

# STRATEGIC PLAN 2023–2028



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Luxembou	rg: Publications Office of the E	uropean Union, 2023					
PDF	ISBN 978-92-9489-233-1	2467-236X	doi:10.2811/913715	TK-09-23-310-EN-N			

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### **Foreword**

It is no understatement to acknowledge that the prevailing challenges facing Europe continue to grow more threatening and complex. Some are familiar to us, others are emerging, but all are coinciding at this moment to create environments of inequality, instability, uncertainty and fear.

These challenges include the Russian war of aggression against Ukraine and the risk of further escalation, as well as the growing apathy towards and repudiation of democracy and rule of law in some countries. We are also witnessing the perpetually deteriorating climate crisis and its harsh impact on human well-being, and the repercussions and inequalities left behind by the COVID-19 pandemic. Finally, the sharp fall in levels of trust in governments on the part of citizens and the shrinking civil society space and its various pressures – ranging from bureaucratic to intimidatory – on human rights systems and defenders are extremely concerning.

All the challenges set out above have profound and potentially long-lasting implications for the fundamental rights of everyone in the European Union (EU). As the EU agency responsible for promoting the inviolability of such rights, the EU Agency for Fundamental Rights (FRA) must clearly indicate how it will play its part and deliver on its mandate in the coming years. This strategic plan sets out our approach to addressing challenges and other future developments.

FRA's raison d'être is to do all it can to achieve a future in which all persons across the EU are treated with dignity and respect, and have full enjoyment of the fundamental rights and freedoms to which they are entitled. Our strategy for the 2023–2028 sets out three main priorities that we will pursue to help achieve this: supporting the upholding of fundamental rights standards in the development of new EU laws and policies; contributing to ensuring respect, protection and fulfilment of fundamental rights in the fields covered by existing EU laws and policies; and engaging in impactful cross-cutting actions to support the realisation of the EU's fundamental rights goals and vision.

We can achieve our goals only through partnership, cooperation and belief in a shared vision of fundamental rights for all. FRA's strategy for 2023–2028 will lend support to the EU institutions and Member States in developing and implementing legislation and policies in accordance with the Charter of Fundamental Rights of the European Union. We will also work closely with key stakeholders, including international partners such as the Council of Europe, the UN and the Organization for Security and Co-operation in Europe, as well as national and regional human rights bodies, civil society and other human rights defenders.

The challenges – and the opportunities – we face must be confronted by agile and resilient human rights systems, both nationally and supranationally, which never cease to learn, grow and adapt. We at FRA will play our part in ensuring that fundamental rights are at the heart of Europe's future.

Jim Clarken

Chairperson of the FRA Management Board

Michael O'Flaherty
Director

# 1 FRA'S VISION AND STRATEGIC PRIORITIES

### 1.1. FRA'S MANDATE

The European Union Agency for Fundamental Rights (FRA) was established with a legal mandate to provide independent evidence-based assistance and expertise relating to fundamental rights in the domain of European Union (EU) law.

FRA is the EU's independent centre of fundamental rights excellence. Its role is to provide assistance and expertise to EU institutions and bodies, and to Member States insofar as they are acting within the scope of EU law. In this way, FRA fulfils the mandate, set out in its founding regulation, of supporting the EU and its Member States when they 'take measures or formulate courses of action within their respective spheres of competence to [...] fully respect fundamental rights'.

To achieve this objective, FRA collects and analyses comparable, objective and reliable information and data that are relevant to developing and implementing policies on fundamental rights. It also provides independent evidence-based advice to policymakers, cooperates and promotes networking with stakeholders, communicates its work to key target groups and raises awareness of fundamental rights. It is also mandated to formulate opinions to the Union institutions and to Member States when implementing Union law regarding compatibility with fundamental rights. FRA fulfils its mission in complete independence and in a way that reflects the professional conduct and values expected from an EU agency.

# 1.2. FRA'S VISION FOR THE FUTURE AND STRATEGIC PRIORITIES

FRA's vision for 2023-2028 is as follows.

The EU Charter of Fundamental Rights, together with the EU's legislative priorities and policy objectives for the coming years, forms the regulatory and policy foundation for FRA's 2023–2028 strategy, which this document sets out. Importantly, the strategy has been conceived as an agile programming mechanism that will allow the agency to adapt to future developments and to address the broader EU strategic agenda as well as future changes with the new EU legislature in 2024–2029.

**FRA's vision for 2023–2028 builds on its vision for 2018–2022**, which was to 'deliver on its responsibilities as the acknowledged, unique and independent centre of reference and excellence for the promotion of the human rights of everyone in the European Union'. (¹) It also addresses the challenges and opportunities that are shaping the future environment for fundamental rights.

FRA's strategy for 2023–2028 consists of three strategic priorities supported by 10 strategic objectives. Section 3 explains these priorities in more detail.

FRA's strategic priorities and objectives are based on the agency's role and mission as defined in its amended founding regulation. They build on FRA's 2018–2022 strategy as well as how it performed, its experience and its vision. Their design takes into account future fundamental rights challenges facing Europe (identified in Section 2), the agency's mandate, the broader operational



FRA envisages a future in which everyone in the EU is treated with dignity and is able to fully enjoy their fundamental rights and freedoms.

FRA will continue to fulfil its role as the EU's independent centre of excellence for fundamental rights, providing support to the EU institutions and Member States in developing and implementing legislation and policies in accordance with the Charter of Fundamental Rights of the European Union.

# FRA's strategic priorities for 2023–2028

- To support the upholding of fundamental rights standards in the development of new EU laws and policies.
- To contribute to ensuring respect, protection and fulfilment of fundamental rights in the fields covered by existing EU laws and policies.
- To engage in cross-cutting actions to support the realisation of the EU's fundamental rights goals and vision.



context and the resources available. It is expected that the objectives and priorities identified in the strategic plan will be considered when preparing FRA's future single programming documents, which will constitute the multiannual programming of the agency for 2023–2028.

FRA's strategy for 2023–2028 has both functional and thematic dimensions. The thematic dimension is based on research commissioned by FRA identifying megatrends and scenarios that are likely to shape the environment for fundamental rights in coming years (Section 2), and it is aligned with the EU's priorities (Section 3.1).

The functional dimension sets out how FRA will fulfil its mandate in relation to fundamental rights priorities in the new programming period (Section 3).

In preparing the strategy, extensive consultations were undertaken to obtain views on FRA's priorities for 2023–2028. The consultations included an online survey and a number of focus groups and interviews. In total, around 350 people provided input to the research from many different bodies: the European institutions, other EU agencies, international organisations, national authorities, fundamental rights bodies and civil society organisations, FRA staff and others.

### 1.3. BUILDING ON PAST PERFORMANCE

FRA's strategy for 2023–2028 builds on its achievements in 2018–2022. It identifies:

- priorities from 2018-2022 that should continue unchanged;
- existing priorities and actions that should be modified;
- new priorities and actions for FRA's 2023–2028 strategy that are needed to tackle new challenges.

Summarised below are the key points from an assessment as part of the preparation of this strategy. For more information, see the appendix, which shows the relationship between strategic priorities (Section 3) and the thematic areas and megatrends (Section 2).

In general, FRA performed well in 2018–2022 in relation to priorities and its interventions demonstrated both relevance and effectiveness for stakeholders. Previous assessments and the research conducted for this strategy indicate that FRA's work in 2018–2022 was highly valued by stakeholders at the national, EU and international levels, and played a key role in safeguarding and promoting fundamental rights in a rapidly changing context.

In terms of **thematic areas**, FRA's focus on equality, non-discrimination and inclusion – historically at the core of its mandate – proved especially relevant to the needs of stakeholders, as did its work on migration, asylum and borders. Previous evaluations highlighted areas in need of more attention, which FRA already covered under the previous multiannual framework. These include, in particular, information and data management (including artificial intelligence (AI) and digital rights), and certain aspects of justice and security. In addition, there are other fundamental rights challenges that FRA's work currently does not cover or covers only to a limited extent, for example issues related to climate change and the environment, economic and social rights, citizens' rights, the rule of law and democratic participation.

FRA's amended founding regulation (Regulation (EU) 555/2022) clarified the agency's mandate and the scope of its work. The amendment opened the door for FRA to undertake activities on its own initiative and provide expertise on fundamental rights in the fields covered by EU laws and policies, where relevant, including in police and judicial cooperation in criminal matters.

In relation to FRA's modus operandi, assessments of FRA's performance in 2018–2022 observed that more should have been done to develop **the agency's role at the national level**. **FRA's flexibility and ability to adapt to changing circumstances** and stakeholder needs in an agile manner are a great asset, which will continue to be important in the future.

# 2 FUTURE CHALLENGES AND IMPLICATIONS FOR FUNDAMENTAL RIGHTS

### 2.1. OVERVIEW

FRA's strategy for the new programming period is informed by an assessment of possible future developments relevant to the agency's remit and work. While it is impossible to predict the future, the indication is that the coming period will be more challenging for fundamental rights compared to previous years. Future challenges include:

- the Russian war of aggression against Ukraine and its wide-ranging impacts, potentially including large groups of individuals in need of protection, and unforeseen threats to regional stability and security;
- in the short to medium term, a probable economic downturn in Europe with inflationary pressures, a growing cost-of-living crisis, and a widening of economic and social disparities;
- accelerating climate change with potentially devastating consequences for all aspects of life, including fundamental rights, for those most affected by the impacts now and in future generations;
- social and political trends, and changing demographics, which are leading to growing inequalities and the rise of movements that question basic fundamental rights and threaten the rule of law.

