



Fundamental Rights Report 2019

FRA opinions

The year 2018 brought both progress and setbacks in terms of fundamental rights protection. FRA's Fundamental Rights Report 2019 reviews major developments in the field, identifying both achievements and remaining areas of concern. This publication presents FRA's opinions on the main developments in the thematic areas covered, and a synopsis of the evidence supporting these opinions. In so doing, it provides a compact but informative overview of the main fundamental rights challenges confronting the EU and its Member States.

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1 Implementing the Sustainable Development Goals in the EU: a matter of human and fundamental rights

This chapter explores the interrelationship between the human and fundamental rights framework and the Sustainable Development Goals (SDGs) of the global Agenda 2030 in the context of Member States' and the EU's internal policies. It focuses on the SDGs related to reducing inequality (SDG 10) and promoting peace, justice and strong institutions (SDG 16). The chapter highlights the importance of collecting disaggregated data on hard-to-reach population groups to develop evidence-based, targeted and rights-compliant policies that help empower everyone, particularly those most at risk of being left behind. The chapter also examines how the EU and its Member States are following up on their commitment to embed a rights-based approach to sustainable development; looks at policy coordination tools and financial instruments that can help to promote SDG implementation in full respect of fundamental rights; and emphasises the importance of national human rights institutions, equality bodies and Ombuds institutions, as well as local authorities, business communities and civil society, in mainstreaming the human rights dimension of SDGs.

The Sustainable Development Goals (SDGs) and human and fundamental rights are complementary in their common core objective to promote the well-being of all people. While the SDGs constitute a concrete and targeted global policy agenda to guide the actions of states and other actors, including the EU, human and fundamental rights constitute a comprehensive normative framework that creates legal obligations and accountability. The SDGs are grounded in human and fundamental rights and seek to realise them. At the same time, a rights-based approach to the SDGs is best placed to promote the implementation of the development goals.

All SDGs have a direct or indirect fundamental rights dimension and all of them are inter-connected. The rights dimension, however, is more prominent in some of them – such as SDG 10 on reducing inequality and SDG 16 on promoting peace, justice and strong institutions. In this respect, implementing and measuring SDGs 10 and 16 is also about implementing and measuring human and fundamental rights enshrined in international human rights instruments and the EU Charter of Fundamental Rights, such as the right to human dignity, non-discrimination and equality before the law and between women and men, the right to life and the integrity of the person, the right to social security and social assistance, or rights related to access to justice.

Data provided by Eurostat, which include FRA's data on violence against women, complemented by additional data collected and analysed by FRA on hard-to-reach population groups, such as ethnic or religious minorities, immigrants, or LGBTBI persons, highlight the need to enhance efforts to fully implement the SDGs. Inequality, in particular income inequality, has increased in the past years. Although that increase recently appears to have stopped, the overall rise in income inequality has led to compound challenges in enjoying fundamental rights on equal footing, especially for disadvantaged population groups. At the same time, discrimination and harassment, but also violence against people on discriminatory grounds, as well as violence against women, are a reality for a significant part of the population of the EU. In addition, new challenges to respect for the rule of law have emerged.

To address this reality and achieve SDGs in line with fundamental rights obligations, the EU and the Member States have at their disposal certain tools, such as robust anti-discrimination legislation and a range of sectoral policies. However, an overall EU strategy for comprehensive rights-based sustainable development, such as the one proposed by the EU's multi-stakeholder platform on SDGs for the period beyond 2020, has not yet been formally tabled. In this respect, the European Commission published



in early 2019 a reflection paper, introducing three possible scenarios for such a strategy in order to initiate the debate. Following this reflection paper, the EU Council adopted in April 2019 its Conclusions 'Towards an ever more sustainable Union'.

Effective policy monitoring and coordination mechanisms, such as the European Semester, can also play a major role in implementing the SDGs, drawing on data from the EU Justice and Social Scoreboards. So far, however, country-specific recommendations adopted in the context of the European Semester do not explicitly take into consideration either the SDG agenda or relevant fundamental rights requirements.

Another important tool is the use of EU Funds. Recent proposals by the European Commission link future EU funding in the context of the new Multiannual Financial Framework (EU budget) for the period 2021-2027 to rights-related conditionalities ('enabling conditions'), such as the respect and implementation of the EU Charter of Fundamental Rights. Moreover, the Commission has proposed avenues to protect the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States.

Respecting and promoting fundamental rights, while promoting the SDGs and the overarching commitment to leave no one behind, requires expertise, as well as adequate and disaggregated data. Such data are not always available. Moreover, even when available, they are not always taken into consideration.

At the national level, a rights-based implementation of the SDGs would benefit from a more structured and systematic engagement of national human rights institutions, equality bodies and Ombuds institutions, local government, social partners, businesses and civil society in SDG-coordination and monitoring mechanisms, as well as in monitoring committees of EU Funds. Such an engagement would also contribute to strengthening institutions and hence to promoting the implementation of the SDG on peace, justice and strong institutions (SDG 16).

In addition, the potential contribution of national human rights institutions, equality bodies and Ombuds institutions in collecting and analysing SDG- and fundamental rights-related data for hard-to-reach population groups is still largely untapped. In cooperation with national statistical authorities and drawing on their daily work, as well as on the expertise and technical assistance of FRA in this field, they could contribute substantially in this regard.

FRA opinion 1.1

The EU institutions should ensure that any future EU strategy for sustainable growth reflects, as appropriate, all SDGs and targets set by the global Agenda 2030, including the SDG on reducing inequality (SDG 10) and the SDG on promoting peace, justice and strong institutions (SDG 16). Such a strategy should promote the mainstreaming and the implementation of SDGs, acknowledging the close links between all 17 SDGs and fundamental rights, as enshrined in the EU Charter of Fundamental Rights. EU Member States should adopt a similar approach when designing or revising their sustainable development strategies or action plans.

FRA opinion 1.2

The EU's European Semester policy cycle, in particular the European Commission's assessment and the resulting country-specific recommendations, should take into account the global Agenda 2030 and its sustainable development goals, as well as the relevant human and fundamental rights obligations enshrined in the EU Charter of Fundamental Rights and international human rights law. In this respect, for example, country-specific recommendations could include in their considerations the links between them and the implementation of specific SDGs and the respect of EU Charter provisions.

