



Valletta Harbour, 18 August 2025
EUAA/ED/2025/235

Ms Teresa Anjinho
European Ombudsman
Rue Froissart 87
B-1000 Bruxelles

Subject: European Ombudsman's request for reply on how the European Union Agency for Asylum (EUAA) addresses allegations of fundamental rights violations in its activities in Greece – Complaint 229/2024/AML

Dear Ms Anjinho,

Thank you for your letter dated 30 May 2025 in which you addressed several written questions to the Agency.

Firstly, we thank the Ombudsman's office for accommodating our request for a second deferment of the deadline indicated in your letter. Given, *inter alia*, the complex and technical nature of the subject-matter concerned, the EUAA is particularly appreciative of the flexibility shown by your office in this regard.

Secondly, the Agency takes the matters at hand very seriously. Therefore, the EUAA has done its utmost to address all your questions in a comprehensive and clear matter.

I. PRELIMINARY REMARKS

The Agency acknowledges that shortcomings in the context of interviews carried out by EUAA caseworkers are bound to emerge from time to time given that these are inherently complex and non-automated procedures. From the perspective of the EUAA, what is most important is that a proper framework is in place to proactively identify any such shortcomings and subsequently, in liaison with relevant national authorities, be able to implement corrective actions and measures for improvement accordingly.

Since the time of the facts described in the complaint, the Agency has made substantial efforts to further protect and promote fundamental rights in the context of all its activities, in accordance with the EUAA Regulation¹. The Fundamental Rights Officer has taken up his duties at the Agency, the Consultative Forum has been reconstituted, a fundamental rights strategy has been adopted², a complaints mechanism has been set up and an escalation mechanism is being developed.

¹ 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 439/2020, (OJ L 468, 30.12.2021, p. 1).

² Management Board Decision No 166 of 25 September 2024 on the Fundamental Rights Strategy 2024-2028, available here: https://euaa.europa.eu/sites/default/files/2024-10/mbd_166_2024_fr_strategy_final.pdf





II. QUESTIONS & RESPONSES

A. Could the EUAA please clarify the exact status, responsibilities and activities of the caseworkers in the complaint? How does their daily cooperation with Greek national authorities in individual asylum cases work in practice, and who supervises and takes responsibility for the quality of their work?

The EUAA provides technical and operational support to Greece³, including through the deployment of EUAA Asylum Support Teams (ASTs)⁴, based on an Operational Plan (OP)⁵ jointly agreed upon and signed by Greece (i.e. the Ministry of Migration & Asylum, hereinafter “MoMA”) and the EUAA. The OP sets out the elements for the support including, *inter alia*, the composition of the ASTs and the implementation modalities. For the reference period, in accordance with the 2022-2024 OP, the EUAA provided support to Greece through the “embedded model”. Under this model, *“experts on contract deployed as members of asylum support teams, are embedded within the structure of the respective national authorities to ensure utmost efficiency, quality and sustainability of the anticipated results. In practice, 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)”* (see 2022-2024 OP, Section 6.4. Implementation Modalities – the embedded model).

The ASTs, including the EUAA’s Caseworkers (CWs) and Team Leaders (TLs) are Temporary Agency Workers (TAWs), employed by a temporary work agency and assigned to work for the EUAA pursuant to a framework contract concluded between the EUAA and the temporary work agency. As per the 2022-2024 OP (with particular reference to Section 6.4 thereof regarding the embedded model), the ASTs work under the direct supervision of the Greek Asylum and/or Reception Authorities, depending on the Measure for the Support⁶. Nevertheless, the EUAA maintains oversight of the implementation of operational activities through commonly agreed coordination mechanisms, administrative and reporting workflows and procedures so as to ensure the effectiveness and efficiency of the operational support in line with the Common European Asylum System (CEAS). To do so, among other things, the EUAA deploys Field Support Officers (FSOs), who work under the direct supervision of the EUAA in support of the EUAA Operation in Greece and are responsible for closely following up, coordinating and monitoring the implementation of the EUAA support at field level. In this way, they help ensure that the AST members perform their work efficiently and effectively and in accordance with centrally agreed tasks, Standard Operating Procedures (SOPs)⁷ and workflows. The FSOs engage in regular meetings with the CWs, the TLs and the Greek Asylum Service (GAS)⁸ to monitor and follow up on the progress of the operational support – ensuring that the AST members work in accordance with the agreed OP, tasks, working arrangements, SOPs and the EUAA Code of Conduct.

³ Within the meaning of Article 16 of the EUAA Regulation.

⁴ Within the meaning of Article 19 of the EUAA Regulation.

⁵ Within the meaning of Article 18 of the EUAA Regulation. Whereas the respective Operational Plan in place at the time of the complaint can be found here: https://euaa.europa.eu/sites/default/files/EL_OP_Greece_2022-2024_signed.pdf

⁶ I.e. one of the multiple specific objectives under the respective Operational Plan. For instance: ‘enhanced capacity of reception authorities in processing asylum applications in compliance with the CEAS’.

⁷ Reference is made here to SOPs owned by GAS. However, in the context of the Operational Plan concluded between the EUAA and Hellenic Republic, these same SOPs moreover apply to EUAA CWs and TLs.

⁸ GAS works under the auspices of MoMa



In the embedded model:

- the **EUAA focuses on ex-ante quality assurance measures**, namely:
 - o Centrally pre-agreed tasks, working arrangements, SOPs;
 - o Pre-deployment training, regular training refreshers, tailor-made workshops, coaching and shadowing;
- **GAS is responsible for the day-to-day supervision of the CWs** in the implementation of their tasks;
- The **EUAA moreover deploys TLs who can provide support and guidance to CWs in the preparation of interviews, during interviews and during opinion drafting**, as well as FSOs who follow up on the overall implementation of the EUAA support in the field in accordance with pre-agreed tasks, working arrangements and SOPs;
- The **EUAA carries out ex-post reviews of the CWs' work jointly with GAS**, in the form of quality reviews of closed cases.

The tasks of the CWs are laid out in their respective Job Description, which is provided to them upon their assignment. Their Job Description is also shared with the relevant national authorities under whose supervision the CWs are working. In accordance with their Job Description, the CWs work under the coordination and instructions of GAS, and more specifically the Head of the Regional Asylum Office (RAO) or the Asylum Unit (AU). The CWs are responsible for the processing of applications for international protection, in accordance with commonly agreed (EUAA-GAS) SOPs (the same SOPs apply to GAS's own CWs). The CWs conduct interviews with applicants for international protection and, whenever requested by GAS, draft non-binding opinions on applications for international protection.

The EUAA also deploys TLs, who are CWs supervised by GAS and proposed as TLs by GAS, at a ratio of one (1) TL for every five (5) CWs. The role of the TLs is to provide guidance and support to the CWs, including through reviewing transcripts of interviews and opinions prior to their submission to GAS, and also to provide guidance on procedural issues ensuring the correct implementation of the GAS SOPs and/or other GAS and/or EUAA Guidance⁹. The TLs follow the same working modalities as the CWs, namely the embedded model, and therefore work under the supervision of GAS and the guidance of the designated GAS Quality Focal Point¹⁰ (QFP) per location of assignment.

⁹As per EUAA Practical Guide on Quality Assurance in the Asylum Procedures, guidance aims to ensure the consistent and correct implementation of relevant standards and can harmonise the way legal provisions are applied across offices. At the same time, it shows how these can be implemented in the most efficient way. There are different kinds of guidance such as legal, methodological and country specific. For this end, EUAA issues Practical Guides on examination as well as Country Guidance. <https://euaa.europa.eu/sites/default/files/publications/2024-05/practical-guide-quality-assurance-asylum-procedures.pdf>

¹⁰ A Quality Focal Point is a senior GAS CW who has been assigned quality tasks such as quality review of interviews and decision drafts. QFP are present in the field and respond on the spot to questions of GAS CWs related to examination and procedures. They are in direct contact with GAS Procedures and Training Unit and the Heads of local Regional Asylum Offices. They cooperate closely with the EUAA TL working in the same location so as to provide responses when needed. The presence of both GAS QFP and EUAA TL in the field ensures that there is a harmonised approach between EUAA and GAS CWs.