The research for this strategy identified some megatrends relevant to FRA's work that are likely to pose major challenges to the EU and its Member States. Megatrends are long-term driving forces that are observable in the present and are likely to continue to have a significant influence in Europe and globally for a few decades. The various megatrends and challenges are of course interconnected and, in some cases, all-pervading. Given the rapid changes in the environment in which FRA operates, and uncertainty over the future, the assessment of megatrends in this section will need to be reviewed periodically so that the agency can adapt its priorities (if necessary) to both the challenges and the opportunities as they develop.

Some experts talk about a 'polycrisis' to convey the sense of **multiple concurrent challenges** that amount to more than the sum of their parts. (²) In the preparation of this strategy, different scenarios – or possible futures – have been considered for each megatrend. In most cases, the assessment for this strategy suggests there is a rather pessimistic outlook, at least in the near term.

In this section we assess the megatrends that are most relevant to fundamental rights and the implications for FRA's strategy for 2023–2028. The assessment is based on extensive research that has involved a review of existing strategic foresight studies and wide-ranging consultations with relevant stakeholders.

**Figure 2.1** summarises the main challenges and potential scenarios that have been identified for fundamental rights for 2023–2028. Each of the megatrends and its scenarios are explored in more detail below.

FIGURE 2.1 SUMMARY OF MEGATRENDS AND THEIR IMPLICATIONS FOR FUNDAMENTAL RIGHTS

	Megatrends	Scenarios	Plausibility	Impact on FRs
Challenges to justice and the rise of a security-	Increasing efforts to improve access to justice and judicial cooperation	Baseline scenario (status quo)	••	••
based agenda	Threats to the rule of law in the EU and to the independence of the judiciary	Growing insecurity and further weakening of justice systems	••	•••
	Diversification of security threats	Improved security and strengthening of justice systems	••	••
Threats to democratic values	Backsliding of democracy, rise of illiberal movements and shrinking space for civil society	Baseline scenario (status quo)	•••	••
₹\$	Rise of disinformation and risk of undue interference	Illiberalism grows stronger in coming years	••	•••
	Decrease in traditional ways of participating in democracy and testing of new approaches	Illiberalism recedes in coming years	•	••
Deepening inequality and increased	Widening inequalities between countries and social groups	Baseline scenario (status quo)	•••	•••
discrimination  •••••	Emergence of groups in vulnerable situations	Deepened inequality and lack of social cohesion	••	•••
	Increasing discrimination against certain groups (e.g. Roma, LGBTIQ)	Significantly improving situation with regard to inequalities and non-discrimination	•	•••
Changing patterns	Increasing significance of migration	Baseline scenario (status quo)	••	•••
of migration	Further attention to security issues in the migration agenda and in the asylum agenda	Worsening situation in Ukraine leads to increased migration affecting several Member States	•••	•••
	Growing importance of non-state actors	EU Member States design the necessary responses to address the increasing pressures and ensure integration	••	••
Economic and social trends	Economic downturn and increasing risk of poverty	Baseline scenario (status quo)	•••	••
می	Changing nature of work and skills, and diversification of education and learning	Economic recession and deglobalisation	••	•••
	Growing health challenges and COVID-19	Positive change in the EU economy and society	•••	••
	Increasing deglobalisation and interdependence of EU Member States	Failure to adapt to change	•	••
Digital transformation and artificial intelligence	Accelerating universal hyperconnectivity and digital transformation	Baseline scenario (status quo)	•••	•••
1010 11101	Greater use of (digital) technologies and risks of discrimination	Disruptive technologies accelerate the digital transformation	•	•••
00101	Threats to data protection and privacy	Digital transformation in Europe slows down due to societal backlash, insufficient investment and/or strict regulations	••	••
Climate change	Global warming and environmental degradation	Baseline scenario: climate change continues to be a burning issue	•••	•••
当年	Increasing awareness of a right to a healthy environment, climate justice protests and litigation	Building a fair climate-resilient society	••	•••
りが	Growing interest in energy independence and green investments	Increasing but fragmented efforts in the EU	•••	••



# 2.2. CHALLENGES TO JUSTICE AND THE RISE OF A SECURITY-BASED AGENDA

The agency has experience of working on fundamental rights issues relating to access to justice, the independence of the judiciary, and media freedom and pluralism. The EU's efforts to safeguard the values listed in Article 2 of the Treaty on European Union (TEU) and the rule of law will remain central in the coming years. At the same time, FRA's work in the field of security is increasingly relevant because perceived external and internal threats to security are emerging. Its amended founding regulation brings with it increased expectations that the agency will undertake research in the fields of police and judicial cooperation in criminal matters.

Ensuring access to justice and effective judicial protection is critical to upholding fundamental rights and is likely to remain a key EU priority. There is a worrying trend – especially in some Member States – of not implementing rulings of the European courts (the European Court of Human Rights and the Court of Justice of the European Union) and of threatening the independence of the judiciary. That directly affects fundamental rights, notably civil and political rights, and the rule of law in the EU. The EU is expected to intensify efforts to improve access to justice and effective judicial protection, including through measures such as the digitalisation of justice, which can create both opportunities (efficient and resilient justice) and new challenges (e.g. digital exclusion, discrimination and other fundamental rights challenges regarding its application).

In recent years, there have been increasing challenges to the rule of law, in part against the background of the rise of illiberal movements in several EU Member States. Illiberal movements are likely to oppose many EU initiatives that are seen or presented as undermining or interfering with national sovereignty or limiting the exercise of executive power. This is a relatively new challenge for FRA but is relevant to its mandate insofar as it concerns issues relating to, for instance, the right to a fair trial before an independent and impartial court, the right to respect for private and family life, freedom of speech and freedom of association.

The diversification of security threats – together with growing attention to security issues at the expense of justice – has serious implications for fundamental rights. Internal security threats such as terrorism, the drugs trade and organised crime are increasingly cross-border, interconnected and digital. (3) The Russian war of aggression against Ukraine has effectively ended a long period of peace on the European continent. It threatens EU democratic values, disrupts the economy and puts pressure on our migration and asylum systems.

### Possible scenarios and implications for fundamental rights

Ensuring effective justice systems could become increasingly difficult in the future, with some EU Member States opposing some measures, and with internal and external security threats increasing.

There could be severe repercussions for many fundamental rights, including the right to life, the right to human dignity, the right to respect for physical and mental integrity, prohibition of torture and inhuman or degrading treatment or punishment, the right to non-discrimination and the right to liberty and security. On the other hand, there could be beneficial implications for fundamental rights if the EU introduces measures to effectively safeguard the fundamental rights of everyone in the EU, including the right to an

effective remedy and fair trial, without discrimination, when seeking redress. (4) Those who think that their rights have been violated should be able to seek effective judicial protection, including redress.

FRA has carried out a number of projects, produced research reports on access to justice and judicial cooperation, and cooperated with the European Commission and others on rule of law issues. It will continue to cooperate with EU institutions and national authorities in this area, to contribute to improving judicial cooperation, access to justice and effective judicial protection, and monitoring risks to fundamental rights. This work will remain a key priority.

### 2.3. THREATS TO DEMOCRATIC VALUES

Political developments in the EU in the coming years could have major consequences for fundamental rights. The increasing political polarisation and growing influence of illiberal movements and parties, illegal online content, attacks on freedom of expression, continuing corruption and pressures on civic space threaten the values on which the EU is based, as enumerated in Article 2 TEU, including democracy, respect for fundamental rights and the rule of law.



Recent years have seen the rise of illiberal movements in several EU Member States, as Section 2.2 explains. In some cases, they have challenged key democratic principles and values. Widening economic and social inequalities, general anxiety over security threats and discontent with institutions among people in the EU promote polarisation and can favour those advocating radical solutions. These movements sometimes also question key aspects of fundamental rights. In some countries, a growing opposition to EU policies and non-implementation of the European courts' rulings have also been both a cause and a consequence of illiberal tendencies. These developments are threatening the rule of law in the EU.

The rule of law is also threatened by corruption among public office holders in some countries, which directly affects the functioning of state institutions and, in particular, the administration of justice. The extent of corruption varies, but problems exist in all countries. People perceive corruption as a worrying trend. While the link with fundamental rights is not always immediately visible, corrupt practices undermine public confidence in good governance and equitable social and economic policies. Such practices also pose challenges to the rule of law, in particular the independence of the judiciary. That can have negative consequences for fundamental rights, including those associated with effective judicial protection (see Section 2.2).

Pressures on civic space and public discontent with the performance of democratic institutions and systems have increased over time. Civic space has shrunk across the EU. Growing disillusionment with democratic institutions also negatively affects people's perceptions of and participation in democratic processes. At the same time, there has been an increase in the number of new non-state actors, such as increasingly powerful online platforms, that are able to both strengthen democratic processes and stimulate dialogue but can also be used to perpetrate crimes, fuel radicalisation and division, and spread illegal content and disinformation.

### Possible scenarios and implications for fundamental rights

The status quo scenario is the most likely in this field, where there will continue to be threats to democratic values. Illiberal parties that have gained

power could remain in office but may not take control elsewhere. This could lead to the introduction of policies with potential adverse consequences for the enjoyment of fundamental rights.

