



PRAGUE PROCESS
ПРАЖСКИЙ ПРОЦЕСС

Prague Process Guidelines on Training in the Asylum Process – Approaches to Achieve Quality

Training on core issues within the area of asylum
and international protection

2014

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The Prague Process is a targeted migration dialogue promoting migration partnerships and information exchange among the countries of the European Union, Schengen Area, Eastern Partnership, Western Balkans, Central Asia, Russia and Turkey.

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List of abbreviations

APD	EU Asylum Procedures Directive 2013/32/EU
BAMF	Federal Office for Migration and Refugees (Bundesamt für Migration und Flüchtlinge)
CEAS	Common European Asylum System
COI	Country of Origin Information
EAC	European Asylum Curriculum, former name; in 2013 changed to EASO Training Curriculum
EASO	European Asylum Support Office
EC	European Commission
EU	European Union
ICMPD	International Centre for Migration Policy Development
MS	Member States
PP TI	Prague Process Targeted Initiative
PP4	Prague Process Targeted Initiative Pilot Project 4
PS	Partner States
RSD	Refugee Status Determination (procedure)
SMB	Swedish Migration Board (Migrationsverket)
TtT (ToT)	Train-the-trainer (Training-of-trainer)
UNHCR	United Nations High Commissioner for Refugees
UNHCR QIEE	UNHCR Project Asylum Systems Quality Initiative in Eastern Europe and South Caucasus

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Executive Summary

The Guidelines on Training in the Asylum Process have been developed within the framework of the Pilot Project 4 of the Prague Process Targeted Initiative. The purpose of the document is to direct and assist governments and administrations in developing training programmes for staff working within the asylum process. The paper focuses on the impact of training on work efficiency and provides recommendations on how to design and manage high-quality and sustainable training programmes.

The Guidelines are divided into seven chapters. A brief introduction sets a background to the very current issue of asylum and international protection. The second chapter elaborates on the purpose of the Guidelines in more detail. Further, in the next segment the reader is presented with different topics that training could cover. The fourth chapter focuses on different methods of training and critically examines their assets and drawbacks. The fifth chapter provides advice on how to efficiently plan a national training programme. Finally, the last section includes examples of national road maps drafted as part of this project. In each chapter conclusions have been made. These taken together from the Prague Process Guidelines on training in the asylum process – approaches to achieve quality (see below for easy reference).

1. Introduction

Asylum constitutes one of the most broadly debated areas in the field of migration. Several incidents that took place in 2013, such as the Lampedusa migrant shipwreck and the ongoing crisis in Syria, again placed asylum in the centre of this year's public debate. 2013 also saw some important developments in the area of asylum, including finalisation of the Common European Asylum System (CEAS).

As to the main migratory flows, there has been a substantial increase of the use of the migratory route via the Western Balkans to the European Union, giving rise to greater challenges of the Western Balkan countries to deal with the situation. Some countries taking part in the Prague Process – most notably Sweden, Germany, Turkey and the UK – have experienced a significant increase in the inflow of asylum seekers, mostly from conflict-ridden Syria. Sweden and Germany host two-thirds of all refugees from Syria in the EU. Among non-EU countries, Turkey hosts the largest number of refugees from Syria. According to Turkish officials, in 2013 the number of Syrian refugees exceeded 600 000. In the former CIS countries, although the inflows of asylum seekers are not that large in absolute terms, their number has increased several times. For example in Georgia, the number of refugees has increased from 70 to 1000 cases per year. The number of asylum seekers (mainly from Syria) has also surged in Armenia, Belarus and Russia.

As a response to the increased inflow of refugees, the Eastern partnership countries, together with Turkey and Kyrgyzstan, expressed an interest to develop their asylum training systems and improve the quality of their asylum processes with the support of the EU partner states with extensive experience in this field. Their efforts were materialised in the Pilot Project 4. Following the Pilot's kick-off meeting held in Stockholm in October 2012, national trainers of seven partner states selected by relevant country authorities were provided with a training of trainers on the EASO Module on Inclusion. The qualified national trainers delivered courses in the respective partner countries on the *Inclusion* module of the EASO Training Curriculum. Visits of selected asylum case workers from the participating countries to EU states to study the EU asylum system and procedures were organised. The project further explored the training needs in participating partner countries.

The EASO Training Curriculum was used in the project as an instrument for capacity building in non-EU countries, placing special emphasis on sustainability and ownership. The long term goal of the project was to empower the partner countries to organise their training independently and repeatedly.

Prague Process Targeted Initiative

Asylum and international protection constitute one of four pillars of an external migration policy framework of the European Union called the Global Approach on Migration and Mobility (GAMM). The Prague Process, being the key regional platform for cooperation on migration and asylum between the states of the EU and Schengen area, Eastern Partnership, Western Balkans, Central Asia, Russia and Turkey promotes, among other things, the establishment of solid, efficient and just asylum systems.



The Prague Process Action Plan 2012–2016 adopted at the “Building Migration Partnerships in Action” Ministerial Conference in Poznan on 4th November 2011 outlines 22 specific activities in 6 thematic areas to be implemented during this period. The preparatory meetings for the Action Plan resulted in extending the thematic scope of the Process’s agenda to the area of asylum and international protection, which has evolved into an independent area of cooperation. From August 2012 to January 2016, Poland and six other leading states are implementing the EU-funded initiative “Support for the Implementation of the Prague Process and its Action Plan”, also known as the “Prague Process Targeted Initiative” (PP TI). The project is led by Poland together with the Czech Republic, Germany, Hungary, Romania, Slovakia and Sweden.

Pilot Project 4

The Pilot Project 4 (PP4) “Quality and Training in the Asylum Processes: The European Asylum Curriculum”¹ (PP4), was led by Sweden (Swedish Migration Board) with the support of Germany (Federal Office for Migration and Refugees) in close cooperation with the EASO and UNHCR between August 2012 and April 2014. EASO had an active role in the design of the project – it monitored and facilitated the implementation of the *Inclusion* module and supported the design of country specific training plans. The Pilot Project aimed at exploring the possibility of

1 The EASO Training Curriculum (formerly the European Asylum Curriculum, EAC) is a common vocational training programme primarily for case officers and decision-makers working in the asylum process. The training programme is implemented and developed under the lead of EASO. The Curriculum contributes to enhancing the capacity and quality of the European asylum process as well as strengthening practical cooperation between the European Asylum Migration services. The Curriculum offers a practical and interactive approach to training with a balanced combination of training on knowledge (theory related to international European legal instruments) and skills (the necessary practical competence for a case officer).

a broader implementation of EASO’s training programme in the interested Prague Process states². The primary target group of the project encompassed asylum case officers and asylum decision makers in seven partner countries (Armenia, Belarus, Georgia, Kyrgyzstan, Moldova, Turkey and Ukraine).

In the face of the end of PP4 in April 2014 and with the aim of ensuring continuity in the process, PP4 has closely cooperated and coordinated its activities with another EU-funded project called “Asylum Systems Quality Initiative in Eastern Europe and South Caucasus” (QIEE) led by UNHCR. The final conference of PP4 was organised back-to-back with the QIEE mid-term conference in Nuremberg, Germany, on 19–20 March (PP4) and 20–21 March (QIEE).

2 Participating states of the Pilot Project 4. The map has an indicative nature.

2. Purpose of the Guidelines

The purpose of this document is to direct and assist governments and administrations in developing training programmes for staff working within the asylum process.

In this process the authorities of the host country establish, if an individual seeking international protection is actually a refugee – that is, if they meet the eligibility criteria under the UN 1951 Convention relating to the Status of Refugees and its implementation in national legislation – this is referred to as “refugee status determination” (RSD).

A training programme designed at a national level should ensure that each case worker and decision maker will be trained on the core elements of the asylum procedure and will steadily develop their skills through continuous training. In contrast to ad hoc training workshops given on irregular basis, a sustainable training programme will guarantee that each staff member has profound knowledge of the essential procedures which can be easily transferred to each new employee. Well-trained staff members are able to work both faster and with greater attention to detail which benefits the asylum seeker, the staff member and the administration. The Guidelines aim at standardising the procedures and suggest ways of building high quality training programmes in the field of asylum and international protection.

PP4 took into consideration the dynamic nature of the problem – administrations and governments may face rapid changes in the number of applications for asylum, possible changes in legislation, organisational aspects of state authorities and the number of staff members in the asylum process. Thus, any national training programme must be constantly adjusted and updated.

Outline

The Guidelines are divided into three major parts. The first part is a policy document containing guidelines designed for governments and administration officials of the states participating in the Prague Process. These guidelines describe what constitutes good practice of training programmes for staff working in the RSD procedure. The paper gives examples of content of training programmes. Particular emphasis is placed on sustainability and ownership for the administrations that are to design and implement a training programme.

The second part gives an overview of what topics the training would cover, how training is conducted in certain countries and by UNHCR as well as what EA-SO's Training Curriculum contains.

The third part is intended for practitioners at executive level and contains advice on how to build and implement sustainable training programmes. The Guidelines also take into account the needs assessment that has to be done and the variation in training programmes that could result from tailoring them to different conditions associated with the number of asylum applications, number of staff, stability of legislation and other factors that may change over time.

The annex contains examples drawn from the country specific road maps on training that the six³ participating states have drafted for their future training as part of this project.

3 Turkey has opened General Directorate of Migration Management on the 11th of April 2014 and the national training program put into a Road map will follow during 2014.

3. Topics of training of staff in the asylum process

To set a background for the potential training needs an outline of the asylum process is provided in this chapter. It is necessary to have knowledge of the process in order to achieve high quality training and make the asylum process more efficient.

