

**ANNUAL ACTIVITY
REPORT 2017**



Consolidated Annual Activity Report of the European Union Agency for Fundamental Rights

2017



FRA

EUROPEAN UNION AGENCY
FOR FUNDAMENTAL RIGHTS



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Luxembourg: Publications Office of the European Union, 2018

ISBN 978-92-9491-934-2 (online version)
doi:10.2811/844150 (online version)

ISBN 978-92-9491-935-9 (print version)
doi:10.2811/753832 (print version)

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Consolidated Annual Activity Report of the European Union Agency for Fundamental Rights 2017

[In pursuance of Article 47 of the agency's Financial Rules]

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Executive summary

The *Consolidated Annual Activity Report (CAAR) 2017* provides an overview of the activities and achievements of the European Union Agency for Fundamental Rights (FRA) in that year. It follows the guidelines of the European Union (EU) Agencies Network.

Key conclusions

Publications

In 2017, FRA focused on various fundamental rights challenges in the EU and issued a great number of publications in English and other EU languages to feed into the work of different EU bodies.

FRA published its research findings in an accessible and user-friendly way, including handbooks, reports, summaries, conference papers, checklists and online publications. The publications were disseminated timely to its stakeholders who used them widely. The agency disseminated in total 79,884 print publications through the EU's main portal, the EU bookshop. In comparison with other EU decentralised agencies, FRA was the highest-ranking one in terms of EU bookshop orders in 2017.

The *Main results* and *Muslims – Selected findings* reports of the Second European Union Minorities and Discrimination Survey (EU-MIDIS II) were published, generating a great degree of media attention throughout the EU. The agency also published its second report in the field of surveillance, *Surveillance by intelligence services: fundamental rights safeguards and remedies in the EU*, combining both legal and fieldwork data, gathering unique data and providing an up-to-date analysis of the legal situation in the EU Member States.

In October, the agency published three reports with first findings of the project on *the right to independent living of persons with disabilities*. In the area of integration, the agency published the report *Together in the EU – Promoting the participation of migrants and their descendants*, which fed into a new European Commission toolkit for EU Member States. The report examines Member States' integration policies and action plans for promoting migrants' participation in society, focusing on non-discrimination, education, employment, language learning and political engagement.

Importantly, the agency continued to follow up on the recent publication of its two reports on the rights of suspects and accused persons to interpretation and information, and on fundamental rights aspects in EU cross-border transfers. In addition to that, FRA timed

the publication of its report on immigration detention of children to have it fresh on the table for various initiatives by other stakeholders.

The *Fundamental Rights Report* continues to feed prominently into relevant work of the three main EU institutions.

Moreover, the agency has addressed the topic of shrinking civic space in the EU and presented the key findings of its report on enabling conditions for work of civil society organisations, published in January 2018.

Opinions and evidence-based advice

In line with its mandate and its objective to provide assistance, as well as to formulate evidence-based advice to the EU institutions and Member States, the agency has provided several FRA Opinions in a timely and competent manner in 2017.

In the area of judicial and non-judicial remedies, the Council of the European Union requested an opinion on business and human rights, which was issued in April 2017, to look at possible avenues to lower barriers for access to remedy at the EU level.

The agency continued to deliver substantial fundamental rights advice to the European Parliament, particularly in the area of asylum, migration and border management and on the arising challenges resulting from the significant increase in refugees and migrants coming to the EU. The agency visited the hotspots in Greece and Italy bringing fundamental rights issues to the attention of the European Commission, relevant EU agencies and national authorities.

In this context, FRA submitted two legal opinions to assist the European Parliament in the development of its positions with respect to large-scale IT systems: EURODAC and the European Travel and Identification Service (ETIAS).

For the first time ever, the European Commission requested FRA to evaluate the fundamental rights impact of an EU law instrument in the field of home affairs, namely the Eurosur Regulation.

Additionally, the findings and the opinions of the *Fundamental Rights Report 2017* are reflected in the European Parliament's draft report on the situation of fundamental rights in 2016, which will be adopted by the European Parliament in 2018.



Several FRA findings fed into the work of EU institutions and Member States, including references in several European Parliament resolutions and different Council of the European Union documents. FRA made significant progress in informing EU policy debates, particularly in the field of home affairs.

FRA continued to share its fundamental rights expertise with Justice and Home Affairs (JHA), for example, as a formal partner in virtually all Frontex sea operations. In the field of return, it coordinated the work of the Frontex Consultative Forum and intensified its relations with eu-LISA and Europol, particularly regarding EU information systems.

The agency continues to provide input and advice on the basis of its previous work in the area of disability. It remains one of the few to have conducted specific research in this area.

Expert meetings and presentations

The agency has increased its collaboration with the Council Presidencies, which is an important means of promoting fundamental rights. FRA worked closely with the Maltese Presidency, particularly through the Director's participation in the informal Justice and Home Affairs Council meeting, and with the Estonian Presidency in the organisation of several conferences.

The Director undertook country visits to Finland, Hungary and Poland in 2017, as well to Estonia and Bulgaria in preparation of their presidencies of the Council of the European Union.

FRA held the Chair of the EU Framework to promote, protect and monitor the United Nations Convention on the Rights of Persons with Disabilities (CRPD) and set up four meetings of the EU CRPD framework.

The agency participated at the High Level Expert Group on radicalisation and also hosted an expert meeting on fundamental rights aspects encountered by law enforcement and judicial authorities when addressing encryption.

FRA continued coordinating the work of the Subgroup of the EU High Level Group on combating racism, xenophobia and other forms of intolerance developing methodologies for recording and collecting data on hate crime.

Regarding the area of discrimination and related intolerance, FRA hosted the Subgroup on methodologies for recording and collecting data on hate crime and held an expert meeting on the second survey on discrimination and hate crime against Jews. The agency also prepared

a discussion note to support the High Level Group on non-discrimination, diversity and equality.

Additionally, FRA hosted a high-level expert meeting at the end of May in Vienna on how to better communicate fundamental rights, values and freedoms in a world that is growing increasingly intolerant. FRA has also hosted an expert meeting on religion and human rights to re-acknowledge and explore the shared space of religion and human rights. Other expert meetings have looked at enabling space for civil society work on human rights, human rights and the arts, and communicating human rights in a meaningful way.

At international level, the agency took part at the first expert meeting on the Global Study on Children Deprived of Liberty, discussing methodology and data collection.

FRA also co-organised a workshop on cross-border cooperation in criminal justice at the UN Office on Drugs and Crime, as well as a workshop in the four hotspots focusing on concrete fundamental rights challenges.

In order to communicate its findings and illustrate its work, FRA has given presentations covering several thematic areas. Findings of EU-MIDIS II on Roma were presented, among others, at the Committee on Civil Liberties, Justice and Home Affairs (LIBE) of the European Parliament. Similarly, the *Fundamental Rights Report 2017* was presented at the LIBE Committee, as well as at the Council Working Party on Fundamental Rights, Citizens' Rights and Free Movement of Persons (FREMP) and the EU Justice and Home Affairs Council meeting.

Additionally, presentations were given to the Council's preparatory bodies FREMP and COPEN (Working Party on Cooperation in Criminal Matters). In the area of access to justice, including judicial cooperation, an expert meeting of judges, prosecutors and officers of central authorities was organised in cooperation with Eurojust and the European Commission.

FRA presented its paper on large-scale European IT- systems to manage migration to the High Level Expert Group. Moreover, fundamental rights impacts of interoperability and ETIAS were presented to the Data Protection Working Party.

Training and capacity building

The agency developed a training module for national authorities managing the European Structural and Investment Funds in order to promote compliance with the EU Charter of Fundamental Rights.



On the ground, FRA mapped progresses in addressing child protection gaps and, in cooperation with the European Asylum Support Office (EASO), it supported the authorities in training reception staff dealing with children.

To promote the application of the Charter at national level, FRA has partnered with some of its National Parliamentary Focal Points and National Human Rights Institutions (NHRIs) to establish a practical tool to check new legislation on Charter compliance.

FRA participated as a resource person to the training of volunteer guardians in different regions, in support of the Italian Ombudsperson for Children, complementing the agency's work aimed at promoting effective guardianship systems for unaccompanied asylum seeking and migrant children.

Several joint trainings on access to justice, asylum and migration and the Charter were conducted with the European Judicial Training Network (EJTN) in the Member States and at FRA. FRA has also supported the establishment of a working group on human rights training within the EJTN.

The agency stepped up work in EU Member States focusing on strengthening human rights infrastructure, in particular on training on the EU Charter of Fundamental Rights.

In the area of asylum, FRA actively contributed to the development of guidance and training materials by EASO, for example on age assessment, best interests of the child or training of interpreters.

Communication awareness raising

FRA maintained its efforts to present its finding in an accessible and user-friendly manner. To reach a wider audience, the agency intensified the use of social media platforms, with a clear increase in the number of posts and followers. For publications, FRA disseminated some 79,884 print publication, 9 % more than 2016.

During 2017, the agency published 229 publications in English and other EU languages, including reports, papers, handbooks, easy-to-read and online publications, which were widely downloaded from FRA's website, namely 120,466 times in total. Due to the relevance of FRA's findings, including those of previous years, publications in the area of discrimination, equality and asylum accounted for the highest number of downloads in 2017 (see [Annex I](#)), including the reports *Violence against women* (2014) and *EU-MIDIS II Main results* (2017), as well as the *Handbook on European law relating to asylum, borders and immigration* (2014)

and those relating to non-discrimination and data protection.

FRA provided more than 12 webinars in 2017 to police officers via the European Police College (CEPOL) and also partnered up with the International Human Rights Film Festival 'This human world' in Vienna, co-hosting eight screenings, followed by panel discussions with film directors, artists, human rights practitioners and an audience of 700 people.

Financial management and internal control

By the end of 2017, the agency committed 100 % of its commitment appropriations and paid 72 % of the payment ones. It also paid 98 % of the carried over appropriations from 2016, involving that the budget outturn of this year was 99 % and therefore a very good result for 2016.

FRA conducts its operations in full compliance with the applicable laws and regulations, working in an open and transparent manner and meeting a high level of professional and ethical standards.

The agency has adopted a set of internal control standards, based on international good practice and aimed at achieving policy and operational objectives. The agency's financial rules require that the organisational structure and the internal control systems used for the implementation of the budget be set up in accordance with these standards. FRA has assessed the internal control systems during the reporting year and has concluded that the internal control standards are implemented and function as intended. Please refer to [Section 2.5](#) for further details.

FRA has continued to strengthen the controls and the good governance with regard to ethics articulating values and standards of conduct.

In a general context that does not entail high risks, the agency was for the first time subject to an audit by the Internal Audit Service (IAS) of the European Commission on governance and ethics which did not result in any 'Critical' or 'Very important' recommendations.

Staff cuts

The agency complied with Article 27 of the Interinstitutional Agreement of 2 December 2013 (2013/C 373/01) and fully implemented the agreed 5 % staff reduction. In addition, the agency had to further reduce its staffing level by four additional posts for the 're-deployment pool' reaching an overall 10 % staff cut in 2017.

Human resources

In 2017, the agency conducted a 360-degree feedback evaluation of its Management Team and Heads of Sectors. The outcome of this exercise feeds into the development process of individual training paths, as well as group training activities based on the feedback received.

In conclusion, FRA's management has reasonable assurance that overall suitable controls are in place and working as intended; risks are being appropriately monitored and mitigated; and necessary improvements and reinforcements are being implemented. The Director, in his capacity as Authorising Officer, has signed the Declaration of Assurance.



Introduction

The European Union Agency for Fundamental Rights (FRA) is one of the decentralised agencies of the European Union (EU). These agencies are set up to provide expert advice on a range of issues to EU institutions and EU Member States. FRA provides the EU institutions and EU Member States with independent, evidence-based advice on fundamental rights, with the aim of ensuring full respect for fundamental rights across the EU. To achieve this goal, FRA performs the following main tasks:

- collecting and analysing information and data;
- providing assistance and expertise;
- communicating and raising awareness of fundamental rights.

The agency fulfils its tasks by implementing activities within the thematic areas of its five-year Multi-annual Framework (MAF), which fall under the Charter of Fundamental Rights of the European Union, to strengthen the protection of fundamental rights in the EU in light of societal changes and progress, and scientific and technological developments.

FRA carries out its task in consultation and cooperation with its partners. This allows the agency to:

- define its areas of work to ensure that its research responds to specific gaps and needs in the fundamental rights field;
- ensure that its advice and research reaches policymakers at the right levels of government and EU institutions;
- develop communication, multimedia and information resources based on FRA's Stakeholder Communication Framework Strategy to raise awareness and bring knowledge of fundamental rights to specific target groups and to European citizens in general;
- share expertise, coordinate research in different areas and work with its partners to communicate its advice to the EU and its Member States. This allows FRA to create synergies, make the most of its resources, and support other bodies by delivering clear opinions on how to improve fundamental rights protection.

FRA maintains particularly close links with:

- the European Commission, the European Parliament and the Council of the European Union;
- other EU bodies and agencies;
- other international organisations, such as the Council of Europe, the United Nations (UN) and the Organization for Security and Co-operation in Europe (OSCE);
- governments, national parliaments, civil society organisations, academic institutions, equality bodies and national human rights institutions (NHRIs).

The year in brief

FRA's 2nd external evaluation

According to the Founding Regulation of the FRA and as agreed by FRA's Management Board, an independent external evaluation of the agency is undertaken on a five-year periodicity basis. The process commenced on 16 December 2016, when a contract was signed between the agency and Optimity Advisors, a consulting company which has delivered evaluation studies for several European institutions.

Based on the analysis of the evaluation criteria of relevance, effectiveness, impact, utility, added value, coordination and coherence, and efficiency, the independent evaluator drew the following conclusions resulting from the desk research, interviews, online survey and analysis of data collected in 2017:

- FRA uniquely contributes to the promotion and protection of fundamental rights in the EU through its socio-legal analysis, evidence-based advice, as well as its communications and awareness raising activities;
- the quality of the agency's research outputs was undisputed and stakeholders praised it for providing comparable scientific, objective EU-wide fundamental rights data;
- the coordination and cooperation with all key stakeholders were assessed very positively and FRA is encouraged to further promote cooperation and additional activities;
- EU and national stakeholders find FRA's work highly relevant to their own work and the majority feel

that its mandate should be extended to cover police and judicial cooperation in criminal matters;

- FRA should deepen its involvement at the national level by building country-specific knowledge and expertise in Member States, engaging more closely with national governments and multiplying country visits.
- the sense of ‘who we are’ should be improved by clarifying and better communicating its mandate and by increasing FRA’s communication and dissemination activities;
- FRA works efficiently but, in order to continue to respond effectively to the increasing demands and to strengthen its role, more resources are needed, as well as streamlining the internal and external efficiency in human resources flexibility and prioritisation.

FRA’s Management Board examined the evaluator’s final evaluation report at its meeting on 13-14 December 2017 and agreed on a set of recommendations to the European Commission. These recommendations include the suggestion to clarify FRA’s mandate to cover police and judicial cooperation in criminal matters. Furthermore, they highlight the need to ensure that the agency has adequate resources to effectively meet the pressing need for robust fundamental rights support in the EU.

Strategy 2018-2022

The drafting process to identify the strategy of the agency for the upcoming years started in 2017 with an internal discussion on the key assumptions that are expected to shape the fundamental rights landscape in the EU, and how the agency could further strengthen its position as a human rights organisation in the EU given the changing environment.

Outcomes of the discussion were summarised in an internal reflection paper entitled *A changing Europe: Fundamental Rights and FRA in the years 2018-2022*. The reflection paper was presented to the Management Board in May 2017 and, afterwards, a first draft strategy was prepared by the FRA operational services and then discussed at the Management Board Retreat in September 2017.

The FRA Operational Services further developed the draft strategy based on the outcome of the Management Board Retreat. The Management Board adopted the final document of the FRA Strategy 2018-2022 at its meeting in December.

The new FRA vision expects the agency to “deliver 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”.

Based on this, the following five strategic priorities were identified as the key pillars that will make a critical difference to the successful achievement of the Strategy 2018-2022:

- identifying trends: collecting and analysing comparable data and evidence;
- contributing to better law making and implementation: providing independent advice;
- supporting rights-compliant policy responses with real-time assistance;
- effectively promoting rights, values and freedoms;
- strengthening cooperation with national and local fundamental rights actors: working with communities of support.

Cooperation arrangement with Norway Grants (FMO)

In December 2016, the Management Board adopted an administrative cooperation arrangement with the Financial Mechanism Office (FMO) for the European Economic Area (EEA) and Norwegian Financial Mechanisms. The EEA and Norwegian Financial Mechanisms are made available by the EEA EFTA states Norway, Iceland and Liechtenstein. The day-to-day management of the financial mechanisms is delegated to the FMO.

The Mechanisms provide support to EU Member States benefitting from the EU cohesion funds, under an EU-EEA agreement. There is a strong focus on strengthening fundamental rights, combating social exclusion and discrimination, and supporting related civil society initiatives. All programmes and activities funded by the EEA and Norwegian Financial Mechanisms are based on the common values of respect for human dignity, freedom, democracy, equality, the rule of law and the respect for human rights, including the rights of persons belonging to minorities. The cooperation with the FMO provides FRA with a potential to support, with evidence-based advice, targeted programmes and projects in the EU Member States, thus helping Member States to act on specific fundamental rights challenges identified through FRA’s research.

Two Director’s level meetings between FRA and the EEA and Norway Grants took place in Oslo and in Vienna



in 2017. Updates from both sides, as well as modalities for cooperation and partnership on EU Presidency events and the Fundamental Rights Forum 2018 were discussed.

In the area of cooperation on fundamental rights related events, including events under the rotating Presidencies of the Council of the European Union, the EEA & Norway Grants is a strategic partner with FRA. The donors of the EEA & Norway Grants committed, in principle, to contribute financially to events co-organised with the FRA when the Presidency is held by one of their beneficiary countries.

The terms of FRA's involvement in programmes of the Norway Grants are defined in an exchange of letters on implementing the cooperation arrangement between the FMO and the FRA under the EEA and Norwegian Financial Mechanism for 2014-2021. It initially covers three countries for an amount of €1.5 million for the full period.

The FMO is invited to participate, as guest, in FRA's Management Board meetings.

Training and workshops

The agency developed a training module for national authorities managing the European Structural and Investment Funds, in order to promote compliance with the EU Charter of Fundamental Rights.

FRA co-organised a workshop on cross-border cooperation in criminal justice at the UN Office on Drugs and Crime, as well as a workshop in the four hotspots focusing on concrete fundamental rights challenges.

Human resources

A reorganisation of the agency took place towards the end of 2016 where two support departments were integrated. In the light of the staff decrease, it reinforced the agency's impact and overall organisational effectiveness by introducing synergies that optimised the use of the agency's resources while sustaining the operational capabilities.

Management Board

In July 2017, the five-year terms of office of 11 members of the FRA Management Board, including their alternate members, came to an end. New members and alternate members were appointed. In September 2017, the Management Board met for the first time in its new composition. In October 2017, the agency welcomed the representative from the former Yugoslav Republic of Macedonia as an observer to the FRA's Management Board.

1

Achievements of the year



This part describes FRA's achievements in terms of its strategic priorities and objectives (see [Section 1.1](#)), as well as the objectives it has set within the thematic areas of its work (Sections 1.2–1.10). FRA's current strategic priorities and objectives are defined in the Strategic Plan that the FRA Management Board adopted for the period 2013–2017. The thematic areas of the agency's work are determined by a five-year Multi-annual Framework (MAF), adopted by the Council of the European Union on proposal of the European Commission, for the period 2013–2017.

1.1. Achievements by strategic priorities and objectives

1.1.1. Enhancing FRA's contribution to processes at EU level

FRA's objectives 2013-2017:

- FRA enhances its relevance for legal and policy processes at EU level;
- FRA responds to requests for opinions and advice in a timely and competent manner;
- FRA enhances its coordination with the European Commission, the European Parliament and the Council of the European Union;
- FRA cooperates efficiently with other EU agencies and civil society.

FRA made significant progress in informing EU policy debates, particularly in the field of home affairs.

The European Commission increasingly involved FRA when evaluating the impact of existing legal instruments and preparing new legislation. FRA prioritised legislation on information technology systems, where it could build on its extensive research findings resulting from its project on biometric data and fundamental rights.

FRA actively contributed to two High Level Expert Groups (HLEG) the Commission created, one on interoperability of information systems and one on radicalisation. FRA's mapping of fundamental rights issues on interoperability published in July placed the agency as central actor in policy discussions. It also resulted in FRA being reflected in operative parts of the legislative proposals on interoperability the Commission tabled in December.

In the framework of the European Commission's High Level Expert Group on radicalisation, drawing on its research in relevant fields, including the findings of EU-MIDIS II, the agency contributed to the discussion on issues such as education and social inclusion, prisons and reintegration, children, the role of local actors and online radicalisation.

For the first time ever, the Commission requested FRA to evaluate the fundamental rights impact of an EU law instrument in the field of home affairs, namely the Eurosur Regulation. FRA reviewed the role of Frontex in implementing the Regulation and analysed the fundamental rights implications of EU Member States' cooperation with third countries in the field of border surveillance.

Besides its input to specific files, the agency contributed to the comprehensive assessment of EU Security Policy, undertaken by the Commissioner for the Security Union, Julian King. The report on the comprehensive

assessment issued in July underlines the importance of fundamental rights and acknowledges the role of FRA in advising the Commission on fundamental rights compliance.

Further contribution provided to the European Commission on specific policy files related to the field of internal security, such as the role of encryption in criminal investigations, is covered in the sections focusing on individual thematic areas.

FRA delivered substantial fundamental rights advice to the European Parliament, particularly in the area of asylum, migration and border management. In this context, FRA submitted two legal opinions to assist the European Parliament in the development of its positions with respect to large-scale IT systems: Eurodac (January) and the European Travel and Identification Service –ETIAS (July).

The agency also continued to provide its expertise to the Council of the European Union. For example, at the invitation of the Estonian Presidency, it presented its opinion on ETIAS to the JHA Counsellors/Mixed Committee in September.

The Justice and Home Affairs Council adopted conclusions on the application of the EU Charter of Fundamental Rights taking note of the *Fundamental Rights Report 2017* as well as of the 2016 European Commission's report on the application of the EU Charter of Fundamental Rights. The findings of the *Fundamental Rights Report* with regard to the use of the Charter by national courts are also reflected in the European Commission's report on the application of the Charter. Finally, the findings and the opinions of the *Fundamental Rights Report 2017* are reflected in the European Parliament's draft report on the situation of fundamental rights in 2016, which will be adopted by the European Parliament in 2018.

The *Fundamental Rights Report* continues to feed prominently into relevant work of the three main EU institutions. On 13 July, the FRA Director first presented the agency's *Fundamental Rights Report 2017* at the Council Working Party on Fundamental Rights, Citizens' Rights and Free Movement of Persons (FREMP). Subsequently in October, he presented the agency's findings and opinions to the European Parliament's Committee on Civil Liberties, Justice and Home Affairs (LIBE) and then to EU justice ministers during a formal EU Justice and Home Affairs Council meeting.

The agency has increased its collaboration with the Council Presidencies, which is an important means of promoting fundamental rights. FRA worked closely with the Maltese Presidency, particularly through the participation of the Director in the informal Justice and

Home Affairs Council meeting (January) and in the High Level Ministerial Conference on LGBTIQ Equality Mainstreaming (22, 23 February), and the launch event for the *Fundamental Rights Report 2017* under the auspices of the Council Presidency. Similarly, the agency has collaborated with the Estonian Presidency in the organisation of several conferences, such as the presentation of the EU-MIDIS II at the event "Reality bites: Experiences of immigrants and minorities of the EU" and FRA's work in the area of e-justice at the event "Future e-Justice".

At the invitation of the Estonian Presidency of the EU, the agency presented its report *Challenges facing civil society organisations working on human rights in the EU* at the joint meeting of Council working groups FREMP and COHOM (Working Party on Human Rights).

In April, FRA delivered its opinion on access to remedy in the area of business and human rights at EU level (April), following a request by the Council. The opinion was then presented at a joint session by two of the preparatory bodies of the Council of the European Union – COHOM and FREMP – responsible for human rights issues externally and internally respectively.

FRA continued to share its fundamental rights expertise with Justice and Home Affairs (JHA) agencies – bilaterally as well as through the JHA agency network. FRA is a formal partner in virtually all Frontex sea operations. In the field of return, it coordinated the work of the Frontex Consultative Forum and trained the pool of forced-return monitors. FRA intensified its relations with eu-LISA and Europol, particularly as regards EU information systems.

FRA held the Chair of the EU Framework to promote, protect and monitor the United Nations Convention on the Rights of Persons with Disabilities (CRPD) until September 2017. The agency currently holds the secretariat of the EU CRPD Framework. In 2017, FRA set up four meetings of the EU CRPD framework, which also includes the European Parliament, the European Ombudsman and the European Disability Forum. In addition, FRA organised the annual meeting of the EU Framework with the national monitoring mechanisms for the UN Convention on the Rights of Persons with Disabilities.

FRA continued coordinating the work of the Subgroup on methodologies for recording and collecting data on hate crime of the EU High Level Group on combating racism, xenophobia and other forms of intolerance. The Subgroup brings together EU Member States, the European Commission, the Council of Europe, the European Commission against Racism and Intolerance, the Office for Democratic Institutions and Human Rights at the OSCE, as well as umbrella civil society organisations.



FRA also took an active part in developing the work on equality data of the High Level Group on non-discrimination, diversity and equality, which brings together the European Commission and EU Member States.

In order to communicate well with the public, institutions need to communicate unlike institutions. They must acquire qualities of speed, agility, flexibility, imagination and novelty, and experiment boldly with new approaches, especially in the rapidly evolving sphere of social media. To this end, FRA brought together in July an unusually wide range of disciplines and professions to share experiences on how to better communicate fundamental rights and freedoms in a world that is growing increasingly intolerant.

On 12 and 13 September, the agency hosted an expert meeting on religion and human rights to re-acknowledge and explore the shared space of religion and human rights. The expert meeting was the last of its series of expert meetings that have sought to find ways to rebuild a human rights ethos across the EU that resonates across all walks of life. Other expert meetings have looked at enabling space for civil society working on human rights, human rights and the arts, and communicating human rights in a meaningful way.

Finally, the agency contributed substantively to important fundamental rights related policy events of the EU institutions including the European Commission's 2017 Annual Colloquium with a focus on "Women's rights in turbulent times" and the EU Council's Annual Rule of Law Dialogue on "Media pluralism and the rule of law in the digital age".