The rise of illiberal movements across Europe poses challenges to the distinct but closely connected principles of fundamental rights, democracy and the rule of law. Thus, there are also implications for individual fundamental rights and freedoms (for instance freedom of assembly and association, and freedom of thought, conscience and religion) and for the right to good administration.

Illiberal movements can also contribute to spreading disinformation and online hatred, fuelling extremist positions and radical narratives about current trends and minorities. This has direct implications for the security of targeted individuals and groups, and for freedom of expression and information; it threatens the key principles of solidarity and equality. It also poses challenges to the rule of law and the independence of media and the judiciary, thus affecting the right to an effective remedy and fair trial.

Threats to freedoms are long-standing areas of focus for FRA. In particular, freedom of thought, conscience and religion has had an important place in FRA's work over the years. Given the challenges outlined above, FRA will need to further develop its work in this field, specifically in relation to freedom of expression and information, the right to good administration, freedom of arts and science, and freedom of assembly and association.



# 2.4. DEEPENING INEQUALITY AND INCREASED DISCRIMINATION

Promoting equality, non-discrimination and inclusion is central to upholding fundamental rights. Existing trends in this regard, if they persist, will have implications for many aspects of the fundamental rights agenda.

Although progress to reduce inequality has been made in recent years, there remain significant shortcomings. Across the EU, the gap between the rich and the poor is getting larger and, as a result, social cohesion is being eroded. Inequalities between regions and within countries in the EU persist. These concern the distribution of income, access to the labour market, education and public services, among other aspects.

Several factors, such as the rise of illiberal movements, the war in Ukraine, disinformation and the COVID-19 pandemic, have triggered an increase in several forms of discrimination. Discrimination based on gender, ethnic or social origin, religion or belief, political or any other opinion, membership of a minority, age, sexual orientation and disability persists and has even intensified in recent years.

These factors have also contributed to the emergence of groups in newly vulnerable situations. For example, the COVID-19 pandemic has disproportionately affected elderly people, remote communities with no access to the internet, the Roma population and people with limited access to public services. The pandemic also triggered a surge in gender-based domestic violence and deepened existing gender inequalities.

To explore these trends, it is important to apply an intersectional perspective, which considers several factors and underlying causes that potentially determine the widening of inequalities and deepening of discrimination (e.g. characteristics such as age, gender, disability, migrant background, ethnicity or socioeconomic background).

# Possible scenarios and implications for fundamental rights

The status quo scenario seems most likely: the situation does not significantly change and existing trends continue, so **several forms of inequality and discrimination persist**. The plausibility of this scenario is high and, if nothing is done to remedy this, it will have a high impact on fundamental rights.

In particular, the widening economic and social inequalities could contribute to the erosion of social cohesion from within. In turn, this could lead to public disillusionment and frustration with democratic institutions, to further political polarisation and to the collapse of social security systems. Altogether, these pressures can create an environment conducive to deeper discrimination on multiple grounds, especially against minorities and people in vulnerable situations.

An alternative second scenario is that the situation gets worse, with an even higher negative impact on fundamental rights, while a third possibility is that the various forms of inequality and discrimination are significantly reduced, for example as a result of new policy initiatives and the adoption of reforms that address structural social and economic issues. It is very difficult to say which of these alternative scenarios is more plausible.

**Equality and non-discrimination are long-standing areas of focus for FRA and at the core of its mission.** The agency has regularly collected survey data, provided expert opinions and supported policymakers on discrimination and inclusion of various population groups that are particularly subject to discrimination and widening inequalities, and in relation to the rights of the child and older people.

### 2.5. CHANGING PATTERNS OF MIGRATION

The inflow of migrants to EU Member States is expected to grow in the coming years because of the Russian war of aggression against Ukraine and wider trends, namely the overall worsening of the security situation and the increase in climate change-driven migration. As a result, it is clear that FRA will need to continue its work in this field.



The number of migrants is rising but patterns are changing in terms of the origins and drivers of migration. Driven by the Russian war of aggression against Ukraine, growing instability in major countries of origin and the economic fallout from the COVID-19 pandemic, migration flows into the EU accelerated in 2022. Migratory flows and dynamics have become more mixed in an interconnected world, and the sociopolitical significance of both voluntary migration and asylum is increasing. Certain groups of migrants are at particular risk, including unaccompanied children, children with their families, people with disabilities and ethnic minority groups.

At the same time, the EU institutions and Member States have been developing new measures to address migration and asylum issues, partly in response to the war of aggression in Ukraine. For instance, since the 2015 migration crisis, irregular arrivals in the EU have reduced by more than 90 % thanks to the EU measures that were implemented to better control external borders (5). Moreover, the war of aggression in Ukraine has led to a rethinking of many migration and asylum policies and brought more unity to the response, albeit mainly with regard to the large numbers of individuals from Ukraine who arrived in EU Member States in need of protection. In addition to Ukraine, the flow of migrants and those who are victims of forced displacement from

other countries continues. Thus, in 2022 alone there were over a million migrants from countries such as Afghanistan, Syria and Turkey.

More and more countries in Europe are becoming important migration policy stakeholders but many do not have the necessary measures to deal with migration in place, let alone those needed to uphold fundamental rights. Across the EU, patterns of mobility are changing. Some countries where immigration had historically been a marginal phenomenon are starting to accommodate large numbers of both voluntary migrants and displaced persons, the latter mostly because of the Russian war of aggression against Ukraine. Border management policies and practices, and the rights of migrants once settled, are very important from the perspective of fundamental rights.

In some countries, there is a growing 'securitisation' of migration and tightening of migration and asylum policies. The term 'securitisation' is used here to denote a trend whereby irregular migration is perceived as a threat to national security, leading to the introduction of measures and policies that traditionally belonged to the domain of defence and security. The framing of international migration predominantly as a state security issue, with some groups of migrants and asylum seekers perceived as a threat to public order, could lead to tightening admission policies and limiting migrants' right to legal protection, partly in reaction to pressure from far-right parties and movements and migration instrumentalisation policies by external actors. This trend may be exacerbated in times of crisis. Aligned with this is the increased use of Al-related technology in recent years as a means to manage migration flows, which brings with it fundamental rights challenges.

# Possible scenarios and implications for fundamental rights

There is great uncertainly over the possible scenarios with regard to migration and their plausibility. It is possible that current trends will continue in the same directions in coming years.

The trends examined in this area have significant implications for fundamental rights. Current developments pose challenges to the protection of the rights of migrants, including access to asylum procedures for those who qualify as asylum seekers, their integration, protection of personal and professional life, and the right to access healthcare, education, social services or family support. Increasing social tensions, especially where illiberal parties and movements are strong, could hinder the adoption of effective and rights-compliant measures. The trends examined in this area have close links with other developments including climate change, erosion of democracy, political polarisation and deepening inequalities.

Migration, asylum and integration issues have been a major priority for FRA over the past decade and are likely to continue being of high importance. The agency has developed numerous activities and considerable expertise in this area.



### 2.6. ECONOMIC AND SOCIAL TRENDS

The EU's economy is facing a downturn brought on by the Russian war of aggression against Ukraine and its impacts, inflationary pressures, higher energy prices and other factors including supply-side shortages following the COVID-19 pandemic. There are also a number of changes taking place in the EU economy and wider society that are of a long-term structural nature and have significant implications for fundamental rights and the attainment of the sustainable development goals.

In addition to the grave humanitarian consequences, the Russian war of aggression against Ukraine has posed challenges to the EU economy. They include upward pressures on energy commodity prices, geopolitical tensions and heightening uncertainty. In the next 2 years, the EU is likely to continue to face economic uncertainty, with widening inequality and increased social exclusion, which could have implications for rights holders.

**COVID-19** and the emergence of other pandemic-level infectious diseases remain a risk factor that could indirectly affect the EU economy if serious cases or outbreaks spread across the world. Young people in particular have suffered many limitations, hardships and insecurities over the past few years, arising from the 2015 financial crisis, climate change, the effects of COVID-19 and other developments, leading to unemployment levels among young people that are twice as high as those of the older population.

Furthermore, globalisation continues to be an important megatrend that affects social and economic rights within the EU and beyond. Globalisation has led to increased global trade and interdependence between countries, which could potentially contribute to reducing territorial disparities and mitigate poverty. However, the growing emphasis on competition and economic development has led to the spread of employment practices that maximise efficiency at the cost of individual rights, especially those of people in vulnerable situations, including young people.

Other developments linked to the economic trends affect wider society. Among others, the changing nature of work organisation and practices – driven by factors such as increasing connectivity and digitalisation, and the rise of automation – will also create challenges and opportunities for fundamental rights, especially for the enjoyment of social rights and freedoms.

# Possible scenarios and implications for fundamental rights

It is possible that the economic downturn will be shallow and the euro area will avoid a recession. This will depend on many factors, including the resilience of labour markets and cooling inflation. At the moment, those cannot be predicted with any degree of certainty. However, structural changes taking place in the EU economy and society suggest that, even if the downturn is short-lived, there will be quite profound implications for fundamental rights in the coming years.

**Several fundamental rights could be affected as a result of the megatrends described above.** The economic downturn and cost-of-living crisis could affect social cohesion and lead to deeper divisions. As regards the changes to the labour market, adequate regulatory oversight over employment practices and labour laws will be necessary to protect the rights of EU workers to have fair and just working conditions and against unfair dismissal. The identified forces of change could affect the education system and individual freedoms. Other rights – such as those relating to social security and healthcare – could also be indirectly affected.