FRA opinion 1.3

EU Member States should involve civil society in all its manifestations and all its levels in the delivery of the SDGs. In this regard, they could consider the model of the European Commission's high-level multi-stakeholder platform on the implementation of the sustainable development goals as an inspirational example. In addition, they could consider inviting civil society organisations to be actively involved in SDG-implementation and monitoring activities, as well as to take measures to empower them through training and funding based on a concrete roadmap for their implementation.

FRA opinion 1.4

The EU legislator should adopt the new enabling condition covering the effective application and implementation of the EU Charter of Fundamental Rights, as laid down in the Common Provisions Regulation proposed by the European Commission for the next Multiannual Financial Framework 2021-2027. Such a strengthened form of conditionality would provide an additional means for promoting a rights-based implementation of SDGs. As a means to promote further achievement of the SDG on peace, justice and strong institutions (SDG 16), the EU institutions should continue the discussion and pursue the objective of protecting the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States.

FRA opinion 1.5

EU Member States should ensure the active and meaningful participation of national human rights institutions, equality bodies or Ombuds institutions in monitoring committees of EU-funded programmes, and monitoring and coordination mechanisms of the implementation of the SDGs. As FRA has repeatedly

underlined, in this respect Member States should provide them with adequate resources and assistance to develop their capacity to carry out these tasks.

FRA opinion 1.6

The EU institutions and Member States should consider using all available statistical data and other available evidence on discrimination and bias-motivated violence or harassment, as well as data on violence against women, to complement their reporting on relevant SDG indicators, including data and evidence provided by FRA. Member States should collect and disaggregate data relevant for the implementation of SDGs, particularly as regards vulnerable and hard-to-reach groups of the population, to ensure that no one is left behind. In this respect, they should consult FRA data to identify if these data can add and provide disaggregation to their national reporting and monitoring. Furthermore, Member States should promote the cooperation of national statistical authorities with national human rights institutions, equality bodies or Ombuds institutions. Member States should consider using the expert technical assistance and guidance of FRA in this field.



2 EU Charter of Fundamental Rights and its use by Member States

In 2018, the Charter of Fundamental Rights of the European Union was in force as the EU's legally binding bill of rights for the ninth year. It complements national constitutions and international human rights instruments, in particular the European Convention on Human Rights (ECHR). As in previous years, the Charter's role and usage at national level remained ambivalent. National courts did use the Charter. Although many references to the Charter were superficial, various court decisions show that the Charter can add value and make a difference. Impact assessments and legislative scrutiny procedures in a number of Member States also used the Charter. This was, however, far from systematic and appeared to be the exception rather than the rule. Moreover, governmental policies aimed at promoting application of the Charter appeared to remain very rare exceptions, even though Article 51 of the Charter obliges states to proactively "promote" the application of its provisions. The Charter's tenth anniversary in 2019 provides an opportunity to inject more political momentum into unfolding the Charter's potential.

The EU Charter of Fundamental Rights entered into force only nine years ago. EU Member States are obliged to both respect the Charter's rights and "promote the application thereof in accordance with their respective powers" (Article 51 of the Charter). However, available evidence and FRA's consultations suggest that there is a lack of national policies that promote awareness and implementation of the Charter. Legal practitioners – including those in national administrations, the judiciary and national parliaments – have a central role to play in implementing the Charter. Although the judiciary uses the Charter, it appears less well known in the other branches of government. Based on the evidence collected in this report and in line with its Opinion 4/2018 on 'Challenges and opportunities for the implementation of the Charter of Fundamental Rights', FRA formulates the opinions that follow.

FRA opinion 2.1

EU Member States should launch initiatives and policies aimed at promoting awareness and implementation of the Charter at national level, so that the Charter can play a significant role wherever it applies. Such initiatives and policies should be evidence based, ideally by building on regular assessments of the use and awareness of the Charter in the national landscape.

More specifically, Member States should ensure that targeted and needs-based training modules on the Charter and its application are offered regularly to national judges and other legal practitioners in a manner that meets demand and guarantees 'buy-in'.

FRA opinion 2.2

EU Member States should aim to track the Charter's actual use in national case law and legislative and regulatory procedures, with a view to identifying shortcomings and concrete needs for better implementation of the Charter at national level. For instance, EU Member States should review their national procedural rules on legal scrutiny and impact assessments of bills from the perspective of the Charter. Such procedures should explicitly refer to the Charter, just as they do to national human rights instruments, to minimise the risk that the Charter is overlooked.

3 Equality and non-discrimination

The year 2018 saw mixed progress regarding EU legal and policy instruments to promote equality and non-discrimination. While the Council of the EU had still not adopted the proposed Equal Treatment Directive after 10 years of negotiations, the European Commission proposed EU financial instruments in the context of the EU's new multi-annual financial framework that support anti-discrimination policies at EU and national level. The Commission also issued a Recommendation on standards for equality bodies, providing useful guidance on strengthening protection against discrimination. The EU continued to engage with Member States to support their efforts to advance lesbian, gay, bisexual, transgender and intersex (LGBTI) equality, and several Member States introduced legal and policy measures to that effect. Bans on religious clothing and symbols continued to trigger controversies. Meanwhile, the EU and Member States took diverse steps to strengthen the collection and use of equality data, and a range of studies and surveys published in 2018 provided evidence on the extent and forms of discrimination that people experience in the EU.

The current EU legal framework provides comprehensive protection against discrimination on grounds of gender and racial or ethnic origin in key areas of life. However, it currently offers protection against discrimination on grounds of religion or belief, disability, age and sexual orientation only in the area of employment and occupation. By the end of 2018, after 10 years of negotiations, the Council of the EU had still not adopted the Equal Treatment Directive, which would extend this protection to the areas of education, social protection, and access to and supply of goods and services, including housing. This means that EU law protects an individual facing discrimination in, for example, the area of housing if the discrimination is on grounds of racial or ethnic discrimination, but not if it is on grounds of sexual orientation or other grounds. This results in an artificial hierarchy of grounds within the EU, with some of them more protected than others.

Article 21 of the EU Charter of Fundamental Rights prohibits 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. Article 19 of the Treaty of the Functioning of the European Union holds that the Council, acting unanimously, in accordance with a special legislative procedure and after obtaining the consent of the European Parliament, may take appropriate action to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation.

FRA opinion 3.1

In view of the overwhelming evidence of discrimination on different grounds in areas such as education, social protection and access to goods and services, including housing, the EU legislator should step up efforts to adopt the Equal Treatment Directive. This would ensure that EU legislation offers comprehensive protection against discrimination in key areas of life, including on grounds of religion or belief, disability, age and sexual orientation.

