

(3) In this context, EASO shall support Member States in enhancing their asylum systems' effectiveness and quality by outlining and implementing tailor-made actions and measures. EASO shall fulfil this purpose in conditions which enable it to serve as an independent centre for expertise providing high quality support. EASO shall work closely with the Member States' asylum authorities, with immigration and asylum services and other national authorities, such as members of the courts and tribunals.

The scope of this special support allows defining different measures and actions within the duties foreseen in EASO's mandate. In order to provide effective support to Member States with special and specific needs, these measures range from training to Country of Origin Information (COI), from information gathering and analysis to the application of the Dublin system.

(4) With regard to data collection and analysis, Article 11 of the EASO Regulation stipulates that EASO shall gather and analyse information provided from Member States. On the other hand, Regulation 862/2007 on Community statistics on migration and international protection obliges Member States to collect and provide several statistics on international protection.

Hence, in order to strengthen the effectiveness of Member States in providing information, EASO shall support their data collection and analysis capacity.

(5) Regarding COI, EASO shall offer training regarding the production and use of COI, in accordance with Article 6 (4) (e) of the EASO Regulation. Moreover, Article 4 (d) of the EASO Regulation assigns EASO the duty of developing a common format and a common methodology for presenting, verifying and using COI.

Furthermore, Article 4 (3) of Directive 2011/95 of 13 December 2011, 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 ("Qualification Directive") foresees that the assessment of an application for international protection should take into account relevant COI. Moreover, according to Article 8 (2) of the Qualification Directive, Member States shall ensure that precise and up-to-date information is obtained from relevant sources, such as EASO and UNHCR. On the other hand, Articles 23, 30, 31 of Directive 2005/85 of 1 December 2005, on minimum standards on procedures in Member States for granting and withdrawing refugee status, refer to information relating to country of origin.

Consequently, EASO shall support Member States with specific needs regarding their capacity to optimise the use of COI in their decision making process.

(6) Concerning training to the members of the courts and tribunals, Article 6 of the EASO Regulation foresees that EASO shall establish and develop training available to members of courts and tribunals. The training may be general, specific or thematic and may include "train-the-trainer" methodology. It may address, among others, issues relating to international human rights and the EU asylum acquis, the handling of asylum applications or the use of legal reports in asylum procedures.



(7) The Dublin system lays down the rules to determine which Member State is responsible for the examination of an application for asylum. It also establishes the procedures to be applied by Member States to request another Member State to acknowledge its responsibility and “take charge” (or “take back”, according to the situation) an applicant.

EASO shall support Member States with specific needs in order to improve their application of the Dublin system and procedures, according to Article 2 (1) and 6 (4) of the EASO Regulation.



Annex B: Format for the Final Report of special support measures

European Asylum Support Office Special Support Measures

Measure no [X]	<i>[please insert title]</i>		
Project Manager	<i>[name and surname]</i>	Date of submission	
Expert(s)	<i>[name and surname]</i>	Time-frame	<i>[date of participation]</i>
Expertise area	<i>[profile]</i>	IT operational focal point	<i>[please insert name and surname]</i>
Member State	<i>[X]</i>		

Background and introduction *(please provide an overview of the current situation, synergies with other measures and how this measure has contributed to the enhancement of the specific area)*

Specific objectives and deliverables agreed to prior to the participation

-
-
-

Description of activities *(please identify beneficiaries and deliverables for each activity)*

-
-
-

Concrete products delivered *(please list the products for each activity)*

-
-
-

Coordination with IT, EASO and other relevant stakeholders *(eg. briefings, follow up meetings, debriefings etc)*



-
-
-

Recommendation(s) and advice(s) for possible next steps *(SMART formulated)*

-
-
-

Observations and challenges *(please refer to any challenges encountered during the mission as well as any challenges foreseen at the implementation phase)*

-
-
-

Suggestions/Roadmap for implementation *(including timeframe, potential follow-up missions with suggested dates and deliverables, and availability for post-participation consultation)*

-
-
-

Annex:

-
- Technical reports/deliverables



Annex C: Incident reporting template

INCIDENT REPORT FORM

Article 19 of the EASO Code of Conduct for experts participating in EASO activities states that:

"Participants in EASO activities who have reason to believe that a violation of the present Code of Conduct has occurred or is about to occur, are obliged to report the matter to the Executive Director of the EASO and to the host Member State focal point for the EASO Special Support Plan via the appropriate channels."