FRA has a long track record of work on equality and non-discrimination issues. It is also active in the field of socioeconomic rights. However, there is scope for expanding this area of work and exploring the emerging issues outlined above, in collaboration with partners. It will be important to build on FRA's work from 2018–2022. The agency focused then on social and economic rights as cross-cutting issues, worked with civil society, EU actors and others, and provided input to policymakers (for example on implementing the European Pillar of Social Rights, on trafficking for labour exploitation, on

workers' rights, and on research into housing and the living conditions of specific groups). FRA could particularly contribute on how to best ensure equal access to affordable but also sustainable energy, and to public and digital services. Lastly, there is scope to further intensify the existing cooperation with other EU agencies (including the European Labour Authority, the European Foundation for the Improvement of Living and Working Conditions and the European Institute for Gender Equality) and other players (e.g. the Council of Europe (CoE)) to explore emerging issues and implications in this area.

Corporate sustainability is an area in which EU actors increasingly look to FRA for expertise on fundamental rights issues in the context of corporate regulation and reporting, including by setting out specific tasks for FRA in Union legislation. This is connected with, but not limited to, broader demands for the accountability of non-state actors, the prevalence of due diligence regarding fundamental rights, and expectations relating to respect for fundamental rights and environmental and social standards in the private sector and beyond. FRA is explicitly mentioned in the corporate sustainability reporting directive (Directive (EU) 2022/2464) and is expected to have a role in the proposed corporate sustainability due diligence directive.



# 2.7. DIGITAL TRANSFORMATION AND ARTIFICIAL INTELLIGENCE

Digital transformation is driving fundamental and rapid change in economic and social life. The development and spread of digital technologies are accelerating and bringing many benefits to society. At the same time, there are challenges from a fundamental rights perspective, ranging from the risk of increasing discrimination and the spread of disinformation to the protection of personal data and privacy.

Accelerating universal hyperconnectivity – or the connectivity of everything-is fundamentally changing society, the economy and politics at an unprecedented pace. Rapidly expanding hyperconnectivity and the digital transformation have the potential to improve human welfare, reduce inequalities and promote universal rights. At the same time, they pose new challenges and unpredictability, partly because of varying regulatory frameworks and standards within the EU. Proposed new laws at the level of the EU – such as the AI Act – are attempting to address this variation.

The greater use of technologies – especially AI – has profound implications for fundamental rights. Various sectors – including agriculture, health, manufacturing, transport, justice and migration – use digital technologies to improve the efficiency of processes and services, and even for decision-making. But this has also led to discriminatory bias in decision-making in social security systems, and profiling practices by law enforcement authorities that damage fundamental rights. Looking ahead, better tools are needed to enable people to participate in the digital environment safely, increasing digital literacy, and to ensure protection from discrimination, violence and harassment.

Threats to data protection and privacy exist as a result of increased datafication. The collection and processing of (private) data, amplified by deeper profiling through social media platforms and the metaverse, with (until recently) only partial regulation, are especially critical in this regard. This trend is expected to continue for the next few years. Amplified by hyperconnectivity and insufficient digital sovereignty, data flows can become non-transparent and hard to control, particularly for individuals.

# Possible scenarios and implications for fundamental rights

It seems almost certain that the trends outlined above will continue and accelerate in the coming years, affecting all fundamental rights both positively and negatively. These trends affect every aspect of life and therefore potentially all rights encompassed by the Charter. Data protection and the right to privacy have become particularly contentious, as digital technologies have given governments and private companies vast new possibilities in the use of personal data (e.g. facial recognition, for surveillance, profiling, tracking and monitoring).

Al brings opportunities for the enjoyment of fundamental rights, including the possibility of identifying discriminatory patterns in fields such as employment and education, as FRA's research has underlined. (6) At the same time, concerns are growing over biases embedded in Al systems that can further exacerbate discrimination based on multiple grounds (age, gender, race and/or other characteristics). The use of algorithms can replicate and exaggerate human and systemic bias, and reinforce discrimination, if the algorithms are based on data that are not sufficiently diverse. Gaps in the data on which algorithms are trained can likewise automate existing patterns of discrimination, especially when Al systems are used to make decisions such as who is eligible for unemployment benefits, home loans, health insurance and others.

The greater use of technologies can potentially exacerbate existing inequalities and/or create new inequalities based on socioeconomic status, gender, age, race or geographical location. (7) Special attention is required to safeguard the rights of children, who go online at ever younger ages with insufficient digital literacy, and of older persons and those with disabilities, who are also particularly at risk.

FRA has already worked on digital transformation issues to date, but this work is likely to be even more important in the future. Technological developments are exponential, and further work will be needed in this area in the future.

### 2.8. CLIMATE CHANGE

Climate change is widely, if not universally, accepted as one of the greatest challenges facing the world. The consequences of climate change and other developments affecting the environment include intensified migration, threats to people's quality of life, and reduced access to food, healthcare and adequate standards of living and education. It is clear that the climate crisis is also a fundamental rights crisis. A call for intergenerational climate justice is rising in volume.



Global warming and environmental degradation are accelerating, with negative consequences for all aspects of life. Europe experienced the warmest summer on record in 2022, according to the EU's earth observation programme. Globally, large parts of the land and marine environments are degrading. This is threatening livelihoods and supply chains, and endangering people's lives and health.

Climate disasters have also increased in frequency and intensity and have devastated communities around the world. The number of people requesting asylum in Europe on the ground of climate-related developments ('climate refugees') is increasing day by day. Within the EU, several countries such as France, Germany, Portugal and Spain have been affected by severe wildfires, storms and floods. This has taken a toll on poor and marginalised groups and people exposed to climate hazards. (8)

Energy independence, green investments and the development of new technologies can mitigate the effects of climate change but there is a need to consider the implications for fundamental rights.

Climate change raises issues of intergenerational justice, as future generations will pay the price of current choices (including the lack of action). There is a growing awareness among people of a right to a clean, healthy and sustainable environment. This is triggering social mobilisation, climate-related litigation and a call for **intergenerational climate justice**, which takes into account fundamental rights implications and the socioeconomic impact of measures (including in terms of inequalities, access to services and, more broadly, people's well-being).

In the future, the voices of civil society and young people will be key. At the same time, the private sector has a pivotal role to play in driving sustainable and rights-compliant economic development. Ensuring responsible corporate behaviour and anchoring fundamental rights and environmental considerations to corporate governance and operations are the key objectives of recent EU policy and regulatory developments.

# Possible scenarios and implications for fundamental rights

As with the previous megatrend, the baseline scenario seems most probable: the situation is not likely to significantly change, and continued intensification of negative developments linked to climate change is expected.

The climate crisis is also a fundamental rights crisis, with uneven effects across the world and social groups. Climate change has many implications for fundamental rights, but research is needed to develop a better understanding of these implications and for EU policymakers to develop appropriate responses. People in the EU – especially young people – are increasingly aware of their right to a healthy environment, and of the intergenerational cost of climate change. They expect governments and businesses to reduce their impact on the ecosystem and to pursue a green and just transition that is socially balanced and fair.

Climate change has wide-ranging implications for fundamental rights. This includes, for instance, threats to the right to life, health, water, food and housing, as well as broader implications for the rights of migrants and asylum seekers, such as their right to work and the enjoyment of their right to property. More generally, the consequences of climate change are likely to worsen inequalities by exacerbating existing vulnerabilities.

Climate change-related disasters also have a high financial cost, which in some countries could affect the capacity of government to provide public services. Those who have contributed the least to the climate crisis will be affected the most by it. A call for climate justice is growing stronger across the EU. As part of this, the phenomenon of climate litigation is rapidly developing, raising new questions about access to justice and, on some

occasions, putting pressure on the judiciary, which some perceive as interfering in a politically sensitive area when deciding climate change cases.

FRA has not directly explored the fundamental rights implications of climate change so far. However, there is scope for it – together with other EU agencies and international players – to take action in this field in order to investigate the implications of climate change from a fundamental rights and intersectional perspective. The agency could support the EU and Member States in upholding fundamental rights standards and obligations in corporate sustainability due diligence and climate frameworks, so that fundamental rights obligations are considered in the development, adoption and application of mitigation measures.

# 2.9. CONCLUSIONS – FUTURE CHALLENGES AND IMPLICATIONS

The EU and the wider world are entering a period when the future looks unusually uncertain. That is reflected in the many challenges to the fundamental rights highlighted in this section. There are also opportunities deriving from future developments and for new initiatives.

Fundamental rights must be at the heart of the response to the grand challenges the EU is facing today. However, there are systemic weaknesses in the fundamental rights approaches adopted so far and widespread scepticism regarding the space that human rights institutions and activists are likely to have in shaping the EU agenda in the future. This is partly because many human rights bodies are under-resourced and under increasing pressure, due to shrinking civic space, and because political players in many countries have not prioritised fundamental rights in their agendas. Overall, there is a need to reinforce the message that fundamental rights are universal and indivisible by nature and that ensuring the full respect and enjoyment of fundamental rights for every person in EU is the precondition to achieve sustainable socioeconomic development as well as supporting stable, diverse and inclusive European societies.

# 3 STRATEGIC PLAN FOR 2023–2028

#### 3.1. OVERVIEW AND EU POLICY CONTEXT

The European Parliament, Council of the European Union and European Commission share a **common vision for a stronger and more resilient Union** (9) in the face of the current geopolitical situation. That vision is rooted in promoting and protecting Article 2 TEU values and freedoms.

