



**Overview of the cooperation between the
European Union Agency for Fundamental Rights
and the Council of Europe**
(1 January 2021 – 31 December 2021)

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Part I: What do we want to achieve together, and in which areas?

1.1. Introduction

The cooperation between the European Union Agency for Fundamental Rights (the Agency or FRA) and the Council of Europe (CoE) is based on FRA's Founding Regulation¹ and on the European Community's and Council of Europe's agreement on cooperation between the two entities.² This EU-CoE Agreement, adopted in 2008, established a general cooperation framework. It aims to avoid duplication and ensure complementarity between, and added value to, the work of FRA and the CoE.

The cooperation between the Agency and the CoE has evolved continuously in recent years, moving towards improved coordination of activities and synergies between FRA and the CoE Secretariat, the Parliamentary Assembly, the European Court of Human Rights, and the Commissioner for Human Rights.

This document presents the key objectives and methods of this cooperation. It also provides concrete examples of cooperation activities in relevant fields between 1 January 2021 and mid-October 2021.

1.2. Key objectives

In their cooperation, the CoE and the Agency pursue common objectives and strategic priorities related to promoting and protecting human rights, based on the above-mentioned cooperation agreement.

The cooperation mainly focuses on:

- Developing joint projects in areas of mutual concern.
- Engaging in dialogue with stakeholders to improve respect for fundamental rights in Europe.
- Coordinating communication activities to increase awareness on fundamental rights.
- Informing each other about the results of each organisation's activities.
- Exchanging data and consulting each other at operational level.

¹ Council Regulation (EC) No 168/2007 of 15 February 2007 establishing a European Union Agency for Fundamental Rights, OJ L 53, 22.2.2007, p. 1.

² Agreement between the European Community and the Council of Europe on cooperation between the European Union Agency for Fundamental Rights and the Council of Europe (hereafter the EU-CoE Agreement), OJ L 186, 15.7.2008, p. 7.

1.3. Methods and review of cooperation

1.3.1. Permanent mechanisms of cooperation

Different mechanisms laid down in the Agency's Founding Regulation and in the EU-CoE Agreement ensure complementarity in the relationship between the Agency and the CoE.

For instance, the CoE has appointed an independent member to FRA's Management and Executive Boards. This person also participates as a voting member in the selection of the members of FRA's Scientific Committee.

In addition, a representative of the CoE Secretariat is present as observer at FRA Management Board meetings, as well as at the regular meetings of the board's Annual Report Editorial Committee (AREEDIT).

Moreover, once a year, a senior CoE representative is invited to address FRA's Management Board. This allows for an exchange of views between the CoE and FRA, and enables FRA's Management Board to be fully informed of key activities planned by the CoE.

Periodical exchanges of views between the Committee of Ministers' Rapporteur Group on External Relations (GR-EXT), the independent person appointed to FRA's Boards by the CoE, and FRA's Director also foster efficient cooperation between the two organisations.

Article 9 of FRA's Founding Regulation prescribes consultations between FRA and the CoE during the preparation of the Agency's Annual Work Programmes and the Agency's annual report on fundamental rights issues. This ensures that CoE priorities, activities and findings are properly taken into account in key FRA documents in general, and in the Agency's annual report (*Fundamental Rights Report*) in particular.

In addition, Article 3 of the EU-CoE Agreement provides that each entity shall appoint a contact person to deal specifically with matters relating to their cooperation. The respective contact persons continuously exchange information.

Furthermore, the services of both organisations contribute to each other's work at different stages of activities and projects. Finally, inter-institutional meetings further enhance collaboration.

1.3.2. Forms of cooperation at operational level

The operational cooperation between FRA and the CoE is an ongoing, day-to-day process. This cooperation takes various forms. It includes consultations on specific projects and activities; regular exchanges of data and information; participation in inception meetings of projects; joint projects and activities; the Agency's observer status in several CoE human rights monitoring and intergovernmental committees; participation in respective civil society structures; and complementarity through mutual references to each other's work.

The contact persons appointed by the CoE, and the Agency are informed about these activities on a regular basis so that they can facilitate the process and ensure its

continuity and consistency. Since 2019, a bi-annual meeting takes place between FRA's and the CoE's management teams to further strengthen cooperation and to exchange views on respective current and future priorities. Due to COVID-19-related restrictions and the Fundamental Rights Forum (FRF) 2021, it was decided to postpone the bi-annual meeting to 2022.

The Agency cooperates at an operational level with relevant bodies and services of the CoE. These include the Secretariat – Directorate General Human Rights and Rule of Law and the Directorate General of Democracy; the Commissioner for Human Rights; the Parliamentary Assembly; the Registry of the European Court of Human Rights (ECtHR); the European Committee of Social Rights (ECSR); and the European Commission against Racism and Intolerance (ECRI).