The excellent cooperation between the agency and the Council of Europe continued during the reporting period with numerous exchanges between the agency and Council of Europe staff.

On 14 November, the FRA Director visited the Council of Europe in Strasbourg. He met the Commissioner for Human Rights, the President of the European Court of Human Rights and addressed the Rapporteur Group on External Relations of the Committee of Ministers. Meetings also took place with representatives from the Directorate-General for Democracy and for Human Rights and the Rule of Law. During these meetings, the FRA discussed continued cooperation between FRA and the Council of Europe.

1.1.2. Enhancing FRA's contribution to processes at national level

FRA's objectives 2013-2017:

- FRA increases the uptake of its work for national level stakeholders;
- FRA increases its cooperation with National Liaison Officers and key national level stakeholders and multipliers;
- FRA ensures its products are also useful for national policy- and opinion-makers.

The agency continued working with national and local governments, parliaments, national human rights institutions, equality bodies and civil society (FRA communities), to promote use of fundamental rights in public services, human rights advocacy and help increase awareness of fundamental rights.

The European network of equalities bodies, Equinet, and the European Network of National Human Rights Institutions (ENNHRI), came to the agency on 27 February to take stock of previous joint work and enhance institutional cooperation. Topics for concrete cooperation were identified (e.g. communicating rights and strengthening human rights infrastructure in EU Member States) and implemented in the last months of the year.

The Director undertook country visits to Finland, Hungary and Poland in 2017, as well as to Estonia and Bulgaria in preparation of their presidencies of the Council of the European Union. The visits involved meetings with government ministers, their representatives, members of national parliaments, national human rights institutions and equality bodies, civil society and academia. They support the agency's cooperation with organisations at Member State level in particular governmental organisations and public bodies competent in the field of fundamental rights, including national human rights institutions. The country visits in 2017 enabled the agency to engage more effectively with national governments on a range of issues such as migration and asylum, the situation of vulnerable people, access to justice, the situation of children and the challenges facing civil society. These meetings resulted in positive interventions on issues and greater awareness of the agency's advisory role. It also allowed the agency to strengthen its support and cooperation with national human rights mechanisms and the broader human rights community in Member States.

FRA continued to support the Schengen evaluation system, i.e. the main tool to assess Member State's compliance with the Schengen *acquis*. FRA trained evaluators, shared fundamental rights gaps and good

practices in the evaluated Member State. FRA accompanied as an observer four on-site missions relating to the implementation of return policies, respectively in Denmark, Portugal, Spain and Sweden. During these missions, FRA shared its expertise on issues such as child protection, treatment of vulnerable people and immigration detention.

Pilot countries were selected for the project “Fundamental rights promotion through awareness raising and cooperation with stakeholders in EU Member States”. FRA identified a typology of services to support the national human rights infrastructure in Belgium, Croatia, France, Finland, Germany, Hungary, Italy, the Netherlands and Poland. In close cooperation with national stakeholders, the action points from these analyses are being fine-tuned and implemented. Three streams of these action points evolved focussing on: (1) increasing awareness of the EU Charter of Fundamental Rights; (2) the roll-out of FRA national data – EU-MIDIS II; and (3) human rights education and civic education in partnership with National Human Rights Institutions (NHRIs). In December 2017, FRA presented the EU-MIDIS II results at national events organised by the agency’s stakeholders in the Netherlands and Finland.

Under the increased cooperation with National Human Rights Institutions, FRA also started offering National Human Rights Institutions study visits to the agency. A tailor-made programme is offered to promote the work of the agency, to explore area of mutual interest and future cooperation. The first visit by the Norwegian National Human Rights Institution took place on 10 November 2017. An increasing number of FRA national stakeholders have been organising national events for the launch of FRA’s *Fundamental Rights Report 2017* with the participation of FRA Management Board members, NLOs, National Parliamentary Focal Points, FRANET contractors and civil society. From September to November, the report was presented in Austria, Cyprus, Latvia, the Netherlands, Romania and Spain with the kind support and participation of the respective members of the Management Board, National Liaison Officers and other FRA stakeholders. These launches significantly raise the visibility and awareness of the *Fundamental Rights Report* at national level.

The agency continued to work closely with EU Member States as part of its coordination of the Subgroup on methodologies for recording and collecting data on hate crime of the EU High Level Group on combating racism, xenophobia and other forms of intolerance. The work of the Subgroup in 2017 culminated in the publication of an agreed set of key guiding principles on improving the recording of hate crime by law enforcement authorities. These principles were developed on the basis of

exchanges of practices and discussions held within the Subgroup and are the outcome of systematic consultation, gathering input from representatives of relevant national authorities, the European Commission, FRA, the Office for Democratic Institutions and Human Rights (ODIHR), the European Commission against Racism and Intolerance (ECRI), and civil society organisations.

In 2017, the agency completed the fieldwork under its project on the right to independent living of persons with disabilities. The fieldwork was conducted in five EU Member States (Bulgaria, Finland, Ireland, Italy and Slovakia), where a range of representatives of local, regional and national authorities were interviewed, as well as persons with disabilities, their representative organisations or members of their families. In addition, the fieldwork included interviews with staff from institutions and from community-based services, as well as with people living and working in local communities where deinstitutionalisation is taking place.

1.1.3. Identifying trends over time and measuring progress in EU Member States

FRA’s objectives 2013-2017:

- FRA identifies trends over time and monitors progress across the EU – with respect to key areas;
- FRA establishes different methodologies for identifying trends;
- FRA regularly disseminates analyses based on trends.

FRA continues to observe and assess trends in fundamental rights through its *Fundamental Rights Report*, as well as a number of other activities.

FRA’s annual *Fundamental Rights Report 2017* provided a comprehensive overview of progress in terms of protection of fundamental rights, focusing specifically on trends and developments over the ten-year period since the agency’s establishment in 2007. The agency’s monthly data collection on the migration situation – as described in more detail elsewhere in this report – has helped EU institutions and Member States to observe and assess trends in relevant developments in Member States most affected by the arrival of migrants and asylum seekers.

Together with its contractor, FRA prepared the fieldwork tools and documents for the Fundamental Rights Survey and carried out pilots in the EU-28. These activities prepare the ground for the full-scale

implementation of the survey in 2018-2019. The pilots tested the use of mixed-mode data collection approach where a representative sample of individuals are invited by a letter to complete the survey online, followed by face-to-face interviews with some of the non-respondents to ensure a good coverage of all parts of the population. Particular attention has been paid to establishing access to best possible sample frames – such as population registers. In terms of its content, the Fundamental Rights Survey encompasses broad themes that are not addressed in other surveys on a regular basis, such as personal safety and security, tolerance and equality, rights awareness and responsibilities, everyday life experiences as they relate to the enjoyment of rights in practice, technology and rights, and experience of personal discrimination on different grounds. In contrast to many other FRA surveys which focus on specific, often hard-to-survey minority groups, the Fundamental Rights Survey will collect data from the general population, which will allow comparisons between the experiences of the general population and various minority groups.

The second survey on discrimination and hate crime against Jews builds upon the first survey carried out in 2012. In March 2017, the agency held a stakeholder/expert consultation meeting to inform on the development of the survey. Following the consultation, FRA prepared a call for tender and signed a contract in October 2017 to start the implementation of the survey. The agency also published its annual overview of the situation of data collection on antisemitism in the EU. Every year, this report presents statistical trend data on available evidence of antisemitic incidents collected by governmental and non-governmental sources in the EU.

The methodology developed by the agency for its survey on violence against women serves as a key reference point in the work coordinated by Eurostat to develop an EU-wide survey on gender-based violence. The agency also continues to provide expert inputs to the OSCE, which is replicating the agency's survey on violence against women in ten non-EU countries. In October 2017, researchers at the Ryukoku University in Japan presented the findings of a survey they had carried out on violence against women in the Kansai region of Japan, using FRA's survey questionnaire.

In 2017, the World Bank completed a multi-country survey in the Western Balkans focusing on the economic inclusion of lesbian, gay, bisexual, trans or intersex (LGBTI) persons. The survey was based on FRA's 2012 LGBT survey, so that the results (to be published in 2018) can be compared with the results of FRA's survey on EU-28. FRA also contributed to the initiative of World Bank and UNDP to develop a set of indicators to assess progress over time on LGBTI inclusion.

1.1.4. Developing timely and targeted responses to fundamental rights emergencies

FRA's objectives 2013-2017:

- FRA provides robust data, analysis and advice on fundamental rights emergencies;
- FRA develops the necessary flexibility to respond to fundamental rights emergencies;
- FRA addresses emergency situations in a timely and adequate manner;
- FRA plays a complementary role *vis-à-vis* other international organisations.

The management of newly arriving asylum applicants and migrants remained the main fundamental rights challenge in 2017.

The agency visited the hotspots in Greece and Italy bringing fundamental rights issues to the attention of the European Commission, relevant EU agencies and national authorities. Thematically, these continued to focus on child protection, prevention and response to sexual and gender-based violence, deprivation of liberty and, more recently, on the dire humanitarian situation on the Greek islands.

In Greece, FRA continued to work under the Memorandum of Understanding concluded with the Ministry of Migration Policy, which was extended in June. FRA continues to attend to the EU Regional Task Force meetings, where EU and national actors discuss progress. Partly as a result of FRA's input, these meetings regularly discuss fundamental rights issues, including child protection and trafficking in human beings.

On the ground, FRA mapped progresses in addressing child protection gaps. In cooperation with EASO, it supported the authorities in training reception staff dealing with children. FRA also drafted guidance for the authorities on how to deal with self-harm attempts (September).

In Italy, FRA brought together all actors operating in the four hotspots for a workshop (May) focusing on concrete fundamental rights challenges. This was the first time ever that national authorities, international and EU actors and NGOs working in different Italian hotspots met. The workshop resulted in a number of recommendations for follow-up, some of which are being considered when reviewing the standard operating procedures, a process FRA has been invited to join. In July, as new forms of cooperation between Italy and Libya were discussed, FRA shared its guidance on non-*refoulement* with the Ministry of the Interior.

In Italy, FRA participated as a resource person to the training of volunteer guardians in different regions, in support of the Italian Ombudsperson for Children. This hands-on involvement complemented FRA's upstream work in Brussels aimed at promoting effective guardianship systems for unaccompanied asylum seeking and migrant children.

The European Commission policy document on the 'hot-spots approach', published in November, references several of the fundamental rights issues highlighted by FRA in the past.

At the end of the year, FRA undertook a technical mission to the two transit zones at the Hungarian-Serbian border. FRA's mission focused on the implementation of the EU law on the ground assessing how it affected rights enshrined in the Charter.

FRA uses the information from its growing field presence, as well as the monthly migration reports to feed into the restricted weekly *Integrational situational awareness and analysis* reports that the European Commission prepares for the Member States.

1.1.5. Improving the impact of FRA's communication and awareness raising

FRA's objectives 2013-2017:

- FRA improves the impact of its communication and awareness raising activities;
- FRA increases its impact on decision-making processes;
- FRA makes effective use of 'multipliers' in particular to better understand and reach the national level;
- FRA partners support the agency's communication efforts.

FRA is continuously developing further its external communication material, tools and channels to increase the outreach and impact of its work. The agency is in the process of further developing its website based on the results of an external website evaluation.

FRA presented the results of its second large-scale survey on immigrants and ethnic minorities (EU-MIDIS II), which included questions on hate crime victimisation and reporting hate crime incidents.

The agency has developed a multi-dimensional data explorer tool to better visualise data and launched the EU-MIDIS II data visualisation tool alongside the results report in December 2017.

Downloads from the agency's website have continued at high level. For example, the EU-MIDIS II report *Roma: Selected findings* was downloaded 1,488 times during the first 28 days after its launch. The report *Child-friendly justice – Perspectives and experiences of children* was downloaded 555 times, while the report *Together in the EU – Promoting the participation of migrants and their descendants* was downloaded 683 times during its first 14 days. The monthly overviews on the current migration situation in the EU have on average around 320 downloads during the first 28 days after launch, while the March issue with focus on LGBTI had a download rate of 330 within the first seven days after the launch.

In developing new thinking on how to communicate fundamental rights, FRA organised a meeting (May/June 2017) with external high-level experts from a wide range of professions, including journalists, satirists, human rights educators, epistemologists, socio-linguists, neuroscientists, marketing specialists, experts in political communication, intercultural education, data analysis and critical discourse analysis. Drawing on FRA's own institutional experience and the expert meeting, FRA published a report, which aims to inform the human rights communication work of practitioners and policymakers.

FRA has strengthened its ties with legal professionals' networks such as the European Judicial Training Network (EJTN), the Council of Europe's Human Rights Education for Legal Professionals Programme and the European Law Academy (ERA). Several joint trainings on access to justice, asylum and migration, and the Charter were conducted with the EJTN in the Member States and at FRA. FRA has also supported the establishment of a working group on human rights training within the EJTN. The agency has contributed material and expertise to the e-learning modules of the Council of Europe's HELP programme, such as on gender-based violence and the rights of the child, and provided occasional input at ERA trainings.

FRA has stepped up its local level work by entering a strategic relation with human rights cities and relevant cities' networks, such as European Capitals of Culture and with the French Forum for Urban Security (EFUS). The objective is to better embed fundamental rights into their programmes, to promote more broadly the concept of human rights cities and to look into ways of aiding other cities on their way towards becoming human - rights cities.

In the framework of a project on return monitoring funded by the European Commission and run by the International Centre for Migration Policy Development (ICMPD), FRA has contributed in strengthening



national return monitoring capacities through trainings and other activities.

FRA provided more than 12 webinars in 2017 to police officers via CEPOL.

In the area of awareness raising around LGBTI issues, the agency attended the first Intersex Community Event in Vienna on 30 and 31 March 2017. The conference brought together intersex people and activists from all over the continent to discuss issues of common interest and concern. The event was organised by Organisation Intersex International, Platform Intersex and Vienna's Antidiscrimination Office (WAST).

Moreover, the agency was present at the European Parliament's Intergroup on LGBTI rights' debate on reducing health inequalities experienced by LGBTI people on 26 April 2017 in Brussels.

At the Vienna Pride Festival in June 2017, FRA joined the "Diplomats for equality!" initiative. The Vienna Pride Festival (9-18 June 2017), the numerous parties, art and information events, the many live performances and, of course, the Rainbow Parade made a visible statement for the acceptance of LGBTI persons. The agency joined members of the diplomatic community and the European Commission in issuing a joint statement against discrimination and expressing support for the Vienna Pride Festival.

The agency was also present at the Human Rights Conference at WorldPride Madrid on 26 June 2017, and at the Council of Europe's hearing on the rights of intersex people in Strasbourg on 29 June.

Finally, at a seminar on hate crime and hate speech organised by the International Lesbian, Gay, Bisexual, Trans and Intersex Association ILGA-Europe (28-29 September, Brussels), the agency presented an overview of its activities on hate crime and hate speech reporting. The seminar discussed the coordination of reporting mechanisms for LGBTI-phobic hate crime and hate speech, and improving cooperation between civil society and authorities.

At the meeting of the EU High Level Group on non-discrimination, equality and diversity (23-24 October, Brussels), FRA presented relevant findings from its EU-wide surveys and it helped to moderate a general discussion on how to harness opportunities and address challenges in the collection of equality data.

In order to promote the application of the Charter at national level, FRA has partnered with some of its National Parliamentary Focal Points and National Human Rights Institutions to establish a practical tool that aids those involved in the legislative process (e.g.

evaluators or others) to check new legislation on Charter compliance.

The agency convened a meeting with artists, human rights and fine arts academics, museum staff, curators and civil society organisations working on artistic freedom. Speaking and standing up for human rights benefits from joining forces, from cross-fertilisation of audiences and diversification of communication means. A meeting report containing a series of recommendations was published.

FRA also partnered up with the International Human Rights Film Festival "this human world" in Vienna. The agency co-hosted eight screenings, followed by panel discussions with film directors, artists, human rights practitioners and the audience. Seven hundred people joined the FRA screenings. The festival reached out to overall 15,500 people in Vienna.

FRA stepped up work in EU Member States, focusing on strengthening human rights infrastructure, in particular on training on the EU Charter of Fundamental Rights and the agency has partnered with National Human Rights Institutions, in order to provide support for increasing awareness of the EU Charter at national level.

The agency continues to contribute under EU's Education and Training 2020 Policy concerning social inclusion and citizenship education. For example, the agency contributed its expertise and findings to the EU working group on promoting citizenship and the common values of freedom, tolerance and non-discrimination (February, June and November 2017), a Member State-led peer learning activity on teachers' training and education in France (March 2017), a seminar on recent migrant integration in education organised by the European Commission (March 2017), a peer learning activity on inclusive education in Malta (May 2017), and a peer learning activity on non-discrimination in education in Slovakia (September 2017).

The agency, the Council of Europe and the European Network of NHRIs hosted a meeting on human rights education/civic education with national human rights institutions active in the field. The meeting followed up on the conclusions of the Council of Europe's Conference on the Future of Citizenship and Human Rights Education and explored which activities the agency could jointly develop with national human rights institutions. A number of NHRIs identified citizenship/civic and human rights education as a priority for them both nationally and in the context of the 2030 Sustainable Development Goals.

FRA has relaunched its platform for engagement with civil society, the Fundamental Rights Platform and held the first meeting of the newly established Advisory

Panel of the Fundamental Rights Platform in November.

The agency has addressed the topic of shrinking civic space in the EU, looking at conditions – legal environment, finance, participation and access to decision making – that are necessary for the functioning of civil society organisations working on human rights in the EU. In December, the report on the challenges and working conditions of civil society organisations was presented at different meetings (the NGO Forum of the European External Action Service and the joint meeting of the Council’s working groups FREMP and COHOM).

The agency held a meeting with funders and foundations to identify increased modus of cooperation in the following areas: (1) Equality and non-discrimination – use of FRA data from EU-MIDIS; and (2) Enabling civic space; and (3) the Fundamental Rights Forum 2018.

1.1.6. Planning FRA’s work and evaluating its impact

FRA’s objectives 2013-2017:

- FRA effectively prioritises its work and evaluates its impact;
- evaluation activities are planned for since the first phases of a project;
- the new performance measurement framework is applied to all projects;
- emerging best practices are shared throughout the agency.

The drafting process to identify the strategy of the agency for the upcoming years started in 2017 with an internal discussion on the key assumptions that are expected to shape the fundamental rights in the EU, and how the agency could further strengthen its position as a human rights organisation in the EU given the changing environment.

Outcomes of the discussion were summarised in an internal reflection paper entitled *A changing Europe: Fundamental Rights and FRA in the years 2018-2022*. The reflection paper was presented to the Management Board in May 2017. Afterwards, a first draft strategy was prepared by the FRA operational services and then discussed at the Management Board Retreat in September 2017.

The FRA Operational Services further developed the draft strategy based on the outcome of the retreat, and the final document was presented and adopted at the MB meeting in December.

According to the Founding Regulation, FRA conducted its second independent external evaluation for the period 2013-2017. For this purpose, the agency contracted the consulting company Optimity Advisors, which held over 250 interviews in 2017 and surveyed FRA’s key partners and stakeholders. Questions were asked about the relevance of the agency’s work, its effectiveness, usefulness and impact, added value, coherence and efficiency.

The overall outcome of the evaluation was very positive and FRA was encouraged to continue in the same line. Some of the key conclusions from the evaluation include the high relevance of FRA’s work to EU and national stakeholders. It was noted that the mandate should cover police and judicial cooperation in criminal matters.

The quality of the agency’s research outputs was undisputed and stakeholders praised it for providing comparable scientific, objective EU-wide fundamental rights data.

Furthermore, FRA’s socio-legal analysis, evidence-based advice and communications and awareness raising activities were considered of great value and usefulness to promote and protect fundamental rights.

Finally, the coordination and cooperation with all key stakeholders were assessed very positively.

On a needs basis, FRA implements an *ad hoc* evaluation of specific initiatives. As an illustration, in June, FRA carried out an internal evaluation of the migration monthly overviews. Interviews with national authorities, EU and UN actors, as well as NGOs, showed that FRA’s monthly reports are increasingly known and used by different stakeholders. Similarly, the agency conducted a large evaluation survey in order to assess the added value of the report on surveillance for experts working on this field. For this purpose, FRA contacted more than 50 experts from several EU Member States belonging to different institutions – intelligence oversight bodies, civil society, and academics. The results of the survey showed that FRA findings and recommendations were assessed as being adequate and relevant for a large majority of experts.

Moreover, as a part of an inter-agency framework agreement, in 2017, two external contractors initiated evaluations of the following projects:

- the multi-annual Roma Programme;
- the second survey on discrimination and hate crime against Jews;



- responding to the 2015 asylum crisis: assessing the long-term impact on fundamental rights;
- the Handbook on European law relating to the rights of the child;
- the *Fundamental Rights Report*.

These evaluations will be completed in 2018.

For more details on both the external and internal evaluation processes, please see [Annex IX](#).

1.2. Achievements by thematic areas and objectives

1.2.1. Achievements in the thematic area 'Access to justice including judicial cooperation'

FRA's main objective:

To contribute to the EU's efforts to enhance mechanisms for ensuring access to justice through judicial, as well as non-judicial mechanisms at the EU and Member State level, which serve to underpin fundamental rights compliance.

In 2016, the agency and the European Court of Human Rights launched a practical handbook on European law relating to access to justice. In doing so, FRA seeks to raise awareness and improve knowledge of relevant standards set by the European Union and the Council of Europe, particularly through the case law of the Court of Justice of the European Union and the European Court of Human Rights. During the reporting period, the handbook became available in all EU official languages. The agency presented the Spanish, the Italian, the Romanian and the Polish language version of the handbook to audiences of legal practitioners in Madrid, Rome, Bucharest and Warsaw.

In November 2016, FRA published two reports on the rights of suspects and accused persons to interpretation and information and on fundamental rights aspects in EU cross-border transfers. The agency presented the findings from these two reports at an event on improving detention condition organised by the Academy of European law (ERA) in Trier, as well as at the annual expert meeting of the Confederation of European Probation in Brussels. FRA co-organised a workshop on cross-border cooperation in criminal justice at the UN Office on Drugs and Crime, during which, the agency shared its findings from its work on the fundamental

rights aspects of cross-border transfers, i.e. criminal detention and alternatives.

In April 2017, the agency issued an opinion on business and human rights, as requested by the Council of the European Union in June 2016. The expert opinion sought from the agency was to look at "possible avenues to lower barriers for access to remedy at the EU level" – the third of three pillars of the UN Guiding Principles. The opinion covers the areas of judicial and non-judicial remedies, as well as issues related to their effective implementation. The opinion highlighted that lowering barriers to access remedy would help victims of business-related human rights abuse to have their rights realised. In addition to presenting it at the joint session by two of the preparatory bodies of the Council of the European Union – COHOM and FREMP – responsible for human rights issues externally and internally respectively, the opinion was disseminated at various other events dealing with business and human rights to which FRA was invited in the course of 2017.

The agency completed piloting the Fundamental Rights Survey in EU-28 in 2017. The pilots focused on testing the feasibility of using mixed-mode data collection – a combination of an online questionnaire and a small number of in-person interviews – for the first time across all EU Member States. The aim of the pilot was to assess solutions for the rising cost of face-to-face interviews and increasing reluctance of some people to take part in surveys. As a part of the pilots, FRA and its contractor prepared sample selection and data collection methods and tools that are needed for the main stage of the survey, which will take place in 2018-2019.

While the Fundamental Rights Survey focused on measuring the experiences and opinions of the general population of EU Member States, FRA and the Finnish Ministry of Justice and Human Rights Centre discussed their plans to use the questionnaire of the Fundamental Rights Survey to collect data on selected minority groups in Finland. The data are needed to obtain a more comprehensive evidence base called for in the country's National Action Plan on Fundamental and Human Rights 2017-2019. The agency also started preparations to carry out qualitative focus group research in eight countries in 2018 as to collect information that can help contextualise and present the results of the quantitative survey.

On 3 October 2017, FRA, together with the Council of Europe, the European Commission and the OSCE Office for Democratic Institutions and Human Rights, organised a meeting of the OPCAT-National Preventive Mechanisms (NPMs) of Member States. The objective was to gather NPMs feedback on the comparative table on detention conditions that is currently being developed

by FRA. The cooperation between FRA and NPMs will continue with a next meeting on developing criteria for assessing conditions of detention scheduled for March 2018.

On 15 and 16 November 2017, FRA organised an expert meeting of judges, prosecutors and officers of central authorities from selected EU Member States. The objective was to discuss the procedure of assessing detention conditions in other Member States in cases of European Arrest Warrants. This meeting was organised in cooperation with Eurojust and the European Commission.

At the request of the European Commission, the agency started to work on a project that will assess the current situation with rights of defendants in criminal proceedings, in particular their right of access to a lawyer, as well as the rights of persons requested under the European Arrest Warrant. Fieldwork will be carried out through FRANET and will include eight selected Member States in 2018. The results will also allow for an assessment of the impact of the Commission's Roadmap on the rights of defendants in criminal proceedings.

There has been an increasing number of requests coming from EU institutions to undertake research in the area of criminal justice. The most recent examples are the aforementioned project on the rights of defendants, as well as the project on criminal detention in the EU, both requested by the Commission in the context of the agency's annual work programme 2017. Adding the area of police and judicial cooperation in criminal matters to the agency's Multi-annual Framework (MAF) would allow the agency to contribute on its own initiative and better plan work in this policy area.

1.2.2. Achievements in the thematic area 'Victims of crime, including compensation to victims'

FRA's main objective:

To become a main actor in the promotion of the fundamental rights of crime victims, in particular the right of victims to have access to justice, as well as to make the invisible victims of in particular hate crime visible.

The agency concluded the field research for the project on victims' rights, which collects information on the state of play of the rights of adult victims of violent crime under the Victims' Rights Directive. The project was carried out in seven Member States (Austria, France, Germany, the Netherlands, Poland, Portugal, and the UK). Overall, some 230 interviews were conducted with practitioners and victims, including 50

interviews with victims of domestic (partner or ex-partner) violence. In the first half of 2019, the agency will publish two reports, one focusing on victims' access to justice and their participation in proceedings, and the other elaborating on effective protection of women victims of domestic violence against repeat victimisation and their role in criminal proceedings.