3.1. What theoretical knowledge and skills are required?

The asylum process takes place where an application for asylum and international protection is handled and decided upon. This process is often referred to as the refugee status determination (RSD) procedure. To be able to work in this procedure a general understanding of the area of law is required. An introduction to refugee and international protection law is advisable.⁴ The asylum process follows certain steps that may differ slightly between countries but a generalised procedure would follow the below-listed steps:⁵

Asylum application and registration:

- Asylum application and registration
- Short interview in connection with the application
- Collection of bio-data, ID documents and other possible documents
- Appointment of a legal counsel⁶

Interview and continued data collection:

- Asylum interview⁷
- Submitting written evidence
- Country of origin information reports are studied and shared with the asylum seeker

Assessment of an asylum claim:

- Evidentiary assessment
- If needed: additional country of origin information reports are studied and shared with the asylum seeker

4 Many countries have textbooks on this topic written by a national academic but many countries lack this and only have to resort to e.g. legal commentaries to the law which may be too specialized and not necessarily providing the background to the legal framework that will make the introduction to this field easier.

5 The procedure may vary a bit between countries but generally these are the stages in the refugee status determination.

6 Only in some states, e.g. Sweden, Finland and Norway.

7 If legal counsel is appointed by the authorities counsel must be given an opportunity to be present during the interview in order to be able to ask questions.

- Identification of the applicant (establishing a citizenship)⁸
- Written legal and/or medical evidence is assessed
- Oral evidence is assessed (the minutes from the asylum interview)
- If eligible to be granted refugee status, any possible exclusion grounds must be assessed⁹

Drafting and decision making:

- Drafting of the decision taking jurisprudence into account
- Presenting the decision to the decision maker¹⁰

This is a short outline of the general asylum process that all cases will go through. It varies significantly how long it takes to assess an application. This is associated with the assessment of whether there is a future risk of persecution or serious harm and with how complicated the claim is. Proper examination of an asylum claim requires profound analysis of reliable information about the country of the applicant's origin, which may be a very demanding task.

3.2. Target groups for training

Target groups for training should be all officers involved in the asylum process, whether they are case workers or decision makers in the asylum unit of the responsible authority or a ministry. Every staff member responsible for conducting interviews, investigations, assessment or decision making would need to be trained in order to fulfil their duties and uphold the national law and international obligations.¹¹

The initial target group should be those directly involved as case workers, but it is also vital to foresee training on asylum and international protection issues for others, among them the management of asylum units as well as staff working as researchers of country of origin reports and staff in the reception centres to be able to meet with and uphold good standards vis-à-vis asylum seekers.

⁸ In asylum law the first step is to assess nationality, and secondly identity of the asylum seeker.

⁹ Exclusions grounds relate to a finding of an asylum seeker being a refugee but also finding possible suspicions that s/he committed e.g. war crimes or crimes against humanity or other acts as listed in article 1F in the 1951 Convention. If it is found after a thorough examination that exclusions grounds are applicable then that person must not be granted refugee status. However, this person might in case of deportation himself risk treatment contrary to the 1984 Convention on prohibition against torture and a further consideration of the case must be done.

¹⁰ In many countries this is the same person who did the interview, so it is a single decision maker (this is e.g. the case in Germany and the United Kingdom). In many other countries there are (at least) two people involved in decision making: the case worker who drafts the decision and the decision maker, who may be a senior colleague in the same unit (as in e.g. Sweden).

¹¹ Most states in the Prague Process have ratified and implemented the United Nations 1951 Convention Relating to the Status of Refugees, UNTS vol. 189, p. 137, as well as the United Nations 1984 Convention Against Torture, UNTS vol. 1465, p. 85. Many are also members of the Council of Europe so the European Convention of Humans Rights is applicable.

3.3. Topics of training

In relation to the asylum process it is possible to identify a training need on the following topics:

- general introduction to refugee and international protection law;
- specific refugee criteria and criteria for establishing a possible international protection claim;
- how to perform an interview enabling you to obtain the relevant information from the asylum seeker (especially from a vulnerable one);
- how to find updated and relevant COI and how to validate that it is of high quality and meets the standards of being properly sourced etc;
- evidence assessment: how to assess what the nationality, and possibly identity, of the applicant is; what written evidence to use and how to assess it; how to examine the oral statement of the asylum claim (often the core of the claim), standards on how to assess asylum cases, credibility issues;
- drafting and decision making, including update on jurisprudence.¹²

3.4. National experiences of training programmes – an overview of some EU member states¹³

The way national training programmes for staff in the asylum process are organised and managed varies. In many countries all new staff follow a standardised induction programme during their first year to assure a uniform asylum examination. The purpose of the training is to create a common ground for newly employed asylum case workers and decision makers throughout the whole of the respective country. Regardless of previous experience, the induction training aims to secure that all employees reach the minimum requirements needed to work in the asylum process while upholding respect for the individual asylum seeker, maintaining quality of the asylum process and also legal security in treating like cases alike. This is especially in focus where there are several asylum units in different parts of the country.

Most EU member states have training programmes that make use of the EASO Training Curriculum is a tool that greatly facilitate the goal to create a Common European Asylum System (CEAS)– and the modules are increasingly used. Some EU member states regularly use six¹⁴ of the 14 modules, while others would use fewer¹⁵ or a single module.¹⁶

¹² The topics outlined above correspond well with what is also stipulated in the EU legislation, especially in the newly recast Asylum Procedures Directive that will come into force in 2015, article 6.

¹³ The participating states will have their road maps on future training adjoined in this document when they are finalised.

¹⁴ Sweden has as a part of its national training programme scheduled six modules to be done by each new staff member within a period of three years. These are Inclusion, Interview Techniques, Evidence Assessment (the three core modules for asylum staff). Also done are IRL/HR, CEAS and Drafting and Decision-making.

¹⁵ Germany, France, Finland, the Netherlands, Belgium et al would use some 3–6 modules more regularly.

¹⁶ The UK will shortly be using some modules, the Inclusion module to start with.

Several EU states have their own national training programme in addition to using the EASO modules. In the United Kingdom the training consists of a Foundation Training Programme lasting 25 working days in a training curriculum for all new staff members to go through before they start working at an asylum unit. In Germany and Sweden the national training programmes consist of several parts: there is an induction programme that should be followed, EASO modules to be done at intervals as well as workshops on specific topics. These workshops may come as part of a series of workshops running for 2–3 years or they may be on an ad hoc basis (for example due to certain new jurisprudence or new type of asylum claim). The topics of specific workshops may include vulnerable persons in the asylum process, gender and gender related persecution or unaccompanied minors. Also in an induction programme it is possible to include blended learning methods such as online part followed by mentoring on an individual level, or in a class room session. Mentorship is a cornerstone in the several EU MS induction training. A new employee will be appointed a mentor to whom the newly employed can turn for guidance and support. The role of the mentor is also to follow up on training and identify areas where extra support may be needed. A mentor should be trained specifically in methodology of mentoring, didactics and being a coach.

The methodology used in training varies from online, class room based training to the use of check lists, mentoring, supervision, go see and more. There are developments in combining some of these with auditing measures to see how training methods affect quality assurance. Mechanisms are being developed to study the positive impact on handling of asylum cases and decision making. The time and attention devoted to continuous training and professional development of staff are found to be linked to the quality of the asylum procedure itself. Specific training workshops can be focussing on intercultural training, on personnel development and on language skills to name a few. Special attention can also be given during training (or in specific one-to-one counselling) to issues of preventing burn-out that may happen especially for staff responsible for interviewing. Staffs who become mentors and/or trainers may be specially remunerated for this when it comes to salary. The underlying rationale for this is that they through their work greatly assist in raising the quality of the asylum process as a whole.

3.5. Training as seen by other entities, UNHCR, academia, networks

UNHCR has a mandate to supervise the implementation of the 1951 Convention (see article 35 in the Convention).¹⁷ UNHCR has developed thematic learning programmes on Protection, Refugee Status Determination, COI etc. which combine different learning methods (including self-study, assignments and workshops). These are intended for UNHCR staff but may also be made available for partner organisations. Training done for staff at state authorities is more on an ad hoc basis, but there are also more comprehensive programmes. One example is the

¹⁷ UNHCR themselves are also conducting Refugee Status Determination in several countries, thus cooperating with the authorities or doing RSD on behalf of them.

current project Asylum Systems Quality Initiative in Eastern Europe and South Caucasus (UNHCR QIEE), based on the Asylum Systems Gaps Analysis and an action plan to address the major gaps. Four or more national trainings are conducted per country. Topics covered, length and frequency of trainings depends on the situation in a particular country. The training combines the EASO Training Curriculum and locally developed training at national level. Under the project two modules have been translated into Russian – the *Interview Techniques* and *Drafting and Decision making*.

In certain countries the UNHCR country offices conduct decentralised training on a more long term basis, targeting specific audiences, including the state authorities, taking into account particularities of national legal systems, language etc.¹⁸

In their database www.refworld.org the well-known *Handbook on Procedures and Criteria for Determining Refugee Status* may be found¹⁹ as well as the accompanying ten guidelines on international protection.²⁰ UNHCR also has a toolkit called Protection Starter Kit, which is for protection-related issues and basically is a compilation of conventions, guidelines etc. found in one long list to be studied on-line.²¹ UNHCR is also actively cooperating with other actors (universities, organizations and states) on organization of refugee law trainings.²²

The Refugee Law Reader²³ is an on-line curriculum targeted more to academia, university students and legal counsel. It offers seminar based training providing core and suggested reading lists. There are also several networks of academia and/or NGOs that do workshops on topics of asylum and international protection issues, for example the Odysseus network, ELENA, ERA etc.²⁴

¹⁸ The Regional Representation for Central Asia started the Russian-language RSD Distance Learning Programme (DLP) – which is based on UNHCR internal RSD LP. This year is the fourth consecutive year of the DLP. The DLP is one of several regional initiatives to ensure that Russian-speaking State officials, NGOs and other partners responsible for examining and/or deciding on refugee claims have the necessary knowledge and resources to do so. It is a 6-months programme carried out in two phases: a period of self-study (21 weeks) and a 5-day workshop and 1-day study tour.