FRA participates in inter-governmental committees and expert groups, such as the Steering Committee on Anti-Discrimination, Diversity and Inclusion (CDADI), and its substructures, the Joint CDMSI-CDADI Expert Committee on Combating Hate Speech (ADI/MSI-DIS) and the Committee of Experts on Roma and Traveller Issues (ADI-ROM), as well as the Ad Hoc Committee on Artificial Intelligence (CAHAI), the CDMSI Expert Committee on Freedom of Expression and Digital Technologies (MSI-DIG), and the Steering Committee for the Rights of the Child (CDEF).

FRA cooperates with the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), the European Commission for the Efficiency of Justice (CEPEJ), the Venice Commission, the Group of Experts on Action against Violence against Women and Domestic Violence, the Lanzarote Committee (on the protection of children against sexual exploitation and abuse), the Special Representative of the Secretary General on Migration and Refugees, the Congress of Local and Regional Authorities, and the Conference of International Non-Governmental Organisations (INGOs) of the Council of Europe.

FRA relies in its work on the standards set by the CoE and takes due account of the judgments of the ECtHR and the way they are being implemented, the decisions and conclusions of the European Committee of Social Rights, reports and activities of other CoE human rights monitoring bodies and intergovernmental committees, as well as reports by the CoE Secretary General and the CoE Commissioner for Human Rights.

FRA's work on the Charter of Fundamental Rights of the EU generates numerous references to the standards of the CoE, reinforcing the standards in an EU context. Charterpedia, FRA's database on the EU Charter of Fundamental rights, also includes references by the ECtHR to the EU Charter.

FRA maintains an online platform – the European Union Fundamental Rights Information System (EFRIS)³ – which provides details on commitments to international human rights obligations and compliance with CoE and UN monitoring mechanisms. The CoE participates in the EFRIS advisory group.

In turn, FRA data and findings support the work of the CoE. For example, ECtHR and ECSR case law regularly cites the Agency's reports.⁴ In 2021, FRA findings⁵ on the right to political participation for persons with disabilities, were used in the judgments of

³ The [EU Fundamental Rights Information System \(EFRIS\)](#) is available via FRA's website.

⁴ See for example: ECtHR, [Strøbye and Rosenlind v. Denmark, Complaint \(Applications nos. 25802/18 and 27338/18\)](#), 2 February 2021; [Caamaño Valle v. Spain \(Application no. 43564/17\)](#), 11 May 2021; , 15 June 2021.

⁵ FRA (2014), [The right to political participation for persons with disabilities: human rights indicators](#), FRA (2019), [Who will \(not\) get to vote in the 2019 European Parliament elections? Developments in the right to vote of people deprived of legal capacity in EU Member States](#), FRA (2014), [Violence against women: an EU-wide survey](#).

three significant cases⁶. Moreover, ECtHR⁷ references FRA reports on “Periodic data collection on the migration situation in the EU”⁸ and the report on “Migration: Key fundamental rights concerns – Quarterly bulletin 1”⁹ concerning the judgement of Croatia.

FRA also submitted relevant findings and information in response to ECRI’s calls for submissions in preparation for its monitoring work. ECRI’s reports make regular reference to FRA’s publications and activities.¹⁰

References to FRA were also made in the report published by the CoE Commissioner for Human Rights entitled “*A distress call for human rights. The widening gap in migrant protection in the Mediterranean*”.¹¹ The report assesses member states’ implementation of the Commissioner’s 2019 Recommendation on rescuing migrants at sea.¹² It refers to FRA’s June 2020¹³ and December 2020¹⁴ updates on *NGO ships involved in search and rescue in the Mediterranean and legal proceedings against them*.

Similarly, a report on the round-table on “Combating Racism and Racial Discrimination Against People of African Descent in Europe”¹⁵ organised by the Commissioner’s Office includes references to FRA’s surveys “Being Black in the EU”¹⁶ and the Second European Union Minorities and Discrimination Survey (EU-MIDIS II)¹⁷.

The former Ad hoc Committee of Experts on Roma and Traveller Issues (CAHROM) referred in its thematic reports to FRA reports, such as the Roma survey, the Indicators Framework developed by the Roma Working Party facilitated by FRA, and FRA’s thematic Roma reports on education, housing and gender.¹⁸

Such cross-references help disseminate the results of the respective activities of the CoE and FRA on a reciprocal basis. Consultation and feedback, as well as participation at meetings and events, have become integral parts of both organisations’ working methods.

