

2021 OPERATING PLAN
AGREED BY EASO AND MALTA

Valletta Harbour
11 December 2020

The Executive Director of the European Asylum Support Office (hereinafter 'EASO')

and

The Permanent Secretary of the Ministry for Home Affairs, National Security and Law Enforcement of the Republic of Malta (hereinafter 'MHSE')

Having regard to Regulation (EU) No 439/2010 of the European Parliament and of the Council of 19 May 2010 establishing a European Asylum Support Office¹ (hereinafter referred to as 'EASO Founding Regulation'), and in particular Article 2, 8, 10 and 13 to 23 thereof;

Hereby agree on the Operating Plan (hereinafter 'the Plan') for the provision of scientific, technical and operational assistance to Malta from 1 January until 31 December 2021.

Any amendments or adaptations of this Plan shall be agreed between the Parties in writing.

EASO shall share a copy of the Plan with the Members of the EASO Management Board for information.

The Plan enters into force on the date after the Plan has been signed by both Parties.

Valletta Harbour

11 December 2020

Executive Director of the
European Asylum Support
Office

Permanent Secretary
Ministry for Home Affairs, National Security and
Law Enforcement of the Republic of Malta

Nina Gregori

Kevin Mahoney

¹OJ L 132, 29.5.2010, p. 11-28.

1 INTRODUCTION

The Plan addresses the operational needs of Member States under particular pressure that have requested support from EASO. Such Plan gives directions on the delivery of EASO's technical and operational assistance and the deployment of Asylum Support Teams.

This Plan is formally agreed with the authorities of Malta (hereinafter 'Host Member State').

2 LEGAL FRAMEWORK

2.1 General legal basis for the Plan as per EASO Founding Regulation

The EASO Founding Regulation, in particular Article 2 (2) and (3), (4) and (5) thereof, foresees that EASO shall provide effective operational support to Member States subject to particular pressure on their asylum systems, drawing upon all useful resources at its disposal, which may include the coordination of resources provided by the Member States, as well as technical assistance in regard to the policy and legislation of the EU in all areas having a direct or indirect impact on asylum.

The definition of particular pressure on the asylum and reception system is laid down in Article 8 of the EASO Founding Regulation.

EASO may support the Member State by coordinating action to help facilitate an initial analysis of asylum applications under examination by the competent national authorities (Article 10(a)), action designed to ensure that appropriate reception facilities can be made available by the Member States, in particular emergency accommodation, transport and medical assistance (Article 10(b)), and other technical and operational assistance through the deployment of asylum support teams (Article 10(c)).

The operating arrangements of the deployment of the asylum support teams are governed by Chapter 3 of the EASO Founding Regulation, and more in particular Articles 13 to 23.

2.2 Legal framework applicable to the Plan

EASO activities performed in the context of the support and technical assistance as identified in the Plan herewith are in principle governed by EU law, complemented, where appropriate, by the national law of the host Member State. This includes, inter-alia, the safety and security of persons and assets participating in those EASO activities.

2.3 Lawfulness and Respect for Fundamental Rights

This Plan shall be implemented by the Parties in full compliance with the applicable law, as indicated in Section 2.2 of the Plan, and with full respects to human dignity. This includes, inter alia, the Charter of Fundamental Rights of the European Union, as well as the Convention Relating to the Status of refugees of 1951.

Any person contributing to EASO operational support activities and taking part in the implementation of Plan shall respect the applicable International law, European Union law and the national law of the Host Member State. They shall maintain the highest standards of integrity and ethical conduct, professionalism, respect and promotion of fundamental rights and international protection.

They are to act responsibly and proportionally to current objectives. Whilst carrying out supporting functions, all personnel must not discriminate persons on grounds of sex, race, religion, ethnic origin, age or sexual orientation. All persons 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 this Plan, all personnel must apply a zero-tolerance attitude with respect to the infringement of fundamental human rights.

This obligation is particularly important when dealing with persons who are in need of international protection. To that end, participants in EASO operational support under this Plan shall comply and act in accordance with the 'EASO Code of Conduct for persons participating in EASO operational support activities'.

A declaration on the compliance with the EASO Code of Conduct constitutes Annex I to the Plan.

EASO may temporarily suspend the implementation of the Plan in cases of severe violations of the applicable law, especially the Fundamental Rights.

