



European Asylum Support Office

Code of conduct

for persons
participating in
EASO operational
support
activities

Dear reader,

I am pleased to present to you the European Asylum Office (EASO) Code of Conduct for participating in EASO operational support activities. This document is binding not only for EASO staff, but also for those who take part in the operational activities coordinated by the agency.

This document is the basis for asylum and immigration officers performing tasks in another Member State during their deployment with EASO as members of the asylum support teams under Operating Plans or participating in the implementation of Special Support Plans, or during the EASO Joint Processing activities.

When performing tasks in another Member State during EASO operational support activities, due consideration should be taken of the ethical and legal principles. All participants in EASO operational support activities must be guided by the highest standards, while making use of and sharing their best practices in asylum and reception matters.

I am convinced that this document is yet another element contributing to strengthening practical cooperation among Member States on asylum and reception and developing best practices on activities related to Joint Processing of applications for international protection. EASO technical and operational assistance supports the requesting Member State or Member States, in order to improve the implementation of the instruments of the Common European Asylum System (CEAS).

*Robert K. Visser
Executive Director*

CHAPTER I

GENERAL PROVISIONS

Article 1

Objectives, scope and subject matter

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 operational support activities.

In this regard it sets out principles and rules which guide the conduct of persons participating in EASO operational support activities, namely members of the asylum support teams from participating Member States deployed under Article 16 of the EASO Regulation ⁽¹⁾, experts from Member States participating in the implementation of the Special Support Plans and persons participating in EASO Joint Processing activities.

Article 2

Definitions

For the purpose of the present code, the following definitions apply.

- (a) The term ‘participant’ refers to any person contributing to EASO operational support activities and taking part in the implementation of EASO Operating Plans, Special Support Plans and Joint Processing activities.
- (b) The term ‘EASO operational support activities’ means any activity coordinated or led by EASO within the framework of its tasks as described in the EASO Regulation and accompanying the Operating Plans, the Special Support Plans and the terms of reference for the Joint Processing activities.

⁽¹⁾ Regulation (EU) No 439/2010 of 19 May 2010 establishing a European Asylum Support Office.

- (c) The term ‘Member State’ refers to those countries that have concluded agreements with the European Union by virtue of which they have adopted and apply the law of the Union in the field covered by the EASO Regulation. It includes the associated countries that have concluded working arrangements for their participation in the work of EASO.
- (d) The term ‘home Member State’ refers to the Member State where participants are currently working, before being deployed or invited under EASO Operating Plans, Special Support Plans or Joint Processing activities.
- (e) The term ‘host Member State’ refers to the Member State where participants are deployed or invited under EASO Operating Plans, Special Support Plans or Joint Processing activities.
- (f) 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.
- (g) 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.
- (h) The term ‘responsible officer in EASO’ refers to the EASO staff member nominated for coordinating the implementation of each EASO Operating Plan, Special Support Plan or Joint Processing activity.

CHAPTER II

PRINCIPLES

Article 3

Lawfulness

Participants in EASO operational support 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.

They shall also meet the obligations imposed on them by the provisions stated in the EASO Regulation, the accompanying Operating Plans, Special Support Plans and Terms of Reference for the Joint Processing activities 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

All participants in EASO operational support activities shall work in host Member States in compliance with the Operating Plan, the Special Support Plan and the Terms of Reference for the Joint Processing activities.

While performing their duties, participants in EASO operational support activities will cooperate with the UN High Commissioner for Refugees (UNHCR), the European Commission, other EU bodies such as the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (Frontex) and the European Union Agency for Fundamental Rights (FRA), and the Member States. Such cooperation shall be in agreement with the responsible officer in EASO.

Article 6

International protection

Participants in EASO operational support 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 their applications for international protection;
- (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 and reception 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 operational support activities shall ensure that instructions, directives and required duties are carried out promptly and diligently.

Article 8

Responsibility

Participants in EASO operational support 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 operational support activities shall refrain from any activities which would undermine or compromise their independence and the appropriate performance of their duties.

Article 10

Confidentiality

Confidential or sensitive information in the possession of a participant in EASO operational support 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 by EASO.

Participants shall not relay information or express personal opinions or facts regarding EASO operational support activities in the media unless explicit authorisation is given by the Executive Director of EASO.

Participants are bound by the obligation to behave with discretion regarding past, current, planned or potential EASO operational support activities.

Article 11

Behavioural standards

Participants in EASO operational support 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 deployed or to bring discredit upon their organisation, the host Member State or EASO;
- (b) act with fairness and impartiality in their dealings with the public and other participants in EASO operational support 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 operational support 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 operational support activities are forbidden.

Article 14

Harassment

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

Article 15

Corruption

The use of public position for illegitimate private gains as well as the acceptance of unjustified rewards for actions taken in EASO operational support activities is forbidden.

Consent to any form of corrupt activity is forbidden.

Article 16

Use of narcotics and drugs

The use or possession of narcotics or 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 Articles 21 and 22 of the EASO Regulation, participants from Member States plus Norway and Switzerland shall be subject to the provisions contained therein on civil and criminal liability.

CHAPTER IV

FINAL PROVISIONS

Article 19

Reporting

Participants in EASO operational support 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 EASO through the responsible officer in EASO and to the host Member State via the appropriate channels.

The list of contact persons in EASO and the host Member State is provided in the working arrangement accompanying each EASO Operating Plan, Special Support Plan and Joint Processing activity. The main e-mail address for EASO is operations@easo.europa.eu

Article 20

Sanctions

In the case of violation of the present Code of Conduct by a participating member of EASO staff, the Executive Director of EASO will take adequate measures which may include the immediate removal of the responsible officer in EASO from the current activities under the EASO Operating Plans, Special Support Plans and Joint Processing activities.

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 operational support 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, will remove the person concerned from the respective EASO asylum intervention pool for a defined period.

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