Discrimination and inequalities on different grounds remain realities in everyday life throughout the EU, the findings of FRA surveys and various national studies published in 2018 confirm. These findings also consistently show that people who experience discrimination seldom report it. The most common reason cited for not reporting is the belief that nothing would change as a result.

In light of this evidence, it can be noted that both the Racial Equality Directive and the Employment Equality Directive stipulate under their provisions on positive action that, to ensure full equality in practice, the principle of equal treatment shall not prevent any Member State from maintaining or adopting specific measures to prevent or compensate for disadvantages linked to any of the protected grounds.

The Racial Equality Directive and the directives in the area of gender equality also establish bodies for the promotion of equal treatment. They are tasked with providing assistance to victims of discrimination, conducting research on discrimination and making recommendations on how to address discrimination. All EU Member States have established such equality bodies. However, several European Commission against Racism and Intolerance (ECRI) and Committee for the Elimination of Racial Discrimination (CERD) country reports published in 2018 expressed concerns regarding the effectiveness, independence and adequacy of human, financial and technical resources of the equality bodies monitored.

The European Commission's Recommendation on standards for equality bodies and ECRI's revised General Policy Recommendation No. 2 provide comprehensive guidance on how equality bodies' mandates, structures and means can be strengthened to increase their effectiveness.

FRA opinion 3.2

EU Member States should ensure that equality bodies can fulfil effectively and independently the tasks assigned to them in the EU's non-discrimination legislation. This entails ensuring that equality bodies are allocated sufficient human, financial and technical resources. When doing so, Member States should give due consideration to the European Commission's Recommendation on standards for equality bodies as well as ECRI's revised General Policy Recommendation no. 2.

FRA opinion 3.3

In line with the principle of equal treatment and the EU equality directives, EU Member States should consider introducing measures to prevent or compensate for disadvantages linked to any of the protected grounds. Such disadvantages could be identified through the analysis of data on discrimination experiences in key areas of life, which should be collected systematically in the EU.

The European Commission presented its second annual report on the list of actions to advance LGBTI equality and confirmed its dedication to the list's successful implementation. Through a number of high-level groups and working groups, the Commission supports the Member States in their efforts to advance LGBTI equality.

The European Parliament called on the Commission to take action to ensure that LGBTI individuals and their families can exercise their right to free movement and are provided with clear and accessible information on the recognition of cross-border rights for LGBTI persons and their families in the EU.

A number of Member States also took action to advance LGBTI equality and introduced relevant legal changes and policy measures throughout the year. These involved the status of same-sex families; simplified procedures for gender reassignment on the basis of self-determination; and stopping unnecessary surgical interventions on intersex children. In several Member States, courts paved the way for legislative developments or ensured their proper enforcement.

FRA opinion 3.4

EU Member States are encouraged to continue adopting and implementing specific measures to ensure that lesbian, gay, bisexual, trans and intersex (LGBTI) persons can fully avail themselves of all their fundamental rights available under EU and national law. In doing so, Member States are encouraged to use the list of actions to advance LGBTI equality published by the European Commission to guide their efforts.

As in previous years, restrictions on religious clothing and symbols at work or in public spaces continued to shape debates in the EU in 2018. Although most EU Member States justify such laws with the intention of preserving neutrality, or as a way to ease social interaction and coexistence, it remains difficult to strike the balance between freedom of religion or belief and other legitimate aims pursued in a democratic society. These restrictions particularly affect Muslim women. Enforcing such laws proves particularly challenging in areas where there is no clearly defined line between the public and the private sphere, and the way courts deal with discrimination claims in this context varies across the EU.

Article 10 of the EU Charter of Fundamental Rights guarantees everyone's right to freedom of thought, conscience and religion. This right includes the freedom to change one's religion or belief and the freedom to manifest religion or belief in worship, teaching, practice and observance, either alone or in community with others. Article 21 of the EU Charter of Fundamental Rights prohibits any discrimination on the ground of religion or belief.

FRA opinion 3.5

EU Member States should ensure that any legal restrictions on symbols or garments associated with religion comply fully with international human rights law, including relevant case law of the European Court of Human Rights. Any legislative or administrative proposal that risks limiting the freedom to express one's religion or belief should embed fundamental rights considerations and fully respect the principles of legality, necessity and proportionality.

Equality data, understood as any pieces of information that are useful for describing and analysing the state of equality, are indispensable to inform evidence-based non-discrimination policies, monitor trends, and assess the implementation of anti-discrimination legislation. Furthermore, under the Racial Equality Directive and the Employment Equality Directive, every five years EU Member States have to communicate all the information necessary for the Commission to draw up a report to the European Parliament and the Council on the application of these directives. The next obligation to communicate is due in 2020.

The Subgroup on Equality Data set up under the EU High Level Group on Non-Discrimination, Equality and Diversity identified a number of common

challenges that affect the availability and quality of equality data in Member States. These challenges include the lack of a coordinated approach to equality data collection and use, incomplete identification of population groups at risk of discrimination due to overreliance on proxies, and insufficient consultation with relevant stakeholders in the design and implementation of data collection. The 11 guidelines on improving the collection and use of equality data prepared by the subgroup offer concrete guidance on addressing these challenges at national level. Although the guidelines are for Member States, by analogy they could also be applied within EU institutions and bodies to strengthen diversity monitoring.

FRA opinion 3.6

EU Member States should adopt a coordinated approach to equality data collection and ensure reliable, valid and comparable equality data disaggregated by protected characteristics, based on self-identification and in compliance with the principles and safeguards set out under the General Data Protection Regulation. When doing so, Member States should give due consideration to the guidelines on improving the collection and use of equality data adopted by the EU High Level Group on Non-Discrimination, Equality and Diversity. As a future step, EU institutions and bodies should consider applying these guidelines within their own structures.



4 Racism, xenophobia and related intolerance

Eighteen years after the adoption of the Racial Equality Directive and 10 years after the adoption of the Framework Decision on Racism and Xenophobia, people with minority backgrounds and migrants continue to face widespread harassment, structural discrimination, entrenched prejudice and discriminatory ethnic profiling across the EU, as the findings of FRA's 2018 surveys and reports of human rights bodies show. Several Member States have still not correctly and fully incorporated the Framework Decision on Racism and Xenophobia into national law. In 2018, only 15 Member States had in place action plans and strategies aimed at combating racism and ethnic discrimination.

