



# Rules for participation in EUAA training

# **Rules for Participation in EUAA Training**



# Contents

<b>Contents .....</b>	<b>2</b>
<b>1. Introduction .....</b>	<b>3</b>
<b>2. Profiles.....</b>	<b>4</b>
i. Officials working in EU+ national asylum administrations .....	4
ii. Officials from EU+ relevant national administrations, other than asylum and reception authorities.....	5
iii. EUAA staff and staff from other EU institutions, agencies and bodies.....	7
iv. Officials from third countries .....	8
v. Representatives of international organisations.....	8
vi. Representatives from non-governmental organisations active in the field of asylum, reception or fundamental rights.....	9
vii. Representatives from academia.....	9
viii. Individual professionals.....	9
<b>3. Communication with stakeholders.....</b>	<b>9</b>
<b>Annex I.....</b>	<b>10</b>
List of Working Arrangements in place with EU institutions and bodies providing for training cooperation.....	10





# 1. Introduction

The European Union Agency for Asylum (EUAA) is established by Regulation (EU) 2021/2303. The Agency contributes to ensuring the efficient and uniform application of Union law on asylum in the Member States in a manner that fully respects fundamental rights. It also facilitates and supports the activities of the Member States in the implementation of the Common European Asylum System (CEAS), including by enabling convergence in the assessment of applications for international protection across the Union and by coordinating and strengthening practical cooperation and information exchange. Furthermore, the Agency improves the functioning of the CEAS, including through the monitoring mechanism and by providing operational and technical assistance to Member States, in particular where their asylum and reception systems are under disproportionate pressure.

The Agency establishes, develops and reviews training for members of its own staff and members of the staff of relevant national administrations, courts and tribunals, and of national authorities responsible for asylum and reception. The EUAA's approach to training is primarily to train national trainers, who then train other asylum and reception officials during national training sessions in their home organisations, thereby replicating and maximising the impact of EUAA training.

According to Article 8 par. 6 of the EUAA's founding Regulation, "the Agency shall take the initiatives necessary to verify and, where appropriate, ensure that the experts, including experts not employed by it, who participate in asylum support teams have received the training relevant to their duties and functions that is necessary for their participation in the operational activities organised by the Agency. The Agency shall, where necessary and in advance of or upon deployment, provide the experts referred to in the first subparagraph with training which is specific to the operational and technical assistance provided in the Member State concerned (the 'host Member State')".

Moreover, according to Article 8 par. 7 of the same Regulation, "The Agency may organise training activities on the territory of a Member State or a third country in cooperation with that Member State or third country." Furthermore, according to Article 35 par. 1 of the same Regulation "In matters related to its activities and to the extent required for the fulfilment of its tasks, the Agency shall facilitate and encourage operational cooperation between Member States and third countries, within the framework of the Union's external policy, including with regard to the protection of fundamental rights, and in cooperation with the EEAS...".

In conclusion of the above-mentioned provisions the main target groups for the EUAA's training and learning activities are staff from EU+ Member States' asylum and reception authorities, including Member State experts who are deployed in the context of the EUAA's operational support activities, as well as officials from third countries with whose authorities the EUAA has concluded working arrangements.

The EUAA endeavours to maximise participation in its training. However, it should be recalled that there is no individual right to participate in EUAA training, and access to the training





remains at the discretion of the EUAA and Training National Contact Points (Training NCPs), in accordance with the EUAA's mandate and Member States' training needs as well as practical considerations, such as availability of resources.

It is therefore necessary to identify the different stakeholders who are entitled to participate in EUAA training, as well as the conditions, if any, under which that access can be granted. This is done in order to:

- Ensure that the core objective of EUAA training, which is the provision of high-quality training to asylum and reception officials from the EU+ Member States and relevant third countries, remains the primary focus, while broadening, where possible, the possibility of participating in EUAA training to other actors.
- Ensure that training resources are used in the light of the purpose for which they are intended in accordance with the EUAA Regulation and all applicable legislation, and that they are used in the most efficient manner.
- Ensure that the criteria on the basis of which, decisions on participation in training are made, are transparent and known in advance, and that the EUAA's discretion in deciding on such matters is not exercised in an arbitrary manner or in a way which leads to unjustified discrimination.

## 2. Profiles

The following stakeholders may be entitled to participate in EUAA training activities subject to the conditions specified hereunder:

### i. Officials working in EU+ national asylum administrations

In accordance with the EUAA's training mandate and its Training and Learning Strategy, officials working in the EU+ Member States' national asylum and reception administrations, who carry out tasks which are of direct relevance to the subject matter of the training, remain the main target group for EUAA training activities.

