

FRA STRATEGY

2018-2022

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FRA's vision in 2018-2022

FRA delivers on its responsibility as the acknowledged, unique and independent centre of reference and excellence for the promotion and protection of the human rights of everyone in the European Union.

FRA's mandate

The European Union Agency for Fundamental Rights (FRA) was set up to provide independent evidence-based assistance and expertise relating to fundamental rights, in the domain of European Union law. It is advising EU institutions and bodies, as well as Member States (as far as they are acting within the scope of EU law). In this way, the agency is delivering on its overall objective to support the EU and its Member States when they “take measures or formulate courses of action within their respective spheres of competence” so that they can “fully respect fundamental rights”.

To achieve this objective, FRA collects and analyses comparable, objective and reliable information and data. The agency situates its work in the wider context of the Charter of Fundamental Rights of the European Union which became with the entry into force of the Lisbon treaty a legally binding ‘bill of rights’ for the EU, when implementing Union law.

FRA's activities are organised around three main tasks:

- data collection, research and analysis;
- providing independent evidence-based advice to policymakers, cooperating and networking with stakeholders;
- communicating the results of its work and raising awareness of fundamental rights.

FRA has the capacity to carry out scientific research and comparative analysis, follow cross-cutting trends, raise public awareness, and provide advice and guidance to national governments as well as to legislators at EU level. The agency disposes over various networks of national liaison officers, parliamentary officers, civil society organisations, human rights bodies and research institutions, allowing it to reach out to the various relevant contexts. Against this background, the agency has developed into an independent centre of excellence across all areas of its work supporting the work of the European Parliament, the Council of the EU, the European Commission, other EU bodies and the EU Member States alike. It carries out its tasks in complete independence.

FRA's Management Board is composed of independent persons appointed by each of the 28 EU Member States and the Council of Europe, and two representatives of the European Commission. Each member may be assisted by an alternate member who is selected according to the same procedure. The Scientific Committee which plays a statutory role guarantees the scientific quality and rigour of the agency's work.

A five-year Multiannual Framework, which the Council of the European Union adopts after consultation with the European Parliament, determines FRA's thematic areas of work.

Bearing in mind the objectives of the agency's foundation and with due regard to its financial resources, the agency shall carry out its tasks within the following thematic areas (according to the draft *Council Decision establishing a Multiannual Framework for the European Union Agency for Fundamental Rights for 2018–2022*):

- a) victims of crime and access to justice;*
- b) equality and discrimination based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation, or on the grounds of nationality;*
- c) information society and, in particular, respect for private life and protection of personal data;*
- d) judicial cooperation, except in criminal matters;*
- e) migration, borders, asylum and integration of refugees and migrants;*
- f) racism, xenophobia and related intolerance;*
- g) rights of the child;*
- h) integration and social inclusion of Roma.*

When requested by an EU institution, the agency can also work outside these thematic areas.

In addition to the above, based on its founding regulation, the agency develops activities in the field of promotion of fundamental rights and capacity building.

FRA's external evaluation 2012-2017

The agency, in compliance with Article 30 of its Founding Regulation (Regulation (EC) No. 168/2007) commissioned in 2016 the second independent external evaluation. The purpose of the evaluation, as set out in Regulation (EC No. 168/2007, was to provide external and independent review of the progress and achievements since the first independent evaluation of the European Union Agency for Fundamental Rights (FRA) in 2012.

Evaluation findings

The external evaluation came to the following conclusions in relation the main evaluation criteria.

Relevance

Regarding the agency's objective as stated in its Founding Regulation, the work undertaken by FRA is highly relevant to its stakeholders at the EU level, as well as at the national one. FRA's objectives are relevant to the needs of the duty bearers and the agency has been very responsive in meeting their needs. The majority of stakeholders mentioned, however, that FRA's mandate should be clarified to explicitly include police cooperation and judicial cooperation in criminal matters.

There is not always a common understanding of what the objectives of the agency are and this can lead to situations where some stakeholders expect FRA objectives to be much wider than they actually are.

