EASO's Operation on the Greek Hotspots

An overlooked consequence of the EU-Turkey Deal

LESVOS, MARCH 2018

Greece Refugee Rights Initiative

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This report aims at providing an overview of the main arguments put forward in HIAS' Expert Opinion, produced in January 2018, in support of the complaint filed on behalf of the European Center for Constitutional and Human Rights (ECCHR) before the European Ombudsman: Case 735/2017/MHZ: EASO's involvement in applications for international protection submitted in the 'hotspots' in Greece. The aim of the Opinion was to provide a legal assessment of EASO's involvement in the processing of applications for international protection in the Greek hotspots, based on the first-hand experiences of lawyers working for HIAS Lesvos in the hotspot of Moria.

The observations included in the Expert Opinion drew from the everyday representation of asylum-seekers during their asylum procedures and were further corroborated by 28 examples of cases (EASO interview transcripts and Opinions). In line with the subject of ECCHR's complaint, EASO's involvement in the eligibility interviews was excluded from the scope of the present report.

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HIAS is a non-profit organisation working around the world providing humanitarian aid and support to refugees. HIAS Lesvos Office opened in 2016 to assist refugees with direct, individual legal representation, to legally empower refugees through public legal education and to advocate for changes in policy and practice that increase refugee protection, ensuring equal access to rights, and laying the foundation for refugees' full social integration. In August 2017, HIAS opened an office in Athens to expand its high-level advocacy, impact litigation and legal representation. Since its launch, HIAS Greece has provided legal services and training to more than 1,000 asylum-seekers, including representation during their asylum procedures and in relation to their access to rights and services. In January 2018, HIAS and Islamic Relief USA (IRUSA), the U.S. arm of the humanitarian assistance and advocacy organisation, announced a joint initiative to provide improved legal services to refugees in Greece in 2018 called the Greece Refugee Rights Initiative.

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I. Introduction

The European Asylum Support Office (hereinafter 'EASO', the 'EU Agency' or the 'Agency') was established with Regulation 439/2010[1] (hereinafter the 'Regulation') with the aim of improving the implementation of the Common European Asylum System (CEAS) and of providing operational support to Member States on asylum related issues.

EASO was invited in 2011 by the Greek Government to assist with the establishment of the Greek Asylum Service (hereinafter 'GAS') in the aftermath of the *M.S.S. v Belgium and Greece* judgment.[2] Since then, EASO has been providing operational support and training to the Greek authorities. However, after September 2015, and after the creation of the 'hotspots' in the Aegean islands, EASO evolved into a key player by '*[providing] technical and operational assistance for joint processing of asylum cases in Greece*'.[3]

In March 2016, the EU-Turkey Statement started being implemented on the Greek islands, whereby '*all new irregular migrants crossing from Turkey into Greek islands as from 20 March 2016 will be returned to Turkey*'. The implementation of this Statement, also commonly known as EU-Turkey Deal, changed the landscape on the Greek hotspots and led to an expanded involvement of the EU Agencies at the sea borders. After the EU-Turkey Statement in March 2016 and the subsequent amendment to the Greek asylum legislation with the introduction of Law 4375/2016, EASO became responsible for conducting admissibility interviews in application of the safe third country concept, recommending decisions and conducting vulnerability assessments.

In April 2016, EASO started conducting admissibility interviews of Syrian nationals. In December 2016, these interviews were also expanded to nationalities with over 25% recognition rate based on the Eurostat quarterly statistics. Finally, in April 2017, EASO started conducting merged admissibility/eligibility interviews, which include an assessment of both the admissibility and the merits of the case, for

[1] Regulation (EU) No 439/2010 of the European Parliament and the Council of 19 May 2010 establishing a European Asylum Support Office [2010] OJ L 132/11

[2] *MSS v Belgium and Greece* App no 30696/09 (EHCR 21 January 2011)

[3] EASO Hotspot Operating Plan to Greece (Valetta Harbour and Athens, September 2015) EASO/COS/2015/677 EL/1226/30.09.2015 <https://www.easo.europa.eu/sites/default/files/20150930%20EASO%20Hotspot%20OP%20Greece.pdf>.

nationalities with over 25% recognition rate. Additionally, EASO is conducting eligibility interviews for nationalities with recognition rate under 25%.

