

**ON-GOING** Project fiche 4.1.2**first priority**

## Inter-agency cooperation and other activities in the areas of borders, immigration and asylum

### Description

The FRA has completed several research activities in these areas during 2009-2013. The activities described are based on projects on the situation of irregular immigrants in the EU (2009-2012 Work Programmes); protecting, respecting, and promoting the rights of irregular immigrants in voluntary and involuntary return procedures (2009 Work Programme); Treatment of third-country nationals at the EU's external borders (2010-2012 Work Programmes); Border control and fundamental rights (2010-2012 Work Programmes); Access to justice for asylum seekers (2009 Work Programme) and the Handbook on European law in the field of asylum, immigration and border control (2012 Work Programme). These projects are also directly or indirectly linked to the commitments by the Agency resulting from the cooperation arrangements with FRONTEX and from the European Asylum Support Office (EASO) Regulation. On-going activities with FRONTEX will be continued and further developed, cooperation with EASO will be consolidated and initiated with the eu-LISA (EU Agency for large-scale IT systems).

### Objectives

- To publish the results of the research carried out in 2012 at land and air border crossing points
- To implement the tasks assigned to FRA by EU Anti-Trafficking Strategy
- Issue ad hoc reports based on existing materials, when required and update selected publications, including the handbook on European law in the field of asylum, immigration and border control
- To identify effective approaches and share promising practices and other findings resulting from FRA research at the right time to the right people
- Make findings of the FRA available to policy makers in a proactive manner
- To complement results from other FRA research projects and update selected publications in the fields of Asylum, immigration and integration of migrants
- Effective cooperation with FRONTEX, EASO and eu-LISA enabling them to benefit from the fundamental rights expertise that the FRA can offer

### Beneficiaries and target groups

- European Union institutions
- Frontex, EASO, eu-LISA and other EU JHA agencies
- Member States
- Legal practitioners (handbook)
- Council of Europe

### Activities and results achieved so far

- Eleven FRA reports published on these themes between 2009-2013
- A joint handbook with the European Court of Human Rights has been released in four languages in 2013
- 2011 Fundamental Rights Conference identified a number of areas for further work by the FRA in the field of asylum, immigration and borders
- FRA co-chairing of the Frontex Consultative Forum.

### Planned activities in 2014

- Research and draft reports, including updating parts of past reports;
- Update the handbook on European law in the field of asylum, immigration and border control.
- Translate and re-print existing reports as required;
- Provide support to FRONTEX on fundamental rights training;
- Offer expert advice to FRONTEX on issues relating to fundamental rights and support the Agency in the implementation of its fundamental rights strategy, in line with the FRA-FRONTEX cooperation arrangement;
- Actively participate in the Consultative Forum of Frontex and EASO, as required by Regulations 439/2010 and 1168/2011
- Implement the working arrangement with EASO and support the Office with expert advice when required;
- Establish cooperation with eu-LISA;
- Communicate research findings to EU institutions and deliver tailor-made input upon request;
- Draft legal opinions if requested by EU institutions;
- Communicate research findings to key policy makers at national level and other relevant stakeholders, as appropriate Chair the EU JHA agencies' contact group.

### Planned outputs in 2014

- Reports on the situation at airports and land borders published with respect to the treatment of TCNs (deliverables from the Third Country Nationals project);
- Good practices model for child victims of trafficking published together with the European Commission (at the request of the EU-Anti Trafficking Coordinator), complemented by a comparative overview of EU Member State practices in this regard;
- Second edition of the joint FRA-ECTHR Handbook relating to European law in the field of asylum, borders and immigration;
- Paper published on the costs of and for healthcare for un-insured persons – focusing on the impact on irregular migrants;
- Paper published on the criminalisation of migrants (building on findings from the irregular migrants project);
- Paper published on promising practices to address forced marriage;
- Fundamental rights expertise provided to FRONTEX, EASO and other JHA agencies; in addition to the co-Chairing role played by FRA for the Frontex consultative forum;
- Expert advice delivered to key stakeholders (such as the Commission) as and when requested in relation to the Agency's areas of expertise under the MAF framework;
- Selected publications (or parts thereof) updated.

### Financial resources allocated to the project

Total budget in 2014:	1 <sup>st</sup> priority	2 <sup>nd</sup> priority	3 <sup>rd</sup> priority
		223.500 €	-
Prior years' budget total	330.000 €	-	-
Multiannual	YES		
Year of origination	2013		

*Additional information on financial and human resources as well as on project indicators are included in annexes 1 and 3*

**NEW** Project fiche 4.1.3

first priority

## Biometric data in large IT borders, immigration and asylum databases - fundamental rights concerns

### Description

The project will analyse the fundamental rights implications in collecting, storing and using biometric data for immigration, asylum visa processing and border control purposes. Recent years have shown a trend towards an increased use of biometric data for identity management, which is expected to continue.