Tasks of CWs and Daily Cooperation with GAS

When it comes to the role and daily tasks of the CWs, the above working modalities practically function as follows: GAS indicates the cases to be processed by CWs in general, and in turn the TLs allocate specific cases to individual CWs depending on the specificities of each case (claim, applicant's profile, request for a CW of the same sex, etc.) as well as the CWs' experience, expertise, training and availability (SOPs, December 2024). The CWs conduct an interview and when requested they draft non-binding opinions on the cases, with the guidance and support of a TL. In case of a disagreement between a CW and TL, the latter refers the case to the GAS QFP for further guidance, since the decision-making lies with GAS [Ministerial Decision No. 308768 – Regulation on the Operation of the Asylum Service (Official Gazette 2024-12-31, art. 6-7)]. This principle is also expressly reaffirmed in the EUAA Regulation¹¹, which *inter alia*, provides that the Agency's assistance with applications for international protection is “[...]without prejudice to the competence of Member States to decide on individual applications for international protection”.

Moreover, as explained in the EUAA's letter to the complainant dated 18 April 2024 with reference EUAA/ED/2024/133 (the Initial Response) (p. 4), further questions and quality issues can also be raised and discussed during the monthly TL-QFP local meetings, during which the GAS Procedures and Training Unit (PTU) of the GAS central service and the EUAA (at Athens level) provide feedback and guidance to the different operational locations.

Prior to any interview, CWs are expected to duly prepare for their assigned interviews, including by reviewing the case file (registration form, supporting documents, vulnerability indicators etc.), researching relevant Country of Origin Information (COI)¹² and identifying possible vulnerabilities (as set out in the SOPs) to ensure that special procedural guarantees are in place during the interview. Moreover, if needed, the CWs are encouraged to contact their TL and GAS QFPs for support during the preparation phase. On the day of the interview, CWs arrange the logistical aspects of the interview room, work to establish and maintain an atmosphere of trust with the applicant and conduct the interview to clarify all the reasons relied on by the applicant when applying for international protection (SOPs). Furthermore, CWs have the option to consult a TL during the interview.

As set out in the Initial Response (p. 21, 22, 31), the EUAA CWs are deployed in support of GAS. They are not deployed in support of the authority responsible in Greece for registration, identification and reception of applicants for international protection (RIS) or the Greek National Public Health Organisation (EODY). While the asylum interview and CWs do have a role on vulnerability, this role has limitations and is focused on the provision of special procedural guarantees to create the conditions necessary to allow the vulnerable applicant to present the elements needed to substantiate their application for international protection. If there are vulnerability indicators that should be further explored and assessed by relevant personnel (i.e. medical, psychosocial etc.) then the CWs flag the matter to GAS, which is then responsible for relevant referral procedures.

¹¹ With particular reference to Recitals 9, 25, 26, 66, as well as Articles 4(2) and (3), 16(2) and 18(2)(j) of the EUAA Regulation.

¹² Within the meaning of Article 11 of the EUAA Regulation.



In accordance with the Asylum Measure under the Operational Plan and accompanying GAS SOPs and established procedures, it does not fall within the remit of the EUAA CWs to communicate directly with other national authorities to make such referrals¹³. The relevant communication at the time of the complaint was carried out via e-mail sent by the CW to GAS' local office. To ensure a harmonised approach in informing GAS about vulnerability indicators, as of Q4 2024, CWs complete a Note for File (NFF) for every case they handle where they flag vulnerabilities, in facilitation of any relevant referrals made by GAS. A referral form is an official document for further and/or appropriate examination by the competent authorities. In the case of referrals for vulnerability issues, GAS Officers receive information from the CWs on the type of referral to be issued.

After an interview is completed, CWs are responsible for uploading the interview transcript, NFF, any documents submitted by the applicant during the interview and the audio recording to GAS' unified information system for reception ('Alkyoni II'¹⁴) and GAS SharePoint (as per the SOPs).

When requested, CWs are also responsible for preparing a draft opinion, submitting it to their TL for review, and once finalized, uploading it to Alkyoni II. As mentioned, GAS is the sole authority competent for issuing decisions on applications for international protection and thus any opinion submitted by CWs is not binding on GAS. Every case is eventually assigned to a GAS CW, who is responsible for further decision making. More specifically, the GAS CW reviews the interview transcript (and, if issued, the draft opinion) and drafts and signs the asylum decision, for which they are solely responsible. GAS CWs can request further clarifications and/or a complementary interview when they ascertain that the information provided during the interview does not suffice for them to reach a decision or (apparent) mistakes were made during the interview that could negatively affect a decision.

Ex- Post Quality Assurance

The EUAA is dedicated to maintaining quality standards and, *inter alia*, supports the CWs and TLs through ex-post review and capacity building activities. The EUAA Quality Assurance Tool (QAT) is the ex-post review system that aims to identify any inefficiencies and flaws in the examination procedure (interview and opinion drafting). Based on this review system, the CWs receive individual commentary on the quality of cases they have processed (with further details provided in response to the Ombudsman's other questions, below). After reviewing several cases, a full report is drawn up and accompanied by a podcast that is distributed to all CWs. Such Quality Feedback Reports (QFRs) are jointly produced by the EUAA and GAS and provide all CWs with specific guidance based both on good and negative practices identified during this review process. This means that GAS is immediately aware of any shortcomings identified. The outcomes of the QFRs are also discussed in monthly meetings with TLs/QFPs. The findings of these reports in turn feed into the EUAA's annual training plan, thereby ensuring that training sessions, workshops, shadowing, and coaching are tailored to the specific needs

¹³ Namely, the management of referrals is not included under the Asylum Measure of the OPLAN under which the EUAA CWs are deployed.

¹⁴ The aim of Alkyoni II is to, *inter alia*, interoperate where necessary with the systems of the Hellenic Policy. Moreover, it should provide various multilingual e-services to asylum seekers who have passed the first stage of registration and interview.



identified in the QFRs. Moreover, these training sessions, workshops, shadowing, and coaching activities can form the subject of future QFRs, reinforcing the quality assurance mechanism as a continuous cycle.

Furthermore, all CWs are required to complete the EUAA's core training modules upon appointment and to participate in ongoing capacity-building activities, including shadowing, coaching, and additional training through their deployment.

As stated in the Initial Response, (p. 3), "to ensure a fair process and mitigate any risks, the quality system includes both preventative measures (such as training, SOPs and guidance, team leader review system, shadowing), as well as ex-post quality mechanisms (such as quality reviews). This system forms an integral part of the asylum support provided to the Greek Asylum Service (GAS) by the EUAA Greece Operation. It is implemented through its regular activities, but also additional activities are put in place on an ad hoc basis, when there are concerns or information about shortcomings or a need for additional reviews and quality support (...) EUAA CWs are tasked with assisting in the processing of individual applications for cases of international protection by conducting interviews and drafting opinions (where applicable). Their tasks, however, do not include drafting and finalizing the decisions on those individual applications, which is clearly a responsibility of the competent national authorities in accordance with the EUAA Regulation. In particular, transcripts of interviews conducted by EUAA caseworkers, interviews (and opinions, where applicable), as well as any documents provided by the applicant are submitted to GAS for the consideration of the GAS Caseworker, who is assigned to the case. The caseworker, prior to drafting the decision, may request additional information or conduct an additional interview. Moreover, communication with all Greek authorities relevant to the case is under the responsibility of GAS, and not under the EUAA caseworker. This workflow gives GAS a full detailed overview of all information and elements on the cases and enables GAS to proceed with all necessary steps in order to finalize the case and draft a decision, as well as coordinate with other authorities, when necessary."

Moreover, QFRs are produced jointly by the EUAA and GAS so that GAS is immediately aware of any identified shortcomings.