Further, the Agency is also conducting vulnerability assessments through vulnerability experts. As elements of vulnerability can appear or be invoked at any stage of the reception and asylum procedure, EASO vulnerability experts are responsible for pronouncing on possible vulnerabilities in instances where vulnerability indicators have arisen during the interview.

As it will be analysed below, many shortcomings have been identified in relation to EASO's operation in Greece. The multifaceted and extensive involvement of EASO in the asylum procedure in Greece results in the Agency going beyond its original mandate of providing operational support. Additionally, the interviews conducted by the Agency as well as the Opinions drafted are of questionable quality and often fail to meet internationally established standards for the conduct of asylum interviews.

II. EASO's overall support with the implementation of the EU-Turkey Statement

The only competent authority for taking decisions on individual applications for international protection in Greece is the Greek Asylum Service. EASO's role is supportive, as any '*direct or indirect power in relation to the taking of decisions by Member States' asylum authorities on individual applications for international protection*' is explicitly excluded from EASO's role according to its founding text. [4]

However, the EU Agency has undertaken a broad scope of hands-on activities in Greece, which undoubtedly result in EASO assuming important '*powers in relation to the taking of decisions by Member States' asylum authorities on individual applications for international protection'*. Specifically, EASO staff are currently responsible for conducting the registration of the asylum application, where the applicant's personal data, information about family members in other European countries, vulnerability and reasons of flight from the country of origin are recorded.

[4] Regulation [1] Recital 14 and Article 2(6)

The EASO staff set the atmosphere of the interview, explain the procedure to the applicant and control the interview and the interpreter; EASO formulates and asks the questions and applies the interview techniques they consider necessary for the examination of the asylum claim; the EASO caseworkers confront possible contradictions and they keep the transcript, which, in the absence of audio recording,[5] is usually the only record of the articulated claim; they request and collect the relevant evidence; they are in charge of the vulnerability referrals and assessment as seen above and they are expected to identify potential cases under Regulation 604/2013 ('Dublin cases'). Hence, EASO is in full control of the asylum interview, which is considered to be at the very heart of the asylum procedure.

After the interview, EASO staff prepare the relevant Opinion (also known as 'Concluding Remarks') and recommend a decision to GAS. It should be noted that the drafting of opinions and recommendations by EASO is not provided by the Greek law. In essence, EASO's Opinion includes a summary of the applicant's statements (usually in bullet points); an assessment of the possible vulnerability; a summary of the material facts identified; an assessment of credibility; and, finally, an assessment of the risk of persecution/serious harm. The conclusion of this Opinion is a recommendation of whether the concept of *'safe third country'* may be applied to the particular case (admissibility Opinion) and whether the application should be accepted with regard to refugee status or subsidiary protection (eligibility Opinion). By being involved in advising on the admissibility or merits of specific cases, EASO is overstepping its role and is exercising powers that were never envisaged in Regulation 439/2010. As it has been argued, '*emitting an opinion, even a non-binding one, on an individual case, on the basis of an independently conducted interview, arguably qualifies at least as an 'indirect power*'.[6]

In relation to the conduct of the interviews, as HIAS has experienced during the representation of asylum-seekers during their interview with EASO, the Agency's caseworkers often fail to maintain an unbiased, non-judgmental, culturally-sensitive and empathetic attitude, as required by EASO's Guide for Personal Interview. This creates feelings of anxiety and distrust to the applicants that do not allow them to open up and provide a coherent, detailed and prompt account of their claim. The use of closed questions in a row and the length of the interview (often up to two days) only exacerbate these feelings. Additionally,

[5] It should be noted that audio recording was introduced in EASO's interviews in approximately October 2017. However, not all interviews are being audio recorded.

[6] Evangelia (Lilian) Tsourdi, 'Bottom-up Salvation? From Practical Cooperation Towards Joint Implementation Through the European Asylum Support Office' European Papers Vol.1 2016, No 3, 997, 1024.

the exploration of potential inconsistencies tends to be cursory ('before you said… now you say' questions), as applicants often do not understand where the inconsistency lies.

Furthermore, EASO is conducting the interview and drafting the Opinion in English, whereas the official language of Greece is Greek. According to the Common Ministerial Decision issued in October 2016, these documents are to be translated within reasonable time.[7] However, and as HIAS has experienced in practice, these documents are never translated into Greek. This results in most of the crucial documents in the file being in English, and not in the language of Greek officials, lawyers and judges.