Article 4 (a) of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) obliges States Parties to declare that incitement to racial discrimination and acts of violence against any race or group of persons are offences punishable by law. Article 1 of the Framework Decision on Racism and Xenophobia outlines measures that Member States are to take to punish intentional racist and xenophobic conduct. Article 4 further requires bias motivation to be considered an aggravating circumstance or taken into consideration by the courts in determining the penalties imposed on offenders. The Victims' Rights Directive requires that victims of hate crime receive an individual assessment to identify their specific support and protection needs (Article 22). The implementation of EU law entails ensuring that the police identify hate crime victims and record the racist motivation at the time of reporting.

In 2018, FRA survey data remained the main source for understanding the prevalence and forms of hate victimisation in many EU Member States and across the EU. Racist harassment and violence are common occurrences in the EU that remain invisible in official statistics, and Member States lack the tools and skills to record hate crime properly and systematically, FRA's 2018 surveys on the victimisation of people of African descent and of Jewish persons both found.

FRA opinion 4.1

EU Member States should ensure that any alleged hate crime, including illegal forms of hate speech, is effectively recorded, investigated, prosecuted and tried. This needs to be done in accordance with applicable national, EU, European and international human rights law.

EU Member States should make further efforts to systematically record, collect and publish annually data on hate crime to enable them to develop effective, evidence-based legal and policy responses to this phenomenon. Any data should be collected in accordance with national legal frameworks and EU data protection legislation.

Article 10 of the Racial Equality Directive stresses the importance of dissemination of information to ensure that the persons concerned know of their right to equal treatment. In addition, Article 13 of the directive establishes the obligation to designate national bodies for the promotion of equal treatment; these have the tasks of providing assistance to victims of discrimination, conducting research on discrimination, and making recommendations on how to address discrimination. However, members of ethnic minority groups tend to have very limited awareness of equality bodies, and incidents of discrimination remain largely unreported, evidence collected by FRA indicates.

FRA opinion 4.2

EU Member States should ensure that equality bodies can fulfil their tasks, as assigned by the Racial Equality Directive, by supporting them in raising public awareness of their existence, of the anti-discrimination rules in force, and of ways to seek redress. This can help strengthen the role of equality bodies in facilitating the reporting of ethnic and racial discrimination by victims.

In 2018, only 15 EU Member States had dedicated national action plans in place to fight racial discrimination, racism and xenophobia. The UN Durban Declaration and Programme of Action resulting from the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance underlines State Parties' primary responsibility to combat racism, racial discrimination, xenophobia and related intolerance. The EU High Level Group on combating racism, xenophobia and other forms of intolerance provides Member States with a forum for exchanging practices to secure the successful implementation of such action plans.

FRA opinion 4.3

EU Member States should develop dedicated national action plans to fight racism, racial discrimination, xenophobia and related intolerance. In this regard, EU Member States could draw on the practical guidance offered by the Office of the United Nations High Commissioner for Human Rights on how to develop such plans. In line with this guidance, such action plans would set goals and actions, assign responsible state bodies, set target dates, include performance indicators, and provide for monitoring and evaluation mechanisms. Implementing such plans would provide EU Member States with an effective means of ensuring that they

meet their obligations under the Racial Equality Directive and the Framework Decision on Combating Racism and Xenophobia.

Members of ethnic minority groups continue to face discriminatory ethnic profiling by the police, evidence from EU-MIDIS II and findings of research in a number of Member States show. Such profiling can undermine their trust in law enforcement. This practice contradicts the principles of ICERD and other international standards, including those embodied in the ECHR and related jurisprudence of the ECtHR, as well as the EU Charter of Fundamental Rights and the Racial Equality Directive.

FRA opinion 4.4

EU Member States should develop specific, practical and ready-to-use guidance to ensure that police officers do not conduct discriminatory ethnic profiling in the exercise of their duties. As noted in FRA's guide on preventing unlawful profiling, such guidance should be issued by law enforcement authorities, or included in standard operating procedures of the police or in codes of conduct for police officers. Member States should systematically communicate such guidance to frontline law enforcement officers.



5 Roma integration

Roma continue to face discrimination because of their ethnicity in access to education, employment, healthcare and housing. Reports of discrimination and hate crime continued in 2018, confirming that anti-Gypsyism remains an important barrier to Roma inclusion. There has been little change in the social and economic situation of Roma across the EU, FRA data show. This undermines EU and national efforts to reach the Sustainable Development Goals (SDGs), in particular Goal 10 in regard to reducing inequality within countries, and more specifically its Target 10.3 to ensure equal opportunity and reduce inequalities of outcome. The 2018 edition of Eurostat's monitoring report on progress towards the SDGs in the EU contains no reference to Roma inclusion outcomes or to the relevant data that FRA produced, despite the high relevance of monitoring a number of goals specifically for Roma (in particular Goals 1, 4, 6 and 8). Such monitoring would have explicit policy relevance, given the existence, since 2011, of an EU Framework for National Roma Integration Strategies and the related Council Recommendation of 2013.

Concrete measures to address anti-Gypsyism and widespread discrimination against Roma are not yet systematically in place across the EU, nor are they a key priority in the national Roma integration strategies and related policies at European, national, regional and local levels. Few national Roma integration strategies address discrimination as a distinct priority. Many Member States' national Roma integration strategies do not explicitly refer to anti-Gypsyism at all. Enhanced efforts to address discrimination and anti-Gypsyism more concretely and systematically are necessary to strengthen the processes of social inclusion and improve integration outcomes.

FRA opinion 5.1

EU Member States should review their national Roma integration strategies and acknowledge anti-Gypsyism as a form of racism, which can lead to forms of structural discrimination. National Roma integration strategies should specify which of their general anti-discrimination measures address anti-Gypsyism explicitly and how. Specific measures should address both Roma – for example, through rights awareness campaigns or facilitating access to legal remedy – and the general public – for example, through raising awareness about historical discrimination, segregation and persecution of Roma.

Very few Roma who experience harassment and hate-motivated violence report these incidents to any organisation, including the police, FRA data show. Measures to enforce EU anti-discrimination legislation with respect to Roma remained weak in 2018. There are major challenges in improving and

enforcing laws that prohibit discrimination against Roma. At the top of the list are a lack of trust in institutions on the part of Roma, and poor understanding of the challenges Roma are facing on the part of institutions. The lack of regular monitoring of discrimination and of reporting of hate crimes at national level also remains a problem, since the extent of anti-Gypsyism and discrimination is difficult to capture without data or evidence. Only a few examples of incident reporting and collection of data on anti-Gypsyism could be identified across the EU Member States.