2.4 Confidentiality, Public Access to Documents and Data Protection

Without prejudice to the public right of access to documents, as laid down in Regulation (EC) 1049/2001² and the EASO implementing rules on access to documents³, all versions of this document shall be made available to the competent authorities in each EU Member State, as well as the associate countries, Iceland, Liechtenstein, Norway and Switzerland.

This Plan shall be made publicly available once it has been signed by EASO and the Host Member State.

EASO and the Host Member State shall consult each other on any requests for public access to documents relating to this Plan (for instance concerning its evaluation) and treat such requests in accordance with Regulation (EC) 1049/2001 or the respective national law, whichever is applicable.

Personal data will be processed in accordance with Regulation (EC) 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. The current plan also takes into account the General Data Protection Regulation as updated in May 2018⁴ with a Corrigendum to the 2016/679 Regulation 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 (Data Protection Directive), which is applicable to stakeholders at national level.

Whenever personal data is processed by the EASO within the activities agreed in the current Plan, EASO will act as data processor on behalf of the competent authorities of the Host Member State, following the applicable EU and national laws and regulations, as well as the instructions received from the Host Member State as the data controller.

In order to perform their tasks in accordance with this Plan, participants to activities under this Plan are only allowed to access the data bases mentioned below, under point 5.6 Conditions of Deployment.

EASO will implement the necessary technical and organisational measures to ensure the security and confidentiality of the personal data it processes taking into account possible additional instructions received from the Host Member State. This is to prevent any unauthorised disclosure of or access to this information.

² 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

³ 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

⁴ Corrigendum, OJ L 127, 23.5.2018, p. 2 ((EU) 2016/679)

Malta agrees that any personal data obtained in the course of the implementation of the Plan and by any EASO personnel working on behalf of the Member State authorities can be processed in the EASO IT systems, including cloud-based systems, exclusively under the instructions of the Member State and until an alternative system exists that can substitute the processing system used by EASO.

Malta also agrees to indicate a contact point in view of its role as a data controller for any data processed by EASO on behalf of Malta.

3 OPERATIONAL SITUATION AND NEEDS ASSESSMENT

The total number of arrivals to Malta in the first 8 months of 2020 was 2 162, compared to 2 425 in the same period in 2019 according to statistical data from Maltese authorities. Considering the global impact of COVID-19 in terms of mobility restrictions from mid-March onwards, migratory pressure to Malta can still be considered high.

In comparison with arrivals, some 1 406 applications were lodged in Malta between January and August 2020. The gap between these two indicators indicates the existence of a certain backlog in the registrations of asylum applications, as confirmed by the Maltese authorities. As of 31/10/2020, about 1350 persons were awaiting the registration of their asylum applications.

The majority of persons in reception in Malta were applicants for international protection, and more than half (52%) did not require accommodation support in cash or kind (total being 5620 persons). At the end of August 121 UAMs were reported in reception, mainly Sudanese, Somali, Guinean and Ivorian nationals. Based on available information, the “occupancy rate” was about 94 % at the end of August 2020, with Sudan, Eritrea, Somalia, Côte d’Ivoire and Nigeria as the main nationalities of occupants.

Concerning pending cases, in August 2020 there were 3 961 cases awaiting first-instance decision, with more than 4 out of 5 (83%) cases pending for more than 6 months and every 2 out of 5 (43%) applicants awaiting a first-instance decision on their case was a national of Sudan, Syria or Libya. The share of implicit withdrawals reached a fifth (20%) of all decisions in the first eight months of 2020.⁵

Based on the above and on consultations with stakeholders, EASO and the Maltese authorities have identified the following priority needs to be addressed in the Malta Operating Plan 2021:

- 1: Improved access to asylum procedure in Malta and increased capacity to manage the asylum backlog at first instance determination;
2. Enhanced capacity of the Maltese authorities to implement reception standards in line with CEAS

In addition to the two priority areas described above, EASO will also offer support on a certain number of cross-cutting areas such as information provision, interpretation, training, IT related projects, logistics, building on the support provided in 2020 or establishing new cooperation avenues.

4 IMPLEMENTATION

4.1 Implementation Period

The implementation period of this Plan is from 1 January 2021 until 31 December 2021.

