

**ANNUAL ACTIVITY  
REPORT 2018**



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

**2018**



**FRA**

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# Executive summary

The *Consolidated Annual Activity Report (CAAR) 2018* provides an overview of the activities and achievements of the European Union Agency for Fundamental Rights (FRA) in that year. It follows the guidelines established by the European Commission.

## Key conclusions

### Publications

In 2018, FRA focused on various fundamental rights challenges in the EU and produced a high number of publications in English and other EU languages that contribute and feed into the work of different EU bodies.

FRA published its research findings in an accessible and user-friendly way that included handbooks, reports, summaries, conference papers, checklists and online publications. The publications were made available to its stakeholders who used them extensively. The agency distributed in total 96 829 print publications, that is a 21 % increase on 2017, through the EU's main portal. It is fair to say that the demand was healthy as FRA topped the 2018 ranking in terms of publication orders at the Publications Office of the European Union.

The 2018 edition of the *Handbook on European data protection law* was launched on 25 May 2018, to coincide with the entry into force of the EU's new General Data Protection Regulation. The handbook covers both data protection reforms that took place in the EU and the Council of Europe. It was widely referred to in the media, along with other new FRA publications such as *Being Black in the EU* and the reports on severe labour exploitation of migrant workers and on child poverty.

FRA launched its report *Being Black in the EU*, on racial discrimination and racist crime against people of African descent, at the European Parliament (EP), hosted by the EP's Anti-Racism and Diversity Intergroup. FRA published its report *Combating child poverty: an issue of fundamental rights*, which summarises the results of a legal and data analysis of child poverty. The agency produced a focus paper on migrant women exploited in domestic work as the first in a series that captures the views and experiences of victims of labour exploitation. The second publication from this series, *Protecting migrant workers from exploitation in the EU: boosting workplace inspections*, was published in September.

At the Fundamental Rights Forum, FRA launched its communication toolkit *10 keys to effectively communicating human rights*. It presents good practices for

taking the voices of human rights to the widest possible audience and to have those voices heard. It was an important milestone in the process of setting up FRA's programme for communicating human rights. The statement of the Chair of the Fundamental Rights Forum commits FRA to implementing the *10 keys to effectively communicating human rights* in FRA's own work.

The Fundamental Rights Report continues to feed into the related work of the three main EU institutions. In the *Fundamental Rights Report 2018* published in June, FRA's focus was on rights-based approaches to ageing. It explores the slow but inexorable shift from thinking about old age in terms of 'deficits' that create 'needs' towards one that respects the fundamental right to equal treatment of all individuals, regardless of age.

### Opinions and evidence-based advice

FRA continued to inform the EU institutions' legislative work in 2018, by providing assistance as well as evidence-based advice to the EU institutions and Member States.

The agency was invited by the EP to present its report *A persisting concern: anti-Gypsyism as a barrier to Roma inclusion* at the European Parliament. It was a follow-up to the EP's resolution of 25 October 2017 on the fundamental rights aspects of Roma integration in the EU. The report provided evidence on how anti-Gypsyism in the form of discrimination and hate crimes acts as a key structural driver for Roma exclusion.

In the field of information technology (IT) systems and biometrics, FRA submitted three legal opinions to the EP, as requested by the latter. The opinions were on the Visa Information System, security features in identity cards and residence permits, and on the European border and coast guards.

Additionally, FRA provided two opinions based on two different requests from the European Parliament on interoperability and fundamental rights implications, which aim to inform the European Parliament's position on legislative proposals on interoperability between EU IT systems.

FRA submitted an opinion on the legislative proposal for a recast Directive on common standards and procedures in Member States for returning illegally staying third-country nationals (Return Directive).

The agency was requested by the Constitutional Affairs Committee of the European Parliament to adopt an opinion on the application of the Charter of Fundamental Rights in the EU agencies.

In addition to FRA's two opinions on the interoperability of IT systems, six of the seven legal opinions FRA issued in 2018 related to migration.

FRA continued to provide evidence-based advice at EU-level meetings to the European Parliament and Commission on implementing the EU Victims' Rights Directive and the directives on trafficking and sexual abuse. At Member-State level, evidence-based advice relating to child-friendly justice was provided at conferences in the area of justice in Germany and Croatia.

## Expert meetings and presentations

The agency continued to take part in various expert group meetings organised by the European Commission and Member States, prioritising meetings on combatting migrant smuggling, returns and children in migration. In some of these meetings, FRA was the only independent fundamental rights actor and thus played a critical role in flagging possible negative implications of suggested courses of action.

FRA's cooperation with the Council of Europe continued across many areas of work. FRA's director addressed the Committee of Ministers of the Council of Europe on 17 October for the first time, with a speech marking the 10th anniversary of the agreement on cooperation between the Council and the agency.

FRA presented reports on several thematic areas in different fora. Findings from *Combating child poverty: an issue of fundamental rights* were presented to the European Committee of Social Rights and the European Parliament. The *Fundamental Rights Report 2018* was presented at the Council Working Party, and 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 first experts' meeting to define the scope and features of a future handbook on European law relating to cybercrime and fundamental rights was jointly organised by FRA and the Council of Europe in Bucharest.

The agency presented key fundamental rights considerations related to the legislative proposals on e-evidence to the European Parliament's LIBE Committee.

FRA's report *Challenges facing civil society organisations working on human rights in the EU* was presented at a joint meeting of the two Council working groups at the Council of Europe's Conference of international non-governmental organisations (INGOs), and at a European Parliament hearing related to its resolution on the establishment of a European Union instrument for

European values. The report was presented to the Organisation for Security and Co-operation (OSCE) Human Dimension Committee in February and the EU ambassadors to the United Nations (UN) in Geneva.

At the meeting of the EU Council's Working Party on the 2030 Agenda for Sustainable Development, FRA gave a presentation on the fundamental rights dimensions of the sustainable development goals (SDGs) in the European Union.

FRA continued its role as the secretariat of the EU Convention on the Rights of Persons with Disabilities (CRPD) framework. The EU framework had its second regular meeting with the focal point for the CRPD at EU level, the European Commission. The meeting was an opportunity to continue a structured and systematic exchange of information about forthcoming activities and events.

In 2018, FRA engaged with a range of actors, in particular those who are on the front line such as service providers and local policymakers, through a series of in-country meetings. The agency organised in-country meetings in each of the five fieldwork countries, namely Bulgaria, Ireland, Italy, Slovakia and Finland, on the deinstitutionalisation of persons with disabilities.

At the invitation of the European Commission and the Greek authorities, FRA participated in the joint Annual Review Meeting 2017 for all Greek programmes supported by the European Structural and Investment Funds (ESIF) in Athens. As in similar meetings in a number of other countries, the agency's participation served to raise awareness of the charter and its normative scope, as well as its relevance and applicability in the framework of implementing ESIF programmes and projects.

The Austrian Presidency of the Council of the EU continued the institutional practice of inviting the agency's director to participate in the informal meeting of Justice and Home Affairs ministers, in which migration, border management and asylum issues were discussed. Furthermore, FRA attended the first meeting of the Standing Committee on Operational Cooperation on Internal Security under the Austrian Presidency.

FRA held the 21st meeting of its National Liaison Officers that provided an opportunity to share information on ongoing FRA projects and exchange views on EU and national developments, as well as FRA's cooperation with current and upcoming EU presidencies.

The agency continued its presence at international level. The agency took part in the seventh meeting of the UN Inter-agency and Expert Group on SDG indicators. The director spoke at the 62nd meeting of the UN Commission





on the Status of Women where he was part of a high-level panel on accelerating the implementation of the Beijing Declaration and Platform for Action. FRA participated in the consultation meeting organised by the World Bank and United Nations Development Programme concerning the proposed lesbian, gay, bisexual, trans and intersex (LGBTI) inclusion index. The FRA's director gave the keynote speech at the opening of the 2018 OSCE Human Dimension Implementation Meeting.

## Training and capacity building

FRA delivered training on fundamental rights in the field of returns for future Schengen evaluators, as part of a regular training event organised by the European Commission and the European Border and Coast Guard Agency (Frontex).

FRA reviewed several draft tools and training materials as part of the cooperation with the European Asylum Support Office (EASO) and Frontex on child-friendly interviewing techniques, indicators for the reception of unaccompanied children and the protection of children at borders. On child protection, together with the EASO, FRA carried out workshops in five different locations, training newly appointed Reception and Identification Service staff who were assigned the task of coordinating child protection issues in the hotspots. Furthermore, FRA and EASO jointly organised networking training in Athens for key child protection staff working in the Greek reception and identification centres. This was the first-ever event that enabled an exchange of experiences between the Reception and Identification Service child protection staff on the different practices and challenges that they face. FRA provided support to the Italian authorities in the form of training voluntary guardians by sharing its first-hand knowledge about the treatment of unaccompanied children and by distributing its *Handbook on European law relating to the rights of the child*.

The agency gave training on the Charter of Fundamental Rights to the European Judicial Training Network that included 80 judges and prosecutors.

The agency continued working with individual National Human Rights Institutions (NHRIs) to plan joint capacity-building workshops on the Charter of Fundamental Rights in Croatia, Poland and Finland. Finally, FRA contributed to a number of European Network of National Human Rights Institutions (ENNHRI) or Equinet seminars and events, on topics such as ethnic profiling, freedom of movement, Roma integration, the CRPD and social and economic rights.

## Communication and awareness raising

One of the year's key events was the Fundamental Rights Forum 2018 (FRF2018). Over 700 participants at

the forum exchanged views and good practices in different types of events that included working groups, sessions, side meetings, film screenings followed by panel debates, music performances and an art exhibition. Six hashtags structured the communication activities of the forum and FRA explored two new ways of communication. The first was an Ideathon – a 3-day 'learning journey' in which communication artists explored and learned from each other how to evoke emotions when communicating on human rights; and the second was a Virtual Zone – using digital tools to communicate human rights, illustrating how digital tools can contribute to enlivening largely paper-based human rights communication. Both approaches generated new and dynamic options for effectively communicating rights to a broader public.

In terms of publications, FRA disseminated 96 829 print publications, 21 % more than 2017. During 2018, the agency published 201 publications in English and other EU languages. They included reports, papers, handbooks, easy-to-read and online publications, which were widely downloaded from FRA's website. From the top 10 FRA publications, there were 97 259 downloads. Due to the relevance of FRA's findings, publications in the area of privacy, justice and asylum were downloaded the most (see Annex I). They included the *Handbook on European data protection law – 2018 edition*; *Violence against women – an EU-wide survey*; and the *Handbook on European law relating to asylum, borders and immigration*.

FRA maintained its presence on social media platforms with increased numbers of followers on Facebook (50 593), Twitter (40 244) and LinkedIn (12 173).

The agency cooperated with the Vienna-based international human rights film festival 'This Human World'. It co-hosted the opening of the festival, conducted eight film screenings and facilitated a series of panel discussions on a variety of human rights topics. Through this activity, FRA was able to engage in an unconventional way with the audience of the film festival (15 000) and promote fundamental rights and the agency's work.

## Financial management and internal control

In accordance with the terms of its statutory governance, the agency conducts its operations in compliance with the applicable laws and regulations, by working in an open and transparent manner and meeting the high level of professional and ethical standards expected of an EU agency.

To be in line with the newly adopted European Commission internal control framework, FRA in 2018 revised its internal control framework accordingly.

The FRA's new internal control framework moves away from a purely compliance-based system to a principle-based one. This means that its services can be offered with the necessary flexibility to adapt to specific characteristics and circumstances, while ensuring robust internal control based on consistent assessment. This approach helps the organisation to achieve its objectives and sustain its operational and financial performance.

The agency assessed the internal control framework during the reporting year and concluded that the system overall includes all the components of the internal control framework which are present and function together in an integrated manner. Please refer to Part 3 for further details.

In addition, the agency systematically examined the available control results and indicators as well as the observations and recommendations issued by internal auditors and the European Court of Auditors. These elements were assessed to determine their impact on the management team's assurance as regards achievement of its control objectives. Please refer to Part 3 for further details.

In conclusion, the management team is reasonably assured that 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 by delegation, 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, to ensure 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 5-year multiannual 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 tasks in consultation and cooperation with its partners. This allows the agency to do the following.

- 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 reach policy-makers 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 results and to update stakeholders in the EU and in Member States. This allows FRA to create synergies 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 UN and the OSCE;
- governments, national parliaments, civil society organisations, academic institutions, equality bodies and NHRIs.

## The year in brief

### Human resources

Seven years after the previous reorganisation and bearing in mind the findings of the agency's external evaluation, on issues such as relevance, added value, efficiency, effectiveness, utility and impact, the director proposed organisational changes in 2018. These will enhance organisational efficiencies, staff mobility and provide career opportunities for staff in the agency, including for women who are under-represented in managerial positions. These changes also reflect the recommendations of the external evaluation to clearly 'delineate and communicate the roles and responsibilities of staff', to 'continue to be responsive to requests [from stakeholders] ...while not neglecting on-going research projects', and to provide sufficient resources for research requested by EU institutions.

The Management Board recommended inter alia that 'the Director takes the necessary actions to clarify and fine-tune the alignment of roles and responsibilities of staff and departments'. In the past, the agency has signalled to the Management Board how demands from stakeholders for the agency's evidence-based advice have increased steeply and continue to grow.

In order to address these challenges, the director considered that it was necessary to review the agency's internal structure. To this end, and pursuant to his statutory responsibility for all staff matters in the agency, the director proposed the restructuring of the agency's organisational chart to optimise the allocation of human resources in a way that improves the agency's efficiency and effectiveness. The steps towards implementing the organisational changes have already been taken. The new organisational structure consists of six entities, the director's office and five units corresponding to the agency's programme areas. Following this reorganisation, the gender representation in the agency's management team was balanced (i.e. 50 %-50 %). Further details are provided under Part 2 (2.2. Major events).

## **Authorising officers by delegation and sub-delegation**

In line with the reorganisation, the heads of the six new entities delegated authorising officers' roles. Further details are provided under Part 2 (2.2. Major events).

## **Management Board**

In October 2018, the agency welcomed two representatives from the Republic of Serbia to act as observers at FRA Management Board meetings.



# 1

## Achievements of the year



Part 1 describes FRA's achievements in terms of its strategic pillars, objectives and area of activities.

FRA's strategic pillars and objectives are defined in detail in FRA's Strategic Plan that spans the period of 2018–2022.

Its strategic area of activities is divided into nine thematic areas. They have been approved in the 5-year MAF adopted by the Council of the European Union on the proposal of the European Commission, for the period of 2018–2022.

The strategic pillars describe the actions and steps to be taken to achieve the agency's essential objectives to promote and defend fundamental rights across the EU.

### 1.1. Achievements by strategic pillars, objectives and area of activities

#### 1.1.1. Identifying trends: collecting and analysing comparable data and evidence

FRA's objectives for 2018-2022 are to:

- generate comparable, robust and reliable data and evidence to identify trends in the fulfilment of fundamental rights;
- develop and use fundamental rights indicators to benchmark gaps and achievements;
- use analyses of collected data and evidence to generate fundamental rights assessments on the implications of mainstream policies and interventions at EU and national level.

FRA's work on **equality and non-discrimination** activities continued in respect to non-discrimination and equal treatment; social inclusion; Roma integration; and the rights of the child, including in the context of migration. FRA provided data in different areas through its continued work on the European Union Minorities and Discrimination Survey (EU-MIDIS). The **results** were launched at the conference '**Reality bites: Experiences of immigrants and minorities in the EU**' in Brussels. Together with a comprehensive technical report, the data were made available through interactive data visualisation (FRA data explorer). In 2018, the findings were presented at different events and occasions in EU Member States, EU institutions and other international organisations such as the OECD, Council of Europe and the United Nations.

The agency launched its report on **racial discrimination and racist crime against people of African descent** at the European Parliament, hosted by the EP's Anti-Racism and Diversity Intergroup. The launch was followed by a workshop on 'How best to use FRA's survey findings on people of African descent in policy making?' at the European Commission. The report highlights that almost 20 years after the adoption of EU laws forbidding discrimination, people of African descent still face widespread and entrenched prejudice and exclusion. It examines the experiences of nearly 6 000 black people in 12 EU Member States as part of FRA's second EU Minorities and Discrimination Survey (EU-MIDIS II).

The agency released its findings on **Transition from Education to Employment of Young Roma** in nine EU Member States. The report identifies a worrying disconnect in the transition from education to employment, with many young Roma leaving school early (before upper secondary level) and remaining unemployed. This report serves as a follow-up to the 2016 report on Roma where several problematic areas in the social inclusion of young Roma have been identified.



The agency started preparations for the **second wave of the survey on the rights of LGBTI persons** living in the 28 EU Member States, North Macedonia and Serbia. In June 2018, a stakeholder consultation and an expert meeting took place on the topic. The agency is in close consultation with LGBTI civil society organisations, survey experts and European and international organisations working in this thematic area, such as the Council of Europe, the United Nations Development Programme, the World Bank and the OSCE Office for Democratic Institutions and Human Rights (ODIHR). The second wave of the survey will also include intersex respondents and participants younger than 18 years of age. The findings will offer insights and opportunities to identify trends over time, by comparing the results of the 2012 and the 2019 survey. It is planned to conduct the survey in 2019 and publish it in February 2020.

FRA finalised the field research for its project **The right to independent living of persons with disabilities** and launched the related findings at an event in the European Parliament on 4 December. The research identified the drivers and barriers of the deinstitutionalisation process by drawing on the experience and perspective of those involved in the process, from national and local policymakers, to service providers, persons with disabilities and their families. The fieldwork took place in five EU Member States: Bulgaria, Ireland, Italy, Slovakia and Finland. A number of deliverables in different languages were published. They included a main report and summary, three factsheets, national case studies for the five Member States in the research, easy-to-read versions of the national case studies, as well as reports on the project methodology and design. Audio visual material was also produced.

On 29 August, FRA published its **report on the enforcement of freedom of movement and related rights** dealing with the application of the Free Movement Directive (2004/38/EC). The report contains a review of selected case-law at national level and presents an EU-wide, comparative overview of the application of the directive across all 28 EU Member States. In addition to reviewing relevant national court decisions, the report shows that making these rights a reality remains a challenge. This is often due to varying interpretations of certain undefined terms in the Free Movement Directive (2004/38/EC), or because national administrations are not always fully aware of the interpretative guidance provided by the Court of Justice of the EU or by their own domestic courts.

The agency's efforts in relation to the multiannual Roma Programme expanded the evidence base on Roma integration. Member States use this evidence base to design targeted policies and evaluate their impact on work in the area of **integration and social inclusion of Roma**. On 16 November, FRA published its report on

the summary findings and lessons learned from its **Local Engagement for Roma Inclusion** project. This project involved participatory action research in 21 localities across 11 EU Member States from 2014 to 2016 to identify the drivers of and barriers to Roma inclusion at local level. The report identifies key elements that boost the chances of success when engaging with and promoting the active and meaningful participation of Roma communities in local integration projects, and in developing policies and strategies addressing local housing, education, employment, community development and non-discrimination.

The agency carried out background research and national consultations in preparation for the fieldwork for the **Roma and Travellers survey** in six EU Member States: Belgium, Ireland, France, the Netherlands, Sweden and the United Kingdom. As part of this process, significant efforts were made to build trust and engage with local communities to ensure that the survey could be rolled out in these Member States. The survey collects data on core areas of life: employment, education, housing and health, as well as discrimination, hate crime and rights awareness. The fieldwork started in November 2018.

In July 2018, **the Subgroup on Equality Data** set up under the EU High Level Group on Non-discrimination, Equality and Diversity, and facilitated by FRA, finalised a set of 11 guidelines on improving the collection and use of equality data, which the High Level Group endorsed in October.

In the area of **racism, xenophobia and related intolerance**, FRA launched its **anti-Muslim hatred Database** covering the years 2012-2017 on 3 December at an event on tackling intolerance and discrimination against Muslims in Europe, organised by the European Commission. The anti-Muslim hatred Database is an easy-to-use overview of information on significant incidents. It includes case-law and rulings related to hate crime, hate speech and discrimination against Muslims at international, European, national, regional and local level. It contains courts' reasoning, findings and considerations, as well as the key facts of each case.

FRA's **second survey on the perceptions and experiences of antisemitism among Jews in the EU** collected data online from 16 395 persons who self-identify as Jewish (aged 16 or over) in 12 EU Member States: Belgium, Denmark, Germany, Spain, France, Italy, Hungary, the Netherlands, Austria, Poland, Sweden and the United Kingdom. A key part of the preparatory activities in the first part of 2018 involved engagement with Jewish community organisations and experts in the survey countries. FRA placed particular emphasis on encouraging the participation of population segments that were considered under-represented in the earlier

FRA survey – such as young respondents and women. The survey asked respondents about their opinions about trends in antisemitism, their personal experience of anti-Semitic incidents, and the effects of antisemitism on daily life. The findings of the survey were launched at an event organised by the European Commission and the Austrian Presidency of the Council of the European Union, and allow for a comparison of trends over time between the first and second survey.

Commemorating the ‘Kristallnacht’ anniversary of 9 November 1938, FRA published the 14th edition of the report on the availability of **data on antisemitism**. The updated report compiles available data on anti-Semitic incidents collected by international, governmental and non-governmental sources, from 1 January 2007 until 31 December 2017.

Regarding the OSCE, the agency continued its technical cooperation partnership with OSCE/ODIHR to support national authorities in improving their **hate crime recording and data collection**. FRA continues to provide technical advice to the OSCE and its field missions on violence against women and hate crime victimisation surveys. The OSCE has implemented a survey on violence against women, in eight non-EU countries based on the survey methodology developed by FRA. The OSCE completed the data collection for the survey, and organised a series of national seminars to discuss and interpret the draft reports before the launch of the survey results in March–April 2019. With respect to hate crime data collection, FRA gave input to the survey that the OSCE Mission to Skopje conducted on hate crime victimisation in North Macedonia. FRA contributed to the work carried out by ODIHR in Bulgaria, Greece, Italy and Poland to develop the capacity of national authorities to respond effectively to hate crime.

The work of the agency on the **rights of the child** continued in several research activities in the form of data collection and reporting. FRA published two reports on the **minimum age requirements for child participation in judicial proceedings**, on fingerprinting and age assessments in an asylum context. FRA also published maps and tables showing the varying patterns concerning the age requirements for children to acquire rights across the EU. They illustrate inconsistencies, protection gaps and restrictions affecting different age thresholds. The work was presented to the Council of Europe Ad hoc Committee for the Rights of the Child, whose main task is to oversee the implementation of the Council of Europe 2016–2021 Strategy for the Rights of the Child. The agency also provided expert input into a European Parliament draft resolution on Intersex from the rights of the child perspective. The agency published its report on **Combating child poverty: an issue of fundamental rights**, which summarises the results of a legal and data analysis on the issue of child poverty. The report shows

that one in four children under 18 are at risk of poverty or social exclusion across the EU and it suggests ways for strengthening the link between child poverty and fundamental rights.

Fundamental rights with respect to the area of **information society and, in particular, respect for private life and protection of personal data**, continued to be an important aspect of FRA’s work in 2018. FRA published a focus paper dealing with **discrimination in data-supported decision-making**. In that paper, FRA addresses the problem of discrimination that can potentially occur when algorithms are used for decision-making. Furthermore, the publication contributes to current policy developments in new technological developments in the area of big data and artificial intelligence by highlighting one area of fundamental rights that is impacted by these technologies. A second focus paper in the area of **big data and artificial intelligence** that deals with the topic of data quality was prepared and is to be published in 2019.

In May 2018, the agency launched the second edition of its **Handbook on European Data Protection Law**, which presents an update of relevant European Court of Human Rights and Court of Justice of the EU case-law for practitioners working in this area, and – importantly – aligns the content with developments in consideration of the General Data Protection Regulation.

Regarding FRA’s work in the area of **victims of crime and access to justice**, the agency’s expertise with respect to **surveys measuring violence against women** means that the agency has continued to provide technical advice to Eurostat and OSCE. Eurostat is developing a new survey on gender-based violence – which looks at violence against both women and men – and a number of national statistical institutes in the EU are piloting the survey in 2018 and 2019. In 2018, the OSCE’s project to replicate FRA’s violence against women survey in eight non-EU countries started full-scale data collection activities in Albania, North Macedonia, Moldova, Montenegro, Bosnia & Herzegovina, Kosovo, Serbia and Ukraine.

FRA’s **regular overviews of migration-related fundamental rights concerns** continued to cover the 14 EU Member States most affected by the area of **migration, borders, asylum and integration of refugees and migrants**. The six bi-monthly updates that the agency published in February, March, May, July, September and November fed into the restricted Integrated Situation Awareness and Analysis (ISAA reports) that the European Commission prepares together with the European External Action Service to inform Member States and other key actors of developments at the borders. The ISAA reports now regularly cover, for example, the situation of unaccompanied children, a risk group that was

previously neglected. In February, FRA updated an earlier thematic report on how the presence of large numbers of persons in need of international protection affects local communities in terms of housing, education, the local economy and social responses. Although challenges continue, for example, with regard to housing, there have been positive developments, particularly in the increase in and development of support for asylum seekers by civil society organisations.

