
Decision n°: 2014/04

SUBJECT : 2014-01 Management Board budgetary transfer and amendment of the Annual Work Programme

THE MANAGEMENT BOARD OF THE EUROPEAN UNION AGENCY FOR FUNDAMENTAL RIGHTS

HAVING REGARD to the Council Regulation (EC) No 168/2007 of 15 February 2007 establishing a European Union Agency for Fundamental Rights (hereinafter referred to as the 'Agency'), and in particular Article 12 paragraph 6 (a) thereof;

HAVING REGARD to Management Board decision of 12 December 2013 on the Financial Rules applicable to the budget of the Agency (hereinafter referred to as the 'Financial Rules'), and in particular 27§2 thereof;

HAS DECIDED AS FOLLOWS:

Article 1

To adopt the 2014-01 Management Board transfer of appropriations on the 2014 budget amending the Agency's Annual Work Programme, as explained in Annexes I and II, and III.

Vienna, 23 May 2014

For the European Union Agency for Fundamental Rights



Maija Sakslin
Chairperson of the Management Board

Annexes:

Annex I – Explanatory note on the proposed budgetary transfer

Annex II – Amounts per commitment item

Annex III – Amendment AWP 2014 (including the relevant financing decisions)

FROM:	Administration	<i>PAGE 1/4</i>
TO:	Management Board	
DATE:	23 May 2014	
SUBJECT:	Annex I – 2014-01 Management Board budgetary transfer	

Title I – Staff Expenditure

During the preparation of the 2014 Budget the Agency earmarked 390,000 EUR under Title I to cover the payment of the 2011 and 2012 salaries increase (RAPPEL). This is discussed in the introductory note 2013/18MB/EN/IN_DB and AWP 2014 (Agenda Item 07) of the 18th MB meeting.

On 16th April 2014 two new Regulations of the European Parliament and of the Council came into force adjusting the remuneration and pensions of officials and other servants of the European Union and the correction coefficients applied thereto with effect from 1st July 2011 and from 1st July 2012.

Based on these regulations the salary increase for 2011 is 0.0% and for 2012 0.8%. However, the calculation of the earmarked amount mentioned above was estimated considering 1.7% increase for each year which was closer to the result of the formula that is regularly used for the salary adjustment.

Based on the 0.8% increase decided, and taking into consideration the difference between salaries payment of April 2014 and May 2014 the RAPPEL is estimated to 39,000 EUR. Therefore, a surplus of 350,000 EUR is generated, which equals to the difference between the 390,000 EUR earmarked and the actual payment made.

Title III – Operational Expenditure

B-3211 – Information society and, in particular, respect for private life and protection of personal data

This budget item is proposed to be increased by €128,500 representing 1,285% of the adopted budget. A commitment needs to be made for €45,000 based on an estimate for the translation, layout/prepress and printing of the Handbook on European Data Protection Law into two additional languages (CZ and SE). Both language versions could not be covered by funds in 2013. These two language versions are the only remaining translations of all EU languages (with the exception of Gaelic and Maltese) of the Handbook. To meet stakeholder requests for national language deliverables, the two remaining languages need to be



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published. The translation for both languages is €40,112 and the remaining budget of €4,888 is to cover pre-press printing costs.

The additional printing of 1,500 additional copies of the forthcoming Romanian version of the Handbook is estimated to €1,000. This specific request was made by the Romanian Authorities who wished to use the Handbook to train magistrates in Romania.

The Handbook will be launched in Strasbourg on 5th of June. Additional reprints of the Handbook as well as the Data Protection Remedies Report will have to be ordered to cover post-launch requests for copies of these deliverables. The costs are estimated to be €4,000. This will allow us to respond to stakeholders requests for printed copies.

In 2014 the Agency will further develop the concept of Activity-Based Budgeting, which is a wider component of the Activity-Based Management. Therefore, the costs of the missions linked to the operational activities are now charged under Title III. This decision was taken at the beginning of 2014 and therefore, the amount of €10,000 is needed to cover this type of expenditure.

The remaining funds (i.e. €68,500) will finance the new project "National intelligence authorities and surveillance in the EU: Fundamental rights safeguards and remedies". For further details please refer to the project fiche annexed to this procedure.

