

May 2015

**Annual Work  
Programme  
2015  
Amendment 1**



With regard to the proposed 2015 budgetary transfers, the following sections and annexes of the Annual Work Programme 2015 have been amended:

### **Section 5 – FRA’s projects in 2015**

The following project fiches are included the new proposed budget:

5.1.1	Severe forms of labour exploitation
5.6.3	Additional activities in the area of 'Rights of the Child'
5.7.4	Handbook on access to justice in Europe
5.7.7	The right to interpretation and translation and the right to information in criminal proceedings in the EU
5.11.1	Complementary data collection and analysis to support evidence based for stakeholders

### **Annex I – Human Resources allocation**

According to the EU Adopted budget for 2015, FRA’s establishment plan has been reduced by 2 posts (from 75 temporary agents to 73): this reduction is reflected in the AWP Annex I table. One Temporary Agent position has been cancelled from the operational activities and one from the support activities.

### **Annex III – Financing Decision**

The financing decision related to the project affected by the proposed budgetary transfer have been amended accordingly.

ON-GOING Project fiche 5.1.1

first priority

## Severe forms of labour exploitation

### Description

The Charter of Fundamental Rights of the EU prohibits in Article 5 slavery and forced or compulsory labour. Also, under Article 31 every worker has the right to working conditions which respect his or her health, safety and dignity. In addition, severe forms of labour exploitation are often accompanied by other fundamental rights abuses. Different groups of EU and non-EU citizens are vulnerable to severe forms of labour exploitation, which include work in sectors such as agriculture, construction, domestic work, restaurants, cleaning, entertainment and food processing, and can encompass a range of abuses, such as having to work extremely long hours or confinement in sub-standard accommodation without the freedom to leave. The phenomenon is assisted by informal recruiters and temporary employment agencies, which can play a role in leading workers into a situation of severe labour exploitation. The project builds on previous FRA research, in particular on the report on migrants in an irregular situation employed in domestic work, and will be linked to work relating to victims' rights and support. The Employers' Sanctions Directive (2009/52/EC) and the Trafficking Directive (2011/36/EU) serve as benchmarks for the research. Where appropriate, also the draft Seasonal Workers Directive (COM(2010) 379 final) is taken into account. Reports by the Council of Europe expert group on trafficking in human beings (GRETA) concerning EU Member States are considered as a source of information. Because of the illegal nature of labour exploitation and the vulnerabilities of its victims – which include both EU and non-EU citizens – it largely remains undetected and unreported. If victims belong to ethnic minorities, such as the Roma, this factor further impedes their access to justice. At the same time, the absence of sufficient inspections and monitoring of severe forms of labour exploitation by authorities – such as labour inspectorates – means that these abuses remain hidden. Victims of severe labour exploitation have a right to assert claims for remuneration and compensation for violations of their rights as well as to criminal proceedings. A lack of legal definitions or support can hinder victims' access to justice. It is apparent that this is an area that warrants further research on the nature of and responses to the phenomenon in the EU, particularly in areas other than sex trafficking – which has been researched more widely to date.

Furthermore the research contributes to developing a "Tool assessing fundamental rights in anti-trafficking policy and related actions", as per the "EU Strategy towards the Eradication of Trafficking in Human beings 2012-2016". For this tool a comparative analysis of existing tools will take place in order to ensure a multidimensional approach to trafficking in human beings, and specifically reflecting different forms of exploitation and relevant gender aspects thereof.

### Objectives

- To collect information in EU Member States on the situation of victims of severe forms of labour exploitation in all 28 EU Member States, focusing on what factors allow victims of severe labour exploitation to access justice and what factors impede such access. To identify existing good practices that can serve as possible models for the identification of fundamental rights abuses in the field of severe labour exploitation.
- To map legal and policy response to severe forms of labour exploitation in Member States.
- Input to developing a "Tool assessing fundamental rights in anti-trafficking policy and related actions", as per the "EU Strategy

towards the Eradication of Trafficking in Human Beings 2012-2016".

### Overall outputs

- Publication of a comparative report based on the research findings.
- Engagement with stakeholder groups in the targeted dissemination of the research results.

