



The European Asylum Curriculum project,
the Project Group

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The European Asylum Curriculum Project's response to the Green Paper on the future Common European Asylum System

In the introduction to the Green Paper the European Commission express that the ultimate objective pursued at EU level is to “establish a level playing field, a system which guarantees to persons genuinely in need of protection access to a high level of protection under equivalent conditions in all Member States while at the same time dealing fairly and efficiently with those found not to be in need of protection.” The specified goals of the second stage towards this aim should be “to achieve both a higher common standard of protection and greater equality in protection across the EU and to ensure a higher degree of solidarity between EU Member States”.

One way to reach this goal is, as expressed by the Commission, to further approximate laws since the current asylum procedure allows some degree of flexibility. The Commission furthermore highlights the importance of boosting “the capacity of all stakeholders involved in the asylum process to successfully accomplish their tasks, thereby improving the overall quality of this process.” To achieve this aim, the European Asylum Curriculum project would like to stress the importance of creating conditions for a common European approach to capacity building, enhancing quality as well as competence among officials working in the field of asylum. A joint training initiative, as the European Asylum Curriculum, is instrumental towards integration of European asylum procedures as it introduces practical cooperation, knowledge and consensus around core issues of this future common system. A common vocational training will not only promote higher quality and efficiency in the process, but also enhance uniformity in procedures and decision making and thus contribute to harmonisation of practice.

The European Asylum Curriculum project would therefore like to underline some themes in the Green Paper for which the European Asylum Curriculum could be a useful tool, presented in the following pages. For more detailed information on the European Asylum Curriculum the project refers to the Curriculum, which can be found on www.gdisc.org. Yet a shorter overview of the project can be found in the enclosed Appendix I (Page 6).

The European Asylum Curriculum Project

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2. Legislative Instruments

2.1. Processing of asylum applications

(2) How might the effectiveness of access to the asylum procedure be further enhanced?

Training for involved officials is essential to achieve this aim. As indicated in the above, the European Asylum Curriculum (EAC) offers a complete vocational training-package for asylum officers and will thereby contribute to improve the quality in all parts of the process (see further the Curriculum). Some parts of the EAC would be applicable also for border guards, in particular the parts focusing on access to procedure. Yet such matters, including possible cooperation on this specific matter, should be further discussed with Frontex.

Interview technique, judgment of credibility, evidence assessment, decision making (also expressed under section 2.1 in the Green Paper)

Since the EAC offers a complete training in knowledge and skills for all steps of the process it may be noted that EAC comprises subject matters which the Commission draws special attention to in the Green Paper such as interview technique, judgment of credibility, evidence assessment and decision making.

2.3. Granting protection

Regarding *harmonisation of eligibility criteria* the EAC project would like to stress that, together with further approximation of legal grounds, a common vocational training will not only promote higher quality and efficiency in the process, but also enhance uniformity in procedures and decision making and thereby contribute to harmonisation of practice.

The EAC is developed by experts from the Member States along with nongovernmental organisations and the academic sphere. Each module is tailored with didactical training methods for the specific content, yet the case-based method is a key feature throughout this training instrument. The use of case studies from different countries, which will be discussed in consultation forums Online as well as in face-to-face sessions, will certainly have an effect on eligibility criteria since the same legal foundation and methods will be applied to reach a decision. If the EAC training furthermore would be held with groups representing a variety of countries, the usage of cases-studies and shared experiences will provide for a more conformed view on the criteria for protection. Along with other planned expert meetings within the GDISC, this approach could indeed optimise uniformity of protection in Europe.



2.4. Crosscutting issues

One matter not explicitly articulated in the Green Paper is the need for conformity in attitudes among involved officials towards refugees and asylum seeker. The EAC aspires to mainstream this theme throughout the training in order to provide a basic understanding for refugee questions. With this aim the EAC for instance offers compulsory training on Human Right and its association with International Refugee Law.

2.4.1. *Appropriate response to situations of vulnerability*

(16) What measures should be implemented with a view to increasing national capacities to respond effectively to situations of vulnerability?

To offer a common training tool will help increase national capacity and knowledge on the subject matter as well as change attitudes and practice. It may be noted that EAC offers guidance on how to identify vulnerable cases, as well as provides officers appointed to handle these cases specialised training on interview technique for children and for vulnerable groups.

3. Implementation – accompanying measures

The Commission emphasize the importance of enlarging the circle of stakeholders involved in exchange of good practice, capacity building and training activities. The EAC project welcomes this approach. In this regard it may be noted that the EAC project involves expertise from governmental, intergovernmental and non governmental organisation as well as from the academic sphere.

The project furthermore regards it to be fruitful to hold the EAC training with groups of trainees representing a wide range of actors, thus allowing input from different perspectives and experiences through the interactive training methods in EAC. (See further Appendix I and the Curriculum.) Representatives from different organisations and professions could also be invited, contributing with input on their special field of competence. Yet such an approach would demand central coordination, which could be managed by a structure such as the Support Office mentioned in the Green Paper. Moreover coordination, maintenance and update of EAC is needed to be managed at a central level. This task could be designated a Support Office in line with what is described in the Green paper, possible within the framework of GDISC since this network already has a coordinating role for practical cooperation in this field.