⁶ ECtHR, *Strøbye and Rosenlind v. Denmark, Complaint (Applications nos. 25802/18 and 27338/18)*, 2 February 2021; *Caamaño Valle v. Spain (Application no. 43564/17)*, 11 May 2021; *Kurt v Austria (Application no. 62903/15)*, 15 June 2021.

⁷ ECtHR, *M.H. and Others v. Croatia (Application nos. 15670/18 and 43115/18)*, 18 November 2021.

⁸ FRA has been issuing regular updates on migration developments since 2015. The updates are available on the agency’s [website](#).

⁹ FRA (2019), *Migration: Key fundamental rights concerns/quarterly bulletin*, Luxembourg: Publications Office.

¹⁰ See ECRI (2021), *ECRI conclusions on the implementation of the recommendations in respect of Croatia subject to interim-follow up, Annual report on ECRI’s activities 2021 covering the period from 1 January to 31 December 2020*.

¹¹ Council of Europe Commissioner for Human Rights (2021), *A distress call for human rights The widening gap in migrant protection in the Mediterranean*, March 2021.

¹² Council of Europe (2019), *Lives saved. Rights protected: Bridging the protection gap for refugees and migrants in the Mediterranean*, June 2019.

¹³ FRA (2020), *June 2020 update - NGO ships involved in search and rescue in the Mediterranean and legal proceedings against them*, Luxembourg: Publications Office.

¹⁴ FRA (2020), *December 2020 update - NGO ships involved in search and rescue in the Mediterranean and legal proceedings against them*, Luxembourg: Publications Office.

¹⁵ Council of Europe Commissioner for Human Rights (2021), *Combating racism and racial discrimination against people of African descent in Europe*.

¹⁶ FRA (2018), *Being Black in the EU*, Luxembourg: Publications Office.

¹⁷ FRA (2017), *Second European Union Minorities and Discrimination Survey - Main results*, Luxembourg: Publications Office.

¹⁸ For more information, see the Council of Europe’s webpage on the [European Commission against Racism and Intolerance \(ECRI\)](#). The FRA reports are available on its [website](#).

Part II: Inter-institutional and regulatory cooperation in 2021

2.1. Institutional and regulatory cooperation

The independent person appointed by the CoE, Philippe Boillat, participated in FRA's Management Board and Executive Board meetings. He is also member of FRA's Annual Report Editorial Committee (AREdit) and participated in the Board's Working Group on FRA's Multi-annual framework (MAF). In addition, the CoE Secretariat representative participated in FRA's Management Board meetings as an observer.

FRA's Director addressed the Committee of Ministers' Rapporteur Group on External Relations (GR-EXT) on 21 September 2021. The intervention focused on cooperation between FRA and CoE, including cooperation on joint handbooks and in key thematic areas such as migration, AI and social rights.

In June, FRA's Director met with the Secretary General of the Council of Europe. In September, he met with the ECtHR President, the President of PACE, the DG I Director-General for Human Rights and Rule of Law and the Director of DG II on Anti-Discrimination, the CoE Commissioner for Human Rights, as well as the Heads of EU Missions to the CoE and the Head of the EU Delegation to the CoE.

The external contractor conducting a study on the mid-term review of FRA's Strategy 2018-2022 consulted the CoE.¹⁹ The Agency also consulted the CoE directly on FRA's Programming Document 2022-2024. Through these consultations, the CoE provides valuable input into FRA's programming cycle, creating programmatic synergies between the two organisations.

2.2. FRA-CoE cooperation on Handbooks

The handbooks jointly produced by the CoE, the ECtHR, and FRA are the product of a successful cooperation and complementarity between FRA and the CoE.

The handbooks cover diverse and crucially important areas, including data protection; asylum, borders and immigration; non-discrimination law; rights of the child; and access to justice. They examine relevant European law stemming from both the EU and the CoE, including case law by the Court of Justice of the EU and the European Court of Human Rights. The handbooks are designed for legal practitioners, providing an accessible guide to the various European standards in the field at issue. In 2022 an update of the handbook on *European Law relating to the Rights of the Child* is planned to be published; and the handbook on *European law relating to cybercrime and fundamental rights* will start being drafted.

Many stakeholders have expressed high appreciation for the handbooks. Statistics on downloads from FRA's website and the dissemination by the EU Publications Office show their appeal.

For instance, in 2021, 31,911 copies of the *Handbook on European law relating to asylum, borders and immigration* were downloaded (in various languages). The *Handbook on European data protection law* was downloaded 11,845 times; the

¹⁹ See [FRA Strategy 2018-2022](#).