FRA presented ongoing violations of fundamental rights at the beginning of the year. These include allegations of violations of the principle of non-refoulement at external borders, the conditions in first reception facilities at borders and in immigration detention facilities, as well as the situation of children. One specific challenge during the reporting period concerned the negative rhetoric around civil society organisations deploying rescue vessels in the Central Mediterranean. They were accused of contributing to migrant smuggling and some national authorities initiated criminal procedures against them. To promote more objective discussion on the matter, FRA reviewed the judicial and administrative proceedings initiated against non-governmental organisations (NGOs) in Greece, Italy and Malta. FRA's report on the matter shows that most of the cases ended with an acquittal or were discontinued due to a lack of evidence. The report is available on FRA's website.

Through an integrated and holistic research approach, FRA continued to implement **projects and activities covering all MAF areas** in 2018. FRA prepared the main part of the **data collection for the Fundamental Rights Survey**. As part of the survey implementation, FRA continued its exchanges with national authorities in Finland that are interested in replicating the survey and using the FRA questionnaire to interview people from selected immigrant groups, and people with disabilities. The survey addresses a number of areas where people in Europe may face challenges with respect to their fundamental rights, in terms of personal security and safety, equality and discrimination, rights awareness and the role of technology.

The planning of **FRA's Fundamental Rights Report 2019** started at the Management Board meeting in May. There were two proposals for the focus of the 2019 report, namely: (1) Broadening civil society in the EU: strengthening the foundations of fundamental rights; and (2) Implementing the SDGs in the European Union: a matter of human and fundamental rights. The majority of FRA's Management Board members voted in favour of the implementation of SDGs in the EU, which will be the focus topic of the Fundamental Rights Report 2019. The implementation and drafting of the focus was carried out during the reporting period. FRA's focus in the 2018 Fundamental Rights Report on rights-based

approaches to ageing was published in June. It explores the slow but inexorable shift from thinking about old age in terms of 'deficits' that create 'needs' to one striving to respect the fundamental right to equal treatment of all individuals, regardless of age. In its Council Conclusions on the application of the Charter of Fundamental Rights, the Council welcomed the agency's work on ageing, and took note of FRA's suggestion to EU institutions and Member States to consider using ESIF to enhance reforms, which promote living in dignity and autonomy and promote opportunities to participate for older people.

The global Agenda 2030 with its 17 **SDGs** remains a priority for FRA, particularly the fundamental rights aspects of the goals, such as those on equality (goals 5 and 10) and on strengthening of institutions (goal 16). The agency has explored how to support the EU and EU Member States by providing evidence to monitor progress in reaching the SDGs, especially with regard to the most vulnerable and marginalised, as well as by promoting the collection of disaggregated data and evidence.

### 1.1.2. Contributing to better lawmaking and implementation with independent advice

#### FRA's objectives for 2018-2022 are to:

- strengthen FRA's role as an independent core actor in informing EU law and policymaking;
- provide, on request from EU institutions, opinions on the compatibility of legislative proposals with fundamental rights;
- provide fundamental rights advice to EU Member States when they are implementing EU law drawing on FRA expertise and evidence.

During the reporting period, the EU legislature assigned a new task to FRA. In September 2018, Regulation (EU) 2018/1240 establishing a European Travel Information and Authorisation System (ETIAS) was published in the Official Journal. Article 10 of the regulation provides FRA with a formal role, as a member of the ETIAS Fundamental Rights Guidance Board, and a mechanism to oversee the criteria used to screen applications of visa-free people who wish to come into the EU. In addition to FRA's Founding Regulation, this is the **fifth instrument of secondary EU law assigning a formal role to the agency**.

In the reporting period, FRA finalised an updated version of its **Guide on preventing unlawful profiling**. The 2018 edition of the guide was launched in December 2018 at an event organised by the Austrian Presidency of the Council of the EU. It takes a more comprehensive



approach than the previous version in covering discriminatory profiling on a range of grounds including nationality, age and gender, as well as ethnic origin. It contains reference to the reformed EU data protection rules that apply to law enforcement and border management authorities, and more in-depth analysis of the impacts of algorithmic computer-based profiling.

The agency also provided expert input into a European Parliament draft resolution on The Fundamental Rights of People of African Descent in Europe.

The agency used its fundamental rights expertise to support EU legislative and policy work to promote a more extensive implementation of fundamental rights in EU law in the area of **migration, borders, asylum and integration of refugees and migrants**. FRA's report **Under watchful eyes – biometrics, EU IT-systems and fundamental rights** in March 2018 illustrates how the processing of biometric data impacts on fundamental rights. It describes the risks but also identifies opportunities for better protection, for example in the case of missing or abducted children. The report consolidates FRA's standing as an authoritative voice in the field of databases and fundamental rights in matters of asylum, migration and border management arising from FRA's recent publications and opinions (on Eurodac, the European Criminal Records Information System for third-country nationals and ETIAS).

In this light, in 2018 the European Parliament asked FRA for three opinions relating to IT systems and the processing of biometric data. In April, FRA presented to the relevant rapporteurs and shadow rapporteurs at the EP its Opinion on **interoperability** and fundamental rights implications. FRA's detailed opinion suggests ways to design interoperability in a way that is compatible with fundamental rights and makes suggestions on how to reduce the risk of negative consequences for fundamental rights during its implementation. The Bulgarian Presidency of the Council of the EU requested that the FRA Opinion on interoperability and fundamental rights implications be published on EUR-LEX. The inclusion of FRA's opinions in EUR-LEX ensures their immediate accessibility to all actors involved in the decision-making process.

Upon European Parliament requests, FRA submitted opinions on the **revised Visa Information System** and on **security features in identity cards and residence permits**. The impact of the agency's opinions has been considerable. As an illustration of this, an analysis of the suggestions that FRA made in its 2017 opinion on ETIAS show that about half of the suggestions were fully or partly taken on board by the EU legislature.

In November, the EP requested FRA to prepare an opinion on the revised **European Border and Coast Guards** Regulation. Upon the European Commission's request

in September, FRA published a report on 'How the **Eurosur Regulation** affects fundamental rights'. The report follows the 2017 European Commission request for support in evaluating the impact on fundamental rights of the European Border Surveillance System (Eurosur) Regulation. The European Commission used FRA's analysis in preparing amendments to the European Border and Coast Guards Regulation.

The agency continued to take part in various expert group meetings organised by the European Commission and Member States, for example on **the Return Directive, the implementation of the Sexual Abuse Directive** (as regards the situation of children at borders), and **the Eurosur Regulation** (the EU border surveillance framework). In these meetings, FRA usually was the only fundamental rights actor and thus played a critical role in flagging possible negative implications of suggested courses of action.

The European Integrated Border Management Strategy presented by the European Commission in March described FRA for the first time as an equal partner with other Justice and Home Affairs agencies when it comes to having capacity to deploy experts to migration hotspots.

FRA continued to support **the Schengen evaluation mechanisms** in different ways. FRA accompanied, as an observer, three on-site missions to Latvia, Finland, Estonia and Lithuania. As in past years, the European Commission requested FRA to submit a risk analysis under Article 8 of Regulation 1053/2013 covering fundamental rights issues in the field of border management and return in the Member States. This analysis was discussed in the Schengen Committee in September 2018. In March and November, FRA delivered training on fundamental rights in the field of return for future Schengen evaluators, as part of a regular training event organised by the European Commission and Frontex. FRA's role in Schengen evaluations remains one of the most effective ways to influence how Member States implement the fundamental rights safeguards included in the Schengen acquis.

As part of its cooperation agreements with EASO and Frontex, FRA reviewed several draft tools and training materials, which these agencies produced. Examples include draft EASO guidance on best interests, an update of the EASO training tool on child-friendly interviewing techniques, EASO indicators for the reception of unaccompanied children and a Frontex training manual on the protection of children at borders. In addition, FRA has been in regular contact with the Frontex Fundamental Rights Officer responding to requests for advice. A new development is FRA's **increased engagement in the subject of 'risk analysis'**. Frontex invited FRA to two meetings with Member States to discuss

how to reflect fundamental rights in the methodology analysts use to assess situations and future irregular migration risks at borders. Risk analysis products are used to plan, prioritise and define the focus of operations. The better these reflect fundamental rights concerns, the easier it is to prevent fundamental rights violations in the operations. In the second half of the year, FRA reprioritised its activities to increase its capacity to provide fundamental rights expertise to Frontex, in light of a gap created by the temporary absence of the Frontex Fundamental Rights Officer.

In the field of asylum, FRA conducted field research with experts as well as with asylum seekers and refugees who arrived in 2015 and 2016. The results are expected to inform the implementation of the revised asylum *acquis* and they can feed into the new multiannual financial framework of the EU.

The agency contributed expert input into the work of various Council of Europe bodies, including its Committee of Experts on the Administrative Detention of Migrants and the Steering Committee for Human Rights.

Following completion of the data collection for the agency's project on **severe labour exploitation of foreign workers**, FRA began analysing the findings. The findings showed various pathways into labour exploitation, working conditions, pathways (and barriers) to help and access support, and risk factors that lead to situations of severe labour exploitation as reported by exploited workers. This kind of research-based evidence guides relevant authorities on how to design effective measures to stop labour exploitation. In March, the agency provided expert input into the work of the Bulgarian Presidency on Council Conclusions on Future of Work. The agency presented its evidence on severe labour exploitation as part of a panel discussion on immigration and the European Labour Market at the 11th Europe-Ukraine Forum in Poland. The data collection for the agency's project on severe labour exploitation of non-national workers was completed. In June, the agency produced a focus paper on migrant women exploited in domestic work as the first in a series that captures the views and experiences of victims of labour exploitation. The second publication from this series on *Protecting migrant workers from exploitation in the EU: boosting workplace inspections* was published in September. Evidence from the research will guide authorities, with a responsibility to protect and assist workers, on how to design effective measures to stop labour exploitation.

FRA provided expertise upon request on the area of **integration and social inclusion of Roma** by presenting its report on ***A persisting concern: anti-Gypsyism as a barrier to Roma inclusion*** at the European Parliament. The report has been requested by the European

Parliament, as a follow-up to its Resolution of 25 October 2017 on fundamental rights aspects of Roma integration in the EU. The report provided evidence on how anti-Gypsyism in the form of discrimination and hate crime acts as a key structural driver of Roma exclusion. The Commission requested FRA to re-engage in supporting the reporting process on the measures adopted by EU Member States for implementing their Roma Integration Strategies. FRA has been asked by the Commission to support the improvement of the online tool used for the Commission's annual reporting, to help analyse the information from Member States, and provide technical assistance to Member States to improve their capacity to collect robust data.

FRA provided its expertise on **rights of the child** through the following activities: the agency continued to assist the expert working group preparing the report on the UN Global Study on **children deprived of liberty**. The agency contributed to the EU level expert workshops on the implementation of the **Sexual Abuse Directive with regard to children in migration and children with disabilities**. Furthermore, the agency provided expert input into a European Parliament report on assessing the implementation of the Victim's Directive drawing from its expertise on **children's treatment in judicial proceedings**. In addition, the agency provided expert input into a European Parliament draft resolution on Intersex from the rights of the child perspective

In the area of **victims of crime and access to justice**, FRA completed a mapping exercise of access to remedies in the context of **business and human rights**. This was done at the request of the European Commission, which in turn followed up on FRA's 2017 Opinion on the same topic, as requested by the Council of the EU. FRA's research covers all 28 EU Member States and will be complemented by fieldwork in selected EU Member States, to be conducted and completed in 2019. As in the previous period, the European Commission continued to involve FRA in **discussions related to internal security**.

In May 2018, the High Level Expert Group on Radicalisation concluded its work by adopting a final report. As a member of the High Level Expert Group, FRA sought to support a comprehensive, evidence-based approach to addressing radicalisation, by drawing on its findings on discrimination (particularly data on Muslims' experience of discrimination, sense of belonging and trust in authorities from the surveys), profiling, integration, migration, as well as in the area of information society. FRA continued its involvement in specific legislative and policy files in the field of internal security, including data retention or e-evidence. In 2018, the Commission requested the agency to work in the field of data retention and to provide its fundamental rights expertise on standards applicable to the area of data retention. This work will

continue in 2019. On 27 November 2018, the agency presented key fundamental rights considerations related to legislative proposals on e-evidence to the European Parliament's LIBE Committee. Further to a request of the European Parliament to FRA, in its resolution of 12 December 2018, on Findings and Recommendations of the Special Committee on Terrorism, the agency will begin to examine the challenges in relation to fundamental rights that exist in the field of counter-terrorism policies and to identify best practices within Member States.

In response to a request by the European Commission, FRA continued its work on developing a concept for facilitating access to **EU specific data and information on detention conditions**. This should allow for a harmonised approach to checking and assessing fundamental rights' concerns by judges deciding on transfer cases, and recommendations for solid monitoring. FRA has collected national data on the conditions of detention and is currently working on developing a dedicated website to serve as a one-stop-shop for national judges and other legal professionals on conditions of detention in the EU Member States. The agency worked closely with the Council of Europe in this project. In this context, FRA liaised also with Member States' National Preventive Mechanisms.

In response to a request by the European Commission, the agency undertook fieldwork research into the application in practice of the **rights of suspected and accused persons in criminal proceedings**, in particular their right of access to a lawyer, including in the context of European Arrest Warrant procedure. The research covered eight selected EU Member States, namely Bulgaria, Denmark, Greece, France, the Netherlands, Austria, Poland and Romania. It consisted of interviews with practitioners, such as police officers, judges, prosecutors, defence lawyers and staff from prison administrations, as well as with defendants and persons arrested in the course of European Arrest Warrant proceedings.

The agency concluded its **fieldwork research on justice for victims of violent crime**, the results of which will support the Commission in its assessment of the implementation of the Victims' Rights Directive. The research has a special focus on the situation and rights of women as victims of domestic partner violence, which is of relevance to the Istanbul Convention. In addition, FRA continued to support the work of the special adviser to the European Commission on compensation to victims of crime.

In 2018, the agency continued its work in the area of **information society and, in particular, respect for private life and protection of personal data**. In response to a request from the European Parliament, FRA started work on a **handbook on European law relating to cybercrime and fundamental rights**. This was done

together with the Council of Europe, with the support of the European Court of Human Rights, the European Commission and several other EU agencies, such as Eurojust, Europol and ENISA. The first experts' meeting to define the scope and features of a future handbook was jointly organised by FRA and the Council of Europe, in Bucharest on 15-16 November. FRA started to work on the topic of **artificial intelligence, big data and fundamental rights**. An expert meeting with representatives from academia, businesses, civil society and policymakers was organised to discuss the fundamental rights implications of big data. Background research and mapping activities have begun to inform FRA's upcoming work in this area. The European Commission's Communication of April 2018 on artificial intelligence refers to FRA and underlines that the high level expert group's work on this topic will be based – among others – on the agency's 'assessment of the current challenges faced by producers and users of new technology with respect of fundamental rights compliance'. In 2018, FRA was appointed as a member of this Commission High Level Group on Artificial Intelligence.

As part of **the projects and activities covering all MAF areas**, the agency continued to finalise the **human rights indicators for Article 19 of the CRPD**. Following a request from the European Commission, FRA updated its human rights indicator on the link between deprivation of legal capacity and the right to vote for persons with disabilities. The updated information will be made available before the 2019 European Parliament elections. To maximise outreach and dissemination of the findings of **the right to independent living of persons with disabilities**, FRA developed country fiches. The EU CRPD Framework organised its annual meeting with the national mechanisms to promote, protect and monitor implementation of the CRPD. The meeting focused on political participation and the participation of persons with disabilities in the implementation and monitoring of the convention. At its September meeting, members of the EU Framework discussed updates to the framework's operating provisions, and looked ahead to preparations for the 2019-2020 work programme.

The European Parliament's Committee for Constitutional Affairs is preparing a report on the implementation of the Charter of Fundamental Rights in the EU institutional framework. In this context, the agency was requested to provide expert input by September 2018 in the form of an opinion. The European Parliament asked the agency to provide information and analysis on **the implementation of the charter by the EU Member States through case-law, legislation and policies**, as well as on how the EU could contribute to a better implementation of the charter at national level.

### 1.1.3. Supporting rights-compliant policy responses: providing real-time assistance and expertise

#### FRA's objectives for 2018-2022 are to:

- strengthen the delivery of real-time advice, assistance and expertise to EU institutions and Member States;
- inform EU and national authorities on fundamental rights risks in priority areas;
- support and improve responses to fundamental rights challenges.

Evidence-based advice at EU level was provided at European Parliament and Commission meetings, in the context of implementing the **EU Victims' Rights Directive and the Directives on Trafficking and Sexual Abuse** in the area of **victims of crime and access to justice**. At Member-State level, evidence-based advice relating to child-friendly justice was provided at conferences in the area of justice in Germany and Croatia.

FRA's work in the area of **judicial cooperation, except in criminal matters**, continued in the form of providing advice and expertise to **enhance awareness among judges and prosecutors of the EU Member States** of fundamental rights as enshrined in the Charter of Fundamental Rights of the EU. As a member of the Expert Group on Rule of Law formed by the European Juridical Training Network (EJTN), FRA gave input on fundamental rights in relation to the jurisprudence of the EU Court of Justice on the rule of law. The agency hosted a study visit of 80 judges and prosecutors. Increased cooperation with the EJTN led to an invitation to FRA to join their two working groups on human rights and the rule of law. FRA contributed to the rule of law debate during the reporting period by participating in the consultations in the European Parliament, with the incoming presidency of the Council of the EU, as well as in academic contexts.

In April, FRA joined two fact-finding missions organised by the European Commission focusing on **Roma housing** in the area of **integration and social inclusion of Roma**. The mission in Romania followed-up on a previous fact-finding visit in 2015 and included a closed-doors dialogue with the Romanian authorities to assess conditions regarding measures to improve Roma housing. In September, the mission to Hungary focused on Roma housing as well as on the segregation of Roma in education and the impact of Church-run schools on the process. The results of the mission will inform the dialogue with the Hungarian authorities regarding the ongoing infringement procedure against Hungary. FRA

supported the Commission in its evaluation of the implementation of the 2011 EU Framework for national Roma integration strategies by providing survey data and comments on methodological issues regarding the effectiveness, efficiency and sustainability of Roma-targeted interventions.

FRA continued to build on its strengths in the area of **migration, borders, asylum and integration of refugees and migrants** by providing fundamental rights expertise to EU institutions and agencies as well as Member States. In Greece and Italy, FRA continued to provide **fundamental rights expertise in the implementation of the hotspot approach**. In Greece, FRA became a permanent member of the European Regional Task Force, the operational coordination mechanism for the hotspots between the EU and national actors. In 2018, FRA carried out 18 missions to the Reception and Identification Centres on the Greek islands, visiting for the first time the land border between Greece and Turkey in the Evros region. FRA reported its findings from these missions to the European Commission, the relevant Justice and Home Affairs agencies as well as to the national authorities. Conditions for asylum seekers confined on the islands deteriorated significantly. FRA addressed actors at the level of national administrations involved in the implementation of hotspot management. This was done by organising or contributing to various events, such as on trafficking in human beings, effective monitoring of forced return and readmission operations, and through an awareness-raising session for national and EU actors on the new EU data protection acquis.

In **Italy**, FRA continued to support the Children's Ombudswomen to implement the new provisions on voluntary guardianship. In April, it co-organised a dedicated discussion of the EU Regional Task Force (Catania) on fundamental rights. In June, it visited the hotspot in Pozzallo and other reception facilities focusing on prevention and response to sexual and gender-based violence.

In **Spain**, FRA continued to support the Frontex operation, Indalo. In response to the increased number of arrivals, in the second half of the year, FRA visited southern Spain to identify possible support activities that it could implement in 2019.

FRA continued to share its expertise in **surveying hard-to-reach groups as a member of the United Nations Economic Commission for Europe Task Force on Disaggregated Poverty Measures**. The Task Force was launched in December 2017 and developed guidelines on how to realise the pledge of the 2030 Agenda for Sustainable Development to leave no one behind and to reach the furthest behind first.

### 1.1.4. Effectively promoting rights, values and freedoms

#### FRA's objectives for 2018-2022 are to:

- raise systematic awareness of the need to respect, protect, promote and fulfil fundamental rights in the EU;
- create a safe and inclusive space for dialogue with key actors to respond to pressing human rights challenges, and shape critical agendas;
- ensure smart communications to maximise the effect of FRA outputs.

In 2018, FRA worked to deliver on its objectives through activities that ranged from the organisation of wide-ranging events to the production and dissemination of numerous publications on a variety of themes.

The **FRF2018** delivered on all three objectives set by the agency to effectively promote rights, values and freedoms in the EU. This event – the most ambitious ever organised by the agency – brought together over 700 people to participate in rich and varied discussions and innovative activities. Participants included Members of the European Parliament, European Commission officials, as well as politicians, human rights defenders, rights holders, intergovernmental organisations, civil society groups, faith communities, artists, business leaders and many others. At the Forum, FRA explored two new ways of communication: an 'Ideathon' – a 3-day 'learning journey' in which communication artists explored and learned from each other how to evoke emotions when communicating on human rights, and a 'Virtual Zone' demonstrating how digital tools can enhance the power of communication. Both have generated new options for cooperation in effectively communicating rights to a broader public. Key outputs of the Forum included the [Chair's Statement](#) and the FRA's [10 keys to effectively communicating human rights](#). The statement encapsulates the Forum's calls to action, which could make a tangible difference if policy and decision-makers would commit to follow them.

The '[10 keys to effectively communicating human rights](#)' are good rules of thumb for taking human rights messages to the widest possible audience and to have those messages heard. They are an important milestone in the process of setting up FRA's communicating rights programme. The FRF2018 Chair's Statement commits the agency to implementing the 10 principles in its own work. Ahead of its publication, FRA discussed these 10 keys with academia looking at the neuroscience contribution to communications (University of Bratislava and University of Boston). It presented a toolkit to the media (European Centre for Press and

Media Freedom and the General Editors Network), aimed at exploring how to strengthen data, constructive and immersive journalism. FRA discussed its 10 keys with EU civil society and NGOs working in the migration field, by exploring how to change frames of 'fear' that leave no space for 'dreams' to hope.

The **Fundamental Rights Report** continues to feed prominently into relevant work of the three main EU institutions. FRA's focus in its Fundamental Rights Report 2018 was on rights-based approaches to ageing, and was published in June. It explores the slow but inexorable shift from thinking about old age in terms of 'deficits' that create 'needs' to one striving to respect the fundamental right to equal treatment of all individuals, regardless of age.

The 2018 edition of the **Handbook on European data protection law** (co-authored by FRA, the European Data Protection Supervisor, the Council of Europe and the European Court of Human Rights) was launched on 25 May 2018. This coincided with the entry into force of the EU's new General Data Protection Regulation. The regulation has wide-ranging fundamental rights implications for the area of information society, as well as the respect for private life and protection of personal data. In the first 4 months following its publication, more than 18 000 copies of the English version were downloaded. Other language versions (Bulgarian, Dutch, French, German, Greek, Hungarian, Italian, Polish and Spanish) were finalised afterwards. FRA was invited and contributed to several conferences on the topic. They included a conference organised by the Human Rights, Big Data and Technology Project of the Human Rights Centre of the University of Essex, the ENISA Annual Privacy Forum in Barcelona, the Microsoft Data Science and Law Forum in Brussels, the Amsterdam Privacy Conference, the 40th International Conference of Data Protection and Privacy Commissioners in Brussels and the Internet Governance Forum 2018 in Paris. As a member of the Commission's High Level Expert Group on Artificial Intelligence, the agency attended the group's first meeting in May.

The agency together with the European Court of Human Rights and the Council of Europe, issued an update of its **Handbook on European non-discrimination law**. The first edition of the handbook, published in 2011, was widely disseminated in all official EU languages and indicates over 100 000 downloads to date. The updated version of the handbook, which now also includes social rights and criminal law aspects of discrimination contains examples of relevant case-law and new chapters on multiple discrimination, hate crime and hate speech. The handbook is aimed at lawyers, judges, prosecutors, social workers and people working with national authorities, NGOs and others who may face legal

questions related to discrimination. It seeks to raise awareness and improve knowledge of relevant standards set by the EU and the Council of Europe, particularly through the case-law of the Court of Justice of the EU and the European Court of Human Rights.

**The Handbook on the Rights of the Child and videos raising children's awareness of their rights** were disseminated in Germany, France, Croatia, Austria and Portugal, as well as in Russia and Ukraine through the Council of Europe. Material produced by FRA on child-friendly justice is available through the United Nations Office on Drugs and Crime resource library on educational material in the area of criminal justice.

EU-MIDIS II was launched at the conference **Reality bites: Experiences of immigrants and minorities in the EU** in Brussels at the end of 2017. The event was organised jointly with the Estonian Presidency of the Council of the EU, the European Commission, EEA and Norway Grants and the Secretariat General of the Council. FRA engaged in systematic efforts to communicate the results at national level, engaging with local experts and stakeholders to help them identify key issues. Such national events were organised in Germany, the Netherlands, Austria and Finland in 2018. Member States' experts had the opportunity to discuss the results in the context of the EU High Level Group on combating Racism, Xenophobia and other forms of intolerance, as the results were presented at a dedicated session of this group in December just before the public launch. Furthermore, the survey findings were presented in many other events organised by the European Commission, the Committee of the Regions, OECD or the Council of the Baltic Sea States. They were presented to Equinet, the European Network of People of African Descent and academic research networks. EU-MIDIS II data were used by the OECD 2018 report *Settling in – Indicators of Immigrant Integration*. In 2018, FRA launched its report on **Being Black in the EU**, on racial discrimination and racist crime against People of African descent at the European Parliament, hosted by the EP's Anti-Racism and Diversity Intergroup.