Additionally, the conduct of the interview in English raises concerns in relation to the representation of the applicant by a lawyer, a right enshrined in Law 4375/2016.[8] Greek lawyers are expected to exercise their rights of representation in English, which is not their native language, and which, in turn, has an impact on the quality of the legal aid provided to the applicants. Moreover, the written statement produced by the lawyer in support of the claim, which has to be in Greek in order to have legal value, cannot be assessed by the caseworker. Thus, an important piece of evidence is never taken into consideration. This undermines the quality of the legal representation of the applicant and the full and effective review of the cases by the competent asylum and judicial authorities.

III. Vulnerability Assessments

Importance of vulnerability

The EU and Greek law provide for a special set of rights and safeguards during the reception and asylum procedure for vulnerable people[9] such as special care and protection, prioritization in the examination of

[7] Common Ministerial Decision (KYA) No. 13257/2016 – (Government Gazette 3455/B/26-10-2016), Article 1(3), which provides that these documents can be in English if necessary, but that in any case they '*shall be included in the administrative file of the case and translated within reasonable time*, *without, in the meantime, the continuation of the procedure being obstructed for this reason'.*

[8] L. 4375/2016, Article 52(5)

[9] According to the Greek Law 4375/2016, which transposes the provisions of, *inter alia,* the Directive 2013/32/EC (Asylum Procedures Directive),[9] '(*a)s vulnerable groups shall be considered for the purposes of this law: a) Unaccompanied minors, b) Persons who have a disability or suffering from an incurable or serious illness, c) The elderly, d) Women in pregnancy or having recently given birth, e) Single parents with minor children, f) Victims of torture, rape or other serious forms of psychological, physical or sexual violence or exploitation, persons with a post-traumatic disorder, in particularly survivors and relatives of victims of ship-wrecks, g) Victims of trafficking in human beings*'

their asylum application and procedural guarantees. The concept of vulnerability is a key concept in the asylum procedures in Greece, as applicants for international protection are exempted from the border procedure and are directed to the regular procedure.[10] Accordingly, the measure of geographical limitation on the island where they have arrived is lifted. [11] They are also excluded from the admissibility procedure (in application of the safe third country concept) and readmission to Turkey under the EU-Turkey Statement. It bears adding that *'take charge'* requests, under Articles 16 and 17(2) of the Regulation 604/2013 ('Dublin Regulation')[12] may only be submitted for applicants exempted from the border procedure.[13]

It is clear from the above that the determination of the vulnerability is decisive for the reception conditions, the type of asylum procedure to be followed, and the quality of the decision-making process in relation to the asylum application. Hence, a determination of vulnerability can only be made by the competent authority (GAS).

EASO's decision-making powers in the vulnerability assessments

As it was mentioned in the introduction, in the framework of the support provided towards the implementation of the EU-Turkey Statement, EASO is responsible for conducting vulnerability assessments when vulnerability indicators arise during the interview. However, this is not provided by any provision of Greek law and, therefore, lacks legal basis. According to the only available official information

[10] Border procedure was introduced by L. 4375/2016 (Article 60) and it is linked to the implementation of the EU-Turkey Statement. It is being implemented exclusively on the Eastern Aegean Islands and it is a procedure with short deadlines and few safeguards for the applicants. The regular procedure is the regular asylum procedure provided for in Directive 2013/32/EU (Article 31) and L. 4375/2016 (Article 50). EASO is participating in the border procedure but not in the regular one.

[11]Vulnerable applicants are exempted from readmissions to Turkey under the EU-Turkey Statement, and, hence, the measure of geographical limitation on the island, imposed as an alternative measure to detention in view of readmission, is lifted.

[12] Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person [2013] OJ L 180/31

[13] According to the Greek Asylum Service, Dublin 'take charge' requests are to be submitted only for applicants exempted from the border procedure under Article 60(4)(f) of Law 4375/2016, which reads: *'Individuals falling under Articles 8 to 11 of EU Regulation 604/2013 of the Parliament and the Council as well as vulnerable persons under Article 14 paragraph 8 of this law shall be exempted from the procedures described above.'* Therefore, 'take charge' requests under Articles other than Articles 8 to 11 are only to be processed for applicants exempted from the border procedure, due to vulnerability.