B. [REDACTED]

Preliminary remarks

As outlined in the Initial Response, the responsibility of identifying vulnerabilities and/or special reception needs during the medical screening lies with other actors in the field, such as RIS and EODY. In accordance with the Asylum Measure under the OP and accompanying GAS SOPs and established procedures, making such referrals does not fall within the remit or responsibility of the EUAA's CWs. Gaps or any other related shortcomings during previous steps of the procedure can have a negative effect on the asylum interview, however. In this regard, and considering the assertions made by the Ombudsman's office, the Agency reiterates relevant elements of the EUAA's Initial Response (p.21), as follows: *"it is well understood that IHR/ASFF, through their operational involvement in Samos, identify shortcomings and inefficiencies in the implementation of procedures by RIS, the authority*



responsible in Greece for registration, identification and reception of applicants for international protection, and the Greek National Public Health Organisation (EODY), the state medical actor in the reception centers. This is underlined in the complaint, among others, by making reference to obligations of the Member States in the provision of reception conditions, in particular to vulnerable persons. However, IHR/ASFF proceed in their analysis to allocate ‘failures’ to EUAA CWs in the context of the asylum interview and obligations arising from the reception framework.

It should be underlined that the Agency in its operations does not replace the Member States, who remain at all times responsible for ensuring compliance with the CEAS instruments. Furthermore, the EUAA CWs are deployed in support of GAS (and not RIS or EODY). While the asylum interview and EUAA CWs do have a role to play on vulnerability, this role has limitations based on the EUAA mandate and it is focused on the provision of special procedural guarantees in order to create the conditions necessary to allow the vulnerable applicant to present the elements needed to substantiate their application for international protection.”

The Greek legal framework (Law 4939/2022, art. 72) foresees that applicants who need special procedural guarantees, must be provided with sufficient support so that they can enjoy their rights. Recommended forms of adequate support are, in particular, the possibility of additional breaks during of the personal interview (Law 4939/2022, art. 82), the possibility for the applicant to move during the personal interview, if this is needed due to his/her health condition, as well as leniency to minor inaccuracies and contradictions as long as they are related to his/her state of health.

Indicative examples of such implemented procedural guarantees (e.g. additional breaks, moving in the room if needed due to health condition) from the reviewed transcripts were outlined in the Initial Response (p. 22-23). The role of CWs is to focus on the asylum claim and implement necessary procedural guarantees during the interview if vulnerabilities have previously been identified by other actors – i.e., prior to the interview. In case vulnerability indicators are only identified at the interview stage, then specific actions (e.g., breaks) can immediately be taken by CWs until the end of the interview, and any vulnerability indicators are flagged to GAS for the latter’s own further consideration and follow-up, as needed.

As regards (potential) cases of trafficking in human beings (THB), the responsibility under the Greek legal framework for making official referrals lies exclusively with the state medical actor under RIS/EODY and falls outside the EUAA CW’s remit and responsibility. To avoid any duplication of effort, if a CW identifies THB indicators during the interview stage, they inform the GAS QFP who in turn coordinates with RIS on the completion of the required referral form. In principle, the same procedure should apply to any GAS CWs.

The Initial Response relevantly notes

(p. 24) “that the obligation for filling out the referral form in the context of reception lies with EODY (state medical organisation). In order to avoid having two completed forms for the same case, when the CW identifies THB indicators during the interview, he/she informs the GAS Quality Focal Point of Samos Regional Asylum Office and he/she communicates with EODY to confirm whether a referral form is completed. If the form for any reason is not completed yet, then it is filled out by the EUAA CW and submitted to GAS.

The EUAA followed up with RIS on the submitted cases and enquired on the existence of referral forms regarding the submitted cases. Based on the information received by RIS, in all of submitted cases (14 out of the 14 cases) with THB indicators, the referral form has been completed. In



three of the cases the applicants were informed about the referral mechanism during the interview by the EUAA CW (as written also in the respective transcripts). In the vast majority of the other transcripts, the CW did not state the referral form during the course of the interview, since it was already completed by an EODY doctor and was already included in the file of the applicant.”; and,

(p. 25) “after a review of EUAA internal statistical information, it is pertinent to note that for the majority of the submitted THB cases the opinion of the EUAA CW proposed that GAS grants refugee status to the applicant. Consequently, it could be inferred that since the CW had received all needed information during the interview, further exploration of the THB indicators was not required.”

Indicative examples of correct, discreet and sensitive exploration of THB indicators found in the submitted transcripts were set out in p. 24, 25 Initial Response.

Regarding victims of torture, Initial Response p. 26 and 27 explained that

“it was underlined that under the Istanbul Protocol, trained clinicians should examine all signs and sequelae of physical and psychological abuse and produce a medico-legal affidavit documenting their conclusions on whether a person could be identified as victim of torture or not.

It is indeed a deficiency that in Greece for the time being no specialized body or practitioners dedicated to the identification of victims of torture operate consistently, similar to the previous ‘Center for Identification for victims of torture’. Such an institution or other specialized body or practitioners could offer expert support, as well as issue relevant certifications in accordance with the provisions of the Istanbul Protocol. Such documentation would be included in the asylum file as medical evidence and would be duly considered by the CW. EUAA Greece Operations has posed the issue of lack of prior identification of victims of torture to GAS.

In addition to the aforementioned actions by the EUAA in the context of the Greece Operation, it needs to be added that the EUAA in the Mapping report on Victims of Torture, identification, support and examination of claims¹⁵ has made specific recommendations to Member States on a referral mechanism for victims of torture: “Ensuring a comprehensive approach in supporting VoT will require the creation of a formal referral system in which all stakeholders are aware of their responsibilities. A MoU between relevant stakeholders is useful. Regular cooperation with medical and mental health professionals and other services helps establish channels for the prompt referral of applicants before and after the personal interview, or for any follow-up that may be needed¹⁶.”

i. How it concretely ensures that its CWs take into account the needs and circumstances of vulnerable applicants¹⁷ during interviews, and that these applicants have access to the special procedural guarantees they are entitled to;

The EUAA has put in place multiple measures to provide CWs with the necessary knowledge and tools to handle cases of vulnerable applicants (Directive 2013/32/EU, art. 24) through SOPs, practical guides, a repository of tools for the preparation of the interview, trainings, safeguards and monitoring.

The following outlines this process in accordance with the 2024 GAS SOPs and the updated MoMA database, Alkyoni II, which allows CWs to see relevant information on vulnerabilities identified in earlier stages of the procedure. Alkyoni II constitutes a notable improvement as compared to the

¹⁵ EUAA Mapping Report: Victims of torture: Identification, support and examination of claims, 2023. Available here: [Victims of Torture - Identification, support and examination of claims - Mapping report](#)

¹⁶ EUAA Mapping Report: Victims of torture: Identification, support and examination of claims, para. 6.1, p. 43

¹⁷ In particular, the categories of applicants mentioned in the complaint, i.e., victims of human trafficking, torture or serious violence.



systems in place at the time the complaint arose. Alkyoni II allows GAS and CWs to receive flags and information on a need-to-know basis regarding previously identified vulnerabilities. This in turn facilitates the coordination with RIS/medical actor.

The response below is structured around the consecutive phases of the interview process: the preparation phase, the interview, and post-interview actions.

The preparation phase

In accordance with the applicable working arrangements between EUAA and GAS, CWs are given sufficient time to review the case file to see if any vulnerabilities, special needs or special requests have been identified by previous actors who handled the case during the asylum or reception workflows – i.e., prior to the interview. This may include, for example, a request for a CW or interpreter of a specific gender (Article 82(5) Asylum Code, GAS SOPs Dec 2024, EUAA PG on personal interview) or the need for an appointed guardian for an unaccompanied minor (UAM) (GAS SOPs Dec 2024). Another example would be THB cases where a referral has been submitted by RIS/EODY personnel, as indicated in Alkyoni II with a relevant note (protocol number of the referral).

