

## DECISION OF THE DIRECTOR

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**REF:** INST/001/2020

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**TITLE:** Fundamental Rights Platform – Terms of Reference

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### **THE DIRECTOR OF THE EUROPEAN UNION AGENCY FOR FUNDAMENTAL RIGHTS**

#### **WITH THE INTENTION OF**

Ensuring the effective cooperation of the EU Agency for Fundamental Rights (FRA) with relevant civil society actors as envisaged by Council Regulation (EC) No 168/2007 of 15 February 2007 establishing a European Union Agency for Fundamental Rights.

Enhancing the cooperation between civil society organisations and FRA, to the benefit of human rights protection for people in the EU.

Building on the fruitful cooperation with civil society so far and with an aim to strengthen further the operational dimension and direct interaction between FRA and civil society at thematic level.

#### **RECALLING THAT**

According to Article 10 (1) of the Regulation establishing FRA, the Agency *“shall closely cooperate with non-governmental organisations and with institutions of civil society, active in the field of fundamental rights including the combating of racism and xenophobia at national, European or international level. To that end, the Agency shall establish a cooperation network (Fundamental Rights Platform), composed of non-governmental organisations dealing with human rights, trade unions and employer's organisations, relevant social and professional organisations, churches, religious, philosophical and non-confessional organisations, universities and other qualified experts of European and international bodies and organisations.”*

According to Article 10 (2) of the Regulation, the Fundamental Rights Platform *“shall constitute a mechanism for the exchange of information and pooling of knowledge. It shall ensure close cooperation between the Agency and relevant stakeholders.”*

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According to Article 10 (3) of the Regulation, *“the Fundamental Rights Platform shall be open to all interested and qualified stakeholders in accordance with [Article 10(1)]. The Agency may address the members of the Fundamental Rights Platform in accordance with specific needs related to areas identified as a priority for the Agency's work.”*

According to Article 10 (4) *“The Agency shall call upon the Fundamental Rights Platform in particular, to:*

*(a) make suggestions to the Management Board on the Annual Work Programme to be adopted pursuant to Article 12(6)(a);*

*(b) give feedback and suggest follow-up to the Management Board on the annual report provided for in Article 4(1)(e); and*

*(c) communicate outcomes and recommendations of conferences, seminars and meetings relevant to the work of the Agency to the Director and the Scientific Committee.”*

According to Article 10.(5) *“The Fundamental Rights Platform shall be coordinated under the authority of the Director”.*

**HAS DECIDED,**

## ***Article 1 – Purpose of cooperation***

- (1) The Fundamental Rights Platform is FRA's cooperation network with non-governmental organisations and institutions of civil society, active in the field of fundamental rights.
- (2) The Platform serves to:
  - a) Exchange information between FRA and civil society organisations;
  - b) Enhance cooperation and pool knowledge with and among civil society organisations;
  - c) Bring relevant civil society expertise, knowledge and experience to FRA's work;
  - d) Cooperate with civil society in raising awareness of fundamental rights, based on FRA evidence;
  - e) Empower and strengthen civil society actors active in the field of human and/or fundamental rights.

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## ***Article 2 – Conditions for cooperation with FRA through the Platform***

- (1) Civil society organisations cooperating with FRA through the Platform shall fulfil all the following requirements:
  - a) They are active in the field of human and/or fundamental rights;
  - b) They have fundamental rights related operations within the EU, or in a country which has observer status with FRA, in accordance to Article 28 of the Regulation establishing FRA; or have fundamental rights experience that is relevant for civil society organisations in the EU;
  - c) They are unreservedly committed to respecting fundamental rights as enshrined in the Charter of Fundamental Rights of the European Union;
  - d) They have experience and capacity with regard to the promotion and protection of fundamental rights;
  - e) They are committed to engage in a respectful and fruitful dialogue with FRA and others cooperating through the Platform;
  - f) They agree to provide FRA, upon request, detailed information regarding their work, organisational structure, funding and other governance issues;
  - g) They refrain from any conduct disrespectful of human and fundamental rights to any person or group of persons.
- (2) While the Platform is the Agency's key interface with civil society, it is not a body of the Agency and not a representative structure. It has no decision-making powers, and does not constitute a form of 'membership'. The organisations cooperating within the Platform may not act or speak on behalf of FRA, and may not use the logo of FRA. FRA cannot in any way be held responsible for any actions and/or expressions of organisations cooperating within the FRP.

## ***Article 3 – Organisations included in the Platform***

- (1) Civil society organisations meeting the requirements listed in Article 2 of this Decision can apply to be registered in the Platform database.
- (2) By registering for the Platform database, organisations subscribe to fulfilling all criteria in Article 2 and agree to cooperate with FRA through the means listed in Article 4 of this Decision, as well as to completing the annual online feedback survey on FRA-Platform work.
- (3) Organisations can request to be registered or to be removed from the Platform database anytime.