¹⁹ The UNHCR Handbook on Procedures and Criteria for Determining Refugee Status, is a well-known handbook that serves as a short educational tool especially since it is based on state practice, such as it evolved up till 1979, with an update in 1992.

²⁰ The guidelines are now incorporated in the handbook in the latest reissuing of this handbook to come out in December 2011.

²¹ www.refworld.org/protection_kit.html#.

²² One is "The International Institute of Humanitarian Law, San Remo (Italy), in co-operation with the United Nations High Commissioner for Refugees, and with the support of the Swiss Federal Office for Migration, the US State Department (Bureau of Population, Refugees and Migration), the Norwegian Ministry of Foreign Affairs and the Swedish Ministry for Foreign Affairs, is now accepting applications to its Refugee Law Courses 2014." <http://www.iihl.org/international-refugee-law-course-english>.

²³ www.en.refugeelawreader.org/index.php?option=com_content&view=article&id=46&Itemid=58.

²⁴ A module-based approach can however be found in the CREDO project, a multidisciplinary approach to credibility assessments (<http://helsinki.hu/wp-content/uploads/Credibility-Assessment-in-Asylum-Procedures-CREDO-manual.pdf>), run by the Hungarian Helsinki Committee in collaboration with UNHCR, IARLJ and the NGO Asylum Aid from the United Kingdom. The CREDO project is on improving credibility assessment in EU asylum procedures and has produced three documents and will run a series of trainings to train national trainers who will be certified and able to train colleagues, much in the same methodology as the EASO modules work. One of the interesting features of this project is that it has developed checklists on how to proceed in credibility assessments and that the project also is to run workshops where they will train trainers accordingly including on how to use the concept of these check lists. <http://helsinki.hu/wp-content/uploads/Credibility-Assessment-in-Asylum-Procedures->

3.6. EASO Training Curriculum

Background

European Asylum Support Office (EASO) was established with the aim of enhancing practical cooperation on asylum matters and helping MS fulfil their European and international obligations to give protection to people in need. One of EASO's main tools to provide support is the EASO Training Curriculum. EASO considers this a practical tool contributing to effective and harmonized implementation of the Common European Asylum System (CEAS). The article 16 of the preamble of the Asylum Procedure Directive (2113/32/EU) states that "it is essential that decisions on all applications for international protection be taken on the basis of facts, in the first instance by authorities whose personnel has the appropriate knowledge or has received the necessary training in the field of international protection". Furthermore article 4 (3) stipulates that "Member States shall also take into account the relevant training established and developed" by EASO.

EASO Training Curriculum is a common vocational training system designed mainly for case officers and other asylum practitioners throughout the EU. It is based on a blended learning methodology, enabling both theoretical and practical approach to training by combining an e-learning method and face-to-face sessions (F2F).

The Curriculum consists of a number of interactive modules covering the entire field of international protection. These modules are developed within the framework of the 1951 Refugee Convention and its 1967 Protocol the Common European Asylum System legal instruments, as well as other relevant international and European law. They are based on real life scenarios and take forward good practices in the field of international protection. The modules of the EASO Training Curriculum are developed by expert teams from different Member States together with EASO and are reviewed by a reference group, consisting of members from different international organisations and stakeholders from civil society.

Through the common high quality training and training material EASO aims to ensure common practices and fully develop the Common European Asylum System. The Curriculum is based on the concept of circular learning path identified for each potential target group. EASO has so far identified five primary target groups: case officers, reception officers, managers of asylum units, legal officers and COI researchers. The learning paths will reflect the particular training needs of an asylum case officer and set the core modules that are of key importance. The core modules suggested shall ensure that case officers across the EU receive the same fundamental training. The Core Modules for the target group of case officers are the modules on Inclusion, Interview Techniques and Evidence Assessment. As a core module, the Inclusion module is the most widely used module among the Member States and is also used in the Prague Process Pilot project 4.

The EASO Training Curriculum is based on the concept of multiplying effect. Once an expert trainer has been trained during the train-the-trainer session, he/

she shall further deliver the training in the respective module in his/her asylum administration, taking into consideration aspects of the national legislation. This concept of training trainers provides administrations with a sustainable solution and enables long-term planning of training programmes compared to ad hoc workshops.

The 14 modules of the EASO Training Curriculum are:²⁵

- International Refugee Law and Human Rights
- Common European Asylum System (replacing the EU Law and Policy)
- Inclusion
- Asylum Procedure Directive
- Dublin III Regulation
- Exclusion
- End of Protection
- Country of Origin Information
- Interview Techniques
- Evidence Assessment
- Drafting and Decision Making
- Interviewing Children
- Interviewing Vulnerable Persons
- Module for Managers in the asylum field

3.7. Lessons learned from PP4

The PP4 participating states have expressed that they found the training done in the project working well. This includes both the Training-of-trainers (ToT) and the two national trainers delivering the national trainings. It was emphasized that the concept of providing the state authorities with newly trained national trainers was particularly useful. It was raised that a network of trainers could form a useful way of enhancing further cooperation between countries as well as enabling trainers to have some feedback on how to improve their own trainings both from theoretical as well as logistical sides.

A number of issues that could be improved have been identified, including a suggestion that the national training performed by the newly trained national trainers could be supervised already from the setting of the agenda. For example, it could be appropriate to include an extra session on comparing the EU legislation as described in the *Inclusion* module with the exact wording of the national legislation.

On a more managerial side an issue of how to manage to do the self-study part when the tasks at the office are very demanding was identified. The suggested solution to this problem was that there is a need for prioritising – and for managers to realize that staff will not only uphold the legal requirements but also work more efficiently if they are well trained.

[CREDO-manual.pdf](#).

²⁵ Two more are to follow, module on Gender, Gender related issues and Sexual Orientation at the end of 2014 and Reception module in 2015.

The work done already on the country specific road maps has shown a strong commitment on identifying and addressing training needs of a particular country. There is also a very good understanding of the essential parts needed to develop a training programme as well as an awareness of potential shortcomings as regards to funding. It has been suggested that there is a potential need to cooperate to do training in the future.

3.8. Training curricula for staff in the asylum process

There is a link between quality and training. One presupposes the other – for there to be quality we need training. A training curriculum that covers the core tasks that a decision maker in the asylum process needs to perform would be helpful for professional development of the staff. The topics could be deduced from analysing the main tasks of the decision maker (see above under section Asylum Process, topics of training).

It is of importance to also prepare for the continuous training of staff working in the asylum process since changes occur frequently in how to assess a claim due to new jurisprudence and changing conditions in the countries of origin of the asylum seekers and the corresponding updated assessments that have to be made.

Naturally, it is the responsibility of the state authorities of each country to ensure that staff working in the asylum process will undergo training and also to find the ways and financial means of ensuring this. There may be a positive effect of conducting training and workshops on a regional cooperation basis, creating possibilities of networking between trainers and case workers/ decision-makers.

3.9. Guidelines

- **National responsibility** to have **training for staff** in the asylum process in order to:
 - uphold national legislation;
 - uphold international obligations.
- **Quality** in the asylum process
 - is **a core issue** and **training will enhance the quality** of assessing an application for asylum, which is beneficial for the individual asylum seeker, the case worker and the administration as such.
 - Enhanced **quality leads to** improvement in the general process including **efficiency** in the asylum process.
- **Topics of training** are linked to the stages of the asylum process, core topics can be:
 - general **introduction** to **refugee** and **international protection law**;
 - more specifically: **criteria** for establishing that a person is a **refugee** or **in need of international protection**;
 - **interview techniques**, including how to perform an interview with a vulnerable person, with a minor etc.
 - **reports** on countries of origin (COI): how to find updated and relevant COI reports, standards on how to use these materials in the process

- **evidence assessment**: how to assess oral and written evidence, standard of proof, standards on how to assess asylum cases, credibility issues;
- **drafting and decision making**, including update and how to use content of jurisprudence.²⁶
- Target groups for training should be **all officers** involved in the asylum process, whether they are case workers, decision makers in the asylum unit of the responsible authority or in a ministry.
 - Staff responsible for interviews, investigations, evidence assessment and/or decision making would **need** to be trained **in order to equip them with knowledge and skills which would allow them to properly fulfill their duties**.
 - Staff should be trained because as a result of the training not only the **quality but also the quantity of their work** would be enhanced: well-trained staff generally are able to issue more decisions and it is more likely that decisions would be upheld in a possible appeal procedure.
- Past experience is that the demand for more and specialized training often comes from the **managers** of the asylum units.
 - Quality in training leads to **quality in the decisions** and produces a **positive outcome** for the **asylum seekers, staff and the authorities** as such.
 - **Continuous training and professional development of staff** are found **to be linked** to the **quality** of the asylum procedure itself.

²⁶ The topics outlined above correspond well with what is also stipulated in the EU legislation, especially in the newly recast Asylum Procedures Directive that will come into force in 2015, article 6 that makes reference to the EASO Regulation art 4.