The agency's strategic and programming documents are flexible enough to respond adequately and in a timely manner to any changes in the needs.

Effectiveness, utility and impact

FRA's stakeholders widely and increasingly acknowledge the high quality of the agency's research, its opinions, as well as its real-time, practical assistance and advice. The agency's research is praised for its quality, and the fact that it provides data which is comparable across the EU and over time, as well as scientific and objective. FRA has been recognised to be very efficient at using existing research to inform the ad-hoc legal opinions and should continue to be responsive to requests (particularly on current emergencies like the migration crisis) while not neglecting ongoing research projects.

FRA and the impact of its work are increasingly visible at the EU level, while most of the impact that the agency achieves at national level is indirect, through cooperation with national partners or the use that national actors make of FRA's research. FRA should focus on gaining greater impact at the national level, by developing local knowledge to further capitalise on the wealth of research and information it has collected. Moreover, the agency should engage more closely with those non-governmental organisations (NGOs) and national human rights institutions (NHRIs) which could build a link to authorities.

FRA's communication and dissemination activities are effective in helping to promote fundamental rights; over the years, FRA has been increasingly successful in disseminating its findings. In the future, FRA should focus on those stakeholders in its dissemination strategy that have a multiplying effect. The agency needs to clarify who its key audiences are (e.g. policymakers, the wider public and academia) and target specific outputs to the matching audience. Along the same lines, FRA's publications could be more user-focused and accessible to make the most of its work.

Added value

The evaluation found that FRA contributes in an important and unique way to the promotion and protection of fundamental rights in the EU. The agency is the only organisation collecting and analysing data on fundamental rights at European level in a comparative and independent way. Its dual role in producing socio-legal analysis and providing evidence-based policy advice is key to its uniqueness and conducive to the outcomes it can generate. According to its stakeholders, the added value can be found in FRA's research, its conclusions and opinions, its stakeholder engagement, its independent nature, as well as in its, so far rather indirect, monitoring role. The FRA has an important role in providing a forum for discussions on fundamental rights involving relevant stakeholders from across the EU Member States.

Coordination and coherence

There is a robust structure in place for collaboration with relevant EU and national policy stakeholders, international organisations, and civil society. There is an effective coordination and coherence particularly with other stakeholders involved in similar activities as FRA (such as the Council of Europe and the Organization for Security and Co-operation in Europe (OSCE)). FRA should continue the complementary cooperation with EU and national policy stakeholders, international organisations and civil society. Where possible and within the agency's remit, FRA should formalise cooperation between international organisations with cooperation agreements and increase the number of joint outputs.

Efficiency

The evaluation concluded that FRA has achieved considerable efficiency in its operations. The agency has implemented all of the actions from the Common Approach (which defines a more coherent and efficient framework for the functioning of agencies) that can be implemented in the current context. It has been at the forefront of implementing the Activity-Based Management. Other decentralised agencies only implement now the governance structure that FRA has in place (particularly the existence of an Executive Board). The external evaluation highlighted some additional efficiency gains; these would, however, require changes to the Founding Regulation.

The evaluation recommends that FRA should continue to set clear and realistic targets at both thematic and strategic levels in light of resource limitations. Furthermore, while

a lot has already been achieved, findings indicate that the agency could further improve the way it prioritises human resources and disseminates its prioritisation methodology across the agency.

FRA's strategy 2018-2022

Priority 1 Identifying trends: collecting and analysing comparable data and evidence

The agency'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). To this end, the agency will further enhance its work in collecting and analysing data on the experiences of various population groups and in specific fundamental rights areas, which are often not the subject of data collection at EU and Member State level. In this regard, the agency is often a unique source of comparable data for the EU. It will continue to build on its established reputation in qualitative and quantitative research with a particular emphasis on large-scale quantitative survey research, which allows for the analysis of trends over time. The agency will also explore new areas for data analysis in the fundamental rights field, including the use of 'big data' for the identification of trends. Its annual Fundamental Rights Report on the situation of fundamental rights in the EU will be developed further to underscore the identification of trends in specific areas.