### Activities and results achieved so far

In 2011 the FRA collected data and published reports on the situation of irregular migrants in the EU, where some issues of severe labour exploitation were identified, in particular in the context of domestic work. On the basis of this and other related work of the FRA, a project was initiated on severe labour exploitation, with research beginning in 2013. The results of the project will be published in the course of 2015. In parallel, in 2014 the Agency (together with the Commission) published a Handbook on guardianship for children deprived of parental care, which looked at the specific needs of child victims of trafficking.

### Beneficiaries and target groups

- Labour inspectorates, health and safety officers, recruitment and employment agencies, representatives of areas of work such as agriculture.
- EU agencies, including those working in the area of employment and living and working conditions.
- Member States

### Planned activities in 2015

- Publication of comparative report based on the research findings.
- Targeted dissemination of and follow-up to the research findings.

### Planned outputs in 2015

- Translations of reports
- Presentation of findings

### Financial resources allocated to the project

	1 <sup>st</sup> priority	2 <sup>nd</sup> priority	3 <sup>rd</sup> priority
<b>Total budget in 2015:</b>	<b>185,000 €</b>	-	-
Prior years' budget total	1,130,000 €	-	-
Multiannual	Yes		
Year of origination	2013		

ON-GOING Project fiche 5.6.3

first priority

## Additional activities in the area of “Rights of the Child”

### Description

The Agency follows up its relevant research work through targeted engagement with key stakeholders to ensure that its evidence reaches them and informs their policy processes. For example, in 2014 the Agency participated in meetings coordinated by EASO on guardianship for unaccompanied children in a migration or asylum context. The work undertaken by the Agency in 2013-14 following a specific request by the Commission mapping child protection systems will be completed and published.

In 2015 FRA will publish the results of its project on Children with disabilities: targeted violence and hostility. will carry out preparatory work on issues related to child well-being and poverty in close cooperation with the Commission to identify data needs and prepare for the development of rights-based indicators building on the monitoring framework annexed in the Commission’s Recommendation Investing in children: breaking the cycle of disadvantage. The work will place particular emphasis on children who are at risk of multiple disadvantages, such as migrant or ethnic minority children, especially Roma at risk of marginalisation, as well as children with special needs or disabilities and children in alternative care, and street children.

### Objectives

- To provide opinions and evidence based advice, as done in the field of data protection , for instance
- Issue analysis and papers based on existing materials and update selected publications, when required
- Publish the results of the project “Children with disabilities”
- Make findings of the FRA available to policy makers in a proactive manner
- Relevant communication & cooperation activities
- Develop preparatory work on child well-being and poverty
- Develop and refine further EU rights based indicators on specific issues relevant to the rights of the child

### Overall outputs

- Participation in and organisation of meetings and events
- Preparation and presentation of relevant opinions papers, presentations and other input
- Analysis and briefing
- Publication of results of the project “Children with disabilities”
- Further development, refinement and update of indicators on specific issues relevant to the rights of the child

### Beneficiaries and target groups

- European Parliament;
- Council of the EU;
- European Commission;
- Member States
- NHRIs/Equality Bodies and Ombuds institutions for Children;
- UN CRC Committee;
- Civil Society
- Professional organisations

### Planned activities in 2015

- Communicate the research findings to key policy makers at EU as well as national level and other relevant stakeholders;
- Developing targeted analysis and briefs;
- Publish or re-print reports as required;
- Participation in meetings and events

### Planned outputs in 2015

- Expert advice to stakeholders
- Publication of results of the project “Children with disabilities” and update of selected publications (or parts thereof).
- Preparation and presentation of relevant opinions, papers, presentations and other input
- Development and refinement of structure-process-outcome rights based indicators on the rights of the child in regard to protection and care necessary for its well-being, in close cooperation with the Commission services.