Should such an incident should occur, or if other incidents need to be reported, please fill the present form.

Name of expert:
Type of incident:
Full description of the incident:
Area Deployed:
Date of incident/accident:
Time of incident/accident:
Describe what activity was taking place, e.g. training, working, etc.
Were any of the following contacted? <ul style="list-style-type: none">• Police: Yes <input type="checkbox"/> No <input type="checkbox"/>• Ambulance: Yes <input type="checkbox"/> No <input type="checkbox"/>• Parent/carer: Yes <input type="checkbox"/> No <input type="checkbox"/>



What happened following the incident?	
All of the above facts are a true and accurate record of the incident/accident.	
SIGNED:	DATE:
NAME:	



Annex D

Special Support Background

What is special support?

- Tailor made support
- Capacity building
- Relocation

Regulation 439/2010, of 19 May 2010, establishing EASO, defines EASO's role to provide special support to Member States with specific needs, in order to improve their implementation of the instruments of the Common European Asylum System (CEAS).

How does it work?

A Member State, with certain identified and specific needs for its asylum and/or reception system, may send a written request to EASO for special support. The request must always come from the Member State in need, and addressed to the EASO Executive Director (ED).

Upon receipt of the request, ED assesses the request and makes the decision on whether or not to render the support to the requesting Member State. The assessment will be based on various sources, which include information provided by the Member State, the EASO Early warning and Preparedness System (EPS), the EASO quality process, and any other additional available information. ED may also send EASO experts to assess the situation in the requesting Member State.

After the assessment the ED shall take a definitive decision on the request for special support.

Once a positive decision is made, ED and the requesting Member State agree on an EASO Special Support Plan (SSP), which is tailor made and describes the objectives, the methodology, the activities and the expected results. The SSP is signed by both parties.

ED informs the Management Board (MB) members of the request and the main reasons for the decision to accept/reject it. The SSP itself will be shared with MB members. The requesting Member State and ED will agree on how and when to communicate the decision on Special Support (not the EASO Special Support Plan itself) both to other relevant stakeholders and the public at large.

ED informs the MB on the outcome of the SSP one month after end of operations at the latest.

The SSP is a restricted document until the operation is concluded.



Annex E : Evaluation Format

The evaluation report will make an overall assessment of EASO's support, paying particular attention to the relevance, effectiveness, efficiency, impact and sustainability of the measures vis-à-vis its objectives; it will identify key lessons learned and propose practical recommendations for enhancement of future actions; cross-cutting issues such as human rights, good governance and gender will also be assessed.

A. BACKGROUND

Please **briefly** describe the support measures addressing the following points:

- *Legal basis/ causes*
- *Overall objectives, purpose*
- *Description of the activities*
- *Cost*
- *Input of human capacity*
- *Duration and schedule*

B. METHODOLOGY

Please refer to the 5 main evaluation criteria:

RELEVANCE - The extent to which the objectives of the intervention are consistent with beneficiaries requirements, country needs, global priorities and EU/EASO's policies.

The analysis of relevance will focus, among others, on the following questions:

- coherence with current/on-going initiatives;
- the extent to which stated objectives correctly address the identified problems and needs, clarity and internal consistency of the stated objectives;
- the degree of flexibility and adaptability to facilitate rapid responses to changes in circumstances;
- the quality of the identification of key stakeholders and target groups (including gender analysis and analysis of vulnerable groups) and of institutional capacity issues.

EFFECTIVENESS - The effectiveness criterion, concerns how far the results were attained, and the specific objective(s) achieved, or are expected to be achieved.

EFFICIENCY - The efficiency criterion concerns how well the various activities transformed the available resources into the intended results (sometimes referred to as outputs), in terms of quantity, quality and timeliness. Comparison should be made against what was planned. This criterion also refers to sound management and value for money.

IMPACT - The term impact denotes the relationship between the specific and overall objectives. At Impact level the final evaluation will make an analysis of the following aspects:

- Extent to which the objectives of the plan have been achieved as intended in the planned overall objective.



