



Support is our mission



WORKING ARRANGEMENT

BETWEEN

THE EUROPEAN ASYLUM SUPPORT OFFICE (EASO)

AND

**THE EUROPEAN AGENCY FOR THE OPERATIONAL MANAGEMENT OF LARGE-SCALE IT
SYSTEMS IN THE AREA OF FREEDOM, SECURITY AND JUSTICE (eu-LISA)**

The European Asylum Support Office (hereinafter referred to as EASO) represented for the purposes of signature of this Working Arrangement by its Executive Director, Dr. Robert K. Visser,

and

The European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (hereinafter referred to as eu-LISA) represented for the purposes of signature of this Working Arrangement by its Executive Director, Krum Garkov,

(hereinafter collectively referred to as "the Parties", or individually as the "Party"),

Having regard to Regulation (EU) 439/2010 of the European Parliament and of the Council of 19 May 2010, establishing a European Asylum Support Office, in particular Article 52 thereof,

Having regard to the Regulation (EU) 1077/2011 of the European Parliament and of the Council of 25 October 2011 establishing a European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice, in particular Article 17 read together with Recital 21 thereof,

Whereas:

(1) The strategic guidelines for the development of the area of freedom, security and justice adopted by the European Council on 26-27 June 2014 stress the need to effectively implement and consolidate the legal instruments and policy measures in place, and recall that intensifying operational cooperation while using the potential of Information and Communication Technologies' innovations and enhancing the role of the different EU agencies will be key in this regard.

(2) eu-LISA may provide statistical and anonymous data outputs, analyses and reports from the management of the large-scale IT systems to EASO, in particular in accordance with Articles 28 and 29 of Regulation (EU) 1077/2011 and insofar as they are directly relevant for the asylum related assessments and risk analysis of the latter, which in return can provide eu-LISA with statistics and anonymous data inputs, analysis and reports relevant to asylum in accordance with Articles 42.4 and 43 of Regulation (EU) 439/2010.

(3) EASO and eu-LISA may share information on the findings of the monitoring of relevant research initiatives on asylum as well as on developments in research relevant for the operational management of the systems.

(4) A common objective of EASO and eu-LISA is achieving a high level of skills and common training standards for asylum, migration, border guard and other officials performing tasks related to asylum application procedures, in particular when making use of the large-scale IT systems (Eurodac, VIS and SIS II) operated by eu-LISA.

(5) In line with their respective mandates, the cooperation between EASO and eu-LISA can contribute to develop further the provision of expertise and operational and technical support to the EU and its Member States.

(6) In line with the Common Approach on EU decentralised Agencies and its roadmap, enhanced cooperation between EASO and eu-LISA creates synergies and added value and fosters coherence among their actions in fulfilling their respective mandates

(7) It is within the common interest of the Parties to establish a Working Arrangement in the areas of mutual interest.

Have agreed as follows:

Article 1

Purpose

The purpose of this Working Arrangement is to establish a cooperation framework between EASO and eu-LISA identifying the areas of cooperation based on common interest and setting the objectives and principles of such cooperation.

Article 2

Areas of cooperation

The Parties cooperate by exchanging expertise and best practices developed in the implementation of their respective mandates, in particular in the following areas:

- a. Exchange of information, statistics, analyses and reports
- b. ICT related matters
- c. Training provided to Member States
- d. Operational support and expert assistance
- e. Strategic and administrative matters
- f. Other areas identified as mutually important.

Article 3

Exchange of information, statistics, analyses and reports

1. The Parties agree to exchange information collected and processed, statistics, analyses and reports when fulfilling their tasks in accordance with the relevant provisions of their founding Regulations, in particular Articles 28 and 29 of Regulation (EU) 1077/2011 and Articles 42.4 and 43 of Regulation (EU) 439/2010, in full compliance with data privacy and information security provisions for the purpose of mutually supporting each other in the implementation of their mandates.
2. The Parties agree to develop the necessary services and tools for mutually exchanging statistical and non-personalised information from relevant large scale IT systems as well as that relevant to asylum including trend analysis, risk analysis and situational awareness reports.
3. When setting up the exchange of information, statistics, analyses and reports, respective internal procedures of both Parties shall be followed.
4. The Parties agree to cooperate in exchanging information on the findings resulting from the monitoring of relevant research initiatives, if appropriate, to improve the understanding of migration, asylum, international protection and the operational management of the systems.

Article 4

ICT related matters

1. The Parties may assist each other with know-how, expertise, best practices, lessons learned and advice in technical, operational and IT security related matters. For that purpose, access may be provided to relevant technical information. The implementation of this article shall take into account each Party's priorities and resource limitations.