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- (4) Organisations may be deregistered from the FRP database by FRA if:
- a) The Head of Unit of FRA responsible for cooperation with civil society decides based on an internal assessment of the available evidence that the respective organisation no longer fulfils the conditions listed under Article 2. In this case, the Head of Unit will send a written formal notice to the organisation detailing the concerns. In case FRA receives no reply within six weeks or in case the written reply does not adequately address the concerns, FRA will remove the organisation from the FRP database. FRA will inform the organisation concerned about the removal, and within four weeks after receipt of the notice of removal, the organisation can appeal the decision in writing to the Director of FRA. The Director will take a final decision on the matter within 4 weeks after receipt of the appeal.
  - b) The organisation concerned did not complete the annual FRA-FRP feedback survey (as per Art. 5 of this decision) for two consecutive years. Before removing an organisation from the FRP database for this reason, FRA will send a written notice. In case FRA receives no reply within four weeks after the notice has been sent, the organisation will be removed from the database.
  - c) The contact details of an organisation are no longer valid, no new contact details have been communicated to FRA, and/or the respective organisation no longer replies to any communication for more than a year. Before deregistering an organisation from the FRP database for this reason, FRA will make other efforts to communicate, including online and through telephone. In case no contact is possible, the organisation will be deregistered.

## ***Article 4 – Forms and formats of cooperation***

### **(1) Exchange of information**

- a) The Agency regularly informs Platform organisations about its ongoing and upcoming work, and is interested to learn about the work of FRP organisations. Organisations in the Platform receive FRA information on a regular basis, including newsletters and information about new reports and findings;
- b) Depending on their thematic area of work as indicated in the registration form, Platform organisations receive advance information on upcoming FRA reports and projects;
- c) Platform organisations are encouraged to inform FRA of their work, through their own newsletters, reports and annual reports, etc., including about challenges they face in carrying out their activities as well as promising practices that they have identified in their work.

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## **(2) Thematic input and strategic advice**

FRA seeks thematic input and strategic advice from the Platform organisations. It collects such input through online tools (online surveys), meetings, working groups, or conference calls.

- a) Statutory consultations: All organisations in the Platform are consulted annually on the annual work programme of the Agency and on its annual Fundamental Rights Report;
- b) Thematic consultations: All organisations in the Platform can be invited as appropriate to contribute to (online) consultations regarding specific themes relevant to their area of work; including an annual online consultations on challenges they face in their work;
- c) Participation in FRA events: Organisations in the Platform can be invited to contribute to FRA's work by participating in conferences, workshops and other events, in line with criteria defined by FRA for each specific activity;
- d) Ad hoc 'FRA-civil society working groups': Where FRA is in need of specific expertise or advice, it may invite relevant civil society organisations to closely cooperate on specific topics for a certain period depending on thematic expertise and capacity ;
- e) Participation in expert meetings: When the Agency organises expert meetings for its work in projects or otherwise, it may invite relevant civil society organisations from the Platform to participate, depending on thematic expertise and capacity;
- f) Receive feedback and advice on the cooperation between FRA and Platform organisations: All organisations in the Platform shall complete the annual online feedback survey on FRA-Platform work (see Article 5 of this decision).

## **(3) Connecting organisations with FRA and among each other**

FRA aims to foster connections with and among Platform organisations, both at EU level and at national levels.

- a) A list of all organisations registered in the Platform database (name and website address) is published on FRA's website;
- b) Peer exchange: Depending on their areas of expertise, organisations can be invited for thematic meetings, workshops and exchanges with other Platform organisations:
- c) Exchange with FRP organisations at EU-level: FRA meets with EU level umbrella networks annually;
- d) Meetings at national level: Where FRA visits specific countries or undertakes national events, it will seek to invite Platform organisations active in a given Member State or observer

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country;

- e) Fundamental Rights Forum: the Agency will ensure that relevant Platform organisations are invited to participate, depending on thematic focus and capacity.

## **(4) FRA Tools**

Organisations in the Platform are invited to communicate to FRA any ideas how to further improve the civil society-relevance of FRA deliverables and tools and to make full use of FRA tools and deliverables, such as for instance:

- a) The list of organisations registered in the FRP to connect with other civil society organisations;
- b) FRA Handbooks, reports and factsheets on dedicated issues of concern to civil society;
- c) FRA survey data, including through the data explorer tool;
- d) FRA webinars;
- e) European Union Fundamental Rights Information System (EFRIS) and other FRA databases.

### ***Article 5 – Feedback and evaluation***

With the aim to increase the effectiveness and evaluate the usefulness of its cooperation with civil society organisations, FRA will conduct an annual online survey with all organisations in the Platform database, to receive feedback on the thematic and strategic cooperation between FRA and FRP organisations in the past year.

FRA will publish a report about Platform activities and input yearly, which shall include a short summary and evaluation of Platform activities during the year, as well as results from the online feedback survey and lessons learned. The report is published on FRA's website, sent to all organisations in the Platform database, and presented to FRA's Management Board.

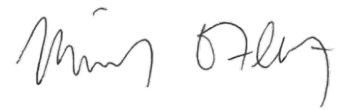
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## ***Art. 6 – Entry into force***

This decision enters into force the day after its adoption. It replaces the FRP Terms of Reference (Decision DIR/014/2017, 17 March 2017).

Done in Vienna on  
03 June 2020

The Director,

A handwritten signature in black ink, appearing to read 'Michael O'Flaherty', written in a cursive style.

Michael O'Flaherty