- Whether the effects of the activities have produced the expected results and have changed the situation on the ground.

SUSTAINABILITY -The sustainability criterion relates to whether the positive outcomes of the project and the flow of benefits are likely to continue after external the emergency support ends.

The report will focus on: the ownership of objectives and achievements, institutional sustainability, to which extent the changes triggered by the activities under the special support plan are embedded in local institutional structures; if it involved creating a new institution, how far good relations with existing institutions have been established; whether the institution appears likely to be capable of for taking over, technically, financially and managerially; financial and economic sustainability.

C. CONCLUSIONS

D. RECOMMENDATIONS



Annex F: Generic template for products developed in the context of the EASO Special Support Plan to Italy

Table of Contents

Introduction

- Background and current situation.
- Context – EASO Special Support Plan measure; brief outline of objectives; previous/on-going assistance provided in the field and synergies with other activities under the EASO Special Support Plan.
- Statistical overview.
- Intended beneficiaries – Direct, and indirect users/beneficiaries of the report.
- Purpose of the product – How the product can support the establishment of the Italian asylum system/ reception system.
- Methodology – Including consultation with IT staff and other relevant stakeholders.

Legal framework

- International law and principles
- Relevant EU legislation
- National legislation

Technical recommendations/guidance

Implementation plan

- Identification and cooperation with relevant stake-holders (other Services, EASO, civil society)
- Identification of potential funding opportunities (when applicable)
- Detailed implementation plan (including specific timeframes)
- Reference to necessary training
- Reference to the adoption of operational guidelines, forms and procedures
- Review and quality mechanisms

Appendix

- Reference materials



Annex G: EASO Special Support Plan Code of Conduct for participants

EASO CODE OF CONDUCT FOR PARTICIPATING IN EASO ACTIVITIES IN ITALY

CHAPTER I - GENERAL PROVISIONS

Article 1

Objectives, scope and subject matter

1. The present Code of Conduct aims to promote professional values based on the principles of the rule of law and the respect of fundamental rights and to establish the ethical behavioural standards that guide all persons participating in EASO support activities in Italy.
2. In this regard it sets out principles and rules which guide the conduct of all persons participating in EASO activities in Italy.

Article 2

Definitions

For the purpose of the present Code, the following definitions apply:

- a) The term “participant” refers to any person participating in EASO activities.
- b) The term “EASO activities” means any activity co-ordinated or led by EASO within the framework of its tasks as described in EASO Regulation and accompanying the EASO Special Support Plan to Italy.
- c) The term “Member State” also includes those countries which have concluded agreements with the Union by virtue of which they have adopted and apply the law of the Union in the field covered by EASO Regulation and where those countries are participating in activities in Italy as described under the EASO Special Support Plan.
- d) The term “host Member State” refers to the Member State where participants are deployed under the EASO, namely Italy.
- e) The term “discrimination” means any unfair treatment or arbitrary action or distinction based on a person’s sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or and other opinion, membership of a minority, property, birth, disability, age or sexual orientation.
- f) The term “harassment” means any improper or unwelcome conduct that might reasonably be expected to be perceived to cause offence or humiliation to another person. Harassment may take the form of words, gestures or actions which annoy, alarm, abuse, demean, intimidate, belittle, humiliate or embarrass another or which create an intimidating, hostile or offensive work environment.

CHAPTER II - PRINCIPLES

Article 3

Lawfulness

1. Participants in EASO activities serve the public interest and shall comply with international law, European Union law, the national law of both home and host Member States and the present Code of Conduct.



2. They shall also meet the obligations imposed on them by the provisions stated in EASO Regulation, the accompanying EASO Special Support Plan to Italy or other similar agreed rules.

Article 4

Fundamental Rights

Participants in EASO activities shall:

- a) at all times, promote and respect human dignity and the fundamental rights of every individual, regardless of their sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation;
- b) promote compliance with the relevant international and European instruments regarding fundamental rights protection.

Article 5

Close cooperation

a) The experts participating in EASO activities shall work in hosting Member States in compliance with the EASO Special Support Plan.

b) On taking up duty, participants in EASO activities will cooperate with the UN High Commissioner for Refugees (UNHCR), other EU bodies such as the European Agency for the Management of Operational Cooperation at the External Borders (Frontex) and the Agency for Fundamental Rights (FRA), the European Commission and the Member States.

