



# Procedure file

Basic information		
CNS - Consultation procedure Decision	<a href="#">2007/0173(CNS)</a>	Procedure completed
EC/Council of Europe agreement: cooperation between the European Union Agency for Fundamental Rights and the Council of Europe		
Subject 1.10 Fundamental rights in the EU, Charter 6.40.13 Relations with/in the context of international organisations: UN, OSCE, OECD, Council of Europe, EBRD 8.40.08 Agencies and bodies of the EU		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>LIBE</b> Civil Liberties, Justice and Home Affairs		
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>AFET</b> Foreign Affairs	The committee decided not to give an opinion.	
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Justice and Home Affairs (JHA)</a>	<a href="#">2853</a>	28/02/2008
European Commission	Commission DG	Commissioner	
	<a href="#">Justice and Consumers</a>	FRATTINI Franco	

Key events			
20/08/2007	Legislative proposal published	<a href="#">COM(2007)0478</a>	Summary
27/09/2007	Committee referral announced in Parliament		
12/11/2007	Vote in committee		Summary
14/11/2007	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A6-0443/2007</a>	
12/12/2007	Debate in Parliament		
13/12/2007	Results of vote in Parliament		
13/12/2007	Decision by Parliament	<a href="#">T6-0618/2007</a>	Summary
28/02/2008	Act adopted by Council after consultation of Parliament		
28/02/2008	End of procedure in Parliament		
	Final act published in Official Journal		

Technical information	
Procedure reference	2007/0173(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	International agreement
Legislative instrument	Decision
Legal basis	EC Treaty (after Amsterdam) EC 300-p2/3-a1; EC Treaty (after Amsterdam) EC 308
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/6/52495

Documentation gateway					
Legislative proposal		<a href="#">COM(2007)0478</a>	21/08/2007	EC	Summary
Committee draft report		<a href="#">PE394.145</a>	23/10/2007	EP	
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A6-0443/2007</a>	14/11/2007	EP	
Text adopted by Parliament, 1st reading/single reading		<a href="#">T6-0618/2007</a>	13/12/2007	EP	Summary

Additional information	
National parliaments	<a href="#">IPEX</a>
European Commission	<a href="#">EUR-Lex</a>

Final act
<a href="#">Decision 2008/578</a> <a href="#">OJ L 186 15.07.2008, p. 0006</a> Summary

## EC/Council of Europe agreement: cooperation between the European Union Agency for Fundamental Rights and the Council of Europe

**PURPOSE:** to conclude an Agreement between the Community and the Council of Europe on co-operation between the European Union Agency for Fundamental Rights and the Council of Europe.

**PROPOSED ACT:** Council Decision.

**BACKGROUND:** in a bid to avoid agenda over-lap and work duplication the recently approved Council Regulation (EC) No 168/2007 on the establishment of a European Agency for Fundamental Rights (see [CNS/2005/0124](#)), states that the new Agency must co-ordinate its activities with those of the Council of Europe based in Strasbourg. To that end, the Regulation requires the Community to enter into an Agreement with the Council of Europe for the purpose of establishing close co-operation between the two.

Negotiations between the Commission and the Secretary General of the Council of Europe commenced in March 2007. The European Parliament has been kept fully informed of developments through out the negotiating process.

**CONTENT:** the purpose of this proposal is to conclude an Agreement between the European Community and the Council of Europe on co-operation between the European Agency for Fundamental Rights and the Council of Europe. Under the terms of the Agreement, the two parties agree to, inter alia:

- establish a framework of co-operation in order to avoid work duplication and in order to offer added value to mutual work;
- appoint contact persons to deal with matters concerning co-operation between the two parties;
- invite representatives from the Council of Europe Secretariat, as a general rule, to attend Agency Executive Board meetings. This shall not extend to particular agenda items for which, on account of their internal nature, such attendance would not be justified. Representatives may also be invited to other meetings organised by the Agency's management board;
- invite representatives of the Agency as observers to meetings of those Council of Europe intergovernmental committees in which the