The agency produced a focus paper on **migrant women exploited in domestic work** as the first in a series that captures the views and experiences of victims of labour exploitation. A second publication from this series on severe labour exploitation, entitled **Protecting migrant workers from exploitation in the EU: boosting workplace inspections**, was produced in 2018.

The agency's report on **Combating child poverty: an issue of fundamental rights**, which summarises the results of a legal and data analysis of child poverty, served to inform the discussions around the European Pillar of Social Rights, the European semester and the

new multiannual financial framework of the EU. FRA presented the report in different fora, such as during the director's meeting with the European Committee of Social Rights in October and the Human Rights Week in the European Parliament in November.

FRA published six easy-to-read publications of its reports to make its findings available to people with intellectual disabilities, including:

- **Violence against women** (downloaded over 250 times in the 28 days following publication)
- **Together in the European Union** (downloaded 80 times in the 28 days following publication)
- **Child-friendly justice** (downloaded almost 300 times in the 28 days following publication)
- Three reports on deinstitutionalisation, **From institutions to community living** (downloaded almost 200 times in the 28 days following publication)

The six easy-to-read publications were reviewed by people with intellectual disabilities and include high quality photos and illustrations. Proving the relevance of these publications for the target audience, Lumos, a leading international non-governmental charity promoting an end to the institutionalisation of children worldwide, shared a tweet on the three easy-to-read reports on deinstitutionalisation (164 000 followers).

Overall, **FRA disseminated some 96 829 print publications**, 21 % more than 2017. During 2018, the agency published **201 publications** in English and other EU languages. They included reports, papers, handbooks, easy-to-read and online publications, which were downloaded in large numbers from FRA's website. From the top 10 FRA publications, there were 97 259 downloads. Due to the relevance of FRA's findings, including those of previous years, publications in the area of privacy, justice and asylum accounted for the highest number of downloads (see Annex I), including the reports *Handbook on European data protection law – 2018 edition*, *Violence against women* and *Handbook on European law relating to asylum, borders and immigration*.

FRA maintained its presence on social media platforms with increased numbers of followers on Facebook (50 593), Twitter (40 244) and LinkedIn (12 173).

The FRA director first presented the **Fundamental Rights Report 2018** at the Council Working Party on Fundamental Rights, Citizens' Rights and Free Movement of Persons (FREMP). He also presented its findings and opinions to the European Parliament's LIBE

Committee and then to EU justice ministers during a formal EU Justice and Home Affairs Council meeting in October. 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 2018, as well as of the 2017 European Commission report on the application of the charter. The Commission report reflects FRA's findings on the use of the charter by national courts. The European Parliament's Report on the situation of fundamental rights in 2017 reflects the findings and opinions of the Fundamental Rights Report 2018. The first informal FREMP meeting was convened at the Forum. FREMP invited the FRA director, a LIBE delegation, representatives of civil society and the Council of Europe to a discussion on 'Building confidence in the European Union: Assessing FREMP's role in promoting the respect of fundamental rights'. The meeting aimed to reflect on the functioning, working methods and role of FREMP in delivering on fundamental rights.

When it comes to the **Charter of Fundamental Rights**, FRA has stressed the importance of this unique instrument in a range of contexts, including through speeches by the director. At an Austrian Presidency event in October, co-organised with the European Commission and FRA, the 'national life of the Charter' was explored with a range of stakeholders who actively participated. At this event, FRA launched a new guide addressed to national law and policymakers on how to best use the charter. The handbook on applying the charter nationally is a comprehensive guide on how and when the charter applies. The agency was requested by the Constitutional Affairs Committee of the European Parliament to adopt an Opinion on the application of the Charter of Fundamental Rights in the EU agencies, which was delivered in September 2018. FRA updated and improved its key online charter tool – the Charterpedia. In addition, FRANET was asked to provide updated information on provisions of national constitutional law mirroring provisions of the Charter of Fundamental Rights. FRANET provided EU secondary law and sources of international law that are essentially linked to certain charter provisions.

As part of the FRA's work for the area of **integration and social inclusion of Roma**, the agency's director and experts contributed to a Presidency seminar on **anti-Gypsyism**, a persistent challenge highlighted in a 2018 FRA report. The agency spoke about findings from its research on local level participation and empowerment with Roma communities as a means to address anti-Gypsyism through very practical, local solutions.

The European Commission continued to involve FRA in discussions related to **internal security** as part of the subjects of **migration, borders, asylum and integration**

**of refugees and migrants**. In September, the director attended the Ministerial Conference 'Security and Migration – Promoting Partnership and Resilience' in Vienna, which brought together EU Member States, institutions and agencies with countries from the western Balkans, African countries and international organisations. In July, FRA also attended the first meeting of the Standing Committee on Operational Cooperation on Internal Security under the Austrian Presidency.

FRA continued to communicate for the area of **racism, xenophobia and related intolerance**. FRA launched its **anti-Muslim hatred Database** covering the years 2012-2017 on 3 December at an event on tackling intolerance and discrimination against Muslims in Europe, organised by the European Commission. European Commission First Vice-President Franz Timmermans and DG Justice Commissioner Věra Jourová, together with FRA's director, spoke at the launch event. FRA continues to provide its expertise in the area of **violence against women**. In March 2018, the director spoke at the 62nd meeting of the UN Commission on the Status of Women where he was part of a high-level panel on accelerating the implementation of the Beijing Declaration and Platform for Action. The agency spoke in a number of other side-events, drawing on its survey and research findings, and met with UN Women to discuss collaboration on gender related issues. In the context of the OSCE, the director of FRA gave the key note speech at the opening of the Human Dimension Implementation Meeting – the largest annual human rights and democracy conference – highlighting aspects of EU fundamental rights protection relevant for the whole OSCE region. In addition to **Technical cooperation activities with OSCE/ODIHR** and strengthening the OSCE Secretariat in a variety of fronts, new areas of cooperation were explored with the Transnational Threats Department, the High Commissioner on National Minorities and the Representative on Freedom of the Media. FRA staff contributed to a large number of OSCE events with its findings and opinions in a variety of fields.

Under the activities of **the projects and activities covering all MAF areas**, FRA worked with key human rights actors in numerous platforms. With the **Council of Europe**, FRA's closest cooperation partner among the international organisations, cooperation continues across many areas of work. FRA's director addressed the Committee of Ministers of the Council of Europe for the first time, with a speech marking the 10th anniversary of the agreement on cooperation between the Council and the agency. The exchange of views with representatives of the Council of Europe Member States highlighted aspects of particular interest in this cooperation. The director met with the President of the Parliamentary Assembly of the Council of Europe. In addition, the FRA director had an exchange of views

with the European Committee of Social Rights, exploring possibilities for continued FRA support of the Committee's work. The agency contributed with expert input into the work of various Council of Europe bodies, including its Committee of Experts on Administrative Detention of Migrants and the Steering Committee for Human Rights.

FRA continued its work on linking up with international organisations. With reference to the **United Nations**, the agency has made around 15 submissions to the UN Human Rights Office in the reporting period, in relation to EU Member States being reviewed or in response to calls for input. FRA provided detailed input to the UN human rights team visiting Austria and Italy in relation to migration, and in November FRA's director met with UN High Commissioner Bachelet in Geneva to reinforce their cooperation. Work on the SDGs, and coordination in this regard with the UN Human Rights Office continues.

FRA and the ENNHRI held a workshop on national implementation of the Charter of Fundamental Rights to facilitate and strengthen NHRI's contribution to its implementation. The workshop was followed up by national capacity building workshops in Finland, Poland and Croatia, in cooperation with NHRIs. The workshops took place in the fourth quarter of 2018 and will be rolled out in 2019 in other Member States.

The agency's expertise was used to deliver a set of **webinars to CEPOL's audience of police officers on a series of charter-related matters**. The positive evaluation of the participants demonstrates the practical relevance of FRA's work for law enforcement officials (a further argument for ensuring that FRA's work is used in the area of police cooperation).

At the EU Council's Working Party on the **2030 Agenda for Sustainable Development** meeting in June, FRA gave a presentation on the fundamental rights dimensions of the SDGs in the European Union. FRA presented examples of relevant statistical data and other evidence that it produces, for example on violence against women and discrimination of migrants and minorities. Such data could be used by the EU and its Member States in their reports on progress made in reaching SDGs. The EU Council Working Party on Human Rights (COHOM) held an informal meeting in Vienna prior to the Fundamental Rights Forum where the FRA director spoke about the SDGs and human rights. COHOM delegates participated in the Forum. In the context of the Fundamental Rights Forum, the agency, in partnership with the Danish Institute for Human Rights and the ENNHRI, organised an open session on Leaving no one behind: Partnerships to promote and monitor fundamental rights in the implementation of the 2030 Agenda for Sustainable Development. The agency

spoke on SDGs at the Agenda 2030 Working Party of the Council and at the 11th Budapest Human Rights Forum, organised by the Hungarian Ministry of Foreign Affairs.

The agency cooperated with the Vienna-based international **human rights film festival 'This Human World'**. It co-hosted the opening of the festival, conducted eight film screenings and facilitated a series of panel discussions on a variety of human rights topics. Through this activity, FRA was able to engage in an unconventional way with the audience of the film festival (15 000) and promote fundamental rights and the agency's work. Following a stakeholder meeting on arts and human rights in 2017, FRA engaged with network organisations working on arts, rights and artistic freedom such as Culture Action Europe, Freemuse, and the Arts Rights Justice EU working group. The objective of this engagement was to establish sustainable partnerships and to explore the need for FRA work in this area.

FRA organised a **seminar with leading human rights communicators** and issued a summary report and outline of the next steps. The report outlines the key principles to communicate human rights and values effectively. As an outcome of a high-level side event entitled Beyond jargon: reframing our communication on human rights at the Human Rights Council in Geneva, several international and regional institutions committed to building broader support for human rights in a joint statement. The joint statement was signed by FRA, the United Nations, the Council of Europe, the ENNHRI and the Global Alliance of National Human Rights Institutions. Human rights communicators, from more than 20 different organisations, requested follow-up by engaging in a FRA-managed online 'human rights communicator's network' to share expertise and ideas. FRA initiated an informal network on Facebook for human rights communicators from more than 20 different organisations. The Facebook group provides the technical means to facilitate online communication and exchanges, and to continue the current process of international and regional discussion and cooperation. The group counted 58 communicators from civil society, EU institutions and bodies, as well as national and international human rights bodies.





### 1.1.5. Strengthening cooperation with national and local fundamental rights' actors: working with communities of support

#### FRA's objectives for 2018-2022 are to:

- enhance the relevance and impact of FRA evidence and advice on fundamental rights at national and local level;
- support further the strengthening of the capacity of national and local human rights actors;
- assist national authorities in developing data collection to create evidence-based approaches to rights protection and promotion across Member States.

FRA did additional work in the area of **equality and non-discrimination** by strengthening cooperation with national and local fundamental rights' actors. On the invitation of the European Commission and Greek authorities, FRA participated in the joint **Annual Review Meeting 2017 for all Greek programmes supported by the ESIF** in Athens (December 2017). As in similar meetings in other countries, the agency's participation served to raise awareness of the charter and its normative scope, as well as its relevance and applicability in the framework of implementing ESIF programmes and projects. FRA focused on the deinstitutionalisation of persons with disabilities, children and older people (transition from institutional to community-based services), Roma social inclusion and the right to effective legal remedies. It highlighted the importance of compliance with the charter to avoid an 'irregularity' under ESIF rules which could lead to interruption or suspension of payments, financial corrections or even infringement proceedings. In this context, FRA discussed the need to engage statutory human rights bodies, as well as civil society actors in monitoring ESIF implementation and disbursement procedures.

The High Level Group on Non-Discrimination, Equality and Diversity chaired by the European Commission agreed to set up a **subgroup on equality data to be facilitated by FRA**. The aim of this subgroup is to assist EU Member States (and Norway) in their efforts to improve the collection and use of equality data. The subgroup was formally set up on 28 February 2018 and tasked with developing non-binding guidelines to improve the collection and use of equality data. The Subgroup on Equality Data set up under the EU High Level Group on Non-Discrimination, Equality and Diversity, and facilitated by FRA, finalised a set of 11 guidelines on improving the collection and use of equality data. The guidelines were developed as a response to gaps and challenges identified by the subgroup, such

as lack of a coordinated approach for equality data collection and its use. In October 2018, the High Level Group on Non-Discrimination, Equality and Diversity endorsed this set of guidelines.

In the context of FRA's **fieldwork research on the deinstitutionalisation of persons with disabilities**, the agency organised **in-country meetings** in each of the five fieldwork countries (Bulgaria, Ireland, Italy, Slovakia and Finland) in January and February 2018. Each meeting brought together a range of stakeholders, including national and local policymakers, service providers, national human rights bodies, civil society organisations, persons with disabilities and representatives of academia. The first day meeting consisted of a national peer review of the draft findings of FRA's fieldwork. The following day was devoted to a presentation of the three FRA reports on deinstitutionalisation published in October 2017. The research captured the different perspectives of the wide range of actors involved in the deinstitutionalisation process, giving a comprehensive overview of drivers and barriers of deinstitutionalisation at the national level. Hosting in-country meetings emphasised the added value of organising targeted national meetings linked to specific FRA work. They allowed the engagement of a range of actors, in particular those who are on the front line, such as service providers and local policymakers.

The agency continued to facilitate the activities of the **Subgroup on methodologies for recording and collecting data on hate crime**, which works under the auspices of the EU High Level Group on combating **racism, xenophobia and related intolerance**. The subgroup met on the margins of the High Level group meetings – in June and in October. In June, FRA's new report 'Hate crime recording and data collection practice in the EU', based on the subgroup contributions, was presented. As part of the subgroup's activities, FRA and OSCE/ODIHR held diagnostic workshops with national authorities to identify ways to improve hate crime recording and data collection practices. Five workshops were organised, always at the request of Member States in Estonia (December 2017), Lithuania, Poland and Portugal (March 2018), Slovakia (May 2018), and Hungary (December 2018). In June under the subgroup framework, FRA, together with the Spanish authorities, organised a country visit for 10 subgroup members to learn about the Spanish hate crime framework. Both, the diagnostic workshops and the country visits – with FRA's substantive input – were recognised in the European Commission's proposal on the future of the work of the High Level Group as an effective way to move forward.

FRA continued its work in the area of **judicial cooperation, except in criminal matters** to support a rights-based EU where the values of the EU treaties, including **human rights and the rule of law**, as well as the explicit

**fundamental rights in the EU charter** are upheld. In relation to the rule of law, the agency has maintained its engagement with interventions in various fora, such as the Council of the EU in the context of the annual rule of law dialogue in November 2018. As in the previous annual dialogues in the Council, FRA's director was the keynote speaker and the agency contributed to the preparatory expert seminar in July.

The agency provided an online **annual overview of effective return monitoring** in the Member States as part of the **migration, borders, asylum and integration of refugees and migrants area**. This overview reflects trends on staffing, qualifications of staff and the monitoring of return operations in its various phases. The agency presented its 2017 findings to the return monitoring bodies of the Member States in April 2018 in Vienna at an International Centre for Migration Policy Development (ICMPD) project meeting on Forced Return Monitoring (FREM). The sustainability and stability of continuous monitoring remains a challenge in some Member States, where the monitoring is not anchored to an institution but covered via short-term contracts with external providers. FRA continued strengthening the national monitoring capacities through training and tools via the ICMPD run FREM project.

FRA increased its interactions with national and local fundamental rights actors through **the projects and activities covering all MAF areas**. On 14 December 2017, the Director of the Financial Mechanism Office of the EEA and Norway Grants (FMO) and the FRA director signed an exchange of letters on the implementation of the administrative **cooperation arrangement between the FMO and FRA, under the EEA and Norwegian Financial Mechanism 2014-2021**. The exchange of letters clarifies the scope and objectives of the cooperation, with FRA providing overall strategic support to the Grants on applying European standards on fundamental rights, as well as cooperation at programme level in three agreed beneficiary countries. It outlines the modalities of cooperation and the FMO financial support. Throughout the first half of 2018, **FRA's cooperation with the Grants at operational level** continued. FRA was engaged as an International Partner Organisation in Czechia and in Greece in the programmes dealing with Roma inclusion and empowerment. At project level, FRA was confirmed as a project partner in Bulgaria on a project to support the national statistical institute in data collection on hard-to-reach groups. FRA worked with the programme operator to develop the concept of two pre-defined projects under the Greek Roma programme. FRA was invited to participate as a project partner in a pre-defined project in Romania on integrated housing measures for Roma.

For the **European Union Fundamental Rights Information System**, a third expert meeting was convened in

March 2018, with participants from intergovernmental and civil society organisations, academia and business. The meeting served to provide input on progress at substantive and technical levels and to ensure that key stakeholders remain well informed and involved. The project involved very smooth collaboration with the United Nations, the European Commission, the Council of Europe and other stakeholders, including the key role of the European Commission. Work on developing the tool continued throughout the year.

The agency maintained regular cooperation with **the ENNHRI and equality bodies (Equinet)** on issues of mutual interest, such as communication strategies and activities, EU charter training and promotion. FRA continued its regular exchange of information with **the Network of European Ombudsman and the International Ombudsman Institute**. FRA took part in the annual meeting of ENNHRI, where the agency's director gave a speech. The regular meeting of the heads of ENNHRI, Equinet and FRA took place in late November for strategic planning of cooperation. The agency regularly met individual NHRIs, contributing to specific events (Croatia, Poland, Slovakia and Finland). Following-up on a country visit by the FRA director to Hungary in 2017, the Hungarian NHRI visited the agency to discuss issues of mutual interest. FRA continued working with NHRIs to plan joint capacity-building workshops on the Charter of Fundamental Rights in Croatia, Poland and Finland. Finally, FRA contributed to a number of ENNHRI or Equinet seminars and events, including on ethnic profiling, freedom of movement, Roma integration, the CRPD and social and economic rights.

FRA held the 21st meeting of its **National Liaison Officers** which provided an opportunity to share information on ongoing FRA projects, exchange views on EU and national developments, as well as FRA's cooperation with current and upcoming EU presidencies.

The work in **support of a stronger civil society** continued, not least through FRA's **Fundamental Rights Platform (FRP)**. Increased efforts were made to invite more organisations to register in its database to ensure a better balance geographically as well as regarding types of organisations and themes covered. In the reporting period, the number of organisations increased from 500 to over 700 – with good support from FRA's Management Board members by reaching out to civil society organisations. FRP organisations were consulted on their own experiences on civil society space issues through an online survey. The findings will be used to identify key challenges and needs that the FRP could address. FRA worked on developing the FRP beyond a network for coordination and exchange of information into a 'protective space' for supporting CSOs.



In January, FRA published its report on **Challenges facing civil society organisations working on human rights** in the EU. Subsequently, the report was presented at the Council of Europe's Conference of INGOs, and at a European Parliament hearing related to its resolution on the establishment of a European Union Instrument for European Values. It was discussed at the OSCE Human Dimension Committee in February and presented to the EU Ambassadors to the United Nations in Geneva in May, that was followed by a dedicated side event to the UN Human Rights Council. It was presented at the Global Summit of the Open Government Partnership, at the European Commission's High Level Group on Non-Discrimination, Equality and Diversity, at the Austrian EU Presidency's civil society event, and at a workshop on civil society space in the framework of the Council of Europe's Steering Committee for Human Rights. Finally, the agency's findings were discussed with national stakeholders at meetings in Bulgaria, Ireland, Spain, Poland, Romania and Slovakia.

In November, FRA contributed to **the annual Fundamental Rights Colloquium on 'Democracy in the EU'** with a speech by FRA's director. Based on its work on civic space, FRA submitted a working paper, summarising the outcomes of a consultation with its civil society network, the FRP, which highlighted relevant key recommendations from the FRF2018. FRA's research on civic space informed policy discussions in other contexts, notably in the EU Parliament and European Commission, inter alia in relation to the new Justice, Rights and Values Programme.

FRA's director delivered **a keynote speech at the EU NGO Forum** in Brussels in November. This annual conference brought together around 200 human rights defenders from around the globe, and was organised by the European External Action Service, in conjunction with the NGO umbrella Human Rights and Democracy Network.

FRA has stepped up its cooperation with cities by engaging with a group of European **'human rights cities'**. On 23-24 May, FRA organised a meeting on human rights cities, in close cooperation with the City of Vienna. The meeting served to assess the need for a European Platform of human rights cities, discuss the potential involvement of the agency and contribute to a FRA working paper on the *Benefits on mainstreaming human rights in local policies: the business case of human rights city*. The latter was released just before the Fundamental Rights Forum so that it contributed to relevant discussions there. FRA continued to engage with cities and local-level partners by contributing to a range of events. In January, FRA presented its findings on migrant integration at an event organised by DG REGIO and DG Home on *Scoping the urban agenda* in the context of migrant integration.

FRA discussed the results at the Annual Dialogue on fundamental rights with the EU Committee of the Regions.

The agency reached out to relevant stakeholders to support the definition and monitoring of fundamental rights relevant **SDGs** in the EU. In view of the Voluntary National Review on the implementation of the SDGs by 10 EU Member States in 2018, the agency contacted its National Liaison Officers to inform National SDG Coordinators and National Statistical Offices about the availability of relevant data of FRA surveys and studies that could be used for their reporting. At the Global Festival of Action in Bonn on 23-24 March, the agency together with five other EU bodies organised a session on from policy to practice: Framing communication of the SDGs in the European Union. The session was the only one of the festival to link SDG discourse with human rights.

## 1.2. 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 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, units, 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 put into practice.

In 2018, the agency continued the use of the practices adopted in the last years in reducing the costs linked to the general building maintenance costs.

Furthermore, staff continued to use videoconferencing, when meetings could be addressed in this way, hence avoiding mission costs. In 2018, the number of videoconferences was at the same level as 2017.



# 2

## Management



Assurance is an objective examination of evidence to provide an assessment of the effectiveness of risk management, control and governance processes.

This examination is carried out by management, which monitors the functioning of the internal control systems on a continuous basis, and by internal and external auditors. Its results are explicitly documented and reported to the director. The reports produced are:

- 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's assurance on the achievement of the internal control objectives. They include 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 financial and human resources, 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. This annex presents the risks that the management team considers relevant to the implementation of the Programming Document. It also presents the corresponding preventative mitigating actions.

In 2018, no significant risks materialised that would have required a Management Board decision.

## 2.2. Major events

### Restructuring

In November 2018, a new organisational structure was introduced, to enhance mutual support and further strengthen outputs. One additional operational unit has been established to strengthen inter-departmental cooperation on projects and enhance capacity for real-time responses without endangering multiannual research.

The new structure of the agency consists of five units (renaming 'departments' and instead applying the term commonly used in EU institutions and bodies):

- Unit 1. Corporate Services;
- Unit 2. Technical Assistance and Capacity Building;
- Unit 3. Research and Data;
- Unit 4. Communication and Events;
- Unit 5. Institutional Cooperation and Networks.

Two new advisers – under the direct supervision of the director – have been recruited to contribute to the operational excellence of the agency. Also, the director's office contains fewer staff members within the new structure.

The salient element of the reorganisation is that it addresses the European Parliament's comment on the gender balance in management positions. The percentage of women in these positions increased from 20 % to 50 %.

### Authorising officers by delegation and subdelegation

Following the reorganisation mentioned above, the newly appointed heads of unit delegated authorising officers' roles for the maximum amount of EUR 170 000. Consequently, the delegations of the previous authorising officers by delegation who moved to a new role in the agency and are no longer heads of unit were revoked. In addition, the maximum amount for the existing authorising officer by subdelegation was also increased to EUR 170 000.

## 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

Parliament, Council and Commission, as well as the Court of Justice, the ECA, the IAS, the European Anti-Fraud Office (OLAF) and the European Ombudsman.

The European Parliament, the Council and the Commission 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 LIBE Committee 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 potential risks and how to respond in order 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. In addition, 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 other effects, the results of evaluations may have an impact on increasing the transparency and accountability of EU expenditure.

Through the CAAR and the *Report on budgetary and financial management*, 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 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 conflicts of interest for its Management Board and Scientific Committee. In addition to the staff regulations, FRA has in place a code of good administrative behaviour for its staff as well as a practical guide on management and prevention of conflicts of interest, 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 external activities, publications and speeches, gifts, missions and relations with interest groups. The agency organises regular training on preventing wrongdoing and applies specific guidelines on whistle-blowing.

It is essential for all staff members to observe ethical principles and standards of integrity and conduct. Adherence to these fundamental values requires continuous awareness raising, guidance and training. To this end, FRA appointed an ethics officer serving as a single point of contact and who ensures that ethics-related policies, procedures and action plans are implemented, monitored and updated in a timely manner.

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 are shared responsibilities 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 whistle-blowers in particular. It applies specific guidelines on whistle-blowing, adopted by FRA's Executive Board (Decision No 2018/03), 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 further increase transparency, FRA has 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 3.39 %.

The implementation rate of C1 payment appropriations under Title III was 30 %. This is in line with FRA's planning for automatic carrying forward, i.e. C8s, as estimated during the first quarter of 2018, and evolved during the financial year. In total, 24 % of the appropriations were automatically carried forward from 2018 to 2019.