The agency finalised the data collection for its project "Severe labour exploitation – foreign workers' perspectives", reaching a total of about 250 exploited workers through face to face interviews and focus groups. The interviews and focus groups involved migrant workers from diverse EU Member States and third countries who have worked in sectors such as agriculture, construction, domestic work (including cleaning and caring for children and the elderly), manufacturing, transport and hotel/food services. The field research collected in-depth data about the specific experiences, views and needs of foreign workers who have experienced severe labour exploitation in the EU. Among other issues, the findings provide a rich base of evidence concerning the main risk factors for severe labour exploitation from exploited workers' perspectives and experiences. During the year, the agency made several presentations to key EU-level stakeholders to promote results from its research on severe labour exploitation – including to the European Committee of the Regions (at the invitation of the Commission on Social Policy, Education, Employment, Research and Culture (SEDEC)) and to the European Investment Bank (EIB) as part of an event held by the EIB to promote international labour standards throughout its operations.

1.2.3. Achievements in the thematic area 'Information society and, in particular, respect for private life and protection of personal data'

FRA's main objective:

To establish FRA as a relevant player in the field of information society, privacy and data protection.

The agency and the European Data Protection Supervisor (EDPS) signed a Memorandum of Understanding in Brussels on 30 March 2017 to facilitate and strengthen cooperation in common areas of interest. The agreement will ensure both the agency and the EDPS continue to build on their cooperation. They will regularly share information about upcoming work and data that have been collected. They will also invite each other to relevant expert meetings and will explore opportunities to collaborate on research activities. To facilitate these exchanges, dedicated contact points in each organisation will be created.



In October 2017, the agency published the report *Surveillance by intelligence services: Fundamental rights safeguards and remedies in the EU – Volume II: Field perspectives and legal update*. The report combines both legal and fieldwork data, gathering unique data and providing an up-to-date analysis of the legal situation in the EU Member States. The successful implementation of fieldwork research by the agency's staff created direct contacts with relevant partners. They invited the agency to contribute to their activities through the dissemination of the report among EU Member States and national presentations (i.e. at the French parliamentary and expert oversight bodies, at the Intelligence in the Knowledge Society Conference in Bucharest or at the French University Grenoble-Alpes). At EU level, FRA presented the findings and opinions of the project at the State of the Union Conference in Florence, Italy.

Key stakeholders continue to provide positive feedback on the agency's work on surveillance (for instance, the report was quoted in an opinion of the French Ombudsman and in a report from the UN Special Rapporteur on the right to privacy). The agency presented findings in a variety of fora specifically targeting relevant stakeholders (e.g. the Intelligence in the Knowledge Society, the Second International Intelligence Oversight Forum). On 21 November, the report findings were presented to the LIBE Committee of the European Parliament.

The agency continues to report on fundamental rights issues related to the implementation of national Passenger Name Records (PNR) and electronic communications data retention legislation. In the forthcoming *Fundamental Rights Report*, relevant case-law will be presented according to proportionality criteria and other safeguards, as set out by the Court of Justice of the EU. The agency also released findings on the national data retention schemes on its website.

FRA also supported the work of the European Commission on the role of encryption in criminal investigations. The agency hosted an expert meeting in June 2017 discussing fundamental rights aspects encountered by law enforcement and judicial authorities when addressing encryption. This input was reflected in the European Commission's proposal for a set of support measures issued in October 2017.

The agency contracted experts to prepare, under its supervision, an update of the Handbook on European data protection law produced jointly with the Council of Europe, the European Court of Human Rights and the EDPS (publication planned in May 2018). The agency has communicated on the forthcoming publication in relevant fora, such as the conference organised by the Estonian Presidency entitled 'e-Volution of data protection'.

The agency also contracted experts to prepare an update of its earlier Guide on discriminatory ethnic profiling. The new Guide will address not only law enforcement but also border guards, and will deepen the analysis of data protection legal implications (planned publication in November 2018).

The consolidation of the findings from the fieldwork and comparative legal data in the context of the project on surveillance by intelligence services proved challenging. This topic however remains extremely relevant for discussions on the protection of fundamental rights in the context of the preservation of security.

1.2.4. Achievements in the thematic area 'Roma integration'

FRA's main objective:

To contribute to the achievement of the goals set by the EU Framework on Roma integration and the EU 2020 Strategy by providing timely evidence-based advice on the situation of Roma in all EU Member States and by assisting EU institutions in monitoring the implementation of the EU Framework.

The findings of EU-MIDIS II on Roma were extensively referenced in the European Semester country reports for Bulgaria, the Czech Republic, Hungary, Romania and Slovakia published in February. The Vice-President of the European Commission referred to some of these findings during the European Union's Roma week in March.

The agency communicated the findings and related opinions on several occasions, for example:

- during the meeting of the Civil Liberties, Justice and Home Affairs Committee of the European Parliament in Brussels on 23 January;
- during the periodical European Commission consultation with EU umbrella Roma and pro-Roma civil society and international organisations on 31 January;
- at the conference with the subject "The social inclusion debate: Strategies and dilemmas" in Cluj-Napoca in Romania on 2 March;
- at the European Parliament during the European Parliament Roma Week on 28 March;
- at a meeting hosted by the European Commission to discuss the organisation of the 11th European Platform for Roma inclusion on 5 April;

- at the International Seminar on Roma Communities hosted by the Portuguese High Commission for Migration in Lisbon on 6 April;
- at the Council of Europe's 6th International Roma Women Conference on 7 November;
- at the European Platform for Roma Inclusion hosted by the European Commission on 27 November.

The agency's comparative overview of basic outcome indicators on Roma inclusion, namely the Roma integration scoreboard 2011-2016, was used by the European Commission in its 2017 Communication *Midterm review of the EU framework for national Roma integration strategies*. The scoreboard was published as a Commission Staff Working Document in August. Since then, the agency has prepared a paper analysing the outcome indicators and linking progress in the respective areas to measures taken by the Member States included in the agency's surveys.

In September, the agency participated in fact-finding missions to the Czech Republic and the Slovak Republic concerning Commission infringement procedures as these related to school segregation. The agency also contributed to the work of the Commission's inter-service group preparing the evaluation of the EU Roma framework and provided UNDP with advice on the design of its Regional Roma Survey project, funded by the Directorate-General for Neighbourhood and Enlargement Negotiations (DG NEAR).

The European Parliament's report *Fundamental rights aspects in Roma integration in the EU: Fighting anti-Gypsyism* (Rapporteur: MEP Soraya Post) adopted on 25 October by the European Parliament refers to EU-MIDIS II results, as well as to the *Fundamental Rights Report 2016* and other FRA surveys. The European Parliament's calls on FRA to prepare a study on anti-Gypsyism in the EU and candidate countries and for a focus on anti-Gypsyism when working on Roma issues, and when monitoring anti-Gypsyism in all relevant fields.

The case studies and audio-visual material prepared for the Local Engagement for Roma Inclusion 'LERI' project published on 26 April, continued to capture the attention of stakeholders at EU, national and local levels. Various presentations of the project's preliminary findings were made, including at the IMISCOE Annual Conference entitled "Migration, diversity and the city", the Council of Europe's International Conference of Roma Women "Roma women and political representation" and at the Congress of Roma feminism in Madrid, Spain, which was the culminating event of longer efforts, and for which the LERI project was used to support its preparation phase.

The project methodology was also used as a basis to develop a pilot project commissioned by Directorate-General for Justice and Consumers (DG JUST) on capacity building for Roma civil society and strengthening its involvement in the monitoring of national Roma integration strategies.

The analysis of the final results of the LERI project continued in order to prepare a summary report including opinions and a technical report in 2018.

In parallel, preparations to pilot the Municipal Barometer in the LERI localities were completed with the testing of the survey tool and its translation into local languages. The corresponding data collection started in November 2017.

In light of the upcoming data collection on the situation of Roma in all EU Member States, the team conducted a desk review of the possible methods for collecting data on the situation of Roma (rights holders' perspective) in the 18 Member States not covered in EU-MIDIS II. The key parameters of Roma and traveller populations provided by FRANET and the expertise of selected professionals in applying sampling methodologies were considered when deciding which countries to cover in the 2018 survey. This data collection will be done through an external contractor in 2018 and will cover Belgium, France, Ireland, the Netherlands, Sweden and the United Kingdom.

At the request of the European Commission, the agency developed a training module for national authorities managing the European Structural and Investment Funds in order to promote compliance with the EU Charter of Fundamental Rights. The agency consulted relevant Commission services and agreed on a timeline for testing the training module. Meanwhile, the agency contributed to meetings of the Managing Authorities in Poland in November which discussed the compliance of the disbursement of EU funds with the Charter. A similar contribution was planned in Greece in December. The piloting of the actual training in selected EU countries will be further discussed with the Commission in 2018, with a view to include also Directorate-General for Employment (DG EMPL) in respect of the European Social Fund.

In June, the agency provided strategic advice to the EEA & Norway Grants on the needs for a Roma programme in Hungary. During the fall, the Agency's role as international partner for the Grants' Roma inclusion and empowerment programmes in the Czech Republic and in Greece was confirmed. The Agency's role as project partner in Bulgaria and in Greece was also confirmed. In September, FRA participated in the initial consultation and programme strategy meeting to prepare the Programme Document for the Czech Republic. In parallel,



FRA assisted the Bulgarian National Statistical Institute in the finalisation of a project on data collection on the situation of groups vulnerable to violation of their fundamental rights, including the Roma.

The Agency's work in the area of Roma integration requires both complex survey research and resource demanding qualitative fieldwork in order to reach the local level. In addition, the agency continues to receive requests, for example to provide training or custom-made assistance to national authorities, which is stretching the Agency's human resource capacity.

1.2.5. Achievements in the thematic area 'The rights of the child'

FRA's main objective:

To provide robust, relevant and timely evidence-based advice on the promotion of the rights of the child to EU institutions and Member States.

FRA published its second report on child-friendly justice in February. The multi-annual research project gathered and compared, for the first time in the EU, the views of legal and social professionals working with children in criminal or civil judicial proceedings with the views of children who have themselves participated in such proceedings. The findings complement statistical data and legal analysis published by the European Commission. The latest report provides a picture of how the rights of children are protected throughout judicial proceedings and includes concrete proposals on how to address shortcomings.

In April, the agency convened key European and national actors to discuss the findings of the project and agree on practical ways to move forward. Children were involved both in fieldwork research and project-related consultations and their participation in agency events was ensured. The opportunity to involve children in policy processes was used during the Symposium "Is Europe doing enough to protect fundamental rights?" which the agency organised in June with the support of Eurochild and in cooperation with the Maltese Presidency of the Council of the European Union. Additionally, FRA and Eurochild prepared two videos for the symposium to present children's views on the situation and their suggestions to implement change with a focus on children who are at risk of poverty or social exclusion.

FRA provided targeted evidence-based advice to key stakeholders at European and national level, such as presentations to the Council preparatory bodies FREMP and COPEN as well as consultations with ministries' representatives, NHRIs, civil society and professional

groups at national level. In addition, the agency addressed professionals working with children, for example, through a CEPOL webinar on interviewing children as victims or witnesses of crime. External actors have started translating the checklist developed by FRA for professionals for their own use. The Council of Europe has embedded FRA's child-friendly justice material into the HELP online course on child-friendly justice, which was launched in November and addresses professionals throughout Europe.

The European Commission's Communication "The protection of children in migration" integrates a notable amount of the agency's research findings and recommendations. For example, the need to appoint child protection officers in each hotspot, a recommendation deriving from the agency's operational work in the hotspots, and which was also included in the agency's opinion on the hotspots (2016).

The agency continued its focus on protection of children in migration. This included providing input on fundamental rights to different policy processes, such as: the establishment of a European network on guardianship, the EASO working groups preparing tools on age assessment and best interests and the Council of Europe's Expert Group drafting recommendations on age assessment and guardianship. The agency also participated in the Regional consultation for the two General Comments of the UN Committee on the Rights of the Child and the Migrant Workers Committee on the protection of children in migration.

The agency also presented its legal opinions on the proposals for the revised Dublin and Eurodac Regulations at the policy roundtable on children's rights in the Common European Asylum System organised by the Maltese Presidency, and at the High-level meeting on children on the move organised by the Swedish Children's Ombudsman's Office.

The agency has intensified its cooperation with the European Parliament and delivered a child rights seminar for members of the Intergroup on Rights of the Child of the European Parliament on 7 June 2017.

The Handbook on European law relating to the rights of the child, produced by the agency and the European Court of Human Rights, is available in 21 languages. The respective handbook translations have been presented at events in Denmark and Portugal.

At international level, the agency has taken part at the first expert meeting on the Global Study on Children Deprived of Liberty discussing methodology and data collection. The Global Study concretises an invitation of the United Nations General Assembly to the Secretary General to commission an in-depth study of children

deprived of liberty. In this context FRA also participated at the European Forum on Rights of the Child in November 2017 that specifically focussed on the situation of children deprived of liberty.

On the Universal Children’s Day (20 November), FRA published a first set of findings from its comparative legal mapping of minimum age requirements across the EU. These requirements determine when children legally have access to certain rights or services, such as health services. FRA’s research points to inconsistencies across Member States, and even within national jurisdictions. The first data set has covered marriage and citizenship, political participation, health and religion.

In line with its strategic objective to mainstream rights of the child across thematic areas of the Multi-annual Framework, the rights of the child sector developed a checklist as well as a planning and monitoring tool. The aim is to achieve a systematic, cross-departmental approach to identify and suggest potential child rights components in FRA projects.

1.2.6. Achievements in the thematic area ‘Discrimination based on 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’

FRA’s main objective:

To provide robust, policy relevant and timely evidence-based advice on equality and non-discrimination fundamental rights challenges to EU institutions and Member States, as well as other stakeholders.

FRA published the EU-MIDIS II report *Muslims-Selected findings* in September on the occasion of the European Action Day countering Hate Speech against Muslims, which coincided with the Islamic New Year. The report generated a great degree of media attention throughout the EU. The EU - MIDIS II *Main results* report – presenting the results across all topics and groups surveyed – was launched in December at the Council, at an event conference organised jointly with the Estonian Presidency of the Council of the European Union, Norway Grants/EEA and the European Commission, in synergy with the fourth meeting of the EU High Level

Group on combating racism, xenophobia and other forms of intolerance.

The EU Framework began implementing its work plan for the period 2017-2018 in January. In March, the agency, the European Parliament and the European Ombudsman gave a webinar in cooperation with the European Police College (CEPOL) on what the CRPD means for EU institutions, agencies and bodies, and shared practical tools for implementing the convention.

In April, the EU Framework participated at an informal meeting of the Council Working Group on Human Rights (COHOM). The EU Framework contributed during two segments of the discussion. The first related to the promotion of the rights of persons with disabilities in EU external action. The second related to the EU’s possible ratification of the Optional Protocol of the CRPD, which allows for individual complaints to be brought before the UN CRPD Committee.

In October, the EU Framework met with the European Commission. All the participants welcomed the first meeting between the Focal Point and the EU Framework and called for such meetings to be organised regularly to ensure a systematic dialogue.

FRA published three reports with first findings of the project on the right to independent living of persons with disabilities in October, on the occasion of a conference on independent living organised by the Estonian Presidency of the Council of the European Union. The reports *From institutions to community living* explore different aspects of the ‘move away from institutions towards independent and community living’, a right enshrined in the CRPD. They look at deinstitutionalisation plans and commitments, funding, and the impact this has on people with disabilities. The Reports have been disseminated to all of the agency’s relevant stakeholders and have received very positive feedback. They also fed into Council negotiations aiming at adopting draft Council Conclusions on deinstitutionalisation at the EPSCO Council in December.

FRA continues to provide input and advice on the basis of its previous work in the area of disability. The Parliamentary Assembly of the Council of Europe’s Committee on Equality and Non-discrimination adopted a report on the right to political participation of persons with disabilities in February, which drew extensively on the agency’s research on this topic. In March, the agency was a keynote speaker at an event organised by the European Network of Equality Bodies on the rights of persons with intellectual disabilities. The agency joined the advisory panel for an OSCE project on the political participation of persons with disabilities run by ODIHR. The agency further provided input to



a thematic meeting on participation of people with disabilities in political parties organised by the European Parliament's Disability Intergroup and ODIHR, and hosted by the European Disability Forum. FRA remains one of the few to have conducted specific research in this area.

The agency and the European Court of Human Rights agreed on the final structure and choice of cases to be included in the updated new Handbook on European non-discrimination law.

FRA presented its contribution at the 2017 Annual European Commission Colloquium on Fundamental Rights "Women's rights in turbulent times" based on a paper outlining the challenges to women's rights in the EU. The paper was one of the principal background documents for the colloquium and fed into discussion notes prepared for several of its sessions. It covered gender discrimination, sexist hate speech and gender-based violence against women and girls from a human rights perspective providing telling examples from across the EU over the last three years and using evidence from FRA's survey on violence against women.

Responding to a request from the European Commission, the agency prepared a discussion note on equality data to support the development of the work of the High Level Group on non-discrimination, diversity and equality. Discussions at the High Level Group, in which FRA participated, could result in the creation of a subgroup on equality data collection bringing together the European Commission and interested Member States, which would be facilitated by FRA.

The Social Rights Pillar was proclaimed at the Gothenburg Summit of the EU's heads of state and government in November. FRA had contributed to the public consultation on the development of the Pillar stressing the importance of linking the rights included under the Pillar to relevant provisions of the Fundamental Rights Charter. This was reflected in the relevant Commission's Staff Working Document. Prior to the Gothenburg Summit, FRA participated in a high-level meeting at Eurofound involving major EU and national social partner organisations, the Commission, as well as several Ministers, to discuss how the implementation of the Pillar through concrete legislative and policy initiatives can reduce the risk of "converging economies and diverging societies". FRA contributed to this important event reminding that the Pillar refers to social rights which will need to be transformed into judiciable entitlements. Furthermore, FRA pointed out that many of these rights directly correspond to a number of UN Sustainable Development Goals (SDG), which the EU has committed to achieve and monitor. In this respect FRA's surveys already deliver high quality, comparable data that could enrich the current Social Scoreboard used in

the European Semester and for SDG reporting. FRA is following up on legislative developments in the context of implementing the Social Rights Pillar that are relevant to its mandate, e.g. in respect to non-discrimination, child rights, as well as Roma inclusion.

1.2.7. Achievements in the thematic area 'Immigration and integration of migrants, visa and border control and asylum'

FRA's main objective:

To promote effective fundamental rights safeguards in the development and implementation of EU policies in the field of immigration and integration of migrants, visa and border control, and asylum.

The agency analysed the results of its field research on the use of biometric data in large-scale IT systems. FRA's research relates closely to seven legal instruments which were under negotiations at year end. In light of its policy relevance, EU institutions regularly made use of FRA's expertise in relation to large-scale European IT systems in the field of migration. The analysis informed a paper which was presented at the High Level Expert Group on interoperability. Interoperability of information systems increases the risk of data becoming unlawfully available to third parties (through unlawful sharing or hacking) and amplifies the effects of incorrect data stored on an individual. In July, FRA published a legal opinion on ETIAS, the EU Travel and Identification System, following a request by the European Parliament.

Also, the Council requested FRA to present its views on the fundamental rights impact of interoperability and ETIAS; the Estonian Presidency invited FRA to a special session of the Data Protection Working Party (DAPIX) in July, and to a meeting with all Justice and Home Affairs Counsellors in September. To illustrate the agency's impact further, several points raised in FRA's legal opinion on Eurodac were taken up in the final position on Eurodac by the European Parliament, which expressly referred to FRA's fingerprinting guidance in one of the recitals.

Immigration detention of children remains one of the most persistent fundamental rights challenges in the EU. FRA timed the publication of its report on immigration detention of children (released in June) to have it fresh on the table for various initiatives by other stakeholders. In September, the Czech Chairmanship of the Committee of Ministers of the Council of Europe organised a major conference to end immigration detention of children where FRA's report was a central

feature. The European Commission took FRA's report as a starting point to promote alternatives to immigration detention for children at the 11th European Rights of the Child Forum in November. To counter tendencies to increase immigration detention of children, FRA invited representatives of Member States police and immigration authorities to an expert meeting in Vienna exploring ways to enhance the effectiveness of alternatives to detention.

In the field of return, significant policy developments occurred which – if not adequately implemented – may affect fundamental rights, in particular the right to liberty and the principle of non-*refoulement*. In a drive to increase the effectiveness of returns, asylum-related tools are being redesigned to serve also return purposes, while the use of immigration detention is increasing. The agency responded to these developments by providing Frontex with fundamental rights expertise (including through the Frontex Consultative Forum), strengthening return monitoring capacities by training monitors who are part of the Frontex forced-return monitoring pool, and through its observer status in Schengen evaluation missions. Finally, the agency actively participated as an observer in the Council of Europe's Committee of Experts on the administrative detention of migrants, supporting with its expertise, the development of immigration detention standards.

During the reporting period there have been increasing allegations about serious fundamental rights violations at the external border of the EU to which FRA reacted in different ways. FRA continued to actively support Frontex, with which the agency had almost daily contacts.

Being the only EU actor with a fundamental rights mandate to mainstream fundamental rights in border management policies, FRA provided upstream advice in Brussels and Warsaw, complementing its hands-on work in the hotspots (see [Part I](#)). FRA suggested to the European Commission how best to mainstream fundamental rights in the draft Integrated Border Management Strategy, the main policy document which will guide the future of border management work in the EU. FRA also organised a refresher course for Schengen evaluation trainers in September 2017 to identify how the fundamental rights safeguards of the Schengen Borders Code can be better assessed during Schengen evaluations and how FRA can best contribute including by participating in on-site missions. Finally, upon the request of the European Commission, FRA assessed the impact of the Eurosur Regulation on fundamental rights, by undertaking an audit of the work of Frontex and presented its findings to Member States in the Eurosur Expert Group in November.

In response to the increasing focus on operational cooperation with third countries, on border management issues, the agency published guidance on how to reduce the risk of *refoulement* when working in or together with third countries. The guidance focuses on border management situations where the responsibility for possible violations of fundamental rights are unclear. The guidance was developed with the support of experts based on ten realistic scenarios. It has been translated into selected EU languages and proactively shared with Greece, Italy and Spain, as well as with Frontex.

Every month, FRA published an update of the main fundamental rights challenges that the 14 EU Member States most affected by migration were facing. These were complemented by four thematic updates, i.e. on trauma and victims of torture, LGBTI people, education, community policing, and oversight of reception conditions.

In the area of asylum, FRA actively contributed to the development of guidance and training materials by EASO, for example, on age assessment, best interests of the child or training of interpreters. In addition, FRA developed the research methodology and tools for its project on the long-term impact of refugees who arrived in 2015-2016.

In the area of integration, the agency published the *Together in the EU* report in March, which fed into a new European Commission toolkit for Member States, entitled "Contributions of EU Funds for the integration of people with a migrant background". The report examines Member States' integration policies and action plans for promoting migrants' participation in society, focusing on non-discrimination, education, employment, language learning and political engagement. With FRA's input, the toolkit supports national and regional funding authorities in implementing integration policies targeting people with a migrant background through the use of EU funds in the 2014-2020 programming period. FRA findings regarding migrant integration, such as on segregation in education and residential concentration or civic and political participation, are frequently referenced by EU and international bodies (e.g. OSCE/ODIHR). FRA is also frequently requested to provide input and expertise to support Member States in the design, implementation and monitoring of their integration policies. The agency also participated in meetings of the European Commission Inter-Service Group on Integration and presented results of its research to the Committee of the Regions. Finally, it cooperated with the European Foundation for the Improvement of Living and Working Conditions (Eurofound) in the area of integration employment and with the Organisation for Economic Co-operation and Development (OECD) in the areas of migrant integration and discrimination.



The agency continued to share the migration monthly overviews containing fundamental-rights relevant developments in Member States most affected by the arrival of migrants and asylum seekers. These reports now cover 14 EU Member States. These general overviews are complemented by thematic focus papers. An internal evaluation of the migration monthly overviews carried out by contacting external stakeholders including national authorities, EU and UN actors, as well as NGOs, showed that the FRA monthly reports are increasingly known and used by different stakeholders.

1.2.8. Achievements in the thematic area 'Racism, xenophobia and related intolerance'

FRA's main objective:

To serve as an observatory/data warehouse on phenomena of racism, xenophobia and related intolerance including hate crime and extremism, as well as on racial and ethnic discrimination.

In April, the agency hosted the second meeting of the Subgroup on methodologies for recording and collecting data on hate crime, which was set up under the EU High Level Group on combating racism, xenophobia and other forms of intolerance. During the meeting, the agency presented a draft comparative overview of practices implemented by EU Member States to record incidents and to collect data on hate crime.

In June, the High Level Group agreed that the Subgroup's immediate focus of attention would be on identifying ways to improve the recording of hate crime by front-line law enforcement officers. The third meeting of the Subgroup, held at FRA premises in October, focused on this issue. As a result, and under FRA's leadership, the Subgroup developed a paper on identifying key guiding principles to improve the recording of hate crime by law enforcement authorities. This paper was presented and discussed at the December meeting of the High Level Group, paving the way for Member States to begin working concretely on improving their hate crime recording mechanisms.

In March, the agency held a stakeholder/expert meeting on the second survey on discrimination and hate crime against Jews. The meeting served to consult with relevant stakeholders and experts about the survey at an early stage of its development. The importance of the first survey was acknowledged by the participants, who expressed their support for the forthcoming survey and stressed the necessity to reach out as widely as possible to the Jewish population in selected Member States, i.e. Austria, Belgium, Denmark, France, Germany,

Hungary, Italy, Latvia, the Netherlands, Poland, Spain, Sweden and the United Kingdom. The contract for the survey implementation was signed in October, and the key findings are planned to be published in December 2018. The survey is attracting interest outside the EU, with experts in Norway and Russia assessing possibilities to implement similar surveys.

The agency participated in the EU - Israel 10th Bilateral Dialogue on Combating Antisemitism, Racism and Xenophobia. The main issues on the agenda were fighting antisemitism through online platforms and education. The EU and Israel agreed to continue their close cooperation through educational initiatives, in addition to tackling cyber hate. FRA presented its annual update on antisemitism data (from 2005 to 2015), its achievements in the area of capacity building on fundamental rights, citizenship and learning from the Holocaust, and informed about its next survey on antisemitism.

In March, the agency commenced work on its online database on anti-Muslim and anti-migrant hatred and launched a beta version of the database in December 2017, prior to the full database being operational in April 2018. The database includes available statistics and other data and information on anti-Muslim and anti-migrant hatred, including relevant case law, as well as disaggregated data by gender and age to identify intersectional aspects, wherever possible.

Hate crime and hate speech remain issues of serious concern for the agency and requires a sturdy policy response. Hate crime has been the focus theme of one of the agency's monthly overview on migration. The second survey on discrimination and hate crime against Jews, as well as the analysis of EU-MIDIS II data relating to Muslims immigrants and their descendants, are being given priority to provide robust evidence to policy makers. The sustained electoral success of political parties with anti-migrant, anti-Islam, xenophobic, nativist and Eurosceptic agendas across the EU combined with the spread of online hatred is set to pose a great challenge to the democratic process in the EU.

