



## Decision of the Executive Director No 33/2025

### on the code of conduct applicable to all experts participating in asylum support teams

#### THE EXECUTIVE DIRECTOR,

HAVING REGARD to Regulation (EU) 2021/2303 of the European Parliament and of the Council of 15 December 2021 on the European Union Agency for Asylum<sup>1</sup> (hereinafter ‘the EUAA Regulation’), and in particular Article 58 thereof,

#### WHEREAS:

- 1) Pursuant to Article 1(2) of the EUAA Regulation, the European Union Agency for Asylum (hereinafter ‘the Agency’) should contribute to ensuring the efficient and uniform application of Union law on asylum in the Member States in a manner that fully respects fundamental rights.
- 2) Article 2 of the EUAA Regulation provides that the Agency is to *inter alia* provide effective operational and technical assistance to Member States, in particular when their asylum and reception systems are subject to disproportionate pressure, set up and deploy asylum support teams, set up an asylum reserve pool and acquire and deploy the necessary technical equipment for asylum support teams and deploy experts from the asylum reserve pool.
- 3) Pursuant to Article 16(2) of the EUAA Regulation, the Agency is to organise and coordinate the appropriate operational and technical assistance, which may entail taking one or more of the operational and technical measures listed in that paragraph in a manner that fully respects fundamental rights. Those measures include the deployment of asylum support teams.
- 4) In accordance with Article 19(1) of the EUAA Regulation, asylum support teams should consist of experts from the Agency’s own staff, experts from Member States, experts seconded by Member States to the Agency or other experts not employed by the Agency.
- 5) Article 57 of the EUAA Regulation provides that the Agency should guarantee the protection of fundamental rights in the performance of its tasks in accordance with relevant Union law, including the Charter of Fundamental Rights of the European Union, and relevant international law, in particular the Geneva Convention Relating to the Status of Refugees of 28 July 1951, as amended by the New York Protocol of 31 January 1967.
- 6) Article 58 of the EUAA Regulation provides that the Agency should develop, adopt and implement a code of conduct applicable to all experts participating in asylum support teams. The code of conduct should lay down procedures intended to guarantee the principles of the rule of law and respect for fundamental rights with a particular focus on children, unaccompanied minors and other persons in a vulnerable situation.

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<sup>1</sup> Regulation (EU) 2021/2303 of the European Parliament and of the Council of 15 December 2021 on the European Union Agency for Asylum and repealing Regulation (EU) No 439/2010, (OJ L 468, 30.12.2021, p. 1).







- 7) The Agency has developed a code of conduct applicable to all experts participating in asylum support teams, as referred to in Article 58 of the EUAA Regulation. This code of conduct should replace the 'Code of conduct for persons participating in EASO operational support activities', which was first published by the Agency in October 2016 under its former mandate as the European Asylum Support Office ('EASO').
- 8) In accordance with Article 49(5) of the EUAA Regulation, the Agency's fundamental rights officer has been consulted on the code of conduct.
- 9) In accordance with Article 50(6) of the EUAA Regulation, the Consultative Forum has been consulted on the preparation and adoption of the code of conduct,

**HAS DECIDED AS FOLLOWS:**

**Article 1**

**Adoption**

The code of conduct applicable to all experts participating in asylum support teams, as annexed to this Decision, is hereby adopted. It shall replace any previous versions of the code of conduct for persons participating in the Agency's operational support activities.

**Article 2**

**Awareness and training**

1. The Agency shall raise awareness on the code of conduct among all experts participating in asylum support teams, as well as relevant EUAA personnel, including as part of the mandatory training that the experts are required to follow pursuant to Article 8(6) of the EUAA Regulation.
2. Prior to their deployment, experts shall be required to sign a declaration acknowledging that the code of conduct has been brought to their attention.

**Article 3**

**Transparency**

This Decision shall be made public on the Agency's website.





#### **Article 4** **Entry into force**

This Decision enters into force on the date of its signature.

Done at Valletta Harbour, on 5 May 2025

*Signature on file*

Nina Gregori  
Executive Director

**Annex:** Code of conduct applicable to all experts participating in asylum support teams.



## Annex

### Code of conduct applicable to all experts participating in asylum support teams

#### Part I: General provisions

##### Section 1 — Objectives and scope

This code of conduct (hereinafter ‘the Code of Conduct’) applies to all experts participating in asylum support teams (hereinafter also referred to as ‘experts’) which are deployed by the European Union Agency for Asylum (‘EUAA’, hereinafter also referred to as ‘the Agency’).