4.2 Non-substantial changes during implementation

⁵ These were older cases originating in 2018 and 2019. It is also likely that a number of them have left the territory

The Plan aims to provide effective and flexible support to the identified needs of the Host Member State. Therefore, the foreseen activities are implemented in consideration of the changing circumstances which may occur in the international protection and reception systems in the Member States or on the ground, as well as in the context of the availability of financial resources and experts.

The implementation of measures and tasks foreseen in the Plan may be subject to non-substantial changes that may be accommodated within the objectives of a measure, so long as they do not affect the overall budget, do not require an amendment to or adaptation of the Plan, and that the Host Member State is timely informed in writing.

4.3 Amendments to the Plan

Any changes that prove to require an amendment to or adaptation of the Plan, shall gain written agreement of both the Executive Director of EASO and the [Member State] in line with Article 18(2) of the EASO Founding Regulation.

5 COORDINATION STRUCTURE

This chapter of the Plan describes the various conditions for and aspects of support to the authorities of the Host Member State in the field of international protection and reception.

EASO will provide technical support to experts participating in this Plan with the aim of ensuring that all deliverables make good use of the expertise and information already available to EASO. All rights in any writings or other work produced by Asylum Support Teams shall be the property of EASO and/or the European Union, where such writings or work relate to activities undertaken in the context of this Plan. EASO and/or the Union acquires irrevocably ownership of the results and of all intellectual property rights, such as copyright and any other intellectual or industrial property rights, on the materials produced specifically for EASO under the Plan and incorporated in such works, without prejudice, however, to the specific rules concerning pre-existing rights on pre-existing materials or other detailed rules contained in Framework Contracts concluded by EASO for purposes related to the implementation of this Plan. Selected deliverables developed under this Plan may be published.

5.1 Main National Partners

The Host Member State's main partners involved in this Plan are the following.

Organisation	Responsibilities
Ministry for Home Affairs, National Security and Law Enforcement	Immigration management
International Protection Agency (IPA)	Access to international protection determination procedure and first instance determination
Agency for the Welfare of Asylum Seekers (AWAS)	Management of the reception system and services related to the welfare of asylum seekers
The Principal Immigration Officer, Police	Authority responsible for issuing detention decisions
Detention Services	Management of the initial reception facilities in Safi and Hal Far Barracks

5.2 Composition of Asylum Support Teams

The Asylum Support Teams may consist of the following resources, being members of the Asylum Support Teams:

- (a) Member States experts, i.e. experts made available through contributions to the Asylum Intervention Pool by EU Member States via national expert pools on the basis of defined profiles, in accordance with Article 15 of the EASO Founding Regulation;
- (b) Associate Countries experts, i.e. experts made available through contributions to the Asylum Intervention Pool by associate countries referred to in Article 49 of the EASO Founding Regulation, with which the European Union has an arrangement in place on the modalities of its participation in EASO's work. Currently such arrangements have been concluded with the Kingdom of Norway, the Principality of Liechtenstein, the Swiss Confederation, and the Republic of Iceland;
- (c) Individual experts, i.e. experts made available through contributions to the Asylum Intervention Pool by EU Member States via national expert pools on the basis of defined profiles, in accordance with Article 15 of the EASO Founding Regulation, but whereby the Member State does not have an employment relationship with the individual expert;
- (d) EASO staff members, i.e. statutory staff employed by the Agency (temporary and contract staff) subject to the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Union⁶.
- (e) Seconded National Experts (SNEs), i.e. experts employed by a national, regional or local public administration of an EU Member State or an associate country or by a public inter-governmental organisation and seconded to the Agency⁷ for the provision of support to its operational activities;
- (f) Experts on contract, i.e. individuals providing services in relation to the Plan upon conclusion of a public contract between the Agency and the legal entity with which these individuals have an employment and/or contractual relationship, including temporary agency workers.]

The implementation of the Plan shall be based on the common understanding that the provision of resources, other than EASO (statutory) staff, to be deployed for the purposes described above can under no circumstances lead *per se* to the establishment of an employment relationship between EASO and the members of the Asylum Support Teams, nor, in the case of embedded experts on contract, between these experts and the national authorities to which they may be assigned as per the embedded model described below. Throughout the duration of the deployment of the Asylum Support Teams in the activities undertaken in the context of the present Plan, the employer of the Asylum Support Teams members is and remains their employer.