It should be noted that most of FRA's operational projects have an implementation period of at least 1 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 2018, one budgetary transfer was submitted to the Management Board for adoption. In addition, the

director authorised nine budgetary transfers. The total amount transferred among titles amounted to EUR 464 090.

The *Report on budgetary and financial management* provides further information.

### Activity-based budgeting

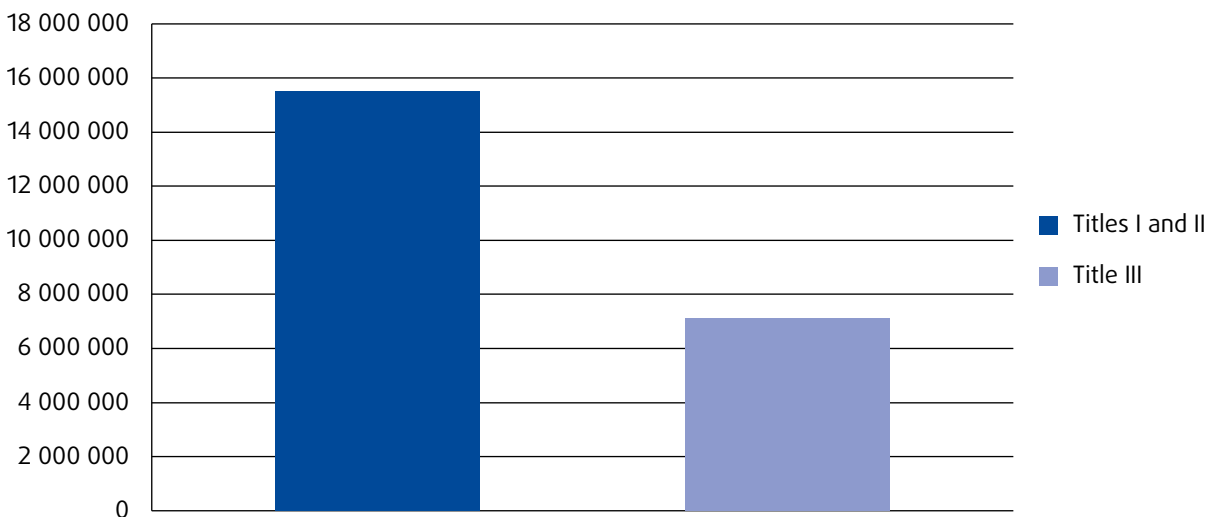
In 2018, FRA executed in commitment appropriations EUR 22 639 000 consisting of C1 and Ro funds under Titles I, II and III. Based on the traditional presentation of budget execution, i.e. Titles I, II, III and IV, EUR 15 521 910 was spent on overheads (Titles I and II), representing 69 % of the overall expenditure. The amount of EUR 7 117 090 was spent on operational expenditure (Title III), representing 31 %, 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:

- 85 % for operational expenditure instead of 31 %;
- 15 % for support expenditure, i.e. overheads, instead of 69 %.

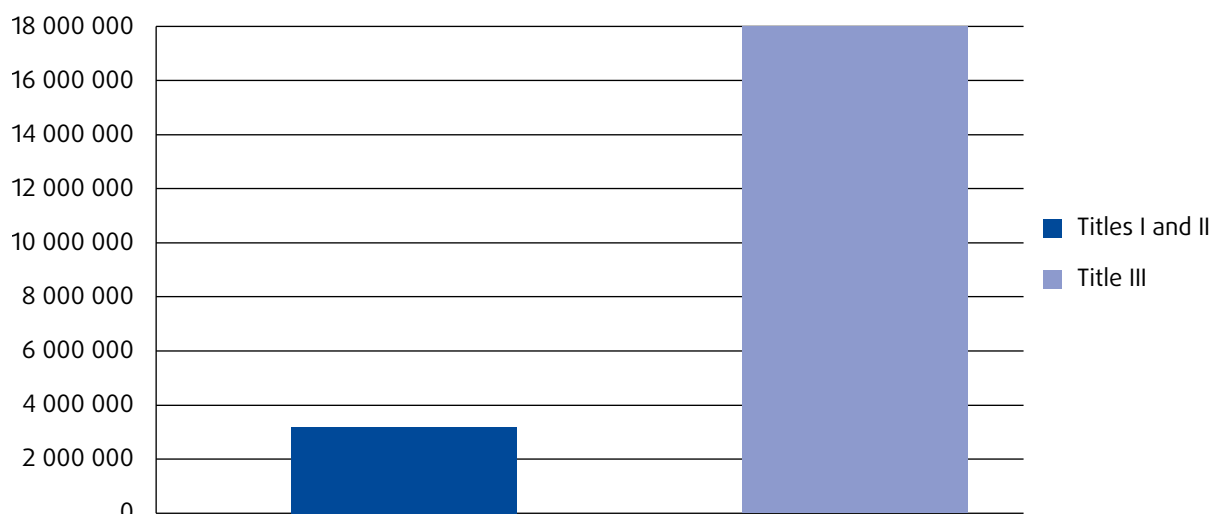
Compared to 2017, the proportion of person days worked in support activities decreased by 2 % in 2018. Further details are provided in Annex V.

Figure 1: Traditional presentation of budget execution (EUR)



Source: FRA, 2018.



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

Source: FRA, 2018.

## 2.5. Human resource management

In 2018, one of the key challenges for human resource management was the preparation and execution of the agency-wide reorganisation. Over half of FRA's workforce was reallocated across five units and five thematic programmes with a view to achieving greater synergies, efficiencies and effectiveness.

The agency is in the first cluster of the European Commission's HR system – SYSPER – that was launched in 2016 to centralise and harmonise the HR information systems.

The building blocks of SYSPER are integrated modules that share common data and functions. Each of these modules supports a specific HR process by delivering paperless functionalities and services to:

- individual staff members,
- their line managers, and
- HR staff members.

It is expected, once the migration of data to SYSPER is complete, to streamline and automate certain management processes, with paperless workflow activities and an electronic validation system. The introduction of SYSPER will contribute to increased efficiency through a better utilisation of human resources.

The legal framework related to fraud prevention and detection as well as compliance with ethical standards

was updated in 2018 through the adoption of the new decision by the Executive Board on the implementation of FRA guidelines on whistle-blowing (Decision No 2018/03). In this context, the Executive Board decided to adopt by analogy the Commission's decision on outside activities and assignments and on occupational activities after leaving the service (Decision No 2018/06).

Furthermore, FRA's Executive Board adopted new implementing rules concerning middle management (Decision No 2018/05) and the function of adviser (Decision No 2018/04).

Finally, a new framework governing missions and authorised travels (Executive Board Decision No 2018/01) was introduced by analogy to the Commission's decision.

The agency undertook the 2018 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 the assurance of the achievement of the internal control objectives. The agency's assurance-building and materiality criteria are outlined in Annex VI. Section B of Annex VI outlines the main risks together with the control processes aimed to mitigate them, and the indicators used to measure the performance of the relevant 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 multiannual character of programmes as well as the nature of the payments concerned. The control objective is to ensure a 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.

In the context of the protection of the EU budget no overall amounts at risk were identified.

#### 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 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 team.

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

In 2018, three exceptions were registered with a value greater than EUR 5 000. Two referred to a-posteriori commitments and one related to an expenditure exceeding the maximum amount of the framework contract.

#### 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 input required to carry out significant controls, as described in Section B of Annex VI, and, insofar as it is possible, estimate their benefits in terms of the amount of errors and irregularities prevented, detected and corrected by these controls.

Overall, in 2018, 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 EUR 8 503 was invested in checking 12 procurement procedures for tenders with a total value of EUR 2 393 000. Thus, 0.36 % of the total estimated contract value was spent on checking and each procurement procedure cost an estimated average of EUR 709.

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 Section B of Annex VI show, a significant proportion of the appropriations would be at risk if these controls were not in place.

The agency assessed the possibility of recording time for operational initiations, operational verifications and authorisations. However, the time dedicated to these controls was found to be insignificant. Therefore, the agency does not keep a record of this information. Finally, 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 2018, the agency performed an *ex post* control exercise. A total of 24 transactions in the context of six requests for service under the FRANET contract (amounting to a total of EUR 284 160) 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 estimated financial exposure is EUR 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 EUR 5 597 was invested in checking 24 financial transactions worth EUR 284 160. Each transaction or procedure checked *ex post* cost an estimated EUR 233.

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

Following the successful implementation of the anti-fraud strategy adopted in December 2014, and the completion of the action plan during 2015 and 2016 at the end of the reporting year, the agency completed the revision of the anti-fraud strategy which was adopted at the Management Board meeting in December 2018, and completed by a specific action plan.

The revision of the anti-fraud strategy took into account the lessons learnt in the implementation of the previous strategy, the latest trends and developments in the legislative framework, and guidance received by OLAF.

The implementation of the internal control systems creates a reinforced overall environment in which fraud is prevented by the integrated application of different measures embedded in the agency processes. Furthermore, the IAS activities and the visits from the Court of Auditors provide an independent assessment on the existing level of assurance.

Aiming to minimise the risk of fraud, the agency continues to raise awareness among staff members and contractors, facilitating detection and prevention of possible fraudulent activities.

The revision took into account the principle of proportionality, according to which the achievement of the strategy should not require disproportionate and excessively expensive inputs and should not jeopardise the operational activities.

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, one recommendation from OLAF related to a case initiated in 2014 remained open and will be addressed in the course of 2019.

### 2.6.4. Conclusion

Based on the most relevant key indicators and control results, the agency has assessed the effectiveness, efficiency and economy of the control system, and reached a positive conclusion on the cost-effectiveness of controls. As a consequence, the control strategy will be maintained.

## 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, 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

In 2018 the IAS issued its final audit report on ethics and governance, assessing 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 (see point 2.9).

### European Court of Auditors

At the time of preparation of the current Annual Activity Report, the agency has not yet received the final

comments from the Court for the 2018 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

The audit report on ethics and governance did not result in the identification of any critical or very important recommendations. The current state of play does not lead to assurance-related concerns.

### ECA

In 2017, the Court had three comments on FRA’s annual accounts report.

ECA’s comments	FRA’s replies
<p>In the course of this year’s audit of all European agencies, we did an analysis of the accounting environments, including the hierarchical position and independence of accounting officers. In the agency, the superior of the accounting officer is the Head of Corporate Services. We see a need to strengthen the accounting officer’s independence by making him directly responsible to the agency’s director (administrative) and governing board (functional).</p>	<p>Following the reorganisation of the agency, which will be finalised by the end of 2018, the position of the accounting officer will be placed under the administrative responsibility of the director, reporting directly to the Management Board (as has always been the case). In order to maintain existing synergies, the accounting officer will continue to work closely with Corporate Services.</p>
<p>In 2017, the agency encountered some difficulties in procuring studies due to unrealistic market estimation. At least three open calls for tenders were unsuccessful because the agency only received offers, with the required quality, which significantly exceeded the defined maximum contract value. The agency finally awarded these contracts through another procedure after having revised the tender specifications. This led to additional administrative expense to the agency and affected the timing of operations.</p>	<p>All of the studies concerned were launched as open calls for tender and so were open to all economic operators. The types of large studies undertaken by the FRA are fairly unique in the EU, given both the subject matter and the need for them to be undertaken across all EU Member States. In addition, the agency has limited available funds for these actions. However, when launching such calls for tender in future, the agency will consider conducting market research; reviewing, if necessary, the technical requirements, and if possible, reassessing the priority of the studies that need to be undertaken. Notwithstanding the above, having more funds available for operational expenditure would considerably ease this problem.</p>
<p>According to their Framework Financial Regulation, agencies should introduce a single solution for the electronic exchange and storage of information with third parties participating in public procurement procedures (e-procurement). As the same requirement exists for all EU institutions, the Commission is developing a comprehensive IT solution covering all phases of public procurement procedures. The Commission launched tools for electronic invoicing in 2010 (e-invoicing), for the electronic publication of documents related to contract notices in the EU Official Journal in 2011 (e-tendering) and for the electronic submission of tenders in 2015 (e-submission). By the end of 2017, the agency had introduced e-invoicing for certain procedures, but not e-tendering and e-submission.</p>	<p>E-tendering and e-submission is compulsory as from 1 January 2019. In 2018, the agency started the process of introducing such systems and these will be available by the stated deadline.</p>



## 2.10. Follow-up of observations from the Discharge Authority

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

implementation of the 2016 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.

### Observations regarding FRA

Observation of DA	FRA's reply and measures	Implementation
Notes that 49.3 % of the agency's temporary agents are female and 50.7 % are male; regrets, however, the significant imbalance in the agency's six senior management positions, with a ratio of one woman to five men; calls on the agency to aim for a more gender-balanced staff composition at the level of senior posts.	<p>FRA pursues a policy of equal opportunity and diversity through a wide range of measures, inter alia the 2013-15 Equality and Diversity Action Programme, where one of the four areas covers gender balance. Examples of measures through which FRA strives to ensure gender balance are as follows.</p> <ul style="list-style-type: none"> <li>• In the vacancy announcement 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 to encourage more applications.</li> <li>• FRA ensures that applicants of both sexes are invited for selection interviews and that a gender-balanced shortlist is drafted whenever possible.</li> <li>• In 2014, FRA ordered an equality and diversity evaluation conducted by an external contractor. In a follow-up to 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.</li> <li>• 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; act as a focal point for staff to turn to on equality and diversity issues; raise awareness on equality and diversity within FRA; and support the implementation of FRA's equality and diversity framework.</li> </ul> <p>The gender imbalance in the FRA management team has decreased following the reorganisation at the end of 2018. The current ratio is 1:2. As for the Management Board, by reaching the proportion of 44.07 % female and 55.93 % male members, the agency exceeded two important targets set by: (i) the European Parliament (*) in Resolution 2011/2244(INI), i.e. a threshold of 40% female membership of governing bodies by 2020, and (ii) 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>	Implemented
Observes that on average the agency's staff was on sick leave for a total of 9.2 days in 2016 and that 97 out of 109 staff took at least 1 day off as sick leave; notes that the agency organised a staff away day and supports other well-being activities; calls on the agency to consult the medical service on how to lower absences from work due to sick leave.	<p>The average sick leave in the agency in 2016 was 8.2 days, and not 9.2 as indicated in the draft discharge report; and in 2017 was 7.47, thus the trend is decreasing; these statistics also include long-term medical leave.</p> <p>The agency has a medical adviser who visits the agency every week. The agency ensures that all employees undertake annual medical check-ups and the medical adviser follows up on those results. Staff also consult the adviser on work-related conditions, and are provided with ergonomic equipment where needed. Occasionally, the agency organises information sessions on well-being matters.</p>	Implemented



Observation of DA	FRA's reply and measures	Implementation
<p>Notes that in December 2016 an internal gap analysis was performed with the aim of providing a detailed assessment of the compliance level of the ICSs; notes with satisfaction that the agency identified a level of implementation close to full compliance and that additional measures were expected to be fully implemented by the end of 2017; calls on the agency to report to the DA on the implementation of those measures.</p>	<p>The agency has implemented the following measures.</p> <p><b>Performance measurement and management supervision</b></p> <p>On the basis of newly introduced programming documents in line with existing requirements, both measurable indicators and targets are identified at the level of multi-annual objectives and as well annual projects and activities. Core business statistics on the achievement of indicators and targets are reported in the Annual Activity Report.</p> <p><b>Document management</b></p> <p>Specific policies and processes are currently in use for the management of records and documents.</p> <p>The combined use of document management system features has allowed a standardisation in the structure of the libraries and has limited the proliferation of documents and versions in an uncontrolled environment.</p> <p>Specific filing plans allowing a clear mapping of the documents and records in use, together with relevant information (e.g. access rights and archiving info), have been developed for all departments and are currently being consolidated.</p> <p><b>Internal communication</b></p> <p>Arrangements are in place to ensure that management and staff are appropriately informed of decisions, projects or initiatives, including those in other departments that concern their work assignments and environment. There are processes in place for the voice of staff to be heard.</p> <p>The internal communication aspects have been revised and consolidated in an action plan for an overall improvement.</p> <p><b>Business continuity plans</b></p> <p>The business continuity plans have been updated.</p> <p><b>Very important:</b> it has to be considered that in 2017 the European Commission adopted a new internal control framework with a revision of the approach and standards.</p> <p>The agency, while continuing the consolidation measures of the existing system, has started to prepare the transition to the new framework.</p> <p>In May 2018 the Management Board has adopted the new framework and the agency is completing the development of a set of indicators for the assessment of effectiveness and efficiency of internal controls. The aim is to be able to make a first assessment at the beginning of 2019.</p>	<p>Implemented</p>

(\*) Resolution of 13 March 2012 on equality between women and men in the European Union –2011 (201112244(INI)).

### 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 [European Parliament resolution of 18 April 2018 on discharge in respect of the implementation of the budget](#)

[of the European Union agencies for the financial year 2016: performance, financial management and control.](#)



# 3

## Assessment of the effectiveness of the internal control systems



FRA has adopted a new internal control framework (ICF). It moves away from a purely compliance-based to a principle-based system, whereby the services provide the necessary flexibility to adapt to their specific characteristics and circumstances while ensuring a robust internal control with a consistent assessment. This approach helps the organisation to achieve its objectives and sustain operational and financial performance.

The agency has put in place the organisational structure and the internal control systems 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 are 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 the internal control framework

FRA has adopted a set of internal control principles, based on the Commission principles, aimed at ensuring the achievement of policy and operational objectives.

FRA conducts various activities with the purpose of assessing the level of implementation and effectiveness of the ICF. The assessment and the consequent prioritising exercise are done on the basis of the following sources: internal assessment, register of exceptions, *ex post* control, risk assessment and audit findings (IAS and ECA).

#### Internal assessment

In December 2018, the agency started an internal assessment on the level of implementation of the new ICF. The new ICF is based on five components and 17 principles. Each principle is further deployed in specific characteristics.

Before assessing the internal control system, the agency has set (where applicable) its own indicators and baselines for each principle, based on those of the Commission and following the description of each characteristic, as best adapted to its specificities and risks. These baselines were a starting point for regular monitoring and specific assessments.

Following the assessment against the established indicators it can be concluded that the system overall includes all the components of the ICF which are present and are functioning together in an integrated manner.

At the level of principles, we can conclude that all principles are present and functioning as intended.

Following the agency's reorganisation improvements, adjustments and corrective actions are being implemented with a prospective completion by the end of 2019.

## Exceptions

In addition to the internal assessment and following the provisions of principle 12, 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 staff's increased 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 2018, based on a specific risk assessment, an exercise was completed on a sample of four requests for service within the FRANET contract involving six countries. The activity did not identify critical issues.

## Conclusion

The agency has assessed its internal control system during the reporting year and has concluded that it is effective and that the components and principles are present and functioning as intended.





# 4

## Management assurance



This part reviews the assessment of the elements reported in Parts II and III, and draws the overall conclusion 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 2016 financial year 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 team 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 as authorising officer, and the Head of Corporate Services, in his capacity as authorising officer by delegation, have signed the declaration of assurance.



# 5

## Declaration of assurance



### Declaration of assurance of the Head of Corporate Services

I, the undersigned,

Head of Corporate Services of the European Union Agency for Fundamental Rights,

in my capacity as person in charge of risk management and internal control,

declare that I have reported my advice and recommendations on the overall state of internal control in the agency to the director.

I hereby certify that the information provided in the present Annual Activity Report and in its annexes is, to the best of my knowledge, accurate and complete.

Vienna, 16 May 2019

Constantinos Manolopoulos

## Declaration of assurance of the director

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;

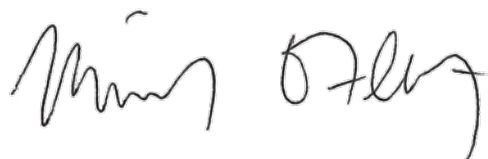
state that I have reasonable assurance that the resources assigned to the activities described in this report have been used for their intended purpose and in accordance with the principles of sound financial management, and that the control procedures put in place give the necessary guarantees concerning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

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

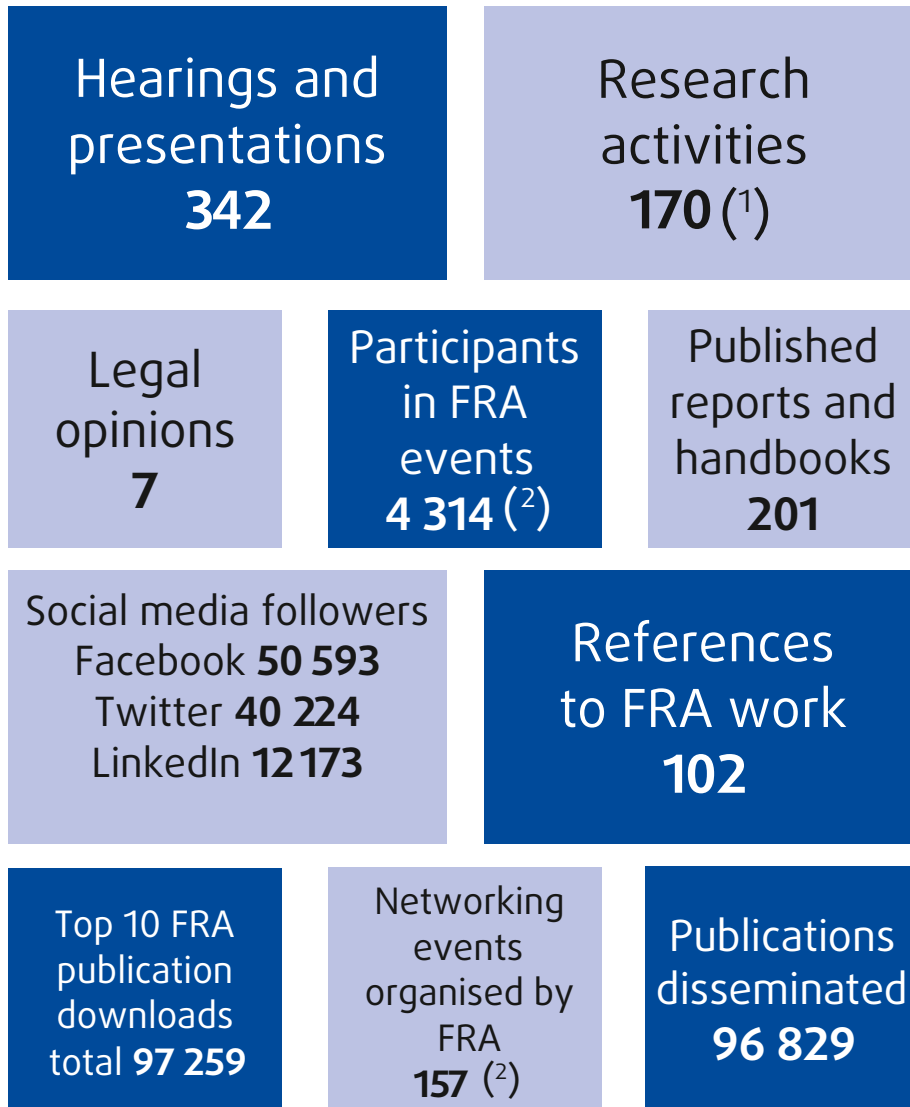
Vienna, 16 May 2019

Michael O'Flaherty



# Annex I: Core business statistics

2018 at a GLANCE



<sup>(1)</sup> Data collection, data analysis, legal analysis, set of indicators, 2-page country summary, research guidelines, research methodologies.

<sup>(2)</sup> Workshop, meeting, conference, event, launch event, expert meeting, stakeholder meeting, group visits.

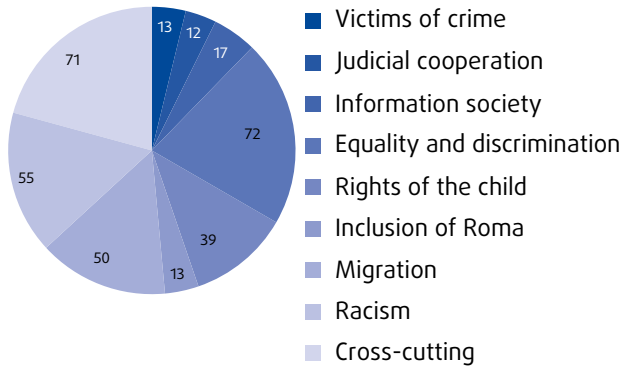
The main activities of FRA can be clustered in the following four groups.

- 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, EU 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 performance of the agency and the impact made, based on the activities undertaken, FRA has established a performance management framework (PMF). The PMF consists of intervention logic and indicators. Below are charts linked to some of the key performance indicators (KPIs) reflecting FRA's performance in 2018.

