European Union Agency for Fundamental Rights: adoption of a Multiannual Framework for 2007-2012 (implem. Regulation (EC) No 168 /2007)

2007/0189(CNS) - 17/01/2008 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a legislative resolution based on the report drafted by Michael **CASHMAN** (PES, UK) amending, under the consultation procedure, the proposal for a Council decision implementing Regulation (EC) No 168/2007 as regards the adoption of a Multi-annual Framework for the European Union Agency for Fundamental Rights for 2007-2012. The resolution was adopted by 462 votes for, 60 against and 51 abstentions. The amendments extend the scope of the Agency to cover new areas of competence.

The main amendments were as follows:

-a new Article states that the Agency may formulate and publish conclusions and opinions on thematic areas not covered by Article 2 where there are exceptional and compelling circumstances. Under such circumstances, notification of tasks undertaken shall be sent to the Commission, the Council and the European Parliament. An amendment in the recitals states that the Framework should include amongst the thematic areas of the Agency's activity protection of the rights of persons belonging to ethnic or national minorities;

-another new Article states that the Commission may, at its own initiative or at the initiative of the Council, the European Parliament or the Management Board of the Agency, not earlier than one year after adoption of the Multiannual Framework, make a proposal to review the Framework in accordance with the procedure provided for in Article 5(1) of Regulation (EC) No 168/2007;

-in its work in the thematic areas, the Agency shall seek to identify the economic, social and cultural factors that contribute to respect for human rights in those areas or which may constitute root causes of violations of human rights. Parliament amended the list of thematic areas, adding the following: a) discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation or of persons belonging to **traditional national and linguistic minorities and any combination of these grounds (multiple discrimination);** b) access to efficient and independent justice, **in relation to the rights of defendants and suspects**; c) extreme poverty and social exclusion;

-a new clause stipulates that the Agency shall actively cooperate with candidate countries in the field of fundamental rights in order to facilitate their compliance with Community law;

-the Agency shall deal with issues relating to discrimination based on sex, in particular instances of multiple discrimination, only as part of, and to the extent relevant to its work to be undertaken on general issues on discrimination referred to in the text, while respecting the objectives and remit of the European Institute for Gender Equality established by Regulation (EC) No 1922/2006. The arrangements for cooperation between the Agency and the Institute shall be laid down in a memorandum of understanding in accordance with Article 7 of Regulation (EC) No 168/2007.

It should be noted that Parliament inserted some new recitals into the text, and these are as follows;

-the Agency may work outside the thematic areas determined in the Multiannual Framework at the request of the European Parliament, the Council or the Commission, provided its financial and human resources so permit;

-the Framework defines the thematic areas on which the Agency should work, whereas the Agency's tasks are determined by Article 4 of Regulation (EC) No 168/2007, which mentions in particular the task of raising public awareness of fundamental rights and of actively disseminating information about the work of the Agency;

-all human beings are born equal and therefore human rights are indivisible and inviolable;

-the Agency should report regularly to the European Parliament;

-it is necessary to monitor compliance by the EU institutions and all the Member States with all international human rights conventions to which the Member States are party.