








# Procedure file

| Basic information  |                |
|--|----------------|
| APP - Consent procedure  | 2016/0204(APP) |
| Procedure completed  |                |
| Multiannual framework for the European Union Agency for Fundamental Rights for 2018-2022 |                |
| See also Regulation (EC) No 168/2007 <a href="#">2005/0124(CNS)</a>                      |                |
| Subject  |                |
| 1.10 Fundamental rights in the EU, Charter   |                |
| 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 |  | 14/11/2016 |  |
|  |   |  <a href="#">MLINAR Angelika</a>     |            |  |
|  |   | Shadow rapporteur  |            |  |
|  |   |  <a href="#">NAGY József</a>        |            |  |
|  |   |  <a href="#">POST Soraya</a>       |            |  |
|  |   |  <a href="#">ŠKRIPEK Branislav</a> |            |  |
|  |   |  <a href="#">LUNACEK Ulrike</a>    |            |  |
|  | Committee for opinion                                 | Rapporteur for opinion   | Appointed  |  |
|  | <b>AFET</b> Foreign Affairs                           | The committee decided not to give an opinion.  |            |  |
| <b>BUDG</b> Budgets                            | The committee decided not to give an opinion.         |  |            |  |
| <b>FEMM</b> Women's Rights and Gender Equality | 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="#">3584</a>   | 08/12/2017 |  |
| European Commission                            | Commission DG   | Commissioner   |            |  |
|  | <a href="#">Secretariat-General</a>                   | TIMMERMANS Frans   |            |  |

| Key events |                                |                               |         |
|------------|--------------------------------|-------------------------------|---------|
| 05/07/2016 | Preparatory document           | <a href="#">COM(2016)0442</a> | Summary |
| 28/11/2016 | Legislative proposal published | <a href="#">14423/2016</a>    | Summary |

|            |   |   |         |
|------------|---|---|---------|
| 16/01/2017 | Committee referral announced in Parliament                      |   |         |
| 25/04/2017 | Vote in committee   |   |         |
| 02/05/2017 | Committee report tabled for plenary, 1st reading/single reading | <a href="#">A8-0177/2017</a>  | Summary |
| 31/05/2017 | Debate in Parliament  |  |         |
| 01/06/2017 | Results of vote in Parliament                                   |  |         |
| 01/06/2017 | Decision by Parliament  | <a href="#">T8-0238/2017</a>  | Summary |
| 08/12/2017 | Act adopted by Council after consultation of Parliament         |   |         |
| 08/12/2017 | End of procedure in Parliament                                  |   |         |
| 09/12/2017 | Final act published in Official Journal                         |   |         |

### Technical information

|                            |   |
|----------------------------|---|
| Procedure reference        | 2016/0204(APP)  |
| Procedure type             | APP - Consent procedure   |
| Procedure subtype          | Legislation   |
|                            | See also Regulation (EC) No 168/2007 <a href="#">2005/0124(CNS)</a> |
| Legal basis                | Treaty on the Functioning of the EU TFEU 352-p1sub1                 |
| Other legal basis          | Rules of Procedure EP 159   |
| Stage reached in procedure | Procedure completed   |
| Committee dossier          | LIBE/8/07137  |

### Documentation gateway

|   |  |                               |            |     |         |
|---|--|-------------------------------|------------|-----|---------|
| Preparatory document  |  | <a href="#">COM(2016)0442</a> | 05/07/2016 | EC  | Summary |
| Legislative proposal  |  | <a href="#">14423/2016</a>    | 28/11/2016 | CSL | Summary |
| Committee draft report  |  | <a href="#">PE601.223</a>     | 23/03/2017 | EP  |         |
| Committee report tabled for plenary, 1st reading/single reading |  | <a href="#">A8-0177/2017</a>  | 02/05/2017 | EP  | Summary |
| Text adopted by Parliament, 1st reading/single reading          |  | <a href="#">T8-0238/2017</a>  | 01/06/2017 | EP  | Summary |

### Final act

[Decision 2017/2269](#)  
[OJ L 326 09.12.2017, p. 0001](#) Summary

## Multiannual framework for the European Union Agency for Fundamental Rights for 2018-2022

PURPOSE: to establish a Multiannual Framework for the European Union Agency for Fundamental Rights for 2018-2022.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

**BACKGROUND:** [Regulation \(EC\) No 168/2007](#) established a European Union Agency for Fundamental Rights which became operational on 1 March 2007. The objective of the Agency is to provide the relevant institutions, bodies, offices and agencies of the Union and its Member States, when implementing Union law.