provided by the GAS,[14] the role of the EASO caseworkers in relation to the determination of vulnerability and the processing of asylum applications of vulnerable persons is the following: '*when indications of vulnerability arise during the personal interview of the applicant with an EASO caseworker, the interview is suspended and referred for examination by special EASO experts [vulnerability experts] who will determine the existence of vulnerability. In case the special EASO expert determines that there is vulnerability, the applicant's case is referred to the Regional Asylum Service or to the Asylum Unit for examination under the regular procedure. If the [Greek] Asylum Service or the EASO caseworker detects, during the personal interview with the applicant, indications of a vulnerability that had not been identified at an earlier stage of the procedure, he/she could (in case of an [Greek] Asylum Service caseworker) or must (in case of an EASO caseworker) refer the applicant to the special EASO experts for determination of vulnerability.'*

In practice, as HIAS has experienced during its work on the ground, EASO's implementation of the above role amounts to decision-making powers in three distinct ways.

First, the EASO caseworker enjoys a wide scope of discretion in the referral of potential vulnerability cases to the EASO vulnerability experts. Since there is no exhaustive list of vulnerability indicators (owing to the nature of most vulnerability categories) or a threshold that would render such a referral mandatory, EASO caseworkers are responsible for choosing which cases should be referred for a vulnerability assessment and which not.

Secondly, as EASO is in full and exclusive control of the interview process, elements of vulnerability often go unnoticed by the competent authority (GAS), due to a lack of appropriate follow-up questions during the EASO interview. Additionally, the applicants are often discouraged from talking about incidents that took place in their country, on the basis that the admissibility interview is not concerned with the merits of their application, although elaboration on such incidents could reveal potential vulnerabilities (i.e. torture, sexual violence, etc). It is therefore clear that in such instances GAS is never informed of potential vulnerability indicators as it is called to make a decision on the basis of the file of the cases.

[14] Information provided by the Greek Council for Refugees, 28 July 2017, and obtained from the Greek Asylum Service, 21 July 2017 as included in the AIDA/ ECRE Report (cited above) p.4 accessible here: <http://asylo.gov.gr/wp-content/uploads/2017/07/AIDA-THEMATIC-REPORT-ON-VULNERABILITY-21-JULY-2017.pdf >

Thirdly, even in the instances that the case is indeed referred to the vulnerability expert, the actions of the latter amount to *de facto* decision-making. In these instances, the vulnerability expert is called to make a finding about the existence of vulnerability in the specific case. In the event that he/she does not consider the applicant as vulnerable and therefore recommends the continuation of the procedure with the EASO caseworker, there is an implicit decision made without the competent authority (GAS) being informed. In these cases, GAS is deprived of the possibility make its own decision on the issue of vulnerability.

Finally, it should be mentioned that the vulnerability expert is not present during the interview and only in very scarce cases does he/she conduct a personal interview or have any personal contact at all with the applicant; the vulnerability assessment is usually conducted on the basis of the applicant's file and the information provided by the EASO caseworker. It is therefore apparent that EASO's involvement in the vulnerability assessment amounts to powers wider than the ones provided in its original mandate.

Identification of vulnerabilities

Despite the decisive role of the determination of vulnerability in the context of the border procedure, the EASO caseworkers do not inform the applicants that the interview also aims at a vulnerability assessment. Therefore, the asylum-seekers are not aware of the need to talk about their vulnerability and to provide thorough details and evidence in support of their vulnerability claim. According to the feedback the HIAS lawyers have received from their clients, applicants usually understand the vulnerability-related questions as seeking to verify whether they are fit to do the interview.

On the other hand, the questions asked to probe vulnerability are not appropriate for all vulnerability categories. The questions used are *'[a]re you in good health?'* and *'[d]o you have any (other) health problems? Please keep in mind that I mean both physical and mental health'*. This wording does not give room to the applicants to discuss about vulnerabilities such as trafficking, torture, rape, serious physical violence or disabilities, which they often do not consider to be a strictly health issue.