5.3 The embedded model

The notion of the 'embedded model' represents an integrated approach to the implementation of the Plan, applicable exclusively with regard to experts on contract. In accordance with this model, experts on contract who are supplied by their employer (e.g. temporary-work agency) to be deployed as Asylum Support Team members, are embedded within the structure of the respective national authorities to ensure utmost efficiency, quality and sustainability of the anticipated results. In practice,

⁶ As laid down by Council Regulation (EEC, Euratom, ECSC) No 259/68, OJ L 56, 4.3.1968, p.1.

⁷ By virtue of Decision No 01 of the Management Board of EASO of 25 November 2010 laying down rules on the secondment of national experts (SNE) to the European Asylum Support Office (ref. number: EASO/MB/2010/03).

those experts on contract are seconded by EASO to national authorities of the Host Member State and therefore perform their assignment(s) on the premises of the relevant national authorities (e.g. the National Asylum Service).

In such cases, a coordination mechanism shall be agreed by Parties to oversee both the overall implementation of the Plan at national level and its implementation at local level (i.e. in the respective location of the host Member State) or for the respective measure foreseen in the Plan, including with regard to the allocation and the administration of resources. For this purpose, detailed administrative and reporting workflows and procedures related to the provision and management of 'embedded' resources and reflecting respective roles and responsibilities shall be established and agreed upon in writing between EASO and the host Member State. In setting up the aforementioned coordination mechanism, the following rules must be complied with as a minimum:

(a) EASO shall duly advise the employers of the experts on contract of their envisaged secondment to the national authorities of the host Member State before such secondment takes place;

(b) The national authority shall clearly acknowledge that they endorse the obligations and responsibilities pertaining to them as hosting authority vis-à-vis the experts on contract seconded to them;

(c) The national authority is responsible for ensuring proper working conditions for the expert on contract, and is responsible for the health, safety and security during work. EASO may not be held liable for any breach in the Health and Safety rules that might occur in the premises of the national authorities and/or under the supervision of the national authorities.

Secondment of temporary agency workers to the Malta national authorities

The Temporary Agency Workers Regulations (Legal Notice 461 of 2010, amended by virtue of Legal Notice 272 of 2018 (S.L.452.106) – hereafter, “the Regulations”) transposed Directive 2008/104/EC of the European Parliament and of the Council of 19 November 2008 on temporary agency work.

In respect of the temporary agency workers seconded by EASO (as part of an Asylum Support Team) to the national authorities, embedded within the structure of the respective national authorities, the following responsibilities of the user undertaking, as laid down in the Regulations, are transferred to the respective national authorities:

- The temporary agency workers shall be under the management and supervision of the national authorities in terms of daily tasks, organization of work, implementation of objectives, etc. for the attainment of agreed Plan deliverables;
- The national authorities shall comply with all the health and safety obligations set forth by the law for its own employees, and are responsible for all the prevention and protection obligations relating to the specific working place where the working activity is performed. In this respect, the general legal framework with regard to health and safety in the workplace in Malta is provided by the Health and Safety Act (Chapter 424 of the laws of Malta);
- In case of accidents at work or illness due to the national authorities' breach of health and safety obligations, the national authorities will be considered liable.

5.4 Civil and criminal liability of members of the Asylum Support Team

Articles 21 and 22 of the EASO Founding Regulation will be applicable to all the members of the Asylum Support Team operating in the Host Member State.

Where Articles 21 and 22 of the EASO Founding Regulation shall apply directly to Member State experts, they shall apply *mutatis mutandis* to the other categories of resources made available for the Asylum Support Team as referenced in Section 5.2. of the Plan.

5.5 Acceptance of Deliverables

EASO shall ensure quality control of agreed deliverables. Where applicable, steps shall be taken to document the Host Member State's formal acceptance of deliverables.