Strategic objectives under Priority 1

1. Generating comparable, robust and reliable data and evidence to identify trends in the fulfilment of fundamental rights

FRA's data collection will continue as a cornerstone of its work. Its data collection ranges from desk research (collecting and analysing existing material, ranging from national statistical data to case law, governmental and non-governmental reports, and academic studies) to the generation of 'primary' data through quantitative and qualitative fieldwork research. The agency's EU-wide surveys that are planned for the period 2018-2022, together with work by its multidisciplinary research network Franet, and other multi-annual research projects will be the main vehicles to collect robust and reliable evidence. This will enable the agency to identify trends in the fulfilment of fundamental rights.

2. Developing and using fundamental rights indicators to benchmark gaps and achievements

By developing and applying fundamental rights indicators, when appropriate, FRA will fine-tune its data collection efforts to suit evolving policy needs. The agency populates fundamental rights indicators with its primary data alongside other data sources. A key consideration during 2018-2022 will be to link the agency's work on indicators to indicators used in the context of EU processes – such as 'Europe 2020' – and the United Nations (UN) Sustainable Development Goals. Data generated and analysed by the agency can play an important role in the assessment of compliance to fundamental rights.

3. Using analysis of data and evidence collected to generate fundamental rights assessments on the implications of mainstreamed policies and interventions at EU and national level

FRA's analysis of data and evidence seeks to support the European Commission's regular reporting to the European Parliament and the Council of the EU on the implementation of Union law. It could be used for specific purposes, such as the provision of evidence on compliance with fundamental rights obligations in the context of the European Semester, including assessing fundamental rights compliance in the disbursement of European Structural and Investment Funds (ESIF). The agency's data analysis could be used for *ex-post* and *ex-ante* (or 'upstream') assessments of how certain courses of action will potentially affect upholding fundamental rights.

To achieve the above, in 2018-2022 the focus will be on:

- Quantitative surveys – providing EU-wide, comparable data disaggregated, including by gender and age, and involving population groups not normally covered by EU statistical instruments
- Supporting EU Member States in developing sound methodologies for collecting comparable and disaggregated data (see also priority 5)
- Qualitative research undertaken mainly by the agency's research network FRANET
- Analysing existing data at EU level – exploiting new material for reporting on fundamental rights
- Exploring methods of testing discrimination to provide comparable, robust experimental evidence
- Exploring the possibilities of 'big data' analysis and implications for fundamental rights
- Cooperating with the Council of Europe and the United Nations concerning their repositories of relevant information, which FRA can use further to report on the fundamental rights situation in the EU
- Applying, populating and, further developing fundamental rights-based indicators, in the context of relevant EU processes and the UN Sustainable Development Goals
- Reporting more consistently on fundamental rights trends in key areas of the agency's work

Priority 2 Contributing to better law making and implementation: providing independent advice

FRA's analysis of the practical implementation of law at Member State level, covering its Multiannual Framework areas, as well as in other areas at the specific request of EU institutions, is a cornerstone of its work. The production of targeted, comprehensive opinions – at the request of EU institutions – on proposed EU law is an increasingly important component of the agency's work and contributes directly to better law making.

Building on the agency's overall objective to support the EU institutions and Member States to "fully respect fundamental rights", and in line with Article 16 of the agency's founding regulation, this priority will further strengthen the agency's position as an expert body that fulfils its tasks – contributing to better law making and its implementation in the EU – in complete independence.

Strategic objectives under Priority 2

1. Strengthening FRA's role as an independent core actor in informing EU law and policymaking

To provide support to EU institutions, the agency will continue to map comprehensively the practical implementation of EU law and provide legal analyses of key fundamental rights areas covered by its Multiannual Framework, as well as on other areas upon request by EU institutions. The agency's socio-legal approach, whereby the implementation of law is assessed through the experiences of rights holders and duty bearers in practice, has proved instrumental in identifying key fundamental rights concerns. The agency will systematically promote this approach in its work with EU institutions.