**Upholding fundamental rights and the principle of the rule of law will remain a key priority for future presidencies.** For example, it was a priority for the Swedish Presidency of the Council of the European Union in 2023. (10) This will also be a prerequisite to boost economic growth, cohesion and competitiveness within the EU.

The EU institutions have adopted several strategies and action plans that set overall policy priorities and objectives for the future. These represent the policy framework for FRA's strategic plan and set out important objectives in FRA's areas of work until 2030.

These strategic documents include:

- the strategies and action plans adopted to build the Union of Equality, which the current European Commission considers a priority. Examples include the strategies related to antisemitism, anti-racism, disability, gender equality, LGBTIQ equality and Roma inclusion;
- the European Pillar of Social Rights action plan, (11) which sets the EU's social targets for a fairer and more inclusive Union;
- the EU strategy on the rights of the child (2021–2024), (12) to ensure the
  protection of rights of all children in the EU;
- the strategy to strengthen the application of the EU Charter of Fundamental Rights (2020–2030). (13)

Other important initiatives relevant to the thematic areas explored in **Section 2** are:

- the European Pact on Migration and Asylum, (14) with a number of key legislative files remaining under negotiation;
- the EU Strategy on victims' rights (2020-2025) (15), seeking to support and protect victims of crime;
- the European Green Deal (16) and related initiatives (17), which set out the EU's climate-related targets to be achieved by 2030;
- the Europe's Digital Decade programme (18), which will guide Europe's
  digital transformation and defines digital rights and principles
  complementary to those enshrined in the Charter of Fundamental Rights
  of the EU; and
- the 2030 Sustainable Development Agenda. (19)

Furthermore, a new fundamental rights conditionality has been introduced in the management of EU funds. This needs careful monitoring and implementation. EU funds support progress in areas such as cohesion, regional development, security and migration management. The new fundamental rights conditionality has the potential to add momentum to the reorientation of traditional views of economic progress towards a more qualitative vision, fostering a socially, economically and environmentally sustainable Europe.

The EU's enlargement process is also relevant to FRA's remit, especially Chapters 23 and 24 of the EU *acquis*, relating to fundamental rights.

However, newly adopted or proposed secondary EU legislation foresees a **growing number of tasks and roles for FRA** in the coming years, in particular in the areas of migration, security and digitalisation. The broadened mandates of justice and home affairs agencies – including new fundamental rights responsibilities – has and will continue to result in demand for FRA to help strengthen their capacities in the area of fundamental rights. The EU's accession to international instruments in the field of human rights may require the agency to adapt.

EU policy is of course evolving. There will also be a new legislature for 2024–2029, which could affect the EU's strategic priorities, at both the legislative and policy levels. FRA will therefore need to be capable of responding flexibly so that its strategy can adapt to evolving EU policy priorities.

### 3.2. FRA'S STRATEGIC PRIORITIES FOR 2023-2028

FRA's strategy for 2023–2028 has both functional and thematic dimensions, which have been brought together in an integrated common overall framework.

The thematic dimension of FRA's strategy consists of the developments identified in seven thematic areas (see **Section 2**). Following the removal of FRA's multiannual framework, the agency has the opportunity to prioritise and address pressing fundamental rights issues in a range of different areas, having regard to its mandate and to financial and human resources considerations. The thematic dimension is aligned with the EU priorities as outlined above.

The functional dimension, summarised below, consists of three priorities and 10 strategic objectives. The priorities build on the approach that FRA adopted for 2018–2022 and past achievements, so there is a degree of continuity. Whereas FRA's strategy for 2018–2022 consisted of five priorities, these have now been reduced to three for 2023–2028. A smaller number of priorities should help to ensure that FRA's strategic and organisational response to future challenges maximises coherence, synergies and cross-unit working, and the efficiency and effectiveness of the agency's delivery mechanisms. The priorities for 2023–2028 are also more orientated towards the target groups and key stakeholder perspectives.

FRA's priorities and objectives for 2023–2028 are as follows.



### FRA's strategic priorities for 2023–2028

### Priority 1: Support the upholding of fundamental rights standards in the development of new EU laws and policies

- 1.1 Produce information on fundamental rights issues and trends by collecting and analysing robust, reliable and comparable data and evidence on the state of respect, protection and fulfilment of fundamental rights across the Union.
- 1.2 Provide decision-makers with independent advice and opinions to support them to advance policies that fully respect fundamental rights and are effective in protecting and fulfilling fundamental rights.
- 1.3 Carry out research and foresight studies on fundamental rights issues and future challenges, to help EU institutions and Member States anticipate threats to the enjoyment of fundamental rights and help them promote fundamental rights resilience.

### Priority 2: Contribute to ensuring respect, protection and fulfilment of fundamental rights in the fields covered by existing EU laws and policies

- 2.1 Support the implementation of EU laws and policies with advice, opinions, research and real-time assistance to EU institutions, Member States and other stakeholders.
- 2.2 Support the integration of the fundamental rights perspective in the application of relevant laws and policies at the EU and national levels.
- 2.3 Assist the EU institutions and Member States with the implementation of practical measures to address fundamental rights risks and challenges that may arise in fields covered by EU laws and policies and to support rights-based approaches in EU law and policy.

### Priority 3: Cross-cutting actions to support the realisation of the EU's fundamental rights goals and vision

- 3.1 Promote fundamental rights at the EU and Member State levels by raising awareness among rights holders and duty bearers.
- 3.2 Develop research methods and tools on fundamental rights, including benchmarking, assessment, due diligence tools and fundamental rights indicators.
- 3.3 Collaborate with partners, fundamental rights actors and multipliers in strengthening regional, national and local fundamental rights protection systems.
- 3.4 Promote dialogue with and among key actors to respond to fundamental rights challenges and to shape agendas with a view to enhancing collaboration and building a common vision for the future.

FRA's strategic priorities and objectives are based on the agency's role and mission as defined in its founding regulation, as amended, and build on its 2018–2022 strategy, knowledge of how it performed then, and its vision. They are designed in the light of the future fundamental rights challenges identified in Section 2, the agency's mandate, the broader operational context and the resources available. The strategic objectives are taken into account in the definition of the activities set out in FRA's single programming documents.

As an overall framework for defining FRA's priorities for 2023–2028, a 'process' model has been adopted based on the policy life cycle. The process covers the two key aspects of the agency's mandate and operations, namely supporting the development of EU laws and policies on fundamental rights (Priority 1) and their implementation (Priority 2). There are also strong crosscutting elements (Priority 3). FRA's core functions and tasks will help to deliver different priorities.

While some future fundamental rights developments are of a long-term nature, the future is ultimately unpredictable. This was stressed many times by stakeholders consulted during the preparation of this strategy. This means that, over and above FRA's proposed priorities and actions for 2023–2028 set out above, there is a need for flexibility and the capacity to react quickly to unexpected developments and crises. FRA will achieve this by continuing to develop the know-how of its staff, by ensuring the necessary organisational

agility to reprioritise resources – such as by forming time-limited, cross-departmental project teams to address issues, and by reallocating budget away from other tasks where necessary – and by networking with partners and stakeholders.

Given the level of uncertainty over future developments, there will also be a need to review the strategy at the mid-term point, and then make any necessary adjustments to the priorities.

# Priority 1 – Support the upholding of fundamental rights standards in the development of new EU laws and policies

At the core of FRA's mandate is the function of providing information, data and analyses to assist policymakers and inform EU laws and policies. This will remain a cornerstone of its work for 2023–2028.

Objective 1.1 – Produce information on fundamental rights issues and trends by collecting and analysing robust, reliable and comparable data and evidence on the state of respect, protection and fulfilment of fundamental rights across the Union

In 2023-2028, among other core functions, FRA will continue to research fundamental rights in the EU. More precisely, it will continue to collect and analyse objective, reliable and comparable information and data on the situation with regard to respect, protection and fulfilment of fundamental rights across the Union and emerging trends. Among other things, this will involve populating fundamental rights indicators with relevant data. Particular emphasis will be put on fieldwork research through large-scale quantitative surveys and qualitative research, especially in areas where there is limited comparable research. The research will be mainly sociolegal, encompassing legal analysis, use of secondary source material and empirical data collection. This makes it possible to analyse fundamental rights issues and trends over time and inform policymakers. FRA will adopt an intersectional approach to the research in priority thematic areas and improve the efficiency of the research processes. The agency could also seek to lower the minimum age for people to take part in its surveys (while respecting all principles of child protection), and to communicate these findings among young people.

FRA will explore – including in cooperation with other EU agencies and key partners – new areas where it is necessary to collect data about fundamental rights across EU Member States, to inform policymaking. In Section 2, a number of new developments and challenges were identified, including pressures on democratic principles, climate change, and challenges to fundamental rights in the economic and societal spheres, especially to the rights of people in vulnerable situations. Since emerging risks and issues are more complex, there is much to be done to develop the capacity internally and jointly with other EU agencies and partners to collect and analyse comparable data and evidence from across the EU Member States. Linked to this, there is a need for improved disaggregated data, for example by age groups and specific vulnerabilities. FRA will explore potential synergies with other EU agencies and partners to collect robust and reliable evidence. Work also needs to still be undertaken to explore the use of big data for the identification of trends. FRA has recently begun to address this.