5.6 Conditions for Deployment

General rules and conditions for Asylum Support Teams' deployment, as well as special instructions for Asylum Support Team members (including databases that they are authorised to consult and the equipment that they may carry in the Host Member State and practical information concerning location of deployment and related workflows) are published on the following platforms, which Asylum Support Team members are obliged to consult:

- EASO Asylum Intervention Pool's National Contact Point platform (EASO AIP NCP);
- EASO Asylum Intervention Pool System (EAIPS)
- EASO country-specific online platforms. These platforms are made available to members of ASTs upon their deployment, allowing for preparation for deployment (in case of MS national experts) and daily implementation of their tasks;
- Relevant thematic pages of the EASO IDS concerning the asylum and reception system of the Host Member State, including information on relevant practices, legislation, case law and statistical background. The host Member State shall contribute to information concerning the asylum and reception system of the Host Member State, including information on relevant practices, legislation, case law and statistical background to be available on IDS for AST Teams.

The Host Member State and EASO will provide experts with information on the general state of play with regard to the procedure for international protection and reception system in the Host Member State and specific information about the state of play of the deliverables as necessary for the specific measures on a continuous basis. Specific Asylum Support Team deployment details are provided under each measure, where applicable.

5.7 Organisational and Operational Pre-Conditions

Every effort shall be made by the different parties to provide a suitable working place for the expert(s) participating in the activities to implement the Plan.

EASO will provide the technical equipment required for the work of the Asylum Support Teams and will reimburse costs incurred by persons participating in the activities, according to the applicable EASO rules.

The Host Member State shall grant appropriate access rights for the Asylum Support Team members to all relevant databases and commits to provide the Asylum Support Teams with the required information and data in the context of this Plan.

EASO expects the establishment of International Protection Agency and resulting recruitments/onboarding of personnel to proceed as per the communicated recruitment plan.

The Host Member State and EASO shall designate an overall Plan Coordinator, as well as a specific Measure Coordinator for each measure stipulated in the Plan. The host member state will also facilitate the provision of appropriate working spaces.

As far as operationally feasible, and where relevant, the working files shall be made available by the Host Member State in English (unless otherwise agreed).

Minimum working and security conditions are considered as organisational pre-conditions.

The Host Member State shall provide EASO with information on the implementation of the Plan through timely input to the Early warning and Preparedness System and the delivery of tailored information on the execution of measures agreed in the Plan.

5.8 Communication

The Executive Director shall designate the Union Contact Point under Article 20 of the EASO Regulation, who acts as an interface between EASO, the Host Member State, and the Asylum Support Team members. The Union Contact Point provides assistance, on behalf of EASO, on all issues relating to the conditions of deployment of the Asylum Support Teams, monitors the correct implementation of the Plan, and reports to EASO on all aspects of Asylum Support Teams' deployment.

Further, at the end of their deployment, Asylum Support Team members will provide a Final Report to EASO using the template available on the EASO COP Malta Operations Platform. Feedback from the deployed Asylum Support Team members shall be gathered on the completion of their deployment and prior to reimbursement of expenses.

During the implementation of this Plan, experts as well as other personnel deployed as part of Asylum Support Teams will be briefed regularly on current situational and operational developments to address challenges and identify improvements.

Particular attention shall be paid to the need to continuously develop, improve and make available EASO support tools. Should such need be identified or changed during the plan implementation, it shall be communicated to EASO for further consideration.

The Host Member State and the Union Contact Point will manage the exchange of information concerning the tasks under the Plan.

EASO will maintain close cooperation and communication with the relevant stakeholders. EASO will also provide information to its partners (i.e. the European Commission, concerned EU Agencies, and international organisations) about the operational activities, as appropriate and in line with EASO transparency and communication policies. The timing and content of communication with the media shall be agreed upon between EASO and the Host Member State.

Where relevant the two parties will facilitate media coverage to ensure a wider dissemination and visibility of results.

5.9 Incident reporting

Participants in EASO activities who have reason to believe that a violation of the Code of Conduct has occurred or is about to occur, are obliged to report the matter to the Executive Director of EASO and to the Host Member State Coordinator for the Plan via the appropriate channel: operations@easo.europa.eu. The incident is reported using the Incident Report Form (Annex II). Any incidents that may occur during the deployment of an expert in the Asylum Support Teams shall be reported through the same channels.

5.10 Monitoring and Evaluation Framework

EASO is implementing a structured Monitoring and Evaluation (M&E) methodology allowing evidence-based measurement of progress, corrective action-taking and reflective reviews.

In terms of monitoring, EASO is making use of a number of tools developed in order to collect input from the implementation of the Plan and to guarantee feedback in real time.