The provision by Member States of adequate training to their asylum and reception officials is a requirement in a number of legal acts included in the EU's asylum acquis:

- The Asylum Procedures Directive requires officials from Member States' responsible authorities to be properly trained. The Directive specifies that when training their officials, Member States must take into account the training developed by the EUAA. Officials from other authorities involved in receiving asylum applications or conducting personal admissibility interviews must also take into account training developed by the EUAA.
- The Reception Conditions Directive specifies that staff from all authorities and organisations involved in implementing the Directive must receive training. This applies in particular to officials working in accommodation centres and officials





working with unaccompanied minors or with victims of torture, rape or other serious acts of violence.

- The Dublin Regulation likewise requires staff to have received training, particularly staff who work with unaccompanied minors.

According to Article 8 par 3b of the EUAA's founding Regulation "Member States shall develop appropriate training for their staff pursuant to their obligations under Union law on asylum on the basis of the European asylum curriculum and shall include core parts of that curriculum in that training." It should also be recalled that asylum and reception officials can be nominated by their Member States to be included in the Asylum Reserve Pool from which experts are drawn to be deployed as part of Asylum Support Teams, in the context of the EUAA's operational support activities. Furthermore, the above-mentioned Article 8 par. 6 of the EUAA's founding Regulation extends the Agency's obligation to train Member State experts forming part of Asylum Support Teams, such as, members of the EUAA's own staff.

National asylum and reception administrations differ in the way they are organised and the way in which they function. Individuals carrying out tasks on those authorities' behalf may be employed as permanent or temporary staff, on a contractual basis or be self-employed individuals providing specific services, such as for example freelance interpreters. They could also be representatives of non-governmental organisations contracted to provide services to national authorities, particularly on reception matters. Member States should therefore be able to determine who is included in this category, in accordance with their administrative set-up and culture.

Individuals falling in this category are nominated to participate in EUAA training by their respective Training NCPs.

## ii. Officials from EU+ relevant national administrations, other than asylum and reception authorities

According to paragraph 1 of Article 8 of the EUAA's founding Regulation "The Agency shall establish, develop and review training for members of its own staff and members of the staff of relevant national administrations, courts and tribunals, and of national authorities responsible for asylum and reception". Officials from authorities other than asylum and reception administrations therefore are also included in the EUAA's training mandate.

It should be recalled that EUAA training is vocational in nature and is designed on the basis of the European Sectoral Qualifications Framework (ESQF) for asylum and reception officials, which pegs occupational standards with relevant educational standards and learning outcomes. Therefore, officials from EU+ relevant national administrations, other than asylum and reception authorities, will also be expected to apply the knowledge and skills gained as a result of the training to their everyday tasks.

In case the nomination of the individuals has not be submitted by the Training NCPs, the EUAA needs to keep the Training NCPs informed about any registration of individuals falling within this category.





### iii. EUAA staff and staff from other EU institutions, agencies and bodies

EUAA staff, as well as staff from other EU institutions, agencies and bodies, may also on occasion participate in EUAA training.

EUAA staff are often deployed alongside Member States experts as part of Asylum Support Teams. As mentioned in Article 8 par. 6 of the EUAA's founding Regulation "The Agency shall take the initiatives necessary to verify and, where appropriate, ensure that the experts ... who participate in asylum support teams have received the training relevant to their duties and functions that is necessary for their participation in the operational activities organised by the Agency." This means that deployed EUAA staff require training in the EUAA curriculum on the same basis as deployed Member State experts.

EUAA staff also participate in training as part of their continuous professional development. According to Article 8 par 1 of the EUAA's founding Regulation "The Agency shall establish, develop and review training for members of its own staff...".

A Training Plan is adopted on an annual basis for EUAA staff. Occasionally however, EUAA staff may also participate in "train-the-trainer" sessions alongside other stakeholders, including officials from the Member States and from other EU institutions, agencies and bodies.

As regards staff from other EU agencies and bodies, according to Article 37 par. 1 of the EUAA's founding Regulation "The Agency shall cooperate with the Union bodies, offices and agencies which carry out activities relating to its field of activity, in particular the bodies, offices and agencies in the field of justice and home affairs which are competent in matters covered by this Regulation." Such cooperation is to take place in accordance with working arrangements concluded with those bodies and be aimed at creating synergies between the EUAA and those bodies and prevent any duplication of effort. Where working arrangements concluded by the EUAA with EU agencies and bodies provide for training cooperation, staff from those agencies and bodies may therefore participate in EUAA training. A list of working arrangements in place with EU bodies and agencies and which include training within their scope is provided in Annex I.