During the preparation phase, TLs provide advice and guidance to the CWs on how to approach complex cases. TLs offer additional guidance to junior or newly deployed CWs on how to thoroughly prepare and study the applicant's file, provide assistance in COI research and in providing the necessary procedural guarantees in case of corresponding flags in the system, focusing on the asylum claim, identifying possible vulnerability indicators and referring them to GAS. (CW's preparation GAS SOPs Dec 2024, EUAA PG on Personal Interview).

GAS SOPs, training modules, EUAA Practical Guides such as the Personal Interview¹⁸, Evidence Assessment and Qualification¹⁹, the EUAA Country Guidance reports²⁰ (which include profiles of vulnerable applicants), the IPSN tool²¹, and GAS guidelines are also available to CWs to support their interview preparation. The primary objective of the IPSN tool is to facilitate the timely identification of persons with special procedural and/or reception needs. The tool provides an interactive platform for the identification of special needs within the asylum context. It provides practical support on identifying special needs based on key indicators grouped in categories and does not presuppose expert knowledge in medicine, psychology, or other subjects outside the asylum procedure.

The more comprehensive the information included in the applicant's file regarding her or his vulnerabilities, the better equipped the CWs will be to address procedural guarantees and effectively structure their interviews. Therefore, it is critical that the contents of the individual files are complete after the actions of RIS medical actor (currently IOM/Hippocrates) regarding the identification of vulnerability. Any failure by other actors to adequately carry out these prior steps in a timely manner may result in the CWs identifying vulnerability indicators only during the asylum interview, without a prior opportunity to duly prepare their methodology and approach to the applicant's specific needs.

The GAS SOPs outline the steps and actors for cases of vulnerability. [REDACTED]
[REDACTED] The SOPs 2024 of the regular

¹⁸ Available here: <https://euaa.europa.eu/sites/default/files/publications/EASO-Practical-Guide-Personal-Interview-EN.pdf>

¹⁹ Available here: <https://euaa.europa.eu/publications/practical-guide-evidence-and-risk-assessment>

²⁰ Available here: <https://euaa.europa.eu/asylum-knowledge/country-guidance>

²¹ Available here: <https://ipsn.euaa.europa.eu/about-tool-0#How%20can%20this%20tool%20support%20your%20daily%20work>



[REDACTED]

The interview

Notwithstanding the respective obligations under the Greek legal framework for other actors (i.e. not CWs) to identify vulnerabilities at earlier stages of the procedure, the EUAA aims to ensure that the special needs of vulnerable applicants can – in case these did not arise during the preparation phase– still be identified during the interview phase. Another safeguard in this sense is the role of the TLs.

During the interview, if vulnerabilities were already identified previously by other actors, TLs support CWs in handling such cases by providing guidance on how to build trust with the applicant, identify indicators of vulnerability, and ensure that special procedural guarantees are respected. They assist in formulating appropriate questions using relevant interview techniques tailored to the applicant’s profile and help navigate procedural challenges. Uncertainty and disagreement issues are referred to QFPs to ensure alignment with GAS SOPs and other GAS quality guidance, while always duly taking into consideration the applicant’s specific needs and procedural safeguards.

As set out in the Initial Response (p. 21,22,31), in its operational activities the Agency does not in any way substitute Member States who always remain responsible for ensuring compliance with the CEAS instruments. Furthermore, the CWs are deployed in support of GAS (and not RIS or EODY). While the asylum interview and CWs do have a role to play as regards vulnerability, this role has limitations and is focused on the provision of special procedural guarantees to create the conditions necessary for the vulnerable applicant to substantiate their application for international protection. The Greek legal framework²² foresees that applicants who require special procedural guarantees, must be provided with sufficient support so that they can enjoy their rights. Recommended forms of adequate support include the possibility of additional breaks during the personal interview²³, the possibility for the applicant to move during the personal interview, if this is needed due to his/her health condition, as well as leniency for minor inaccuracies and contradictions as long as they are related to his/her state of health. Based on the established (legal) framework and the aim and scope of the interview, the CWs’ task is to identify and follow up on information that is material to the claim, connected to the reasons why the applicant does not wish to return to their country of origin and/or safe third country.

However, CWs are not responsible for conducting a full vulnerability assessment during the asylum interview as this role is assigned to RIS in the preparation phase) and the information included in this assessment is essential for the correct preparation of the asylum interview by CWs.

If vulnerabilities have not been identified by other actors prior to the interview, and CWs come across vulnerability indicators during the interviews they may - in consultation with the TL during a break of the interview - request [REDACTED] to authorise a rescheduling of the interview or an extension of the ongoing interview’s duration. [REDACTED]

[REDACTED]

²² Law 4939/2022, art. 72.

²³ Law 4939/2022, art. 82.



The verbatim transcript of the interview is prepared by the CW and handed over to GAS after the end of the interview. This transcript allows the GAS CW, (the next actor responsible for drafting the decision) to establish whether an applicant’s special needs have been met. (GAS SOPs Dec 2024 regarding the physical and psychological situation of the applicant). All questions posed by the CWs, the applicant’s answers as well as any breaks and their duration must be clearly stated in the verbatim transcript. The GAS CW who drafts the decision can assess whether any clarifications are needed and if so request them accordingly. A follow-up interview with the applicant can moreover be conducted to allow the requested clarifications to be provided.

Post interview actions

Since 2024, CWs upload in Alkyoni II, along with the interview transcript, a dedicated NFF flagging vulnerability indicators and follow up actions. The NFF aims to ensure that GAS is made aware of any vulnerabilities and can act accordingly (e.g. by referring the applicant for a medical, psychological or psychosocial assessment (GAS SOPs Dec 2024); refer THB survivors to National Referral Mechanism (NRM) (Article 62 (5) of the Asylum Code, GAS SOPs Dec 2024). As explained in the Initial Response (p. 23), the obligation to fill out the referral form in the context of reception lies with EODY. To avoid having two completed forms for the same case, when a CW identifies any THB indicators during the interview, he/she informs the QFP of the Samos Regional Asylum Office, and the QFP in turn communicates with EODY to confirm whether a referral form is completed. If the referral form is not yet completed for any reason, then it is to be filled out by the CW and eventually submitted to GAS. The very limited extent of the role that CWs have in exploring and assessing the applicants’ vulnerabilities are explained in the section above on “actions during the interview” as well as in the Initial Response.

Regarding cases of (potential) torture, according to the GAS SOPs, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] Similar instructions were included in the SOPs for 2021, 2022 and 2023. However, it should be noted that this NGO has no longer offered such services in Greece since the end of 2022²⁴.

SOPs 2021, 2022, 2023 and 2024 set out that there can be situations where the CW does not have doubt on the applicant’s claim being a victim of torture; e.g., an applicant who was politically active, had been imprisoned and tortured for his/her political beliefs and these claims are found to be credible. In such cases, as set out in these SOPs, referrals on medical examination and psychosocial assessment are not needed in the context of examination and therefore there is no requirement to postpone the issuing of the asylum decision by GAS. An individualised assessment of each asylum case is an inherent and legal requirement. Depending on the particularities of each case, referral is not always needed to reach a solid and justified decision. However, victims of torture should naturally be

²⁴ Active Citizens Fund. (2023, February 22). *Annual Programme Report Active Citizens Fund Greece 2022 – Executive Summary*. Active Citizens Fund Greece. Retrieved July 16, 2025, from <https://www.activecitizensfund.gr/en/new/annual-programme-report-active-citizens-fund-greece-2022-executive-summary/>



identified and treated accordingly in the context of reception and rehabilitation. EUAA CWs do not make direct referrals for medical and/or psychosocial examination as this is done by GAS. Prior to May 2024, information on vulnerabilities was passed on by the EUAA to GAS, either verbally, via email or via NFFs for STC and SCO cases so that GAS could proceed with the needed referrals. As of May 2024, the NFF is obligatory, to be drafted by EUAA CWs for all cases as stated in p. 4 of this letter. In the NFF, vulnerabilities are clearly stated for each case, so that when GAS receives the respective information they can proceed with the relevant referrals when necessary. [REDACTED]

As explained in the Initial Response (p. 27, 28) according to Article 4 paragraph 4 of the Qualification Directive, *“The fact that an applicant has already been subject to persecution or serious harm, or to direct threats of such persecution or such harm, is a serious indication of the applicant’s well-founded fear of persecution or real risk of suffering serious harm, unless there are good reasons to consider that such persecution or serious harm will not be repeated.”* The CW therefore must, among other factors, assess and take this into account. During the interview, CWs do identify and explore material facts that can be linked with past problems or threats, past persecution events, which in turn can be the result of torture or other forms of violence, and special procedural guarantees and adequate support measures can apply. There is no identification process in the sense of an official recognition/certification of survivors of violence included in the asylum interview context. Conversely, a review of the few transcripts provided suggests that the CWs involved in the complaint did in fact conduct sufficient exploration of the indicators of torture for the purposes of the asylum interview.