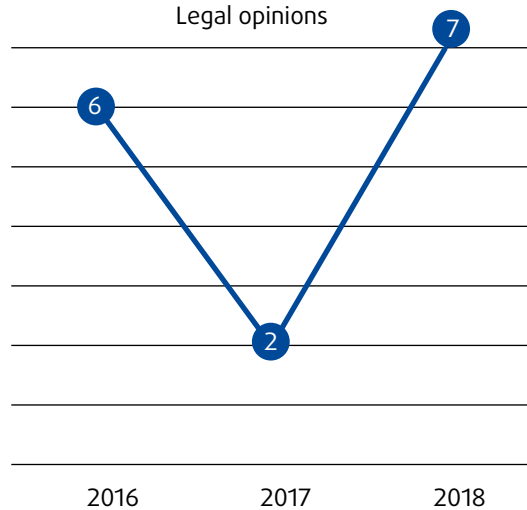
**Providing assistance and expertise to EU institutions and Member States**

**Hearings and presentations**



**Total**  
342

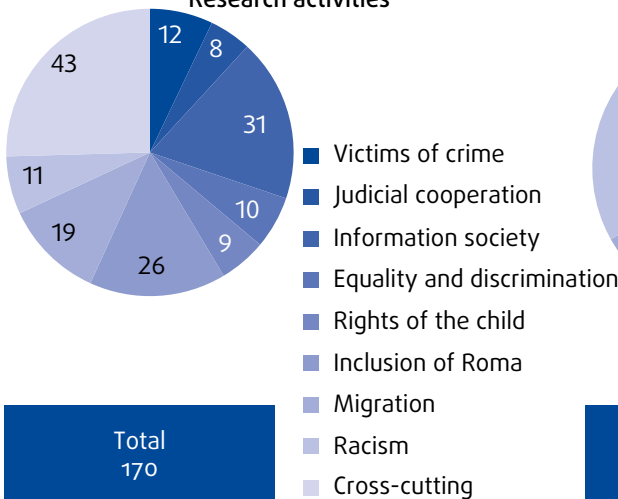
**Legal opinions**



Source: PMF indicators: number of hearings or presentations to institutional stakeholders across levels of governance.

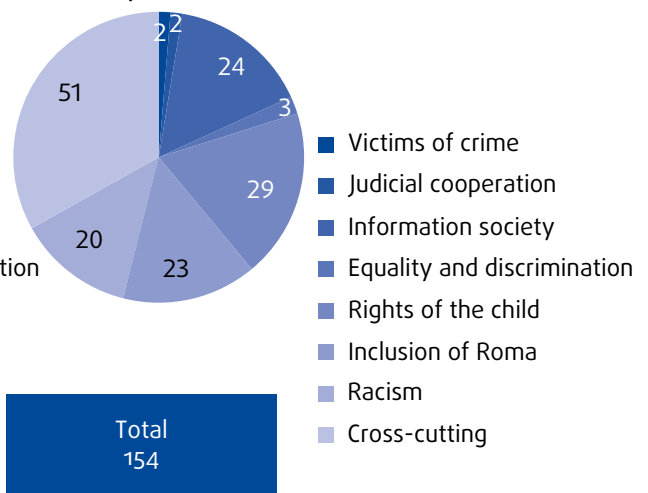
**Developing research analysis and surveys and identifying good practices**

**Research activities**



**Total**  
170

**Good practices identified**

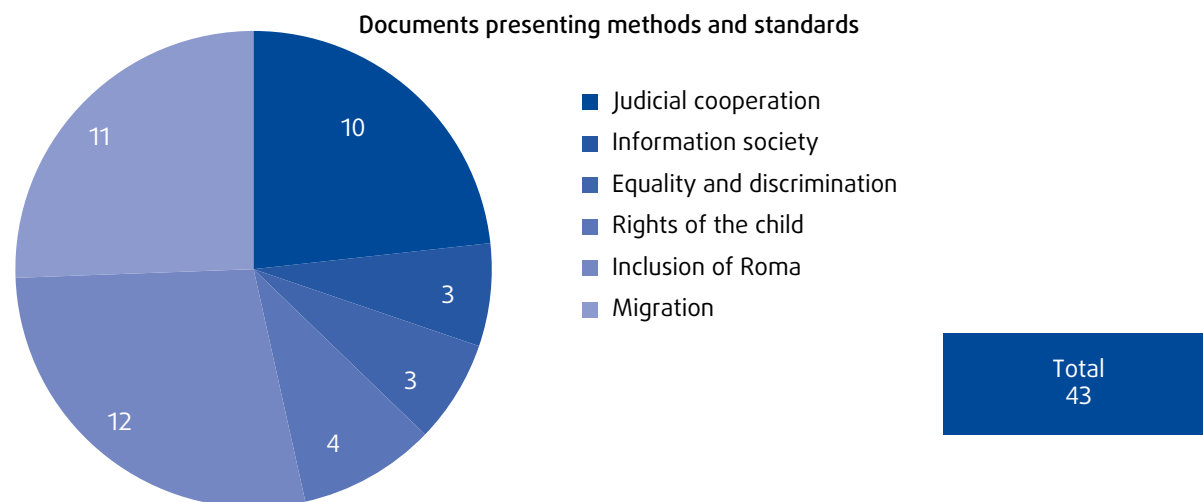


**Total**  
154

Source: PMF indicators: number of research activities and number of good practices identified.

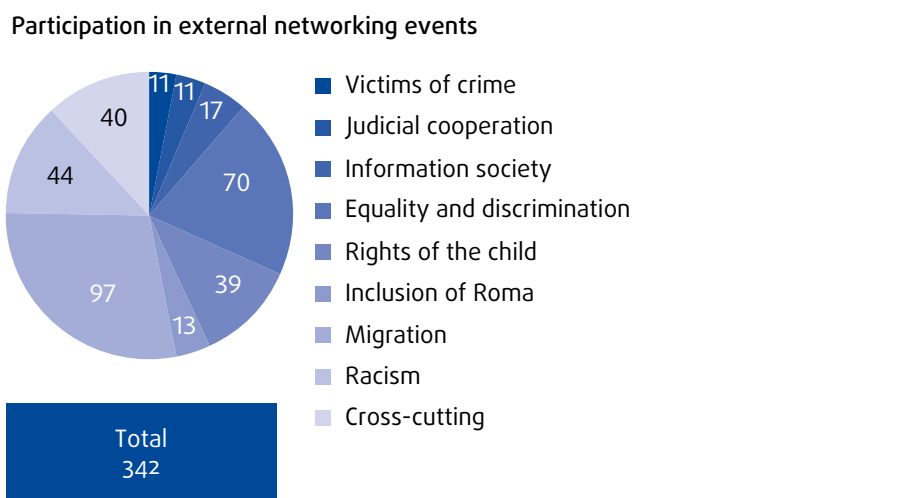
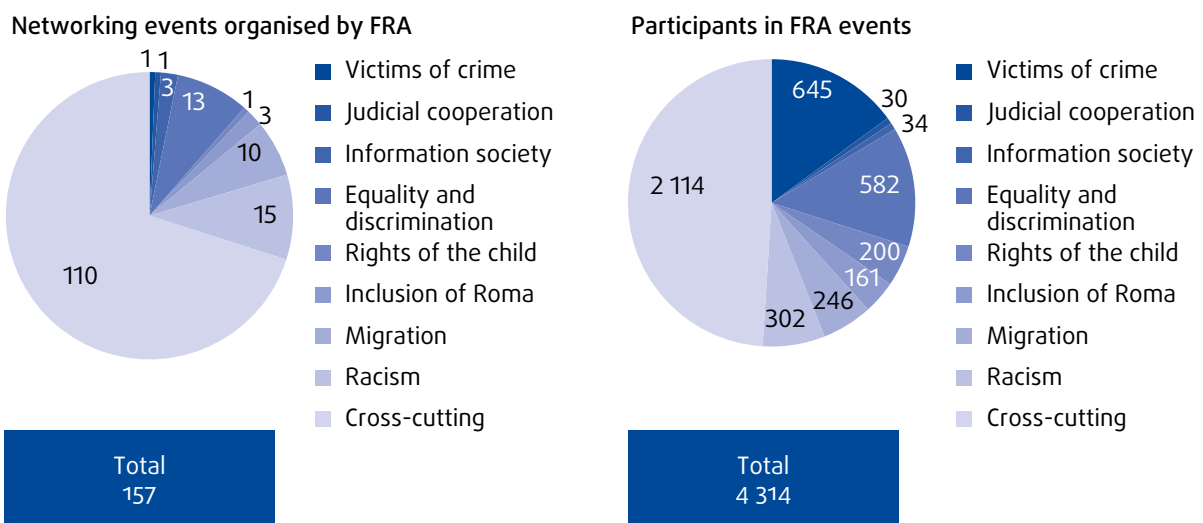


### Developing relevant methods and standards



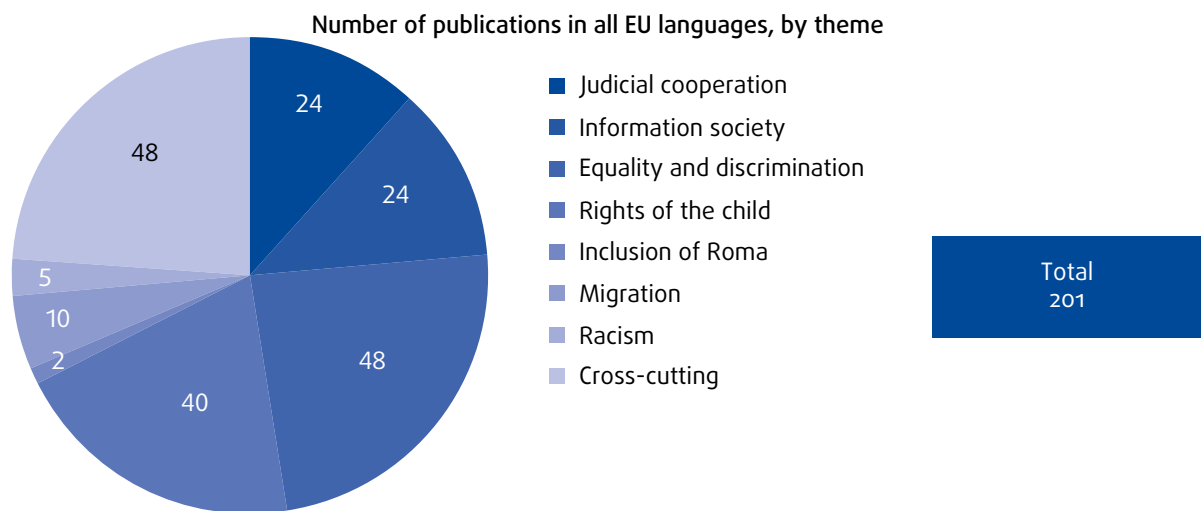
Source: PMF indicators: number of documents produced to present methods and standards.

### Developing effective networks with key partners and agency networks



Source: PMF indicators: number of networking events organised and number of participants in FRA events.

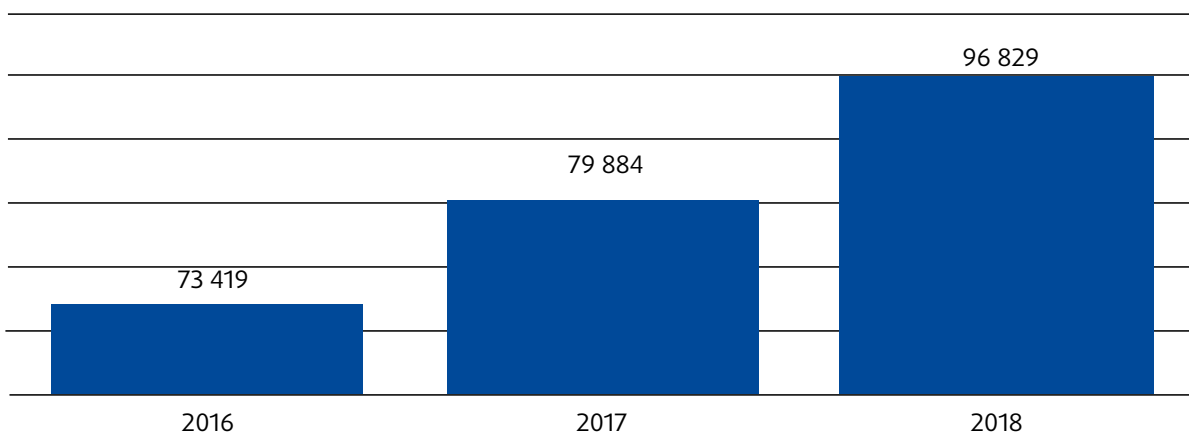
**Publishing thematic reports and handbooks in all official EU languages**



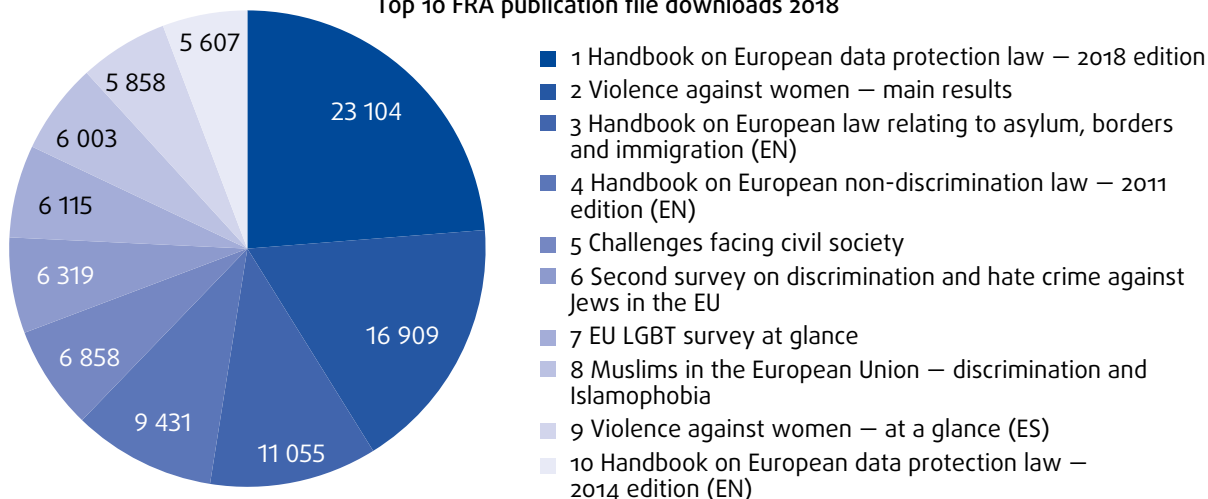
Source: PMF indicators: number of publications produced.

**Disseminating targeted information to the right stakeholders at the right time**

**Printed publications disseminated**

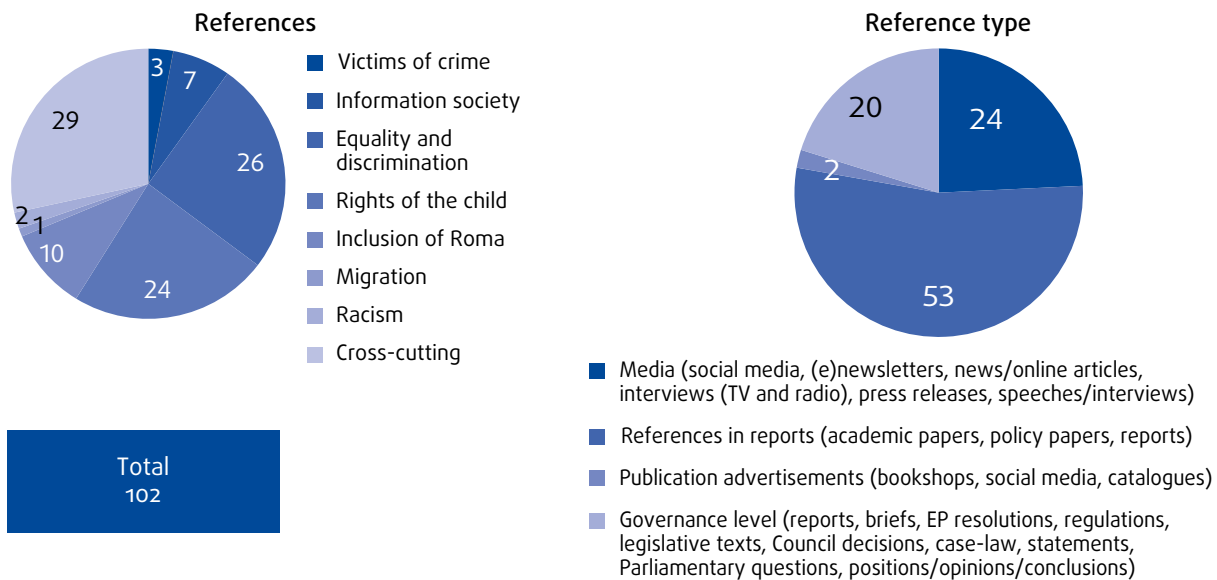
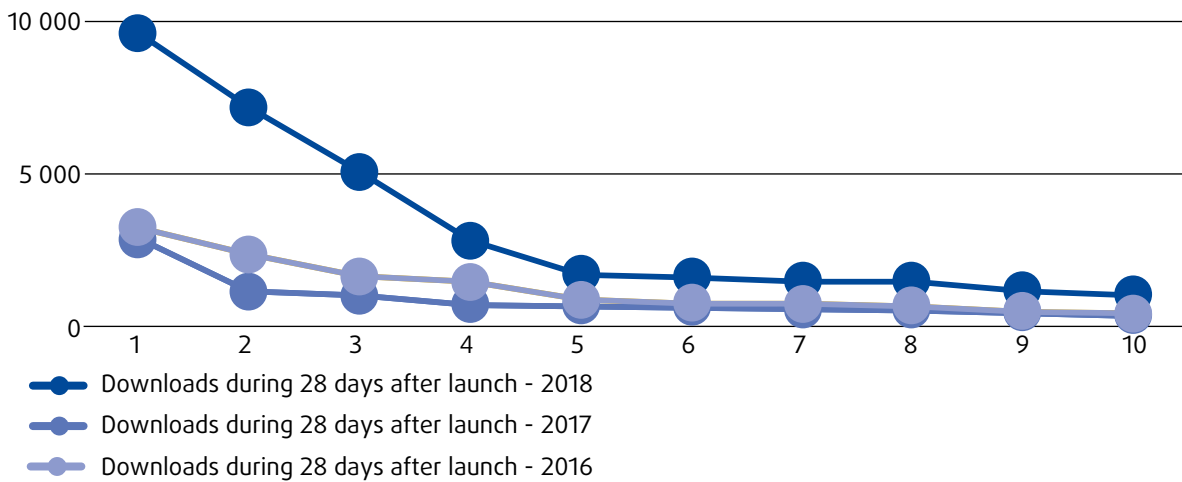


**Top 10 FRA publication file downloads 2018**





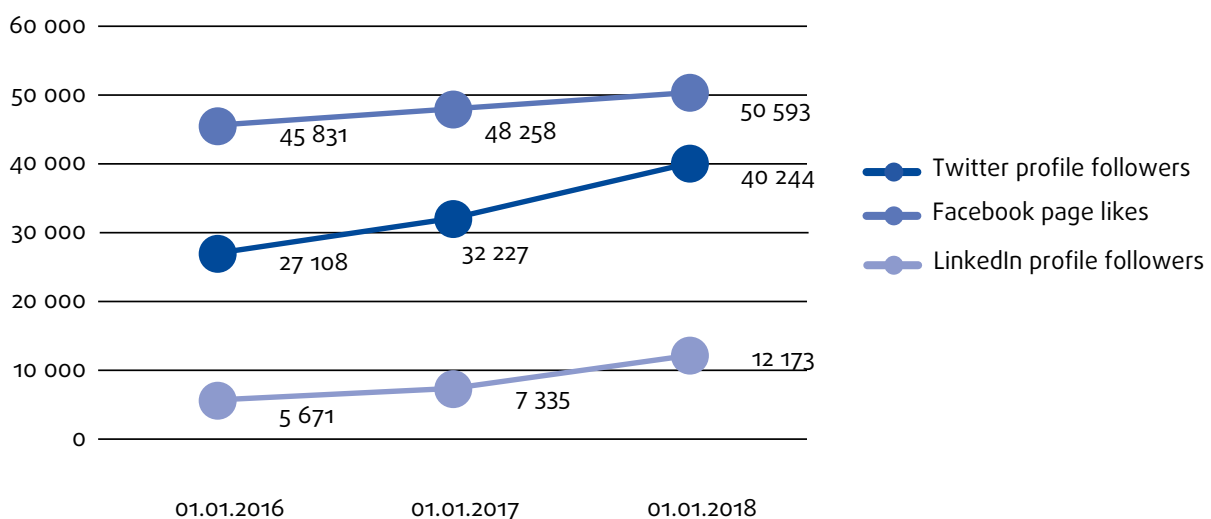
Comparison of top 10 downloads in 2016, 2017 and 2018 – 28 days after launch downloads



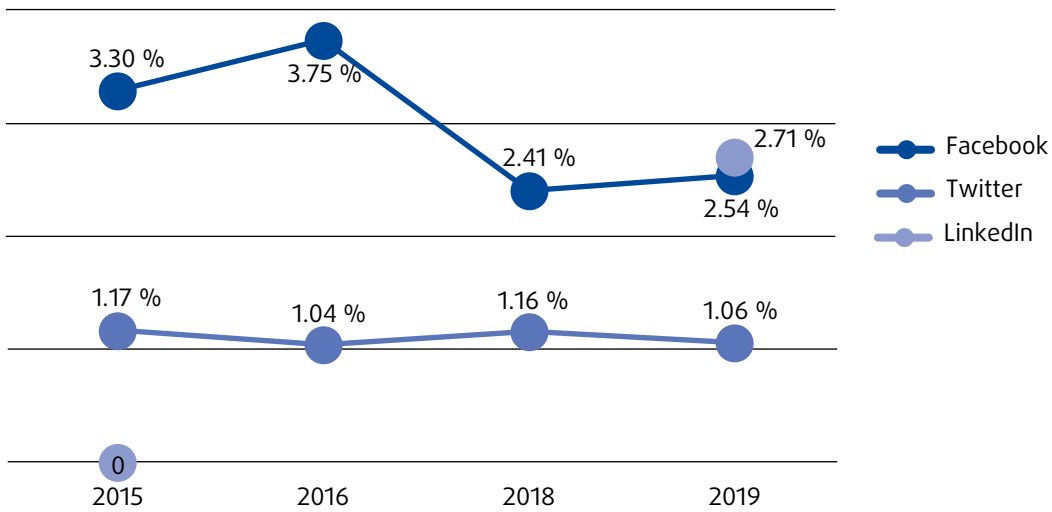
Source: PMF indicators: number of references to FRA's conclusions or recommendations, or FRA's activities in policies and legislation.