Staff from other EU agencies and bodies also participate alongside the EUAA and deployed Member State experts in operational support activities. The implementation of the hotspot approach to assist frontline Member States that are facing disproportionate migratory pressures at the EU's external borders, has put into further focus the need to ensure synergies and minimise duplication of efforts during operational support activities. The participation of the staff of EU agencies and bodies such as the European Border and Coast Guard Agency (Frontex), the European Union Agency for Law Enforcement Cooperation (Europol) and the European Union Agency for Criminal Justice Cooperation (Eurojust) in EUAA training could therefore assist in ensuring a consistent interpretation of the CEAS by all the agencies and bodies concerned. This rationale is further strengthened with the adoption of the European Border and Coast Guard Regulation, which provides for migration management support teams





providing technical and operational reinforcement to Member States at hotspot areas, composed of Member State experts deployed by the European Border and Coast Guard Agency (Frontex) or by the EUAA, as well as staff from the European Border and Coast Guard (Frontex) and the European Union Agency for Law Enforcement Cooperation (Europol) and other relevant EU agencies and bodies.

European Commission staff whose day-to-day tasks are related to asylum matters may also participate in EUAA training.

Nominations are submitted to the EUAA via established channels by the specific agencies.

#### iv. Officials from third countries

As outlined above, EUAA training is also given as part of capacity building in the context of support for the external dimension of the CEAS. The participation of third country officials in EUAA training activities is therefore possible in accordance with the EUAA External Dimension plans and the working arrangements concluded with the authorities of the countries concerned. These participants are nominated for EUAA training by the national authorities.

The training of third country officials is conditional on the existence of working arrangements with the authorities of the third country concerned. The training of officials from third countries with whom the EUAA has not concluded working arrangements would require prior authorisation.

#### v. Representatives of international organisations

Relevant international organisations, such as the UNHCR, ICMPD, IOM and others, play an important role in the process of developing EUAA training material. They often also operate alongside the EUAA during operational support activities and provide various forms of support to the Member States.

On occasion, representatives of those organisations express an interest in participating in EUAA training activities as trainees. Their participation is based on Article 38 of the EUAA's founding Regulation which states that "The Agency shall cooperate with international organisations, in particular the UNHCR, in areas governed by this Regulation, within the framework of working arrangements concluded with such organisations, in accordance with the Treaties and the instruments setting out the competence of such organisations...", A list of international organisations with whom the EUAA has working arrangements in place covering training is provided in Annex II.

Their participation in EUAA training activities could be of benefit to the EUAA and to EU+ Member States in fostering an increased understanding of the CEAS within those international organisations.

Nominations should be submitted to the EUAA via established channels by the specific agencies.







## vi. Representatives from non-governmental organisations active in the field of asylum, reception or fundamental rights

Non-governmental organisations active in the fields of asylum, reception, migration and fundamental rights also often operate alongside and support national officials in the discharge of their duties. Where those organisations are contracted to provide services on behalf of national administrations, such as for example on reception matters, Training NCPs may register them for training alongside their own staff (category 1).

As regards representatives of NGOs that do not provide services to the national authorities in the field of asylum or reception, there could still be a benefit in allowing their participation in EUAA training activities, particularly in order to foster a uniform interpretation of the CEAS and the EU's asylum acquis. However, in this case participation should be limited to national training sessions, and requests for participation should be addressed to and be validated by the relevant Training NCP.

## vii. Representatives from academia

Academics play an important role in the development or upgrade and quality review of EUAA training material through their participation in the EUAA's Training Reference Group. As such, their input to EUAA training activities is primarily focused on the design stage.

Given the vocational nature of EUAA training, and its focus on the responsibilities of asylum and reception officials, it is unlikely that EUAA training would be of significant value to academics. For this reason, requests from individual members of academia for participation in EUAA training will be rejected.

## viii. Individual professionals

The EUAA has also on occasion received requests from individual members of the professions, such as legal practitioners, to participate in EUAA training. The participation of individual members of the public who do not form part of Member States' administrations and who play no role in the EUAA's activities would however go against the spirit of the EUAA's training mandate, as delimited by its founding Regulation and as outlined in its Training and Learning Strategy. For this reason, requests from individual members of the public, even if members of the professions, will be rejected.

# 3. Communication with stakeholders

The conditions outlined in this document for participation in EUAA training will be made publicly available on the EUAA's website.

When requests for participation are rejected, this policy should be brought to the attention of the individual concerned.





# Annex I

## List of Working Arrangements in place with EU institutions and bodies providing for training cooperation

The EUAA working arrangement with eu-LISA [\[EN\]](#)

The EUAA working arrangement with Frontex [\[EN\]](#)

Annual cooperation plan of Frontex and EUAA [\[EN\]](#)

The EUAA working arrangement with the Fundamental Rights Agency [\[EN\]](#)