2. Providing, upon request by EU institutions, opinions on the compatibility of legislative proposals with fundamental rights

Following the model of the European Data Protection Supervisor, who regularly issues opinions on legislation relevant to data protection, FRA can encourage EU institutions to request more regularly independent expertise on the fundamental rights compliance of legislative proposals.

3. Providing fundamental rights advice to EU Member States when they are implementing EU law drawing on FRA expertise and evidence

The provision of fundamental rights expertise to EU Member States could become a more regular feature of the agency's work. This could range from direct assistance to Member States, through to general expertise on fundamental rights issues in the context of EU experience-sharing, alongside targeted support related to capacity-building on monitoring and evaluation practices, and the development of practical tools.

To achieve the above, in 2018-2022 the focus will be on:

- Providing evidence-based assistance and expertise in areas of the Multiannual Framework, as well as upon request in other areas
- Developing conclusions and opinions on specific thematic topics, as well as opinions that concern proposals from the European Commission or positions taken by EU institutions in the course of legislative procedures where the respective institution has made a request
- Supporting EU institutions in their impact assessment work
- Assisting EU institutions in developing evidence-based and fundamental rights compliant policy proposals
- Delivering technical assistance and expertise on fundamental rights issues to national authorities, when requested, in areas of EU competence

Priority 3 Supporting rights-compliant policy responses: providing real-time assistance and expertise

Providing timely and relevant responses concerning fundamental rights compliance remains an important aspect of FRA's work. This can range from giving evidence-based advice at national and EU level about developments in law and policy, and in situation where Fundamental rights are of serious risk, to offering advice on – for example – fundamental rights-compliant training, including by EU institutions and agencies or in situations where there is an urgent need for the agency's input, for example in view of the increasing numbers of refugees, asylum seekers and migrants entering the EU.

The above is underpinned by the collection of objective and comparative data, where required through FRA's presence on fieldwork missions with the consent of the concerned Member State. To this end, cooperation with relevant stakeholders at the national, EU and international level is essential to both collect information and maximise the impact of findings.

Strategic objectives under Priority 3

1. Strengthening the delivery of real-time advice, assistance and expertise to EU institutions and Member States

In fulfilment of its mission to provide relevant and timely support and assistance, FRA will offer its expertise to EU institutions and Member States with respect to its core areas of work – providing legal and related evidence-based input.

2. Informing EU and national authorities on fundamental rights risks in priority areas

FRA can enhance its work in relation to alerting EU and national authorities to possible violations of fundamental rights in areas covered by its Multiannual Framework. This would be achieved through data collection and analysis in specific areas, including publication of findings on a regular basis; as is the case with the agency's monthly reports on migration. This work will be linked to the agency's focus on identifying trends in fundamental rights, as outlined under Priority 1.

3. Supporting on the ground responses to fundamental rights challenges

FRA's presence on the ground, as is the case in the hotspots in Greece and Italy, facilitates the provision of real-time advice to EU and national actors concerning fundamental rights challenges. The provision of regular and timely information that the agency collects can directly and immediately affect the realisation of fundamental rights on the ground – if the relevant authorities receive and use this information. The agency's field presence also serves to bolster the credibility and validity of the agency's advice among practitioners.

To achieve the above, in 2018-2022 the focus will be on:

- Providing key deliverables – in the form of reports/papers/legal opinions – which correspond to core and urgent EU policies relating to fundamental rights

- Providing expertise and input to national authorities and EU actors, including – where relevant – for training on fundamental rights in the context of EU priorities, such as the disbursement of European Structural and Investment Funds (ESIF).
- Being present in the field in selected EU Member States in specific areas of the agency's work – such as in the asylum field – in order to provide real-time advice and expertise
- Identifying risks, as well as potential ones, to fundamental rights through regular mapping of the fundamental rights situation in the EU in the agency's thematic areas of work
- Following-up systematically through frequent/regular reporting in selected cases, such as the monthly reports on the migration situation in the EU

Priority 4 – Effectively promoting rights, values and freedoms

Work under this priority would ensure that the agency delivers on its objective of raising awareness, communicating on and promoting fundamental rights.