Article 6

International Protection

Participants in EASO activities shall:

- a) promote, in full compliance with the principle of *non refoulement*, that persons seeking international protection are recognised, receive adequate assistance, are informed, in an appropriate way, about their rights and relevant procedures and are referred to the national authorities responsible for receiving the asylum requests;
- b) give special consideration to particularly vulnerable groups of people, including women, unaccompanied minors, disabled persons susceptible to exploitation and victims of exploitation or trafficking in human beings;
- c) ensure that where necessary persons in the asylum procedure that require healthcare are referred to the national authorities and are given access to healthcare in accordance with the provisions and laws of the host Member State.

Article 7

Performance of Duties

Participants in EASO activities shall ensure that instructions, directives and required duties are carried out promptly and diligently.

Article 8

Responsibility

Participants in EASO activities are individually responsible for the way in which they perform their work.



Article 9

Conflict of interests

To perform their duties properly, participants in EASO activities shall refrain from any activities which would undermine or compromise their independence and the appropriate performance of their duties.

Article 10

Confidentiality

- 1 Confidential or sensitive information in the possession of a participant of EASO activities shall not be publicly disclosed, including in social media or environment, unless the performance of duty or the needs of justice strictly require disclosure or disclosure has been appropriately authorised.
- 2 Participants shall not relay information or express personal opinions or facts regarding EASO activities in the media unless explicit authorisation is given by the Executive Director of the EASO.
- 3 Participants are bound by the obligation to behave with discretion regarding current, past and planned or potential EASO activities.

Article 11

Behavioural Standards

Participants in EASO activities whether on or off duty shall:

- a) Abstain from all behaviour likely to compromise the prestige and the nature of the public mission in which they are invested or to bring discredit upon their organisation, the host Member State or the EASO.
- b) act with fairness and impartiality in their dealings with the public and other participants in EASO activities, treating all with courtesy and respect, avoiding all forms of victimisation or discrimination, bearing in mind the diverse nature of people, including backgrounds, and/or origin;
- c) abstain from actions contrary to the public order;
- d) refrain from using vulgar, obscene or otherwise offensive speech or gestures that could be considered abusive towards other participants in EASO activities or the public.

CHAPTER III - PROHIBITED CONDUCTS

Article 12

Abuse of authority

All improper use of a position of influence, power or authority is forbidden.

Article 13

Discrimination

All discriminatory behaviours as defined in Article 2(f) towards the public or other participants in EASO activities are forbidden.

Article 14

Harassment

All forms of harassment as defined in Article 2(g) are forbidden.



Article 15

Corruption

1. The use of public position for illegitimate private gains as well as the acceptance of unjustified rewards for actions taken in EASO activities is forbidden.
2. Consent to any form of corrupt activity is forbidden.

Article 16

Use of narcotics and drugs

The use or possession of narcotics and drugs, unless prescribed for medical purposes is forbidden.

Article 17

Consumption of Alcohol

The consumption of alcohol while on duty is forbidden.

Article 18

Civil and criminal liability

In accordance with Article 21 and 22 of EU Regulation No. 439/2010, establishing the European Asylum Support Office, participants from Member States shall be subject to the provisions contained therein on civil and criminal liability.

CHAPTER IV - FINAL PROVISIONS

Article 19

Reporting

Participants in EASO activities who have reason to believe that a violation of the present Code of Conduct has occurred or is about to occur, are obliged to report the matter to the Executive Director of the EASO and to the host Member State focal point for the EASO Special Support Plan via the appropriate channels.

Article 20

Sanctions

1. In the case of violation of the present Code of Conduct by a participating member of EASO staff, the Executive Director of the EASO will take adequate measures which may include the immediate removal of the deployed EASO staff member from their current activities under the EASO Special Support Plan.
2. If the violation was committed by a participant from a Member State, the Executive Director will inform the Member State and can immediately remove the person concerned from the EASO activity. It is expected that the relevant authority of the Member State will use its own powers regarding the necessary disciplinary measures and, if applicable, to remove the person concerned from the respective EASO intervention pool for a defined period.