### Financial resources allocated to the project

Total budget in 2015:	1 <sup>st</sup> priority	2 <sup>nd</sup> priority	3 <sup>rd</sup> priority
	205,000 €	-	-
Prior years’ budget total	-	-	-
Multiannual	Yes		
Year of origination	2014		

## OPERATIONAL RESERVES

NEW Project fiche 5.7.4

first priority

## Handbook on Access to Justice in Europe

### Description

Access to justice is a core fundamental right embodied first and foremost in Article 47 of the Charter of Fundamental Rights of the EU and Article 6 of the European Convention on Human Rights. Access to justice enables victims of fundamental rights violations to effectively enforce their rights or put right damage suffered – irrespective of the nature of right, civil and political as well as economic and social. However, FRA research shows that access to justice is problematic in a number of EU Member States due to several factors, including insufficient knowledge about the different avenues available to access justice. In this context, a Handbook on access to justice in Europe represents a useful tool to mitigate this problem.

The European Commission for the Efficiency of Justice (CEPEJ), the Council of Europe expert body, is the partner in the implementation of this project (decision by CEPEJ to be formally taken at their December Plenary 2013). FRA will also collaborate with the European Court of Human Rights (ECtHR) and the Court of Justice of the European Union (CJEU) and will consult other relevant stakeholders, such as the European Commission, and intermediaries such as victim support groups at the European and national level. Issues covered by the Handbook may include substantive as well as procedural and institutional aspects of access to justice, arising from various fields, including the area of non-discrimination or those with more progressive approach to access to justice, such as environmental litigation or consumer protection. The aim is to focus in particular on rules and standards at the European level in the area of access to justice in its widest sense, covering judicial as well as (possibly) non-judicial aspects, as reflected by national and European jurisprudence.

### Objectives

The main objective of the project is to raise awareness and knowledge amongst legal professionals involved in litigation as well as intermediaries – such as civil society organisations – of existing standards and fundamental rights guarantees in the area of access to justice as reflected by case law at the national and European level.

### Overall outputs

The result of the project will be a Handbook on access to justice in Europe. The Handbook will provide an accessible summary and analysis (in selected EU languages) of the relevant case law of the Court of Justice of the European Union and the European Court of Human Rights, supplemented by – where available – national jurisprudence, on selected topics in the area of access to justice.

### Activities and results achieved so far

This project builds on the methodology followed in previous FRA-Council of Europe (in particular ECtHR) joint projects which enabled the publication of Handbooks on European law in the field of non-discrimination (2011), European law relating to asylum, borders and immigration (2013), European data protection law (2014) and the upcoming European case law on the rights of the child. Furthermore, the Handbook will contribute to the various on-going and completed projects that the FRA is undertaking in the area of access to justice, including the 'CLARITY' and 'Victim Support Services in the EU' projects and the two FRA access to justice reports published in 2011 and 2012.

### Beneficiaries and target groups

- Judges
- Legal practitioners involved in litigation
- Intermediaries such as NGOs and other bodies involved in assisting victims in accessing justice, including by legal advice

### Planned activities in 2015

- Project-specific stakeholder communication and awareness raising activities will be developed, including a stakeholder consultation
- In-house analysis and selection of extracts from key judgments and decisions (and other tools interpreting relevant international human rights law standards) delivered by the ECtHR and CJEU (as well as UN treaty bodies) in the field of access to justice.
- Preparation of the draft Handbook in collaboration with the project partners
- Pilot an online, dynamic version of the Handbook

### Planned outputs in 2015

- A draft Handbook on Access to Justice in Europe
- A draft online version of the handbook
- Translations

### Financial resources allocated to the project

	1 <sup>st</sup> priority	2 <sup>nd</sup> priority	3 <sup>rd</sup> priority
<b>Total budget in 2015:</b>	<b>108,687 €</b>	-	-
Prior years' budget total	-	-	-
Multiannual	Yes		
Year of origination	2015		

**OPERATIONAL RESERVES****ON-GOING** Project fiche 5.7.7**first priority**

## The right to interpretation and translation and the right to information in criminal proceedings in the EU

**Description**

Note: FRA was requested by the European Commission to undertake this research. The project will provide evidence based advice to the EU institutions and EU Member States on criminal procedural rights, in particular on the rights to interpretation, translation and information in criminal proceedings. The project will identify promising practices and opportunities provided by EU law in the context of the Criminal Procedure Roadmap.

