EU Agency for Fundamental Rights: multiannual framework for 2013-2017

2011/0431(APP) - 13/12/2011 - Preparatory document

PURPOSE: to establish a Multiannual Framework for the European Union Agency for Fundamental Rights for 2013-2017.

PROPOSED ACT: Council Decision.

BACKGROUND: on 15 February 2007, the Council adopted Regulation (EC) No 168/2007 establishing a European Union Agency for Fundamental Rights (FRA). The Agency became operational on 1 March 2007.

The objective of the Agency is to provide the relevant institutions, bodies, offices and agencies of the Union and its Member States, when implementing Union law, with assistance and expertise relating to fundamental rights in order to support them when they take measures or formulate courses of action within their respective spheres of competence to fully respect fundamental rights. The tasks entrusted to the Agency relate to the collection and analysis of information and data; to the provision of advice through reports and opinions; and to cooperation with civil society and raising awareness of fundamental rights. The Agency is not authorized to deal with the legality of Union acts nor with the fulfilment of Member States' obligations under Union law.

Multiannual Framework: according to the Regulation, the thematic areas of activity of the Agency shall be determined through a five-year Multiannual Framework. **This is not a work programme**. The Agency's work programmes are adopted each year by its Management Board within the thematic areas determined by the Multiannual Framework. Following requests from the European Parliament, the Council or the Commission, the Agency work can outside these thematic areas, provided its financial and human resources so permit. The current Multiannual Framework (2007-2012) expires at the end of 2012.

IMPACT ASSESSMENT: no impact assessment was carried out. However, when preparing its proposal, the Commission has consulted the Management Board of the Fundamental Rights Agency.

LEGAL BASIS: Article 352 of the Treaty of the Functioning of the European Union.

CONTENT: the objective of this proposal is to establish the Multiannual Framework of the Agency for the period 2013-2017.

New thematic areas: the Commission proposes that the following thematic areas be included for the Multiannual Framework of the Agency for the years 2013-2017:

- access to justice;
- victims of crime;
- information society and, in particular, respect for private life and protection of personal data;
- Roma integration;
- police cooperation, taking into account the specific nature of this field;
- judicial cooperation, taking into account the specific nature of this cooperation when it relates to criminal matters;
- rights of the child;

- discrimination based on race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation;
- immigration and integration of migrants; border control and visa; asylum;
- racism, xenophobia and related intolerance.

Complementarity and cooperation with other bodies: the Agency shall ensure appropriate cooperation and coordination with relevant Union bodies, offices and agencies, Member States, international organisations and civil society, under the terms of Regulation (EC) No 168/2007, for the implementation of this Multiannual Framework.

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 the general issues of discrimination, taking into account that it is for the European Institute for Gender Equality (EIGE) to collect data on gender equality and sex discrimination. FRA and EIGE should cooperate in the terms established by the cooperation agreement of 22 November 2010.

The Agency shall also cooperate with:

- the European Foundation for the improvement of living and working conditions (EUROFOUND);
- the European Agency for the Management of Operational Cooperation at the External Borders (FRONTEX);
- the European Asylum Support Office (EASO);
- the European Migration Network;
- the European Union's Judicial Cooperation Unit (EUROJUST);
- the European Police Office (EUROPOL);
- the European Police College (CEPOL);
- the Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (IT Agency) in the terms established by future respective cooperation agreements.

The Agency shall coordinate its activities with those of the Council of Europe under the terms Regulation (EC) No 168/2007.

BUDGETARY IMPLICATION: the proposal does not have any direct implication for the EU budget. The Agency will develop projects within the areas suggested and for which the resources have already been earmarked by the budgetary authority.