**Social media statistics**

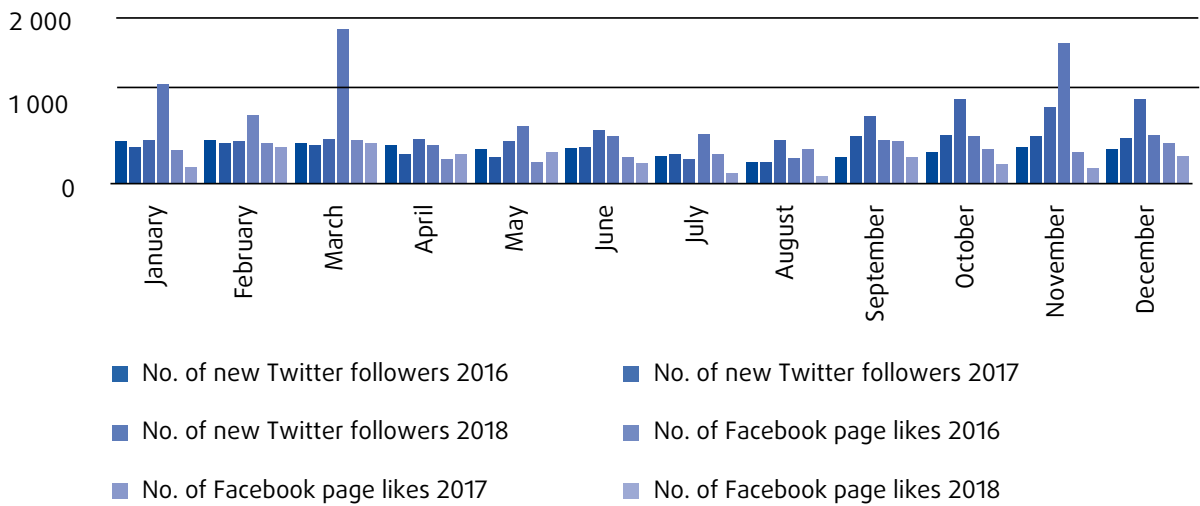
Facebook page likes, Twitter followers and LinkedIn followers



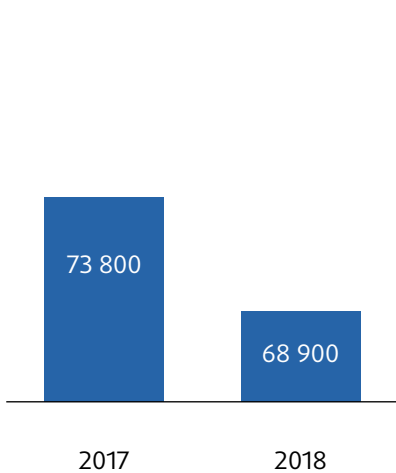
Facebook, Twitter and LinkedIn yearly engagement rate



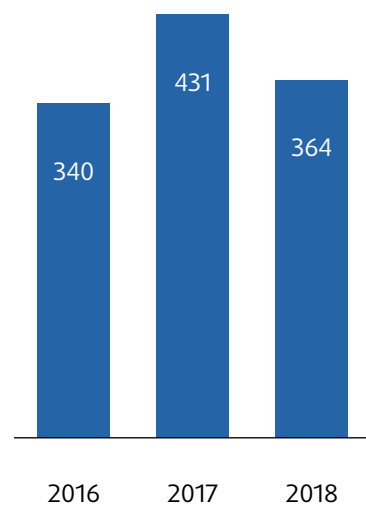
Facebook page likes and Twitter profile followers



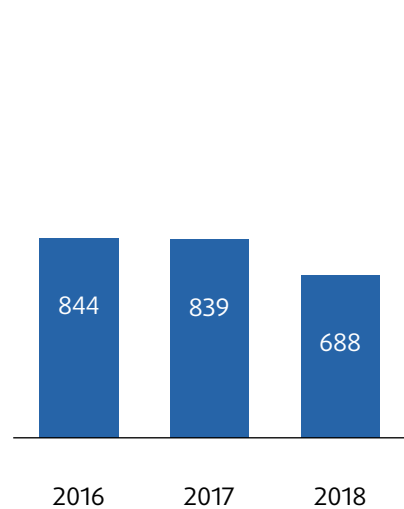
Total number of views on Facebook

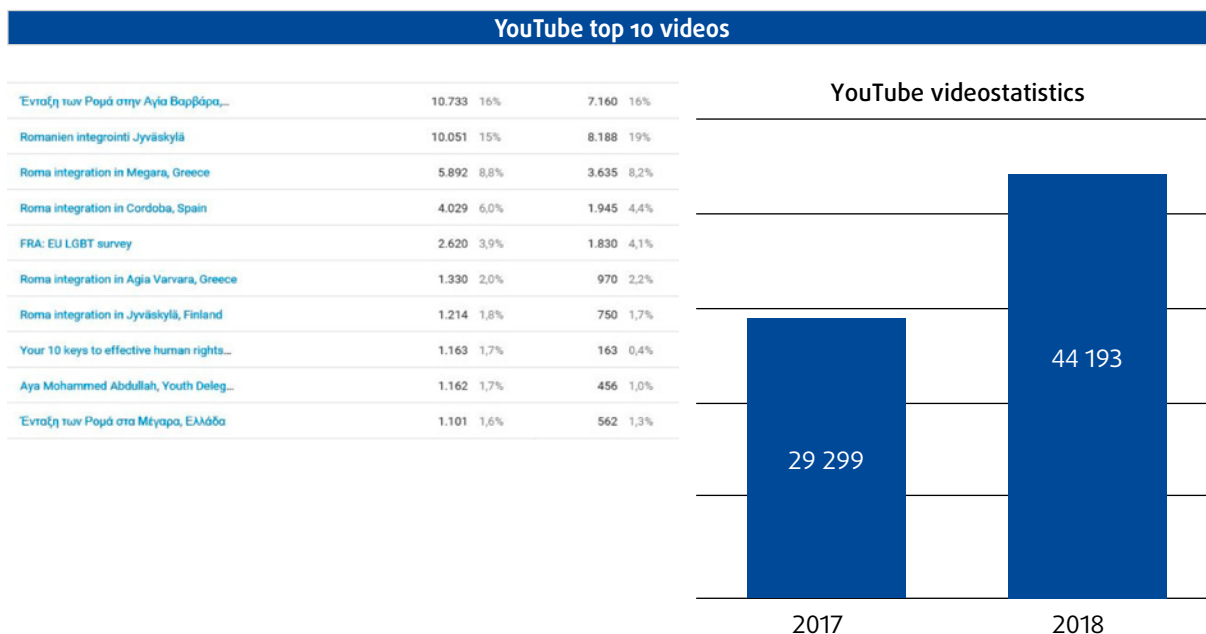


Total number of Facebook posts



Total number of tweets





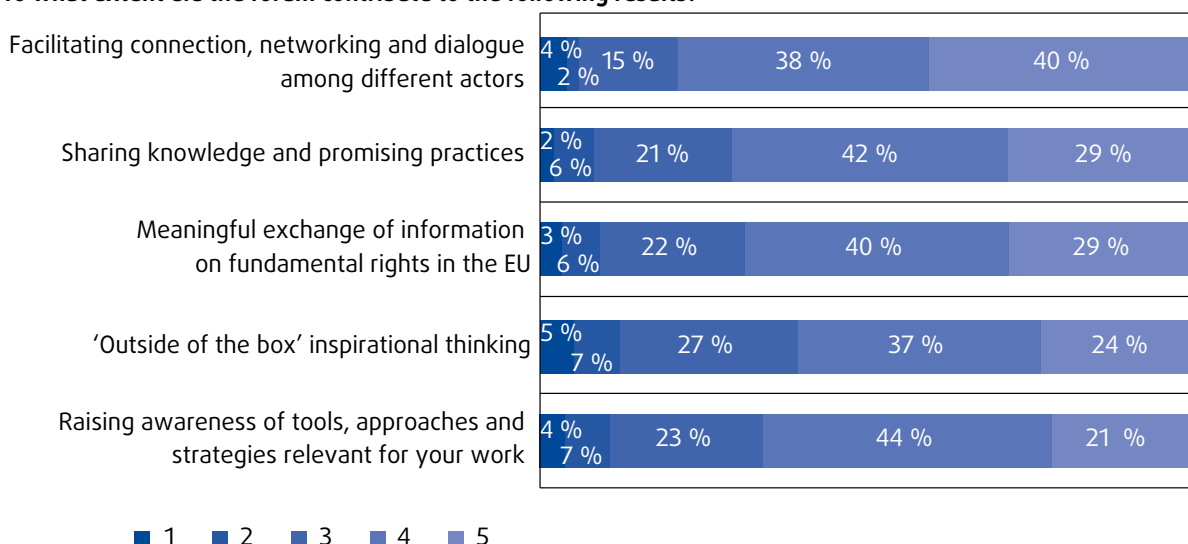
Sources: PMF indicators: number of relevant stakeholders receiving FRA information and number of stakeholders receiving a copy of the publications.

## Evaluation cases from projects

Evaluation activities at FRA focus on measurement at the level of short-term impact, long-term impact and aspirational impact as defined in the PMF. For 2018, the *ex post* evaluations were conducted for the following projects to assess the extent to which the impacts of projects have been achieved as intended.

## Fundamental Rights Forum 2018

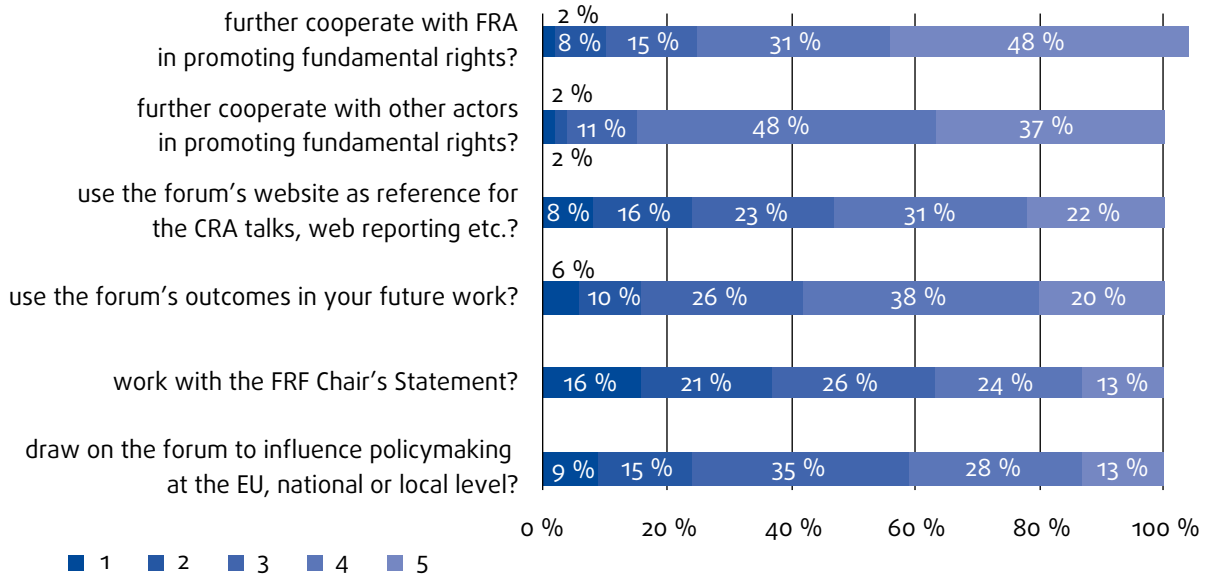
### To what extent did the forum contribute to the following results?



NB: Scale 1-5: 1 means 'very little', 5 means 'very much'. N=126.

Source: FRA's participant survey.

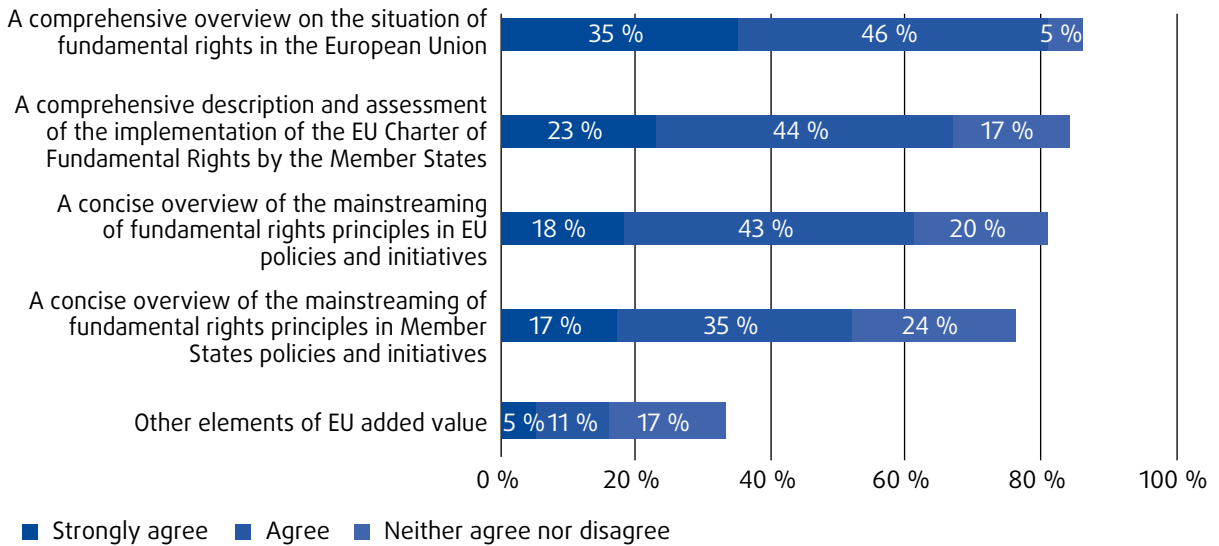
**To what extent do you expect to...**



NB: Scale 1-5: 1 means 'very little', 5 means 'very much'. N=126.  
 Source: FRA's participant survey.

**Fundamental Rights Report**

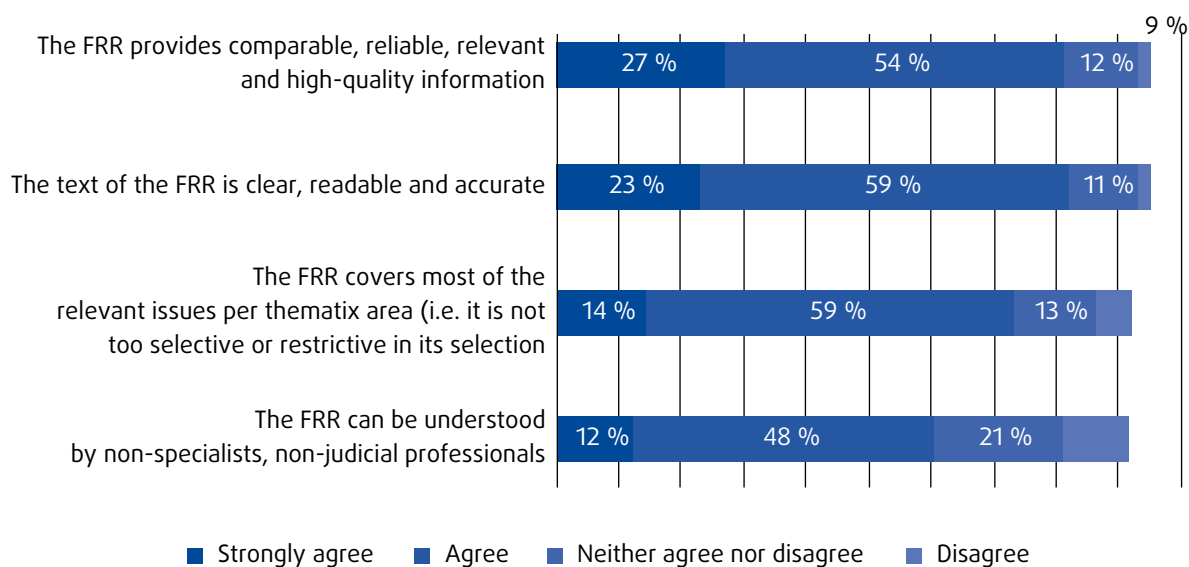
**To what extent do you agree with the following statements about the added value the Fundamental Rights Report (FRR) brings to the EU?**



Source: ICF (2018), Online survey of external stakeholders. N=265.

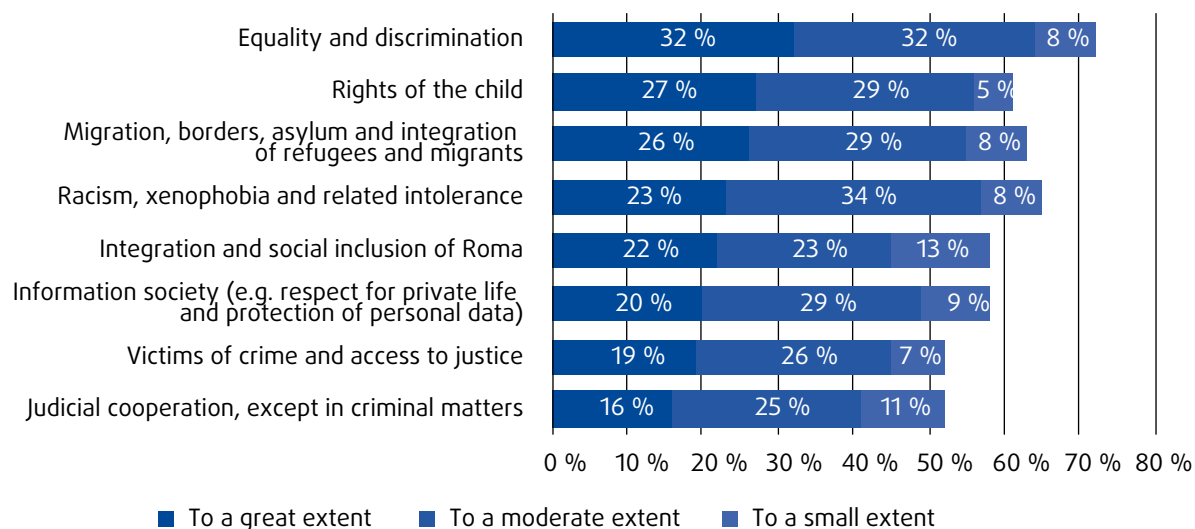


**To what extent do the features of the FRR correspond to your needs in terms of content?**



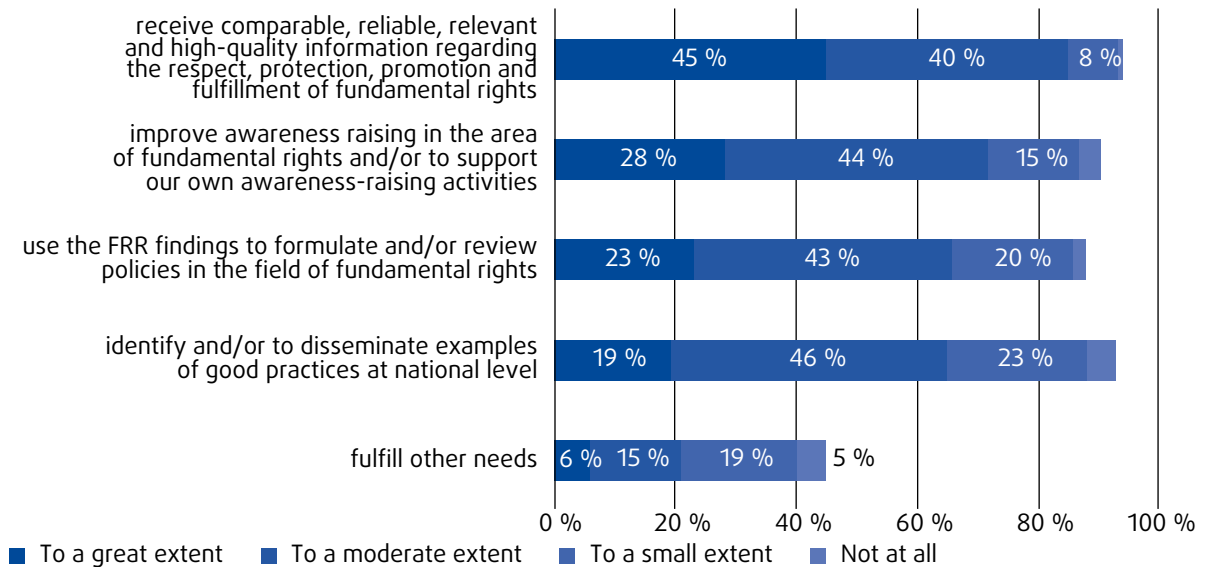
Source: ICF (2018), Online survey of external stakeholders. N=265.

**To what extent do you think the FRR contains information that is complementary to that of the report on the application of the EU Charter of Fundamental Rights (European Commission) in the following thematic areas?**



Source: ICF (2018), Online survey of external stakeholders. N=104.

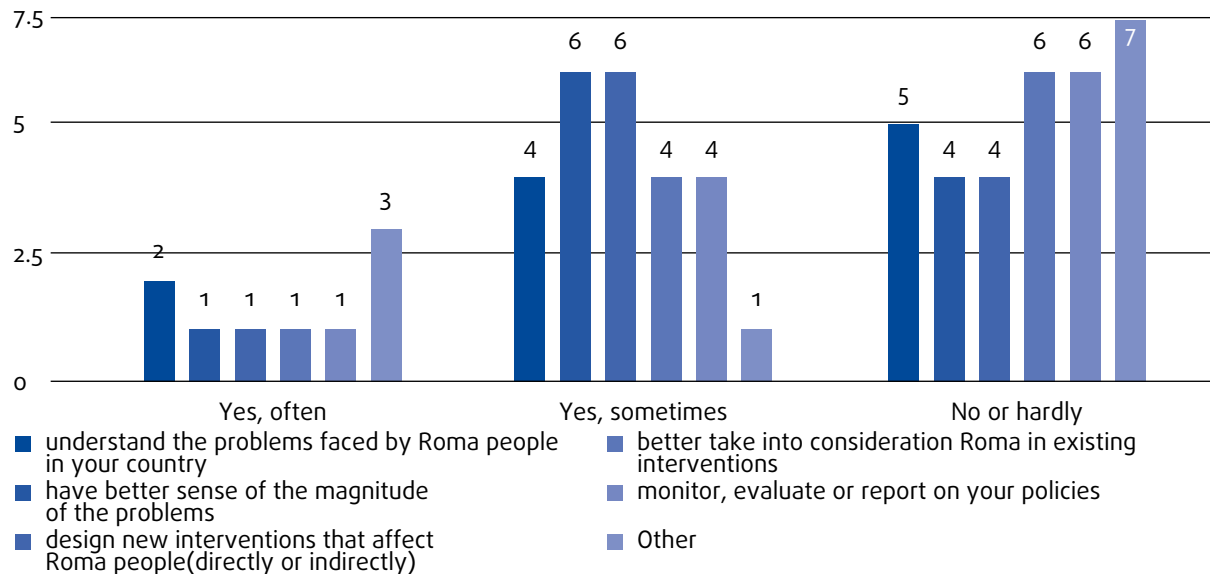
**To what extent do the FRR objectives deliver the following outcomes? 'The FRR allows me or my organisation to...'**



Source: ICF (2018), Online survey of external stakeholders. N=265.

**Roma multiannual programme**

**Use of data from FRA in particular to...? (n=11)**



## Key performance indicators for the director

OBJECTIVE	KPI	TARGET	RESULT
<b>Work programme fully implemented throughout the year and such implementation is reflected in the Annual Activity Report for such a year</b>	Timely submission of the draft programming document to the Management Board and to the European Commission	December N-2 January N-1 December N-1	December N-2 January N-1 December N-1
	Percentage of completion of the activities of the annual work programme (AWP)/programming document	80 %	94 %
	Timely achievement of objectives of the programming document	80 %	94 %
	Timely submission of documents foreseen for publication in the AWP/programming document/ annual activity report and in particular of the (annual) Fundamental Rights Report, in cooperation with the Scientific Committee	80 %	100 %
<b>Swift, timely and full use of the financial and human resources allocated by the budgetary authorities</b>	Rate (%) of implementation of commitment appropriations	> 95 %	100 % (based on 2018 C1 credits)
	Rate (%) of cancellation of payment appropriations	< 5 %	0 % (based on 2018 C1 credits)
	Rate (%) of out-turn (total payments in year N and carry-forwards to year N+1, as a % of total EU funding and fee income, where applicable, received in year N)	> 95 %	99.06 % (based on payments done on: (a) C1 credits during 2017, and (b) C8 credits during 2018)
	Rate (%) of payments executed within the legal/contractual deadlines	> 80 %	98 %
<b>Timely implementation in the adequacy and effectiveness of internal control systems</b>	Rate (%) of external and accepted internal audit recommendations implemented within agreed deadlines (excluding 'desirable')	90 %	100 % of the recommendations have been implemented within the agreed deadlines.  To be considered that due to the ongoing restructuring the deadline for one recommendation was postponed to February 2019.
	Average vacancy rate (%) of authorised posts of the annual establishment plan which are vacant at the end of the year, including job offers sent before 31 December	< 5 % of total posts	1.4 %
	Positive review of agency publications containing opinions through the FRA Opinions Committee	100 %	100 %
	Delivery of positive opinions by the Scientific Committee on agency publications	100 %	100 %
	<i>Ex ante</i> and <i>ex post</i> evaluations of projects are implemented based on the annual evaluation plan	80 %	80 %

OBJECTIVE	KPI	TARGET	RESULT
<b>Evidence of the level of staff well-being</b>	Organisation of satisfaction surveys/engagement surveys within the agency	One every 2 years	One every 3 years
	Annual average days of short-term sick leave per staff member	< 8	6.59
	Number of complaints under Article 90(2) of the staff regulations per 100 staff members	< 5	5
<b>External presentation of the agency's activities and effective cooperation with the agency's external stakeholders</b>	Formal presentations to the European Parliament and Council (including its preparatory bodies)	> 4	23
	Country visits to present the agency's work	4	2
	Number of interviews or mentions of FRA director in different media outlets	12 in a year	258
	Cooperation meetings with the agency's networks and partners including EU institutions, bodies and agencies, National Liaison Officers, international organisations, public bodies responsible for human rights in the Member States (including NHRIs), and civil society (including participants in the Fundamental Rights Platform)	<ul style="list-style-type: none"> <li>&gt; 200 bilateral meetings</li> <li>&gt; 15 stakeholder meetings at FRA</li> <li>1 NLO meeting</li> <li>1 major event (Fundamental Rights Forum)</li> <li>&gt; 6 visits to EU institutions, bodies and agencies</li> </ul>	<ul style="list-style-type: none"> <li>105 bilateral meetings</li> <li>15 stakeholder meetings at FRA</li> <li>1 NLO meeting</li> <li>1 major event (Fundamental Rights Forum)</li> <li>6 visits to EU institutions, bodies and agencies</li> </ul>





# Annex II: Statistics on financial management

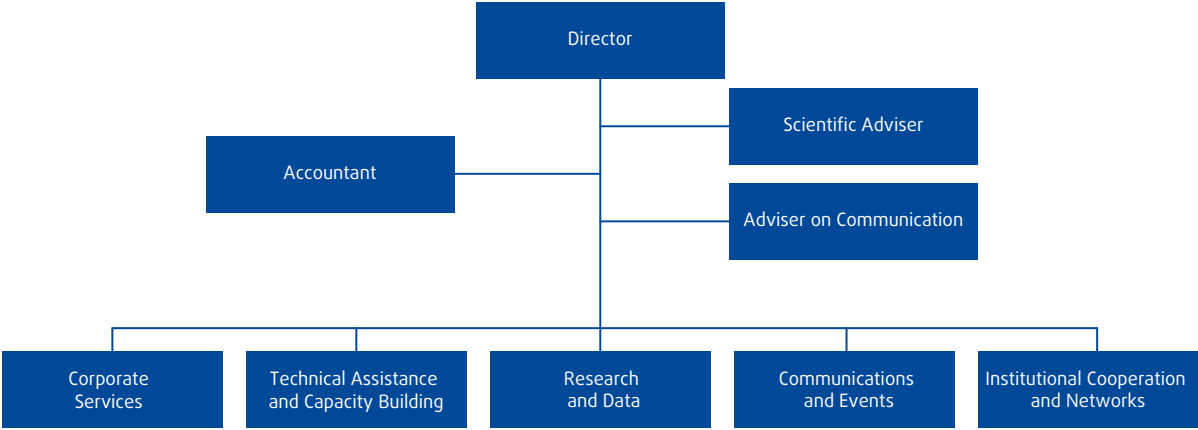
Please refer to the *Report on budgetary and financial management* available online at the [FRA webpage on finance and budget](#).