FRA opinion 5.2

To tackle limited reporting of discrimination and anti-Gypsyism to the authorities, EU Member States should ensure that law enforcement agencies cooperate with equality bodies, as well as Ombuds and national human rights institutions. This would help to develop actions that foster an environment where Roma, like everyone else, feel confident about reporting incidents of discriminatory treatment, including discriminatory ethnic profiling, in the knowledge that the competent authorities will take their complaints seriously and follow up on them. Such actions could include, for example, third-party reporting referral procedures, which engage civil society organisations with law enforcement to facilitate reporting of hate crime and discrimination.

In 2018, EU institutions and Roma civil society continued to highlight the importance of the meaningful participation of Roma, especially at local level, for more effective implementation of inclusion policies and for achieving sustainable outcomes as required by the global Agenda 2030. The European Commission highlighted in its 'Evaluation of the EU Framework for National Roma Integration Strategies up to 2020' the importance of community engagement, stressing also that participation of Roma can help to identify funding priorities. Importantly, the findings of the evaluation resonate with FRA's local-level research, which highlights how interactions and community-level engagement can be an important tool to facilitate more positive community relations, ease possible tensions between Roma and non-Roma, and ultimately combat anti-Gypsyism by contributing to breaking down stereotypes and eliminating discriminatory behaviours. Such community-level engagement has the potential to boost the effectiveness of European Structural

and Investment Funds by reflecting local communities' priorities and making genuinely inclusive the process of their implementation.

FRA opinion 5.3

EU Member States should review their national Roma integration strategies or integrated sets of policy measures to promote a participatory approach to designing, implementing and monitoring Roma inclusion actions, especially at local level, and to support community-led efforts. European Structural and Investment Funds and other funding sources should be used to promote and facilitate the participation of Roma and community-led integration projects. Future partnership agreements for the new generation of EU funds should explicitly include the participation of Roma in the design, implementation and monitoring of relevant investment on Roma inclusion at local level.



6 Asylum, visas, migration, borders and integration

As global displacement numbers remained high, arrivals to the European Union (EU) continued to drop. Attempting to cross the Mediterranean Sea remained deadly, with an estimate of 2,299 fatalities in 2018. Allegations of refoulement and of police mistreating migrants and refugees persisted. In June, European leaders called for a comprehensive approach to migration, with a strong focus on stemming irregular migration, including unauthorised movements within the EU. Diverse large-scale IT systems – most of which involve processing biometric data – were both introduced and further developed. Meanwhile, the integration of refugees who arrived in 2015-2016 made progress despite diverse hurdles.

Articles 18 and 19 of the EU Charter of Fundamental Rights guarantee the right to asylum and prohibit *refoulement*. Article 6 enshrines the right to liberty and security. Under international law of the sea, people rescued at sea must be brought to a place of safety. ‘Safety’ also means protection from persecution or other serious harm. In 2018, disagreements between EU Member States on where rescue boats should dock resulted in migrants being left waiting at sea for days, sometimes weeks. Some Member States continued to maintain facilities at their borders, at which asylum applicants are held while authorities review their asylum claims. Meanwhile, reports of violations of the principle of non-*refoulement* increased, as did accounts of police violence at borders.

FRA opinion 6.1

*The EU and its Member States should cooperate with relevant international organisations and third countries to ensure safe, swift and predictable disembarkation for migrants and refugees rescued at sea, in compliance with the principle of non-*refoulement*. Any processing centres established within the EU must fully comply with the right to liberty and security set out in Article 6 of the Charter and entail adequate safeguards to ensure that asylum and return procedures are fair. EU Member States should reinforce preventive measures against abusive behaviour by law enforcement and effectively investigate all credible allegations of *refoulement* and violence by law enforcement authorities at the borders.*

In its previous Fundamental Rights Report, FRA expressed serious concern about the intimidation of humanitarian workers and volunteers who

support migrants in an irregular situation. In addition to other actors, a number of National Human Rights Institutions spoke out against such practices, noting that they have a chilling effect on NGOs’ work. This trend continued in 2018, targeting both rescue vessels deployed by civil society in the Mediterranean, as well as volunteers and non-governmental organisations active in the EU.

FRA opinion 6.2

EU Member States should avoid actions that directly or indirectly discourage humanitarian support that helps migrants and refugees in need, and should follow up on relevant recommendations issued by National Human Rights Institutions. Furthermore, EU Member States should remove restrictions imposed on civil society organisations that deploy rescue vessels in the Mediterranean Sea.

The EU plans the EU-wide storage of personal data – including biometric data – of all foreigners in the Visa Information System. This includes data of holders of long-term resident permits. Their data are currently only stored nationally by the Member States in which they are living. Storing in an EU-wide system the personal data of third-country nationals who have strong links to the EU amounts to treating them like third-country nationals who only come to the EU temporarily – for example, for tourism, studies, or business. This goes against the idea of an inclusive society conducive to genuinely integrating third-country nationals living in the EU. Many residence-permit holders have their centre of life in the EU, where they are residing on a permanent basis.

FRA opinion 6.3

The EU should avoid EU-wide processing in the Visa Information System of personal data of residence-permit holders who have their centre of life in the EU. Their data should be processed in national systems, in a manner similar to EU nationals.

About seven in ten Europeans consider the integration of migrants – including beneficiaries of international protection – as a necessary investment in the long-run for both the individuals concerned and the receiving country. Between 2015 and 2017, more than 1.4 million persons received international protection in the 28 EU Member States. Persons granted international protection are entitled to a set of rights laid down in the 1951 Convention Relating

to the Status of Refugees (1951 Convention), which is enshrined both in EU primary and secondary law. According to FRA research, in six Member States, lengthy procedures for obtaining residence permits have made it difficult for refugees to access education and employment, negatively affected their mental health, and may increase their vulnerability to exploitation and crime. FRA's evidence also shows that refugees face risks of homelessness upon receiving international protection.

FRA opinion 6.4

EU Member States should reinforce their efforts to ensure that people granted international protection fully enjoy the rights to which they are entitled under the 1951 Convention, international human rights law, and relevant EU law, so as to foster their successful integration into the host society.