As set out in the Initial Reply (p. 26), the Agency acknowledges the lack of availability of medical examinations as a deficiency and has raised this issue with the relevant national authorities, including GAS, on multiple occasions. Although the non-availability of such a medical examination and/or psychosocial assessment falls outside the Agency’s auspices and responsibility (as it falls outside the scope of the OP), the EUAA intends to bring this matter to the renewed attention of the Member State for its further consideration. In fact, the Agency intends to organize a workshop with GAS and RIS participation on 20 and 21 October 2025. The workshop aims to enhance staff expertise in identifying and protecting victims of torture, and to promote cooperation between the General Secretariat for Vulnerable Persons, the Special Secretariat for the Protection of Unaccompanied Minors, and the Asylum Service, particularly in relation to the identification of torture victims. The workshop includes, *inter alia*, the national framework for the identification and protection of victims of torture, as well as the Istanbul Protocol (which also deals with such identification).

Training, coaching and shadowing for conducting interviews

CWs receive a series of training sessions on vulnerability. This training includes *“Interviewing Vulnerable Persons”, “Interviewing Children”, “Applicants with diverse SOGIESC”, “Trafficking in Human Beings”*. To ensure that the training has a positive impact, the EUAA also arranges thematic coaching sessions on vulnerability as well as individual shadowing sessions. This practice aligns with the national legislation according to which each CW conducting interviews shall be *“trained in particular as of the special needs of women, children, and victims of violence and torture”* and the SOPs [REDACTED]



[REDACTED]

[REDACTED] Further details on the training and capacity building activities provided to Samos CWs are provided in response to the next question below. The ex-post quality review also supports and feeds into targeting capacity building activities to the needs identified in the QFR, including those related to interviewing techniques.

ii. What steps were taken following the findings of the Samos 2023 Quality Feedback Report (QFR) and the June 2023 shadowing exercise;

After the completion of the shadowing exercise for CWs in Samos in 2023, the following actions were recommended in the shadowing report:

- A QFR exercise on Samos CWs' cases with elements of vulnerability to be conducted;
- EUAA CWs of Samos to follow the EUAA training modules on vulnerability;
- Shadowing focused on vulnerability to be carried out in other Regional Asylum Offices.

As a result, the EUAA in cooperation with GAS PTU immediately proceeded with the above-mentioned 2023 QFR exercise. That report included the findings of the quality review carried out in 13 cases (13 interviews, 6 opinions and 13 decisions) that were examined at Samos. At that time, 5 CWs and 1 TL were present in Samos. The findings included: statistics, main findings, recommendations for improvement, as well as the per-topic analysis related to the interviews and opinions/decisions.

The cases reviewed were closed cases from Samos that included indicators of vulnerability [REDACTED]

[REDACTED]

Another similar QFR exercise took place in Samos in 2024 with relevant recommendations. The report included the findings of the quality review carried out in 12 cases (12 interviews, 2 opinions and 12 decisions) that were examined at Samos. At that time, 9 CWs and 2 TLs were present in Samos. The findings included: statistics, main findings, recommendations for improvement, as well as the per-topic analysis related to the interviews and opinion-decisions. Improvements in the statistical results of interviews were found in the QFR 2024 in comparison to the results for 2023. [REDACTED]

[REDACTED]

The cases reviewed were closed cases from Samos that included indicators of vulnerability [REDACTED]



The following actions were proposed and implemented based on the 2023 and 2024 QFRs in Samos:

- EUAA training modules: Interviewing Vulnerable Persons, Interviewing Children in the Asylum Process, Applicants with diverse SOGIESC, Trafficking in Human Beings, Victims of Gender-Based Violence;
- Coaching sessions for CWs, TLs and QFPs;
- EUAA Practical Guides and Country Guidance workshops;
- EMA training for victims of trafficking in human beings²⁵
- Regular meetings of CWs with TLs and QFPs;
- Enhanced scrutiny of cases (interviews and opinions) by TLs and QFPs;
- Use of the QAT for quality review by the TL²⁶;
- Regular shadowing of CW interviews by TL/QFPs and/or in consultation with GAS PTU.

These follow up measures targeted at Samos addressed all CWs there, although those present during the period of the complaint may no longer have been present in 2023 - 2025 when these measures were being implemented. In June 2023, five CWs and one TL were present in Samos. While currently, there are ten CWs and two TLs present. Finally, in Samos there are currently only two CWs who were already present back in 2023.

To better monitor the activities of the CWs, the EUAA created a dedicated monitoring tool in Q1 2024 where the specific capacity building activities and number of participants are stated.

Below is a summary of the targeted follow up actions in terms of **capacity building activities with participation of CWs/TLs deployed on Samos in 2023-2025:**

Shadowing:

As set out in the Initial Response, shadowing is a tool to provide direct, individualized feedback to CWs and to identify shortcomings and areas that need further individual support. Shadowing does not take place only when shortcomings in the handling of asylum interviews are identified, but as part of the annual planning in relation to needs assessment (planning of capacity building activities). Guidance to the CWs is provided by the shadowers during breaks and the CWs have the opportunity to ask questions and raise any practical/technical issues they might face. Following the shadowing round, the shadowers draft a report where their findings are analyzed, and further actions are proposed. The shadowing report is shared with GAS PTU, Heads of RAO, TLs and FSO. This also includes a statistical analysis and main findings for all the shadowed interviews together, providing an overview of the situation in the specific location. In terms of shadowing activities in relation to Samos, the key statistics are as follows:

- 7 interviews in June 2023;
- 11 interviews in January 2024;
- 9 interviews in April 2024;
- 10 interviews of newly appointed CW in July 2024;
- 10 interviews of newly appointed CW in August 2024;

²⁵ Such trainings are organized by GAS PTU in cooperation with EMA, as also explained in p. 18 of the present response. On several occasions, the EUAA included several slots in its own THB trainings for EMA representatives/materials to be incorporated.

²⁶ Following further insights from the field it was concluded however that it is more time efficient for TLs to directly include comments in the interview transcript or opinion and rather use the QAT as a checklist.



- 2 interviews in October 2024;
- Shadowing of TLs in August and October 2024;
- Shadowing of 7 opinions in October 2024.

Shadowing activities started as early as 2022. Shadowing of CWs from Samos took place in June, August and November 2022, where nineteen (19) interviews were shadowed, [REDACTED]. The shadowing that took place in 2022 was not referenced in the Initial Response because, as stated in p. 11 thereof, the Agency referred to shadowing “*after having received the email [from Ihaverights] of 13 June 2023*”.

Besides the above-mentioned targeted activities, as per standard practice, each newly deployed CW is required to complete the initial EUAA training package. Since June 2023, 18 new CWs were deployed in Samos and all completed the initial EUAA training package. As part of this package, shadowing of interviews is organised in two ways: the new CW shadows an experienced CW and then discusses questions, methodology, and any unclear elements. After that, an experienced CW (or TL) shadows the new CW while they conduct interviews, so as to guide them. As a result, the shadowing sessions provided are part of the initial training and the continuous professional development of each CW.