The Code of Conduct sets out professional values and standards of behaviour<sup>2</sup> that shall guide the experts and lays down procedures intended to guarantee the principles of the rule of law and respect for fundamental rights with a particular focus on children, including unaccompanied children, and other persons in a vulnerable situation.

##### Section 2 — Definitions

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

- a) ‘Expert’ means any person deployed by the EUAA as part of an asylum support team, including experts deployed from the asylum reserve pool or deployed as part of a migration management support team, to provide operational and technical assistance to a Member State in accordance with Chapter 6 of the EUAA Regulation, and who may, in accordance with Article 19(1) of the EUAA Regulation, be an expert from the Agency’s own staff, an expert from the Member States, an expert seconded by the Member States to the Agency, or an expert not employed by the Agency<sup>3</sup>. For the avoidance of doubt, personnel of the host Member State, including those that may be involved in the implementation of the operational plan between the Agency and that Member State, are not considered to be experts participating in asylum support teams;
- b) ‘Member State’ means the Member States of the European Union which are bound by the EUAA Regulation, as well as associate countries under the conditions laid down in arrangements as referred to in Article 34(2) of the EUAA Regulation;
- c) ‘Home Member State’, with reference to experts from Member States or experts seconded by Member States to the Agency, means the Member State which deployed the expert;

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<sup>2</sup> The standards of behaviour laid down in this Code should be read in conjunction with the Guidance on ethical behaviour set out in Annex 3 to the Decision of the Executive Director No 20 of 23 April 2025 on the policy on the prevention and management of conflicts of interest, related post-employment and ethical guidance, and the role of ethics correspondent, available [here](#).

<sup>3</sup> Examples include temporary agency workers or remunerated external experts deployed as part of asylum support teams.



- d) 'Host Member State' means the Member State receiving operational and technical assistance from the Agency, including as agreed in an operational plan;
- e) 'Discrimination' means any unfair treatment or arbitrary action, or distinction based on a person's nationality, 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;
- f) 'Harassment' means any improper or unwelcome conduct that takes place over a period, is repetitive and systematic and involves physical behaviour, spoken or written language, gestures or other acts that are intentional and that may undermine the personality, dignity or physical or psychological integrity of the person or create an intimidating, hostile, offensive or disturbing environment;
- g) 'Sexual harassment' means conduct relating to sex which is unwanted by the person to whom it is directed, and which has the purpose or effect of offending that person or creating an intimidating, hostile, offensive or disturbing environment;
- h) 'Asylum reserve pool' means a reserve of experts placed at the immediate disposal of the Agency for deployment as part of asylum support teams, as referred to in Article 19(6) of the EUAA Regulation, in the framework of requests for assistance under Article 16(1), point (b), proposals by the Agency to provide assistance on its own initiative under Article 16(1), point (d), and assistance provided by the Agency under Article 22 of the EUAA Regulation;
- i) 'Asylum support team' means a team of experts deployed by the EUAA in line with Chapter 6 of the EUAA Regulation to provide operational and technical assistance to a host Member State;
- j) 'Migration management support team' refers to a team of experts deployed where a Member State requests operational and technical reinforcement by migration management support teams under Article 40 of Regulation (EU) No 2019/1896<sup>4</sup> or where migration management support teams are deployed at hotspot areas under Article 42 of that Regulation and which may include experts deployed by the EUAA as part of an asylum support team pursuant to Article 21 of the EUAA Regulation.
- k) 'Drug' has the same meaning as defined in Article 3 of Regulation (EU) 2023/1322 of the European Parliament and of the Council on the European Union Drugs Agency (EUDA)<sup>5</sup>;
- l) 'Sexual exploitation' means any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another;

<sup>4</sup> Regulation (EU) 2019/1896 of the European Parliament and of the Council of 13 November 2019 on the European Border and Coast Guard and repealing Regulations (EU) No 1052/2013 and (EU) 2016/1624, (OJ L 295, 14.11.2019, p. 1).

<sup>5</sup> Regulation (EU) 2023/1322 of the European Parliament and of the Council of 27 June 2023 on the European Union Drugs Agency (EUDA) and repealing Regulation (EC) No 1920/2006, (OJ L 166, 30.6.2023, p. 6).