Objective 1.2 – Provide decision-makers with independent advice and opinions to support them to advance policies that fully respect fundamental rights and are effective in protecting and fulfilling fundamental rights

FRA's analysis of data and evidence will also continue to support the European Commission's regular reporting to the European Parliament and the Council of the European Union on the development of EU law and policy. The data and evidence that FRA gathers could be used to support *ex post* and *ex ante* (or 'upstream') assessments of how certain courses of action will potentially affect the upholding of fundamental rights standards. Likewise, there is a role for the agency to play in providing technical assistance and capacity building as well as in advising on the application of the fundamental rights conditionality when disbursing EU funds.

FRA will enhance its capacity to respond to requests from EU institutions for independent and evidence-based expertise and opinions on fundamental rights aspects of new EU legislative proposals. This would support the upholding of high fundamental rights standards in EU policies and legal acts. The agency has over time consolidated its role as an independent actor in informing EU law, drawing on the evidence gathered through its research work and expertise. Looking ahead, FRA will issue opinions and conclusions in line with its competences as laid down in Article 3 of its founding regulation.

FRA must also be able to react to short-term developments and crises, and provide advice, information and opinions on a short-term ad hoc basis. FRA already has considerable experience conducting fieldwork research and providing evidence-based advice in crisis situations. Recent examples, as Section 2 mentions, include FRA's work in highlighting the fundamental rights aspects of the COVID-19 pandemic and the consequences of the Russian war of aggression against Ukraine. This crisis response mode has become more and more important and is likely to remain so in the future.

Objective 1.3 – Carry out research and foresight studies on fundamental rights issues and future challenges, to help EU institutions and Member States anticipate threats to the enjoyment of fundamental rights and help them promote fundamental rights resilience

In 2023–2028, FRA will further develop its strategic foresight capacity in selected areas where it is undertaking research and data collection, to support policymakers' efforts to better anticipate future developments rather than simply reacting to them. By doing so, it will help EU institutions and Member States anticipate threats to (and identify opportunities for) the enjoyment of fundamental rights and help them to promote fundamental rights resilience.

In addition to large-scale surveys, FRA has an impressive track record of qualitative research on a wide range of topical fundamental rights issues, leading to over 30 publications in 2022 alone. The outputs range from a report on the fundamental rights implications of the Russian war of aggression against Ukraine to a guide to preventing unlawful profiling. This research output provides important information to EU and national policymakers, and others working in the fundamental rights field, and is a key function that will be continued in the future.

**Section 2** demonstrates FRA's strategic foresight capability in the assessment of megatrends and possible future scenarios for this strategy. FRA is part of existing foresight structures within the EU and has contributed to the strategic foresight processes of the European Commission in 2023. However, there is a need to develop this capacity further in the coming years. If possible, that

should involve other EU agencies and partners, particularly in relation to the new challenges that are apparent in the fundamental rights field. FRA can embed elements of foresight into selected areas of its work – encompassing the seven megatrends referred to in this document – where it has developed, and is developing, a body of knowledge and expertise through its research.

# Priority 2 – Contribute to ensuring respect, protection and fulfilment of fundamental rights in the fields covered by existing EU laws and policies

In addition to supporting the upholding of high fundamental rights standards in EU policies and legal acts, FRA will continue to have an important role in supporting the implementation of measures. In this respect, FRA's founding regulation requires it to 'formulate and publish conclusions and opinions on specific thematic topics, for the Union institutions and the Member States when implementing Union law, either on its own initiative or at the request of the European Parliament, the Council or the Commission' (Article 4). These activities are not confined to 'implementation' in the narrow sense of the word – FRA can also address relevant issues that arise in fields covered by EU law and policies that extend beyond mere implementation.

Objective 2.1 – Support the implementation of EU laws and policies with advice, opinions, research and real-time assistance to EU institutions, Member States and other stakeholders

FRA will continue to offer assistance and expertise on fundamental rights issues to EU institutions and Member States acting in fields covered by EU law. Providing independent, targeted options and assistance on fundamental rights – at the request of EU institutions or Member States – and analysing the practical implementation of laws in Member States are increasingly important tasks for FRA. By pursuing this action, it will help EU institutions and Member States ensure full compliance with fundamental rights, in line with Article 2 TEU.

FRA already has considerable experience in conducting fieldwork research and providing legal analyses of fundamental rights. It will also continue to map comprehensively the **practical implementation of EU law and provide legal analyses of key fundamental rights areas of competence**, and on other issues at the request of EU institutions. The agency's sociolegal approach, assessing the implementation of law from the perspective of the experiences of rights holders and duty bearers, has proved instrumental in identifying key fundamental rights concerns. In 2023–2028, FRA will continue to systematically promote this approach in its work for EU institutions.

Providing targeted fundamental rights expertise to EU Member States is likely to become a more regular feature of FRA's work. This could range from direct assistance to Member States through to advisory support on fundamental rights issues in the context of sharing experience across the EU, alongside targeted support related to capacity building on monitoring and evaluation practices, and the development of practical tools. Given the agency's financial and human resources, this engagement will need to be carefully targeted to those areas where FRA's input can have most impact.

Objective 2.2 – Support the integration of the fundamental rights perspective in the application of relevant laws and policies at the EU and national levels

To respond to the challenges identified in Section 2, FRA will make renewed efforts to help Member States to integrate the fundamental rights perspective in national measures in the fields covered by EU laws and policies. The need

to mainstream fundamental rights principles is nowhere more apparent than in relation to some of the new challenges that were highlighted in Section 2, such as climate change, digital transformation and the use of new technologies, as well as in socioeconomic affairs. In these areas, where deemed relevant, a priority for FRA will be to contribute to ensuring that measures taken to address new challenges include appropriate fundamental rights standards and considerations. It will also continue to support the implementation of fundamental rights requirements by providing timely and accurate information on the enjoyment of fundamental rights and the impacts of EU law and policies on fundamental rights.

In this connection it should be noted that FRA has been tasked in recent years with additional responsibilities under **specific EU instruments**, which sets out a duty for the agency to provide input. FRA obviously welcomes this development, which enhances its potential to fulfil its mission. At the same time, it must be observed that the growing responsibilities have not been matched with an increase in the agency's resources. As long as this is the case, FRA faces an even greater need to set priorities. It must also ensure that it retains enough flexibility to prevent a situation in which it is unable to respond to any new tasks.

Objective 2.3 – Assist the EU institutions and Member States with the implementation of practical measures to address fundamental rights risks and challenges that may arise in fields covered by EU laws and policies and to support rights-based approaches in EU Law and policy

FRA's presence on the ground, including **field missions to Member States**, facilitates the provision of **real-time advice to EU and national stakeholders concerning fundamental rights challenges**. Providing regular and timely information that the agency collects can directly and immediately affect the promotion and protection of fundamental rights on the ground.

FRA will promote awareness of and access to available resources (such as studies, handbooks and training materials, several of which are available in a number of EU languages) and **develop new tools and training material to assist EU institutions and Member States find practical solutions to challenges**.

The agency will also **enhance its strategic work with civil society organisations**, including through the Fundamental Rights Platform, to discuss and help address the civic space challenges on the ground.

# Priority 3 – Cross-cutting actions to support the realisation of the EU's fundamental rights goals and vision

Priority 3 is essentially cross-cutting insofar as it provides for the key elements of the delivery mechanisms that are required for the implementation of Priorities 1 and 2. Raising awareness of fundamental rights, enhancing and further developing robust research methods and methodology, effective communication by FRA with its key stakeholders and target groups, partnership working and strengthening the shared vision for fundamental rights as a basis for collaboration with partners are all key Priority 3 actions for 2023–2028.

Objective 3.1 – Promote fundamental rights at the EU and Member State levels by raising awareness among rights holders and duty bearers

Fundamental rights are basic rights and freedoms that belong to everyone in the EU. FRA will work alongside EU institutions and Member States in

promoting this message. A key focus in the next programming period will be on young people, in addition to people in vulnerable situations, Roma, minorities and other target groups of rights holders already mentioned. FRA's communication strategy will be key to this action. It will further tailor its communication strategy to target audiences and raise awareness of fundamental rights issues among its stakeholders. These include policymakers, those responsible for implementing fundamental rights (national and local authorities, agencies, law enforcement organisations, etc.), multipliers (such as journalists, educators, businesspeople, and figures in sports and entertainment) and civil society. The agency will continue to plan awareness-raising and communication activities and initiatives, in close cooperation with other fundamental rights players where applicable, to improve support and understanding of fundamental rights among its stakeholders, especially young people.

Objective 3.2 – Develop research methods and tools on fundamental rights, including benchmarking, assessment, due diligence tools and fundamental rights indicators

FRA will utilise state-of-the-art robust research methods and tools to advance research on fundamental rights issues.

FRA has done much pioneering work in research methodologies and the analysis of fundamental rights data. FRA's founding regulation tasks it to 'develop methods and standards to improve the comparability, objectivity and reliability of data at European level' (Article 4(1)(b)).

In 2023–2028, the agency will also **further develop its work on developing and applying fundamental rights benchmarks and indicators**, which are useful tools for identifying operational priorities and assessing performance. Furthermore, a key consideration during 2023–2028 will be to link FRA's work on indicators to those used in the context of EU processes – such as the Europe 2020 strategy – and the sustainable development goals.