2. The Agencies may cooperate for the purpose of ensuring business continuity in the area of ICT. Possible activities to assist each other and create synergies in business continuity would be agreed on separate grounds.

Article 5

Training provided to Member States

1. The Parties agree to cooperate in the development of training materials and the delivery of trainings including e-learning.
2. The Parties commit to exchanging training strategies, methodologies and plans on a regular basis as well as to sharing training materials of common interest.
3. The Parties will explore the possibilities of mutual participation in training programmes and launching of joint training activities.
4. The Parties may also exchange information on trainers and experts involved in their training activities relevant to the other Party.
5. The Parties will explore the possibilities for using each other's facilities and logistical support for training activities.
6. The contribution of one Party to the training materials or activities of the other one will be duly acknowledged.

Article 6

Operational support and expert assistance

1. The Parties will endeavour to cooperate in the operational support and expert assistance to Member States in accordance with their respective areas of competence.
2. The Parties will inform each other on operational activities where relevant to their respective mandates and explore participation in this field on a case by case basis.

3. The Parties may request each other's expertise and technical cooperation in the development and implementation of specific activities in accordance with their respective mandates.

Article 7

Strategic and administrative matters

1. The Parties agree to consult each other where relevant when preparing their strategic documents, such as work programmes, strategies and action plans on the areas of cooperation identified in this working arrangement.
2. Each Party may, where appropriate, invite the other Party to participate in any of its planning activities to ensure consultation and coordination of the relevant activities.
3. The Parties agree to cooperate in administrative matters sharing experience, expertise and best practices including in the fields of human resource management, management of premises, internal and external audits and finance and procurement.

Article 8

Cooperation with other partners

The Parties shall exchange information on their relations with other partners, in particular EU Institutions, other bodies and agencies, Member States and international organisations in connection with the activities relevant to each other's mandate.

Article 9

Data protection and access to documents

1. Any personal data related to the implementation of this Working Arrangement shall be processed pursuant to Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2001 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data.
2. Access to documents will be processed in accordance with 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.

Article 10
Confidentiality and Security

1. Each Party undertakes to keep confidential any information, document or other material provided by the other Party, not to disclose it to third parties without a prior written consent of that Party and not to use any such information for any purpose other than the implementation of this Working Arrangement.
2. Each Party shall ensure that information, including EU classified information (EUCI), provided or exchanged under this Working Arrangement is protected according to their respective security rules, which are both based on the security rules and principles as set out in Commission Decision 2001/844¹ and the security principles relating to the processing of non-classified sensitive information as adopted and implemented by the Commission without prejudice to the role of their respective Management Boards to put these security principles in practice.
3. The Party supplying the information will be responsible for the choice of the appropriate confidentiality level for the information and shall ensure that the level is clearly indicated. The receiving Party will take appropriate measures to ensure the required level of protection.
4. Both Parties also agree to cooperate in the field of security in particular as regards measures necessary for the protection of EUCI or other sensitive information by means of consultation, mutual support or exchange of best practices.

Article 11
Expenses

1. The Parties shall bear their own expenses which may arise when implementing the present Working Arrangement unless otherwise agreed on a case-by-case basis.
2. This is without prejudice to the possibility of concluding a Service Level Agreement as laid down in Article 4.

¹ 2001/844/EC, ECSC, Euratom, Commission Decision of 29 November 2001 amending its internal Rules of Procedure.

Article 12
Contact points

1. For the implementation of this Working Arrangement the contact point of EASO is the Advisor to the Executive Director and on Legal Affairs.
2. For the implementation of this Working Arrangement, the contact point of eu-LISA is the Head of the General Coordination Unit.
3. The contact points may be amended through an exchange of letters.

Article 13
Evaluation of the cooperation

The Parties will assess annually the progress made in the implementation of this working arrangement and discuss further cooperation activities.

Article 14
Settlement of disputes

Any disputes which may emerge in connection with the interpretation or application of the present Working Arrangement shall be settled by means of consultations and negotiations between representatives of the Parties.

Article 15
Amendments and supplements to the Working Arrangement

1. This Working Arrangement may be amended and supplemented at any time by mutual consent between the Parties.
2. The Parties shall enter into consultations with respect to possible amendments of this Working Arrangement at the request of either of them.

3. All the amendments and supplements shall be done in writing. They will enter into force on the date which they are signed by the last Party.

Article 16
Termination

This Working Arrangement may be terminated in writing by each Party by giving three months' notice.

Article 17
Entry into force

This Working Arrangement enters into force on the day following its signature by both Parties.

Done at Valletta Harbour on 4 November 2014 in duplicate copy in the English language.

For EASO,

For eu-LISA,

Signed on 4-11-2014

Signed on 4-11-2014

The Executive Director,
Dr. Robert K. VISSER

The Executive Director,
Krum GARKOV