Periodic or mid-term and final evaluations can be carried out in order to take stock of lessons learned and good practices. The evaluation(s) will be delivered within the European Commission's methodological guidelines for evaluations. They may be performed externally through engagement of evaluation specialist(s) or by EASO internally.

Monitoring and evaluation findings, as applicable, shall be shared with the Host Member State and communicated to the EASO governance structure (e.g. Management Board members and National Contact Points).

6 SECURITY

EASO should apply the security principles of the Commission's security rules. Commission Decision 443/2013 on the security in the Commission defines, that security shall be based on the principles of legality, transparency, proportionality and accountability.

The safety and security of persons participating in EASO activities under the plan are under the overall legal framework of the host Member State and shall be provided by the respective authorities legally responsible and accountable for the public order and security and safety on the territory of that Member State.

EASO will endeavor to support the identification of required security and safety measures and the implementation of those that are under its remit, both legally and functionally, in close cooperation with the MS security responsible.

To that end:

- Standard security and safety requirements, identified herewith, should apply as a general rule;
- Specific security and safety requirements for the specific plan, to be identified jointly by EASO and the host Member State security responsible, should be established in an annex to this plan.
- The safety and security measures shall be identified jointly on a basis of field assessment visits.

6.1 Standard security requirements

The standard security and safety requirements are rather pertaining to elements to be present in the implementation of the plan, not to minimum security standards:

- Both the host Member state on one side and EASO on the other shall appoint a named security responsible, acting as a single point of contact for security matters for the operation, both at central and local level.
- The host Member State should ensure that the working conditions for the performance of the activities under the Plan are compliant with the national occupational health and safety norms and regulations;
- A pre-deployment briefing programme, drafted in close cooperation with the respective national authorities, focusing both on general security rules and awareness, as well as on specific security aspects for each deployment will be provided. With regards to the decentralised nature of deployments, the use of e-learning and other distance-based training techniques should be considered.

- Emergency (evacuation) plan. Certain operational activities, such as hotspots, require that staff shall have clear guidance and training on how to evacuate quickly in case of emergencies. In a more general context, there could be a need to evacuate from the operational area as well. A security responsible should maintain updated information on the availability of evacuation plans and routes.
- Communication tools. As considered relevant by the EASO Security sector, EASO operational staff should have access to independent radio communication equipment. If possible, the equipment should be interoperable with the local law enforcement in charge of the security of the operation.
- Security of information. Sensitive non-classified and classified information should be protected adequately. EASO security responsible should be involved in supporting the proper classification of relevant information
- Security of IT and communication equipment - EASO IT equipment is adequately prepared to protect the information level it has been foreseen to process.
- Personal security behavior should be included in the pre-deployment training, led by operational teams and performed for the experts during the first days of arrival to the operational area. This may refer to the EASO code of conduct as well.
- Reporting security incidents from the operational area to the EASO HQ is essential to ensure an overview of the overall security management is maintained.

6.2 Specific security requirements

- Specific security and safety requirements for the implementation of the Plan shall be defined on the basis of a pre-deployment security assessment visit with the aim of identification of specific potential risks, identification of mitigation measures and communication of those measures to the MS and involved stakeholders, prior to the deployment.

6.3 Suspension of operational activities on security and safety grounds

EASO reserves the right to suspend operational activities on the basis of current risk assessment, while keeping informed the host Member State on the findings and identified mitigating measures required for resumption.

7 SPECIFIC PROVISIONS

7.1 Cooperation with the European Commission

All activities under this Plan will be closely coordinated with the Host Member State and with the steady support of the European Commission.

7.2 Cooperation with UNHCR

In accordance with Article 50 of the EASO Regulation, EASO aims at a coherent and complementary continuation of the fruitful cooperation with UNHCR. The Union Contact Point will liaise with the UNHCR office in the Host Member State for a continuous cooperation and coordination of practical activities agreed with the Host Member State under the current Plan.

7.3 Cooperation with IOM

In accordance with Article 52 of the EASO Regulation, in July 2019 EASO signed a working arrangement with IOM to establish a cooperation framework covering the relevant areas of common work and interest setting objectives and principles of such cooperation. Therefore, the Union Contact Point will liaise with the IOM office in the Host Member State for a continuous cooperation and coordination of practical activities agreed with the Host Member State under the current Plan and in accordance with the working arrangement.