7 Information society, privacy and data protection

In 2018, news of large-scale abuses of personal data sparked concern and raised awareness of the need for strong privacy and data protection safeguards. This underlined the importance of legislators' efforts in this area – such as the General Data Protection Regulation (GDPR), which became applicable in May – as well as the key role of whistleblowers and civil society. Meanwhile, the Council of Europe opened for signature the Amending Protocol for modernised Convention 108, and the global expansion of Convention 108 continued, reaching a total of 53 States Parties by the end of 2018. Both texts provide individuals with a reinforced legal framework to protect their rights to privacy and protection of personal data. Such legal frameworks are especially vital when fast-evolving technologies bring both economic opportunities and legal challenges. Across the EU, Member States entered an artificial intelligence race to ensure that industry and labour markets are well placed for tomorrow's competitiveness – sometimes leaving fundamental rights on the margin of the debates. Finally, and as in previous years, data protection in the context of law enforcement also remained high on the agenda, with the European Commission proposing new rules for the cross-border acquisition of e-evidence. There were, however, no EU-level developments on data retention: no EU initiatives to comply with the relevant 2014 and 2016 CJEU judgments were proposed.

In 2018, the Council of Europe updated its legal framework on data protection with the adoption of modernised Convention 108. Meanwhile, the global expansion of the original Convention 108 continued, with 53 countries bound by that convention by the end of the year. In the EU, the GDPR became applicable, Member States were to transpose the Law Enforcement Directive, and revised data protection rules for EU institutions and bodies were adopted. However, the adoption of the e-Privacy Regulation was still pending. The proposed regulation concerns the right to privacy in electronic communications; it is critical for ensuring that the EU legal framework is updated to align it with the GDPR, especially in view of new technological developments.

Even with several existing and new instruments in place, implementation and enforcement of data protection rules remained a challenge, as did the fight against abuses of these rules by public and private institutions. Qualified civil society bodies are often in a better position than ordinary citizens are to initiate proceedings that trigger data protection authorities' enhanced powers. However, only a few Member States have empowered qualified bodies to lodge complaints without an explicit mandate from a data subject.

FRA opinion 7.1

EU Member States should encourage the effective involvement of qualified civil society organisations in the enforcement of data protection rules, by providing the necessary legal basis for such organisations to lodge complaints regarding data protection violations independently of a data subject's mandate.

Whistleblowers are crucial for helping to ensure that data protection and privacy violations result in effective remedies, both by warning of potential breaches or by bringing important evidence during investigations. They contribute to public awareness and deterrence of serious and large breaches of rights to privacy and data protection that otherwise would remain undisclosed within organisations. FRA recommended enhanced protection for whistleblowers in its report on surveillance by intelligence services. However, few Member States have specific rules in place to provide effective protection against retaliation. In April 2018, the Commission proposed a directive on the protection of persons reporting on breaches of Union law.

FRA opinion 7.2

EU Member States should consider providing for effective protection of whistleblowers, thereby contributing to the effective compliance of business and governments with the fundamental rights to privacy and data protection.

Despite the CJEU's annulment of the Data Retention Directive (Directive 2006/24/EC) back in 2014 and relevant judgments in the field, the EU has still not adopted legislation on data retention. Consequently, the situation in Member States remains diverse, in particular when it comes to legislation. Some Member States have made efforts to align their legislation with the CJEU's judgments. Other Member States have not made any noteworthy changes in their legislation. The CJEU's ruling in the *Tele 2 and Watson* case confirms that national legislation regulating data retention and access for criminal and public security purposes falls within the scope of EU law and, in particular, under Article 15 (1) of the previous e-Privacy Directive (2002/58/EC). Such national legislation must not impose a general and indiscriminate data retention scheme, and must include procedural and substantial safeguards with regard to access to data retained. If Member States retain national legislation adopted to incorporate the former Data Retention Directive (Directive 2006/24/EC), or legislation that does not comply with the requirements laid down in the case law of the CJEU, they risk undermining respect for the fundamental rights of EU citizens and legal certainty across the Union.

FRA opinion 7.3

EU Member States should align their legislation on data retention with the CJEU rulings, and avoid general and indiscriminate retention of data by telecommunication providers. National law should include strict proportionality checks as well as appropriate procedural safeguards so that it effectively guarantees rights to privacy and the protection of personal data.

Recent developments in the areas of artificial intelligence and big data have led to many policy initiatives with a focus on maximising the economic benefits of new technologies. At the same time, many initiatives by various national and international bodies discuss ethical implications, and less often fundamental and human rights implications with a view to putting forward guidelines and soft law. Many Member States and EU institutions have started preparing national strategies on artificial intelligence.

FRA opinion 7.4

Given that only a rights-based approach guarantees a high level of protection against possible misuse of new technologies and wrongdoings using them, Member States should put fundamental rights at the heart of national strategies on AI and big data. Such strategies should incorporate know-how from experts in various disciplines such as lawyers, social scientists, statisticians, computer scientists and subject-level experts. Ethics can complement a rights-based approach but should not replace it.



8 Rights of the Child

One in four children in the European Union live at risk of poverty or social exclusion, despite the slowly improving trend towards reducing child poverty. Not all children, however, benefit from the change in trend. Children with parents born outside the EU or with foreign nationality are more likely to be poor. The number of migrant and asylum-seeking children coming to the EU decreased again in 2018. Nevertheless, in certain Member States, the reception conditions – including the use of immigration detention – remained a serious problem. In 2018, the UN Committee on the Rights of the Child adopted its first decisions on individual complaints against Member States, mostly in relation to the situation and treatment of children in the context of migration. Member States have been slow to incorporate into national law Directive (EU) 2016/800 on procedural safeguards for children who are suspects or accused persons in criminal proceedings, which enters into force in June 2019. Few have aligned their legislation to match the requirements of this directive.

Despite a downward trend over the past five years, child poverty in the EU persists. One out of four children lives at risk of poverty or social exclusion. This raises concerns about the respect of Article 24 of the EU Charter of Fundamental Rights, which provides that “[c]hildren shall have the right to such protection and care as is necessary for their well-being”. Since 2016, in contrast to the general trend, the situation for children with migrant backgrounds has worsened, increasing inequality between them and children of the general population, the latest Eurostat data show. Meanwhile, child poverty considerations are practically absent from the European Semester, in particular from country-specific recommendations. This risks not taking child poverty into account adequately when disbursing public funds, including EU funds. A positive development in 2018 was the European Commission’s proposal to include children among the potential beneficiaries of actions aiming to promote social inclusion in the context of the European Social Fund+ in the new EU funding period 2021-2027. Adding to this positive momentum are efforts to promote and substantiate the European Parliament’s long-standing proposal for a European Child Guarantee Scheme for children in vulnerable situations.