4. Training methods and evaluation

Many training methods exist and the ones that are mentioned here are thought to be more suitable and adaptable for use in training of staff working in the asylum process.²⁷ This list does not attempt to be exhaustive but to give good examples of methods that have been employed with success. The objective for any training should be to achieve the highest possible effect, which is the reason why evaluation of training is necessary. Some training methods are perceived to be more cost efficient, meaning the funding that is needed is little compared to the number of participants that can participate – it is advisable to take this into consideration. Some administrations are regionalised and have offices in several parts of the country, which may also affect the way a national training programme is devised so that it can reach all offices in the country in an effective way. It may well be that it is preferable to conduct most trainings via on-line (self-study) modules with only a few days of actual face-to-face training (F2F, meeting in class room training).

4.1. Blended learning methods

Blended learning methodologies – on line-studying mixed with class room based sessions, so called face-to-face sessions (F2F) – are increasingly popular among management as well as among participants. It is indeed cost efficient provided that there are computers and internet available. On-line studying does not cost in traveling time, transportation, venue etc. There is also a high degree of flexibility for the participants in that they can decide when to follow the training which makes it particularly attractive.

4.2. E-learning

It is common to arrange training as pure e-learning as well as the blended learning approach mentioned above. E-learning is again cost-efficient since the training material put together and uploaded online can be used by 100 % of staff at any time convenient for them. The cost of developing e-learning can be quite substantial but broken down in how many staff members this training can reach it would still be less costly than traditional methods. Moreover, it is easier to update this type of training material than to arrange for class room based training in order to update staff on recent developments in legislation, case law etc.

4.3. Classroom based training and/or webinar

This will perhaps still be the most common way to organise training. The topic is decided, the trainer selected and then the training material is worked through and the training session is scheduled. An experienced trainer with deep knowledge of

²⁷ On issue of costs and analysis of pros and cons a disclaimer must be made, since through this project it is not possible to do a full analysis.

the subject will most likely do very well in managing to communicate the content of the training and thus reach the objective/goal that was set.²⁸ However, a possible problem is that the participants fail to get engaged. One solution is to introduce interactive sessions of discussing fictional case studies. Case studies sessions should be well prepared and enough time should be allocated for discussing the cases both in smaller groups in break-out sessions and together in the full group (in plenary). During face-to-face training – take care when deciding size of group; try to take into account that a certain number of participants are optimal for good group dynamics (8-16, not too few and not too many).

Webinars are a form of training where participants are not in the same location but meet via video conferencing equipment or Skype or similar. The interactive element is important, meaning that discussions are possible.

4.4. Case based learning – case studies sessions

Case based learning and case studies sessions are not quite the same thing. Case based learning is an approach that is known from being used at universities in the USA – among them Harvard University in the 1980's – and has since been developed and used in many contexts and on many differing subjects. The approach taken is that students are presented with a fictional scenario and in which they are required to make decisions. It is also called the "problem based learning".

Case studies sessions can be held in plenary or in smaller groups and the participants are asked to engage in discussing several case studies. These are fictional but closely resembling the cases currently being handled at work. The aim of the discussion is to try several cases but with an approach of open discussion where the trainer is a facilitator, listening and only leading the discussion after some time. The aim is to encourage open discussion and for participants to listen to each other and compare the current case with the previous experiences they have. It is preferable to let the case studies sessions be accompanied with presentations on latest national case law and international jurisprudence to give food for thought when starting the case studies sessions. This method works both with new as well as with more experienced staff. It is advisable to introduce increasingly complex case studies, and to have a manual or a note for the facilitator to be able to do this.

4.5. Mentoring and coaching

Mentoring and coaching are very common ways to train staff. A new employee is being told what the job tasks require, how the process looks like and so on. This could be both an "informal" way of training the new employee as well as a very formal part of training (close to supervising). When the new staff member performs the asylum interview for the first 1–3 times a colleague who is the appointed mentor could be present and give feedback on how the interview was conducted:

²⁸ Some refer to this type of training as 'death by PowerPoint' since it is often not a very engaging way to do training. It is of course possible for an individual trainer to be very engaging even if using PowerPoint presentation and in a class room style of training.

whether the questions were open enough for the asylum seeker to come forward with the asylum claim, whether the interviewer created a "listening" atmosphere or whether the applicant felt comfortable enough to come forward with possible vulnerabilities, experiences of trauma/torture/severe abuse.

Among more experienced staff a mentors duties are often to create check-lists of what the stages of handling case are, in what order to work with the case, what not to forget etc. These can also come in the form of instruction manuals that may also include a template on how to draft the decision of the asylum case etc. To involve more experienced staff to work together with less experienced staff revise tools like these may in itself be regarded as a form of in-house training since the reflection brought about during the discussions will often prove to be very worthwhile.

4.6. Role play

To illustrate the situations that you may find yourself in at work in the asylum process it may be very effective to act this out during training, either as part of the class room training, the blended learning or other methods. Role play typically means acting out various roles, for example that of the interviewer and the applicant (asylum seeker) during an interview. It may also be interesting to include a third party – the interpreter as one of the role players. If the target group is to train litigation officers that are representing the administration at court, it would be appropriate to have a moot court, acting out a fictional court hearing.

4.7. Cross training

Cross training means one employee observing and joining his or her colleagues from a different section. It gives a good understanding of their responsibilities and allows for flexibility since this staff member will be able to perform different duties.

4.8. Selection of trainers

Trainers in asylum and international protection law often come from a background of themselves being decision makers or case workers and as such have broad experience and knowledge of the topics. It is advisable to engage trainers who have this experience and it is highly recommended that the trainers are still active as case workers in the national asylum process including at the stages of evidence assessment and drafting of decisions. This ensures that the trainer is being constantly updated on the case law, jurisprudence and Country of Origin Information reports which contribute to keeping the quality of the training at a high level. Any trainer must make preparations before a training session, just as well as a decision maker or case worker drafting a decision must prepare to be updated when drafting a decision (or holding the asylum interview for that matter). So a well experienced case worker who is also a trainer would then actually be in a win-win situation. This is also something for the management of the asylum units to be

aware of – there are positive side effects of having a good trainer among the staff since this person would be very likely to be well updated on the latest case law.²⁹

4.9. Qualifications of a trainer

Trainers play a crucial role because they need to convey important information in an engaging way. Therefore, no less emphasis should be placed on communicative skills of a trainer than on expert knowledge. A trainer must be a good time manager. It should be emphasized that even if trainers should adapt and be flexible in order to accommodate the needs and interests of the participants of a particular training session, it is still the case that the specific training goals must be met.

4.10. Suggested selection criteria for trainers

- Experience from working in the actual asylum process, from the field of Refugee Status Determination (ideally several years of experience)
- Good communicative skills
- Good presentation skills
- Clear language, making yourself understood and rephrasing³⁰ where necessary if the information is not understood
- Always understanding the need to be updated and well prepared before each specific training session
- Flexible, can adapt to the audience and still achieve training goals
- Time manager, meaning well organised and making sure that all the training goals are met (e.g. all training material is gone through)
- Enjoys engaging in discussion with participants and colleagues
- Understands that learning is an on-going process (not rushing to get to the “correct” answer)
- Understand that people learn in different ways and that the learning process for different participants can take shorter or longer
- Open minded – always showing respect for the opinion of others
- Encouraging exchanging opinions and understanding that there may be different ways to reach the same goal; for each participant
- Skills in facilitating discussions, group assignments, role-plays and other active training methods
- Ready to adjust, perhaps changing the agenda and intervals between breaks

4.11. Training material

It is advisable to involve the trainers as much as possible in the process of preparing the training material. Even if the training curriculum may to a small or large ex-

29 From experience few expert trainers would hold training without being well prepared on their training material including studying the latest jurisprudence and case law in order to be able to add to the material updated ways of assessing asylum claims.

30 The exact concepts and terms must naturally be used to familiarize the participants of the key concepts and terms. However, it is advisable to immediately after using key concepts and terms, that may appear very legalistic, to rephrase in order to explain the content of the concept and/or term.

tent use modules³¹ of training that were created beforehand and perhaps outside your country, it is likely that there will still be a need for certain tailored training material to be prepared for the specific needs for your administration. It is advisable to do this in connection with preparing the part of studying the legislation in order to see if there are any particular things that need to be addressed specifically. Are there differences between the UN 1951 Convention relating to the status of Refugees and your national legislation? Are there differences between your national legislation and the conventions relating the international protection law, such as the UN 1984 Convention against Torture and the European Convention on Human Rights³²? On a general note it is preferable to include as many practical exercises as possible and relevant national case law in the training material since actively involving the participants in discussion will facilitate achieving training goals.

4.12. Evaluation of training

Evaluations should be done after each and every specific training. How evaluations are carried out is in itself decisive for how well they reflect the actual quality of the activity undertaken. Evaluation will provide feedback that can also be used to further improve the training itself in order to use funding as efficiently as possible. Evaluation methods may vary and the methods described here are not attempting to be exhaustive but to give good examples of how to do evaluations. Written questionnaires that are handed out to participants is a good and very often used method. Be aware that the way the questions are put will influence the outcome and perhaps even the result (scale should not be too short like 1–5, but rather 1–10). If the written questionnaire is done it is highly advisable to make sure it is anonymous and that the participants have enough time to complete it. As an example, questions asking participants to rate the trainers performance on a scale 1–5 (5 being highest) is likely to get many answers being 4, some a 5 and some a 3. So a very likely outcome will be an average performance set at 4,7+-. This is a very good result but perhaps not accurate because of a flawed scale. If the scale is 1–10 there will be a greater variation in the answers and they are more likely to reflect an accurate view of the trainers’ performance. If you also add space and ask for comments it is likely to reflect the training better.