- Agency has expressed an interest;
- exchange information and data with each other collected in the course of their activities ? including access to online information;
- take due account, in the Agency?s case, of the judgments and decision of the European Court of Human Rights;
- ensure, by means of their networks, a regular exchange of information concerning proposed activities on a reciprocal basis;
- consult regularly in order to co-ordinate the Agency?s activities by carrying our research and scientific research surveys as well as drafting conclusions, opinion and reports with those of the Council of Europe in order to ensure complementarity. The consultation shall concern: the preparation of the Agency?s annual work programme; preparation of the Agency?s annual report on fundamental rights; co-operation with civil society;
- bolster co-operation through Agency grants to the Council of Europe as well as through the temporary exchange of staff;
- appoint an independent person to sit on the Management and Executive Boards of the Agency.

This Agreement abrogates and replaces the Agreement of 10 February 1999 between the European Community and the Council of Europe for the purpose of establishing, in accordance with Article 7 (3) of Council Regulation (EC) No 1035/97 of 2 June 1997 establishing a European Monitoring Centre on Racism and Xenophobia, close cooperation between the Centre and the Council of Europe.

## EC/Council of Europe agreement: cooperation between the European Union Agency for Fundamental Rights and the Council of Europe

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The Committee on Civil Liberties, Justice and Home Affairs unanimously adopted the report by Adamos ADAMO (GUE/NGL, CY) on the proposal for a Council decision relating to the conclusion of an Agreement between the European Community and the Council of Europe on cooperation between the European Union Agency for Fundamental Rights and the Council of Europe.

The rapporteur underlines that the common aim of protection of fundamental rights shared by both the European Fundamental Rights Agency and the Council of Europe has to be achieved in a complementary and positive manner, duplication must be avoided. Moreover, given the importance of the issues treated by the Council of Europe and the Agency, initiatives should be taken to strengthen **transparency and complementarity of implementing actions**, by involving the European Parliament through periodic reports.

## EC/Council of Europe agreement: cooperation between the European Union Agency for Fundamental Rights and the Council of Europe

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The European Parliament adopted a legislative resolution drafted by Adamos ADAMO (GUE/NGL, CY) and approved the conclusion of an Agreement between the European Community and the Council of Europe on cooperation between the European Union Agency for Fundamental Rights and the Council of Europe. The resolution was adopted by 501 votes for, 51 against and 10 abstentions.

## EC/Council of Europe agreement: cooperation between the European Union Agency for Fundamental Rights and the Council of Europe

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**PURPOSE:** to conclude an Agreement between the Community and the Council of Europe on co-operation between the EU Agency for Fundamental Rights and the Council of Europe.

**LEGISLATIVE ACT:** Council Decision 2008/578/EC relating to the conclusion of an Agreement between the European Community and the Council of Europe on cooperation between the European Union Agency for Fundamental Rights and the Council of Europe.

**CONTENT:** the Council adopted a decision approving the conclusion of an agreement between the European Community and the Council of Europe on cooperation between the EU Agency for Fundamental Rights and the Council of Europe. The Agreement establishes a cooperation framework between the Agency and the Council of Europe in order to avoid duplication and ensure complementarity and added value. Regular consultations will be held between the Agency and the Council of Europe Secretariat, with the aim of coordinating the Agency's activities, in particular in carrying out research and scientific surveys as well as drafting conclusions, opinions and reports, with those of the Council of Europe in order to ensure complementarity and the best possible use of available resources.

The Agency for Fundamental Rights (see [CNS/2005/0124](#)) was established in March 2007 in Vienna (Austria). It provides the relevant institutions and Member States with assistance and expertise relating to fundamental rights in order to support them when they take measures or formulate courses of action to fully respect fundamental rights. The agency has three key functions: to collect information and data; provide advice to the EU and its member states and promote dialogue with civil society to raise public awareness of fundamental rights.

The agreement abrogates and replaces the agreement of 10 February 1999 between the European Community and the Council of Europe establishing close cooperation between the European Monitoring Centre on Racism and Xenophobia and the Council of Europe (see [CNS/1998/0143](#)).