Discussions and actions to fight child poverty are also relevant to the implementation of the Sustainable Development Goals (SDGs). The SDGs are part of the global 2030 Agenda, which sets out the policy framework for global sustainable development, and are grounded on international human rights obligations. In this respect, SDG 1 calls for halving poverty by 2030, including child poverty. The vast majority of EU Member States have already submitted a first voluntary national report on the implementation of

the SDGs, as part of the annual review process that takes place every year at the UN High Level Political Forum on sustainable development. However, many of these reports contain no references at all to child poverty, or very limited ones.

FRA opinion 8.1

EU and Member States’ funding priorities should reflect the need to reduce child poverty at the levels aspired to by the sustainable development goal on poverty (SDG 1), in view of meeting the best interest of the child as laid down in Article 24 of the EU Charter of Fundamental Rights. To achieve this, EU institutions and Member States should consider allocating sufficient resources for combating child poverty using all available tools, including the European Child Guarantee Scheme for children in vulnerable situation, if established. Moreover, EU institutions should continue to include child poverty considerations in all phases of the European Semester, in particular in country-specific recommendations, given their potential impact on the use of EU Funds.

EU Member States should consider, in the context of the SDG assessment, to include in their voluntary national review reports specific references to national policies and more comprehensive data about child poverty, as well as any results of impact assessments on relevant policies.

The number of migrant children arriving in Europe continued to decrease. About 150,000 children applied for asylum in 2018, compared with about 200,000 in 2017 and almost 400,000 in 2016. The Reception Conditions Directive provides a number of guarantees for asylum-seeking children, such as the assessment of special needs of children (Article 22), the appointment of a representative if unaccompanied (Article 24), the establishment of certain conditions when using immigration detention (Article 11), and access to education (Article 14), vocational training (Article 16) and employment (Article 15). The reduced number of children helped certain Member States, but not all, provide adequate reception facilities for children. Sometimes they did not provide even for basic needs, such as water and sanitation. Member States continued to detain child immigrants, despite the international discussions regarding limiting child detention to the minimum.

FRA opinion 8.2

In the context of migration, EU Member States should, in line with the Reception Conditions Directive, provide children with basic adequate housing, legal representation, access to school and further education. Member States should increase efforts to develop non-custodial alternatives to detention.

Many EU Member States are still in the process of drafting or approving new legislation or amendments to existing legislative frameworks to incorporate the Procedural Safeguards Directive. The directive guarantees procedural safeguards for children who are suspects or accused persons in criminal proceedings. Member States are due to incorporate the directive into national law by 11 June 2019. In the context of juvenile justice proceedings, children have a right to be informed and heard in a child-friendly way, with the provision of legal aid and privacy protective measures, as several articles of the Procedural Safeguards Directive require. The effective exercise of this right remains a major concern that FRA and the European Commission's funded research have identified. Practical challenges sometimes arise due to differing age limitations among Member States, the provision of legal aid depending on income-related requirements, or the discretionary powers of judicial actors.

FRA opinion 8.3

In the process of incorporating into national law the Directive on procedural safeguards for children who are suspects or accused persons in criminal proceedings, EU Member States should review age limitations or other conditions that in practice might hinder the effective access of children to certain procedural guarantees. EU Member States should also consider providing legal aid unconditionally to all children, including free-of-charge legal representation throughout the proceedings, and making specialised lawyers available.



9 Access to justice including the rights of crime victims

Judicial independence is an essential building block of the rule of law. Challenges to such independence continued to grow, underlining the need for effective coordination of efforts in this area. This prompted the European Parliament to submit, for the first time, a call to the Council for adoption of a decision under Article 7 (1) of the TEU, and the European Commission to submit a proposal for a regulation addressing, from a budgetary perspective, deficiencies in the rule of law. About two thirds of EU Member States adopted legislation to strengthen the application of the Victims' Rights Directive, increasing safeguards relating to participation in criminal proceedings. Recognising that the Istanbul Convention defines European human rights protection standards in the area of violence against women and domestic violence, the EU continued the process of ratifying the instrument.

The EU and other international bodies continued to face growing challenges in the area of justice at the national level in 2018, in particular regarding judicial independence. An independent judiciary is the cornerstone of the rule of law and of access to justice (Article 19 of the TEU and Article 47 of the EU Charter of Fundamental Rights). Despite continued efforts of the EU and other international actors, the rule of law situation in some EU Member States – especially in terms of judicial independence – caused increasing concern. For instance, for the first time in the history of the EU, the European Parliament called on the Council to adopt a decision under Article 7 (1) of the TEU (determination of a clear risk of a serious breach by a Member State of the common values referred to in Article 2 of the TEU), and on the European Commission to submit a proposal for a regulation that addresses, from a budgetary perspective, generalised deficiencies as regards the rule of law. Such deficiencies include threats to the independence of the judiciary; arbitrary or unlawful decisions by public authorities; limited availability and effectiveness of legal remedies; failure to implement judgments; and limitations on the effective investigation or prosecution of, or sanctions for, breaches of law.

FRA opinion 9.1

The EU and its Member States are encouraged to further strengthen their efforts and collaboration to maintain and reinforce independent judiciaries, an essential component of the rule of law. The existing efforts should be stepped up to develop criteria and contextual assessments to guide EU Member States in a regular and comparative manner to recognise and tackle

any possible rule of law issues. Such regular assessments would also be instrumental in the context of the proposed EU regulation aiming to address generalised deficiencies as regards the rule of law. In addition, the EU Member States concerned should act on recommendations such as those issued by the European Commission as part of its Rule of Law Framework procedure, as well as under the Cooperation and Verification Mechanism process, to ensure compliance with the rule of law.

Positive developments in 2018 included more EU Member States adopting legislation to implement the Victims' Rights Directive (2012/29/EU). Evidence at the national level in some Member States shows that victims still encounter obstacles to reporting crime and that their rights are not effectively implemented at different levels, including procedural aspects. Positive developments aimed at preventing further or secondary victimisation took place in a number of Member States. The European Parliament on 30 May 2018 adopted a resolution on the implementation of the Victims' Rights Directive, in which it criticised the Commission for failing to deliver its report on the directive's implementation in line with Article 29 of the directive.

FRA opinion 9.2

EU Member States should continue their efforts to effectively implement victims' rights to ensure rights awareness, access to appropriate support services and effective remedies available to all victims of crime.