8 MEASURES

Measure MT 1.0: Improved access to asylum procedure in Malta and increased capacity to manage the asylum backlog at first instance determination	
Responsible Authorities	<ul style="list-style-type: none"> • International Protection Agency
Partner Authorities	<ul style="list-style-type: none"> • MHSE • AWAS • Detention Service
Pre-Conditions	<ul style="list-style-type: none"> • The Maltese authorities appoint a measure coordinator and focal points to liaise with EASO and ensure effective operational coordination, implementation and monitoring. • MT will provide appropriate working space to EASO ASTs. Availability of office and workstations will determine the scale of the EASO deployments. • MT will ensure that the medical check proceedings will have been concluded before the third country nationals can start registration procedures • MT will provide access to the relevant database(s), or relevant parts of the database, as required for the completion of this measure, to EASO ASTs • Where necessary, joint standard operating procedures are established and regular coordination meetings are held between concerned representatives of the responsible authorities and EASO to mainstream the collaboration • EASO will maintain the number of caseworkers onboarded by the end of 2020 as it is necessary in order to reduce the existing backlog at first instance. It should be matched by an increase of the IPA caseworkers early in 2021 to achieve a sustainable national capacity to timely process asylum applications; • A bi-directional data sharing agreement is in place between EASO and the Maltese authorities in order to measure the impact of EASO's intervention.
Outputs	<ul style="list-style-type: none"> • Information provision package, covering the various procedural steps, with simple and clear content, appropriate for the age and level of understanding of the applicants, in a language that the applicant is reasonably supposed to understand and appropriate dissemination tools (activity strongly linked with the similar output under measure MT2, both outputs will be developed in coordination with both stakeholders); • Registration of applications for international protection, as well as registration of applications in the implementation of the technical SOPs arising from the Malta Declaration⁸; • Timely screening of vulnerable cases and referral to the relevant Maltese authorities;

⁸ Standard Operating Procedures prepared by COM and adopted as a follow up of the Malta Declaration (<https://www.consilium.europa.eu/en/press/press-releases/2017/02/03/malta-declaration/>)

	<ul style="list-style-type: none"> • Handling of regular Dublin procedure cases and Dublin procedure cases in the implementation of the technical SOPs arising from the Malta Declaration; • Personal interviews in the individual asylum determination procedure; • Evaluation reports to support IPA asylum decision making processes; • Support the creation of the IPA Quality Control Unit and an IPA asylum quality assurance mechanism; • Support the establishment of the IPA COI Unit and support with COI Helpdesk; • Update and/or development of guidelines, guidance and practical tools, when necessary; • IT practical tools development is supported.
<p>Description of the actions</p>	<ul style="list-style-type: none"> • Support the creation of an information provision package and of the appropriate dissemination tools; • Support with screening and referral of vulnerable cases; • Support with document analysis in the asylum procedure first instance processes; • Support the asylum procedure first instance processes – registration, Dublin procedure, personal interview, drafting of evaluation reports – to improve access to the asylum procedure, decrease the processing period at first instance and reduce the existing backlog of at least 50%⁸⁹. In 2021 it is planned to maintain the number of EASO caseworkers reached by the end of 2020. EASO will support IPA to ensure increase caseload can be managed in terms of quality and productivity. • Support the registration, screening, drafting of the relocation distribution list and the file processing as per the non-binding SOPs; • Support the creation of the Quality Control Unit and of an asylum procedure quality control mechanism as well as relevant guidance/SOPs; • Support the creation of the COI Unit through the set-up of the organisational mandate, objectives as well as relevant guidance/SOP; • Support the digitalisation of the existing paper based individual asylum files; • Development of business case for a case management system for IPA and AWAS; • Development and testing of tools as needed; • Support with face to face and remote interpretation; • Training of Maltese relevant officers, members of EASO Asylum Support Teams, as well as the interpreters as required.
<p>Inputs</p>	<ul style="list-style-type: none"> • 10 registration personnel to operate in IPA working locations (e.g. IPA HQ, SAFI Barracks, M.I.R.C.), complemented by up to 2 MS experts / January to December 2021 • 10 clerical personnel to operate in IPA HQ / as of the operationalisation of the IPA new HQ until completion of the workflow