In order for the Agency to carry out its tasks properly, a Multiannual Framework is to be adopted by the Council every five years, determining the thematic areas of the Agency's work. The first Multiannual Framework covered the period from 2007-2012. The current Multiannual Framework (2013-2017) expires at the end of 2017.

The Agency refers to fundamental rights as defined in Article 6 of the Treaty on European Union. The Agency is not a legislative or a standard setting body. Its work is instrumental in providing data, assistance and expertise on fundamental rights issues to support evidence-based policy making across the EU, thereby also contributing to the development of a culture of fundamental rights in the EU.

**CONTENT:** the objective of this proposal is to establish the Multiannual Framework for the Agency for Fundamental Rights for the years 2018-2022.

**Thematic areas:** this proposal confirms the relevance for the next five year period of the thematic areas laid down for the Agency for 2013-2017. No theme is withdrawn.

The Commission proposes to remove the exclusion of judicial cooperation in criminal matters and adding a reference to police cooperation. In addition, within the theme related to Roma integration, social inclusion aspects would be strengthened.

The thematic areas proposed for the Multiannual Framework of the Agency for the years 2018-2022 are therefore the following:

- access to justice and victims of crime;
- equality and non-discrimination;
- information society and, in particular, respect for private life and protection of personal data;
- judicial and police cooperation;
- migration, borders, asylum and integration of refugees and migrants;
- racism, xenophobia and related intolerance;
- rights of the child;
- Roma integration and social inclusion.

**Complementarity with the remit of other Union bodies:** the Multiannual Framework should include provisions with a view of ensuring complementarity with the remit of other Union bodies, offices and agencies, as well as with the Council of Europe and other international organisations active in the field of fundamental rights.

The most relevant Union agencies and bodies in relation to this Multiannual Framework are:

- the European Asylum Support Office ([EASO](#));
- the European Agency for the Management of Operational Cooperation at the External Borders ([FRONTEX](#));
- the [European Migration Network](#);
- the European Institute for Gender Equality ([EIGE](#));
- the European Data Protection Supervisor ([EDPS](#));
- the European Union Agency for Network and Information Security ([ENISA](#));
- the European Union's Judicial Cooperation Unit ([EUROJUST](#));
- the European Police Office ([EUROPOL](#));
- the European Police College ([CEPOL](#));
- the European Foundation for the improvement of living and working conditions (EUROFOUND);
- the European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice ([eu-LISA](#)).

**BUDGETARY IMPLICATIONS:** the proposal does not have any direct implication for the EU budget. The Agency will develop projects within the areas of its Multiannual Framework and within the human and financial resources in the Agency's annual budget as adopted by the budgetary authority. This will be detailed in the Agency's programming documents.

## Multiannual framework for the European Union Agency for Fundamental Rights for 2018-2022

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**PURPOSE:** to establish a Multiannual Framework for the European Union Agency for Fundamental Rights for 2018-2022.

**PROPOSED ACT:** Council Decision.

**ROLE OF THE EUROPEAN PARLIAMENT:** Council may adopt the act only if Parliament has given its consent to the act.

**BACKGROUND:** in order for the European Union Agency for Fundamental Rights to carry out its tasks properly, a Multiannual Framework is to be adopted by the Council every five years, determining the thematic areas of the Agency's activity in accordance with [Council Regulation \(EC\) No 168/2007](#).

The first Multiannual Framework was established by [Council Decision 2008/203/EC](#). The second Multiannual Framework was established by [Council Decision 252/2013/EU](#).

The Multiannual Framework should be conducted only within the scope of Union law and should be in line with the Unions priorities, taking due account of the orientations resulting from the European Parliament resolutions and Council conclusions in the field of fundamental rights.

**CONTENT:** the draft Council Decision seeks to establish a Multiannual Framework for the European Union Agency for Fundamental Rights for the period 2018-2022. The current Multiannual Framework (2013-2017) expires at the end of 2017.

**Proposed themes:** the thematic areas shall be the following:

- victims of crime and access to justice;
- equality and discrimination based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion

or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation, or on the grounds of nationality;

- information society and, in particular, respect for private life and protection of personal data;
- judicial cooperation, except in criminal matters;
- migration, borders, asylum and integration of refugees and migrants;
- racism, xenophobia and related intolerance;
- rights of the child;
- integration and social inclusion of Roma.

