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

2007/0189(CNS) - 28/02/2008 - Final act

PURPOSE: to establish the multi-annual framework for the European Union Agency for Fundamental Rights for 2007-2012.

LEGISLATIVE ACT: Council Decision 2008/203/EC 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.

BACKGROUND: on 15 February 2007, the Council adopted Regulation (EC) No 168/2007 establishing a European Union Agency for Fundamental Rights (see CNS/2005/0124). The Agency, which became operational on 1 March 2007, aims to provide the relevant institutions and authorities of the Community and its Member States with assistance and expertise relating to fundamental rightswhen implementing the Community law. The tasks entrusted to the Agency mainly include: the collection and analysis of information and data on the respect of fundamental rights; the provision of advice to EU institutions and bodies, as well as to Member States, through reports and opinions; cooperation with civil society; and raising awareness among the public.

According to Article 5 of the Regulation, the thematic areas of activity must be determined by the Council, through a multi-annual framework. This Decision aims to clearly establish this framework.

CONTENT: the multi-annual framework for the Agency's activities for 2007-2012 is as follows:

1. **Thematic areas**:

   (a) racism, xenophobia and related intolerance;

   (b) discrimination based on sex, race or ethnic origin, religion or belief, disability, age or sexual orientation and against persons belonging to minorities and, upon request by the Parliament, any combination of these grounds (multiple discrimination);

   (c) compensation of victims;

   (d) the rights of the child, including the protection of children;

   (e) asylum, immigration and integration of migrants;

   (f) visa and border control;

   (g) participation of the citizens of the Union in the Union's democratic functioning;

   (h) information society and, in particular, respect for private life and protection of personal data;

(i) access to efficient and independent justice.

Complementarity: the multi-annual framework also includes provisions that aim to ensure a complementarity with the missions of other Community bodies and agencies, as well as with the Council of Europe and other international organisations working in the area of fundamental rights. The Community bodies and agencies that are most directly affected by the Agency's multi-annual framework are the European Institute for Gender Equality (see COD/2005/0017), and the European Data Protection Supervisor (see COD/1999/0153).

Regarding this complementarity, a memorandum of understanding will be concluded between the Agency and the Institute, once the latter is in place, to ensure appropriate coordination. The Agency shall deal with issues relating to discrimination based on sex only as part of, and to the extent relevant to its work to be undertaken on general issues on discrimination, whereas the European Institute for Gender Equality shall be responsible for contributing to and strengthening the promotion of gender equality, including gender mainstreaming in all Community policies and the resulting national policies.

In the same way, the Decision establishes the allocation of tasks between the Agency and the European Data Protection Supervisor: the Agency shall carry out tasks in the area of human rights issues relating to the information society, whilst the European Data Protection Supervisor will ensure that the fundamental rights and freedoms of natural persons, and in particular their right to privacy, are respected by Community institutions and bodies.

Lastly, the Agency shall coordinate its activities with those of the Council of Europe, in the framework of a future agreement to be concluded with this non-EU body (see CNS/2007/0173).

It should be noted that this Decision has no direct implication for the EU budget.

ENTRY INTO FORCE: 28/02/2008.