Some evaluations ask simple questions like: What was the best thing about this training? What was the worst? Participants are likely to give concrete and brief answers to such questions. However, it might also be the case that their answers will focus on less important aspects of the training.³³ The main objective of an evaluation form is to get feedback on the trainers’ performance and on the topics for the trainings etc. (even if the logistical side on quality of food is of course also useful). If short questions are asked, be sure to also add the indication that the answers should relate to content and not logistics. The issues on logistics could be followed up in a series of other questions.

31 Modules from the EASO Training Curriculum are examples of this.

32 A state that is one of the 47 members of the Council of Europe will be bound by this Convention.

33 Such as ‘food for lunch was terrible’ or ‘the coffee breaks were too short’. While this is also informative it is not related to the content of the training.

The reason for conducting evaluation is to see what can be improved for the next training session. It is a helpful device and a way to get the most out of the available funding. The trainer also needs professional development to be able to fulfil his/her duties, even if this has to be carried out in parallel to other important tasks in the administration.

4.13. Impact assessment

Impact assessment and evaluation are not the same thing. Impact assessment is conducted sometime after a task, for example training, has been completed, to see what the impact has been (positive/negative, and to what degree). Impact assessment of a training measure could be done through for example assessing a certain number of randomly sampled cases and what is in the file of a decided case. If the training concerned interview techniques the assessment could examine the quality of the asylum. The assessment could employ a sample of minutes from interviews conducted before the training and another sample using interviews conducted after the training had been completed. The minutes from the asylum interview would reflect how the interview was undertaken, what questions were asked and how they were phrased. The answers to these questions would most likely reflect a different depth of asylum story being told after training on Interview Techniques has taken place than before any training was undertaken. If the training topics were related to evidence assessment and/or how to use Country of Origin Information (COI) then it would be the written decisions and the reasoning therein that will be in focus. The objective of impact assessment is to evaluate the effect of a specific training on work quality and efficiency in a relevant field.

However, profound impact assessment could require very intensive work. It may resemble more of an auditing measure or quality assurance measure, thereby duplicating measures which are already in place. Impact assessment may also include a follow up on how negative decisions stand when appealed and tried in court or in the appeal procedure of the country. If many cases are overturned on appeal because it is found that they were wrongly assessed – and/or failing on procedural issues – this will be a clear indication that there are further training needs or more staff members needing training.

4.14. Guidelines

Training methods, selection of trainers, evaluation

- **Blended learning** methods – on line-studying mixed with class room based sessions; so called face-to-face sessions (F2F) – are comparatively cost efficient
- **E-learning** is initially expensive to put together but can reach many staff and is cost efficient also when need for updating arises
- **Mentoring** efficient on the job training method
- **Webinars**
- Face-to-face training – make sure **number** of participants are **optimal** for good group dynamics (8-16)

- Suggested selection criteria for **trainers**
 - **Good knowledge** of asylum law and asylum procedure
 - Excellent **communicative and presentation skills**
 - Always understanding the need to be updated and **well prepared** before each specific training session
 - **Flexible**, can adapt to the audience and **still achieve training goals**
- **Evaluations** should be done **after each training** session
 - To **improve future** training sessions, on content, format, logistics
 - To receive feedback on trainers performance
 - To **use funding** for training as **efficiently** as possible

5. How to plan training programmes

5.1. Needs assessment

The most important step of planning is the needs assessment stage. What topics and what skills do you need to organise training on for your staff? The obvious start is to consult the already completed list of what we can call core elements of training and today forms the EASO Training Curriculum. However, the modules are developed in English and are translated into other languages by member states themselves, sometimes in collaboration. This has proven costly and time-consuming. For countries outside the EU, the modules will be shared only according to special agreements that may be made with EASO. This includes the possibilities of translation into other languages, for example Russian or Turkish.

5.2. Division of roles (who does what)

The following initial steps are advised:

- define your training needs (very important first step);
- define a person to be responsible for training issues;
- define the target group;
- prepare the training materials;
- establish a contact person who will be responsible for the implementation of the training;
- establish a contact list with involved authorities;
- develop training implementation plans;
- design curricula for personnel of asylum units and for ministry/ies;
- identify measures needed to be taken to make the training programme sustainable so that it can be repeated over time when new staff are employed.

5.3. The curriculum

It is advisable to work with training preparations in as much a standardised way as possible.

The curriculum should include (what you will study):

- objectives of training and methodology;
- topics;
- target group;
- trainers (profile of trainers);
- duration, possible location/s;
- evaluation methods;
- available funding.

5.4. Responsible authorities (funding and making participation in training possible)

Facilitation of and General framework for ensuring participation of staff in training

Here it is for example necessary to define the responsible ministry/authority that will authorise participation in training, since this is likely to be a requirement.

Budget, funding and possible external cooperation

In this document it is assumed that the costs of training are included in the national budget. However, it is advisable to also suggest implementing partners in delivering training where the experience of cooperation has been good. If in your experience the national budget has not foreseen enough funding then it is advised to suggest future collaboration and with an external actor, organisation or agency. If a regional cooperation is proposed, it would be advised to give suggestions for how the agreement could be implemented.

5.5. Training implementation plan

A training implementation plan should be designed by the responsible authorities. The plan should take into consideration the need for repeated training, continuous training and training on new topics.

A standardised training programme – or ‘learning path’ – for an officer working in the administration is advisable.

We would recommend that the plan should include the following components:

- who is responsible for the quality and implementation of the training;
- number and level of staff to be trained;
- staff on different levels or different units or agencies to be trained separately and/or jointly?
- timing and locations of the trainings;
- specific training programme (full training programme or smaller in-house training programme?);
- topics to be covered, preferred method of training;
- evaluation of the training (and impact of training);
- how to make the training sustainable;
- repeated training, necessary for continuous training of staff.

5.6. Evaluation of training and trainers

The evaluation of each training activity is considered essential in order to obtain feedback from the participants and to introduce the lessons learned back into the training process. This is why we strongly advise your administration to work on developing an evaluation strategy. This saves resources since you will aim only at

implementing training that is useful for your staff. It may also serve the purpose of identifying additional training needs.

Evaluation should also include the performance of the trainer in order to select the most suitable trainers and be able to build a good team of trainers. This is essential for sustainability and of successful training.

In assessing training, two methods are suggested: personal observation (attending the trainings) and anonymous questionnaires and/or tests (by participants). You may also wish to see tests as a way to do impact assessment; this is done in some countries.

5.7. Lessons learned and Q & A

5.7.1. Reflections on activities in the project

The activities in this project were several but all essentially aiming for an enhanced understanding for why training matters for quality in the asylum process. This is why the activities of train-the-trainer, the national training following upon this, study visits to EU member states as well as expert missions all lead up to the activity that is possibly the most central one to this project – drafting and deciding on a country specific road map. This road map itself shows that the state is aware of the situation that their national asylum procedure might be facing in the year to come and what training needs they have identified. Essentially it is a map for the country to follow if they wish to do the job of assessing an asylum claim in their national asylum process as efficiently as possible.

This road map concerning training should ideally be updated every year. The potential shortage of funding, national trainers or time to let staff participate in training should then be identified, giving relevant authorities a chance to address the issues on time.

5.7.2. National trainings

It is always good to put good preparations in place if you are conducting training in a new setting. It is advisable to also engage in the details of logistics, participants etc. It might also be helpful to deploy both the trainer (international trainer who is in a coaching role) as well as part of the project team to resolve any issues that may still be outstanding.

When the participating state is preparing it is good to have an expert supervision on the following issues:

- drafting of the agenda;
- issues of financing of the national training – are there issues on travel costs etc;
- the logistics, locations, flip-charts, stationary etc;
- ensuring that the participants are well-informed and that the knowledge from the Inclusion module will be used in order to attract participants who will be using the acquired knowledge immediately afterwards.

5.7.3. Frequently asked questions (FAQ)

Why is it a good idea to draft your own country specific road map?

This allows you to be on top of things and avoid an unpleasant surprise when you realise that you absolutely need to devote a certain amount of energy, time and money to training for your staff in order for them to be able to work properly.

How do you start drafting a road map?

Before you start drafting your training programme you need to find out what the situation is regarding the number of staff and the type of training they need. What content is needed? Does your staff need introductory or advanced training? Do they need more theoretical knowledge or practical skills?

What is meant by theoretical knowledge or skills?

By theoretical knowledge we mean for example studying the EASO Inclusion module which describes what the refugee criteria are, what persecution on account of religion means, concrete examples of asylum cases where this has been argued, concrete cases where one person was rejected as not being a refugee (and why).

Can we have the same training programme in our country that has five staff members as in the other country that has 150 staff?

On one hand there are certain elements of training that all the countries should share. You need to cover the same core topics and learn the same core skills regardless of where you work and the size of the administration. It is the same international obligations that we need to uphold. On the other hand some of the training does depend on the number of cases, number of staff, overturn of staff, budgetary situation, stability of asylum legislative acts and so forth. This is also why it would be a good idea for an organisation of smaller numbers of staff to do a module of induction training in some 3-4-5 days.

What about different forms of training?

You also need to think about possible methodology. How do you want to perform the training – over long period or short? Will it involve all staff in the office or only some? Are you looking to train some staff in order for them to be able to train the others?

What is learning-by-doing?