In 2018, the European Union worked towards ratifying the Council of Europe Convention on preventing and combating violence against women and domestic violence (the Istanbul Convention). Another three EU Member States ratified it, bringing to 20 the total number of EU Member States that had ratified the convention by the end of 2018. In determining European standards for the protection of women against violence, the Istanbul Convention is the most important point of reference. In

particular, Article 36 obliges States Parties to criminalise all non-consensual sexual acts and adopt an approach that highlights and reinforces a person's unconditional sexual autonomy. In 2018, some Member States took measures to align their legislation with this convention requirement.

FRA opinion 9.3

All EU Member States that have not yet done so and the EU itself are encouraged to ratify the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). FRA encourages Member States to address protection gaps in national legislation and consider the criminalisation of all non-consensual sexual acts as laid down in Article 36 of the Istanbul Convention.



10 Developments in the implementation of the Convention on the Rights of Persons with Disabilities

Ten years after the United Nations (UN) Convention on the Rights of Persons with Disabilities (CRPD) entered into force, the convention reached ratification by all EU Member States in 2018. At EU level, the provisional agreement by the European Parliament and the Council on the proposed European Accessibility Act marked a milestone in action to implement the CRPD. Alongside steps to guarantee the rights of persons with disabilities in the EU funding instruments for the Multiannual Financial Framework 2021-27, this illustrated how the CRPD is influencing EU law and policy in concrete ways. Nationally, gaps still remained in both CRPD implementation and monitoring. Nevertheless, initiatives in a number of Member States to involve persons with disabilities and their representative organisations in decision-making processes indicated gradual progress in attaining one of the CRPD's key goals.

EU Structural and Investment Funds (ESIF) play an important role in supporting national efforts to achieve independent living. The proposed regulations for the 2021-27 funding period include important fundamental rights guarantees, in particular the so-called enabling conditions and the stronger role for monitoring committees. Civil society, including disabled persons' organisations and national human rights bodies, can play an important role in the effective monitoring of the use of the funds.

FRA opinion 10.1

The EU and its Member States should ensure that the rights of persons with disabilities enshrined in the CRPD and the EU Charter of Fundamental Rights are fully respected to maximise the potential for EU Structural and Investment Funds (ESIF) to support independent living. In this regard, the EU legislator should adopt the new enabling conditions establishing the effective application and implementation of the EU Charter of Fundamental Rights and the CRPD, as laid down in the Common Provisions Regulation proposed by the European Commission for the Multiannual Financial Framework 2021-2027.

To enable effective monitoring of the funds and their outcomes, the EU and its Member States should take steps to include disabled persons' organisations and national human rights bodies in ESIF monitoring committees. Allocating human resources and adequate funding to these

organisations and bodies, and earmarking EU resources for that purpose, will bolster the efficiency of the proposed enabling conditions.

The EU and many Member States took steps to bring persons with disabilities into the law- and policy-making process, in line with their obligations under Article 4 (3) of the CRPD. However, persons with disabilities are still often not consulted or actively involved, as the convention requires. A lack of formal structures to ensure systematic participation, as well as a lack of human and financial capacity to participate in consultations, can contribute to persons with disabilities being excluded from the design, implementation and monitoring of efforts to implement the convention.

FRA opinion 10.2

EU institutions and EU Member States should closely engage persons with disabilities, including through their representative organisations, in decision-making processes. To this end, Member States and EU institutions should strengthen the involvement of disabled persons' organisations (DPOs), including by setting up advisory or consultation bodies. Representatives of persons with disabilities should be full members of such bodies, on an equal basis with others, and have access to the resources necessary to participate meaningfully.

Six Member States and the EU have not ratified the Optional Protocol to the CRPD, which allows individuals to bring complaints to the CRPD Committee and for the committee to initiate confidential inquiries upon receipt of “reliable information indicating grave or systematic violations” of the convention (Article 6).

FRA opinion 10.3

EU Member States that have not yet become party to the Optional Protocol to the CRPD should consider completing the necessary steps to secure its ratification to achieve full and EU-wide ratification of its Optional Protocol. The EU should also consider taking rapid steps to accept the Optional Protocol.

Only one Member State had not, by the end of 2018, established a framework to promote, protect and monitor the implementation of the convention, as required under Article 33 (2) of the CRPD. However,

the effective functioning of some existing frameworks is undermined by insufficient resources, limited mandates, and a failure to ensure systematic participation of persons with disabilities, as well as a lack of independence in accordance with the Paris Principles on the functioning of national human rights institutions.

FRA opinion 10.4

The EU and its Member States should consider allocating the monitoring frameworks established under Article 33 (2) of the CRPD sufficient and stable financial and human resources. As set out in FRA’s 2016 Opinion concerning the requirements under Article 33 (2) of the CRPD within an EU context, they should guarantee the sustainability and independence of monitoring frameworks by ensuring that they benefit from a solid legal basis for their work. The composition and operation of the monitoring frameworks should take into account the Paris Principles on the functioning of national human rights institutions.





The year 2018 brought both progress and setbacks in terms of fundamental rights protection. FRA's *Fundamental Rights Report 2019* reviews major developments in the EU between January and December 2018, and outlines FRA's opinions thereon. Noting both achievements and remaining areas of concern, it provides insights into the main issues shaping fundamental rights debates across the EU.

This year's focus chapter explores the interrelationship between human and fundamental rights and the Sustainable Development Goals. The remaining chapters discuss the EU Charter of Fundamental Rights and its use by Member States; equality and non-discrimination; racism, xenophobia and related intolerance; Roma integration; asylum and migration; information society, privacy and data protection; rights of the child; access to justice; and developments in the implementation of the Convention on the Rights of Persons with Disabilities.

Further information:

For the full FRA *Fundamental Rights Report 2019* – see <http://fra.europa.eu/en/publication/2019/fundamental-rights-report-2019>

See also related FRA publications:

- FRA (2019), *Fundamental Rights Report 2019 – FRA opinions*, Luxembourg, Publications Office, <http://fra.europa.eu/en/publication/2019/fundamental-rights-report-2019-fra-opinions> (available in all 24 official EU languages)
- FRA (2019), *Implementing the Sustainable Development Goals in the EU: a matter of human and fundamental rights*, Luxembourg, Publications Office, <http://fra.europa.eu/en/publication/2019/frr-2019-focus-sdgs-eu> (available in English and French)

For previous FRA Annual reports on the fundamental rights challenges and achievements in the European Union in a specific year, see: <http://fra.europa.eu/en/publications-and-resources/publications/annual-reports> (available in English, French and German).



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