1.2.9. Achievements in the thematic area 'Cross-cutting activities'

The *Fundamental Rights Report* continues to feed prominently into relevant work of the three main EU institutions. On 13 July, the FRA Director first presented the agency's *Fundamental Rights Report 2017* at the Council Working Party on Fundamental Rights, Citizens' Rights and Free Movement of Persons (FREMP). Subsequently in October, he presented the agency's findings and opinions to the European Parliament's Committee on Civil Liberties, Justice and Home Affairs (LIBE) and then to EU justice ministers during a formal EU Justice and Home Affairs Council meeting.

The Justice and Home Affairs Council adopted conclusions on the application of the EU Charter of Fundamental Rights taking note of the *Fundamental Rights Report 2017*, as well as of the 2016 European Commission's report on the application of the EU Charter of Fundamental Rights. The findings of the Fundamental Rights Report with regard to the use of the Charter by national courts are also reflected in the European Commission's report on the application of Charter.

An increasing number of FRA national stakeholders have been organising national events for the launch of FRA's *Fundamental Rights Report 2017* with the participation of FRA Management Board members, NLOs, National Parliamentary Focal Points, FRANET contractors and civil society. From September to November, the report was presented in Austria, Cyprus, Latvia, the Netherlands, Romania and Spain. These launches significantly raise the visibility and awareness of the *Fundamental Rights Report* at national level.

The agency has also engaged at different levels with the Council of Europe. The agency has presented its selected Roma findings from its second EU minorities and discrimination survey to team of the Special Representative of the Secretary General for Roma Issues. Furthermore, it participated in the first meeting of the Council of Europe's Drafting Group responsible for developing standards on age assessment and guardianship for children in the context of migration.

The Director also participated in the third annual rule of dialogue in the General Affairs Council on 17 October. This year's dialogue was dedicated to media pluralism in the digital age. The Director started his intervention by referring to the murder of the journalist Daphne Caruana Galizia in Malta. Discussing how to best exercise principled leadership in the rule of law context, the Director identified five challenges:

- 1) security of journalists as addressed by international actors;
- 2) online hate speech and violence in the online world which disproportionately impacts on women journalists;
- 3) media pluralism as analysed in the Media Pluralism Monitor in its recent 2016 report (market plurality; independence of editorial content from ownership etc.);
- 4) inequality in access to the digital world, digital skills among the population;
- 5) interplay media and rule of law ("fake news", tendency of bubbles).

In the following exchange, many governments underlined that media literacy is key and that one has to find the appropriate balance between security, privacy and freedom of expression. Twenty-five delegations intervened, many referring to the agency's intervention and overall work. The Director stressed that FRA remains at the disposal of the Council wherever its data and analysis are needed.

The agency has been participating in the work of the Committee of Experts on Administrative Detention of Migrants as an observer since autumn 2016, and it has recently taken part in a joint meeting of the Committee with the Council of Europe's Drafting Group on Migration and Human Rights.

The cooperation with the United Nations is important to coordinate work, to showcase the agency's deliverables and methodologies, and to seek alignment between findings and recommendations from the agency with those of the UN human rights mechanisms.

In October, the FRA Director completed a successful first official visit to the UN in New York. The visit served to promote understanding of FRA's role and identify possibilities for closer collaboration with the UN. The dense programme included meetings with senior UN officials, including Assistant Secretary General Andrew Gilmour, Lakshmi Puri of UN Women and two UN mandate-holders: Marta Santos Pais, Special Representative of the Secretary General on Violence against Children, and Shaheed Ahmed, Special Rapporteur for Freedom of Religion or Belief.

Exchange with the Office of the High Commissioner for Human Rights (OHCHR) is continuously increasing in terms of number of FRA submissions to the OHCHR or bodies for which it serves as the secretariat. The recently appointed Regional Representative for Europe of the OHCHR spent a day at FRA in October 2017, and met with all staff, senior management including the Director. The agency continued to provide compilations of relevant extracts to the Universal Periodic Review, the Human Rights Treaty Bodies and special procedures, as well as in response to special calls by the OHCHR and the Human Rights Council. During 2017, the agency submitted over 30 such country-specific compilations, in addition to five submissions to the Universal Periodic Review.

The agency has engaged with the Sustainable Development Goals by providing the European Commission with data for EU's contribution to the measurement of these goals. FRA also provided input to the OHCHR methodologies for data collection under the SDG. FRA is also continuing work with the OHCHR on bringing together data and information from the UN, but also the Council



of Europe with that of the agency to create an EU Fundamental Rights Information System. The agency also continues to cooperate with the OHCHR on UN Treaty Bodies' jurisprudence to be referenced in FRA's handbooks. In 2017, FRA provided a presentation on its work at the annual meeting of special procedures as well as one to staff of the OHCHR.

FRA continues to coordinate and exchange with the UNHCR on migration and related issues.

The agency's co-operation with the OSCE progressed in spite of the long interim period required for the appointment of new heads of institutions dealing with the OSCE human dimension, which concluded on 18 July following a long period of protracted inter-governmental negotiations (in the case of the OSCE High Commissioner on National Minorities, for instance, these lasted for 11 months). This introduced an element of uncertainty in the interinstitutional relations between the agency and the OSCE. Similarly, political receptiveness at the OSCE to the introduction of human dimension debates and activities to which the agency could usefully contribute (concerning non-discrimination and the rights of LGBTI persons for instance) was challenged by the prevailing geopolitical climate.

Nevertheless, the agency's co-operation with the OSCE continued to be strengthened at a technical level. The agency pursued its close co-operation with the Gender Section of the OSCE Secretariat in Vienna, providing support for the development of the OSCE survey on violence against women based on the questionnaire and methodology of the agency's survey. The agency extended this cooperation also to the OSCE field missions involved in supporting the implementation of the OSCE survey. In addition, the agency's cooperation with the OSCE regarding data collection expanded into the field of hate crime data more broadly: the agency gave a presentation to six OSCE missions in South East Europe and to ODIHR regarding the measurement and improvement of hate crime data collection. FRA also provided advice to ODIHR for the project on collecting survey data on hate crime in Poland. Moreover, the agency joined the ODIHR's advisory panel for an OSCE project on the political participation of persons with disabilities.

The agency continued to co-operate with the OSCE in close co-ordination with the EU External Action Service. While previously this co-ordination mainly concerned the Human Dimension of the OSCE, it has now been expanded to the area of migration and asylum, where the agency's findings concerning fundamental rights can also achieve a positive impact.

Fruitful co-operation with the Office for Democratic Institutions and Human Rights (ODIHR) of the OSCE continued at an operational level, as well as with the Chairmanship of the OSCE, held by Austria during 2017. An initial co-operation meeting with the OSCE Austrian Chairmanship was held at the agency's premises on 22 March 2017. This was preceded by a meeting with the UK Chairmanship of the OSCE Human Dimension Committee on 17 February 2017. Both meetings involved the EU's External Action Service as well.

The cooperation between FRA and the EEA & Norway Grants was further operationalised since the signing of the administrative cooperation arrangement in December 2016. FRA is engaged at programme level in both the Czech Republic and Greece. In this capacity, FRA provided advice at an overall strategic level in the development and implementation of programmes. It will also support the programme operators in the mentioned countries.

The agency hosted the first annual meeting with the donors (Norwegian Ministry of Foreign Affairs and it was agreed to build further on the good collaboration in the area of Roma integration, which is an area of massive programme investments by the Grants in its 15 beneficiary countries.

Another important area of cooperation with the EEA & Norway Grants is a partnership on fundamental rights related events.

Further cooperation is on-going with a focus on strengthening civil society and the national human rights infrastructure, and, finally, the EEA & Norway Grants are closely involved as a strategic partner in the FRA's Fundamental Rights Forum 2018.

As part of the preparation work for the Fundamental Rights Forum 2018, the agency set up a project team and has finalised a broad stakeholder consultation on the Forum. The consultation focused on the scope of the overarching theme 'belonging', the format and structure of the event, and on the identification of partnerships. The consultation highlighted that a sense of 'belonging' of all living in the EU is seen as crucial for the functioning of democracy and the rule of law as well as a pillar of cohesive and pluralist societies. The agency started to work concretely with strategic partners to further shape parts of the Forum programme, including with those represented on the Advisory Board (the Council of Europe, the Office of the UN High Commissioner for Human Rights, the city of Vienna, the incoming Austrian Presidency of the Council of the European Union, the Government of Norway and the

European Commission). The role of the Advisory Board is to offer strategic advice to FRA on the concept and the programme development, to support communications about the Forum, and to contribute to the follow-up of the Forum. The first meeting took place on 20 October.

The agency continues enhancing its work in collecting and analysing data on the experiences of various population groups and in specific fundamental rights areas. It keeps building 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, such as EU - MIDIS II and the Fundamental Rights Survey.

1.3. Economy and efficiency of spending and non-spending activities

According to the agency's Financial Rules (Article 29), the principle of economy requires that the resources used by the agency in the pursuit of its activities shall be made available in due time, in appropriate quantity and quality, and at the best price. The principle of

efficiency concerns the best relationship between resources employed and results achieved.

Respect for these principles is continuously pursued through the implementation of internal procedures and predefined practices. These procedures ensure that activities are executed in an efficient manner (e.g. the different workflows contribute to efficient cooperation between staff, departments, etc.) and according to the principle of economy (e.g. the procurement rules ensure procurement in optimal conditions).

The agency is continuously fine-tuning its internal arrangements to improve the efficiency and economy of its operations. The following initiatives show how these principles are implemented.

In 2017, the agency continued the use of the practices adopted in the last years in reducing the costs linked to facilities management like electricity and the general building maintenance costs.

Furthermore, staff continued to use video conferencing, when meeting needs could be addressed in this way, hence avoiding mission costs. In 2017, the agency used video conferencing capabilities about 90 times.



2

Management



Assurance is an objective examination of evidence to provide an assessment of the effectiveness of risk-management, control and governance processes. The management, which monitors the functioning of the internal control systems on a continuous basis, and the internal and external auditors carry out this examination. Its results are documented and reported to the FRA Director, including reports on:

- activity-based management:
 - the management of the financial resources (including planned and actual, as well as deviations);
 - the management of human resources (including planned and actual, as well as deviations);
 - activity-based costing;
- *ex post* controls;
- internal control standards (ICS) gap analysis;
- observations and recommendations reported by the Internal Audit Service (IAS) of the European Commission;
- observations and recommendations reported by the European Court of Auditors (ECA);
- recommendations of the European Parliament.

This part outlines the control results and other relevant elements that support management assurance on the achievement of the internal control objectives, including the following aspects:

- effectiveness, efficiency and economy of operations;

- reliability of reporting;
- safeguarding of assets and information;
- prevention, detection, correction and follow-up of fraud and irregularities;
- adequate management of the risks relating to the legality and regularity of the underlying transactions, taking into account the multiannual character of programmes, as well as the nature of the payments (FRA Financial Rules, Article 32).

It looks at the management of FRA's resources, financial and human, and assesses the results of internal and external audits, including the implementation of audit recommendations.

2.1. Management Board

FRA carries out an annual risk assessment exercise, which includes an evaluation of potential risks, their likelihood of occurrence and potential impact. The results of the exercise are summarised in a risk register. An extract of the risk register is annexed to the Programming Document (PD). This annex presents the risks that the management considers relevant to the implementation of the PD. It also presents the corresponding preventative mitigating actions.

In 2017, no significant risks materialised that would have required a Management Board decision.

2.2. Major events

No major events took place during the financial year.

2.3. Compliance regarding transparency, accountability and integrity

EU institutions, bodies and Member States hold the agencies politically, financially and judicially accountable for their activities. These include the European Commission, Council and Parliament, as well as the European Court of Justice, the ECA, the IAS, the European Anti-Fraud Office (OLAF) and the European Ombudsman.

The European Commission, the Parliament and the Council agreed the agency's governance structure in its founding act.

Three European Parliamentary Committees regularly assess the work of FRA and oversee its general development. These are the LIBE Committee, the Committee on Budgets and the Budgetary Control Committee. They determine FRA's annual budget, and scrutinise how the agency has spent the money, before deciding if the budget can be discharged. In short, parliamentary oversight over the EU agencies may include questions, inquiries, hearings, budget discharge, visits and committee contact.

The specialised European Parliamentary Committee (LIBE) follows FRA's work. The committee prepares the legislative framework, negotiates with the Council of the European Union, and follows up on evaluations, enquiries from EU citizens and reports from the Court of Auditors. It also issues an opinion on budgetary requests of the agency and discharging the budget.

Stakeholders also work very closely with FRA, providing valuable input to the tasks being carried out (e.g. research projects). This includes helping to steer preliminary preparations, providing feedback on interim and final results and aiding in the dissemination and uptake of findings. In addition, the agency has established consultative fora to engage with civil society organisations.

Furthermore, FRA is forging ever-closer ties to Member States through focal points in national administrations, national parliaments and corresponding national bodies. Such vital mechanisms ensure that there is a constant dialogue as the basis of a strong working partnership, which guarantees that information is shared and national needs are recognised and addressed.

FRA is overseen by a Management Board composed of independent representatives from each Member State as well as the European Commission and the Council of

Europe, which meets at least twice per year. The minutes from the Management Board meetings are published on the agency's website.

The functions of the Management Board, Executive Board and Scientific Committee are described within a unique document, the Rules of procedure, which is published on FRA's website.

The Director's reports addressed to the Management Board provide it with a fair and balanced assessment of FRA's activities. The Director releases a report before every Management Board meeting, ensuring transparency and accountability of the executive function i.e. FRA Director, towards the board.

The independent review of the agency is subject to internal audits carried out by the IAS, which oversees FRA's compliance with the provisions of the ICS of the European Commission. The ECA reviews the legality and regularity of the transactions, and gives assurance on the truth and fairness of the financial statements. In response to these, FRA developed an internal mechanism to ensure good cooperation with the auditing bodies, and to ensure that further developments of the system consider the results of the audits without exception.

FRA continues to implement and further enhance its activity-based management. Moreover, the agency's budget nomenclature follows the principles of activity-based budgeting (ABB). It complies with the principles of specification, transparency and sound financial management, providing the clarity and transparency necessary for the budgetary process, facilitating the identification of the main objectives as reflected in its Programming Document, making possible choices on political priorities, and enabling efficient and effective implementation.

In its Programming Document, FRA follows a results-based allocation of resources based on priorities. It also includes an annex on risk management, which helps to identify the potential risks and how to respond to mitigate them. In addition, it provides performance indicators that facilitate an effective evaluation. These aspects facilitate the assessment of whether or not FRA is achieving its objectives and increase accountability, transparency and openness.

In accordance with its financial rules, FRA conducts *ex ante* and *ex post* evaluations of its projects. Also, a carefully selected evaluator conducts an independent external evaluation of FRA. Evaluation is the main tool that FRA uses to assess the extent to which its activities reach the set objectives and how their performance can be improved in the future. Among others, the results



of evaluations may have an impact on increasing the transparency and accountability of EU expenditure.

Through the *Consolidated Annual Activity Report (CAAR)* and the *Report on Budgetary and Financial Management (RBFM)*, FRA reports on its performance in managing its budget. These reports outline the achievements for the year and the resources used, with the primary aim of increasing the accountability and transparency of the agency. The CAAR is the tool used to monitor and report on the implementation of the agency's activities and serves as a mirror image of the Programming Document.

FRA's communication strategy and its presence on social media increase openness and transparency.

FRA has placed emphasis on developing a culture of integrity, loyalty and trust. It achieves this through the instruments it put in place to ensure ethical behaviour. FRA avoids situations that might impair its independence or impartiality, through its comprehensive rules on prevention and management of conflict of interest for its Management Board and Scientific Committee. In addition to the Staff Regulations, FRA has in place for its staff a code of good administrative behaviour as well as a practical guide on management and prevention of conflict of interests, which offer comprehensive information and advice on a variety of issues, ranging from behavioural tips to compliance with legal obligations. FRA provides compulsory training for staff on anti-harassment, ethics and integrity, and publishes the CVs and declarations of interests of all active members of the Management Board, the Scientific Committee and the management team. FRA has specific procedures in place for outside activities, publications and speeches, gifts, missions and relations with interest groups. The agency organises regular training on preventing wrongdoing and applies the Commission's decision on whistleblowers.

FRA implemented its anti-fraud strategy, which was based on a risk assessment exercise, taking into account the OLAF guidelines and in consultation with OLAF. It achieved a significant result in terms of awareness raising by preparing and delivering internal training on fraud prevention according to materials provided by OLAF.

FRA has developed a culture of integrity in which related risks are identified, assessed and addressed. Compliance with rules and maintaining a high level of ethical standards is a shared responsibility of FRA's staff, creating an environment of trust, loyalty, responsibility and respect in the workplace. To this end, FRA has in place a number of tools for protection of staff in general and whistleblowers in particular. It applies by analogy, *inter alia*, the Commission's whistleblowing

guidelines as per Executive Board Decision No. 2012/04, which can be found on FRA's website.

FRA applies Regulation 1049/2001 on public access to documents and has in place a register of the documents on its website, where the public may consult and scrutinise not only operational, but also administrative documents of importance to its governance. In addition, to increase further its transparency, FRA has in place an online tool where EU citizens may request access to documents related to the work of the agency.

2.4. Budgetary and financial management

The implementation rate of C1 credits maintained last year's trend and remained at 100 %. Similarly, the cancellation rate of C8 commitment appropriations remained low at 2.05 %.

The implementation rate of C1 payment appropriations under Title III was 31 %. This is in line with FRA's planning for automatic carrying forward, i.e. C8s, as estimated during the first quarter of 2017, and evolved during the financial year. In total, 28 % of the appropriations were automatically carried forward from 2017 to 2018.

It should be noted that most of FRA's operational projects have an implementation period of at least one year. In these cases, the agency is compelled to automatically carry forward a high level of outstanding amounts at the end of the financial year.

In 2017, three budgetary transfers were submitted to the Management Board for adoption. In addition, the Director authorised seven budgetary transfers. The total amount transferred among titles amounted to €747,776.

The *Report on Budgetary and Financial Management (RBFM)* provides further information.

Activity-based budgeting

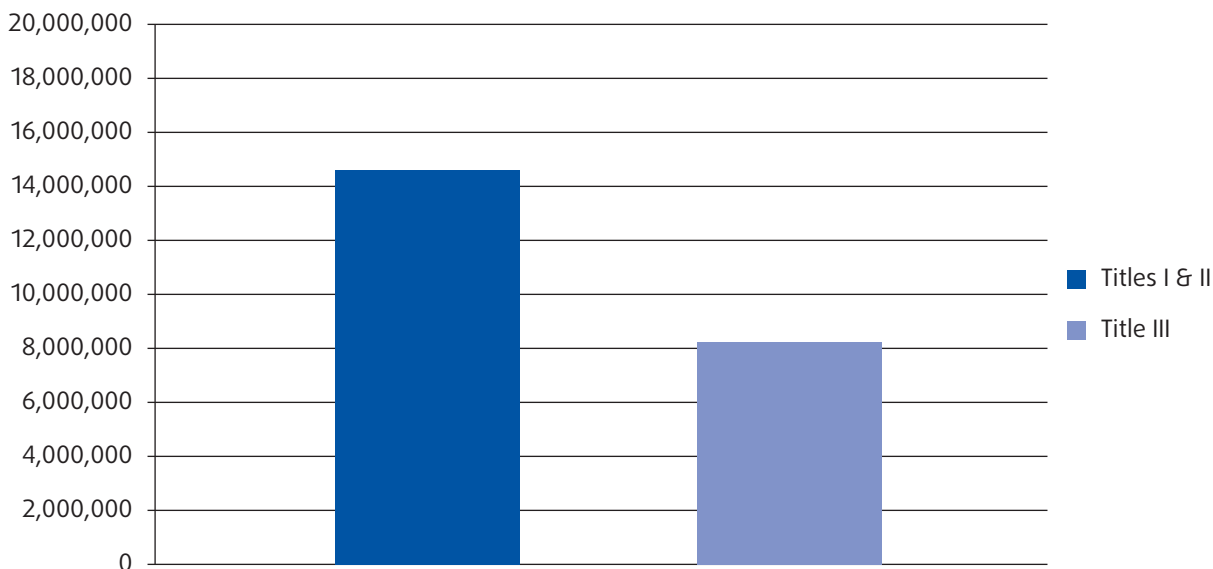
In 2017, FRA executed in commitment appropriations €22,852,250 consisting of C1 and Ro funds. Based on the traditional presentation of budget execution, i.e. Titles I, II and III, €14,605,474 was spent on overheads (Titles I and II), representing 64 % of the overall expenditure. The amount of €8,246,776 was spent on operational expenditure, representing 36 %, as shown in [Figure 1](#).

[Figure 2](#) presents the ABB of the budget execution. FRA's expenditure is split as follows, compared with the traditional presentation:

- 83 % for operational expenditure instead of 36 % for Title III;
- 17 % for support expenditure, i.e. overheads, instead of 64 % for Titles I and II.

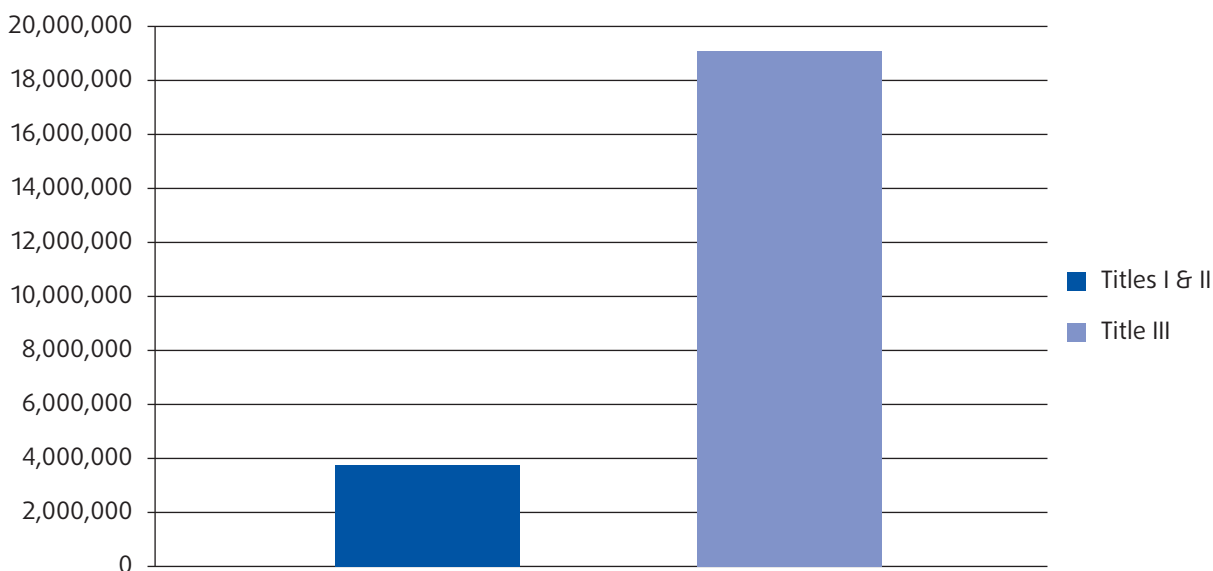
Compared with 2016, the proportion of person days worked in support activities decreased by 1 % in 2017. Further details are provided in [Annex V](#).

Figure 1: Traditional presentation of budget execution (€)



Source: FRA, 2017

Figure 2: Activity-based budgeting presentation of budget execution (€)



Source: FRA, 2017



2.5. Human resources management

The agency had to further reduce its staffing level by two additional posts for the 're-deployment pool' reaching an overall 10 % staff cut in 2017. Two AD posts were deleted from the establishment plan.

The preparatory work for the implementation of SYSPER for Agencies Project was completed in order to streamline and automate certain human resources management processes. The agency has also requested to enhance PMO service level agreement to gain efficient use of the existing capacity and resources.

The legal framework governing SNEs was revised in 2017 through the adoption of the new decision by the Management Board. Moreover, the agency adopted new rules governing the traineeship programmes (general and Roma) at FRA.

In 2017, FRA's Executive Board adopted a revised decision on implementing rules for learning and development. The revisions pertain to access to training organised or paid for by FRA with a particular emphasis on language training. The new rules also refer to training on the initiative of staff member, the features for considering a training activity eligible, and the conditions for granting special leave and/or financial support to attend training or sit examinations.

In 2017, the agency also conducted a 360-degree feedback evaluation of the FRA Management Team as well as Heads of Sectors. The outcome of these exercises are now part of the development process of individual training paths but also group training activities based on the feedback received.

The Executive Board's decision on implementing rules on temporary occupation of management posts, which lays down the application of Article 7 (2) of the Staff Regulations, stating that the Appointing Authority may call upon officials to occupy a post in their function group in a grade which is higher than their own grade, such temporary posting being limited to one year, with the scope to ensure the continuity of the service and the principle of equitable treatment. The deputising arrangements are to be distinguished from temporary postings and are not covered through this decision.

The agency undertook the 2017 benchmarking exercise using the methodology approved for the EU Agencies. The results of this exercise are shown in [Annex IV](#).

2.6. Assessment by management

This section reports on and assesses the elements identified by management that support assurance on the achievement of the internal control objectives. [Section B of Annex VI](#) outlines the main risks, together with the control processes intended to mitigate them and the indicators used to measure the performance of the control systems.

2.6.1. Control effectiveness as regards legality and regularity

FRA has set up internal control processes intended to ensure the adequate management of risks relating to the legality and regularity of the underlying transactions, taking into account the multi-annual character of programmes as well as the nature of the payments concerned. The control objective is to ensure that FRA has reasonable assurance that the total amount of any financial operation authorised during the reporting year which would not be in conformity with the applicable contractual or regulatory provisions does not exceed 2 % of the authorised commitments.

Summary of materiality criteria

Regarding the legality and regularity of the underlying transactions, the objective is to ensure that the estimated residual risk of error is less than 2 % at the end of the financial year. The residual risk of error is estimated by the residual error rate obtained from an examination of a representative sample of transactions less any corrections made resulting from the supervisory and control systems in place.

Recoveries resulting from *ex post* controls

At the end of the reporting period, the results of *ex post* controls did not reveal any amounts to be recovered.

2.6.2. Control efficiency and cost-effectiveness

The principle of efficiency concerns the best relationship between resources employed and results achieved. The principle of economy requires that the resources used by the agency in the pursuit of its activities shall be made available in due time, in appropriate quantity and quality and at the best price. This subsection outlines the indicators used to monitor the efficiency of the control systems, including an overall assessment of the costs and benefits of controls.