# Annex III: Organisational chart

At the end of 2018, FRA’s structure comprised the director’s office and five units, 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	
	2018 (authorised posts)	2018 (actually filled as of 31.12.2018)	2018 (authorised posts)	2018 (actually filled as of 31.12.2018)
AD 16	-	-	-	-
AD 15	-	-	1	-
AD 14	-	-	1	2
AD 13	-	-	2	2
AD 12	-	-	6	3
AD 11	-	-	-	1
AD 10	-	-	12	5
AD 9	-	-	12	9
AD 8	-	-	4	11
AD 7	-	-	6	11
AD 6	-	-	3	3
AD 5	-	-	-	-
<b>Total AD</b>	<b>-</b>	<b>-</b>	<b>47</b>	<b>47</b>
AST 11	-	-	-	-
AST 10	-	-	1	-
AST 9	-	-	4	2
AST 8	-	-	3	4
AST 7	-	-	6	1
AST 6	-	-	10	7
AST 5	-	-	-	7
AST 4	-	-	1	3
AST 3	-	-	-	-
AST 2	-	-	-	-
AST 1	-	-	-	-
<b>Total AST</b>	<b>-</b>	<b>-</b>	<b>25</b>	<b>24</b>
AST/SC 6	-	-	-	-
AST/SC 5	-	-	-	-
AST/SC 4	-	-	-	-
AST/SC 3	-	-	-	-
AST/SC 2	-	-	-	-
AST/SC 1	-	-	-	-
<b>Total AST/SC</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Total</b>	<b>-</b>	<b>-</b>	<b>72</b>	<b>71</b>

NB: AST/SC: Secretaries and clerks.

**Table A4.2: Benchmarking against previous year results**

Job type (sub)category	Year N-1 (%)	Year N (%)
<b>Administrative support and coordination</b>	<b>16</b>	<b>16</b>
Administrative support	15	15
Coordination	1	1
<b>Operational</b>	<b>73</b>	<b>73</b>
General operational activities	7	10
Programme management and implementation	63	60
Top operational coordination	3	2
Evaluation and impact assessment	-	1
<b>Neutral</b>	<b>11</b>	<b>11</b>
Accounting, finance, non-operational procurement, contract management and quality management, internal audit and control	8	9
Linguistic activities	3	2

NB: The above figures comprise all different types 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
Victims of crime and access to justice	342	2 %
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	1 493	8 %
Information society and, in particular, respect for private life and protection of personal data	775	4 %
Judicial cooperation, except in criminal matters	402	2 %
Migration, borders, asylum and integration of refugees and migrants	2 110	11 %
Racism, xenophobia and related intolerance	576	3 %
Rights of the child	470	2 %
Integration and social inclusion of Roma	549	3 %
Communication and awareness raising	4 813	25 %
Cross-cutting activities	1 419	7 %
Consultation and cooperation mechanism	400	2 %
Research and stakeholder cooperation	1 842	9 %
<b>Total operational</b>	<b>15 191</b>	<b>78 %</b>
Support activities	4 262	22 %
<b>Total support activities</b>	<b>4 262</b>	<b>22 %</b>
<b>Total agency days</b>	<b>19 453</b>	

NB: The above data rely on FRA's time recording system, which is a component of the wider implementation of activity-based management 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, 2018

**Table A5.2: Financial resources by ABB activity**

ABB activity	Direct expenditure	Indirect expenditure (overheads)	Total
Victims of crime and access to justice	75 954	272 653	348 607
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	574 202	1 191 470	1 765 673
Information society and, in particular, respect for private life and protection of personal data	345 591	618 396	963 987
Judicial cooperation, except in criminal matters	142 465	320 609	463 074
Migration, borders, asylum and integration of refugees and migrants	680 220	1 683 475	2 363 695
Racism, xenophobia and related intolerance	127 229	459 369	586 598
Rights of the child	23 354	375 028	398 381
Integration and social inclusion of Roma	974 479	438 224	1 412 703
Communication and awareness raising	1 444 519	3 840 681	5 285 200
Cross-cutting activities	—	1 132 344	1 132 344
Consultation and cooperation mechanism	305 710	319 492	625 202
Research and stakeholder cooperation	2 423 366	1 469 390	3 892 756
<b>Total operational</b>	<b>7 117 090</b>	<b>12 121 129</b>	<b>19 238 219</b>
Support activities	—	3 400 781	3 400 781
<b>Total support activities</b>	<b>—</b>	<b>3 400 781</b>	<b>3 400 781</b>
<b>Total</b>	<b>7 117 090</b>	<b>15 521 910</b>	<b>22 639 000</b>

Source: FRA, 2018.





# Annex VI: Specific annexes related to Part 2

## 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, as regards legality and regularity, 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	Coverage, frequency, depth of controls and benefits	Cost-effectiveness indicators (three E’s)
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	Coverage, frequency, depth of controls and benefits	Cost-effectiveness indicators (three E’s)
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	Coverage, frequency, depth of controls and benefits	Cost-effectiveness indicators (three E's)
Conflict of interest/ unequal treatment of tenderers; for example, via biased selection criteria or partial evalua- tions (relating also to Management Board and Steering Committee)	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 open calls for tenders, and three in case of low- and middle-value purchases, reducing the risk of unequal treatment  Providing clear rules for low-value purchases	100 % – all calls for tenders  <b>Depth:</b> all documents transmitted  <b>Benefits:</b> 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	<b>Effectiveness:</b> number of complaints or litigation cases filed  Number of requests for clarification regarding the tender  <b>Efficiency:</b> average cost of a tendering procedure  Costs for closing a com- plaint/litigation  <b>Economy:</b> estimation of costs of staff involved in the evaluation process
	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  <b>Benefits:</b> amounts of contracts for which the control prevented the risk of litigation or fraud	Estimation of costs of staff involved in preparing the declarations of conflict of interest  Estimation of costs for the staff involved in the preparation, publication and archiving of declar- ations signed
	Declarations of conflict of interest are signed by the members of Management Board and Scientific Committee	100 % of declarations of conflict of interest are signed by the members of Management Board and Scientific Committee  <b>Benefits:</b> potential irregularities prevented by avoiding the interfer- ence in procurement procedure/contracting	Estimation of costs for running the website (updating, maintenance, etc.)  Estimation of cost of staff involved in supervision and in Steering Committees



Main risks It may happen (again) that...	Mitigating controls	Coverage, frequency, depth of controls and benefits	Cost-effectiveness indicators (three E's)
	Dedicated pages on the FRA website that assure the transparency of the information	<p>100 % of the information is available on the website</p> <p><b>Depth:</b> compulsory for calls for tenders' middle value</p> <p><b>Benefits:</b> potential complaints that may be received from bidders concerning the access to information</p> <p>Participation in competition of a sufficient amount of bidders</p>	
	<p>Exclusion and selection criteria documented and transparent, by including them in technical specifications</p> <p>Existence of the Steering Committee</p> <p>Admin supervision and Authorising Officer approval of tender specifications</p>	<p>100 % of the tender specifications are scrutinised</p> <p><b>Depth:</b> determined by the amount of the awarded contract</p> <p><b>Benefits:</b> limiting the risk of litigation</p> <p>Limiting the risk of cancellation of a tender</p> <p>Amount of proposed contracts for which the supervisory and approval detected material error</p>	

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

NB: ABAC: Financial Information Systems.



### 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	Coverage, frequency, depth of controls and benefits	Cost-effectiveness indicators (three E's)
Incomplete or inaccurate data in the information system related to contracts	Use of the 'four eyes' principle, including the check of the inputted information	100 % verification of the information uploaded in the tool for managing contracts	<b>Effectiveness:</b> number of errors undetected (related to irregularities and errors)
	<i>Ex post</i> controls	Selected transactions  <b>Depth:</b> the control sampling is risk-based  <b>Benefits:</b> preventing mistakes in drafting and implementing the contracts	<b>Efficiency:</b> cost of undetected errors  Costs of the <i>ex post</i> controls with respect to the benefits  Economy: estimation of cost of staff involved in running the <i>ex post</i> controls  Costs for the running of the tool for managing contracts (maintenance, updates, etc.)



# Annex VII: Specific annexes related to Part 3

There are no specific annexes related to Part 3.





# Annex VIII: Draft annual accounts

Table A8.1: Outturn on C1 commitment appropriations in 2018 (in EUR million)

Chapter		Commitment appropriations authorised (*)	Commitments made	%
		1	2	3=2/1
<b>Title A-1 Staff expenditure</b>				
A01100	Basic salaries	6.16	6.16	100.00 %
A01101	Family allowances	0.79	0.79	100.00 %
A01102	Expatriation and foreign-residence allowances	0.93	0.93	100.00 %
A01103	Secretarial allowances	0.00	0.00	-
A01113	Trainees	0.45	0.45	100.00 %
A01115	Contract Agents	1.92	1.92	100.00 %
A01130	Insurance against sickness	0.22	0.22	100.00 %
A01131	Insurance against accidents and occupational disease	0.02	0.02	100.00 %
A01132	Insurance against unemployment	0.09	0.09	100.00 %
A01140	Childbirth and death grants	0.00	0.00	100.00 %
A01141	Travel expenses for annual leave	0.11	0.11	100.00 %
A01178	External services	0.10	0.10	100.00 %
A01190	Salary weightings	0.44	0.44	100.00 %
A01200	Recruitment expenses	0.05	0.05	100.00 %
A01201	Travel expenses	0.00	0.00	100.00 %
A01202	Installation resettlement and transfer allowances	0.01	0.01	100.00 %
A01203	Removal expenses	0.00	0.00	-
A01204	Temporary daily subsistence allowances	0.02	0.02	100.00 %
A01300	Missions and duty travel exp and other ancillary exp.	0.12	0.12	100.00 %
A01410	Medical service	0.05	0.05	100.00 %
A01420	Professional training of staff	0.20	0.20	100.00 %
A01430	Legal services	0.08	0.08	100.00 %
A01520	Staff exchanges	0.42	0.42	100.00 %
A01610	Social contacts between staff	0.01	0.01	100.00 %
A01620	Other welfare expenditure	0.92	0.92	100.00 %
A01630	Early childhood centres and crèches	0.24	0.24	100.00 %
A01700	Entertainment and representation expenses	0.00	0.00	100.00 %
<b>Total Title A-1</b>		<b>13.35</b>	<b>13.35</b>	<b>100.00 %</b>

Chapter		Commitment appropriations authorised (*)	Commitments made	%
		1	2	3=2/1
<b>Title A-2 Buildings equip. and misc operating expenditure</b>				
A02000	Rent	0.60	0.60	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	0.31	0.31	100.00 %
A02040	Fitting-out of premises	0.00	0.00	-
A02050	Security and surveillance of buildings	0.11	0.11	100.00 %
A02100	Data processing	0.40	0.40	100.00 %
A02101	Software development	0.23	0.23	100.00 %
A02102	Other external services for data processing	0.03	0.03	100.00 %
A02200	Technical equipment and installations	0.00	0.00	100.00 %
A02203	Maintenance use and repair of tech equip. and instal.	0.00	0.00	-
A02210	Furniture	0.00	0.00	100.00 %
A02230	Hire of vehicles	0.00	0.00	100.00 %
A02250	Library stocks, purchase of books	0.00	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	0.01	0.01	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	0.09	0.09	100.00 %
A02411	Telecommunications equipment	0.00	0.00	-
A02550	Miscellaneous expenditure for meetings	0.01	0.01	100.00 %
A02601	Studies, surveys, consultations	0.02	0.02	100.00 %
<b>Total Title A-2</b>		<b>1.93</b>	<b>1.93</b>	<b>100.00 %</b>
<b>Title Bo-3 Operational expenditure</b>				
B03211	Info soc. respect for priv life and prot. pers. data	0.35	0.35	100.00 %
B03220	Migration, borders, asylum and integration	0.68	0.68	100.00 %
B03311	Racism, xenophobia and related intolerance	0.13	0.13	100.00 %
B03330	Equality and discrimination	0.57	0.57	100.00 %
B03350	Rights of the child	0.02	0.02	100.00 %
B03360	Integration and social inclusion of Roma	0.97	0.97	100.00 %
B03610	Victims of crime and access to justice	0.08	0.08	100.00 %
B03640	Judicial cooperation	0.14	0.14	100.00 %
B03700	Annual report	0.40	0.40	100.00 %
B03701	Research and data collection	2.13	2.13	100.00 %
B03711	Communication and awareness raising	1.33	1.33	100.00 %
B03801	Bodies of the agency	0.23	0.23	100.00 %
B03802	Consultation mechanisms	0.08	0.08	100.00 %
<b>Total Title Bo-3</b>		<b>7.12</b>	<b>7.12</b>	<b>100.00 %</b>
<b>TOTAL FRA</b>		<b>22.40</b>	<b>22.395</b>	<b>100.00 %</b>

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

Source: FRA, 2018.



Figure A8.1: Out-turn on C1 commitment appropriations in 2018 (% by chapter)

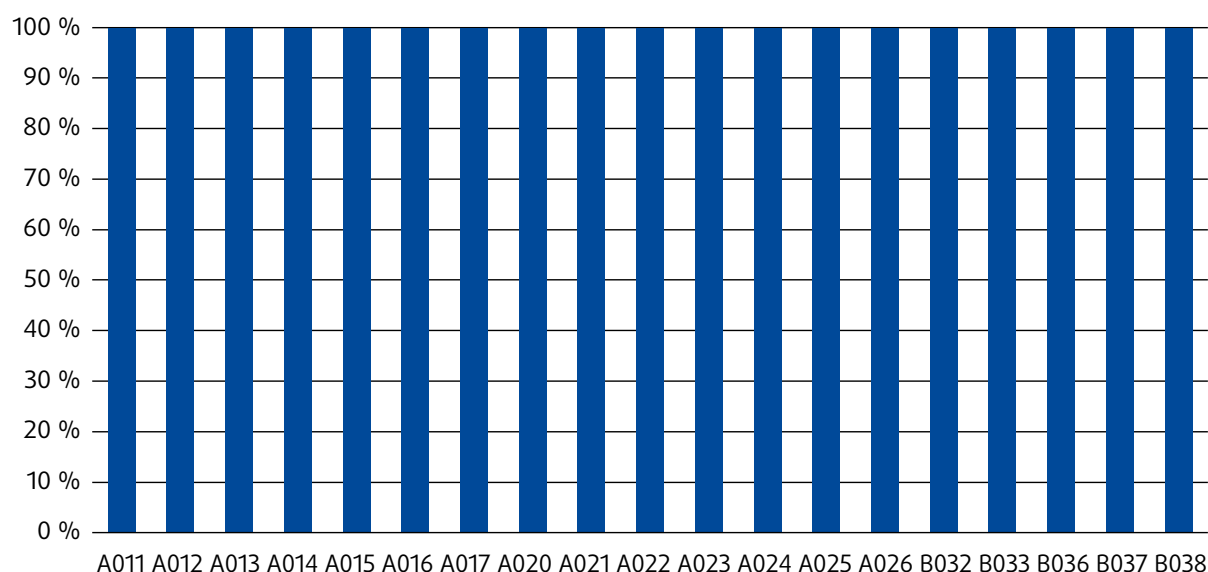


Table A8.2: Out-turn on C1 payment appropriations in 2018 (in EUR million)

Chapter		Payment ap- propriations authorised (*)	Payments made	%
		1	2	3=2/1
<b>Title A-1 Staff expenditure</b>				
A01100	Basic salaries	6.16	6.16	100.00 %
A01101	Family allowances	0.79	0.79	100.00 %
A01102	Expatriation and foreign-residence allowances	0.93	0.93	100.00 %
A01103	Secretarial allowances	0.00	0.00	-
A01113	Trainees	0.45	0.45	100.00 %
A01115	Contract Agents	1.92	1.92	100.00 %
A01130	Insurance against sickness	0.22	0.22	100.00 %
A01131	Insurance against accidents and occupational disease	0.02	0.02	100.00 %
A01132	Insurance against unemployment	0.09	0.09	100.00 %
A01140	Childbirth and death grants	0.00	0.00	100.00 %
A01141	Travel expenses for annual leave	0.11	0.11	100.00 %
A01178	External services	0.11	0.10	96.68 %
A01190	Salary weightings	0.44	0.44	100.00 %
A01200	Recruitment expenses	0.05	0.03	59.97 %
A01201	Travel expenses	0.00	0.00	100.00 %
A01202	Installation resettlement and transfer allowances	0.01	0.01	100.00 %
A01203	Removal expenses	0.00	0.00	0.00 %
A01204	Temporary daily subsistence allowances	0.02	0.02	100.00 %
A01300	Missions and duty travel exp and other ancillary exp.	0.14	0.11	80.50 %
A01410	Medical service	0.06	0.05	81.42 %
A01420	Professional training of staff	0.32	0.26	81.90 %
A01430	Legal services	0.12	0.12	94.47 %
A01520	Staff exchanges	0.42	0.42	100.00 %
A01610	Social contacts between staff	0.02	0.02	99.87 %
A01620	Other welfare expenditure	0.92	0.92	100.00 %
A01630	Early childhood centres and crèches	0.24	0.24	100.00 %
A01700	Entertainment and representation expenses	0.00	0.00	100.00 %
<b>Total A-1</b>		<b>13.55</b>	<b>13.42</b>	<b>99.06 %</b>

<b>Title A-2 Buildings equip. and misc operating expenditure</b>				
A02000	Rent	0.60	0.60	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	0.32	0.31	97.21 %
A02040	Fitting-out of premises	0.00	0.00	0.00 %
A02050	Security and surveillance of buildings	0.12	0.11	93.56 %
A02100	Data processing	0.61	0.48	77.78 %
A02101	Software development	0.33	0.25	74.95 %
A02102	Other external services for data processing	0.05	0.05	100.00 %
A02200	Technical equipment and installations	0.02	0.02	100.00 %
A02203	Maintenance use and repair of tech equip. and instal.	0.00	0.00	0.00 %
A02210	Furniture	0.00	0.00	100.00 %
A02230	Hire of vehicles	0.00	0.00	99.68 %
A02250	Library stocks purchase of books	0.00	0.00	0.00 %
A02300	Stationery and office supplies	0.02	0.02	88.46 %
A02320	Bank charges	0.00	0.00	55.43 %
A02353	Departmental removals and associated handling	0.02	0.02	89.69 %
A02355	Publications and reproduction of documents	0.00	0.00	75.14 %
A02400	Postage and delivery charges	0.01	0.01	91.47 %
A02410	Telecommunications charges	0.10	0.07	71.35 %
A02411	Telecommunications equipment	0.00	0.00	0.00 %
A02550	Miscellaneous expenditure for meetings	0.01	0.01	100.00 %
A02601	Studies, surveys, consultations	0.03	0.02	47.89 %
<b>Total A-2</b>		<b>2.32</b>	<b>2.03</b>	<b>87.56 %</b>
<b>Title Bo-3 Operational expenditure</b>				
Bo3211	Info soc. respect for priv life and prot. pers. data	0.74	0.46	62.42 %
Bo3220	Migration, borders, asylum and integration	0.68	0.25	37.37 %
Bo3230	Immigration and integration of migrants	1.18	1.16	98.51 %
Bo3311	Racism, xenophobia and related intolerance	0.56	0.48	86.03 %
Bo3321	Discrimination	0.41	0.38	92.16 %
Bo3330	Equality and discrimination	0.57	0.18	31.91 %
Bo3340	Roma integration	1.41	1.41	100.00 %
Bo3350	Rights of the child	0.04	0.03	76.29 %
Bo3360	Integration and social inclusion of Roma	0.97	0.03	3.52 %
Bo3610	Victims of crime and access to justice	0.08	0.05	72.14 %
Bo3620	Access to justice	0.62	0.61	98.93 %
Bo3630	Victims of crime and comp.	0.00	0.00	90.77 %
Bo3640	Judicial cooperation	0.14	0.07	49.92 %
Bo3700	Annual report	0.71	0.42	58.66 %
Bo3701	Research and data collection	2.24	0.19	8.29 %
Bo3711	Communication and awareness raising	2.07	1.62	78.30 %
Bo3801	Bodies of the agency	0.33	0.29	87.93 %
Bo3802	Consultation mechanisms	0.08	0.06	72.03 %
<b>Total Bo-3</b>		<b>12.83</b>	<b>7.70</b>	<b>60.02 %</b>
<b>TOTAL FRA</b>		<b>28.70</b>	<b>23.16</b>	<b>80.68 %</b>

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

Source: FRA, 2018.

Figure A8.2: Out-turn on C1 payment appropriations in 2018 (% by chapter)

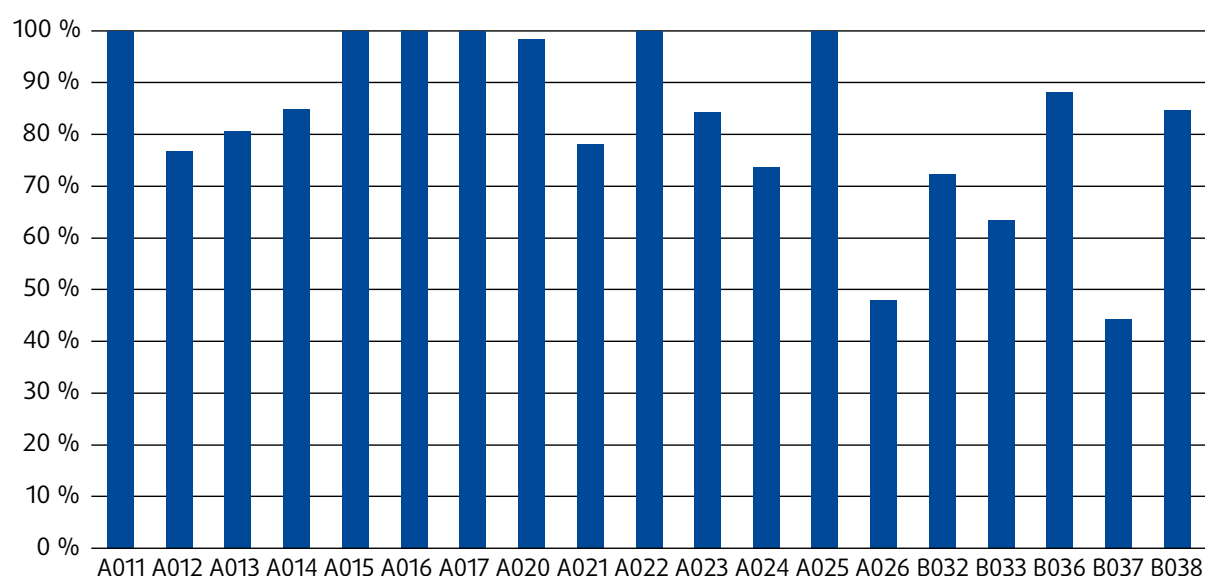


Table A8.3: Breakdown of commitments to be settled at 31 December 2018

Chapter		Commitments 2018	Payments 2018	RAL 2018	% to be settled
		1	2	3=1-2	4=1-2//1
<b>Title A-1 Staff expenditure</b>					
A01100	Basic salaries	6.16	-6.16	0.00	0.00 %
A01101	Family allowances	0.79	-0.79	0.00	0.00 %
A01102	Expatriation and foreign-residence allowances	0.93	-0.93	0.00	0.00 %
A01103	Secretarial allowances	0.00	0.00	0.00	-
A01113	Trainees	0.45	-0.45	0.00	0.00 %
A01115	Contract Agents	1.92	-1.92	0.00	0.00 %
A01130	Insurance against sickness	0.22	-0.22	0.00	0.00 %
A01131	Insurance against accidents and occupational disease	0.02	-0.02	0.00	0.00 %
A01132	Insurance against unemployment	0.09	-0.09	0.00	0.00 %
A01140	Childbirth and death grants	0.00	0.00	0.00	0.00 %
A01141	Travel expenses for annual leave	0.11	-0.11	0.00	0.00 %
A01178	External services	0.10	-0.10	0.00	2.30 %
A01190	Salary weightings	0.44	-0.44	0.00	0.00 %
A01200	Recruitment expenses	0.05	-0.03	0.02	40.86 %
A01201	Travel expenses	0.00	0.00	0.00	0.00 %
A01202	Installation resettlement and transfer allowances	0.01	-0.01	0.00	0.00 %
A01203	Removal expenses	0.00	0.00	0.00	-
A01204	Temporary daily subsistence allowances	0.02	-0.02	0.00	0.00 %
A01300	Missions and duty travel exp and other ancillary exp.	0.12	-0.09	0.03	23.10 %
A01410	Medical service	0.05	-0.05	0.01	14.27 %
A01420	Professional training of staff	0.20	-0.16	0.04	20.84 %
A01430	Legal services	0.08	-0.08	0.00	1.12 %
A01520	Staff exchanges	0.42	-0.42	0.00	0.00 %
A01610	Social contacts between staff	0.01	-0.01	0.00	0.00 %
A01620	Other welfare expenditure	0.92	-0.92	0.00	0.00 %
A01630	Early childhood centres and crèches	0.24	-0.24	0.00	0.00 %
A01700	Entertainment and representation expenses	0.00	0.00	0.00	0.00 %

<b>Total A-1</b>		<b>13.35</b>	<b>-13.25</b>	<b>0.10</b>	<b>0.75 %</b>
<b>Title A-2 Buildings equip. and misc operating expenditure</b>					
A02000	Rent	0.85	-0.85	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	0.31	-0.30	0.01	2.87 %
A02050	Security and surveillance of buildings	0.11	-0.10	0.01	6.60 %
A02100	Data processing	0.40	-0.26	0.14	34.07 %
A02101	Software development	0.23	-0.16	0.08	32.69 %
A02102	Other external services for data processing	0.03	-0.03	0.00	0.00 %
A02200	Technical equipment and installations	0.00	0.00	0.00	0.00 %
A02210	Furniture	0.00	0.00	0.00	0.00 %
A02230	Hire of vehicles	0.00	0.00	0.00	0.32 %
A02300	Stationery and office supplies	0.02	-0.01	0.00	12.46 %
A02320	Bank charges	0.00	0.00	0.00	80.40 %
A02353	Departmental removals and associated handling	0.01	-0.01	0.00	11.41 %
A02355	Publications and reproduction of documents	0.00	0.00	0.00	20.47 %
A02400	Postage and delivery charges	0.01	-0.01	0.00	5.08 %
A02410	Telecommunications charges	0.09	-0.06	0.03	31.70 %
A02550	Miscellaneous expenditure for meetings	0.01	-0.01	0.00	0.00 %
A02601	Studies surveys consultations	0.02	0.00	0.02	100.00 %
<b>Total A-2</b>		<b>2.18</b>	<b>-1.89</b>	<b>0.28</b>	<b>12.98 %</b>
<b>Title Bo-3 Operational expenditure</b>					
Bo3211	Info soc. respect for priv life and prot. pers. data	0.35	-0.08	0.27	76.77 %
Bo3220	Migration borders asylum and integration	0.68	-0.25	0.43	62.63 %
Bo3311	Racism, xenophobia and related intolerance	0.13	-0.05	0.08	61.18 %
Bo3330	Equality and discrimination	0.57	-0.18	0.39	68.09 %
Bo3350	Rights of the child	0.02	-0.02	0.01	35.62 %
Bo3360	Integration and social inclusion of Roma	0.97	-0.03	0.94	96.48 %
Bo3610	Victims of crime and access to justice	0.08	-0.05	0.02	27.86 %
Bo3640	Judicial cooperation	0.14	-0.07	0.07	50.08 %
Bo3700	Annual report	0.40	-0.11	0.30	73.22 %
Bo3701	Research and data collection	2.13	-0.08	2.05	96.19 %
Bo3711	Communication and awareness raising	1.33	-0.99	0.34	25.65 %
Bo3801	Bodies of the agency	0.23	-0.19	0.04	16.64 %
Bo3802	Consultation mechanisms	0.08	-0.05	0.02	28.17 %
<b>Total Bo-3</b>		<b>7.12</b>	<b>-2.17</b>	<b>4.95</b>	<b>69.53 %</b>
<b>Title Bo-4 Other operational expenditure</b>					
Bo4000	Cooperation with Financial Mechanism Office	0.01	-0.01	0.00	6.49 %
<b>Total Bo-4</b>		<b>0.01</b>	<b>-0.01</b>	<b>0.00</b>	<b>6.49 %</b>
<b>TOTAL</b>		<b>22.64971176</b>	<b>-17.32</b>	<b>5.3313587</b>	<b>23.54 %</b>

Source: FRA, 2018.