CW On-the-Job Coaching Sessions

- 7 CW participations in **coaching sessions** in 2023;
- 9 CW participations in **coaching sessions** 2024;
- 9 CW participations in **coaching sessions dedicated to vulnerability** sessions 2025.

EUAA Tailor-Made Workshops

- 1 TL participation on Country Guidance Somalia in November 2023;
- 2 TL and 2 CW participations on **Quality Feedback Report on Vulnerability (Samos’ Cases)** in October 2024;
- 2 TL and 2 CW participations on Safe Third Country in October 2024;
- 2 TL and 8 CW participations on **Quality Feedback Report on Vulnerability** in February 2025;
- 2 TL participations on Country Guidance Iran.

EUAA Training Modules

- 2 CW participations in **Interviewing Children** in October 2023;
- 3 CW participations in **Victims of Gender-Based Violence** in July 2024;
- 1 CW participation in **Introduction to Vulnerability** in July 2024;
- 8 CW participations in Introduction to the **legal framework on fundamental rights & international protection in the EU** in July 2024;
- 6 CW participation in Working with an interpreter in July 2024;
- 7 CW participations in Asylum Interview Method in July 2024;
- 6 CW participations in **Introduction to Vulnerability** in August 2024;
- 3 CW participations in Applicants with **diverse sexual orientation, gender identity, gender expression and sex characteristics (SOGIESC)** in October 2024;
- 1 CW participation in Inclusion in October 2024;
- 2 CW participations in Inclusion Advanced in October - November 2024;
- 2 CW participations in **Trafficking in Human Beings – Level 1 & Level 2** in November 2024);
- 2 CW participations in **Interviewing Vulnerable Persons** in November 2024;
- 1 CW participation in **Introduction to Vulnerability** in November 2024;



- 1 CW participation in Introduction to the **legal framework on fundamental rights & international protection in the EU** in November 2024;
- 1 CW participation in Asylum Interview Method in November 2024;
- 1 CW participation in Working with an interpreter in November 2024;
- 4 CW participations in **Trafficking in Human Beings – Level 1 & Level 2** in December 2024;
- 4 CW participations in Working with an interpreter in January – February 2025;
- 5 CW participations in **Trafficking in Human Beings - level 1 & 2** in February to April 2025;
- 1 TL participation in Management in the asylum context in March – April 2025;
- 5 CW participations in **Interviewing Vulnerable Persons** in April – May 2025;
- 2 CW participations in Applicants with **diverse sexual orientation, gender identity, gender expression and sex characteristics (SOGIESC)** in May - June 2025.

Quality Feedback Reports

Apart from the two described targeted QFRs covering Samos in the years 2023 and 2024, another QFR on vulnerability was completed in 2024 after the review of 60 cases from various locations (including 4 cases of Samos CWs). A targeted workshop was organized in September 2024 in Thessaloniki for the QFR’s presentation. In that workshop, two TLs and one CW assigned to Samos, participated as well. The workshop focused on the discussion of the QFR, starting with an overview of key statistics, findings, and quality observations related to interviews and decisions. Participants engaged in Q&A, received general recommendations, and took part in group discussions on the use of the QAT, challenges in vulnerability cases, good practices, and ways to improve team collaboration. It also included a case study break-out session, followed by a plenary discussion. The workshop was delivered by both representatives of EUAA and GAS PTU as well as QFP, TL and Heads of RAO.

Another QFR on vulnerability is in the process of being completed after the review of 60 cases from different locations (including 6 cases of Samos CWs up to now). A similar follow-up workshop will be organized in Athens, in October 2025.

As of September 2023, and onwards Mondays are ‘interview free days’ for all CWs to have sufficient time to duly prepare for their interviews taking place throughout the rest of the week and study the respective tools such as EUAA Practical Guides and Country Guidance depending on the nature of their assigned cases.

iii. [REDACTED]

As set out in the response to question ii, continuous professional development of CWs remains a key priority for the EUAA. [REDACTED]
[REDACTED] as from 2025, the EUAA would start implementing its own training and coaching plan for EUAA embedded personnel (CWs and TLs), with the Agency itself

²⁷ [REDACTED]
²⁸ [REDACTED]



directly selecting the participants. As a result, all CWs received targeted coaching on vulnerability between January and May 2025, while the same CWs will all complete targeted vulnerability training by the end of 2025.

Mandatory training modules for CWs consist of three core modules: Inclusion, Interview Techniques (renamed to Asylum Interview Method) and Evidence Assessment. Upon completion of these mandatory core modules, additional training is offered targeting more specialized areas and mainly vulnerability. Among those, Interviewing Vulnerable Persons and Trafficking in Human Beings are training sessions delivered on a systematic basis.

Regarding the assertion made by the Ombudsman on certain ‘outdated training’, the EUAA notes that both training modules were last updated in 2018 and are now undergoing a full revision and restructuring. The new THB module is scheduled to be launched later this year. The Interviewing Vulnerable Persons module aims to prepare CWs in obtaining as much reliable information as possible when interviewing vulnerable persons, to professionally follow up on the interview, to safeguard an applicant with special needs and to prepare the case for the next steps in the process. This module focuses on the legal framework and the definition of vulnerability in the context of an international protection procedure. It addresses the applicant’s cultural norms, accompanying behavioral standards and social norms which may be used to identify the most common vulnerabilities and the factors that hamper disclosure when interviewing applicants for international protection. These training modules also address indicators of human trafficking, the handling of cases with victims of violence etcetera, as they contain important information on the vulnerabilities identified in such cases²⁹.

The THB module provides CWs with essential knowledge and practical tools to identify potential victims of trafficking, conduct interviews in an appropriate manner, and assess such cases within the asylum procedure. It covers key legal standards, common indicators of trafficking, and techniques to handle these cases effectively. This module’s main aim is to ensure early identification and proper assessment of victims.

Both training modules continue to reflect the fundamental principles and standards of the EU asylum acquis, international protection obligations, and best practices that remain applicable today. The core methodologies for assessing applications, identifying vulnerabilities - including indicators of trafficking - and conducting interviews are based on stable legal and procedural frameworks that have not substantially changed. Furthermore, these modules are complemented by other capacity building activities such as coaching sessions, shadowing, QFR exercises, TL reviews and guidance. In conclusion, even though the modules themselves were last updated in 2018 and delivered in 2021, these fully maintain their relevance and effectiveness to this day and cannot be considered outdated.

Regarding the thematic training on THB, besides the EUAA training sessions, EMA (the national referral mechanism on trafficking), managed by EKKK (National Centre for Social Solidarity) provides additional training upon the request of GAS. Nine (9) persons who are working and/or have worked as EUAA CWs

²⁹ A description of this training module is moreover available, here: [Interviewing vulnerable persons | European Union Agency for Asylum](#)



in Samos have participated in the EMA / EKKA training for Trafficking in Human Beings in two sessions in May and October 2021. This training is not organized by the EUAA, but by the Greek competent authority for the recognition and support of THB victims. As set out in Initial Response (p. 22-23) *“EKKA has delivered targeted sessions on THB, during which CWs were trained on how to complete the form and what information should be delivered to the applicants so as to consent or not to this procedure. In accordance with this training, the information in the referral form is not only submitted to the applicant, but also explained and translated to him/her in the course of the interview. In the submitted cases, where the form was explained to the applicant, information provided by the CWs was in accordance with the training.”*

This is an important and directly relevant practical training because, besides informing the participants about the EMA referral form for potential victims of human trafficking, it also provides information on the legal elements of the definition of THB, the Greek context as well as which precise indicators should be identified during interviews for international protection. The materials of this EMA training, such as the instructions on the completion of the EMA referral form have been included in the EUAA’s own THB training. Dedicated EMA can be delivered by a representative of EMA (such as in the training delivered in October 2022 and November 2024).