The project specifically relates to Directive 2010/64/EU of the European Parliament and of the Council of 20 October 2010 on the right to interpretation and translation in criminal proceedings and Directive 2012/13/EU of the European Parliament and of the Council of 22 May 2012 on the right of suspect or accused persons to information in criminal proceedings. These directives contribute to the proper functioning of judicial cooperation within the EU by providing for common standards of protection of specific procedural rights. These rights give suspected or accused persons the possibility to follow and actively participate in judicial cross-border proceedings, in accordance with existing international standards and guarantees; in particular those relating to the right to a fair trial arising from Article 47 of the Charter of Fundamental Rights of the European Union (hereinafter the EU Charter) and Article 6 of the European Convention on Human Rights (hereinafter the ECHR).

By 2015, Member States should have transposed the two directives into national law. The project provides an overview of promising practices across the EU 28 in this respect. Due regard is also given to relevant standards of the EU (incl. the EU Charter) as well as from the Council of Europe and the United Nations.

**Objectives**

- To explore promising practices and opportunities on the application of the rights to interpretation, translation and information in criminal proceedings and the fundamental rights implications for the persons concerned.
- To identify promising practices that can be utilised by the European institutions and bodies and Member States.

**Overall outputs**

- Speeches and shorter papers feeding into relevant policy discussions /conferences
- Comparative legal analysis and summary report

**Activities and results achieved so far**

- In-house research was conducted in 2014
- Contracted research in the EU Member States was initiated in 2014
- Builds on the Agency's work in the field of Access to Justice, in particular its work in the area of rights of victims of crime and FRA Opinions, including on a proposal to establish a European Public Prosecutor's Office, on the confiscation of proceeds of crime and on the draft directive regarding the European Investigation Order (EIO).

**Beneficiaries and target groups**

- EU institutions and bodies
- Member States
- Legal professionals and NGOs, including relevant professional associations and networks at European and national level

**Planned activities in 2015**

- Completion of research on all EU Member States (if not covered in 2014)
- Comparative analysis of the FRANET data
- Finalization of the comparative legal analysis
- Peer-review consultation with key experts by the end of 2015

**Planned outputs in 2015**

- Short paper(s) drawing on the preliminary comparative findings to be delivered in relevant seminar/conferences starting at the end of 2015

**Financial resources allocated to the project**

Total budget in 2015:	1 <sup>st</sup> priority	2 <sup>nd</sup> priority	3 <sup>rd</sup> priority
	30,000 €	-	-
Prior years' budget total	77,500 €	-	-
Multiannual	Yes		
Year of origination	2014		

**OPERATIONAL RESERVES**

Project fiche 5.11.1

first priority

## Complementary data collection to support evidence based advice for stakeholders

**Description**

The research work of FRA as well as cooperation activities with stakeholders are carried out under specific project headings. The appropriations here are intended to cover deliverables and measures on issues and events, which arise during the current financial year, for example responses to requests for the Agency's assistance and expertise by stakeholders, responses to requests for joint events (e.g. by EU-Presidencies), additional data or information required by research projects that could not have been foreseen, additional data and information for the annual report, ad hoc expert meetings, including general information/coordination meetings with FRANET contractors. Recent examples for such additional ad hoc requests are

- The report "Respect for and protection of persons belonging to minorities 2008-2010" prepared on request of European Parliament and published September 2011
- The Joint expert seminar with the Hungarian Presidency on "Protecting victims in the EU: The Road Ahead" (March 2011)
- FRA Opinion on the draft Directive regarding the European Investigation Order (EIO) in criminal matters upon request of European Parliament published in February 2012
- Conference "Charter of Fundamental Rights of the European Union" in cooperation with Danish Presidency planned for March 2012
- Responses to stakeholder consultations launched by the European Commission on fundamental rights related issues
- Expert inputs into EU conferences and events on fundamental rights related topics

**Objectives**

All FRA objectives may be addressed through this activity

**Beneficiaries and target groups**

Different FRA stakeholders depending on the issue

**Planned activities in 2015**

- Data collection activities will be carried out, as needs may develop.
- Communication & awareness raising activities
- Project-specific stakeholder communication and awareness raising strategy will be developed