Further, EASO's assessment of vulnerability is often superficial. HIAS has handled cases, where the Agency has failed to identify indicators of vulnerability, refer cases to the vulnerability experts, adequately explore vulnerability in their Opinions or properly interpret the vulnerability categories. Additionally, EASO staff

often make clinical judgments of their own regarding the submitted medical reports or give their opinion on the medical issue that arose during the interview, although neither the EASO interviewers nor the vulnerability experts are qualified medical clinicians.[15]

Credibility assessment of the vulnerability claim

As HIAS has observed during its work in the field, EASO's assessment of vulnerability fails to comply with its own Practical Guide: Evidence Assessment.[16] The applicants' vulnerability claims are often assessed as non-credible on the basis of lack of sufficient details, without clear reasoning and without taking into account the 'distorting factors' that most vulnerabilities entail (such as memory, trauma and PTSD, other psychological and health problems, age, education, culture, religion and beliefs, sexual orientation and gender identity and gender).[17] Distortions resulting from the language polyphony ('language barriers') of the interviews -the interviews with EASO are conducted in English while most caseworkers and interpreters are not native English speakers- are not considered either.[18] This issue becomes even more pertinent in cases that demand the assessment of medical conditions, where medical terms cannot be translated with precision.

Additionally, the alleged inconsistencies and lack of details are often the result of the shortcomings in the conduct of the interview. Furthermore, the EASO caseworkers tend to reject plausibility, on the basis of subjective assumptions or preconceptions. Finally, and contrary to the EASO's Online Tool for the identification of vulnerabilities, the officers rarely consult Country of Origin Information (COI).[19]

IV. Admissibility Assessments: Application of the safe third country concept

[15] EASO, Practical Guide: Evidence Assessment (March 2015) < https://www.easo.europa.eu/sites/default/files/public/EASO-Practical-Guide_-Evidence-Assessment.pdf >] p.7-8
[16] Ibid
[17] According to the Practical Guide [16], factors related to the applicant that could lead to distortion are: memory, trauma and PTSD, other phycological and health problems, age, education, culture, religion and beliefs, sexual orientation and gender identity, gender. pp.14-16.
[18] According to the Practical Guide [16], the caseworkers must take into account possible distortions resulting from language barriers. p.17
[19] EASO, *Tool for Identification of Persons with Special Needs* <https://ipsn.easo.europa.eu/easo-tool-identification-persons-special-needs >

As mentioned above, as part of the implementation of the EU-Turkey Statement, EASO is in charge of conducting admissibility interviews on the Greek hotspots. The admissibility interview is concerned with the *'safe third country'* concept and specifically, with whether Turkey could be considered a safe third country as defined in the law.[20] According to this concept, a country shall be considered as a safe third country for a specific applicant when all the following criteria are fulfilled:

a. *the applicant's life and liberty are not threatened for reasons of race, religion, nationality, membership of a particular social group or political opinion;*
b. *this country respects the principle of non-refoulement, in accordance with the Geneva Convention,*
c. *the applicant is in no risk of suffering serious harm according to Article 15 of Presidential Decree 141/2013,*
d. *the country prohibits the removal of an applicant to a country where he/she risks to be subject to torture or cruel, inhuman or degrading treatment or punishment, as defined in international law,*
e. *the possibility to apply for refugee status exists and, if the applicant is recognised as a refugee, to receive protection in accordance with the Geneva Convention and*
f. *the applicant has a connection with that country, under which it would be reasonable for the applicant to move to it.*

According to HIAS experience in the field, EASO's application of the safe third country concept lacks legal reasoning, is worded in a stereotyped fashion, and fails to assess the fulfillment of the above criteria in the light of the personal circumstances of the applicants and of objective COI.

First, the alleged safe third country must respect the principle of non-refoulement to persecution (as defined in the Geneva Convention), and to torture/ill-treatment. However, EASO's assessment of these criteria has been rather superficial. Instances of alleged push backs at the Turkish borders and forced returns to bordering countries (i.e. conduct giving rise to (chain) refoulement) are dismissed as isolated events, not taken into account for the application of the safe third country concept, or not discussed at all in EASO's Opinion.

Additionally, the safe third country concept requires that the applicants' life and liberty are not threatened on account of their race, religion, nationality, membership of a particular social group or political opinion,

[20] Article 56 Law 4375/2016 and Article 38 of the Asylum Procedures Directive

and that they are in no risk of serious harm. However, EASO tends to characterise alleged potential serious harm incidents as 'isolated events' or completely disregards them when applying the safe third country concept.

Importantly, the Opinions fail to take into consideration the particular circumstances of the applicants. In cases which concern single women, EASO has failed to consider the applicants' background and gender as a particular circumstance, despite the EU law requiring that the complexity of gender-related claims be properly taken into account.[21] Moreover, the membership of the applicant in a particular national, ethnic, religious or linguistic minority is not assessed as relevant for the application of the safe third country concept.