Finally, even if CWs did not follow the EUAA or the EMA training in *Trafficking in Human Beings*, they had the chance to discuss THB indicators and learn more about related practices and guidance through the different coaching sessions they participated in. The same applies with respect to victims of violence and any other type of vulnerability. Moreover, in the Greek context the EUAA’s participation in capacity building is conducted holistically and consists of different activities that do not run separately, but in conjunction or in parallel - as described in Initial Response. The supportive role of TLs and QFPs to assist in interview preparation, during the interview process and while drafting opinions is crucial. TLs in cooperation with QFPs have the task of recalling and providing relevant guidance to CWs through the individual assessment of the cases handled.

C. Could the EUAA please explain to the Ombudsman how it ensures that possible errors made by its CWs during interviews are identified, and what type of corrective action is then taken (a) prior to or (b) after transmission of the file to national authorities? In answering this question, it would be useful if the EUAA could clarify the following elements:

i. Whether a systematic review of the quality and accuracy of individual interviews is conducted before they are transferred to national authorities, and, if not, why not;

As explained, to ensure that errors are identified and corrected, several quality assurance mechanisms are in place. Firstly, prior to the transmission of the file to national authorities CWs usually contact their TL to discuss different aspects of the cases. In complex cases, the TL may review the interview transcript once or twice. This is a common practice especially for new CWs. Moreover, if a case is particularly complicated, the TL contacts the relevant QFP. This approach aims to either prevent or correct an error on the spot.

Another way to identify errors is during the review of an opinion. The TL provides feedback to the CW not only on the draft opinion, but also on the interview (transcript). Additionally, TLs may review



several random cases each week, which may reveal deficiencies. As a corrective measure, TLs usually hold one-to-one meetings with CWs who need assistance and guidance to make sure that the CWs understand the particulars of any of their mistakes, the reasons why it was made and explore different ways to avoid such mistakes in the future. After that, a complementary interview may take place. Depending on the nature of the error(s) concerned, the CWs may also be required to attend additional trainings or coaching sessions. Finally, team meetings may be used as well to address any identified deficiencies and advocate best practices.

As described, a risk-based approach is the only viable option for reviewing cases. Considering the heavy workload and limited resources available, TLs are not in any position to review every interview carried out by CWs. Instead, TLs can only review specific cases taking into consideration, *inter alia*, the complexity of the cases at hand and the CW's respective experience and expertise. Moreover, TLs can also review a sample of cases based on their profile e.g. country of origin, vulnerability, when needed.

Nevertheless, TLs do review each draft opinion and discuss their observations with the CW before their final submission to GAS. This may involve several rounds of reviewing the case (file, interview, opinion) by the TL before submission to GAS.

As part of the monitoring of the TL and CW activities in the field, TLs submit a weekly report to the EUAA. Besides *quantitative data* on the performance (number of interviews conducted etc.), this report also includes *qualitative data* related to the type of assistance provided to the CWs, any team meetings that were held and relating discussions, as well as any type of further measure and/or assistance needed from the EUAA at a more central level (for example, the Agency's operational office in Athens or headquarters' premises in Malta) in terms of capacity building.

Any subsequent training and coaching sessions conducted by TLs to support the CWs, as well as any team meetings to convey discussions that took place in the monthly meetings and/or workshops were the TLs participated in, are also reflected accordingly in these reports. The TLs role is therefore not limited to providing CWs with specific on the spot guidance and feedback during the handling of asylum applications, but also to ensure effective and timely communication of any relevant general guidance and/or other information issued by GAS and the EUAA at a more central level (for example, the Agency's operational office in Athens or headquarters' premises in Malta).

As explained in the Initial Response (p. 8) shadowing is also used to provide direct individualised feedback to CWs. Although it does not take place in a systematised way, shadowing can identify shortcomings and areas for further support in the CW's practices, as well as highlight good practices. Shadowing moreover provides an opportunity for the CW to ask for personal feedback and clarify issues challenging him/her. Guidance to the CW is provided by the shadower both during breaks in the interview, as well as after the interview is concluded.

In addition, all CWs in the field (both EUAA and GAS CWs) are given the opportunity to send via the support of the EUAA TL or GAS QFP specific questions related to quality issues - to the GAS Procedures and Training Unit and receive a response in writing. This also includes the possibility of sending an interview transcript for a dedicated review. The EUAA moreover supports the GAS PTU with embedded personnel, who work under the supervision of the Greek authorities, aiming to provide them with sufficient resources to address needs and questions from the field.



ii. How does the Agency deal with possible errors identified during a QFR, and whether corrective action on cases may still be taken at this stage;

QFRs include detailed quality feedback regarding completed cases (interviews, EUAA opinions, decisions), in the framework of the EUAA's operational support to Greece under the embedded model.

These QFRs intend to highlight to the CWs, TLs, QFP and the Heads of Regional Asylum Offices any good practices, the most notable mistakes that were observed using the QAT and reiterate core guidance that warrant renewed attention. QFRs should however be read in conjunction with the applicable SOPs and GAS specialised Guidance.

The main aim of QFRs is that all CWs, as their key end users, receive specific guidance based on the commented practices. QFRs identify gaps and shortcomings, but also good practices regarding the quality of the asylum procedure. Moreover, QFRs refer to all CWs (both GAS and EUAA), TLs and QFPs and are written in a clear manner to be understood without having to read the individual cases. The remarks on practices to be avoided include clear, constructive guidance on how the issue should be dealt with in accordance with the national guidance, the SOPs and EUAA practical guides and tools.

The statistical part of QFRs also aims to inform GAS and the EUAA on the overall quality achieved in the geographic/thematic area of the report's focus. The findings of the QFR feed into broader discussions with GAS on defining and prioritising the focus of quality activities such as trainings and coaching sessions, the need to develop additional guidance, develop, revise or clarify templates or SOPs or the need to organise dedicated workshops or initiate any thematic quality review. Moreover, the good practices and recommendations suggested in QFRs are included in the relevant coaching and training sessions. QFRs are also to be used by GAS Procedures Training Unit to feed into the analysis of their quality indicators. The use of the QAT also allows to generate selected reports on specific standards and/or indicators in order to follow up on them and plan further actions as needed. Overall, the Agency's aim is to frequently draw up QFRs covering a considerable number of individual cases.

However, the possibility of taking corrective action on specific cases is not envisaged to fall within the scope of a QFR. Instead, QFRs constitute an ex-post quality review mechanism carried out jointly by the EUAA and GAS where all the relevant cases are initially shared anonymously with the EUAA by GAS PTU. The anonymisation of the files is ensured by GAS PTU and thus the EUAA has no knowledge of the individual CW who worked on the respective case. Also, the files shared by GAS PTU refer only to closed cases meaning that the decision has already been issued at first instance. Whereas there is no possibility of corrective actions to be taken, as GAS is no longer the competent authority. Instead, from that point on, any grievances are to be raised at the second instance, meaning with the Appeals Authority.

QFRs are not solely aimed at providing individual feedback for closed cases but also to give direct guidance based on positive practices and shortcomings of cases in the form of examples. Feedback is to be taken into consideration by the end users for future reference. This exercise does not aim to "rectify" individual cases, since the precondition for the cases to be reviewed is to be closed (decision to be issued). Therefore, although GAS immediately becomes aware of any shortcomings identified by



means of a QFR given that they are produced jointly with the EUAA, no alteration on the outcome can be made (meaning at first instance).

In the context of most of these quality reviews, the CWs who handled the cases receive individualized feedback through the QAT, as well as the entirety of the QFR which contains the most important and notable comments regarding all cases reviewed and concrete extracts from the EUAA PG and GAS SOPs and national guidance. The CWs concerned are also given the opportunity to have a meeting with the two assessors of their case if so requested - to discuss and clarify the comments received. Along with the QFRs, additional tools of the EUAA quality system as set out in the Initial Response, are in place (monthly meetings, coaching sessions) for the identification of recurrent gaps and shortcomings. Thus, a holistic approach is ensured for carrying out the respective needs assessment, based on which the next steps are planned in cooperation with GAS.

