

# **European Union Agency for Fundamental Rights: pursuing actions on police and judicial co-operation in criminal matters, Treaty TEU Title VI**

2005/0125(CNS) - 30/06/2005 - Legislative proposal

**PURPOSE:** To empower the European Agency for Fundamental Rights to pursue its activities in areas referred to in Title VI of the TEU.

**PROPOSED ACT:** Council Decision.

**CONTENT:** In 2003 the Member States agreed to build upon the existing European Monitoring Centre on Racism and Xenophobia (EUMC), based in Vienna and to extend its mandate by turning it into a Human Rights Agency. For legal reasons the Commission is presenting two separate proposals concerning the establishment of the Agency. The first a Regulation (see CNS/2005/0124), which is the appropriate instrument for establishing an Agency and the second this Decision, which seeks to entrust the Agency with tasks in areas referred to in Article VI of the TEU.

The Charter of Fundamental Rights of the European Union is the point of reference for the Agency's mandate. The objective of the Agency will be to provide the relevant EU institutions, bodies, offices and agencies with assistance and expertise relating to fundamental rights when defining policies or implementing legislation. The thematic areas of activity will be distinguished by a Multi-annual Framework, determined by an implementing Regulation. The idea of the Agency is to allow the Council, for example, to exploit the Agency's expertise when acting on a proposal by one third of the Member States, by the European Parliament or by the Commission during the procedure under Article 7 of the TEU. Importantly, the mandate of the Agency will not be to carry out systematic and permanent monitoring of the Member States for the purposes of Article 7.

Regarding budgetary implications, it is being proposed that the Agency begin work as early as 1 January 2007, with a considerably extended mandate. In order to take account of the inevitable transition period, a growing budget for the period 2007-20013 is being proposed.

**For more details concerning the financial implications of this measure, please refer to the financial statement.**