



Valletta Harbour, 1 August 2022 EUAA/ED/2022/277

Mr Nicolas Mavraganis President of Union Syndicale Fédérale Avenue des Gaulois, 36 B-1040, Bruxelles

Sent by e-mail only

Subject: Reply to letter of the President of Union Syndicale Fédérale dated 4 July 2022

Dear Mr Mavraganis,

I have read your letter with careful consideration of your claims of "dysfunction" and "mismanagement" within the European Union Agency for Asylum (EUAA). These are allegations which I take very seriously.

I would like to point out that this is the first occasion that such grievances are made known to me. And whilst thanking you for bringing the matter to my attention, you will understand that I am keen on receiving more concrete information from your side on the nature and origin of such claims. I would appreciate to receive such information before taking any further action in response to your letter.

The EUAA is a trusted and growing Agency. The number of staff has grown significantly over the years, soon to reach 500 statutory staff. The EUAA is also a multi-location Agency, with personnel located in different Member States. The scale of expertise, of technical and operational support we offer to the Member States today, is unprecedented. The staff of this Agency is a valued driving force behind all this. The Agency invests heavily in its resources and, in doing so, it has come a long way in overcoming past "controversy and criticism" as stated in your letter and in rebuilding and preserving the trust and confidence of its staff. I would therefore advise caution when making any links between past events, however unfortunate these may have been, and the current state of play.

The role of social dialogue has been significantly strengthened since I took up office, with an EUAA Staff Committee ensuring representation of staff interests vis-à-vis the Agency and composed of active staff representatives who have an open communication channel with me and other members of the EUAA management. Confidential counsellors were trained and appointed and placed at staff's disposal for cases of harassment. In parallel, there is ongoing open consultation on, and implementation of, staff well-being initiatives.

Since taking over as Executive Director of the EUAA, I have ensured a transparent approach in decision-making at management level. For example, staff are informed in a timely manner of the outcome of management meetings, as well as meetings of the Management Board. In parallel, we promote initiatives such as regular informative 'drop-in sessions', and all-staff meetings, including with members of management, accompanied by open Q&A sessions. The Agency now also has a strong



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legal function, which is positively recognised by our partners in the EU institutions, the European Ombudsman's Office, and other stakeholders.

I am particularly proud of the unqualified opinion issued by the European Court of Auditors, which confirms the strengthened governance implemented through the recently established and reinforced services of the Agency, especially in the areas of internal control, planning, monitoring, and reporting, as well as quality management and evaluation.

I note that in your letter you referred to "repeated episodes of mismanagement and non-compliance with the principles of legality and impartiality by which any public administration is bound to be guided" and that you pointed to incidents reported to you, in particular in relation to the non-renewal of staff employment contracts.

In this respect, I would like to highlight that staff are involved in the process leading to the adoption of administrative decisions concerning them individually. By way of illustration, decisions on non-renewal of employment contracts, if any, are adopted after the staff member concerned has been given the opportunity to be heard, even at different stages of the procedure. On top of this, EUAA staff have at their disposal legal remedies against administrative decisions adversely affecting them, including decisions concerning non-renewal of employment contracts, or other legal procedures which they may avail of at any time should they consider themselves aggrieved, subject of course to the limitations imposed by the applicable rules. Moreover, since the entry into force of Regulation (EU) 2021/2303 ('the EUAA Regulation'), certain appointing authority powers are exercised by the Management Board of the Agency which is involved in the review of administrative decisions taken at my level as Executive Director in the context of the complaint procedure laid down in Article 90(2) of the Staff Regulations, thus ensuring an additional layer of control of the legality of administrative acts in line with the principle of sound administration.

Under these circumstances, as I have already stated, the limited information you provided in your letter does not allow me to address in a specific manner the allegations you brought forward. To this end, I look forward to receiving further information as requested and I can assure you that this matter will be given my outmost attention.

Sincerely,

Nina Gregori Executive Director