B-3230 – Immigration and integration of migrants

This budget item is proposed to be increased by €43,500 representing 9% of the adopted budget. The project 4.1.3 on biometric data in large IT borders, immigration and asylum databases has a budget of €50,000 under 1st priority and €600,000 EUR under 3rd priority. The 1st priority amount was mainly intended for a legal and policy analysis required to prepare the field work in 2015. Following discussions with stakeholders and steps taken by FRA to conceptualise the field work, it became evident that FRA needs to collect certain information about the legal framework and practices in all EU Member States. FRA's researcher network FRANET is best placed to collect such information. Similar data collection exercises carried out in the past indicated that for this purpose an amount of some 200,000 Euros is needed. This would require an increase of 150,000 Euro.

This amount can be partly covered with savings made elsewhere within the MAF area, immigration and integration of migrants, visa and border control and asylum. The project 4.1.2 "Inter-agency cooperation and other activities in the areas of borders, immigration and asylum" envisages as planned outputs the delivery of expert advice to key stakeholders (such as the European Commission) as and when requested. In 2014, FRA has received two formal requests by the European Commission, one on PNR and one on Schengen

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evaluations. Both requests can be implemented with less financial resources as originally envisaged, resulting in savings of 106,500 Euros.

B-3350 – Rights of the child

This budget item is proposed to be decreased by €100,000 representing 17% of the adopted budget. In 2013 it was initially planned to survey three (3) countries out of a total of ten (10) countries for the project “Child Participation in Civil and Criminal Justice”. However, due to budget availability and after having concluded the project preparatory phase, it was possible to survey seven (7) countries by the end of 2013. This resulted to a surplus of funds under the 2014 budget where the additional four (4) countries had been initially budgeted.

B-3701 – Research and data collection

The budget item is proposed to be increased by €40,000 representing 8% of the adopted budget. This amount will cover a meeting with the new FRANET contractors (28 Member States; 1-2 representatives per MS) that is planned for October 2014. This meeting will serve the purpose of discussing the modalities of the FRANET contributions for the FRA Annual Report 2014.

B-3711 – Communication and awareness-raising

The budget item is proposed to be increased by €186,500 representing 16% of the adopted budget. This amount will be allocated to the project Online Communication and Documentation to enhance the FRA’s online data visualisation and interactive capabilities, by developing a new tool - the FRA Multidimensional Data Explorer (FRA-MDX). This would be in principle a universal tool that can be used to visualize the results of any Agency project. It would store key data, information, opinions, etc. from FRA projects. From that data, the tool would be able to generate visualizations in the form of interactive maps, charts, tables, indicators, text and so on.

The FRA-MDX would allow data to be accessed in multiple ways, for example by theme, or by country. The data, information, etc. as well as the visualizations generated would be exportable in various formats.

The FRA has a lot of data locked up in inaccessible formats in PDF reports. The comparative data which is of great interest to our key stakeholders should be made available in map or chart format with the possibility to view related opinions, background information from the project on the same page as the charts.

By focussing on the project data this would enable greater re-use of the data and its integration into the EU Open Data Portal. Making data available on this portal would be in

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line with the overall EU open data policy (Directive 2003/98/EC on reuse of public sector information and Decision on the reuse of Commission document 2006/291/EC amended 2011/833/EU). Making data more accessible would also give the agency an image of openness and transparency.

The data shall be made available at the individual country level (thereby helping to increase impact at the national level) as well as at the EU level. It should also be tagged thematically to enable access by themes.

The FRA-MDX would be accessible from an EU map allowing the user to click on each country or the EU as a whole and see which data is available for the country. For a particular theme and country information would be available such as charts and maps, background information as well as related opinions.

The user would be able to select which elements should appear on the page and then be able to export the page to a PDF file thus creating a customised FRA factsheet.

The FRA-MDX would store all relevant data in a single repository accessible by theme, country, etc., or by combinations of multiple filters (e.g. "display all indicators relating to country X").

The FRA-MDX would have a significant impact on the way projects are designed. Data visualisation and interactivity would be integrated from the start of all projects, thus all Project Managers would have to plan for a FRA-MDX component of their project. The data for the visualisation needs to be provided in a timely manner using a defined format and will be made available on the EU Open Data Portal.

B-3900 – Reserve for Title III

The budget item is proposed to be increased by €51,500. This amount will be used to cover the needs for the operational missions, and the related sub-network meeting costs stemming from the coordination of the Heads of Agency network. As from 2014 the Agency further developed the Activity Based Management. In this framework, the missions linked to its operations are now charged under Title III. However, the projects' budget has not been adjusted yet. Therefore, scattered deficits are expected to be faced in the course of the year. Ad-hoc Agency budgetary transfers will take place as needed.