- m) 'Sexual abuse' means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

## **Part II: Core values and guiding principles**

### **Section 3 — Lawfulness**

All experts must:

- a) comply with international law, including international refugee law, international human rights law, and international humanitarian law, as well as,
- b) comply with European Union law including the legislation under the Common European Asylum System (CEAS), and the national law of both the home and the host Member State.

### **Section 4 — Protection and promotion of fundamental rights**

Experts must at all times during their deployment ensure that their actions promote and respect the fundamental rights of every individual, in particular as enshrined in the Charter of Fundamental Rights of the European Union and other relevant international and European instruments in the area of fundamental rights protection.

They must conduct themselves in a way which protects the dignity of every person irrespective of their nationality, 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.

### **Section 5 — International protection**

Experts must, when performing their tasks:

- a) promote, respect, fulfil and protect the right of every person seeking international protection to be identified, receive adequate assistance and information about their rights, obligations and relevant procedures in an appropriate way in a language that they understand or are reasonably believed to understand;
- b) ensure that persons seeking international protection are referred without delay to the national authorities responsible for considering their request, in compliance with the right to seek asylum and the principle of *non-refoulement*;
- c) give special consideration to persons in vulnerable situations who may have special procedural and/or reception needs, including children and unaccompanied children;
- d) ensure that persons seeking international protection are referred to the competent national authorities in order to be provided with basic necessities, including food, water, shelter and medical attention to meet their individual needs.



## **Section 6 — Performance of duties**

Experts must ensure that they carry out all instructions, directives and required duties promptly and diligently, including as laid down in any operational plan, deployment letter and/or contract, internal acts applicable to the experts or standard operating procedures agreed between the Agency and the host Member State, and that they do so in accordance with the training received on the protection of fundamental rights.

Whenever unsure of their role or obligations, experts must actively seek instructions from the EUAA.

## **Section 7 — Personal responsibility**

Experts are primarily and individually responsible for their actions and for the manner in which they conduct themselves while participating in the EUAA's operational and technical assistance activities.

## **Section 8 — Conflicts of interest**

Experts must refrain from any activities which could undermine or compromise their impartiality and the appropriate performance of their duties.

Experts must duly declare in a timely manner any relevant interests which could undermine or compromise their independence and the objective and impartial performance of their duties, in line with the Agency's policy on the prevention and management of conflicts of interest<sup>6</sup>.

Experts must at all times ensure loyalty to the mission of the Agency in its implementation of its operational and technical assistance activities to the EU Member States and must actively seek instructions from the EUAA when potential conflicts of interest with regards to this may arise.

## **Section 9 — Confidentiality and personal data protection**

The processing of personal data by experts must comply with the applicable European Union<sup>7</sup> as well as national data protection law.

Experts must handle all information and documentation they acquire in the course of their deployment in a strictly confidential manner. They shall not publicly disclose such information, including on social media, unless such disclosure has been appropriately authorised by the EUAA in accordance with the applicable rules or is required by law.

Experts shall be bound by a life-long obligation of confidentiality also after their deployment has ended.

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<sup>6</sup> As outlined in Annex 1 to the Decision of the Executive Director of No 20 of 23 April 2025 on the policy on the prevention and management of conflicts of interest, related post-employment and ethical guidance, and the role of ethics correspondent, available [here](#).

<sup>7</sup> Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 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 (General Data Protection Regulation), available [here](#), as complemented by Articles 30 to 32 of the EUAA Regulation.



Experts must not publicly express personal opinions regarding the Agency's operational activities, in particular on the media, unless the Agency has explicitly granted its authorisation.

## **Section 10 — Behavioural standards**

Experts, whether on or off duty, must:

- a) be loyal to the EUAA's values and principles and those of the European Union and refrain from behaviour likely to compromise the reputation and nature of the public mission in which they are deployed or to bring discredit upon their organisation, entity or the EUAA;
- b) act with fairness and impartiality in their dealings with the public, treating every person with dignity, courtesy and respect;
- c) handle any misunderstandings in a professional and conciliatory manner, in a spirit of collaboration and respect towards fellow experts and other actors participating in the EUAA's operational and technical assistance activities;
- d) refrain from actions contrary to public order;
- e) refrain from using vulgar, obscene or otherwise offensive speech or gestures that may be considered abusive;
- f) be sensitive to cultural differences when interacting with others so as to avoid misunderstandings;
- g) comply, during working hours, with any visibility guidelines issued by the Agency which are aimed at ensuring that they may be identified as experts participating in asylum support teams;
- h) handle and use technical or other equipment made available to them by the Agency or the host Member State with the required care and only for purposes connected with their duties.