**Financial resources allocated to the project**

Total budget in 2015:	1 <sup>st</sup> priority	2 <sup>nd</sup> priority	3 <sup>rd</sup> priority
		<b>212,937.64 €</b>	-
Prior year's budget total	105,000 €	-	
Multiannual	N/A		
Year of origination	N/A		

## ANNEX III: FINANCING DECISIONS

Area of Activity	Allocated human resources (2015)			
	TA	CA	SNE	Total HR
Immigration and integration of migrants, visa and border control and asylum	6.46	0.86	0.20	7.52
Information society and, in particular, respect for private life and protection of personal data	1.71	0.90	0.95	3.56
Racism, xenophobia and related intolerance	1.61	0.05	1.10	2.76
Roma integration	2.86	1.75	1.85	6.46
Discrimination	4.09	2.31	0.00	6.40
The rights of the child	3.39	0.29	1.30	4.98
Access to justice	5.52	1.94	0.85	8.31
Victims of crime, including compensation to victims	0.81	0.39	0.00	1.20
Cross-cutting projects or activities covering all MAF	20.12	6.73	1.61	28.46
Bodies of the Agency and consultation mechanisms	3.74	1.63	0.14	5.51
Operational reserves	0.55	0.15	0.00	0.70
<b>TOTAL OPERATION</b>	<b>50.85</b>	<b>17.00</b>	<b>8.00</b>	<b>75.85</b>
<b>Suport activities</b>	<b>22.15</b>	<b>12.00</b>	<b>1.00</b>	<b>35.15</b>
<b>GRAND TOTAL</b>	<b>73.00</b>	<b>29.00</b>	<b>9.00</b>	<b>111.00</b>

## ANNEX III: FINANCING DECISIONS

<b>Immigration and integration of migrants, visa and border control and asylum</b>	
Legal basis:	Council Regulation (EC) No 168/2007 / Council Decision of 28 February 2008 implementing Regulation 168/2007
Budget line:	B0-3230
<b>Project fiche 5.1.1</b>	<b>SEVERE FORMS OF LABOUR EXPLOITATION</b>
Objectives:	See AWP2015 page 21
Budget:	€ 185,000
Description of the action:	Publication and communication of results
Subject matter of the contracts envisaged:	Editing and publication
Type of contracts:	Service contract based on Framework Contract and Service Level Agreement with PO
Type of procurement:	Specific contracts
Number of contracts envisaged:	
Indicative timeframe for launching the procurement procedure:	1st-3 <sup>rd</sup> quarter 2015
Indicative budget for procurement:	€ 170,000
Description of the action:	Missions
Subject matter of the contracts envisaged:	Travel agency services
Type of contracts:	Use of existing contract for travel agency services
Type of procurement:	n/a
Number of contracts envisaged:	n/a
Indicative timeframe for launching the procurement procedure:	n/a
Indicative budget for procurement:	€ 15,000

<b>The rights of the child</b>	
Legal basis:	Council Regulation (EC) No 168/2007 / Council Decision of 28 February 2008 implementing Regulation 168/2007
Budget line:	B0-3350
<b>Project fiche 5.6.3</b>	<b>ADDITIONAL ACTIVITIES IN THE AREA OF "RIGHTS OF THE CHILD"</b>
Objectives:	See AWP2015 page 39.
Budget:	€205,000
Description of the action:	High level event with Latvian presidency: fourth quarter
Subject matter of the contracts envisaged:	Meeting
Type of contracts:	Framework contracts
Type of procurement:	Contracts
Number of contracts envisaged:	3
Indicative timeframe for launching the procurement procedure:	High level event with Latvian presidency: fourth quarter
Indicative budget for procurement:	€ 30,000
Description of the action:	In 2015 one of the Agency's focus will be on communication and European and national stakeholder engagement of the RoC sector's work and output which will include regular missions as well as output of projects of previous AWP's including layout, printing and translations of focus papers on mapping child protection systems and children with disabilities; in preparation of AWP 2016 project on child well-being and poverty stakeholder meetings are planned
Subject matter of the contracts envisaged:	Missions, meetings and focus papers