The EU has developed four large databases for the management of borders as well as immigration and asylum matters. Three of these databases (the Schengen Information System, the Visa Information System, Eurodac) contain (or will contain) biometric data, whereas this is not the case for the Customs Information System which mainly focuses on goods and means of transport. In addition, proposals for the "Smart Borders" package presented by the Commission on 28 February 2013, suggests the collection of biometric data and the use of new technologies to identify over-stayers and simplify the crossing of international borders of both EU citizens and third country nationals. The Visa Information System (VIS) contains data on admissible applications for short-stay visas. It became operational in North Africa on 11 October 2011 and is gradually deployed, region by region, until all consulates worldwide are connected. The "Smart Borders" package foresees the creation of a Registered Traveller Programme for "bona fide" travellers and the introduction of an Entry-Exit System to enhance security of the EU. The border guards will be able to check the biometric data held in the VIS database against fingerprints at points of entry and exit. These tools must be based on common values including the rule of law and respect for fundamental rights as laid down in the EU Charter of Fundamental Rights. The newly established European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (eu-LISA) will play an important role in managing these systems.

### Objectives

The project will analyse the fundamental rights implications during the collection and storage of biometric data as well as their use by different authorities for verification purposes. Sharing of information with third parties and countries will as well be included in the analyses.

It will focus among others, on respect for human dignity, non-discrimination, the right of individuals to be adequately informed about the purpose and procedure of the data collection, the right to an effective remedy, implications for the right to asylum as well as privacy and data protection issues, to the extent they are not covered by EDPS. The project will look at a number of challenges which may impact on fundamental rights. These include the quality of the fingerprints collected, which impact on error rates and, for the smart border tools, on the ability of the person to cross the border. It will also look at possibilities to get wrong information stored in the databases corrected. Effects on persons seeking protection will also be examined. Possible positive effect on fundamental rights, such as the reduced need for ethnic profiling will be explored. It will also look at the fundamental rights implications of outsourcing the collection of

biometric data to private companies, and the fundamental rights safeguards that are in place.

### Overall outputs

A report (2016) highlighting the fundamental rights risks and also the possible benefits connected with the collection and management of biometric data.

### Activities and results achieved so far

No research has been carried out by the FRA on biometrics yet. The project will build on findings from the research carried out at the EU external borders in 2011 and 2012.

### Beneficiaries and target groups

The findings will inform the debate on the smart borders proposal which targets EU citizens and third-country nationals. The project's results will benefit the EC, the Council and EP, as well as the Council of Europe.

### Planned activities in 2014

The project should include a legal and policy analysis, reviewing the relevant EU legislation and decisions as regards the collection and storing of biometric data, and how such legislation and decisions are implemented at national level in the 28 EU Member States. It would also take into consideration the updated Council of Europe interim report on the use of biometric data. In addition, targeted interviews with relevant key actors in selected EU Member States on the possible benefits and negative consequences of biometric data use with respect to fundamental rights could be considered. Depending on the progress of the "smart border" proposals, an online survey tool could be developed for possible use in 2015. The project will be implemented in close co-operation with EU institutions and bodies.

### Planned outputs in 2014

Publications planned for 2016

### Financial resources allocated to the project

	1 <sup>st</sup> priority	2 <sup>nd</sup> priority	3 <sup>rd</sup> priority
<b>Total budget in 2014:</b>	<b>200.000 €</b>	-	600.000 €
Prior years' budget total	-	-	-
Multiannual	YES		
Year of origination	2014		

Additional information on financial and human resources as well as on project indicators are included in annexes 1 and 3

## Project fiche 4.9.5

## Online communication and documentation

The online communication and documentation team has recently totally redeveloped the FRA's online communications, including the relaunch of the FRA website in 2012 to conform to modern web standards, with new technology enabling the introduction of additional features such as multilingual capability, data visualisation and making it more user-friendly, accessible to people with disabilities and interactive. YouTube. These channels, in combination with other new tools such as an e-newsletter, enabled the FRA to address its stakeholders in an interactive manner, allowing online collaboration and exchange of information on and offline.

The Online Communication Strategy developed by the team targeted key audiences as identified in the Agency's Communication Strategy, supporting further the aim of making the FRA online activities an innovative 'information hub' promoting the FRA's excellence and expertise on Fundamental Rights issues.

### Objectives

- The project contributes to the following FRA objectives:
- Informing target audiences through awareness raising activities
- Cooperating with civil society and international organisations.

### Planned outputs

- Ongoing development of new FRA website;
- Further development of social media profiles on main social media platforms (Facebook, Twitter, YouTube etc)
- Other online tools (e.g. e-mail newsletter, apps etc.)