Handbook on European Law relating to the Rights of the Child was downloaded 11,062 times; the *Handbook on European law relating to access to justice* was downloaded 13,785 times; and the *Handbook on non-discrimination law* was downloaded 33,614 times.

Furthermore, the EU Publications Office disseminated 3,137 hard copies of the handbook on asylum, borders and immigration, in various languages. In addition, it disseminated 945 copies of the data protection handbook, 168 copies of the handbook on the rights of the child, 106 copies of the handbook on access to justice, and 335 copies of the handbook on non-discrimination law.

Notable developments on handbooks in 2021 include:

New language version of the updated Handbook on European law relating to asylum, borders and immigrations

In 2021, the 2020 version of the handbook²⁰ was published in Spanish. The updated version is also available in English, French, German and Italian. It provides an accessible and comprehensive guide to the various European legal standards relevant to asylum, borders and immigration, stemming from both the European Union and the Council of Europe.

New language version of the 2018 Handbook on European non-discrimination law

In 2021, the 2018 edition of the handbook²¹ was published in Greek, Lithuanian, Portuguese, Slovak and Slovenian. It examines European non-discrimination law stemming from EU law and the European Convention on Human Rights and highlights differences between the two. It is already available in English, Bulgarian, Croatian, Czech, Dutch, Finnish, French, German, Hungarian, Italian, Polish and Spanish.

New language versions of the updated Handbook on European data protection law

In 2021, the 2018 edition of the handbook²² was made available online in Dutch, Danish, Lithuanian, Slovakian, Slovenian and Finnish. Copies can also be ordered in English, Bulgarian, Croatian, Estonian, French, German, Greek, Hungarian, Italian, Polish, Romanian and Spanish. Moreover, the Council of Europe added a Georgian and an Arabic version. This handbook is designed to familiarise legal practitioners not specialised in data protection with this emerging area of the law.

*Handbook on European Law relating to the Rights of the Child*²³

The process of updating the handbook is underway, with its publication scheduled in April 2022 as a result of the consultation and review by colleagues at FRA, the European Court of Human Rights and the CoE Children's Rights Division in co-ordination with the Department of the European Social Charter. This handbook aims to illustrate how European law and case law accommodate, protect and promote the specific interests and needs of children.

Handbook on European law relating to cybercrime and fundamental rights

²⁰ FRA and ECtHR (2020), [Handbook on European law relating to asylum, borders and immigration – Edition 2020](#), Luxembourg: Publications Office.

²¹ FRA and ECtHR (2018), [Handbook on European non-discrimination law – 2018 edition](#), Luxembourg: Publications Office.

²² FRA and ECtHR (2018), [Handbook on European data protection law – 2018 edition](#), Luxembourg: Publications Office.

²³ FRA and ECtHR (2015), [Handbook on European law relating to the rights of the child](#), Luxembourg: Publications Office.

The third expert meeting to support preparation of the handbook was held online on 6-7 December 2021. The handbook will highlight the fundamental challenges at stake during cybercrime investigations and provide best practices to ensure compliance with fundamental rights. The handbook will be drafted in 2022, taking into account the adoption of the 2nd Additional Protocol to the Budapest Convention and developments in on-going legislative files in the EU. The Additional Protocol to tackle cybercrime was adopted at this year's Octopus Conference. FRA spoke at a workshop of the conference on the challenges of implementing procedural law from the perspective of safeguards and guarantees.

2.3. FRA-CoE cooperation on the European Union Fundamental Rights Information System

In June 2021, the FRA Director and CoE Secretary General signed an exchange of letters for cooperation on the European Union Fundamental Rights Information System (EFRIS).

Through EFRIS, the CoE's mechanisms and the findings of its monitoring bodies are made easily accessible and given further visibility within EU settings. For instance, EFRIS guides users to the CoE databases (HUDOC) for the respective mechanisms, and provides a reminder of the various mechanisms that exist. It thereby contributes to enhancing the use of the results of the Council of Europe's monitoring and referencing of relevant findings by EU policy- and lawmakers.

EFRIS was consulted as one of the sources by the European Commission for its annual report on rule of law. It has been presented in the European Parliament, as well as in the working party dedicated to fundamental rights in the Council of the EU. So far, EFRIS includes the ECtHR, ECSR, CPT, ECRI and the Group of States against Corruption (GRECO), with the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO), the Group of Experts on Action against Trafficking in Human Beings (GRETA), and the Framework Convention for the Protection of National Minorities (FCNM) envisaged to be added by the end of the year. The follow-up on the implementation of judgments by the European Court of Human Rights (the Execution Department) is also expected by the end of 2021.