On the job training – this is sometimes referred to as 'learning-by-doing'. What is usually meant by this is getting to know how to do the job simply by starting to work and then improving through trials and errors. We, as a project team of the

Prague Process, would strongly discourage this to be a way to let your staff learn how to do their job. The obvious reason for this is that the wrongly performed tasks could very negatively impact a possibly very vulnerable asylum seeker who is quite justly exercising his/her right to seek asylum. Mistakes should be avoided and any administration or asylum office should work hard not to take too easily their tasks of assessing a claim for asylum. (This is simply not adhering to a fundamental rights principle, that of a right to 'good administration', art 47 EU Charter of Fundamental Rights (CFR).)

What is in-house training?

You may wish to organize training all by yourself. A positive and plausible side effect of having some of your staff well trained already is that they then may be able to transfer their knowledge to their colleagues. This could be done through one of the EASO Training Curriculum modules – or through training that you organise yourselves that is planned and performed by your own staff. We suggest that it should always contain some elements of self-study, for example of relevant jurisprudence. Or, for example, if the training is on good interviewing skills, it may be appropriate to study the minutes from a few different interviews that have already been completed and then follow up with information on best practices of interviewing skills and examples of bad practice and what this may lead to.

This can be done through one of your staff members who will train the others. It is important to be careful when selecting the trainer to conduct the in-house training. The trainer must be well qualified to perform this task, be patient and have good coaching manner.

The possible benefits of this approach are that it is easy to set up, since the trainer is already available and it is cost-efficient.

The possible negatives are that the trainer that was selected is not up to the job, is either training too quickly meaning not making sure the new colleagues follow and understand, or not showing enough interested in this task. For the trainer her/himself it might be very difficult to accomplish the same amount of work as before and do the training on top. Finally, colleagues might more readily accept to be told to work according to certain (international) standards if the trainer is an expert brought in from the outside.

What is a mentor?

Could be an internal or an external mentor. Some staff enjoy welcoming new staff members and give them a good introduction, making them understand how your Refugee Status Determination unit (RSD) is organised. We may call these staff members internal mentors. In many organisations the heads of units actually rely on these mentors to give new employees a proper introduction instead of sending new staff away for training during full working days. This is also a form of in-house training.

Is training adults different from training students or children in schools?

We also have to take into account that per definition the staffs that we are looking to plan training for are all adults. It is a different challenge compared to training young adults, students or children, Adults are likely to already have their preferences on how they wish to learn new things and how they wish to be trained. Most likely their educational backgrounds and career experiences are more varied. This also means that if you tried one methodology one year you may wish to change it the next year to enrich your training programme and achieve better results.

What constitutes best practice with regard to conducting training for staff working in asylum procedures and performing RSD?

There is no simple answer to this question. There are standards regarding topics and valuable positive evaluations on the methodology used by the EASO Training Curriculum.

5.8. Guidelines

- A training programme developed on a national level should ensure that:
 - **A needs based training programme** for the national context is developed, and that it is updated systematically
 - **Each case worker and decision maker** involved will be trained in the **core elements** of the asylum procedure and,
 - Each case worker should also receive **continuous training**
 - Important **benefits** in moving away from ad hoc training workshops given on an irregular basis
 - **Sustainable** training programme will assure that each staff member receives training – and that this **can be repeated to each new staff member**
 - **Empowers** the administration to be able to organise own training, knowing what to do and when
 - **Train-the-trainers approach** in a training programme will ensure a multiplying effect of repeated training sessions
 - **Network of trainers** in a national or regional setting may be helpful
 - **Cooperation** on training; several topics are suitable e.g. COI workshops

6. Guidelines on training in the asylum process – approaches to achieve quality

Purpose of training

- **National responsibility** to have **training for staff** in the asylum process in order to:
 - uphold national legislation
 - uphold international obligations
- **Quality** in the asylum process
 - is **a core issue** and **training will enhance the quality** of assessing an application for asylum, which is beneficial for the individual asylum seeker, the case worker and the administration as such.
 - Enhanced **quality leads to** improvement in the general process including **efficiency** in the asylum process.
- **Topics of training** are linked to the stages of the asylum process, core topics can be:
 - general **introduction** to **refugee** and **international protection law**;
 - more specifically: **criteria** for establishing that a person is a **refugee** or **in need of international protection**;
 - **interview techniques**, including how to perform an interview with a vulnerable person, with a minor etc.
 - **reports** on countries of origin (COI): how to find updated and relevant COI reports, standards on how to use these materials in the process
 - **evidence assessment**: how to assess oral and written evidence, standard of proof, standards on how to assess asylum cases, credibility issues;
 - **drafting and decision making**, including update and how to use content of jurisprudence.³⁴
- Target groups for training should be **all officers** involved in the asylum process, whether they are case workers, decision makers in the asylum unit of the responsible authority or in a ministry.
 - Staff responsible for interviews, investigations, evidence assessment and/or decision making would **need** to be trained **in order to equip them with knowledge and skills which would allow them to properly fulfill their duties**.

³⁴ The topics outlined above correspond well with what is also stipulated in the EU legislation, especially in the newly recast Asylum Procedures Directive that will come into force in 2015, article 6 that makes reference to the EASO Regulation art 4.

- Staff should be trained because as a result of the training not only the **quality but also the quantity of their work** would be enhanced: well-trained staff generally are able to issue more decisions and it is more likely that decisions would be upheld in a possible appeal procedure.
- Past experience is that the demand for more and specialized training often comes from the **managers** of the asylum units.
 - Quality in training leads to **quality in the decisions** and produces a **positive outcome** for the **asylum seekers, staff and the authorities** as such.
 - **Continuous training and professional development of staff** are found **to be linked** to the **quality** of the asylum procedure itself.

Training methods, selection of trainers, evaluation

- **Blended learning** methods – on line-studying mixed with class room based sessions; so called face-to-face sessions (F2F) – are comparatively cost efficient
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- Face-to-face training – make sure **number** of participants are **optimal** for good group dynamics (8-16)
- Webinars
- Suggested selection criteria for **trainers**
- **Good knowledge** of asylum law and asylum procedure
 - Excellent **communicative and presentation skills**
 - Always understanding the need to be updated and **well prepared** before each specific training session
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- **Evaluations** should be done **after each training** session
 - To **improve future** training sessions, on content, format, logistics
 - To receive feedback on trainers performance
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How to plan a training programme

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 - **A needs based training programme** for the national context, updated systematically
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 - Each case worker should also receive **continuous training**
 - Important **benefits** in moving away from ad hoc training workshops given on an irregular basis
 - **Sustainable** training programme will assure that each staff member receives training – and that this **can be repeated to each new staff member**

- **Empowers** the administration to be able to organise own training, knowing what to do and when
- **Train-the-trainers approach** in a training programme will ensure a multiplying effect of repeated training sessions
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 - **Cooperation** on training; several topics are suitable e.g. COI workshops

ANNEX

ROAD MAPS

Below you will find the country specific road map prepared in the course of the PP4 implementation.

Republic of Belarus

Country Specific Road Map

Training Program in the Field of Asylum and International Protection

Road Map prepared under Pilot Project 4 "Quality and Training in the Asylum Processes"

2014

Introduction

Asylum is one of those areas in the field of migration which is regularly on the political agenda and broadly debated in public. Several incidents that happened in 2013, such as the tragic drowning in the Mediterranean of approximately 300 refugees and migrants from different African countries at the shores of the island of Lampedusa in October 2013 and the ongoing crisis in Syria, brought asylum to the front of the political as well as public attention. Among other important developments, 2013 saw the finalisation of the Common European Asylum System (CEAS) by the adoption of the recast asylum legislation. As to the main migratory flows, there was a substantial increase in the use of the migratory route via the Western Balkans to the European Union, increasing the challenges of Western Balkan countries to cope with the situation. In the Prague Process countries there was a significant increase in the number of asylum seekers, mainly from Syria, in Sweden, UK, Germany and Turkey. Within EU countries, Sweden and Germany host two-thirds of all the refugees from Syria. Among non-EU countries, Turkey hosts the largest number of refugees from Syria. According to Turkey officials, the number of refugees from Syria exceeds 600,000. As to the former CIS countries, although the total number of asylum seekers is not that big, their number increased several times, for example in Georgia (from 70 to 1,000 cases per year). The number of asylum seekers (especially from Syria) also increased in Armenia, Belarus and Russia.

In response to the increased number of asylum seekers, the Eastern partnership countries, as well as Turkey and Kyrgyzstan, expressed interest to develop their asylum training systems and improve the quality of the asylum processes with the support of the EU partner states having extensive experience in asylum procedures. This interest materialised in the implementation of Pilot Project 4. Following to the Project Kick-Off Meeting held in Stockholm in October 2012, national trainers of seven partner countries selected by relevant country authorities took “train-the-trainer” courses on the EAC “Inclusion” module. The trained national trainers provided trainings in the respective partner countries on the “Inclusion” module. Study visits of selected asylum case workers from the participating countries to the EU states to study the EU asylum system and procedures were organised. The project is exploring further training needs in the participating partner countries, reflecting on the role of training in the work of quality and standards and whether and how training could be handled in a more long-term sustainable manner. The participating partner EU states will consider and recommend how information and best practices could be shared and exchanged among the countries. The EAC concept is used as a model/tool for capacity building in non-EU countries. The EASO training concept, which provides for training of national experts in the trainers’ role, is based on ownership and sustainability as the key elements. The concept is implemented mainly by national trainers which makes it possible for the partner countries to organise the training independently and repeatedly. EASO updates the content regularly, thereby ensuring that the training material will always be of highest relevance. This increases the possibility of seeing more sustainable results and having a more long-term planning compared to ad-hoc training led by experts with limited or no knowledge of the national context.