Conclusion

In the above the EAC project has provided some reflections on the Commission's Green Paper on the future Common European Asylum System, emphasising how practical cooperation by means of producing and applying a common training system for officials involved in the asylum procedure may help achieve the objectives of CEAS. It has been stressed that the EAC offers a complete training tool applicable to all steps of the procedure, with focus on both knowledge and skills – an essential feature for vocational training. Moreover a joint training as the EAC introduces practical cooperation, knowledge and consensus around core issues. Drawing on the expertise of governmental, intergovernmental and non governmental organisation as well as in the academic sphere, EAC will offer a high quality vocational training that is likely to result in greater consistency and higher quality in decision and policymaking, thus increasing the likelihood of a fairer and more efficient procedure. It will also be cost effective by sharing existing knowledge and materials.

If the Commission and the Member States regards the EAC to be an essential tool for achieving the objectives of CEAC, it shall be noted that sufficient long-term financial support is required to produce and implement the EAC with satisfactory quality and in a reasonable time-frame – hence allowing this training tool to be operational as soon as possible.



Appendix I

A Common Training System for Europe

The European Asylum Curriculum (EAC) is an EU Member State initiative intending to enhance the capacity and quality of the European asylum process as well as to strengthen practical cooperation among the European asylum/immigration systems. With the motto “Knowledge and skills for protection in Europe” the cooperation between the Odysseus Academic Network and the Swedish, Dutch, Czech, Spanish and British Immigration Services aims to create a European Asylum Curriculum, which will provide common vocational training for employees of the Immigration and Asylum Services in Europe.

Background

In addition to promoting a Common European Asylum System (CEAS) via regulations, training for asylum service personnel is crucial. Confronted with this shared challenge it is highly functional for the Member States to harmonise training at this point in time. A joint training will be instrumental towards integration of European asylum procedures as it introduces practical cooperation, knowledge and consensus around core issues of this future common system. A European Asylum Curriculum is also in the interest of the asylum seekers since greater consistency and higher quality in decision and policymaking will result in diminishing differences between the countries, and subsequently an increased likelihood of a fair and efficient procedure. It is in the light of these circumstances that the five national authorities decided to invest resources in a European Asylum Curriculum.

GDISC and involved organisations

The EAC project is organised under the auspices of the General Directors' Immigration Services Conference (GDISC), an organisation representing the 32 Director Generals of the European asylum- and immigration services with main aim of establishing and enhancing practical cooperation between Member State authorities in the field of immigration and asylum. The EAC is realised with co-funding from the European Commission.

Advancing knowledge and skills in European asylum/immigration services is key to the development of good practice and effective protecting for refugees coming to our continent. The project therefore cooperates closely with the Odysseus



Academic Network of university professors, researchers and scholars in order to gain expert knowledge in the theory of European refugee law. The United Nations High Commissioner for Refugees (UNHCR), the European Council on Refugees and Exiles (ECRE) and the International Association for Refugee Law Judges (IARLJ) as well as the European Commission furthermore contributes as a Reference Group with a broader perspective on the issues at hand.

The training system

Based on the European Union legal Aquis on asylum and international law as well as incorporating quality training already available in the Member States, the EAC aims at creating a common approach to capacity building and enhancing quality as well as competence among European officials working in the field of asylum. The EAC will contain training materials and extensive in-depth background information as well as trainers handbooks and interactive learning aids didactically tailored for the best possible outcome. It focus primarily on training officials working on asylum issues (case officers), and deploys an arrangement of progressive education thought different levels of advancement.

Practical and Interactive

The EAC aspire to provide a practical approach to training in the field of asylum, and with this aim it offers an interaction between training in knowledge (theory related to international and European legal instruments) and skills (the necessary practical competences for a case officer). The training system will consist of preparatory self-studies in e-learning format Online combined with face-to-face sessions.

Various interactive training methods will be used in the Online part as well as in the face-to-face part of the training. The “train the trainers method” is furthermore a key feature. A group of trainers from the European countries should be provided an initial training, and once they have received the training they will be able to implement the modules in their national administration in accordance with relevant national legislation. Yet in the longer perspective, this matter needs to be managed by a more permanent organisational structure than the EAC project.

Development and Implementation of EAC

All GDISC countries have contributed to the development of EAC through their active participation during the EAC Conference in Madrid (June 2006). Based on the outcome of the Madrid Conference, the project developed the detailed and multilaterally approved Curriculum (www.gdisc.org) as well as a pilot module on EU-Law in 2006 (the first project phase).



In 2007-2008 (the second project phase), as an outcome of the Madrid Conference, three of the total thirteen modules are developed and tested. The result will be presented and implementation matters discussed during a follow-up Conference in 2008. Remaining modules are planned to be developed in 2008-2009 (the third project phase), with following train-the-trainers sessions. Yet the development of the EAC modules is depending on the availability of EU funding.

To maintain EAC as a flexible and evolving instrument subject to periodic review and evaluation, coordination and update is vital. At the time of writing there is no final decision on how such coordination will be managed, yet several options exist. One option could be to designate the task to a Support Office in line with what the Commission suggest in the Green Paper.