Complementarity and cooperation with other bodies: the proposal contains provisions for the purpose of ensuring complementarity with the remit of other Union bodies, offices and agencies, as well as with the Council of Europe and other international organisations active in the field of fundamental rights

The most relevant Union bodies, offices and agencies in relation to this Multiannual Framework are:

- the European Asylum Support Office ([EASO](#));
- the European Border and Coast Guards Agency ([Frontex](#));
- the [European Migration Network](#);
- the European Institute for Gender Equality ([EIGE](#));
- the European Data Protection Supervisor ([EDPS](#));
- the European Union Agency for Network and Information Security ([ENISA](#));
- [Eurojust](#);
- the European Police Office ([Europol](#));
- the European Union Agency for Law Enforcement Training ([CEPOL](#));
- the European Foundation for the improvement of living and working conditions ([Eurofound](#));
- the European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice ([eu-LISA](#)).

The Agency, upon a request from the European Parliament, the Council or the Commission, and as long as its financial and human resources so permit, can work outside the thematic areas determined in the Multiannual Framework.

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## Multiannual framework for the European Union Agency for Fundamental Rights for 2018-2022

The Committee on Civil Liberties, Justice and Home Affairs adopted, following a special legislative procedure (Parliaments consultation), the report by Angelika MLINAR (ADLE, AT) on the draft Council decision establishing a Multiannual Framework for the European Union Agency for Fundamental Rights for 2018-2022.

The committee recommended the European Parliament to give its consent to the draft Council Decision.

In the explanatory statement accompanying the draft resolution, emphasis is placed on the need to strengthen Roma integration and social inclusion and to combat anti-Gypsyism and racism directed towards Roma).

In general, the lack of agreement in the Council as regards the inclusion of the thematic areas of police cooperation and judicial cooperation in criminal matters in the new Multiannual Framework (MAF) is deeply regrettable according to Members.

Including the area of police and judicial cooperation in the MAF would allow the Agency to provide comprehensive analysis on its own initiative in areas that are of obvious relevance to fundamental rights.

Given that one of the fundamental aspects of the work of the agency is to provide advice relating to the respect of the fundamental right in the domain of the Union law, the committee recommended that Parliament give its consent if both Commission and Council state their engagement to carefully consider to amend Regulation (EC) No 168/2007 establishing a European Union Agency for Fundamental Rights in order to:

- replace the reference to European Community with a reference to European Union (in line with the Lisbon Treaty);
- extend the scope of the FRAs competence to include also the ex-third pillar matters (police cooperation);
- improve procedures for the governance and the functioning of the Agency.

The Council and the Commission have been invited to annex a declaration in this regard to the Council decision.

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## Multiannual framework for the European Union Agency for Fundamental Rights for 2018-2022

The European Parliament adopted by 540 votes to 77, with 23 abstentions, following a special legislative procedure (Parliaments consultation), a legislative resolution on the draft Council decision establishing a Multiannual Framework for the European Union Agency for Fundamental Rights for 2018-2022.

Parliament gave its consent to the draft Council Decision.

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## Multiannual framework for the European Union Agency for Fundamental Rights for 2018-2022

PURPOSE: to establish a Multiannual Framework for the European Union Agency for Fundamental Rights for 2018-2022.

LEGISLATIVE ACT: Council Decision (EU) 2017/2269 establishing a Multiannual Framework for the European Union Agency for Fundamental Rights for 2018-2022.

CONTENT: this decision establishes the Multiannual Framework for the Agency for Fundamental Rights for the years 2018-2022.

To enable the Agency to perform its tasks properly, a multiannual framework has to be adopted by the Council every five years. The first multiannual framework was established by [Council Decision No 2008/203/EC](#). The second multiannual framework was established by [Council Decision No 252/2013/EU](#).

The new framework sets out the following thematic areas that will be the focus of the Agency's actions:

- victims of crime and access to justice;
- 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;
- information society and, in particular, respect for private life and protection of personal data;
- judicial cooperation, except in criminal matters;
- immigration and integration of migrants, visa and border control and asylum;
- racism, xenophobia and related intolerance;
- rights of the child;
- Roma integration and social inclusion.

In order to implement the multiannual framework, the Agency will ensure appropriate cooperation and coordination with the relevant EU institutions, bodies and agencies, the Member States, the Council of Europe and other international organisations involved in the field of fundamental rights, as well as civil society. The most relevant EU bodies and bodies for the purposes of the multiannual framework are listed in this Decision.

ENTRY INTO FORCE: 29.12.2017.

APPLICATION: from 1.1.2018.