Prague Process Targeted Initiative

Asylum and international protection constitute one of the four pillars of the European Union external migration policy framework called the Global Approach to Migration and Mobility (GAMM). The Prague Process, being the key regional platform for cooperation on migration and asylum between the states of the EU and Schengen Agreement, Eastern Partnership, Western Balkans, Central Asia, Russia and Turkey, promotes, among other things, the establishment of a reliable, efficient, and simple asylum system.

The Prague Process Action Plan 2012-2016, adopted at the “Building Migration Partnerships in Action” Ministerial Conference in Poznan on 4th November 2011, outlines 22 specific activities in 6 thematic areas to be implemented during this period. The preparatory meetings for the Action Plan resulted in extending the thematic scope of the Process’s agenda to include the area of asylum and international protection, which evolved into an independent area of further cooperation. From August 2012 to January 2016, Poland and six other leading states are implementing the EU-funded initiative “Support for the Implementation of the Prague Process and its Action Plan”, also known as the “Prague Process Targeted Initiative” (PP TI). The initiative is led by Poland together with the Czech Republic, Germany, Hungary, Romania, Slovakia and Sweden, who also take the lead in the PP TI pilot projects.



Pilot Project 4: “Quality and Training in the Asylum Processes: The European Asylum Curriculum”³⁵ (PP4), is led by Sweden (Swedish Migration Board) with the support of Germany (Federal Office for Migration and Refugees) in close cooperation with the EASO and UNHCR. EASO has an active role in the design of the project.

³⁵ The European Asylum Curriculum is a common vocational training programme primarily for case officers and decision-makers working in the asylum process. The training programme is implemented and developed under the lead of EASO. The Curriculum contributes to enhancing the capacity and quality of the European asylum process as well as to strengthening practical cooperation between the European Asylum Immigration services. The EAC offers a practical and interactive approach to training with a balanced combination of training in knowledge (theory related to international European legal instruments) and skills (the necessary practical competence for a case office).

It monitors and facilitates the implementation of the EAC “Inclusion” module and supports the design of country specific training plans. The Pilot Project aims at exploring the possibility of a broader implementation of EASO’s training program in the interested Prague Process states³⁶. The project primary target group encompasses asylum case officers and asylum decision makers in seven partner countries (Armenia, Belarus, Georgia, Kyrgyzstan, Moldova, Turkey, and Ukraine).

With the perspective of PP4 ending in March 2014 and to ensure continuity in the work done, PP4 has started to closely cooperate and coordinate its activities with another EU-funded project, the Asylum Systems Quality Initiative in Eastern Europe and South Caucasus (QIEE) led by UNHCR. The final conference of PP4 is also planned to be organised back-to-back with the QIEE mid-term conference in Nuremberg, Germany, on 19-20 March (PP4) and 20-21 March (QIEE).

Purpose of the Road Map

This draft Training Work Plan for the Republic of Belarus was developed by the responsible national state authorities as their contribution to the Pilot Project 4 on asylum and international protection of the Prague Process Targeted Initiative (PP TI). Pilot Project 4 was implemented by the Swedish Migration Board (SMB), the Federal Office for Migration and Refugees Germany (BAMF) with contribution of the European Asylum Support Office (EASO), UNHCR and the PP TI Support Team at the International Centre for Migration Policy Development (ICMPD). It is drafted focusing on the role of training in the work on quality and standards and on the issue of how training could be handled in a long-term and sustainable manner. This document should be a dynamic paper influenced by the number of applications for asylum, possible changes in legislation, possible changes in the organizational aspects of the state authorities, and the number of staff members in the asylum process, whereas the planning according to this road map should be continued and updated. The national ownership of this document can be ensured by active involvement of the state authorities in its finalisation and endorsement. The Road map has been prepared with the intention to serve as a planning tool for capacity building in the area of asylum and international protection on the national level and will also be considered in development of the Guidelines, forming the future standards of the Prague Process in the area.

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³⁶ Participating states of Pilot Project 4. The map has an indicative nature.

Abbreviations

BAMF	Federal Office for Migration and Refugees Germany
COI	Country of Origin Information
EASO	European Asylum Support Office
EC	European Commission
ETC	European Asylum Support Office Training Curriculum (formerly EAC, i.e. European Asylum Curriculum)
EU	European Union
ICMPD	International Centre for Migration Policy Development
MS	Member States
PP TI	Prague Process Targeted Initiative
PS	Partner States
RSD	Refugee Status Determination (procedure)
SMB	Swedish Migration Service
UNHCR	United Nations High Commissioner for Refugees
UNHCR QIEE	UNHCR Project “Asylum Systems Quality Initiative in Eastern Europe and South Caucasus”

1. General Information and Background

1.1. Responsible State Authorities

In the Republic of Belarus, the state agency responsible for implementation of the integrated government policy on forced migration is the Ministry of Internal Affairs (hereinafter “the MIA”). Enforcement of the legislation in this area rests with the MIA Department for Citizenship and Migration (web-site <http://mvd.gov.by/main.aspx?guid=1731>) and regional Divisions for Citizenship and Migration.

1.2. Legislation

The Republic of Belarus legislation establishes the following forms of protection, which can be provided to foreigners and stateless persons:

- asylum;
- refugee status;
- subsidiary protection;
- temporary protection.

Decisions on granting asylum are made by the President of the Republic of Belarus. Asylum may be granted to a foreigner or stateless person (hereinafter “a foreigner”) staying in the Republic of Belarus and forced to abandon the state of citizenship or the state of previous customary residence due to persecution on political, religious, or ethnic grounds. Asylum is granted to a foreigner indefinitely.

The procedure of granting asylum, subsidiary and temporary protection to foreigners is set forth in the Law of the Republic of Belarus “On Granting the Status of Refugee, Subsidiary and Temporary Protection to Foreigners and Stateless Persons in the Republic of Belarus” of June 23, 2008. A decision on granting or refusal to grant the refugee status and (or) subsidiary protection, and extension of the term or refusal to extend the term of subsidiary protection is made by the Department for Citizenship and Migration of the Republic of Belarus MIA.

The refugee status is granted to a foreigner staying in the Republic of Belarus based on reasonable concerns of his/her becoming victim to persecution in the state of his/her citizenship on the grounds of race, religious denomination, citizenship, nationality, affiliation to a certain social group or political position, who cannot or will not, due to such concerns, resort to protection of this state, or to a stateless person staying in the Republic of Belarus who cannot or will not return to the state of previous customary residence due to the above concerns. The definition of a refugee, thus, totally meets the 1951 Geneva Convention and the 1967 Protocol on the Status of Refugees. The refugee status is granted to a foreigner for the period during which the grounds, on which the refugee status was granted, persist in the state of his/her citizenship or the state of his/her previous customary residence.

Subsidiary protection is granted to a foreigner staying in the Republic of Belarus if there are no grounds for granting him/her the refugee status, but there are reasonable concerns of his/her facing a threat of capital punishment, torture, and other cruel, inhuman or degrading treatment or punishment upon his/her return to the state of his/her citizenship, or his/her life would otherwise be in danger because of the violence in conditions of an armed conflict of international or local nature, and a foreigner cannot or will not, due to such concerns, enjoy protection by the state of his/her citizenship, or to a stateless person staying in the Republic of Belarus if there are no grounds for granting him/her the refugee status and who cannot or will not return to the state of his/her previous customary residence due to such concerns. Subsidiary protection is granted to a foreigner for a period of one year. If the grounds on which a foreigner was granted subsidiary protection persist in the state of his/her citizenship or previous customary place of his/her residence, its duration may be extended for up to one year.

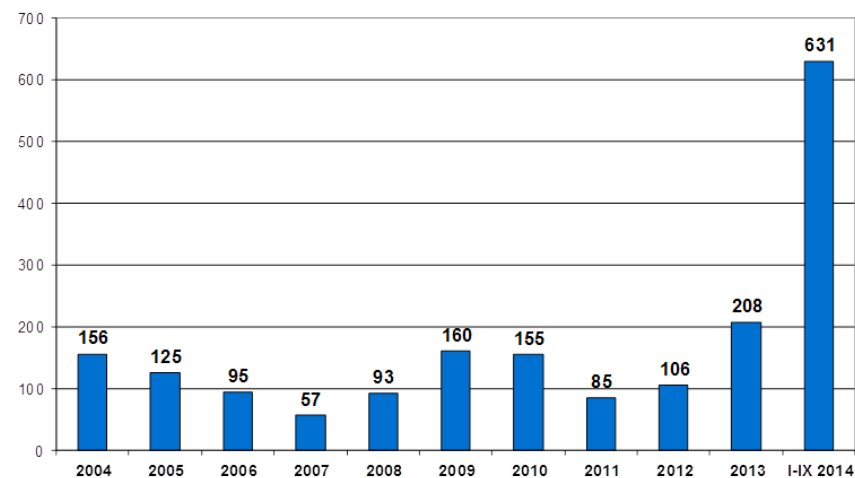
A person seeking asylum in the Republic of Belarus shall submit a corresponding application in person or through an authorized representative to the regional Division for Citizenship and Migration at the venue of his/her stay in the Republic. A foreigner, detained by the Republic of Belarus border or internal agencies can submit a relevant application to the Republic of Belarus border or internal agency that detained him/her. The issue of granting a refugee status or subsidiary protection to a foreigner in the Republic of Belarus is reviewed under one procedure.