Qualitative analysis of the management review of the registry of exceptions and internal control weaknesses

The exceptions registered are analysed to identify specific areas of concern and actions for improvement, assisting the decision-making process. In addition, they enable the management team to handle exceptional circumstances with a reasonable degree of flexibility and in a transparent and justified way. IAS and ECA examined the exceptions during their audits and raised no observations.

The annual analysis of the level of compliance with the ICS includes qualitative analysis and recommendations for improvement which are communicated to the management.

FRA implements regularly preventative measures together with internal awareness raising activities, such as regular presentations to and training of staff members.

In 2017, only one exception was registered with a value greater than €5,000, and it referred to an *a-posteriori* commitment with no financial impact.

Qualitative analysis of the results of the supervisory controls on the procurement procedures

All procurement procedures were subject to a supervisory review before the launch of the call for tenders. The minutes of these controls are recorded on paper and corrective actions are introduced where necessary.

FRA has set up measures to quantify the costs of the resources and inputs required to carry out significant controls, as described in [Section B of Annex VI](#), and estimates, insofar as it is possible, their benefits in terms of the amount of errors and irregularities prevented, detected and corrected by these controls.

Overall, in 2017, the checks that FRA carried out for the management of the budget appropriations were cost effective, as the estimated quantifiable benefits exceeded the cost.

In particular, for procurements, an estimated amount of €6,071 was invested in checking 16 procurement procedures for tenders with a total value of €11,213,914. Thus, 0.05 % of the total estimated contract value was spent on checking and each procurement procedure cost an estimated average of €379.

The corrective actions included modification of the tender specifications, mainly in terms of the selection

and award criteria. This improved the quality of the tenders and, as a result, the efficiency of these procurement procedures.

The procurement procedures are to a large extent a regulatory requirement which cannot be curtailed. In addition, as the risks outlined in [Annex VI Section B](#) show, a significant proportion of the appropriations would be at risk if these controls were not in place.

For financial circuits, no amount was invested in controlling financial transactions. FRA has no additional financial verification function.

Qualitative analysis of the results of the *ex post* supervisory controls

In accordance with Article 46 of its Financial Rules, in 2017, the agency performed an *ex post* control exercise. A total of 16 transactions, eight commitments of very low value, amounting to a total of €6,667, and eight payments amounting to a total of €6,667 were subject to a supervisory desk review.

The overall conclusion of the *ex post* controls was that the transactions were done respecting the existent regulatory system, and that the *ex ante* controls in place assure their conformity.

Taking into consideration that no ineligible costs had been paid, the detected error rate in the sample of the transactions is 0 %. Therefore, the residual error rate in the entire population is estimated to be 0 %.

There was no amount at risk to the value of the relevant payments authorised. Therefore, the estimating financial exposure is €0.

In conclusion, the analysis of the available control results has not shown any significant weakness which could have a material impact on the legality and regularity of the financial operations. The control objective for legality and regularity has thus been achieved.

For supervisory measures an estimated amount of €2,188 was invested in checking 16 financial transactions worth €13,334. Each transaction or procedure checked *ex post* cost an estimated €139.

In addition, there are a number of non-quantifiable benefits resulting from the controls aimed at ensuring that the financed projects contributed to the achievement of objectives, and from the deterrent effect of *ex post* controls. Furthermore, FRA considers that the necessity of these controls is undeniable, as the totality of the appropriations could be at risk if they were not in place.



2.6.3. Fraud prevention and detection

FRA has developed an anti-fraud strategy, evaluating the introduction of new controls, if necessary, after a dedicated risk assessment. The Management Board adopted the strategy during its December 2014 meeting, together with a related action plan, which was implemented during 2015 and 2016. At the end of the reporting year the agency started the revision of the anti-fraud strategy with the aim to have it adopted at the management Board meeting in 2018.

In principle, the controls aimed at preventing and detecting fraud are not unlike those intended to ensure the legality and regularity of transactions (unintentional errors). Still, FRA screens the population of transactions, contracts, projects and beneficiaries to identify those at a higher risk of fraud and subjects the latter to more in-depth monitoring controls. During the reporting year, two cases were transmitted to an external Investigation Panel for investigation. During the reporting year, OLAF transmitted to FRA its recommendations in two cases opened on 15/09/2014 and 31/07/2017 respectively. The recommendation in the first case was addressed. The second case will be addressed by 04/08/2018 in line with timeline indicated by OLAF.

2.7. Budget implementation tasks entrusted to other services and entities

No budget implementation tasks were entrusted to other services or entities during the reporting year.

2.8. Assessment of audit results during the reporting year

This section reports and assesses the observations, opinions and conclusions reported by auditors in their reports as well as the limited conclusion of the agency on the state of control, which could have a material impact on the achievement of the internal control objectives, and therefore on assurance, together with any management measures taken in response to the audit recommendations.

FRA is audited by both internal and external independent auditors: (1) the IAS and (2) the ECA.

Internal Audit Service (IAS)

During the reference period, the IAS closed the last open recommendation raised during the audit on human resources management.

European Court of Auditors (ECA)

By the time of the preparation of the current Annual Activity Report, the agency has not yet received the final comments from the Court for the 2017 exercise; therefore, the agency mentions in the paragraph below the comments from last year, as well as the replies provided.

2.9. Follow-up of audit plans, audits and recommendations

IAS

In 2017 the IAS performed two engagements.

- A fact-finding mission focused on internal controls relating to procurement of legal services and procedures for low value contracts, aiming at safeguarding the principles of transparency, proportionality, equal treatment and non-discrimination.

The analysis revealed that all the procurement files sampled were processed by FRA in accordance with the established procedures.

- An internal audit on ethics and governance assessed the design and effective implementation of the agency's governance and control framework in the field of ethics.

Overall, the audit showed that the governance and control framework of FRA in the field of ethics are adequately designed.

The audit did not result in the identification of any critical or very important recommendations.

In view of the above, the current state of play does not lead to assurance-related concerns.

ECA

In 2016, the Court had two comments on FRA's annual accounts report.

ECA's comments	FRA's replies
Formal (sub-) delegations from authorising officers (by delegation) were not always consistent with the authorisation rights for transactions in the ABAC workflow system.	In 2015 and 2016, as result of organisational changes within the agency, the Authorising Officer sub-delegations were updated. Due to a transcription error, all delegations, both old and current, were considered valid by the ABAC financial system. The error was corrected and measures have been put in place to ensure that ABAC only reflects currently valid delegations.
Carry-overs of committed appropriations were high for Title III (operating expenditure) at 5.2 million euro, i.e. 68 % (2015: 5.7 million euro, i.e. 70 %). They mainly reflect the nature of the activities which involve financing studies that span over several months, often beyond year-end. The agency may consider introducing differentiated budget appropriations to better reflect the multi annual nature of operations and inevitable delays between the signature of contracts, deliveries and payments.	As the Court has mentioned in previous years, the agency's carry-overs for T3 reflect the multi-annual nature of the agency's operational projects, where payments are made according to carefully planned and controlled schedules. As the agency's final budget outturn has been more than 99 % over the last years, and the level of C8 appropriations cancelled has always been very low (i.e. average of 2.4 % in the last 3 years), in the agency's opinion, this indicates that the carry-overs are fully justified. The agency has already assessed the possibility of using differentiated appropriations and concluded that, since the operational projects do not have a lifespan of more than two years, there is very little added value in using them. Extending the period for implementation is likely not only to delay the implementation of projects but also significantly increase liquidity risk.

2.10. Follow-up of observations from the Discharge Authority

implementation of the 2015 budget, as per Article 110 (2) of the Financial Rules, and the measures taken by FRA. It focuses on the most relevant ones, or on those that are ongoing.

This section presents a summary of the observations and comments by the Discharge Authority (DA) on the

Observations regarding FRA

Observation of DA	FRA's reply and measures	Implemented
The DA regrets the fact that the agency's mandate still limits its role as regards the support for fundamental rights and stresses that the agency should be able to offer opinions on legislative proposals on its own initiative. According to the DA, FRA's remit should extend to all areas of rights protected under the Charter of Fundamental Rights of the European Union, including, for example, issues of police and judicial cooperation.	The first independent external evaluation of the agency of 2012 concluded and recommended that the Founding Regulation should explicitly be 'lisbonised' to signal that the agency is entitled to operate in all areas of EU competence, a recommendation which was supported by the Management Board's response from 4 June 2013 to the European Commission's Vice-President Viviane Reding on the evaluation's recommendations.	Ongoing



Observation of DA	FRA's reply and measures	Implemented
<p>The DA notes with concern a significant gender imbalance in the six senior management positions of the agency, five of which are of the same gender and urges the agency to correct this imbalance and to communicate the results to the Discharge Authority as soon as possible.</p>	<p>FRA pursues a policy of equal opportunity and diversity through a wide range of measures including, <i>inter alia</i> the Equality and Diversity Action Programme 2013-2015 where one of the four areas covers gender balance.</p> <p>There are also other measures through which FRA strives to ensure gender balance:</p> <ul style="list-style-type: none"> • When the existing staff of the less represented gender in the grade is below 40 %, an explicit invitation to submit applications from the less represented gender is included in the vacancy announcement in order to encourage more applications. • FRA ensures that applicants of both sexes are invited for selection interviews and that a gender-balanced short list is drafted whenever possible. • In 2014, FRA ordered an equality and diversity evaluation conducted by an external contractor. Following-up on the results of the evaluation, a working group was created to discuss the findings and recommendations of the report, as well as to propose measures to the Management Team. The action plan resulting from these consultations is currently being implemented. • In 2015, an Equality and Diversity Group was established with the aim to further foster and mainstream equality and diversity within FRA. The group's main objectives are to: provide advice on equality and diversity to management, HRP, Staff Committee and other FRA internal organisational bodies; to act as a focal point for staff to turn to on equality and diversity issues; to raise awareness on equality and diversity within FRA; and to support the implementation of FRA's equality and diversity framework. <p>The agency, while reaching the proportion of 44.07 % female and 55.93 % male Management Board members exceeded two important targets set by: (1) the European Parliament in its Resolution 2011/2244(INI), i.e. a threshold of 40 % female membership in the governing bodies by 2020; and (2) the European Commission, i.e. at least 40 % of the under-represented sex as indicated in the Strategic engagement for gender equality 2016-2019.</p>	Ongoing
<p>The DA recommends that the new thematic areas of police cooperation and judicial cooperation in criminal matters be included in the new Multi-annual Framework, currently under negotiation. The DA highlights the fact that, following the entry into force of the Treaty of Lisbon, police cooperation and judicial cooperation in criminal matters have become part of the law of the Union and are therefore covered by the scope of the tasks of the agency.</p>	<p>The Multi-annual Framework of FRA is revised every five years. The proposal for the new Multi-annual Framework as submitted by the European Commission includes the area of 'police and judicial cooperation' as a whole. This also reflects the recommendation of FRA's Management Board to remove the exclusion of 'criminal matters' and include the thematic area of police and judicial cooperation as they have become part of the law of the Union and are therefore covered by the scope of the tasks of the agency.</p> <p>Given the lack of agreement in the Council concerning the inclusion of former third pillar areas (i.e. police and judicial cooperation in criminal matters), the Council draft decision on the new MAF 2018-2022 (14423 of 28 November 2016) refers to "judicial cooperation, except in criminal matters". With regard to this, the European Parliament gave its consent to the Council's draft decision but recommended that both the Commission and the Council carefully consider to amend FRA's founding regulation in the future to explicitly extend the agency's competence to 'ex-third pillar' matters.</p>	Ongoing

Main observations regarding all EU agencies

Observation of DA	FRA's reply and measures	Implemented
None applicable to FRA		

For details on common comments, please refer to the [EU Agencies Network report to the European Parliament on the follow-up to the 2015 budgetary discharge](#).



3

Assessment of the effectiveness of the internal control systems



FRA has adopted a set of internal control standards, based on international good practice, to ensure that it achieves its policy and operational objectives. In addition, as regards financial management, compliance with these standards is a compulsory requirement.

The agency has put in place the organisational structure and the ICS suited to the achievement of the policy and control objectives, in accordance with the standards and having due regard to the risks associated with the environment in which it operates.

3.1. Risk management

The general risk environment in which the agency operates and the inherent risks of the agency's processes is annually assessed by an exercise involving all members of the management team.

Key risks are identified and assessed in a risk register on the basis of the effectiveness of existing controls; whenever a risk is not considered to be at an acceptable level, specific preventative actions are agreed on and implemented.

During the financial year a quarterly risk assessment follow-up was performed; no risks materialised.

In the context of the anti-fraud strategy, at the end of the reporting period, a specific fraud risk assessment was initiated with the aim to support the revision of the strategy and its adoption during the Management Board meeting in 2018.

3.2. Compliance and effectiveness of Internal Control Standards (ICS)

FRA has adopted a set of Internal Control Standards (ICS), based on international good practice, aimed at ensuring the achievement of policy and operational objectives.

As regards financial management, compliance with these standards is a requirement. The agency put in place an organisational structure and internal control systems suited to the achievement of the control objectives, in accordance with the ICS and having due regard to the risks associated with the environment in which it operates.

The measures in place to ensure the effective implementation of ICS are adequate. In accordance with ICS No. 15, FRA conducts various activities that have as purpose the assessment of the level of implementation and effectiveness of the ICSs. The assessment and the consequent prioritising exercise are done on the basis of the following sources: internal gap analysis, register of exceptions, *ex post* control, risk assessment and audit findings (IAS and ECA).

At the end of the reporting year, FRA started the revision of the internal controls based on the new internal control framework of the Commission aiming to have the revision of the agency's internal control framework adopted at the Management Board meeting in May 2018.

Corrective actions already implemented in 2017

While considering the transition period towards the new internal control framework, the agency has undertaken a number of measures to improve the effective implementation of ICS No. 5 'Objectives, performance indicators' and ICS No. 11 'Document management'.

Internal gap analysis

In December 2017, an internal gap analysis (based on desk analysis of existing documentation, interviews and auditing bodies' recommendations) was performed, aiming to provide a detailed assessment of the compliance level of the ICSs. The resulting report gives the overview of the percentage implementation of each standard and summarises a set of recommendations classified per priority.

As a result, FRA identified a level of implementation reaching full compliance.

It has to be considered that the new internal control framework will require an assessment of the current state of implementation with specific reference to new elements that will be introduced.

Exceptions

In addition, to the gap analysis and following the provisions of ICS No. 8 'Processes and procedures', FRA has in place a process for the registration and authorisation of exceptions, the register being centrally maintained

and regularly provided to the external auditing bodies IAS and ECA.

The period under evaluation reveals that the ICS based on strong *ex ante* controls is able to detect the most significant deviations from the financial regulation leading to the registration of the exceptions and allowing appropriate decision making.

It has to be noted that the preventative measures agreed on in the past together with improved communication have contributed to an increased staff's awareness of budgetary and legal commitments, and better clarity of the contents in the procedures.

Ex post controls

An *ex post* control exercise is implemented on an annual basis. The risk-based identification of target areas allows for an efficient use of resources and a clear identification of areas in need of control.

In 2017, based on a specific risk assessment, an exercise was completed on selected budget lines and with specific reference to low value contracts below €1,000. The activity did not identify specific issues.

Conclusion

The agency assesses the effectiveness of its key ICSs on an annual basis, relying on a number of monitoring measures and sources of information. The assessment concludes that the ICSs are effectively implemented.



4

Management assurance



This part reviews the assessment of the elements reported in [Parts II](#) and [III](#), and draws conclusions supporting the declaration of assurance and whether it should be qualified with reservations.

4.1. Review of the elements supporting assurance and possible reservations

The information reported in [Parts II](#) and [III](#) stems from the results of the management and auditor monitoring contained in the reports listed. These reports result from a systematic analysis of the evidence available. This approach provides sufficient guarantees as to the completeness and reliability of the information reported, and results in a complete coverage of the budget managed by the agency.

In conclusion:

- there were no reservations listed on the previous years' annual activity reports;
- there were no critical or very important IAS recommendations and the ones of lower importance are being addressed for prompt closure;
- the ECA issued a positive declaration of assurance for the financial year 2016 on legality and regularity of the transactions;
- there are three ongoing observations from the European Parliament, which are expected to be implemented shortly.

4.2. Reservations

Taking into consideration the above, no weaknesses were identified related to the financial management of appropriations inside the agency, so no reservations are made in this context in the declaration.

4.3. Overall conclusion on assurance and reservations (if applicable)

This section reviews the assessment of the elements reported above and draws conclusions supporting the declaration of assurance and whether or not it should be qualified with reservations.

In conclusion, the management has a reasonable assurance that, overall, suitable controls are in place and working as intended; risks are being appropriately monitored and mitigated; and necessary improvements and reinforcements are being implemented. The Director, in his capacity of Authorising Officer has signed the Declaration of Assurance.

5

Declaration of Assurance



I, the undersigned,

Director of the European Union Agency for Fundamental Rights

In my capacity as authorising officer

Declare that the information contained in this report gives a true and fair view.

State that I have reasonable assurance that the resources assigned to the activities described in this report have been used for their intended purpose and in accordance with the principles of sound financial management, and that the control procedures put in place give the necessary guarantees concerning the legality and regularity of the underlying transactions.

This reasonable assurance is based on my own judgement and on the information at my disposal, such as the results of the self-assessment, *ex post* controls, the observations of the Internal Audit Service and the lessons learned from the reports of the Court of Auditors for years prior to the year of this declaration.

Confirm that I am not aware of anything not reported here which could harm the interests of the European Union Agency for Fundamental Rights.

Vienna, 16 May 2018

Michael O'Flaherty

Annex I: Core business statistics

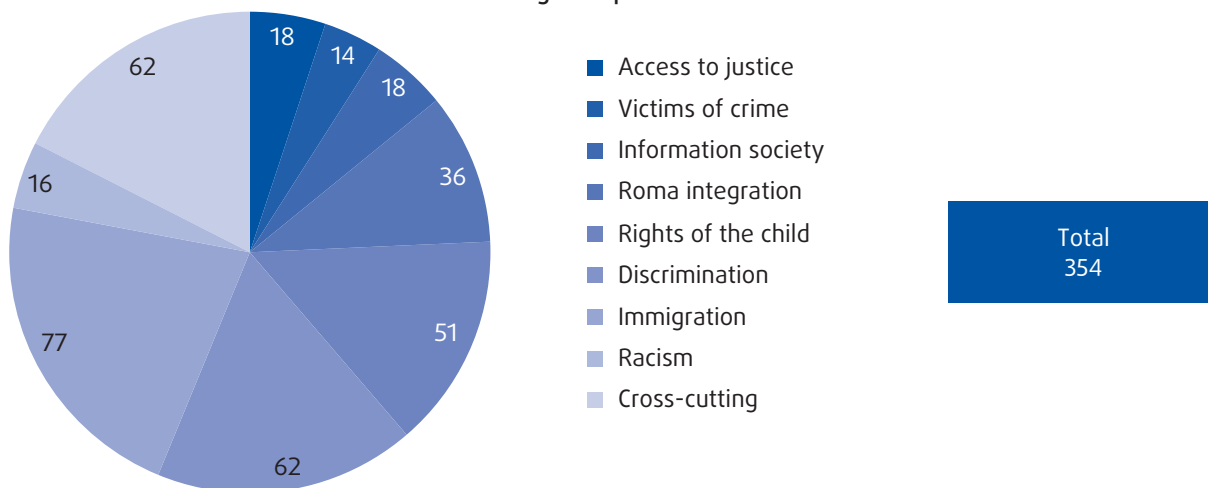
The main activities of FRA can be clustered in the following four groups:

- providing assistance and expertise to EU institutions and Member States;
- collecting data and conducting research and analysis on fundamental rights trends and challenges;
- cooperating and networking with Member States, Union institutions, research centres, national bodies, and non-governmental organisations;
- raising public awareness of fundamental rights and actively disseminating information about its work.

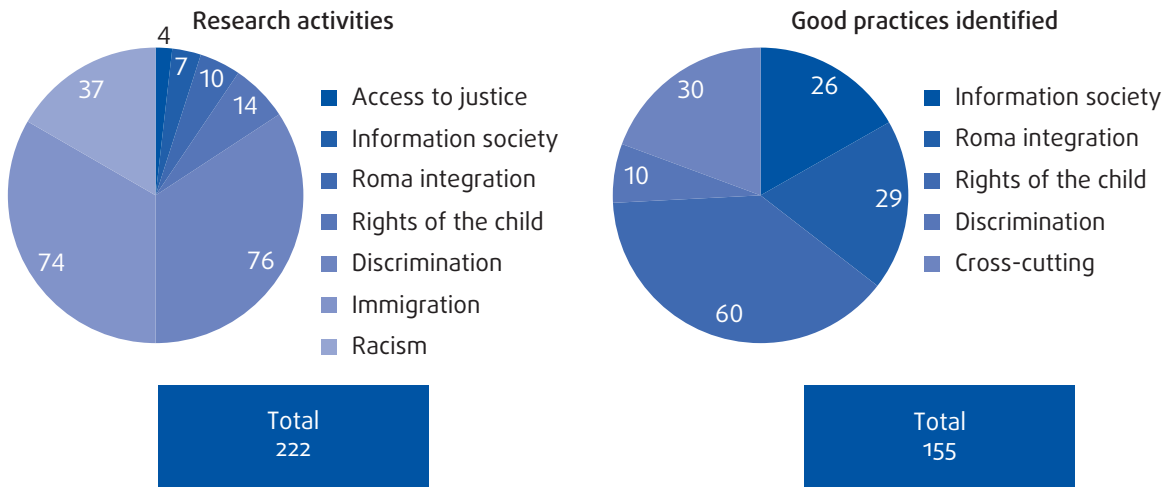
To better monitor and evaluate the agency’s performance and its impact on the ground, based on the activities undertaken, FRA has established a Performance Management Framework (PMF). The PMF consists of intervention logic and indicators framework. Below are charts linked to some of the key performance indicators (KPIs) reflecting FRA’s performance in 2017.

Objective: Provide assistance and expertise to EU institutions and Member States
 Indicator: Number of hearings or presentations to institutional stakeholders across levels of governance

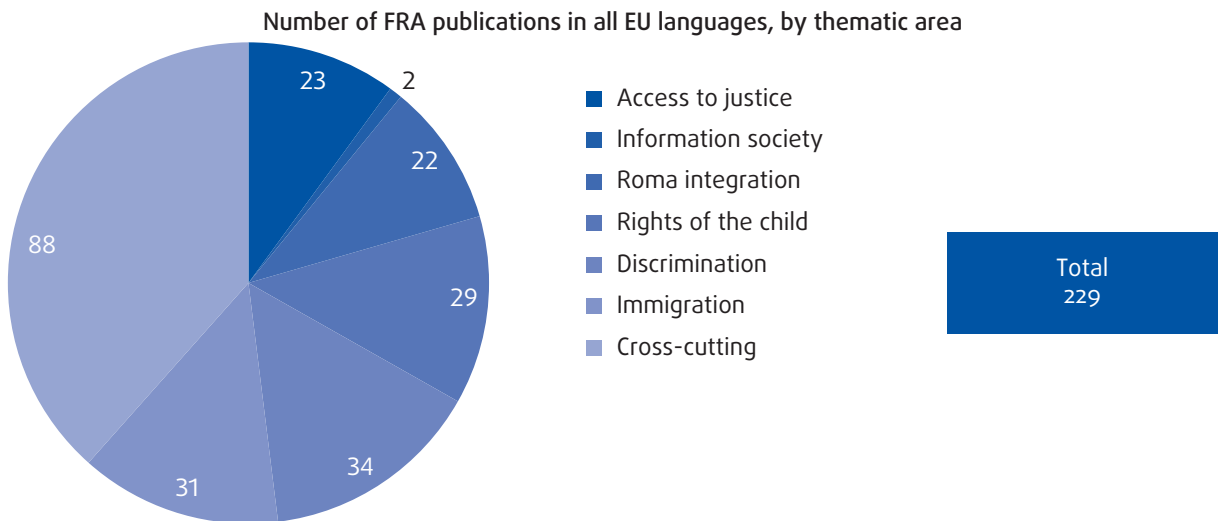
Hearings and presentations



Objective: Develop research analysis and surveys and identify good practices
 Indicator: Number of research activities
 Indicator: Number of good practices identified



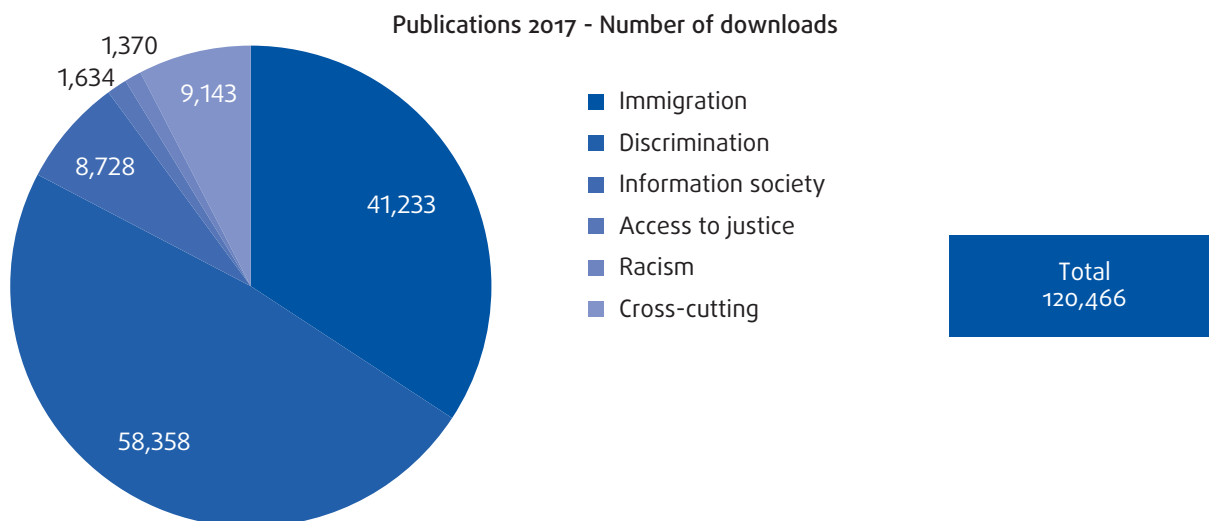
Objective: Publish thematic reports and handbooks
 Indicator: Number of publications produced



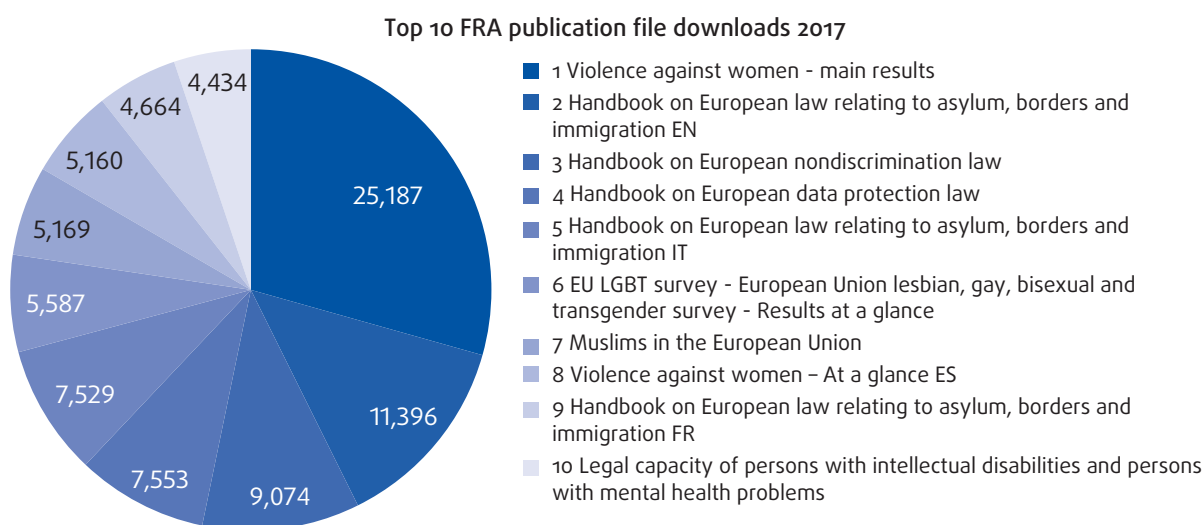
Note: Though attributed to one thematic area, many of the publications also cover issues relevant to other thematic areas, such as publications in the area of 'Immigration' and 'Roma integration', which also cover issues relevant to the thematic area of the 'Rights of the child'.