⁹ Subject to reinforcement according to the recruitment plan of IPA in the first quarter of 2021

	<ul style="list-style-type: none"> • 2 flow management support officers to operate in IPA working locations (e.g. IPA HQ, SAFI Barracks, M.I.R.C.) / January to December 2021 • 1 document analysis MS expert • 15 caseworkers to work in IPA working locations (e.g. IPA HQ, SAFI Barracks, M.I.R.C.) / January to December 2021 • 3 team leaders to work in IPA working locations (e.g. IPA HQ, SAFI Barracks, M.I.R.C.) / January to December 2021 • Up to 5 MS experts to complement the caseworkers/team leaders depending on operational needs to work in IPA working locations (e.g. IPA HQ, SAFI Barracks, M.I.R.C.) / January to December 2021 • 2 Dublin assistants to operate in the MT Dublin Unit / January to December 2021 • 2 quality assurance support officers to work in IPA HQ / January to December 2021 • 2 COI researchers to work in IPA HQ / January to December 2021 • 2 Interpreters (physical and remote interpretation) / January to December 2021
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Measure MT 2.0: Enhanced capacity to implement reception standards in line with CEAS	
Responsible Authorities	<ul style="list-style-type: none"> • Agency for the Welfare of Asylum Seekers
Partner Authorities	<ul style="list-style-type: none"> • MHSE • IPA • Detention Service
Pre-Conditions	<ul style="list-style-type: none"> • The Maltese authorities appoint a measure coordinator and focal points to liaise with EASO and ensure effective operational coordination, implementation and monitoring. • MT will provide appropriate working space to EASO ASTs. Availability of office and workstations will determine the scale of the EASO deployments. • MT will ensure that the medical check proceedings will have been concluded before the third country nationals would meet EASO ASTs in any of the support activities foreseen underneath • MT will provide access to the relevant database(s), or relevant parts of the database, as required for the completion of this measure, to EASO ASTs • Where necessary, joint standard operating procedures are established, and regular coordination meetings are held between concerned representatives of the responsible authorities and EASO to mainstream the collaboration; • A bi-directional data sharing agreement is in place between EASO and the Maltese authorities in order to measure the impact of EASO's intervention.
Outputs	<ul style="list-style-type: none"> • Information provision package, covering the various procedural steps, with simple and clear content, appropriate for the age and level of understanding of the applicants, in a language that the applicant is reasonably supposed to understand and appropriate dissemination tools (activity strongly linked with the similar output

	<p>under measure MT1, both outputs will be developed in coordination with both stakeholders);</p> <ul style="list-style-type: none"> • Further enhancement of the national referral mechanisms in the asylum and reception system; • Enhanced capacity of the Vulnerability Assessment Response Team; • Enhanced capacity of the Care Team on age assessment; • Enhanced capacity of the Care Team on social work; • Update and/or development of the guidelines, guidance and practical tools, when necessary; • Development and testing of integrated tools facilitated including the implementation of a centre management system.
<p>Description of the actions</p>	<ul style="list-style-type: none"> • Support the creation of an information provision package and of the appropriate dissemination tools; • Delivery of information provision sessions; • Support the national referral mechanism with follow-up actions based on support provided in 2020; • Support with identification of vulnerable cases in line with instructions from AWAS in all reception centres by end of 2021; • Support with conducting of age assessments; • Support with conducting individual social workflows in open reception centers under AWAS management; • Update and/or development of the guidelines, guidance, SOPs and practical integrated tools, when necessary; • Interpretation as needed for the activity of the Asylum Support Teams; • Training packages as required.
<p>Inputs</p>	<ul style="list-style-type: none"> • Up to 5 information providers / January to December 2021 • 2 quality assurance support officers and 20 vulnerability assessment officers for VART / January to December 2021 • 1-2 vulnerability focal points / accommodation centre / January to December 2021 • 6 Care Team officers / January to December 2021 • Up to 9 social workers / January to December 2021 • Up to 3 MS experts on vulnerability assessment, information provision and development of guidance and tools / January to December 2021 • 1 flow management support officer to operate in AWAS working locations (e.g. AWAS HQ, HTV, M.I.R.C.) / January to December 2021 • Interpreters (physical and remote interpretation) / January to December 2021