Temporary protection may be granted to a group of foreigners, whose individual applications for protection cannot be reviewed due to their simultaneous mass arrival and a need to decide on their admission and stay in the Republic of Belarus on the grounds envisaged for granting a refugee status or subsidiary protection. The decision on granting temporary protection is made by the Republic of Belarus Government. The period of temporary protection, which cannot exceed one year, is also determined by the Government.

1.3. Statistics

Since 1997, when the Republic of Belarus began implementation of the legislation on forced migration, through September 2014, there were submitted about 4,200 applications for refugee status or subsidiary protection in the Republic of Belarus (herein after “protection application”). The statistics of yearly protection applications reflects several trends. A declining trend in the number of protection applications from 156 in 2004 to 57 in 2007 was observed. Then the number of submitted applications grew again to 160 applications in 2009 and fluctuated in the following years – 155 in 2010, 85 in 2011, and 106 in 2012. 208 applications were submitted in 2013, which is the absolute maximum in the past five years. In January-September 2014 the number of submitted applications for protection tripled.

The tendency towards an increasing number of protection applicants, which began in the Republic of Belarus in the fourth quarter of 2012 and still continues, resulted from migration flows triggered, first of all, by political conflicts in a number of Arab countries, namely Syria, Egypt, Libya, and an ongoing conflict in Afghanistan, and secondly, by an armed conflict, which started in 2014 in the Donetsk and Lugansk Regions of Ukraine.



In 2013 applicants from Syria accounted for 63 persons or 30.3% of the total number of protection applicants (14 persons or 13.2% in 2012) to become the largest group of displaced persons who applied for protection in the Republic of Belarus in 2013. At the same time, in 2013 the number of applicants from Afghanistan increased 1.1 times, thus continuing to account for a significant part of the applicants – 61 persons or 29.3% of the total number of protection applicants (58 persons or 54.7% in 2012).

January-September 2014 witnessed 485 applications for protection from citizens of Ukraine, who accounted for 76.9% of the total number of protection applicants (3 persons during the same period of the previous year). The number of protection applicants from Syria in 2014 remained at the same level – 58 persons over nine past months.

2. Training Program in the Field of Asylum and International Protection

2.1. Needs assessment

Currently, the Refugee Status Determination procedure in the Republic of Belarus involves 7 employees of the Division for Refugees and Asylum of the Department for Citizenship and Migration of the Ministry of Internal Affairs on the national level and one employee from each of seven regional Divisions for Citizenship and Migration on the regional level (6 regional divisions and Minsk).

The staff of the regional Divisions for Citizenship and Migration receive, keep record of, and register protection applications, carry out a full-scope or expedited review of protection applications pursuant to legislation, and prepare their opinions based on the review findings. The MIA Department for Citizenship and Migration employees analyze materials on protection applicants from the regions, verify validity of opinions prepared by the regional Divisions for Citizenship and Migration, and, based on a comprehensive review, prepare a final opinion for acceptance of each individual protection application by the MIA Department for Citizenship and Migration.

The MIA Department for Citizenship and Migration has studied a possibility of increasing the number of regional staff case-workers for asylum seekers due to a significant load increase caused by a growing number of protection applicants in the Republic of Belarus in 2013. In 2014 the number of staff immediately involved in the RSD procedure will be increased in the regions with the highest work load per person. Thus, the number of staff in the regions will increase from 7 to 12. Currently, the issue of increasing the number of staff in the regional divisions is being considered again due to a significant growth in the number of protection applicants in the Republic of Belarus resulting from the flow of displaced persons from the South-East regions of Ukraine.

The national system of asylum in the Republic of Belarus is characterized by stability of competent government agencies. In 2004 the Migration Service became part of the Ministry of Internal Affairs and has not seen any structural changes for virtually ten years. Further, the authorized strength of the Division for Refugees and Asylum of the MIA Department for Citizenship and Migration added another employee specializing in the Country of Origin Information as of October 2012. The Division was staffed with professionals who have over 10 years of experience in the sphere. A similar situation is observed in most regional divisions.

The Refugee Status Determination related activities will be new only to the employees newly admitted to fill additional staff vacancies in the regional departments as part of the envisaged increase in the number of staff immediately involved in the RSD procedure (5 staff in 2014) and in case of further increase in the authorized strength of the regional divisions or available vacancies.

2.2. Division of Roles (who does what)

The “train-the-trainer” concept has demonstrated its efficiency in the Republic of Belarus: three certified national trainers (2 officers of the MIA Department for Citizenship and Migration and 1 employee of the UNHCR office in the Republic of Belarus), who received relevant ETC training, arranged a national training in April-May 2013 on the module “Inclusion in International Legal Protection” (distance learning and a final workshop) for a team of Belarussian specialists working in the forced migration area:

- – staff of the Department for Citizenship and Migration of the MIA of the Republic of Belarus charged with decision making on protection applications;
- – employees of the regional Divisions for Citizenship and Migration responsible for reviewing protection applications and preparing opinions with proposals for making corresponding decisions;
- – individual representatives of other government stakeholders: State Border Committee of the Republic of Belarus who receive protection applications at the border, the National Center of Legislation and Legal Research of the Republic of Belarus who take part in the drafting of bills on forced migration.

The ETC train-the-trainer concept meets the training needs of Belarus on professional training of the forced migration personnel.

In future, if provided with an opportunity to give trainings on the Russian-language ETC modules either under the PP TI or the UNHCR QIEE project, certified national trainers can use these modules for both new employees of the Divisions for Citizenship and Migration and representatives of other government authorities of the Republic of Belarus interested in such trainings.

2.3. Curriculum

The Republic of Belarus is interested to continue training of RSD specialists using the ETC mechanism.

In November 2013 two representatives of the MIA Department for Citizenship and Migration and a national RSD specialists received training as national trainers on the “Drafting and Decision Making” module under the UNHCR QIEE project. In April 2014, under the said project, two specialists from the MIA Department for Citizenship and Migration received training as national trainers under the “Interview Techniques” module, and in October-November 2014 two Department representatives will receive training as national trainers on the “Evidence Assessment” module.

In March-April 2014, a training on the “Drafting and Decision Making” module was organised for a team of 15 Belarussian specialists, including staff of the Department for Citizenship and Migration of the Republic of Belarus MIA and the regional Divisions for Citizenship and Migration responsible for making decisions on protection applications at different stages of the RSD procedure. A similar training on the “Interview Techniques” module is scheduled to be held in November-December 2014.

In view of the forthcoming increase in the number of the regional division asylum case-workers, it makes sense to schedule trainings by national trainers on the Russian-language modules “Inclusion in International Legal Protection”, “Drafting and Decision Making”, and “Interview Techniques” for the new staff immediately involved in the RSD procedure.

Another area of interest for the Republic of Belarus is professional development of practitioners on such ETC modules as “Evidence Assessment”, “Exclusion”, and “End of Protection”, provided the modules are translated into Russian.

2.4. Responsible Authorities (Funding and Providing for Training)

The state authority responsible for delivering national trainings in the Republic of Belarus is the Ministry of Internal Affairs.

Expenses on national trainings may be covered from the funds provided for these purposes under the international technical assistance programs implemented in the Republic of Belarus and partly from the Ministry of Internal Affairs own means.

2.5. Training Implementation Plan

If the Russian-language ETC modules are available, the trainings can be provided by certified national trainers who received their training under Pilot Project 4: “Quality and Training in the Asylum Processes: the European Asylum Curriculum” of the Prague Process Targeted Initiative, as well as under the UNHCR QIEE project.

2.6. Training Assessment (Development of the Training Strategy)

The trainings will be assessed by the MIA Department for Citizenship and Migration.

3. Future Training Plans

3.1. Country Specific Situation in 2014-2016

The tendency towards an increasing number of protection applicants, which began in the Republic of Belarus in the fourth quarter of 2012 and still continues, resulted in an MIA decision to increase the number of RSD staff in the Divisions for Citizenship and Migration in 2014.

Given the expert assessment of the situation in Syria and its development prospects, which basically boils down to stating the protracted nature of the Syrian conflict and low probability of its resolution in the near future, a continued flow of displaced persons from Syria is to be predicted, including those coming to the Republic of Belarus.

Further, international experts are concerned about potential exacerbation of the security situation in Afghanistan due to the upcoming withdrawal of the International Security Assistance Force in 2014, which already in 2013, among other things, led to an increased number of Afghan citizens trying to leave the country. This situation is predicted to also affect the number of Afghan protection applications in the Republic of Belarus.

The armed conflict, which started in the Donetsk and Lugansk Regions of Ukraine in 2014, triggered significant flows of displaced persons from Ukraine to the Republic of Belarus. Further developments in the region will significantly affect the number of protection applications granted in our country.

3.2. Scheduled Training

Whereas all the staff immediately involved in the Refugee Status Determination procedure in the Republic of Belarus will receive training on all the ETC modules translated into Russian under the PP TI Pilot Project and the UNHCR QIEE project;

considering that the COI specialists has already received training on the relevant English-language ETC module;

taking into account the forthcoming increase in the number of staff at the regional Divisions for Citizenship and Migration involved in the RSD procedure in 2014 and a possible subsequent increase in the authorized strength,

it can be assumed that the average annual number of employees in need of training on the modules “Inclusion in International Legal Protection”, “Drafting and Decision Making”, and “Interview Techniques”, given the new staff involved in the RSD procedure and possible representatives of other interested government agencies of the Republic of Belarus, will not exceed 5-10 trainees on each module.

Given the small number of staff who may need training based on the Russian-language ETC modules, we deem appropriate to provide for the trainings within the regional cooperation framework.

At the same time, national trainers could be engaged as experts in the relevant areas in various activities, workshops, and conferences organized both on the national and international levels.

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