### Beneficiaries and target groups

- All interested parties (including the general public, media etc) with targeted information for main stakeholder groups

### Activities and results achieved

- New website in EN, FR and DE; social media channels; Online Communication Strategy

## Planned activities and output in 2014

### Communication

#### Continuous website development

The relaunched FRA website will continue to be further developed, with the introduction of more interactive features (e.g. additional data visualization). The FRA website and online documentation tools will be more closely integrated to provide a unified user experience examined. Web based information will be made further accessible. User and stakeholder needs will continue to be addressed via features and technical improvements

#### Ongoing website updating and maintenance

The website will be updated and maintained constantly with fresh content adapted to the Agency's priorities and stakeholder needs. The statistics tools have been upgraded and statistics are examined regularly so as to provide inputs for the Online Communications Strategy.

#### Social media

Support for projects will be provided via social media campaigns and posts. The existing social media tools will be studied and ways of enhancing their effectiveness further will be looked at. Other online tools will be examined and their effectiveness assessed in order to decide whether to add them to the FRA's range of online tools.

#### Charterpedia and Charter app

The FRA Charterpedia and Charter app - online information tools on the state of protection of fundamental rights and recent developments in the area of fundamental rights in the European Union and its Member States - will be updated and maintained constantly on the basis of FRA studies and findings.

#### Case Law Database

The FRA Case Law Database will continue to collect and classify decisions of the European Court of Justice, the European Court of Human Rights and National Supreme and Constitutional Courts, with specific reference to the Charter of Fundamental Rights of the EU.

#### Coordination of Human Rights Documentation

The Agency will continue consulting with other European documentation centres and database providers, and support the standard setting initiatives in Human Rights Documentation by organising and participating in meetings and conferences in this area.

## Financial resources allocated to the project

Total budget in 2014:	1 <sup>st</sup> priority	2 <sup>nd</sup> priority	3 <sup>rd</sup> priority
	356.500 €	-	-
Prior years' budget total	210.000 €	-	-
Multiannual	N/A		
Year of origination	N/A		

**Immigration and integration of migrants, visa and border control and asylum**

**Legal basis:** Council Regulation (EC) No 168/2007 / Council Decision of 28 February 2008 implementing Regulation 168/2007

**Budget line:** B0-3230

**Project 4.1.2: INTER-AGENCY COOPERATION AND OTHER ACTIVITIES IN THE AREAS OF BORDERS, IMMIGRATION AND ASYLUM**

Objectives: See AWP2014 page 19

Budget: € 223.500

Human resources allocated: AD 3.4 AST 0 CA 0.6 SNE 0.8

Description of the action: Research and stakeholder cooperation

Subject matter of the contracts envisaged: Survey

Type of contracts: Framework contract, service contract

Type of procurement (if applicable):

Number of contracts envisaged: 2

Indicative timeframe for launching the procurement procedure: 1<sup>st</sup> and 3<sup>rd</sup> quarter

Indicative budget for procurement: € 223.500

**Project 4.1.3: BIOMETRIC DATA IN LARGE IT BORDERS, IMMIGRATION AND ASYLUM DATABASES - FUNDAMENTAL RIGHTS CONCERNS**

Objectives: See AWP2014 page 20

Budget: € 200.000

Human resources allocated: AD 0.4 AST 0 CA 0 SNE 0

Description of the action: Research activities

Subject matter of the contracts envisaged: Survey

Type of contracts: Framework contract - FRANET

Type of procurement (if applicable):

Number of contracts envisaged: 1

Indicative timeframe for launching the procurement procedure: 3<sup>rd</sup> quarter

Indicative budget for procurement: € 200.000

**Project 4.1.3: BIOMETRIC DATA IN LARGE IT BORDERS, IMMIGRATION AND ASYLUM DATABASES - FUNDAMENTAL RIGHTS CONCERNS**

Objectives: See AWP2014 page 20

Budget: € 200.000

Human resources allocated: AD 0.4 AST 0 CA 0 SNE 0

Description of the action: Research activities

Subject matter of the contracts envisaged: Survey

Type of contracts: Framework contract - FRANET

Type of procurement (if applicable):

Number of contracts envisaged: 1

Indicative timeframe for launching the procurement procedure: 3<sup>rd</sup> quarter

Indicative budget for procurement: € 200.000

**Cross-cutting projects or activities covering all MAF areas**

**Legal basis:** Council Regulation (EC) No 168/2007 / Council Decision of 28 February 2008 implementing Regulation 168/2007

**Budget line:** B0-3711

**Project fiche 4.9.5: ONLINE COMMUNICATION AND DOCUMENTATION**

Objectives: See AWP2014 page 48

Budget: € 365.500

Human resources allocated: AD 0.3 AST 0.3 CA 0.3 SNE 0

Description of the action: Communication and cooperation activity

Subject matter of the contracts envisaged: ICT, FWC Web Development

Type of contracts: Specific contract based on an existing FWC

Type of procurement (if applicable): Service contract

Number of contracts envisaged: 2-4

Indicative timeframe for launching the procurement procedure: Throughout the year

Indicative budget for procurement: €365.500