As set out in the Initial Response under question C, sub-question (i), corrective actions can only be taken in the field via the review of the interview transcript by an EUAA TL, a GAS QFP or a shadower. It is also foreseen at the stage of decision drafting that the GAS CW who drafts the decision on a specific case requests an additional interview if the interview conducted by the EUAA CW is found to be insufficient. Furthermore, if the EUAA CW has drafted an opinion, the GAS CW who drafts the decision can decide to do further research and analysis and reach a different conclusion than the one recommended by the EUAA CW in their (non-binding) opinion.

While the EUAA provides operational support to first instance processing by GAS, it is the latter who remains the sole competent authority for issuing the first instance decision. The actions of EUAA CWs do not constitute a separate instance/procedural step in the proceedings but are merely carried out in facilitation of GAS. Also, while quality review is in place prior to transmitting a case to GAS, the actors and allocation of tasks within the first instance processing need to be organised within the strict deadlines set by the applicable national legislation for issuing a decision, which presently does not allow for any additional layers/rounds of review.

iii. How does the EUAA handle complaints such as those at issue in this case, in particular how similar lists of cases³⁰ submitted by external stakeholders are directed internally to the appropriate line manager or to the Fundamental Rights Officer (FRO) or another relevant interlocutor, and whether follow-up action may be taken in respect of those cases listed. If so, how was this applied here?

In accordance with the EUAA Regulation³¹, the Agency is committed to upholding and promoting fundamental rights in all its activities. As explained, the EUAA has established a complaints mechanism³² in 2024 to ensure that fundamental rights are respected in all the Agency's operational activities 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. However, only persons directly affected by the actions of asylum support team members which they consider to be in breach of their fundamental rights, are eligible to submit such a complaint. Therefore,

³⁰ 14 individual cases in the email of 28 November 2022 (13 cases of trafficking, one case of pushback), as well as six cases in the email from Ihaverights of 13 June 2023 (three cases of inhuman treatment, three cases of pushbacks).

³¹ With particular reference to Articles 1(2), 16(2), 18(6), 51 and 57 of the EUAA Regulation.

³² Management Board Decision No 159 of 24 May 2024 on the setting up of the complaints mechanism, available here: [Management Board Decision No 159/2024 on the setting up of the complaints mechanism](#)



any complaints alleging pushbacks or other violations of fundamental rights by host Member State officials are deemed inadmissible under the EUAA's complaint mechanism.

Regardless of whether an issue can be handled under the complaints mechanism, the Agency treats seriously all expressions of concern with respect to compliance with fundamental rights brought to its attention by external stakeholders. Although the EUAA does not have a legal mandate – beyond the limited instances foreseen in Article 18(6)(c) - to look into or investigate allegations of violations of fundamental rights by Host Member State officials (such as in the context of the complaint from IhaveRights), it does duly follow up thereon. In such cases an Incident Report is normally drawn up by the EUAA entity/person who first became aware of the alleged facts and brings this to the attention of their line manager(s). In case, following a prima-facie examination, the matter is hand is deemed sufficiently serious, the matter is channeled internally, including to the Fundamental Rights Officer – if need be. A decision can then be taken whether any follow-up measures are deemed necessary and appropriate. This may include, *inter alia*, bringing the matter to the attention of the relevant Host Member State/National Authority, as well as to the Agency's Management Board. The reply received may also be taken into consideration by the EUAA when it assesses whether the conditions for suspending or terminating any of its operational activities are met (under Article 18(6)(c) of the EUAA Regulation).

Since 2024, the EUAA is in the process of establishing a full-scale internal reporting mechanism, known as the escalation mechanism. This mechanism will provide a more structured and systematic approach to identifying, reporting and, where necessary, escalating serious or persistent alleged violations of fundamental rights or international protection obligations by the host Member State. As pointed out by the EUAA's Fundamental Rights Officer in his Annual Report dated July 2025, “[t]he FRO welcomes the establishment of this mechanism and has consistently emphasised the importance of its comprehensive and effective implementation across all EUAA operations. A well-functioning escalation mechanism is essential for ensuring that, in the framework of the implementation of operational plans, fundamental rights and international protection obligations are upheld by all parties, reinforcing the EUAA's commitment to accountability, transparency and the protection of individuals in need of international protection”.

D. Could the EUAA please explain to the Ombudsman how it investigates and addresses allegations of fundamental rights violations³³ committed by the host Member State when those are reported in the context of interviews, and how this was applied in Samos?

Allegations originating from applicants for international protection concerning violations of their fundamental rights, if they consider themselves to be directly affected by actions or omissions of a Greek public authority, do not constitute an element of investigation within the framework of the international protection procedure. When such incidents are reported by applicants to CWs during the asylum interview, the CWs inform the applicant of the possibility to submit a complaint/report under the Complaints Mechanism of the Fundamental Rights Officer (FRO) of the Greek Ministry of Migration and Asylum (MoMA), which is available on the Ministry's official website <https://migration.gov.gr/fro-complaints/>

In parallel, the CW fills in the 'Interview Incident' template to inform the EUAA's management team in Greece via the local FSO on the alleged incident. The EUAA's Head of Greece Sector in turn notifies

³³ Such as pushbacks, as mentioned in the complaint.



the FRO of the MoMA and Governor of GAS accordingly. This workflow is jointly agreed between EUAA and the MoMA (and as such also applicable in, *inter alia*, Samos).

Moreover, although the EUAA does not have any legal mandate under the EUAA Regulation to investigate as such allegations of fundamental rights violations committed by host Member States, Article 18(6) of the EUAA Regulation provides that

“[T]he Executive Director shall, after informing the host Member State, suspend or terminate, in whole or in part, the deployment of asylum support teams where:

(c) after consulting the fundamental rights officer, the Executive Director considers that there are violations of fundamental rights or international protection obligations by the host Member State that are of a serious nature or are likely to persist”.

As highlighted by the EUAA’s FRO, the escalation mechanism referred to in Section Ciii is deemed as an important instrument designed to establish a coherent internal process to implement the Agency obligation stemming from Article 18(6)(c) of the EUAA Regulation. Any complaints concerning alleged violations of fundamental rights by a host Member States are duly taken into consideration by the EUAA when assessing whether the conditions for suspending or terminating any of its operational activities are met.

III. CONCLUDING OBSERVATIONS

The EUAA allocates significant resources and carries out considerable efforts to proactively identify any shortcomings in how asylum interviews are conducted by the Agency’s CWs in Greece. In turn, this is aimed at subsequent implementation of general corrective actions and measures for improvement in liaison with relevant national authorities. Any previously identified shortcomings have in the meantime led to tangible and considerable improvements regarding relevant techniques, tools and procedures, as detailed in this letter.

Moreover, the EUAA has since the time of the facts concerning the complaint carried out substantial efforts to advocate for and uphold fundamental rights in the context of all its activities in full compliance with the EUAA Regulation. The Fundamental Rights Officer has taken up his duties at the Agency, the Consultative Forum has been reconstituted in accordance with the EUAA Regulation, a fundamental rights strategy has been adopted, a complaints mechanism has been set up, and an escalation mechanism is being developed. All the afore mentioned elements clearly demonstrate that the Agency continues to be fully committed to fundamental rights.

We hereby reaffirm our appreciation of the good cooperation between the EUAA and the office of the European Ombudsman, as well as the Agency’s overall strong commitment to the principle of good administration.

By setting out the EUAA’s position in this particularly thorough manner, the Agency trusts it has appropriately and fully informed the European Ombudsman. However, should any further information or clarifications in relation to this case be considered useful, then I propose to organise a dedicated follow-up meeting between the EUAA’s relevant services and Ombudsman’s inquiry team.



Yours sincerely,

Nina Gregori
Executive Director
European Union Agency for Asylum