Objective: Disseminate targeted information to the right stakeholders at the right time
 Indicator: Number of relevant stakeholders receiving FRA information
 Indicator: Number of stakeholders receiving a copy of the publications

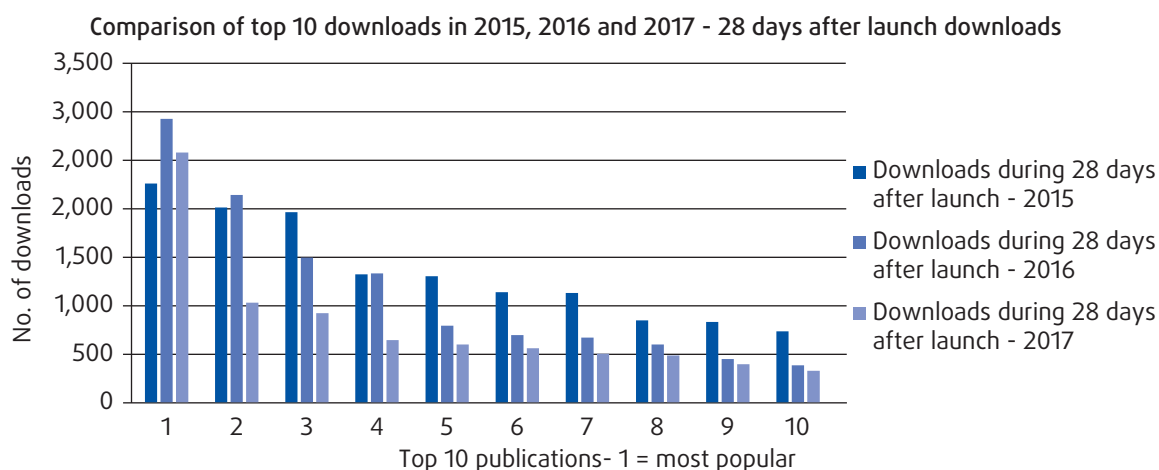
79,884
Print publications disseminated in 2017
9 % of increase compared with 2016



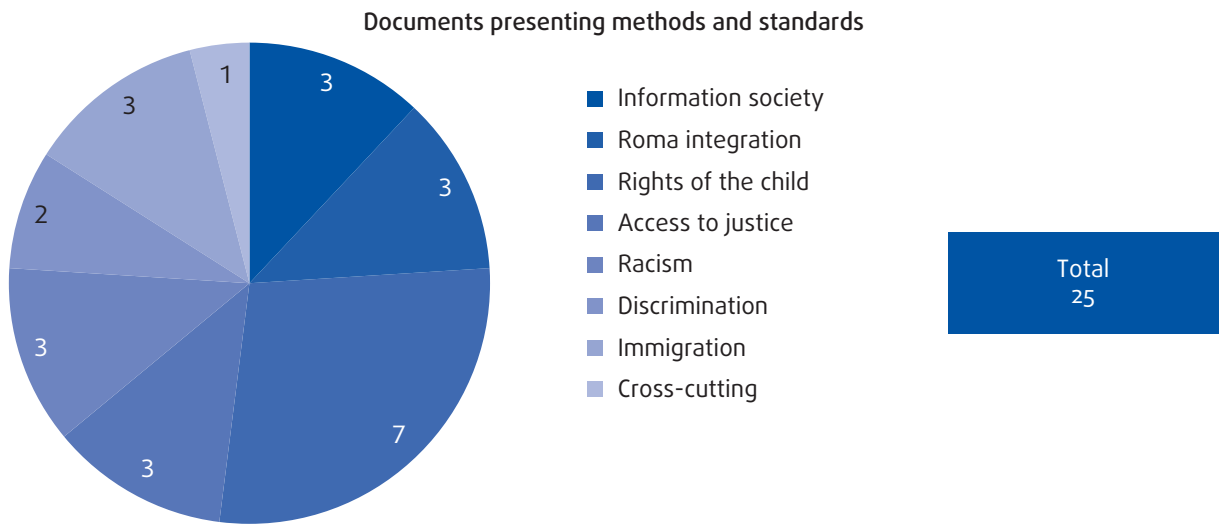
The high number of downloads in the thematic area ‘Discrimination’ is due to the ongoing popularity of the [EU-MIDIS II](#), the [Violence against women report](#) and the [Handbook on European non-discrimination law](#). Furthermore, as regards the thematic area ‘Immigration and integration of migrants’, ‘Visa and border control and asylum’, the most downloaded publication was the [Handbook on European law relating to asylum, borders and immigration](#), especially the versions in English, French and Italian.



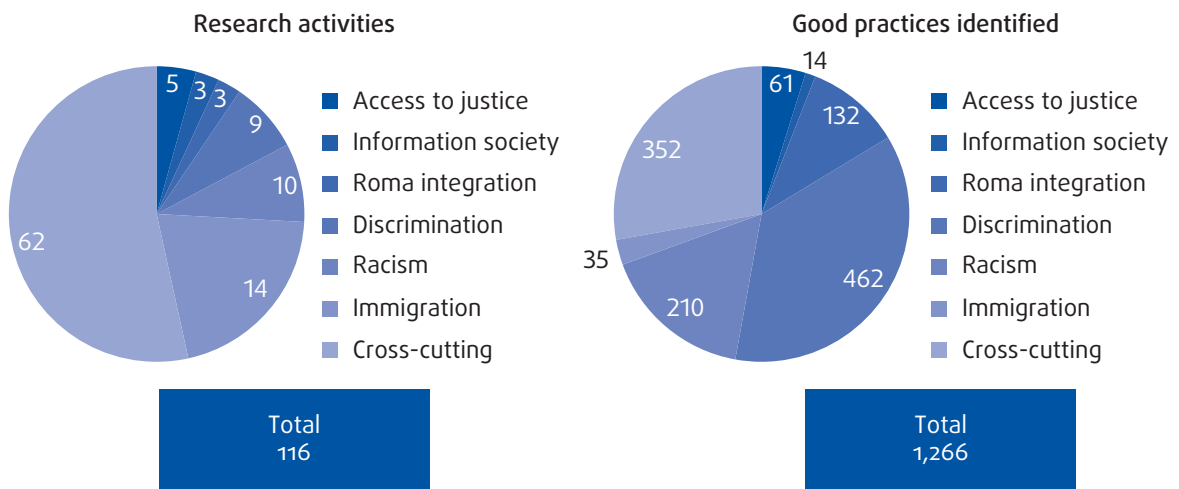
Note: On 6 December 2017, the EU-MIDIS II Main results report was published. It was downloaded 1,960 times only in December.



Objective: Develop relevant methods and standards
 Indicator: Number of documents produced whose purpose is to present methods and standards



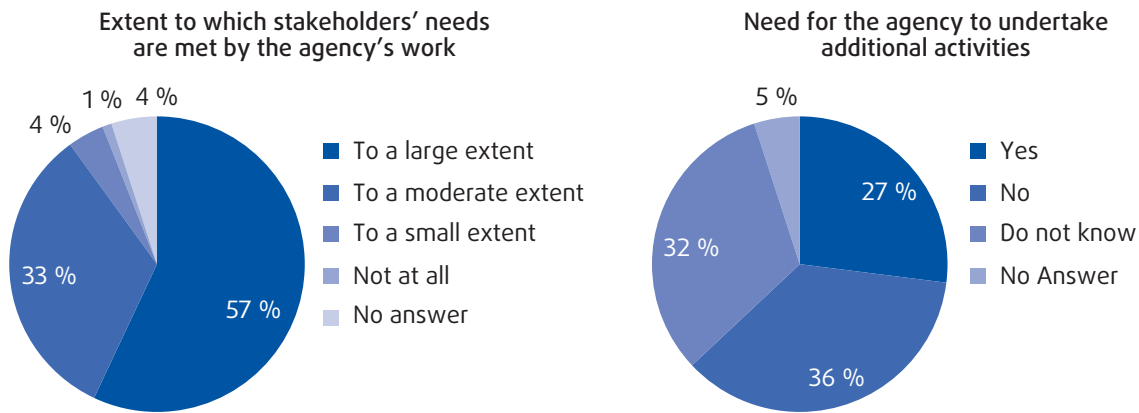
Objective: Develop effective networks with key partners and agency networks
 Indicator: Number of networking events organised
 Indicator: Number of participants in FRA events



The pie charts above do not include the participation in meetings of the Bodies of the Agency. In 2017, the Management Board held three meetings with an average participation of 31 members/alternate members, the Executive Board held five meetings with an average participation of six members and the Scientific Committee held four meetings with an average participation of eight members.

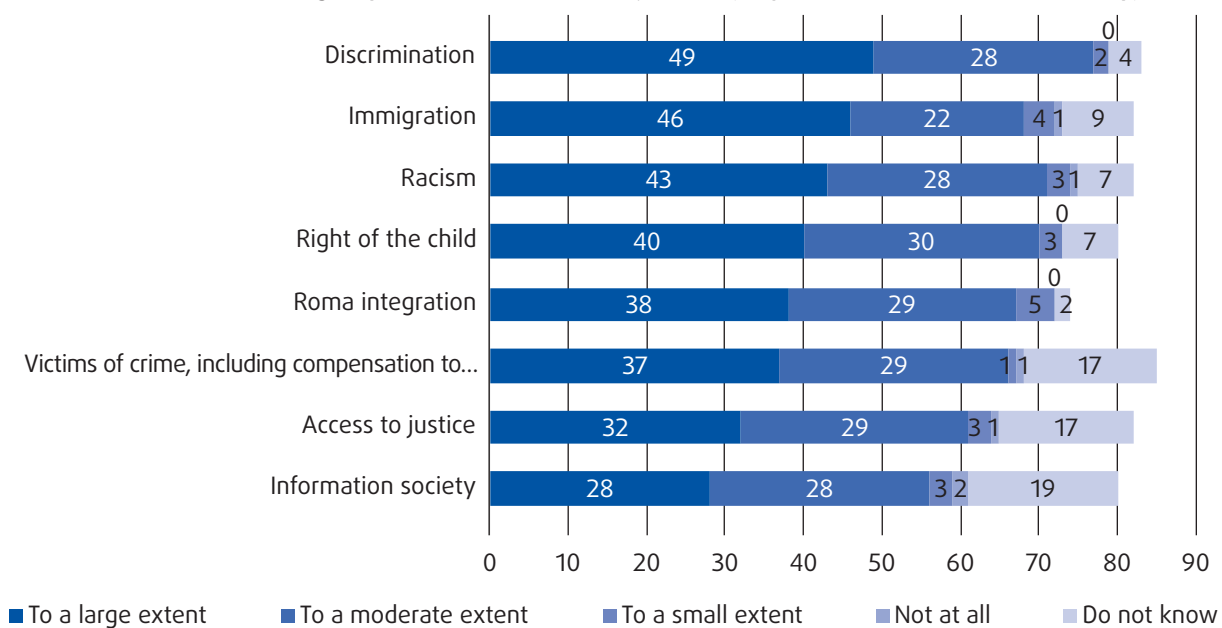


Objective: Produce and/or disseminate effective evidence based recommendations and conclusions from research
 Indicator: Proportion of key stakeholders that consider evidence and opinions provided by FRA are relevant, reliable and useful

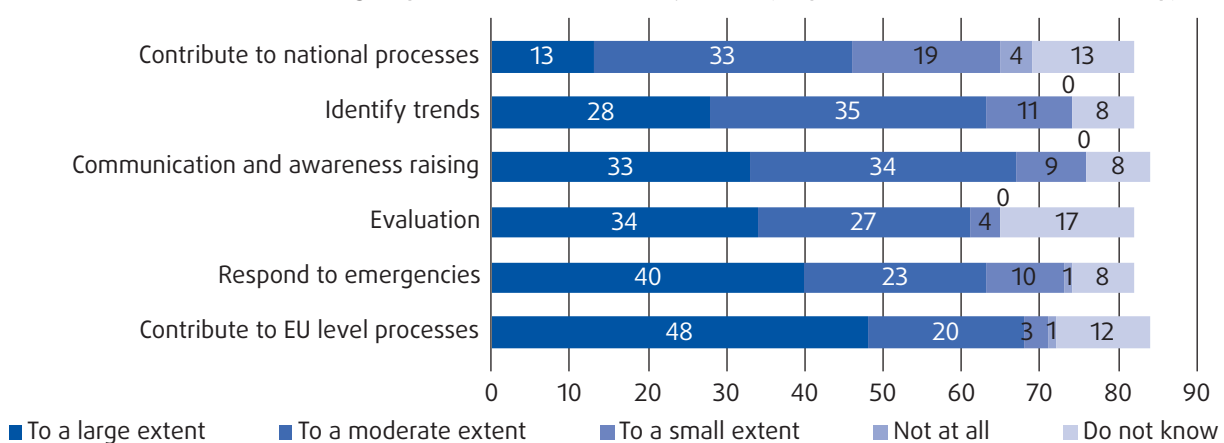


Source: Second Independent External Evaluations - stakeholders' consultation

Extent to which the agency has met its thematic objectives (respondents to stakeholders' survey)



Extent to which the agency has met its thematic objectives (respondents to stakeholders' survey)

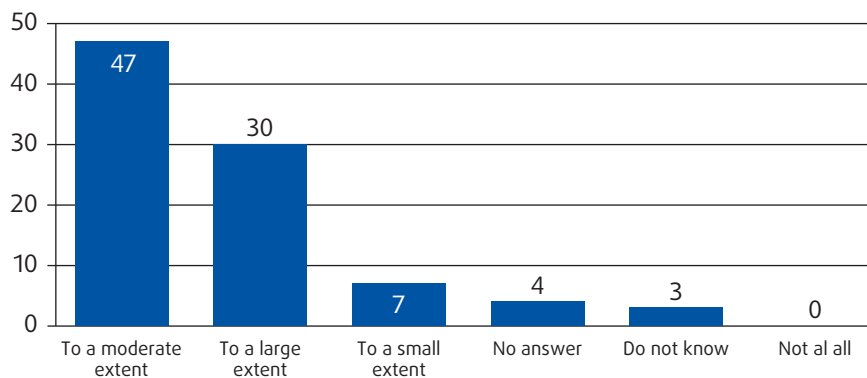


Source: Second Independent External Evaluations - stakeholders' consultation

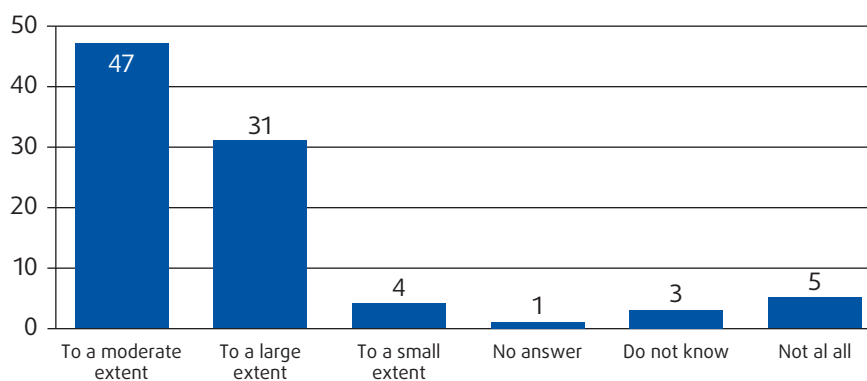
Objective: Increased awareness of fundamental rights among stakeholders

Indicator: The proportion of stakeholders who agree/strongly agree that FRA's awareness raising activities contribute to a greater shared understanding of trends in fundamental rights

Effectiveness of the agency's communication and dissemination activities in promoting fundamental rights in the EU between 2013 and 2017



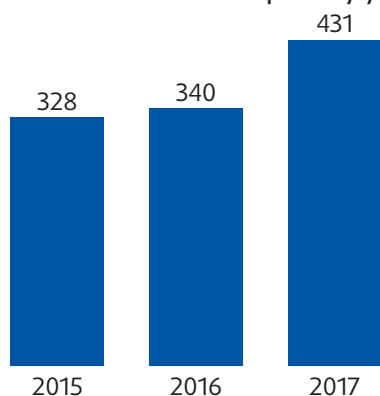
Contribution of the FRA to the promotion and protection of fundamental rights in the EU

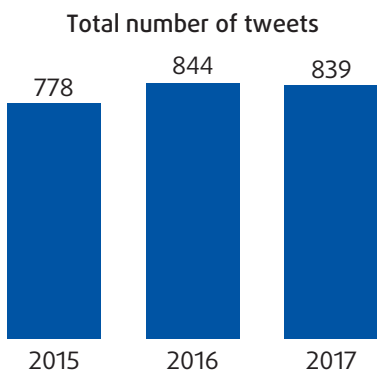
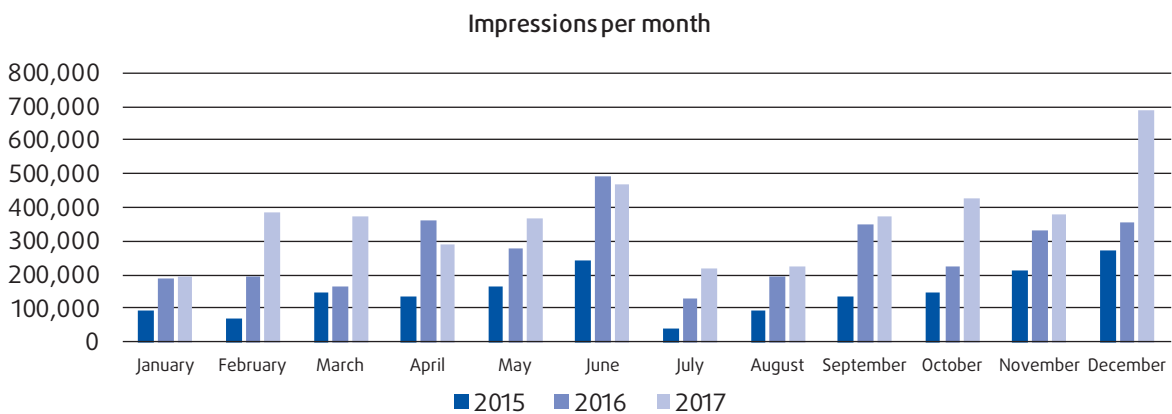
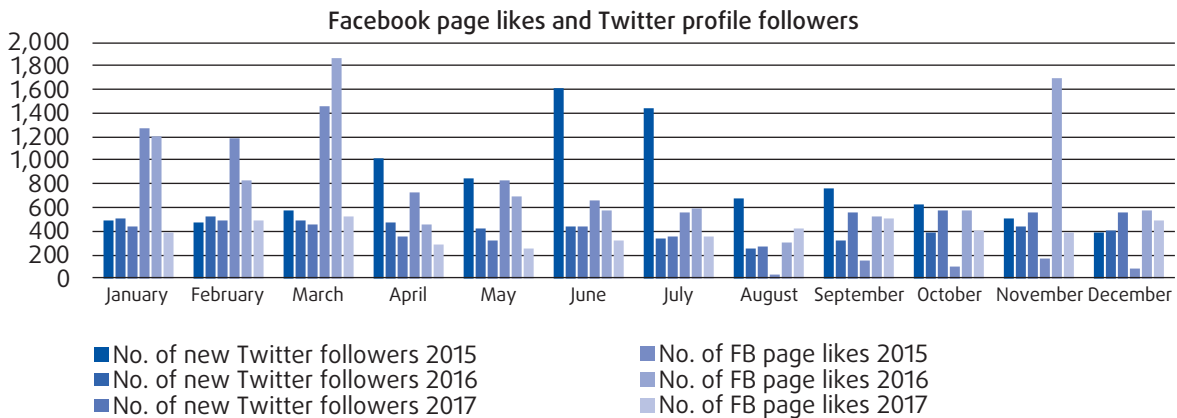


Source: Second Independent External Evaluations – stakeholders' consultation

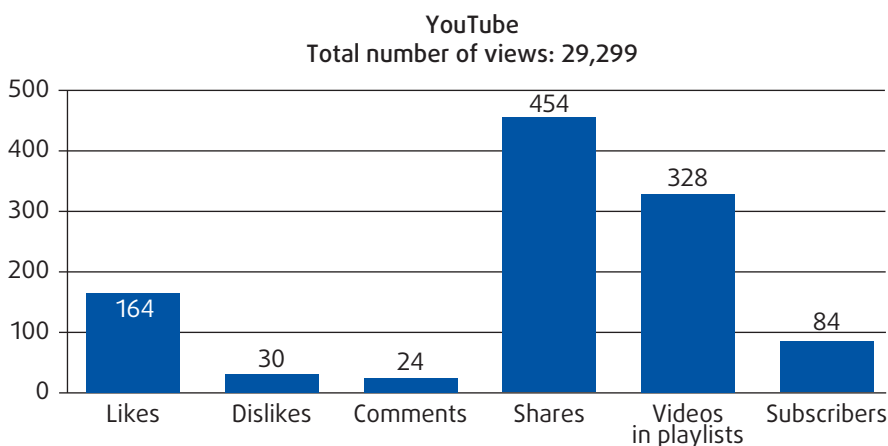
Social media statistics 2017

Total number of Facebook posts by year





Videostatistics 2017



Facebook
Total number of views: 73,800

Daily data is recorded in the Pacific time zone

FRA Video insights: 1 January 2017 - 31 December 2017

1 January 2017 - 31 December 2017

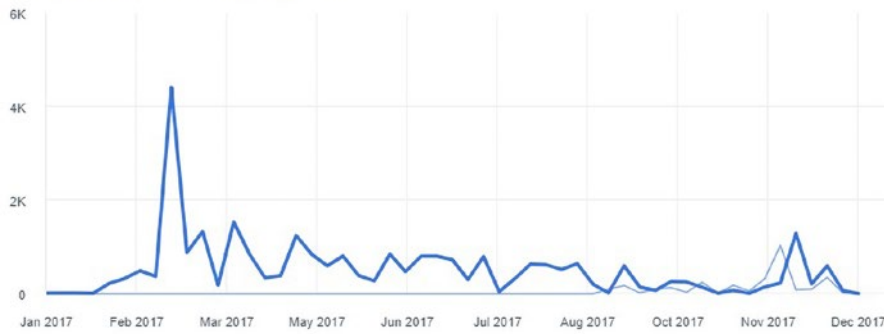
Performance > METRICS FOR ALL YOUR VIDEOS FROM 01/01 - 31/12 COMPARED TO THE PREVIOUS 365 DAYS

27.5K Minutes viewed ▲ 823% from previous 365 days	73.8K Video views ▲ 311% from previous 365 days
---	--

The following metrics have incomplete data for the date range you've selected:
• Minutes viewed data is available starting from 12/09/2016.
• Video views data is available starting from 02/06/2016.

1 January 2017 - 31 December 2017

27,511 Minutes viewed **2,981** Previous period



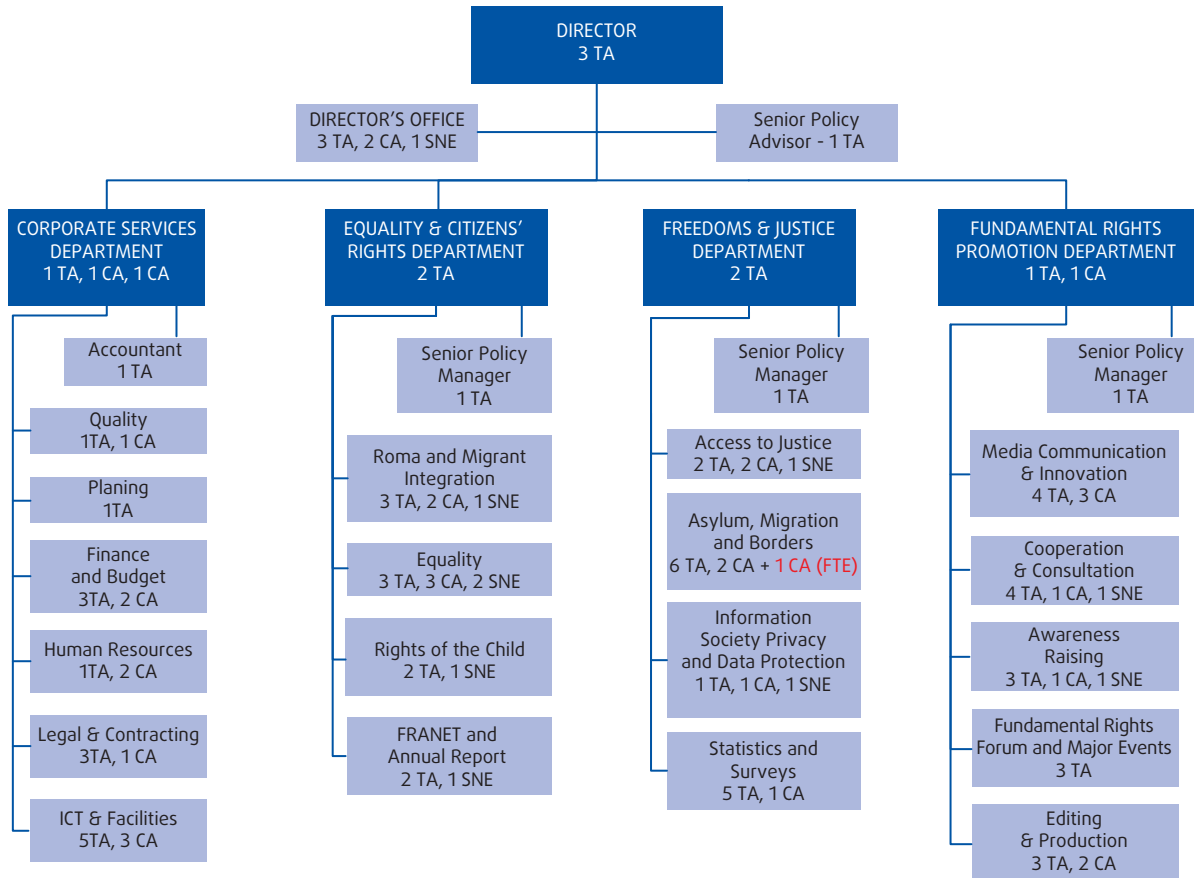
Annex II: Statistics on financial management

Please refer to the *Report on Budgetary and Financial Management* (RBFM) available online at <http://fra.europa.eu/en/about-fra/finance-and-budget/financial-documents>.

