

# **Promotion and protection of fundamental rights: the role of national and European institutions, including the Fundamental Rights Agency**

2005/2007(INI) - 26/04/2005

The committee adopted the own-initiative report by Kinga GÁL(EPP-ED, HU) on the role of national and European institutions, including the Fundamental Rights Agency, in promoting and protecting fundamental rights. It pointed out that the EU was establishing itself increasingly as "a political community of shared values". The EU constitutional framework could provide a new impetus for fundamental rights, which must be fully asserted and observed following the broadening of the Union 's competences. There was also a need to achieve a balance between individual freedoms and collective security in the face of terrorism.

The report said that the implementation of fundamental rights should be a goal of all European policies and that a "comprehensive and coherent" strategy was needed for this. It called for any new policy, legislative proposal and programme to be accompanied by an impact assessment with regard to respect for fundamental rights. MEPs also proposed that an interinstitutional code of conduct be drawn up to confer greater coherence and fairness on the Union 's external action in the field of democratisation and human rights. And they said that the European Parliament should use its right to bring actions before the EU Court of Justice in order to defend the rights of citizens where fundamental rights might be affected by an EU act.

The future Fundamental Rights Agency should operate as an umbrella organisation covering all human rights issues, to avoid duplication by too many different structures. It should be designed as "a multi-layered structure ("network of networks"), a specialised body with horizontal competences" contributing to the development of a fundamental rights culture in the EU. It should gather all relevant information, analyses and experience available in European and international institutions, national governments, supreme courts, NGOs, etc. The report concluded that, before new organisations are set up to defend fundamental rights, "there is a need to study the consolidation of existing organisations and the possibility of merging them". It therefore insisted that the future Gender Institute should be part of the Agency, seen as a "network of networks", should work under its own name and could be situated in the same location.

Lastly, the committee recommended that the Agency should be empowered to deliver opinions and make recommendations to Parliament, the Council and the Commission, and should draw up an annual report to be delivered to those institutions.