Another condition provided in the law for Turkey to be deemed a safe third country is the possibility for the applicant to apply for refugee status and receive protection in accordance with the Geneva Convention. In the EASO admissibility Opinions, this criterion is always found to be fulfilled. In a stereotyped fashion,[22] the Opinions are citing always and only the existing legislation in Turkey and the diplomatic assurances[23] given by Turkish delegates in the framework of the EU-Turkey Statement. The use of these partial sources, with no reference or assessment of other reports by independent bodies, creates serious concerns in relation to the quality and legal accuracy of the EASO Opinions. It is striking that, even in cases where the applicants themselves are raising issues that they have faced in relation to their access

[21] See for example, Recital 32 of the Asylum Procedures Directive

[22] The examples below are illustrative of EASO's reasoning in cases of Syrian and non-Syrian applicants respectively:

- Based on the available country information, it is also accepted that:

The applicant has the possibility to seek protection and, if found to be eligible, to receive protection equivalent to the one provided by the 1951 Geneva Convention, (Permanent Delegation of Turkey to the European Union Ambassador, Letter to the European Commission Directorate General (DG) Migration and Home Affairs, 12 April 2016), Republic of Turkey, Temporary Protection Regulation, 22 October 2014, http://www.goc.gov.tr/files/_dokuman28.pdf

- Based on the available country information, it is also accepted that:

He has the possibility to seek protection and, if found to be eligible, to receive protection equivalent to the one provide by the 1951 Geneva Convention (Law on Foreigners and International Protection, May 2014, http://www.refworld.org/docid/5167fbb20.html; Permanent Delegation of Turkey to the European Union Ambassador, Letter to the European Commission Directorate General (DG) Migration and Home Affairs, 24 April 2016).

[23] In relation to concerns expressed with regard to the value of diplomatic assurances see *inter alia* Special Rapporteur of the UN Commission on Human Rights on torture and other cruel, inhuman or degrading treatment or punishment, Report submitted pursuant to General Assembly resolution 58/164, UN document A/59/324, 1 September 2004, paras 31, 40 & 42; Report by Mr. Alvaro Gil-Robles, Commissioner for Human Rights, on his visit to Sweden (21-23 April 2004), Comm DH (2004) 13, para 19.

to international protection or describe procedural hurdles that are commonly known (e.g. delays in the resettlement process), the caseworkers often do not address their allegations in their Opinions.

As provided in EASO's Practical Guide,[24] it is the duty of the caseworker to use impartial COI that comes from different sources (national COI units, EASO, UNHCR and other relevant human rights organisations). However, the admissibility Opinions refer only to information provided by the Turkish authorities and do not include any information by other sources, such as international organisations and bodies or non-governmental organisations, when assessing the criteria analysed above.

Lastly, the provisions on safe third country require the existence of a connection with that country, under which it would be reasonable for the applicant to move to it. This particular condition is never explored or assessed in the EASO's caseworker opinion.

V. Conclusion

EASO's Operation in the Greek hotpots is going beyond the mandate envisaged in the founding regulation of the Agency and fails to meet core quality standards.

In Greece, EASO has assumed an instrumental role in the identification of vulnerabilities, the recommendation of decisions on applications for international protection (in the form of Opinions) and in the overall implementation of the EU-Turkey Statement. EASO's involvement in the processing of applications for international protection in the Greek hotspots has resulted in the Agency obtaining strong discretionary and decision-making powers. Such powers, however, are not provided for by the Agency's original mandate of sharing its expertise and helping Member States overcome procedural shortcomings in the asylum and reception systems.

Furthermore, the significant shortcomings in the quality of the interviews and of the subsequent Opinions, product of training, direct supervision and constant monitoring, raise serious concerns in relation to the Agency's capacity to process applications for international protection, in respect of fairness and neutrality. HIAS' observations, articulated above and based on the experience of its lawyers in the field, have

[24] Practical Guide [16] p.4

revealed important weaknesses pertaining to EASO staff's compliance with core standards of assessing claims for international protection (also included in EASO's Practical Guides).

The observations and concerns highlighted above become even more pertinent in light of the upcoming implementation in 2018 of EASO's new Operating Plan,[25] which further expands the role of the Agency in the reception and asylum procedures.

[25] EASO, *Operating Plan agreed by EASO and Greece* (Valetta Harbour and Athens, 13 December 2017)