Objective 3.3 – Collaborate with partners, fundamental rights actors and multipliers in strengthening regional, national and local fundamental rights protection systems

In 2023–2028, FRA will step up collaboration and joint working with its EU and other partners, as this is the key to efficient and effective implementation of its strategy. It will continue to enhance its agility, flexibility and creativity in its communications and partnership working.

FRA will intensify its programmes of cooperation with other actors that play a critical role in promoting and protecting human and fundamental rights. The cooperation will leverage different actors' comparative advantages and reflect their distinct and complementary roles. At the international level, this includes partnerships with various offices, funds and programmes of the **UN** system. At the regional level, cooperation with the **CoE** remains imperative, as is reflected in the founding regulation and shaped in the agreement between the European Community and the CoE on cooperation between FRA and the CoE (15.7.2008/L186/7). FRA will also continue to work closely with the Organization for Security and Co-operation in Europe (OSCE).

The relatively recent and very productive cooperation between FRA and the **EEA and Norway Grants** is greatly valued and will be further developed. FRA cooperates closely with the EEA and Norway Grants, which under their current financial mechanism have financed cooperation activities in a number of EU Member States that are grants beneficiaries. Together with the CoE and the

Organisation for Economic Co-operation and Development (OECD), FRA acts as an international partner of the grants, having supported the work of EU Member States' administrations and institutions, human rights institutions, equality bodies, etc.

No less important are the agency's relationships with **national human rights institutions**, **equality bodies**, **ombudspersons and other human rights actors**. Civil society, especially as represented by organisations participating in the Fundamental Rights Platform, is an essential partner of FRA. Furthermore, FRA will continue to extend its cooperation with other bodies that play important roles in society, including faith communities, cultural practitioners, sports bodies and business organisations.

The consultations for this strategy underlined the growing importance of also supporting the efforts of **Member States** to promote fundamental rights. FRA works closely with **national liaison officers** appointed by each Member State as FRA's contact points. The agency will strengthen the collaboration with national liaison officers and encourage them to actively communicate relevant fundamental rights evidence to the relevant national ministries, departments and government bodies. In addition, it could explore further cooperation with national parliaments.

Another of FRA's priorities in 2023–2028 will be to identify and make better use of multipliers to disseminate the results of its projects and research on fundamental rights, developments and risks. Through this priority, the agency will strive to make the evidence it produces available and accessible to all interested parties and the public.

Objective 3.4 – Promote dialogue with and among key actors to respond to fundamental rights challenges and to shape agendas with a view to enhancing collaboration and building a common vision for the future

It is clearly important that FRA's work and that of its partners be **underpinned** by a shared vision of fundamental rights, the priorities in this regard and the actions required to achieve key objectives.

In 2023–2028, and linked to Objective 3.2, FRA will continue to **convene partners and other actors working on fundamental rights** to discuss pressing fundamental rights issues, and actions to address common challenges. The agency has demonstrated its strong convening power in recent years, especially through the Fundamental Rights Forum, conferences of senior experts and other activities. The 2021 edition of the forum attracted more than 2 000 participants from all over the world.

FRA will also maintain and further develop its dialogues with young people. Meanwhile, it will help national actors convene regular dialogues on the topic of the rule of law. That will follow up the pilot dialogues it is currently undertaking at the request of the European Commission.

# 3.3. COOPERATION WITH FRA'S PARTNERS TO ADDRESS STRATEGIC PRIORITIES

This section focuses on the contribution of FRA's partners and other stakeholders to delivering FRA's strategic objectives and to upholding fundamental rights in the EU. As Section 2 explains, the EU is facing serious challenges which cannot be addressed in isolation but require joined-up, coherent and bold responses from a wide range of players and stakeholders in the EU.

FRA has developed long-standing and strategic collaborations with a wide range of partners and other entities at the international, EU, national and local levels. These include institutional actors (e.g. the European Parliament, the Council of the European Union, the European Commission, other EU bodies and the EU Member States), international organisations (CoE, UN, OSCE Office for Democratic Institutions and Human Rights and others), civil society and other bodies, as set out in FRA's founding regulation.

The agency has also enhanced its collaboration with specific actors that have the capacity and social responsibility to promote fundamental rights and achieve impact. Examples are in academia, business, sport, entertainment, arts and faith communities. FRA's strategic partnership with the EEA and Norway Grants should also be developed further, to cover more areas of the agency's work and as a means to enhance its impact in Member States that benefit from the grants.

The subsections below explain how different partners could contribute to achieving FRA's strategic priorities for 2023–2028 and reinforcing the respect, promotion and protection of fundamental rights. They provide examples and suggestions to show the potential of these collaborations and encourage more transformative partnerships. These do not create obligations for the institutions and parties mentioned.

### **European Union institutions**

FRA has consolidated its role as an independent and trusted adviser on fundamental rights to the EU institutions. Its fieldwork, legal analyses and other research have supported the European Commission's regular reporting to the European Parliament and the Council of the European Union on the implementation of Union law. They have also informed EU legislation and strategies. For example, the majority of FRA's suggestions on the establishment of a European Travel Information and Authorisation System (ETIAS) in 2017 were integrated in the related legislative proposals. Notably, FRA contributed to the EU strategy on the rights of the child and the EU strategy on LGBTIQ equality in 2020.

Looking ahead, the European Commission, Parliament and Council could contribute to achieving the EU priorities in various ways.

# The EU institutions' contribution to safeguarding and protecting fundamental rights

- 4
- Upholding fundamental rights in legislation and policymaking. The three institutions have set out common policy objectives in priority areas for the EU, as outlined in Section 3.1. This includes a joint declaration and accompanying working document which lists some 164 key legislative proposals. Mainstreaming fundamental rights considerations into EU legislation and in different policy areas is a key step to deliver on these common goals, defend our democracies and address people's concerns.
- Inviting FRA to express opinions on legislation. FRA could be invited more regularly to provide opinions on positions taken by EU institutions in the course of legislative procedures. This includes, for instance, providing opinions on measures' compliance with fundamental rights obligations, as part of the European semester, and assessing fundamental rights compliance in the disbursement of European Structural and Investment Funds.
- Inviting FRA to comment on specific topics and be part of thematic working groups. FRA is already a member of key thematic groups working on key fundamental rights issues. The Commission and the Parliament could invite FRA to support the work of Member States to develop methodologies for recording and collecting data on specific areas of fundamental rights and assess the application of the Charter of Fundamental Rights. FRA could also be invited to provide advice on specific themes with an important fundamental rights dimension, for instance on democracy, the rule of law and socioeconomic issues.

### **European Union agencies**

FRA cooperates with several EU agencies on specific fundamental rights topics, especially in the fields of justice and home affairs, including the European Union Agency for Law Enforcement Training, the European Centre for Disease Prevention and Control, the European Institute for Gender Equality, the European Monitoring Centre for Drugs and Drug Addiction, the European Union Agency for Asylum, the European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice, the European Foundation for the Improvement of Living and Working Conditions, the European Union Agency for Criminal Justice Cooperation, the European Union Agency for Law Enforcement Cooperation and the European Border and Coast Guard Agency. FRA provides fundamental rights analysis and expertise to support the integration of fundamental rights considerations in the agencies' operational activities and work.

All EU agencies have the responsibility to ensure respect for the rights enshrined in the Charter of Fundamental Rights of the European Union, as interpreted under EU and international law, in all their activities. In line with the overarching EU policy objectives for the years to come, the agencies will need to pay special attention to the development, promotion and protection of our democratic values, freedoms and universal fundamental rights in their fields of competence.

In the future, FRA will continue to provide support to other agencies to mainstream a fundamental rights dimension into the agencies' activities. It will also be necessary to critically reflect on possible complementarities and synergies between FRA and other agencies in thematic areas where important fundamental rights risks and opportunities are emerging (e.g. digitalisation, climate change and just transition, and social and economic affairs) and that are not traditionally central to the agency's work.

### International organisations

Having more strategic collaborations and exchanges with key international organisations such as the CoE, UN, OSCE and other organisations will be key to addressing complex fundamental rights challenges with wide-ranging global spillover effects. For example, the agency cooperates with Organisation OECD, the International Centre for Migration Policy Development (ICMPD) and other entities with an international character, in particular the EEA and Norway Grants. The CoE is a key partner, and there is a particularly close relationship between this organisation and FRA. Collaboration with the CoE and other international organisations should complement each other's work and further improve communication on universal fundamental rights. This could lead to more joint products in the coming years, such as the '10 keys to effectively communicating human rights' produced by the C-10 group. (20) The collaboration with selected international organisations could also focus on new thematic areas or emerging fundamental rights challenges.

### Member State authorities and bodies

Member States and domestic bodies have the primary responsibility for safeguarding the personal, civil, political, economic and social rights enshrined in the Charter of Fundamental Rights of the EU. The work of national parliaments, governments, authorities and courts, and professional associations, is and will continue to be crucial to secure fundamental rights in the first place, to monitor the state of fundamental rights, to improve, where necessary, the compliance of national legislation and policies, to measure progress and to

identify emerging risks and opportunities for fundamental rights within the Member State, in the fields covered by EU law and policies.

### **Civil society**

Civil society organisations, entities and bodies are key players in building a stronger, vibrant and socially just Europe with people at the heart. Involving civil society in designing, formulating, implementing and monitoring national legislation, policies and strategies is important to reinforce democratic systems within the Union and ensure that policies meet people's needs and expectations. Civil society organisations and entities will also help to resist growing pressures on fundamental rights within the EU.