## **Part III: Prohibited conduct**

### **Section 11 — Prohibition of abuse of authority and position**

All improper use of a position of influence, power or authority towards other experts, applicants for international protection or other persons involved in or otherwise affected by the EUAA's operational activities, including members of the general public, are forbidden, whether on or off duty.

### **Section 12 — Prohibition of discrimination**

All forms of discrimination, as defined in section 2(e) towards other experts, applicants for international protection or other persons involved in or otherwise affected by the EUAA's operational activities, including members of the general public, are forbidden.

### **Section 13 — Prevention of harassment**

All forms of harassment and sexual harassment as defined in section 2, paragraphs (f) and (g), towards other experts, applicants for international protection or other persons involved in or otherwise affected by the EUAA's operational activities, including members of the general public, are forbidden.



#### **Section 14 — Prohibition of corruption**

Engaging in any form of corrupt activity is forbidden.

The use by experts of their public position for private gain as well as the acceptance of rewards for actions taken in the EUAA's operational and technical assistance activities is forbidden.

#### **Section 15 — Prohibition of use of drugs**

The use or possession of drugs, unless prescribed for medical reasons, is forbidden.

#### **Section 16 — Responsible consumption of alcohol**

The consumption of alcohol while on duty is forbidden.

The consumption of alcohol off duty must not be such as to impair an expert's ability to perform their tasks to the best of their abilities when reporting for duty or to discredit the EUAA. An expert who is unexpectedly called out for duty is obliged, at no risk of discredit, to disclose that they have consumed alcohol and may not be fit for duty.

An expert in a state of intoxication due to the consumption of alcohol must not report for duty or appear in public.

#### **Section 17 — Conduct of a sexual nature**

Using or soliciting services of a sexual nature, or engaging in sexual exploitation or sexual abuse, whether in public or in private, is strictly prohibited.

Experts should demonstrate full awareness of cultural differences in particular in relation to gender issues when interacting with persons affected by the EUAA's operational and technical assistance activities in order to avoid any misperceptions.

### **Part IV: Final provisions**

#### **Section 18 — Awareness**

Experts must familiarise themselves with the content of this Code of Conduct prior to their engagement in an EUAA operational and technical assistance activity, including as part of the pre-deployment training provided to them by the EUAA.



## **Section 19 — Duty to promote and inform**

All experts are responsible for advocating and promoting the principles enshrined in this Code of conduct and are expected to play an active role in implementing, monitoring and enforcing its standards.

Experts must provide information about the EUAA's complaints mechanism, including on the means by which complaints may be submitted as well as on any assistance available to complainants, to any person who wants to report an alleged fundamental rights violation under that mechanism.

## **Section 20 — Obligation to report**

Experts must report without delay, making use of the appropriate reporting channels, including at national level, when they have reason to believe that a violation of fundamental rights has occurred or is about to occur in the context of the Agency's operational and technical support activities, including where committed by the personnel of the host Member State or of other EU agencies or EU bodies operationally active in the host Member State.

Any expert who has reason to believe that another expert has violated this Code of Conduct is obliged to report the matter without delay to the Agency using the appropriate reporting channel. Such reports shall be handled by the Agency in a confidential manner.

When reporting, the expert shall only be responsible for faithfully providing all relevant information and shall not be expected to perform any further assessment of the reported facts. Nevertheless, experts have the duty to assist, when required to do so by the Agency, in the gathering of facts relating to any incident which was reported during an EUAA operational and technical assistance activity.

An expert who reports an alleged violation in good faith shall be protected by the Agency from any form of reprisal and shall not suffer any adverse consequences for having reported the matter to the Agency.

## **Section 21 — Procedures**

In the case of a confirmed violation of this Code of Conduct by an expert, the Executive Director shall take adequate measures which may include the immediate suspension or removal of the expert concerned from the EUAA's operational and technical assistance activity.

Where applicable, the Executive Director may also request the removal of the expert concerned from the asylum reserve pool.

Pending a final decision on a report of a violation of this Code of Conduct, the Executive Director may take interim measures to ensure the safety and wellbeing of any individual, including such as to redeploy or temporarily suspend the deployment of the expert concerned.

In all cases, the Executive Director may also refer the matter to the relevant national authorities for further follow-up in accordance with national law.