In this context, the agency seeks to address communication as a two-way process: 'Communicating rights' means to listen and to engage with the agency's audiences, ranging from the governance level to the people on the ground, while also supporting civic education. Coordinating communication strategies or delivering communication outputs together with key human rights actors – such as the Council of Europe, the Organization for Security and Co-operation in Europe (OSCE) or the United Nations – will serve as an important multiplier of impact.

Strategic objectives under Priority 4

1. Raising systematically awareness of the need to respect, protect, promote and fulfill fundamental rights in the EU

The agency will continue to engage in awareness raising activities to contribute in a meaningful way to strengthening a culture of protecting, promoting and fulfilling fundamental rights in the EU. Rights have to be actively promoted at all levels of governance: at the EU level, nationally, regionally and locally to create awareness of and access to fundamental rights. To achieve this, FRA will work closely together with EU institutions, Member States, national human rights institutions, civil society and other actors.

2. Creating a safe and inclusive space for dialogue with key and new actors to respond to pressing human rights challenges and shape critical agendas

The agency will offer a safe and inclusive space for dialogue on the pressing human rights challenges in the EU; this space for dialogue shall become a continuous process shaping critical human rights agendas and communicating rights. This will be done by engaging with a wider, and more local and grassroots audience and with those who, at present, are neither supportive of human rights nor actively antagonistic, but rather unsure or conflicted ('the persuadables'). The agency's Fundamental Rights Forum will be one of the key drivers to reach this objective, since the forum will foster partnerships among communities and

institutions which rarely engage with each other, including the world of business, arts and existing human rights communities. The agency will also systematically engage with new stakeholders groups, such as representatives of professional groups, arts and culture, faith and religion, and the media. Furthermore, the agency will foster 'FRA communities', including civil society, in the EU Member States.

3. Ensuring smart communications to maximise the effect of FRA outputs

In human rights, effective communication is about sustaining support for these rights, influencing change leaders and raising awareness among rights holders. To communicate effectively with the public, media, policymakers and 'influencers', institutions like FRA will need to communicate in a way that is unlike an institution. FRA will have to boost its capacity of speed, agility, flexibility, imagination and novelty in its communication. Therefore, it will boldly experiment with new approaches, especially in the rapidly evolving social media sphere.

To achieve the above, in 2018-2022 the focus will be on:

- Fostering a new human rights-based narrative through developing effective communication strategies that aim to combine value-driven messages with other, more instrumental arguments about the utility and relevance of human rights, in cooperation with key international, European and national partners
- Engaging in the development of new digital applications and tools, including effective visuals, to promote rights, values and freedoms, in addition to detailed visuals and infographics based on FRA evidence
- Fostering synergies and promoting cooperation between EU Member States to facilitate the exchange of good practices, tools and methods, as well as to assist Member States in their effort to develop effective strategies to raise awareness of and communicate fundamental rights, values and freedoms, including civic and human rights education
- Promoting the understanding, knowledge and application of the EU Charter of Fundamental Rights, notably by legal practitioners, in cooperation with strategic partners, by maintaining and further developing FRA's 'Charterpedia' as a unique transnational 'data hub' which provides comparative and sound data on and analysis of the use of the Charter at national level
- Promoting a culture of fundamental rights by piloting initiatives to demonstrate the power of art and culture in conveying human rights messages, as well as by exploring the scope of the artistic space in EU Member States and the main threats to this space, including from both state and non-state actors
- Exploring further the shared concepts and goals of the religion-human rights space to identify the potential for joint action and cooperation between those motivated by religion and those by human rights to create fair and just societies
- Organising the Fundamental Rights Forum (FRF) every two years as a dialogue-in-process, bringing together and engaging leading global and European voices from politics, human rights, international and regional intergovernmental organisations, civil society, religious and faith communities, the arts and sports, businesses and trade unions.