Figure A8.3: Breakdown of commitments remaining to be settled at 31 December 2018 (in EUR million)

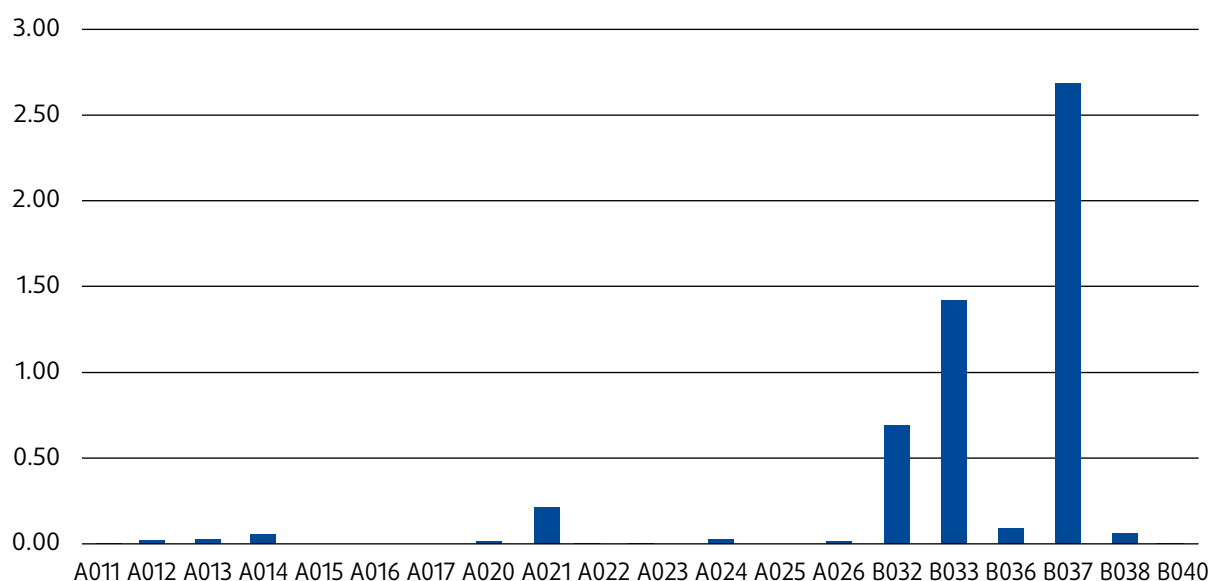


Table A8.4: Draft balance sheet as at 31 December 2018

BALANCE SHEET (*)			
	Note	31 December 2018 (EUR)	31 December 2017 (EUR)
<b>A. NON CURRENT ASSETS</b>		<b>585 131</b>	<b>827 846</b>
Intangible assets		44 675	81 277
Property, plant and equipment		540 456	746 569
Financial assets		-	-
Long-term pre-financing		-	-
Long-term receivables and recoverables		-	-
<b>B. CURRENT ASSETS</b>		<b>6 419 013</b>	<b>7 043 401</b>
Inventories		-	-
Pre-financing		28 650	98 827
Receivables and recoverables		191 835	137 037
Financial assets		-	-
Cash and cash equivalents		6 198 528	6 807 537
<b>TOTAL ASSETS</b>		<b>7 004 144</b>	<b>7 871 247</b>
<b>C. NON-CURRENT LIABILITIES</b>		-	-
Pension and other employee benefits		-	-
Provisions for risks and liabilities		-	-
Financial liabilities		-	-
Long-term liabilities to consolidated entities		-	-
<b>TOTAL NON-CURRENT LIABILITIES</b>		-	-
<b>D. CURRENT LIABILITIES</b>		<b>-1 420 033</b>	<b>-1 767 455</b>
Employee benefits		-	-
Provisions for risks and liabilities		-	-
Financial liabilities		-	-
Payables		-1 420 033	-1 767 455
<b>TOTAL LIABILITIES</b>		<b>-1 420 033</b>	<b>-1 767 455</b>
<b>E. NET ASSETS/LIABILITIES</b>		<b>5 584 111</b>	<b>6 103 792</b>
<b>Reserves</b>		-	-
Accumulated result		5 584 111	6 103 792
<b>B. Minority interest</b>		-	-
<b>TOTAL NET ASSETS/LIABILITIES</b>		<b>5 584 111</b>	<b>6 103 792</b>

(\*) 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, 2018.

**Table A8.5: Draft 2018 Statement of financial performance:**

<b>STATEMENT OF FINANCIAL PERFORMANCE (*)</b>		
	<b>2018 (EUR)</b>	<b>2017 (EUR)</b>
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	22 181 711	22 490 934
Other operating revenue	565 429	244 000
<b>TOTAL OPERATING REVENUE</b>	<b>22 747 140</b>	<b>22 734 934</b>
Administrative expenses	-15 723 424	-14 970 908
Staff expenses	-12 732 513	-11 741 824
Fixed asset related expenses	-361 003	-479 440
Pensions	-	-
Other administrative expenses	-2 629 908	-2 749 644
Operating expenses	-7 543 397	-7 583 062
Centralised direct management	-	-
Centralised indirect management	-	-
Decentralised management	-	-
Shared management	-	-
Joint management	-	-
Other operating expenses	-7 543 397	-7 583 062
<b>TOTAL ADMINISTRATIVE AND OPERATING EXPENSES</b>	<b>-23 266 821</b>	<b>-22 553 970</b>
<b>SURPLUS/(DEFICIT) FROM OPERATING ACTIVITIES</b>	<b>-519 681</b>	<b>108 964</b>
Financial revenues	-	-
Financial expenses	-	-
Share of net surpluses or deficits of associates and joint ventures accounted for using the equity method	-	-
<b>SURPLUS/(DEFICIT) FROM NON OPERATING ACTIVITIES</b>	<b>-519 681</b>	<b>180 964</b>
<b>SURPLUS/(DEFICIT) FROM ORDINARY ACTIVITIES</b>	<b>-</b>	<b>-</b>
Minority interest	-	-
Extraordinary gains (+)	-	-
Extraordinary losses (-)	-	-
<b>SURPLUS/(DEFICIT) FROM EXTRAORDINARY ITEMS</b>	<b>-</b>	<b>-</b>
<b>ECONOMIC RESULT OF THE YEAR</b>	<b>-519 681</b>	<b>180 964</b>

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

Source: FRA, 2018.





Table A8.6: Average payment times for 2018

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	2 289	2 237	97.73 %	6	52	2.27 %	45
45	5	4	80.00 %	21	1	20.00 %	56
60	309	308	99.68 %	20	1	0.32 %	73
<b>Total number of payments</b>	<b>2 603</b>	<b>2 549</b>	<b>97.93 %</b>	-	<b>54</b>	<b>2.07 %</b>	-
<b>Average net payment time</b>	<b>9</b>	-	-	<b>8</b>	-	-	<b>46</b>
<b>Average gross payment time</b>	<b>9</b>	-	-	<b>8</b>	-	-	<b>46</b>

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 (EUR)	% of total amount	Total paid amount
0	58	13	0.50 %	2 603	156 772.62	1.03 %	15 170 058.56

Late interest paid in 2018			
Agency	GL Account	Description	Amount (EUR)
			0

NB: GL: General Ledger.

Source: FRA, 2018.

Table A8.7: Situation on revenue and income in 2018

Title	Description	Year of origin	Revenue and income recognised	Revenue and income cashed	Outstanding balance
2000	European Union subsidy	2018	22 395 000.00	22 350 000.00	45 000.00
4000	Revenue earmarked for a specific purpose	2018	321 429.00	321 429.00	0.00
9000	Miscellaneous revenue	2018	244 000.00	244 000.00	0.00
<b>TOTAL FRA</b>			<b>22 960 429.00</b>	<b>22 915 429.00</b>	<b>45 000.00</b>

Source: FRA, 2018.

Table A8.8: Recovery of undue payments

Income budget recovery orders issued in 2018	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
No link			1	107 143		
<b>Sub-total</b>	<b>0</b>	<b>0.00</b>	<b>1</b>	<b>107 143</b>	<b>0</b>	<b>0.00</b>

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												
<b>GRAND TOTAL</b>	<b>0</b>	<b>0.00</b>	<b>0</b>	<b>0.00</b>	<b>0</b>	<b>0.00</b>	<b>0</b>	<b>0.00</b>	<b>1</b>	<b>107 143</b>	<b>0</b>	<b>0.00</b>

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

Source: FRA, 2018.

**Table A8.9: Ageing balance of recovery orders at 31 December 2018**

Year of origin	Number at 1 January 2018	Number at 31 December 2018	Evolution	Open amount (EUR) at 1 January 2018	Open amount (EUR) at 31 December 2018	Evolution
2018	0	1	0.00 %	0.00	45 000.00	0.00 %
<b>Totals</b>	<b>0</b>	<b>1</b>	<b>0.00 %</b>	<b>0.00</b>	<b>45 000.00</b>	<b>0.00 %</b>

Source: FRA, 2018.

**Table A8.10: Recovery-order waivers in 2018 > EUR 100 000**

Waiver central key	Linked RO central Key	RO accepted amount (EUR)	LE account group	Commission decision	Comments
<b>Total FRA</b>		<b>0.00</b>			
<b>Number of RO waivers</b>		<b>0</b>			

Justifications: N/A

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

Source: FRA, 2018.

**Table A8.11: Census of negotiated procedures**

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

Source: FRA, 2018.



**Table A8.12: Building contracts**

BUILDING CONTRACTS						
		<b>Count:</b>	<b>0</b>			
		<b>Total amount:</b>	<b>0</b>			
	<b>Contractor(s)</b>					
<b>Number</b>	<b>Name</b>	<b>Address</b>	<b>Type of contract</b>	<b>Description</b>	<b>Amount (EUR)</b>	<b>Legal base</b>
N/A						

Source: FRA, 2018.

**Table A8.13: Contracts declared secret**

The agency did not declare any contracts secret.

Source: FRA, 2018.



# 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 as 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 2018, within a general effort to ensure the highest impact of its activities, several evaluation exercises were conducted for FRA projects.

### Ex ante evaluations

Responding to a fundamental rights emergency – the long-term impact of responses to the 2015 asylum/migration crisis	
<b>Thematic area</b>	Immigration and integration of migrants, visa and border control and asylum
<b>Summary of performance related findings and recommendations</b>	<p>The agency intends to undertake research, interviewing persons who entered the EU, focusing on families and children, alongside interviews with officials who were responsible for responding to the crisis. The results are intended to provide a ‘lessons learnt’ overview of different Member States’ responses to the crisis.</p> <p><b>Relevance:</b> Findings from the evaluation show that the project is relevant in light of the policy background and FRA’s strategic objectives. It is one of the few studies collecting primary data from a range of stakeholders. Nonetheless, further synergies could be created with relevant stakeholders, particularly at national level.</p> <p><b>Coherence and complementarity:</b> It represents a logical continuation of FRA work in the area of asylum and migration and complements other FRA initiatives and projects. External coherence is also guaranteed; no duplications have been identified at EU or national level.</p> <p><b>Added value:</b> The project possesses a clear EU added value, due to its comparative and local approach. The added value is recognised by EU stakeholders, but it less clear among national/local stakeholders and could be strengthened.</p>

Second FRA survey on discrimination and hate crime against Jews	
<b>Thematic area</b>	Racism, xenophobia and related intolerance
<b>Summary of performance related findings and recommendations</b>	<p>Building on the data collection tools and methods developed for the 2012 survey, the second wave of this survey collected 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.</p> <p><b>Relevance:</b> The second FRA survey on discrimination and hate crime against Jews is relevant in light of the policy background and FRA’s strategic objectives.</p> <p><b>Effectiveness:</b> FRA was very effective in creating synergies with relevant stakeholders, particularly at European level, and actively worked with the European Commission to involve a high number of relevant stakeholders in the preparatory phase of the project.</p> <p><b>Coherence:</b> The project presents a high coherence with policies and initiatives implemented at European level, and no duplications have been identified at EU or national level.</p> <p><b>Complementarity:</b> It represents a logical continuation of FRA work in the area of discrimination and antisemitism and complements other FRA initiatives and projects.</p> <p><b>Added value:</b> The project presents a clear EU added value, due to the comparative nature of the survey results, allowing the European institutions to better monitor the implementation of EU legislation at national level.</p> <p>The dissemination of the survey link could also target specific groups of Jews who were under-represented in the previous survey, such as Orthodox and unaffiliated Jews. Further synergies could be established with relevant stakeholders for supporting the dissemination of results, such as other international organisations and human rights organisations.</p>

## Ex post evaluations

The Roma multiannual programme	
<b>Thematic area</b>	Roma integration
<b>Summary of performance related findings and recommendations</b>	<p>Based on the evaluation, with the Roma multiannual programme, FRA has succeeded in accomplishing what was expected from the agency in the 2011 communication: providing quantitative evidence, comparable across Europe, of the discriminations faced by Roma people; and monitoring the efforts made by Member States to tackle these discriminations within the EU framework. However, FRA should progressively shift its main efforts from documenting the situation of Roma people to documenting why budgets and policy efforts seem to not be enough to change the situation – and provide solutions accordingly.</p> <p><b>Relevance:</b> The programme is addressing a lack of quality evidence regarding Roma inclusion, which makes it difficult for Member States to develop relevant policies, at the right level of magnitude. FRA should also aim at better tapping the wealth of data already harvested, through additional, thematic studies performed by FRA researchers; by providing open access to data; and by encouraging researchers to exploit the data sets.</p> <p><b>Coherence:</b> The programme activities are able to contribute to all steps of evidence-based policymaking, at EC, national and local levels, within the EU framework for Roma inclusion.</p> <p><b>Effectiveness:</b> There is a large consensus about the quality of the evidence provided by FRA, especially on its surveys, and its usefulness for policymakers.</p> <p><b>Complementarity:</b> The programme is still the only programme providing quantitative, comparable data at EC level.</p> <p><b>Impact:</b> Among other sources used by the EC, NGOs or Member States, FRA evidence is largely appreciated, especially as a benchmark of one's efforts towards Roma inclusion.</p> <p><b>Efficiency:</b> FRA has very little latitude in budget matters for the programme, as most of the money is spent on surveys commissioned in answer to the EC's demand.</p>

Fundamental Rights Report 2017	
<b>Thematic area</b>	Commitment
<b>Summary of performance related findings and recommendations</b>	<p>The Fundamental Rights Report (FRR) is an annual publication of the agency that aims at identifying trends in fundamental rights across the EU as well as at highlighting promising practices in Member States. Moreover, the FRR also contributes to raising awareness on the use of the EU Charter of Fundamental Rights at national level.</p> <p><b>Relevance:</b> The FRR is relevant for presenting selected FRA activities in the field of fundamental rights and reporting on existing and emerging fundamental rights issues in the EU. Regarding the relevance of the target audience, the FRR could also target the judiciary as a main audience. It currently targets national governments and parliaments but not the third branch of the state's government.</p> <p><b>Effectiveness:</b> The FRA has been very effective in producing a report that would combine a comparative study, an awareness-raising exercise and a tool which assists the EU institutions in decision-making, also trying to find a balance between different target audiences. The impact of the FRR could be enhanced, particularly through a more active presence of FRA in national events.</p> <p><b>Efficiency:</b> The 2017 FRR appears to be relatively cost-efficient if compared to the previous years, with a budget allocation that was gradually reduced since 2014.</p> <p><b>Coherence and complementarity:</b> The FRR is coherent with other reports in the area of fundamental rights in Europe. The FRR is used as a reference document for the production of several EU and worldwide reports.</p> <p><b>Added value:</b> The FRR provides a neutral and impartial evaluation of the implementation of the fundamental rights obligations by the Member States, with a global, integrated and rigorous perspective.</p> <p>Improvements can be made to the report structure, content and design of both paper and electronic versions.</p>



Handbook of European Law on the rights of the child	
<b>Thematic area</b>	Rights of the child
<b>Summary of performance related findings and recommendations</b>	<p>For the first time, a handbook with consolidated information on the European jurisprudence in the area of the rights of the child was made available to policymakers, legal professionals and practitioners to safeguard the rights of children, also enabling comparison of the level of legal protection of children's rights ensured by the European courts.</p> <p><b>Relevance:</b> The handbook filled a gap, identified by FRA and the Council of Europe, of a lack of systematic and analytical information on the 'European standard' on the protection of child rights in reference to the UN Committee on the Rights of the Child. In order to stay relevant, the handbook needs to be updated in a few years' time when new case-law on the rights of the child is likely to become available.</p> <p><b>Effectiveness:</b> The handbook raised awareness and improved knowledge of the legal standards protecting children's rights in Europe. In general, it appears that more effort could be invested in the dissemination of the handbook. Translation and promotion in more languages could be done, for example, languages of the Council of Europe or the EU candidate countries.</p> <p><b>Efficiency:</b> The handbook appears to represent good value for money considering the total budget against the overall reach of the handbook.</p> <p><b>Coherence:</b> The handbook builds on previous and ongoing FRA work concerning the rights of the child and the handbook is coherent with other European work concerning the rights of the child.</p> <p><b>Complementarity:</b> The handbook is complementary, the first-of-its-kind document on child rights and does not overlap with other EU initiatives with similar objectives.</p> <p><b>Added value:</b> The handbook's main added value is, as the first official and comprehensive analysis of the standard of child rights protection in the EU and beyond, it filled a research gap with a high scientific quality.</p> <p><b>Sustainability:</b> One of the main factors contributing to the sustainable use of the handbook is that it has become teaching material and training tool for academic institutions and legal professionals.</p>
Fundamental Rights Forum	
<b>Thematic area</b>	Commitment
<b>Summary of performance related findings and recommendations</b>	<p>FRF2018 was a success in achieving its objectives of bringing different stakeholder groups together, facilitating networking and providing visibility of FRA. The key organisational aspects were successfully implemented, including the use of innovative discussion formats, good use of social media channels and a much more operational and concrete Chair's Statement (compared to the 2016 statement).</p> <p><b>Relevance:</b> The forum was highly relevant to the current needs and challenges in the field of fundamental rights, while the objectives of the FRF were relevant to the needs of the stakeholders. However, FRA should consider how best the forum's actions could be reflected in the relevant FRA's projects to be embedded more systematically across the whole spectrum of FRA's activities.</p> <p><b>Effectiveness:</b> The forum was effective in relation to the achievement of planned and intended outputs, outtakes and outcomes. The number of participants largely exceeded the expected target with a variety of stakeholders from different sectors of society.</p> <p><b>Efficiency:</b> The event was properly planned and organised with a significant effort and the capacity of the agency. Due to the size of the forum, it is important that the effort required is continued to be efficiently managed. FRA should review the organisational elements of the forum.</p> <p><b>Coherence and complementarity:</b> It is coherent with the FRA's mandate, as set out in Articles 2 to 4 of Council Regulation (EC) No 168/2007 and with other initiatives taken by the FRA (the FRA's 2017-2021 Strategic Plan).</p> <p><b>Added value:</b> The forum had a clear added value by providing a platform for collaboration and interaction with a variety of stakeholders including non-traditional groups.</p> <p><b>Sustainability:</b> Ensuring sustainability of the forum's outcomes and maintaining its impacts remains a concern. On the positive side, stakeholder opinion indicates an interest in following up the contacts made and using the outcomes of the forum.</p>

FRA has already commissioned three evaluations of projects from the 2018 annual work programme. The external contractor has initiated the evaluations of the selected projects. These evaluations will be completed in 2019.

### Ex ante evaluation

Effectively promoting rights, values and freedoms	
<b>Thematic area</b>	Commitment
<b>Summary of the project</b>	The European Commission, the European Parliament and the Council have repeatedly stressed the need for more awareness raising of fundamental rights as enshrined in the EU Charter of Fundamental Rights. Such calls can be found in the annual reports on the effective implementation of the charter; the EU internal security strategy; the new narrative for Europe and the agenda on addressing diversity in education and promoting active citizenship and the European Commission communication on preventing radicalisation and extremism as well as in numerous European Parliament resolutions. FRA research has shown that fundamental rights awareness among duty bearers and rights holders in the EU is dramatically low, it was also a key point made during the 2016 Fundamental Rights Forum. To effectively do this, FRA aims to promote fundamental rights through communication, awareness raising, capacity building and outreach with strategic partners in the EU and its Member States. The agency's added value will be in institutionally strengthening the role of human rights promotion at the national level, working closely together with national human rights partners.

### Interim evaluation

EU LGBTI survey 2	
<b>Thematic area</b>	Equality
<b>Summary of the project</b>	Improvements in legal and policy frameworks at EU and national level to protect the rights of LGBTI persons are encouraging. The agency conducts the second wave of its EU LGBTI survey, expanding it to cover also intersex persons, in order to collect evidence of how these improvements are experienced by rights holders on the ground. Other EU level statistical data based on surveys on relevant issues disaggregated by sexual orientation or gender identity are not available. The first wave of this survey was carried out by the agency in response to a request of the European Commission in 2012. Repeating the survey and extending its scope to collect data also on the experiences and opinions of intersex persons assists the European Union and its Member States in further strengthening the fundamental rights legal frameworks protecting LGBTI persons as well as developing policies addressing challenges to fundamental rights faced by LGBTI people.

### Ex post evaluation

Biometric data in large IT borders, immigration and asylum databases	
<b>Thematic area</b>	Migration
<b>Summary of the project</b>	The project analyses the fundamental rights implications of collecting and processing biometric data with respect to large IT databases in the fields of borders, immigration and asylum. It examines the risks as well as the possible positive impact on fundamental rights of the processing of biometric data. Sharing of data with third parties and countries is included in the analysis. The large-scale IT systems set up or planned by the EU envisage the collection of personal data, including biometric identifiers, of virtually all non-EU nationals who travel to the EU, the consequences of which this FRA project explores for the first time in a comprehensive manner.





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](https://fra.europa.eu)

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### EU law and related documents

For access to legal information from the EU, including all EU law since 1952 in all the official language versions, go to EUR-Lex at: <http://eur-lex.europa.eu>

### Open data from the EU

The EU Open Data Portal (<http://data.europa.eu/euodp/en>) provides access to datasets from the EU. Data can be downloaded and reused for free, both for commercial and non-commercial purposes.

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

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