Basic information

2020/0112(APP) APP - Consent procedure	Awaiting final decision
European Union Agency for Fundamental Rights Amending Regulation 2007/168 2005/0124(CNS) Accompanying procedure 2020/0112R(APP) **Subject** 1.10 Fundamental rights in the EU, Charter 7.30.08 Action to combat racism and xenophobia 8.40.08 Agencies and bodies of the EU	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
LIBE Civil Liberties, Justice and Home Affairs	MANDL Lukas (EPP)	10/09/2020
	Shadow rapporteur VOLLATH Bettina (S&D) PAGAZAURTUNDÚA Maite (Renew) RIBA I GINER Diana (Greens/EFA) TERHEŞ Cristian (ECR) VANDENDRIESSCHE Tom (ID)	

Committee for opinion	Rapporteur for opinion	Appointed
AFET Foreign Affairs	The committee decided not to give an opinion.	
FEMM Women's Rights and Gender Equality	REGNER Evelyn (S&D)	25/06/2020

Council of the European Union

European Commission

Commission DG	Commissioner
Justice and Consumers	REYNDERS Didier

Key events

Date	Event	Reference	Summary
05/06/2020	Preparatory document	COM(2020)0225	
25/06/2021	Legislative proposal published	09827/2021	
01/07/2021	Vote in committee		
02/07/2021	Committee report tabled for plenary, 1st reading/single reading	A9-0227/2021	
05/07/2021	Committee referral announced in Parliament		
06/07/2021	Decision by Parliament	T9-0322/2021	Summary

Technical information

Procedure reference	2020/0112(APP)
Procedure type	APP - Consent procedure
Procedure subtype	Legislation
Amendments and repeals	Amending Regulation 2007/168 2005/0124(CNS) Accompanying procedure 2020/0112R(APP)
Legal basis	Treaty on the Functioning of the European Union TFEU 352-p1sub1
Stage reached in procedure	Awaiting final decision
Committee dossier	LIBE/9/03254

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee opinion	FEMM	PE662.080	10/02/2021	
Committee report tabled for plenary, 1st reading/single reading		A9-0227/2021	02/07/2021	
Text adopted by Parliament, 1st reading/single reading		T9-0322/2021	06/07/2021	Summary

Council of the EU

Document type	Reference	Date	Summary
Legislative proposal	09827/2021	25/06/2021	

European Commission

Document type	Reference	Date	Summary
Preparatory document	COM(2020)0225	05/06/2020	Summary

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	RO_SENATE	COM(2020)0225	06/07/2020	
Contribution	PT_PARLIAMENT	COM(2020)0225	29/07/2020	

Additional information		
Source	**Document**	**Date**
European Commission	EUR-Lex	

European Union Agency for Fundamental Rights

2020/0112(APP) - 06/07/2021 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 546 votes to 69, with 79 abstentions, a legislative resolution on the draft Council regulation amending Regulation (EC) No 168/2007 establishing a European Union Agency for Fundamental Rights.

Parliament **gave its consent** to the proposal for a Council Regulation.

The Fundamental Rights Agency (FRA) provides information, assistance and expertise on fundamental rights issues and promotes and protects fundamental rights in the EU.

The amendment to the scope simply reflects the consequence of the entry into force of the Lisbon Treaty for the scope of the Agency's activities, which became 'Union law' instead of 'Community law', and therefore encompasses the area of police cooperation and judicial cooperation in criminal matters (the former so-called "third pillar" of the European Union).

All the other amendments proposed are to align the founding Regulation with the Common Approach and with the Framework Financial Regulation, in order to enhance the efficiency, relevance and governance of the Agency.

European Union Agency for Fundamental Rights

2020/0112(APP) - 05/06/2020

PURPOSE: to clarify the scope of the activities of the European Union Agency for Fundamental Rights and to strengthen the Agency's operational governance and effectiveness.

PROPOSED ACT: Council Regulation.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: the European Union Agency for Fundamental Rights (FRA) was established by Council Regulation (EC) No 168/2007 in order to provide the Union institutions, bodies, offices and agencies and the Member States with support and expertise in the field of fundamental rights. All Union policies must respect the fundamental rights enshrined in the Charter of Fundamental Rights of the European Union.

Every five years, the Agency commissions an independent external evaluation of its achievements. The first external evaluation of the Agency took place in 2012 and did not lead to any amendment to the founding Regulation. The second external evaluation took place in 2017.

In light of the findings of the external evaluation and of the analysis of the Commission services, this proposal aims to introduce some targeted technical amendments in the founding Regulation of the Agency.

CONTENT: the main purpose of the proposal to amend Council Regulation (EC) No 168/2007 is to:

- clarify in the Regulation that, since the entry into force of the Treaty of Lisbon, the scope of the Agency's activities covers the competences of the Union, including police cooperation and judicial cooperation in criminal matters;

- make certain targeted technical amendments to the Regulation in order to ensure that the Agency is governed and operates in accordance with the principles set out in the common approach annexed to the Joint Statement of the European Parliament, the Council of the EU and the European Commission on decentralised agencies of 19 July 2012.

Without changing the tasks and mandate of the Agency, the proposed amendments aim at bringing about simplification, better governance and efficiency gains to the Agency's operation.

The proposed changes include the following:

- specify that the multiannual programming document must clearly set out the specific areas and projects on which the Agency will be working for three years, which should enable the Agency to plan its work and thematic areas over time and adapt them each year in line with emerging priorities;

- provide that the members of the Management Board should, in addition to fulfilling the criteria of independence, have knowledge in the field of fundamental rights and managerial experience, as well as appropriate administrative and budgetary powers;

- clarify that, even if the terms of office of Management Board members and alternates cannot be renewed consecutively, it should be possible to reappoint a former member or alternate for one or more non-consecutive terms of office;

- specify that, in all cases of termination of the term of office before the expiry of the 5-year period, not only in case of loss of independence, but also in other cases such as in case of resignation or death, the new member's term will complete his/her predecessor's five-year term, unless the remaining term is less than two years, in which case a new five-year term may run afresh;

- confer on the Management Board of the Agency the powers vested in the appointing authority;

- provide that the Management Board shall elect the members of the Executive Board by a majority of the members of the Management Board with voting rights;

- entrust the Management Board with the additional task of adopting a security strategy, including rules on the handling of EU classified information, as well as a communication strategy and rules on the management and prevention of conflicts of interest with regard to its members and those of the Scientific Committee;

- clarify that the Executive Board's task to supervise the preparatory work for the decisions to be adopted by the Management Board entails scrutinising budgetary and human resources matters;

- attribute the tasks of adopting the anti-fraud strategy prepared by the Director; ensuring adequate follow-up to audit and investigations of the European Anti-Fraud Office (OLAF) and of the European Public Prosecutor Office (EPPO);

- provide that, where necessary, in case of urgency, the Executive Board may take provisional decisions on behalf of the Management Board;

- ensure that the term of office of the Director of the Agency can be extended by a maximum of five years and that the appointment procedure, in which the European Parliament, the Council and the Commission take part, starts during the 12 months preceding the end of the term of office;

- increase the majority required to dismiss the Director, which is currently one third, to a two-thirds majority of the Management Board's members;

- entrust the Director with the task of implementing the decisions adopted by the Management Board, to prepare an anti-fraud strategy for the Agency, and to set out an action plan to follow up on internal or external audit reports and OLAF or EPPO's investigations.