Priority 5 Strengthening cooperation with national and local fundamental rights actors: working with communities of support

At EU Member State level, the agency will need to increase the visibility of its interactions with national human rights actors. Moreover, it will further boost the relevance and impact of its evidence and fundamental rights assistance and support at national and local level, including public authorities and civil society organisations. In cooperation with other EU actors, FRA could function as a catalyst in demonstrating the importance which the EU attaches to fundamental rights and their promotion at national level. This will also underpin the relevance of independent national institutions for a 'healthy' human rights system.

To support this ambition, the agency will convene national actors to discuss and address specific human rights issues of particular national relevance, as was done, for example, regarding hate crime and Roma integration. The agency will expand this practice to other selected areas of its work and use the outcome of such discussions to develop further its work in a particular area.

Staff of national human rights actors could be seconded to FRA, thereby enabling a mutual exchange of expertise and underpinning inter-institutional cooperation.

Strategic objectives under Priority 5

1. Enhancing relevance and impact of FRA evidence and advice on fundamental rights at national and local level

Emphasis will be given to the national and local level by building-up the agency's Member State knowledge and data on national human rights plans of action and infrastructures, including creating space to enable civil society to act. This will allow the agency to support, in a joined-up approach, a closer and more targeted cooperation with local authorities, national human rights institutions, equality bodies, other human rights actors, ombuds institutions, national administrations and civil society. The agency will pay particular attention to publish its research findings on national-level data, which will be alongside its core mandate to collect and publish comparable EU data on fundamental rights. This will promote the use of the agency's findings by authorities and civil society organisations at the national and local level.

2. Supporting further the strengthening of the capacity of national and local human rights actors

By providing its support and expertise, the agency aims to strengthen human rights capacities in EU Member States to better promote fundamental rights at all governance levels. The agency's input will build on existing national action plans on human rights and key government programmes, as well as on feedback from civil society, national human rights institutions, equality bodies and ombuds institutions as guidance for developing activities. Such activities will be implemented in partnership with the FRA community of stakeholders, in order to strengthen human rights communities in a sustainable manner. To this end, FRA will engage in strategic partnerships, such as funders and foundations or national human rights institutions, to roll out activities in Member States.

3. Assisting national authorities in developing data collection to create evidence-based approaches to rights protection and promotion across EU Member States

Drawing on its expertise in data collection covering diverse fundamental rights fields, the agency can offer this expertise to national authorities and associated organisations concerning the collection and analysis of data – for example, with respect to compliance with key fundamental rights indicators. Working closely with national organisations, alongside EU and international data collectors (such as Eurostat and the United Nations), can further support the agency's standing as a centre of excellence for fundamental rights data.

To achieve the above, in 2018-2022 the focus will be on:

- Empowering and providing tailored capacity building of the national human rights infrastructure in selected EU Member States, including the promotion of the EU Charter of Fundamental Rights
- Cooperating and creating synergies specifically with national human rights institutions, equality bodies and other human rights actors and ombuds institutions
- Developing FRA communities of support at Member State level, as a hub for increased dissemination, uptake and implementation of FRA data, findings and opinions, building on promising practices of FRA's national networks and following country specific approach
- Analysing challenges and threats to civil society's role and space in the EU, and promoting the agency's evidence-based advice to EU institutions and Member States to enable civil society to take its full role in EU policymaking
- Promoting human rights-based governance with local authorities, in cooperation with relevant international and European partners, national association of regions and cities, and key EU cities' networks
- Enhancing the publication of the agency's data concerning national level findings, while exploring different outreach possibilities including language versions
- Facilitating, in cooperation with the European Commission, the work of the Sub-group of Member States on methodologies for recording and collecting data on hate crime, and contributing to the EU's High-level Group on combating racism, xenophobia and other forms of intolerance
- Enhancing visibility, relevance, use and timeliness of FRA national data by national actors



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