Annex III: Organisational chart

At the end of 2017, FRA's structure comprised the Director's Office and four departments as shown in [Figure A3.1](#).

Figure A3.1: Organisational chart



Annex IV: Establishment plan

Table A4.1: Establishment plan

Category and grade	Permanent posts		Temporary posts	
	2017 (authorised posts)	2017 (actually filled as of 31/12/2017)	2017 (authorised posts)	2017 (actually filled as of 31/12/2017)
AD 16	-	-	-	-
AD 15	-	-	1	-
AD 14	-	-	1	2
AD 13	-	-	2	-
AD 12	-	-	8	4
AD 11	-	-	-	2
AD 10	-	-	12	5
AD 9	-	-	11	5
AD 8	-	-	1	13
AD 7	-	-	7	11
AD 6	-	-	3	4
AD 5	-	-	-	-
Total AD	-	-	46	46
AST 11	-	-	-	-
AST 10	-	-	1	-
AST 9	-	-	3	1
AST 8	-	-	3	2
AST 7	-	-	6	3
AST 6	-	-	12	7
AST 5	-	-	-	7
AST 4	-	-	1	4
AST 3	-	-	-	-
AST 2	-	-	-	-
AST 1	-	-	-	-
Total AST	-	-	26	24
AST/SC 6	-	-	-	-
AST/SC 5	-	-	-	-
AST/SC 4	-	-	-	-
AST/SC 3	-	-	-	-
AST/SC 2	-	-	-	-
AST/SC 1	-	-	-	-
Total AST/SC	-	-	-	-
Total	-	-	72	70

Note: AST/SC: Secretaries and clerks.

Table A4.2: Benchmarking against previous year results

Job type (sub)category	Year N - 1 (%)	Year N (%)
Administrative support and coordination	15	16
Administrative Support	15	15
Coordination	-	1
Operational	73	73
General operational activities	7	7
Programme management and implementation	62	63
Top operational coordination	3	3
Evaluation and impact assessment	-	-
Neutral	13	11
Accounting, finance, non-operational procurement, contract management and quality management, internal audit and control	9	8
Linguistic activities	3	3

The above figures comprise all different type of contracts, i.e. temporary agents, contract agents, seconded national experts, interns, study visitors and external service providers.



Annex V: Human and financial resources by activity

Table A5.1: Human resources by ABB activity

ABB Activity	Human Resources by ABB activity	
	Total person days	Percentage
Access to justice	771	4 %
Victims of crime	244	1 %
Information society	536	3 %
Roma integration	753	4 %
Rights of the child	437	2 %
Discrimination	1,534	8 %
Immigration and integration of migrants, visa and border control and asylum	1,461	8 %
Racism, xenophobia and related intolerance	590	3 %
Communication and awareness-raising	4,123	22 %
Cross-cutting activities	1,360	7 %
Consultation and cooperation mechanism	802	4 %
Research and stakeholder cooperation	1,437	8 %
Total operational	14,049	74 %
Support activities	4,895	26 %
Total support activities	4,895	26 %
Total agency days	18,944	

Note: The above data rely on FRA's time recording system, which is a component of the wider implementation of the activity-based management (ABM) in the agency. They represent the actual working time during the reporting year. Therefore, part-time and absences (unpaid and leave other than the regular annual entitlement) are not reported.

Source: FRA, 2017

Table A5.2: Financial resources by ABB activity (€)

ABB Activity	Direct expenditure	Indirect expenditure (overheads)	Total
Access to justice	659,484	594,430	1,253,914
Victims of crime	3,708	188,120	191,828
Information society	422,204	413,248	835,452
Roma integration	1,614,198	580,861	2,195,058
Rights of the child	79,850	337,229	417,079
Discrimination	452,760	1,183,077	1,635,837
Immigration and integration of migrants, visa and border control and asylum	1,706,533	1,126,333	2,832,866
Racism, xenophobia and related intolerance	834,764	454,650	1,289,414
Communication and awareness-raising	1,584,243	3,178,774	4,763,017
Cross-cutting activities	-	1,048,540	1,048,540
Consultation and cooperation mechanism	463,391	618,562	1,081,953
Research and stakeholder cooperation	425,641	1,107,983	1,533,625
Total operational	8,246,776	10,831,808	19,078,584
Support activities	-	3,773,666	3,773,666
Total support activities	-	3,773,666	3,773,666
Total	8,246,776	14,605,474	22,852,250

Source: FRA, 2017

Annex VI: Specific annexes related to Part II

A. Materiality criteria

Materiality is the basis for defining significant weaknesses in both qualitative and quantitative terms. The materiality criteria used by FRA and the method used to assess their significance are presented below.

Qualitative criteria are linked to failure in achieving FRA’s short-term objectives, reputational risks to FRA, significant weaknesses in the FRA control systems and repetitive errors. These involve use of resources, sound financial management, and legality and regularity of transactions. Their significance is judged on the basis of:

- the nature and scope of the weakness;
- the duration of the weakness;
- the existence of compensatory measures (mitigating controls which reduce the impact of the weakness);
- the existence of effective corrective actions to correct the weaknesses (action plans and financial corrections) which have had a measurable impact.

In quantitative terms, a weakness is considered material in cases where the financial impact or risk of loss is greater than 2 % of FRA’s authorised commitments.

B. Internal control template(s) for budget implementation

Stage 1 – Procurement

A – Planning

Main control objectives: Effectiveness, efficiency and economy; Compliance (legality and regularity).

Main risks It may happen (again) that...	Mitigating controls	How to determine coverage, frequency and depth	How to estimate the costs and benefits of controls	Control indicators
Non-applicable, as no medium or high risks were identified under this phase.	-	-	-	-

B – Needs assessment and definition of needs

Main control objectives: Effectiveness, efficiency and economy; Compliance (legality and regularity).

Main risks It may happen (again) that...	Mitigating controls	How to determine coverage, frequency and depth	How to estimate the costs and benefits of controls	Control indicators
Non-applicable, as no medium or high risks were identified under this phase.	-	-	-	-

C – Selection of the offer and evaluation

Main control objectives: Effectiveness, efficiency and economy; Compliance (legality and regularity); Fraud prevention and detection.

Main risks It may happen (again) that...	Mitigating controls	How to determine coverage, frequency and depth	How to estimate the costs and benefits of controls	Control indicators
Conflict of interest/ unequal treatment of tenderers; for example, via biased selection criteria or partial evaluations (relating also to MB and SC)	Formal evaluation process, governed by dedicated internal procedures: Opening Committee and Evaluation Committee including a minimum number of five members in the selection panel for tenders above €60,000, and three in case of those below €60,000, reducing the risk of unequal treatment Providing clear rules for purchases up to €15,000	100 % – all calls for tenders Depth: all documents transmitted	Costs: estimation of cost of staff involved Benefits: compliance with Financial Rules Difference between the most onerous offer and the selected one Preventing the unequal treatment of tenderers, and therefore the potential complaints or litigation that may occur	Effectiveness: numbers of complaints or litigation cases filed Number of requests for clarification regarding the tender Efficiency: average cost of a tendering procedure Costs for closing a complaint/ litigation
	Declarations of conflict of interest are signed by the members of both the opening and evaluation panels	100 % of the members of the Opening Committee and the Evaluation Committee	Costs: estimation of cost of staff involved Benefits: amounts of contracts for which the control prevented the risk of litigation or fraud	
	Declarations of conflict of interest are signed by the members of MB and SC	100 % of declarations of conflict of interest are signed by the members of MB and SC	Costs: estimation of cost of staff involved in the preparation, publication and archiving of declarations signed Benefits: potential irregularities prevented by avoiding the interference in procurement procedure/contracting	
	Dedicated pages on the FRA website that assure the transparency of the information	100 % of the information is available on the website Depth: compulsory for calls for tenders above €15,000	Costs: estimation of costs for running the website (updating, maintenance, etc.) Benefits: potential complaints that may be received from bidders concerning the access to information Participation in competition of a sufficient amount of bidders	
	Exclusion and selection criteria documented and transparent, by including them in technical specifications Existence of the SC Admin supervision and AO approval of tender specifications	100 % of the tender specifications are scrutinised Depth: determined by the amount of the awarded contract	Costs: estimation of cost of staff involved Benefits: limiting the risk of litigation Limiting the risk of cancellation of a tender Amount of proposed contracts for which the supervisory and approval detected material error	

Note: AO: Authorising Officer; MB: Management Board; SC: Steering Committee.



Stage 2 – Financial transactions

Main control objectives: Ensuring that the implementation of the contract is in compliance with the signed contract.

Main risks It may happen (again) that...	Mitigating controls	How to determine cover-age, frequency and depth	How to estimate the costs and benefits of controls	Control indicators	
All pre-financing, accrual adjustments and guarantees not identified Mistakes in transactions Commitments, payments and recovery orders recorded with delay Incomplete accounting systems	Use of ABAC system for all the accounting records (all pre-financing payments are controlled via ABAC)	100 % of the contracts (via commitments) are entered in ABAC	Costs: costs for licencing of ABAC users Estimation of costs of staff involved Costs of training activities	Effectiveness: % error rate prevented Number of control failures Number/amount of liquidated damages, if any Number of actions for improvement implemented Efficiency: late interest payment Amount of damages paid Costs of the <i>ex post</i> controls with respect to the benefits Average cost of an <i>ex post</i> control	
	Guarantees controlled via ABAC	100 % of the guarantees are included in ABAC			Benefits: centralised control of the payments
	Training on ABAC compulsory for all nominated users	100 % ABAC users	Access to information for all the participants involved Amount of irregularities, errors, and overpayments prevented by the controls		
	Financial workflow based on the 'four eyes' principle (operational and financial checks in accordance with the financial workflow)	100 % of the transactions are controlled Depth: all the transactions checked			Systematic weaknesses detected and corrected
	Centralised financial initiation	100 % of transactions are verified Depth: riskier operations subject to in-depth controls			
	Each transaction is checked by AOD in its capacity as financial verifying agent	100 % of the transactions are checked			
	Each transaction checked by the accounting officer (i.e. accrual adjustments)	Reported exceptions in line with the internal procedure Depth: depending on the reporting of exception. 100 % once a year Depth: look for the weakness in the procedures related to the reported exceptions			
	Registration and authorisation of exceptions Review of exceptions reported	Selected transactions Depth: the control sampling is risk based			

Note: ABAC: Financial Information Systems; AOD: Authorising Officer by Delegation.

Stage 3 – Supervisory measures

Main control objectives: Ensuring that any weakness in the procedures (tender and financial transactions) is detected and corrected.

Main risks It may happen (again) that...	Mitigating controls	How to determine coverage, frequency and depth	How to estimate the costs and benefits of controls	Control indicators
Incomplete or inaccurate data in the information system related to contracts	Use of the 'four eyes' principle, including the check of the inputted information <i>Ex post</i> controls	100 % verification of the information uploaded in the TCM application Selected transactions Depth: the control sampling is risk based	Costs: estimation of cost of staff involved Costs for the running of TCM (maintenance, updates, etc.) Benefits: Preventing mistakes in drafting and implementing the contracts	Effectiveness: number of errors undetected (related to irregularities and error) Efficiency: cost of the errors undetected Costs of the <i>ex post</i> controls with respect to the benefits

Note: TCM: Tender Contract Maker.



Annex VII: Specific annexes related to Part III

There are no specific annexes related to [Part III](#).

Annex VIII: Draft annual accounts

Table A8.1: Outturn on C1 commitment appropriations in 2017 (in million €)

Chapter		Commitment appropriations authorised *	Commitments made	%
		1	2	3 = 2/1
Title A-1 STAFF EXPENDITURE				
A01100	Basic salaries	5.93	5.93	100.00 %
A01101	Family allowances	0.77	0.77	100.00 %
A01102	Expatriation and foreign-residence allowances	0.89	0.89	100.00 %
A01103	Secretarial allowances	0.01	0.01	100.00 %
A01113	Trainees	0.41	0.41	100.00 %
A01115	Contract agents	1.79	1.79	100.00 %
A01130	Insurance against sickness	0.21	0.21	100.00 %
A01131	Insurance against accidents & occupational disease	0.02	0.02	100.00 %
A01132	Insurance against unemployment	0.08	0.08	100.00 %
A01140	Childbirth and death grants	0.00	0.00	100.00 %
A01141	Travel expenses for annual leave	0.10	0.10	100.00 %
A01178	External services	0.10	0.10	100.00 %
A01190	Salary weightings	0.37	0.37	100.00 %
A01200	Recruitment expenses	0.05	0.05	100.00 %
A01201	Travel expenses	0.00	-	-
A01202	Installation resettlement and transfer allowances	0.00	-	-
A01203	Removal expenses	0.00	-	-
A01204	Temporary daily subsistence allowances	0.00	-	-
A01300	Mission expenses, duty travel expenses and other ancillary expenditure	0.09	0.09	100.00 %
A01410	Medical service	0.05	0.05	100.00 %
A01420	Professional training of staff	0.24	0.24	100.00 %
A01430	Legal services	0.12	0.12	100.00 %
A01520	Staff exchanges	0.25	0.25	100.00 %
A01610	Social contacts between staff	0.01	0.01	100.00 %
A01620	Other welfare expenditure	0.70	0.70	100.00 %
A01630	Early childhood centres and crèches	0.16	0.16	100.00 %
A01700	Entertainment and representation expenses	0.00	0.00	100.00 %
Total Title A-1		12.35	12.35	100.00 %

Chapter		Commitment appropriations authorised *	Commitments made	%
		1	2	3 = 2/1
Title A-2 BUILDINGS, EQUIPMENT AND MISCELLANEOUS OPERATING EXPENDITURE				
A02000	Rent	0.57	0.57	100.00 %
A02010	Insurance	0.01	0.01	100.00 %
A02020	Water, gas, electricity and heating	0.06	0.06	100.00 %
A02030	Cleaning and maintenance	0.33	0.33	100.00 %
A02040	Fitting-out of premises	0.01	0.01	100.00 %
A02050	Security and surveillance of buildings	0.11	0.11	100.00 %
A02100	Data-processing equipment	0.44	0.44	100.00 %
A02101	Software development	0.26	0.26	100.00 %
A02102	Other external services for data processing	0.03	0.03	100.00 %
A02200	New purchases of equipment and installations	0.02	0.02	100.00 %
A02203	Maintenance, use and repair of technical equipment and installation	0.00	-	-
A02210	Furniture	0.00	-	-
A02230	Hire of vehicles	0.00	0.00	100.00 %
A02250	Library stocks purchase of books	0.00	-	-
A02300	Stationery and office supplies	0.02	0.02	100.00 %
A02320	Bank charges	0.00	0.00	100.00 %
A02353	Departmental removals and associated handling	0.03	0.03	100.00 %
A02355	Publications and reproduction of documents	0.00	0.00	100.00 %
A02400	Postage and delivery charges	0.01	0.01	100.00 %
A02410	Telecommunications charges	0.08	0.08	100.00 %
A02411	Telecommunications equipment	0.00	-	-
A02550	Miscellaneous expenditure for meetings	0.01	0.01	100.00 %
A02601	Studies surveys consultations	0.03	0.03	100.00 %
Total Title A-2		2.01	2.01	100 %
Title Bo-3 OPERATIONAL EXPENDITURE				
B03211	Information society and, in particular, respect for private life and protection of personal data	0.42	0.42	100.00 %
B03230	Immigration and integration of migrants	1.71	1.71	100.00 %
B03311	Racism, xenophobia and related intolerance	0.83	0.83	100.00 %
B03321	Discrimination	0.45	0.45	100.00 %
B03340	Roma integration	1.61	1.61	100.00 %
B03350	Rights of the child	0.08	0.08	100.00 %
B03620	Access to justice	0.66	0.66	100.00 %
B03630	Victims of crime, including compensation to victims of crime	0.00	0.00	100.00 %
B03700	Annual Report	0.57	0.57	100.00 %
B3701	Research and data collection	0.11	0.11	100.00 %
B03711	Communication and awareness-raising	1.33	1.33	100.00 %
B03801	Bodies of the agency	0.33	0.33	100.00 %
B03802	Consultation mechanisms	0.13	0.13	100.00 %
B03900	Reserve for Title III	0.00	-	-
Total Title Bo-3		8.25	8.25	100.00 %
TOTAL FRA		22.61	22.61	100.00 %

Note * Commitment appropriations authorised include, in addition to the budget voted by the legislative authority, appropriations carried over from the previous exercise, budget amendments and miscellaneous commitment appropriations for the period (e.g. internal and external assigned revenue).

Source: FRA, 2017



Figure A8.1: Out-turn on C1 commitment appropriations in 2017 (% by chapter)

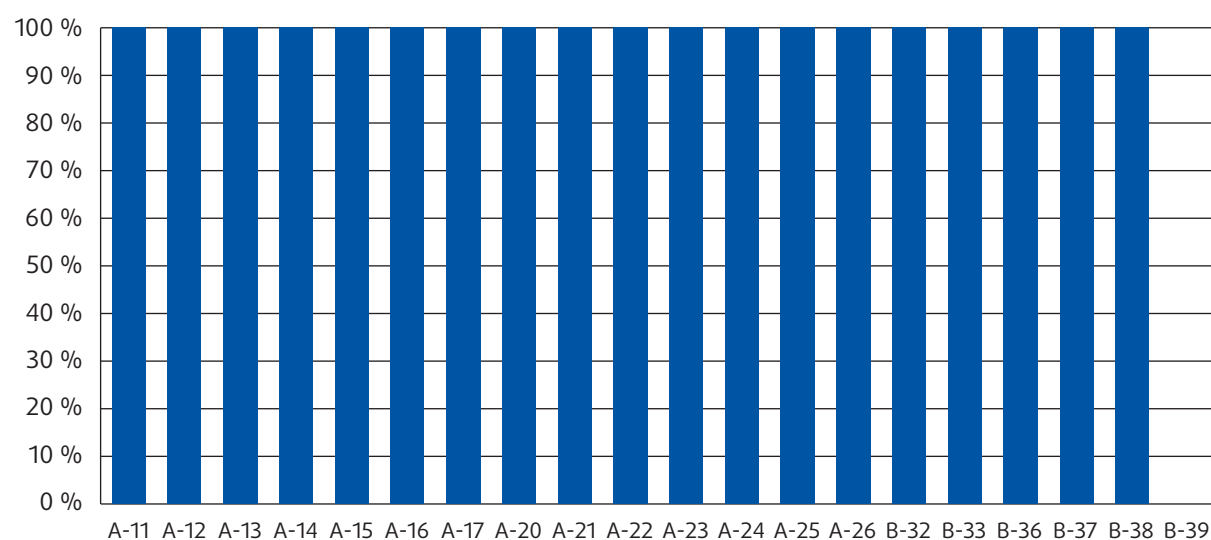


Table A8.2: Out-turn on payment appropriations in 2017 (in million €)

Chapter		Payment appropriations authorised *	Payments made	%
		1	2	3 = 2/1
Title A-1 STAFF EXPENDITURE				
A01100	Basic salaries	5.93	5.93	100.00 %
A01101	Family allowances	0.77	0.77	100.00 %
A01102	Expatriation and foreign-residence allowances	0.89	0.89	100.00 %
A01103	Secretarial allowances	0.01	0.01	100.00 %
A01113	Trainees	0.41	0.41	100.00 %
A01115	Contract agents	1.79	1.79	100.00 %
A01130	Insurance against sickness	0.21	0.21	100.00 %
A01131	Insurance against accidents & occupational disease	0.02	0.02	100.00 %
A01132	Insurance against unemployment	0.08	0.08	100.00 %
A01140	Childbirth and death grants	0.00	0.00	100.00 %
A01141	Travel expenses for annual leave	0.10	0.10	100.00 %
A01178	External services	0.11	0.10	93.13 %
A01190	Salary weightings	0.37	0.37	100.00 %
A01200	Recruitment expenses	0.05	0.05	96.94 %
A01201	Travel expenses	0.00	0,00	0,00 %
A01202	Installation resettlement and transfer allowances	0.00	0,00	0,00 %
A01203	Removal expenses	0.00	0,00	0,00 %
A01204	Temporary daily subsistence allowances	0.00	0,00	0,00 %
A01300	Mission expenses, duty travel expenses and other ancillary expenditure	0.10	0.07	74.59 %
A01410	Medical service	0.06	0.04	75.48 %
A01420	Professional training of staff	0.26	0.14	54.26 %
A01430	Legal services	0.12	0.08	63.00 %
A01520	Staff exchanges	0.25	0.25	100.00 %
A01610	Social contacts between staff	0.01	0.00	35.53 %
A01620	Other welfare expenditure	0.70	0.70	100.00 %
A01630	Early childhood centres and crèches	0.16	0.16	100.00 %
A01700	Entertainment and representation expenses	0.00	0.00	100.00 %
Total A-1		12.40	12.18	98.23 %

Chapter		Payment appropriations authorised *	Payments made	%
		1	2	3 = 2/1
Title A-2 BUILDINGS, EQUIPMENT & MISCELLANEOUS OPERATING EXPENDITURE				
A02000	Rent	0.57	0.57	100.00 %
A02010	Insurance	0.01	0.01	100.00 %
A02020	Water, gas, electricity and heating	0.06	0.06	100.00 %
A02030	Cleaning and maintenance	0.34	0.33	97.23 %
A02040	Fitting-out of premises	0.05	0.05	100.00 %
A02050	Security and surveillance of buildings	0.13	0.12	93.42 %
A02100	Hardware and software	0.69	0.47	68.09 %
A02101	Software development	0.36	0.27	73.31 %
A02102	Other external services for data processing	0.03	0.01	32.89 %
A02200	New purchases of equipment and installations	0.03	0.02	49.30 %
A02203	Maintenance, use and repair of technical equipment and installations	0.00	0,00	0,00 %
A02210	Furniture	0.00	0,00	0,00 %
A02230	Hire of vehicles	0.00	0.00	100.00 %
A02250	Library stocks purchase of books	0.00	0,00	0,00 %
A02300	Stationery and office supplies	0.02	0.02	93.64 %
A02320	Bank charges	0.00	0.00	55.33 %
A02353	Departmental removals and associated handling	0.03	0.03	92.97 %
A02355	Publications and reproduction of documents	0.00	0.00	86.80 %
A02400	Postage and delivery charges	0.01	0.01	87.86 %
A02410	Telecommunications charges	0.10	0.09	88.79 %
A02411	Telecommunications equipment	0.01	0.01	100.00 %
A02550	Miscellaneous expenditure for meetings	0.01	0.01	100.00 %
A02601	Studies surveys consultations	0.05	0.04	70.57 %
Total A-2		2.51	2.11	83.86 %
Title Bo-3 OPERATIONAL EXPENDITURE				
B03211	Information society and, in particular, respect for private life and protection of personal data	0.60	0.20	33.57 %
B03230	Immigration and integration of migrants	2.91	1.68	57.70 %
B03311	Racism, xenophobia and related intolerance	0.84	0.41	48.58 %
B03321	Discrimination	1.26	0.84	67.11 %
B03340	Roma integration	1.66	0.25	14.85 %
B03350	Rights of the child	0.22	0.20	92.61 %
B03620	Access to justice	1.96	1.35	68.47 %
B03630	Victims of crime & comp.	0.37	0.36	96.26 %
B03700	Annual Report	0.87	0.56	63.98 %
B03701	Research and data collection	0.11	0.01	5.95 %
B03711	Communication and awareness-raising	2.02	1.27	63.01 %
B03801	Bodies of the agency	0.40	0.31	76.43 %
B03802	Consultation mechanisms	0.20	0.19	97.08 %
B03900	Reserve for Title III	0.00	0,00	0,00 %
Total Bo-3		13.42	7.62	56.78 %
TOTAL FRA		28.33	21.91	77.33 %

Note * Payment appropriations authorised include, in addition to the budget voted by the legislative authority, appropriations carried over from the previous exercise, budget amendments and miscellaneous commitment appropriations for the period (e.g. internal and external assigned revenue).