## ANNEX III: FINANCING DECISIONS

Type of contracts:	Framework contracts
Type of procurement:	Contracts
Number of contracts envisaged:	6
	Missions: throughout the year
	Stakeholder meetings: second and fourth quarter
Indicative timeframe for launching the procurement procedure:	Mapping child protection systems: second quarter
	Children with disabilities: third quarter
Indicative budget for procurement:	€175,000

<b>Access to justice including judicial cooperation</b>	
<b>Legal basis:</b>	Council Regulation (EC) No 168/2007 / Council Decision of 28 February 2008 implementing Regulation 168/2007
<b>Budget line:</b>	B0-3620
<b>Project fiche 5.7.4</b>	<b>HANDBOOK ON ACCESS TO JUSTICE IN EUROPE</b>
<b>Objectives:</b>	See AWP2015 page 43.
<b>Budget 1<sup>st</sup> priority:</b>	<b>€ 108,687</b>
<b>Description of the action:</b>	Stakeholder consultation and research, piloting of online version, possible layout and print and urgent translation into FR and DE
<b>Subject matter of the contracts envisaged:</b>	Research, editing and production, translation
<b>Type of contracts:</b>	Service contract
<b>Type of procurement:</b>	Negotiated procedure (research); Specific contracts (editing and production, translation)
<b>Number of contracts envisaged:</b>	One
<b>Indicative timeframe for launching the procurement procedure:</b>	Negotiated procedure: 1st quarter of 2015 (the procedure was launched in October 2014 and was completed in January 2015); Specific contracts: 4 <sup>th</sup> quarter of 2015
<b>Indicative budget for procurement:</b>	<b>€ 108,687</b>
<b>Budget 3<sup>rd</sup> priority:</b>	<b>€ 343,000</b>
<b>Description of the action:</b>	Normal translation into all remaining (19) EU languages
<b>Subject matter of the contracts envisaged:</b>	Service contract based on Framework Contract
<b>Type of contracts:</b>	Service contract based on Framework Contract
<b>Type of procurement:</b>	Specific contracts
<b>Number of contracts envisaged:</b>	
<b>Indicative timeframe for launching the procurement procedure:</b>	4 <sup>th</sup> quarter 2015
<b>Indicative budget for procurement:</b>	<b>€ 343,000</b>
<b>Project fiche 5.7.7</b>	<b>THE RIGHT TO INTERPRETATION AND TRANSLATION AND THE RIGHT TO INFORMATION IN CRIMINAL PROCEEDINGS IN THE EU</b>
<b>Objectives:</b>	See AWP2015 page 46
<b>Budget:</b>	<b>€30,000</b>
<b>Description of the action:</b>	Mission expenses, editing and production
<b>Subject matter of the contracts envisaged:</b>	
<b>Type of contracts:</b>	Existing framework contracts
<b>Type of procurement:</b>	Specific contracts
<b>Number of contracts envisaged:</b>	
<b>Indicative timeframe for launching the procurement procedure:</b>	3 <sup>rd</sup> – 4 <sup>th</sup> quarter of 2015
<b>Indicative budget for procurement:</b>	<b>€30,000</b>

## ANNEX III: FINANCING DECISIONS

<b>Operational reserves</b>	
<b>Legal basis:</b>	Council Regulation (EC) No 168/2007 / Council Decision of 28 February 2008 implementing Regulation 168/2007
<b>Budget line:</b>	B0-3900
<b>Project fiche 5.11.1</b>	<b>COMPLEMENTARY DATA COLLECTION AND ANALYSIS TO SUPPORT EVIDENCE BASED ADVICE FOR STAKEHOLDERS</b>
Objectives:	See AWP2015 page 61
Budget:	€ <b>212,937.64</b>
Description of the action:	Research and data collection activities
Subject matter of the contracts envisaged:	
Type of contracts:	Framework contract
Type of procurement:	
Number of contracts envisaged:	28 or more depending on the needs
Indicative timeframe for launching the procurement procedure:	Within 2015
Indicative budget for procurement:	€ <b>212,937.64</b>