FRA cooperates and exchanges information with civil society through the Fundamental Rights Platform, which includes 867 entities working on fundamental rights from across the EU and FRA's observer states, Albania, North Macedonia and Serbia. The platform offers a unique space for FRA and civil society to share information, expertise and knowledge, and for networking between participating organisations. Engaging with civil society organisations, activists and networks, through the Fundamental Rights Platform and other activities, will continue to be a cornerstone of FRA's work and contribute to the achievement of its strategic goals.

### Other human rights defenders and stakeholders

FRA also collaborates with national human rights institutions, equality bodies and ombudsperson institutions across the EU and has regular exchanges with them. Those organisations have key responsibilities for protecting and promoting human rights at the national level and in their own spheres of competence. Their commitment to monitor and improve awareness of and compliance with fundamental rights in the Member States will be key in the future. So will their continued collaboration with FRA.

However, the trends and issues in **Section 2** require the involvement of other human rights defenders and non-traditional players, which have the potential to contribute to FRA's priorities and shared goals in relation to fundamental rights. These are entities from the arts, faith and business as well as academia that can be multipliers of messages. A wide range of stakeholders participated in the 2021 Fundamental Rights Forum and discussed pressing fundamental rights issues. Building on this, FRA will continue to provide spaces for dialogue and also explore ways to encourage transformative partnerships between these actors, ensuring that all groups, including those that are difficult to reach, have the chance to participate and be consulted.

### 3.4. MONITORING AND EVALUATION

FRA has set out key priorities and objectives in this plan that will guide its decisions and interventions in the years to come.

It will clearly be important to monitor progress in advancing FRA's strategic priorities set out in **Section 3.2** of this document. Likewise, given the fast-changing international environment, the priorities themselves and challenges and opportunities outlined in **Section 2**, which will influence the environment of fundamental rights in the coming years, will need to be reviewed and possibly updated to reflect developments and emerging needs.

An interim assessment of the strategy will therefore take place halfway through its term. FRA will conduct this assessment with input from key stakeholders.

# **APPENDIX**

# RELATIONSHIP BETWEEN THE STRATEGY'S FUNCTIONAL AND THEMATIC DIMENSIONS

As noted earlier, FRA's strategy for 2023–2028 has both functional and thematic dimensions. The strategic matrix in the appendix summarises the relationship between these dimensions, that is, the extent to which the different functional dimensions relate to the different thematic priorities.

The functions that FRA carries out are relevant to all the thematic areas outlined in **Section 2**, but the precise mix is likely to vary. Thus, in some thematic areas, Priority 1 functions are likely to be especially relevant. This also applies to Priority 2.

In those thematic area that include megatrends involving relatively new challenges to fundamental rights, the functional emphasis will be on supporting the development of the EU response by providing information and advice to policymakers (Priority 1). That reflects the policy life cycle approach that underpins the definition of FRA's priorities (Section 3.2). Some examples of actions are included in the previous section. For instance, in relation to climate change, there is much research to undertake to fully understand the implications for fundamental rights and the scope for policy responses.

Once laws and policies have been adopted, the emphasis will shift to supporting the implementation of EU policies to mitigate the consequences of climate change in a way that respects fundamental rights. Here FRA has an important role in supporting the assessment of compliance with key fundamental rights indicators (Priority 2). Similarly, where the fundamental rights issues are not new (e.g. in equality and discrimination) it is more a question of supporting implementation. Priority 3 is cross-cutting and therefore applies across all thematic areas.

The strategic matrix provides a snapshot of the relationship between different FRA functions (priorities and objectives) and the thematic areas outlined in **Section 2**. The matrix could be used as a management tool to ensure that FRA allocates its financial and human resources in a way that reflects its strategic priorities. It will clearly be important to periodically review the prioritisation that the matrix summarises, possibly to coincide with the preparation of the annual work programme.

### STRATEGIC MATRIX - MEGATRENDS AND STRATEGIC PRIORITIES

### Priority 1 – Support the upholding of fundamental rights standards in the development of new EU laws and policies

- 1.1 Produce information on fundamental rights issues and trends by collecting and analysing robust, reliable and comparable data and evidence on the state of the respect, protection and fulfilment of fundamental rights across the Union.
- 1.2 Provide decision-makers with independent advice and opinions to support them to advance policies that fully respect fundamental rights and are effective in protecting and fulfilling fundamental rights.
- 1.3 Carry out research and foresight studies on fundamental rights issues and future challenges, to help EU institutions and Member States anticipate threats to the enjoyment of fundamental rights and help them promote fundamental rights resilience.

### Priority 2 – Contribute to ensuring respect, protection and fulfilment of fundamental rights in the fields covered by existing EU laws and policies

- 2.1 Support the implementation of EU laws and policies with advice, opinions, research and real-time assistance to EU institutions, Member States and other stakeholders.
- 2.2 Support the integration of the fundamental rights perspective in the application of relevant laws and policies at the EU and national levels.
- 2.3 Assist the EU institutions and Member States with the implementation of practical measures to address fundamental rights risks and challenges that may arise in fields covered by EU laws and policies and to support rights-based approaches in EU law and policy.

### Priority 3 – Cross-cutting actions to support the realisation of the EU's fundamental rights goals and vision

- 3.1 Promote fundamental rights at the EU and Member State levels by raising awareness among rights holders and duty bearers.
- 3.2 Develop research methods and tools on fundamental rights, including benchmarking, assessment, due diligence tools and fundamental rights indicators.
- 3.3 Collaborate with partners, fundamental rights actors and multipliers in strengthening regional, national and local fundamental rights protection systems.
- 3.4 Promote dialogue with and among key actors to respond to fundamental rights challenges and to shape agendas with a view to enhancing collaboration and building a common vision for the future.

Thematic area	Priority 1		Priority 2		Priority 3					
memant area	1.1	1.2	1.3	2.1	2.2	2.3	3.1	3.2	3.3	3.4
Challenges to justice and the rise of a security-based agenda	XXX	xxx	xxx	xxx	xxx	xxx	XXX	XXX	xxx	xx
Threats to democratic values	XX	Х	XX	XXX	Х	XXX	XXX	Х	XX	XXX
Deepening inequality and increased discrimination	xx	xxx	xx	xxx	xxx	xxx	xxx	хх	хх	xxx
Changing patterns of migration	XXX	XX	XX	XXX	XXX	XXX	XXX	XX	Х	XXX
Economic and social trends	XXX	XXX	XXX	XX	XXX	XX	XX	Х	XX	XXX
Digital transformation and Al	XXX	XXX	XX	XX	XX	XX	XX	XX	XX	XXX
Climate change	XX	XXX	XXX	Х	XXX	XX	XXX	XX	XX	xxx

Key: x = distant relationship, xx = medium relationship, xxx = close relationship.

### **Endnotes**

- (1) FRA (2018), FRA Strategy 2018-2022, Vienna.
- (2) FRA (2022), Putting human rights at the heart of Europe's future Human rights leaders and experts meeting, Publications Office of the European Union, Luxembourg, p. 2.
- (3) European Parliamentary Research Service (2022), 'Peace and security in 2022: overview of the EU action and outlook for the future', 19 July 2022.
- (4) United Nations (2020), 'Peace, justice, and strong institutions: Why they matter', information sheet.
- (5) For more information, see the European Council and Council of the European Union web page on 'EU migration and asylum policy'.
- (6) For more information, see FRA's website for its work on 'Artificial intelligence and big data'.
- (7) OECD (2021), *Bridging Digital Divides in G20 Countries*, OECD Publishing, Paris.
- (8) For more information, see the UN website for their findings from their 'World Economic and Social Survey 2016: Climate Change Resilience—an Opportunity for Reducing Inequalities', detailed on their web page 'Report: inequalities exacerbate climate impacts on poor'.
- (9) European Parliament, Council of the European Union and European Commission (2022), 'Joint declaration of the European Parliament, the Council of the European Union and the European Commission – EU legislative priorities for 2023 and 2024', 15 December 2022.
- (10) Swedish Presidency of the Council of the European Union (2023), 'Swedish Presidency of the Council of the European Union 2023 Programme'.
- (") European Commission (2021), Commission communication The European Pillar of Social Rights action plan COM(2021) 102 final.
- (12) European Commission (2021), Commission communication EU strategy on the rights of the child (2021–24), COM (2021) 142 final.
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- (15) European Commission (2020), 'Commission communication EU strategy on victims' rights (2020–2025), COM(2020) 258 final.
- (16) For more information, see the European Commission webpage on 'A European Green Deal'
- (17) For more information on other initiatives, see the 2030 EU climate target plan, initiatives relating to the UN sustainable development goals, and other initiatives (the EU biodiversity strategy for 2030, the circular economy action plan, etc.).
- (18) European Parliament and the Council of the European Union (2022), Decision (EU) 2022/2481 of the European Parliament and of the Council of 14 December 2022 establishing the Digital Decade Policy Programme 2030 (OJ L 323, 19.12.2022, p. 4).
- (19) For more information, see the United Nations Development Programme web page on the **sustainable development goals**.
- (20) FRA, EU, CoE, Office for Democratic Institutions and Human Rights, Office of the United Nations High Commissioner for Human Rights, European Network of National Human Rights Institutions and European Network of Equality Bodies (2022), '10 keys to effectively communicating human rights', Publications Office of the European Union, Luxembourg.

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