Source: FRA, 2017



Figure A8.2: Out-turn on payment appropriations in 2017 (% by chapter)

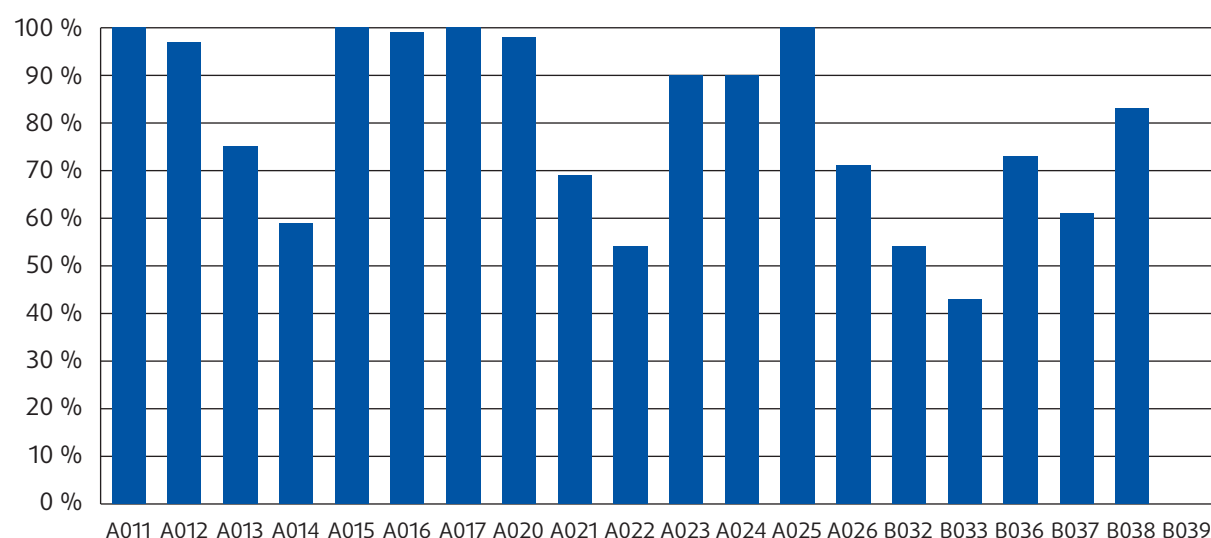


Table A8.3: Breakdown of commitments to be settled at 31 December 2017

Chapter		2017 Commitments to be settled			
		Commitments	Payments	RAL	% to be settled
		2017	2017	2017	
		1	2	3 = 1 - 2	4 = (3/1)*100
Title A-1 STAFF EXPENDITURE					
A01100	Basic salaries	5.93	-5.93	0.00	0.00 %
A01101	Family allowances	0.77	-0.77	0.00	0.00 %
A01102	Expatriation and foreign-residence allowances	0.89	-0.89	0.00	0.00 %
A01103	Secretarial allowances	0.01	-0.01	0.00	0.00 %
A01113	Trainees	0.41	-0.41	0.00	0.00 %
A01115	Contract agents	1.79	-1.79	0.00	0.00 %
A01130	Insurance against sickness	0.21	-0.21	0.00	0.00 %
A01131	Insurance against accidents & occupational disease	0.02	-0.02	0.00	0.00 %
A01132	Insurance against unemployment	0.08	-0.08	0.00	0.00 %
A01140	Childbirth and death grants	0.00	0.00	0.00	0.00 %
A01141	Travel expenses for annual leave	0.10	-0.10	0.00	0.00 %
A01178	External services	0.10	-0.10	0.00	2.27 %
A01190	Salary weightings	0.37	-0.37	0.00	0.00 %
A01200	Recruitment expenses	0.05	-0.05	0.00	3.06 %
A01300	Mission expenses and duty travel expenses and other ancillary expenditure	0.09	-0.06	0.02	27.27 %
A01410	Medical service	0.05	-0.04	0.01	18.98 %
A01420	Professional training of staff	0.24	-0.12	0.12	49.44 %
A01430	Legal services	0.12	-0.07	0.04	36.77 %
A01520	Staff exchanges	0.25	-0.25	0.00	0.00 %
A01610	Social contacts between staff	0.01	0.00	0.01	64.47 %
A01620	Other welfare expenditure	0.70	-0.70	0.00	0.00 %
A01630	Early childhood centres and crèches	0.16	-0.16	0.00	0.00 %
A01700	Entertainment and representation expenses	0.00	0.00	0.00	0.00 %
Total A-1		12.35	-12.14	0.20	1.66 %

Chapter		2017 Commitments to be settled			
		Commitments	Payments	RAL	% to be settled
		2017	2017	2017	
		1	2	3 = 1 - 2	4 = (3/1)*100
Title A-2 BUILDINGS, EQUIPMENT AND MISCELLANEOUS OPERATING EXPENDITURE					
A02000	Rent	0.82	-0.82	0.00	0.00 %
A02010	Insurance	0.01	-0.01	0.00	0.00 %
A02020	Water, gas, electricity and heating	0.06	-0.06	0.00	0.00 %
A02030	Cleaning and maintenance	0.33	-0.32	0.01	2.77 %
A02040	Fitting-out of premises	0.01	-0.01	0.00	0.00 %
A02050	Security and surveillance of buildings	0.11	-0.10	0.01	6.99 %
A02100	Hardware and software	0.44	-0.22	0.21	48.92 %
A02101	Software development	0.26	-0.17	0.09	35.99 %
A02102	Other external services for data processing	0.03	-0.01	0.02	67.11 %
A02200	New purchases of equipment and installations	0.02	-0.01	0.02	62.35 %
A02230	Hire of vehicles	0.00	0.00	0.00	0.00 %
A02300	Stationery and office supplies	0.02	-0.02	0.00	6.36 %
A02320	Bank charges	0.00	0.00	0.00	80.40 %
A02353	Departmental removals and associated handling	0.03	-0.03	0.00	8.27 %
A02355	Publications and reproduction of documents	0.00	0.00	0.00	10.00 %
A02400	Postage and delivery charges	0.01	-0.01	0.00	12.00 %
A02410	Telecommunications charges	0.08	-0.07	0.01	12.85 %
A02411	Telecommunications equipment	0.01	-0.01	0.00	0.00 %
A02550	Miscellaneous expenditure for meetings	0.03	-0.01	0.02	52.69 %
A02601	Studies surveys consultations	0.82	-0.82	0.00	0.00 %
Total A-2		2.26	-1.87	0.39	17.34 %
Title Bo-3 OPERATIONAL EXPENDITURE					
B03211	Information society and, in particular, respect for private life and protection of personal data	0.42	-0.03	0.39	92.75 %
B03230	Immigration and integration of migrants	1.71	-0.52	1.18	69.29 %
B03311	Racism, xenophobia and related intolerance	0.83	-0.40	0.43	51.72 %
B03321	Discrimination	0.45	-0.05	0.41	89.95 %
B03340	Roma integration	1.61	-0.20	1.41	87.46 %
B03350	Rights of the child	0.08	-0.07	0.01	17.73 %
B03620	Access to justice	0.66	-0.04	0.62	93.40 %
B03630	Victims of crime & comp.	0.00	0.00	0.00	54.74 %
B03700	Annual Report	0.57	-0.26	0.31	54.82 %
B03701	Research and data collection	0.11	-0.01	0.11	94.05 %
B03711	Communication and awareness-raising	1.33	-0.59	0.74	55.37 %
B03801	Bodies of the agency	0.33	-0.24	0.09	28.75 %
B03802	Consultation mechanisms	0.13	-0.13	0.00	3.58 %
Total Bo-3		8.25	-2.54	5.71	69.24 %
TOTAL FRA		22.85	-16.55	6.31	27.59 %

Source: FRA, 2017



Figure A8.3: Breakdown of commitments remaining to be settled at 31 December 2017 (in million €)

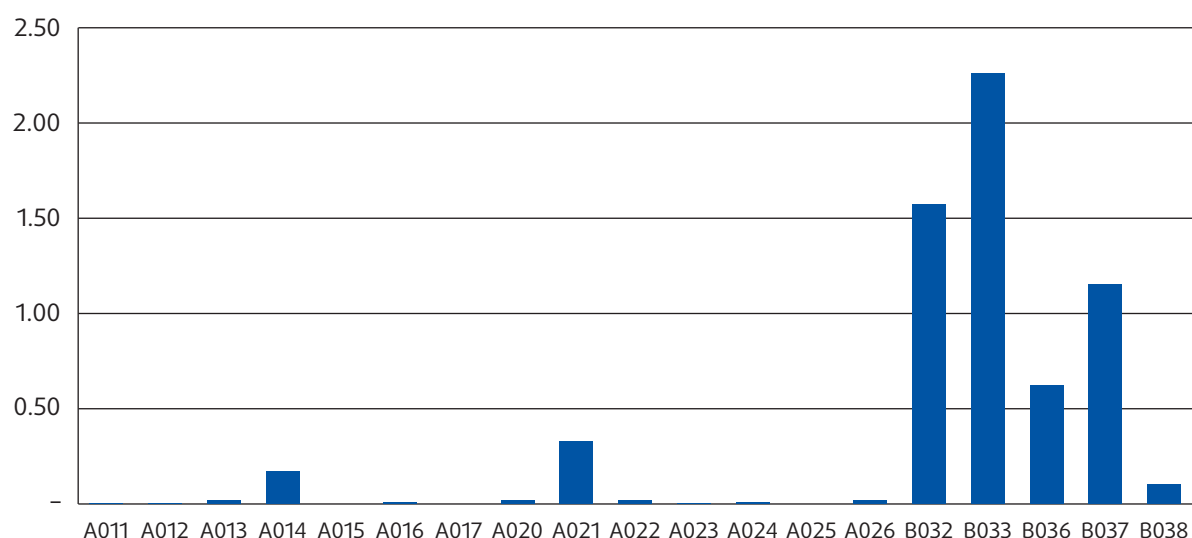


Table A8.4: Draft Balance Sheet as on 31 December 2017

BALANCE SHEET*			
	Note	31 December 2017 (€)	31 December 2016 (€)
A. NON CURRENT ASSETS		827,846	1,061,129
Intangible assets		81,277	72,408
Property, plant and equipment		746,569	988,721
Financial assets		-	-
Long-term pre-financing		-	-
Long-term receivables and recoverables		-	-
B. CURRENT ASSETS		7,043,401	6,495,122
Inventories		-	-
Pre-financing		98,827	-
Receivables and recoverables		137,037	242,623
Financial assets		-	-
Cash and cash equivalents		6,807,537	6,252,499
TOTAL ASSETS		7,871,247	7,556,251
C. NON-CURRENT LIABILITIES		-	-
Pension and other employee benefits		-	-
Provisions for risks and liabilities		-	-
Financial liabilities		-	-
Long-term liabilities to consolidated entities		-	-
TOTAL NON-CURRENT LIABILITIES		-	-
D. CURRENT LIABILITIES		1,767,455	1,633,423
Employee benefits		-	-
Provisions for risks and liabilities		-	-
Financial liabilities		-	-
Payables		1,767,455	1,633,423
TOTAL LIABILITIES		1,767,455	1,633,423
E. NET ASSETS/LIABILITIES		6,103,792	5,922,828
Reserves		-	-
Accumulated result		6,103,792	5,922,828
B. Minority interest		-	-
TOTAL NET ASSETS/LIABILITIES		6,103,792	5,922,828

Note * The figures included in Table A8.4 are provisional, since they are, at this date, still subject to audit by the Court of Auditors. It is thus possible that amounts included in these tables may have to be adjusted following this audit.

Source: FRA, 2017

Table A8.5: Draft 2017 Statement of Financial Performance

STATEMENT OF FINANCIAL PERFORMANCE*		
	2017 €	2016 €
GNI based resources	-	-
VAT resources	-	-
Traditional Own Resources	-	-
Funds transferred from the Commission to other Institutions	-	-
Contributions of EFTA countries belonging to the EEA	-	-
Fines	-	-
Recovery of expenses	-	-
European Union contribution	22,490,934	21,156,262
Other operating revenue	244,000	245,621
TOTAL OPERATING REVENUE	22,734,934	21,401,883
Administrative expenses	-14,970,908	-13,857,794
Staff expenses	-11,741,824	-11,089,686
Fixed asset related expenses	-479,440	-485,251
Pensions	-	-
Other administrative expenses	-2,749,644	-2,282,857
Operating expenses	-7,583,062	-8,425,947
Centralised Direct Management	-	-
Centralised Indirect Management	-	-
Decentralised Management	-	-
Shared Management	-	-
Joint Management	-	-
Other operating expenses	-7,583,062	-8,425,947
TOTAL ADMINISTRATIVE AND OPERATING EXPENSES	-22,553,970	-22,283,741
SURPLUS/(DEFICIT) FROM OPERATING ACTIVITIES	180,964	-881,858
Financial revenues	-	-
Financial expenses	-	-
Share of net surpluses or deficits of associates and joint ventures accounted for using the equity method	-	-
SURPLUS/(DEFICIT) FROM NON OPERATING ACTIVITIES	180,964	-881,858
SURPLUS/(DEFICIT) FROM ORDINARY ACTIVITIES		
Minority interest	-	-
Extraordinary gains (+)	-	-
Extraordinary losses (-)	-	-
SURPLUS/(DEFICIT) FROM EXTRAORDINARY ITEMS	-	-
ECONOMIC RESULT OF THE YEAR	180,964	-881,858

Note * The figures included in Table A8.5 are provisional, since they are, at this date, still subject to audit by the Court of Auditors. It is thus possible that amounts included in these tables may have to be adjusted following this audit.

Source: FRA, 2017



Table A8.6: Average payment times for 2017

Legal times							
Maximum payment time (days)	Total number of payments	Number of payments within time limit	Percentage	Average payment times (days)	Number of late payments	Percentage late payments	Average payment time (days)
30	2275	2076	91.25 %	8	199	8.75 %	52
45	8	7	87.50 %	20	1	12.50 %	46
60	258	254	98.45 %	25	4	1.55 %	65
Total number of payments	2541	2337	91.97 %	-	204	8.03 %	-
Average net payment time	13	-	-	10	-	-	53
Average gross payment time	13	-	-	10	-	-	53

Suspensions							
Average report approval suspension days	Average payment suspension days	Number of suspended payments	% of total number	Total number of payments	Amount of suspended payments (€)	% of total amount	Total paid amount
0	49	14	0.55 %	2,541	268,739.04	1.87 %	14,399,485.05

Late interest paid in 2017			
Agency	GL Account	Description	Amount (€)
			0

Note: GL: General Ledger.

Source: FRA, 2017

Table A8.7: Situation on revenue and income in 2017

Title	Description	Year of origin	Revenue and income recognised	Revenue and income cashed	Outstanding balance
2000	European Union subsidy	2017	22,608,250.00	22,608,250.00	0.00
9000	Miscellaneous revenue	2017	244,000.00	244,000.00	0.00
TOTAL FRA			22,852,250.00	22,852,250	0.00

Source: FRA, 2017

Table A8.8: Recovery of undue payments

Income budget recovery orders issued in 2017	Total undue payments recovered		Total transactions in recovery context (incl. non-qualified)		% qualified/ total RC		
	Year of origin (commitment)	Nbr	RO amount	Nbr	RO amount	Nbr	RO amount
Sub-Total		0	0.00	0	0.00	0	0.00

Expenses budget	Error		Irregularity		OLAF notified		Total undue payments recovered		Total transactions in RC (incl. non-qualified)		% qualified/ total RC	
	Nbr	Amount	Nbr	Amount	Nbr	Amount	Nbr	Amount	Nbr	Amount	Nbr	Amount
Income lines in invoices												
Non-eligible in cost claims												
Credit notes												
Sub-Total	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
GRAND TOTAL	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00

Note: RC: Recovery Context; RO: Recovery Order.

Source: FRA, 2017

Table A8.9: Ageing balance of recovery orders at 31 December 2017

Year of origin	Number at 1 January 2017	Number at 31 December 2017	Evolution	Open amount (€) at 1 January 2017	Open amount (€) at 31 December 2017	Evolution
2017	0	0	0.00 %	0.00	0.00	0.00 %
Totals	0	0	0.00 %	0.00	0.00	0.00 %

Source: FRA, 2017

Table A8.10: Recovery-order waivers in 2017 > €100,000

Waiver central key	Linked RO central Key	RO accepted amount (€)	LE account group	Commission decision	Comments
Total FRA		0.00			
Number of RO waivers		0			

Justifications: N/A

Note: RO: Recovery Order; LE: Legal Entity.

Source: FRA, 2017

Table A8.11: Census of negotiated procedures

NEGOTIATED PROCEDURES – CONTRACTS > €60,000						
		Count:	0			
		Total amount:	0			
	Contractor(s)					
Number	Name	Address	Type of contract	Description	Amount (€)	Legal base
None						

Source: FRA, 2017



Table A8.12: Building contracts

BUILDING CONTRACTS						
		Count:	o			
		Total amount:	o			
		Contractor(s)				
Number	Name	Address	Type of contract	Description	Amount (€)	Legal base
N/A						

Source: FRA, 2017

Table A8.13: Contracts declared secret

The agency did not declare any contracts secret.

Source: FRA, 2017

Annex IX: Performance information included in evaluations

Evaluation activities at FRA aim to measure the project performance on the basis of set criteria and indicators in view of establishing findings and conclusions as well recommendations for future programming or improvements to the current projects. An evaluation can be conducted at different stages of each project’s life cycle, internally or externally to the organisation.

INTERNAL EVALUATIONS OF THE FRA

In 2017, within a general effort to ensure the highest impact of its activities, the several evaluation exercises were conducted for FRA projects.

Ex post evaluations

Migration monthly overviews	
Thematic area:	Immigration and integration of migrants, visa and border control and asylum
Summary of performance related findings and recommendations:	<p>Summary In view of the increasing numbers of refugees, asylum seekers and migrants entering the EU, the European Commission asked FRA to collect data about the fundamental rights situation of people arriving in those Member States that have been particularly affected by large migration movements. Thus, FRA publishes monthly updates that cover a variety of different issues, including initial registration and asylum applications, with particular attention to the situation of vulnerable people; criminal proceedings initiated for offences related to irregular border crossing; child protection; reception conditions for new arrivals, focusing on the situation of children and other vulnerable people; access to healthcare; public response such as rallies of support, humanitarian assistance or voluntary work; and racist incidents such as demonstrations, online hate speech or hate crime.</p> <p>Key evaluation findings</p> <ul style="list-style-type: none"> • Interviews with national authorities, EU and UN actors, as well as NGOs, showed that FRA’s monthly reports are increasingly known and used by different stakeholders. • 65 % of the respondents used the monthly overviews in their work. • Most respondents explained that the monthly overviews were mainly used in a general way to keep them informed and to give an up-to-date overview about the migration situation. • A large majority of the respondents found the current structure of the monthly overviews –consisting of highlights, detailed State report and thematic focus reports– generally useful, and some showed particular interest in the situation of minorities, such as children, migrants with disabilities and LGBTI asylum seekers. <p>Conclusions The outcome of the online survey suggests to keep a similar approach in terms of structure, geographical coverage, topics and periodicity. The presentation could be more reader-friendly by including graphs on quantitative data and giving better visibility to re-occurring issues.</p>

Surveillance by intelligence authorities	
Thematic area:	Information society, privacy and data protection
Summary of performance related findings and recommendations:	<p>Summary This report is FRA's second publication addressing a European Parliament request for in-depth research on the impact of surveillance on fundamental rights. It updates FRA's 2015 legal analysis on the topic, and supplements that analysis with field-based insights gained from extensive interviews with diverse experts in intelligence and related fields, including its oversight.</p> <p>With terrorism, cyber-attacks and sophisticated cross-border criminal networks posing growing threats, the work of intelligence services has become more urgent, complex and international. Such work can strongly interfere with fundamental rights, especially privacy and data protection. While continuous technological advances potentially exacerbate the threat of such interference, effective oversight and remedies can curb the potential for abuse.</p> <p>Key evaluation findings FRA contacted more than 50 experts in this area from several EU Member States belonging to different institutions – intelligence oversight bodies, civil society, and academics. The results of the survey showed that FRA findings and recommendations were assessed as being relevant or very relevant for a large majority of experts and they appraised that the different sections of the report (mainly those referring to intelligence laws, oversight and remedies) were very useful and applicable to their field of work. There were suggestions to include deeper legal analysis and case law, and the relation between law enforcement and national security.</p>

Moreover, in August 2017, an inter-agency framework agreement for evaluation services was signed by FRA. In this context, FRA has already commissioned five evaluations of projects. The two external contractors have initiated the evaluations of the selected projects.

These evaluations will be completed in 2018.

Ex ante evaluations

Second survey on discrimination and hate crime against Jews	
Thematic area:	Racism, xenophobia and related intolerance
Summary of the project	<p>Data collected by FRA and OSCE concerning trends in recorded antisemitic incidents suggest that in many EU Member States Jewish people continue to face repeated incidents of violence and hate speech motivated by anti-Jewish prejudice. At the same time, research shows that most incidents are never reported to authorities and are not reflected in the incident statistics. In 2012, FRA carried out a survey in selected EU Member States to collect for the first time comparable data concerning Jewish people's experiences, including questions on discrimination and hate crime targeting Jews but also anti-Jewish prejudice, security and ability to live life openly as Jews. The data contributes to assessing EU Member State's progress in implementing the Council Framework Decision on Racism (2008/913/JHA), Crime Victims Directive (2012/29/EU), as well as Racial Equality Directive (2000/43/EC).</p> <p>The second wave of this survey on discrimination and hate crime against Jews will allow the agency and its stakeholders to examine progress in ensuring the protection of Jewish people's fundamental rights in line with existing EU law and policies. Building on the data collection tools and methods developed for the 2012 survey, the second wave of this survey will collect data on Jewish people's experiences and views – with particular attention to manifestations of antisemitism in the online environment and the impact of violent attacks and anti-Jewish prejudice to the lives of Jews living in EU Member States. The results will complement the official and unofficial statistics on antisemitic incidents, while the survey is in a position to contribute to a more complete and nuanced understanding of fundamental rights challenges that Jewish people experience in the EU.</p> <p>The survey adds value by developing comparable data currently not available from other sources, as evidenced by the continued use of FRA's 2012 survey results and analysis by FRA's stakeholders and the media.</p>



Ex post evaluations

Handbook on European law relating to the rights of the child	
Thematic area:	Rights of the child
Summary of the project	<p>The Council of Europe's four-year plan for children's rights, i.e. the Council of Europe Strategy for the Rights of the Child concludes in 2016. To contribute to the Council of Europe Strategy for the Rights of the Child (2012-2016) and to the objectives of the EU Agenda on the Rights of the Child, FRA, in co-operation with the Council of Europe, and in particular the Registry of the European Court of Human Rights, elaborated the Handbook on European law relating to the rights of the child, which was published in 2015. The handbook aims to encapsulate the 'international standard' of child protection, including as derived from European jurisprudence, i.e. the case-law of the European Court of Human Rights (ECtHR), the European Committee of Social Rights (ECSR), and the Court of Justice of the European Union (CJEU). Following the planning, preparation and research conducted in 2013 and 2014, in 2016 the handbook was translated into other selected EU languages. The handbook will be published and disseminated in relevant forums and through networks of professionals dealing with children, including also stocktaking activities on the Council of Europe Strategy and EU events.</p>

Responding to the 2015 asylum crisis: assessing the long-term impact on fundamental rights	
Thematic area:	Immigration and integration of migrants, visa and border control and asylum
Summary of the project	<p>Migration – and, specifically, the European Agenda on Migration – is one of the ten priority areas of the European Commission. In the wake of the asylum/migration crisis, which came to a head in 2015, the fundamental rights implications of policies and practical responses to the large influx of persons entering the EU – at the level of individual Member States and the EU as a whole – will have significant repercussions for those who entered the EU and stayed, and also for EU 'host' countries. With this in mind, the agency intends to undertake research that will interview persons who entered the EU, focusing on families and children (including teenagers), alongside interviews with officials who were responsible for responding to the crisis. Interviews will focus on the fairness and effectiveness of procedures the respondents were subjected to at the point of entry, during transit and in their current host country, as well as on the practicalities and challenges of access to basic services, from the perspectives of both asylum seekers and local service providers, which can be viewed within a rights framework. The focus of the research will be selected cities/areas in those Member States that have accepted a significant number of asylum seekers. The research findings will be mapped under a fundamental rights indicator framework looking at the law, policies and their implementation, and asylum seekers' enjoyment of certain rights in practice with a particular focus on the treatment of children in the asylum determination and related administrative procedures. The results are intended to provide a 'lessons learnt' overview of different Member States' responses to the crisis, which can be used for on-going and future responses to large-scale asylum movements. The project's added value is reflected in the production of indicators concerning different localities' responses to the asylum/migration crisis, which can be of key use to duty bearers seeking to improve responses to ongoing and future migration/asylum movements of people into and within the EU. The research will take into account relevant work by EASO and the European Migration Network.</p>

Roma Multi-annual Programme	
Thematic area:	Roma integration
Summary of the project	In response to the European Commission's Communication from 5 April 2011 on an EU framework for national Roma integration strategies up to 2020, FRA developed a multi-annual programme of action comprised of several activities. The objective of these activities is , on the one hand, to support the European Commission in its relevant annual progress report to the Parliament and the Council and on the other hand to assist Member States in developing effective monitoring mechanisms to collect robust and comparable data. The first key element of the multi-annual programme is the Roma survey. The first wave covering 11 Member States was conducted in 2011 in close cooperation with the European Commission, UNDP and the World Bank. Results were published in 2012-2013 as key benchmarks for measuring progress made in Roma integration and in reference to key indicators of Europe 2020. The second wave will be implemented in the context of EU-MIDIS II by measuring progress made in regard to the national Roma integration strategies. The second key element of the multi-annual programme, initiated in 2013, concerns participatory action research and engagement in local Roma integration actions, namely the Local Engagement for Roma Inclusion (LERI) which is implemented in cooperation with the Council of Europe (e.g. the projects ROMED II and ROMACT) to ensure complementarity and synergy. The third key element concerns the work of the <i>ad hoc</i> Working Party on Roma Integration Indicators facilitated by FRA; in 2014, 14 National Roma Contact Points participated and two more are expected to be added in 2015. The Working Party participants will test the indicators developed in 2014 populating them with information and data during 2015 with the support of FRA and the European Commission.

Fundamental Rights Report	
Thematic area:	Cross-cutting projects or activities covering all MAF areas
Summary of the project	The <i>Fundamental Rights Report</i> findings are used as evidence by the European Commission when drafting its annual report on the application of the Charter of Fundamental Rights, as well by the European Parliament when drafting its report on the situation of fundamental rights within the EU. Moreover, the Council of the European Union is referring to the agency's report in its respective Council conclusions. The <i>Fundamental Rights Report</i> tries to identify trends by making use of fundamental rights indicators using a structure-process- outcome matrix where appropriate. It also provides for a pool of promising practices in the field of fundamental rights that could be transferrable across the EU. Finally, the report aims at increasing the awareness about the use of the Charter at national level, including by administrations, parliaments, but especially by national judiciaries.



A great deal of information on the European Union Agency for Fundamental Rights is available on the Internet. It can be accessed through the FRA website at fra.europa.eu.

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HELPING TO MAKE FUNDAMENTAL RIGHTS A REALITY FOR EVERYONE IN THE EUROPEAN UNION

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Publications Office

doi:10.2811/753832
ISBN 978-92-9491-935-9