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**FRA**

EUROPEAN UNION AGENCY FOR FUNDAMENTAL RIGHTS

Annex II - 2014-01 Management Board transfer on C1 credits by budget line

<u>Item</u>	<u>Description</u>	<u>Current commitment appropriations</u>	<u>Committed appropriations</u>	<u>Uncommitted appropriations</u>	<u>Budgetary transfer</u>	<u>Commitment appropriations following the budgetary transfer</u>
		(1)	(2)	(3)=(1)-(2)	(4)	(5)=(1)+(4)
TITLE I						
A-1100	Basic salaries	5,971,000.00	5,541,000.00	430,000.00	-350,000.00	5,621,000.00
TOTAL TITLE I		12,185,000.00	10,857,749.94	1,327,250.06	(350,000.00)	11,835,000.00
TITLE III						
B3-211	Information society and, in particular, respect for private life and protection of	71,151.53	68,111.31	3,040.22	128,500.00	199,651.53
B3-230	Immigration and integration of migrants	460,000.00	123,603.83	336,396.17	43,500.00	503,500.00
B3-350	Rights of the child	590,000.00	223,910.47	366,089.53	-100,000.00	490,000.00
B3-701	Research and data collection	475,000.00	4,000.00	471,000.00	40,000.00	515,000.00
B3-711	Communication and awareness-raising	1,148,848.47	412,815.10	736,033.37	186,500.00	1,335,348.47
B3-900	Reserve for Title 3	105,000.00	-	105,000.00	51,500.00	156,500.00
TOTAL TITLE III		6,800,000.00	1,529,322.65	5,270,677.35	350,000.00	7,150,000.00
TOTAL 2013 BUDGET		21,229,000.00	13,571,425.06	7,657,574.94	-	21,229,000.00

ON-GOING Project fiche 4.1.2

first priority

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

Description

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

Objectives

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

Beneficiaries and target groups

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

Activities and results achieved so far

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

Planned activities in 2014

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

Planned outputs in 2014

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

Financial resources allocated to the project

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

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

NEW Project fiche 4.1.3

first priority

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

Description

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

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

Objectives

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

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

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

Overall outputs

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

Activities and results achieved so far

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

Beneficiaries and target groups

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

Planned activities in 2014

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

Planned outputs in 2014

Publications planned for 2016

Financial resources allocated to the project

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

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

Project fiche 4.9.5

Online communication and documentation

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

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

Objectives

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

Planned outputs

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

Beneficiaries and target groups

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

Activities and results achieved

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

Planned activities and output in 2014

Communication

Continuous website development

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

Ongoing website updating and maintenance

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

Social media

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

Charterpedia and Charter app

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

Case Law Database

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

Coordination of Human Rights Documentation

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

Financial resources allocated to the project

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

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

Legal basis: Council Regulation (EC) No 168/2007 / Council Decision of 28 February 2008 implementing Regulation 168/2007
Budget line: B0-3230

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

Objectives: See AWP2014 page 19

Budget: € 223.500

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

Description of the action: Research and stakeholder cooperation

Subject matter of the contracts envisaged: Survey

Type of contracts: Framework contract, service contract

Type of procurement (if applicable):

Number of contracts envisaged: 2

Indicative timeframe for launching the procurement procedure: 1st and 3rd quarter

Indicative budget for procurement: € 223.500

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

Objectives: See AWP2014 page 20

Budget: € 200.000

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

Description of the action: Research activities

Subject matter of the contracts envisaged: Survey

Type of contracts: Framework contract - FRANET

Type of procurement (if applicable):

Number of contracts envisaged: 1

Indicative timeframe for launching the procurement procedure: 3rd quarter

Indicative budget for procurement: € 200.000

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

Objectives: See AWP2014 page 20

Budget: € 200.000

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

Description of the action: Research activities

Subject matter of the contracts envisaged: Survey

Type of contracts: Framework contract - FRANET

Type of procurement (if applicable):

Number of contracts envisaged: 1

Indicative timeframe for launching the procurement procedure: 3rd quarter

Indicative budget for procurement: € 200.000

Cross-cutting projects or activities covering all MAF areas

Legal basis: Council Regulation (EC) No 168/2007 / Council Decision of 28 February 2008 implementing Regulation 168/2007
Budget line: B0-3711

Project fiche 4.9.5: ONLINE COMMUNICATION AND DOCUMENTATION

Objectives: See AWP2014 page 48

Budget: € 365.500

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

Description of the action: Communication and cooperation activity

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

Type of contracts: Specific contract based on an existing FWC

Type of procurement (if applicable): Service contract

Number of contracts envisaged: 2-4

Indicative timeframe for launching the procurement procedure: Throughout the year

Indicative budget for procurement: €365.500