2.4. Fundamental Rights Forum 2021

The Council of Europe contributed significantly to the Fundamental Rights Forum 2021, both by participating in its Advisory Group and through its Strasbourg hub and in Vienna itself. The Council of Europe Secretary General participated in a high-level panel, the Commissioner for Human Rights intervened via a video, and the Director General of Human Rights and Rule of Law and the Chair of the INGOs conference participated in the Forum. In the Strasbourg hub, the CoE led the organisation of seven events.

Part III: Operational cooperation in 2021

3.1. Key highlights – Cooperation in the Agency's five thematic programme areas, and on COVID-19's impact on fundamental rights

3.1.1. Fair and equal societies

Themes of cooperation between FRA and the CoE in this area range from racism and anti-discrimination, including combating hate speech and hate crime, to the rights of people with disabilities and children's rights, as well as the advancement of social and economic rights. FRA was invited to contribute to the work of both the CoE Steering Committee on Anti-Discrimination, Diversity and Inclusion (CDADI)²⁴ and the Steering Committee for the Rights of the Child (CDENF). Furthermore, FRA presented its findings at a CoE Gender Equality Commission (GEC) meeting.

Cooperation between ECRI and FRA continued in 2021. ECRI continued to provide inputs to the preparation of FRA's annual report and FRA provided inputs to the preparation of ECRI's country reports. FRA and ECRI further enhanced their cooperation on countering racism and discrimination and fostering diversity and inclusion. ECRI participated and contributed to the FRA led Working Group on hate crime recording, data collection and reporting (2019-2021) in the context of EU High Level Group to combat racism, xenophobia and other forms of intolerance. Similarly, both organisations supported the work of the recently appointed EU Anti-racism Coordinator in the context of the preparation of guidelines on national action plans against racism.

The positive cooperation between FRA and ECRI was also exemplified by the participation of FRA's Director in a virtual meeting held by ECRI's Bureau, where they exchanged views on the impact of the COVID-19 pandemic and related government measures on vulnerable groups; LGBTI issues; and on antisemitism and anti-Muslim hatred. In addition, FRA and ECRI released a joint statement, along with other IGOs, for the International Day for the Elimination of Racial Discrimination. Furthermore, ECRI consulted FRA for the revision of General Policy Recommendations Nos. 5 and 9 on preventing and combating anti-Muslim racism and discrimination as well as antisemitism.

On social and economic rights, FRA is engaged in the Platform on Social and Economic rights, which is jointly organised by FRA, the Council of Europe, Equinet and ENNHRI, and which hosted a session at the Fundamental Rights Forum 2021. FRA participated in the platform's online meeting on fighting ageism and promoting social citizenship for older persons.²⁵ Furthermore, FRA's Director spoke at the 60th anniversary of the European Social Charter.

Regarding LGBTI rights, FRA participated in regular meetings of the LGBTI Governmental Focal Points, coordinated by the CoE's SOGI Unit. The Explanatory Memorandum accompanying the resolution and a recommendation on protecting LGBTI

²⁴ E.g. CDADI draft study on the active political participation of national minority youth and draft CM Recommendation on multi-level policies and governance for intercultural integration of the CDADI Working Group on Intercultural Integration (GT-ADI-INT)/Model Framework for an intercultural integration at the national level, prepared by the CDADI Working Group on Intercultural Integration Strategy at the National Level (GT-ADI-INT) and adopted by the CDADI on 17 June 2021.

²⁵ FRA and Council of Europe (2021), [Against Ageism and Towards Active Social Citizenship for Older Persons](#).

people in the context of rising anti-LGBTI hate speech and discrimination adopted by the Congress of Local and Regional Authorities of the Council of Europe also referenced FRA's LGBTI Survey.²⁶ The results of the survey were presented during ECRI's annual seminar in October, which focused on joining forces to promote and protect the human rights of LGBTI people, feeding into ECRI's General Policy Recommendation on LGBTI issues.

On the rights of persons with disabilities, FRA spoke about findings from its research on community living for people with disabilities²⁷ in a hearing of the Committee on Social Affairs, Health and Sustainable Development of the Parliamentary Assembly of the Council of Europe. This took place in the context of the Council of Europe's preparation of a new report on deinstitutionalising people with disabilities.

Rights of the child

The Rights of the Child remained a key topic for coordination and cooperation, in particular due to COVID-19's disruptive impact on children's lives. For the third year in a row, FRA participated in a partnership meeting with the Coordinator for the Rights of the Child of the European Commission and the Children's Rights Coordinator of the Council of Europe. The focus was on the upcoming EU Strategy on Rights of the Child (2021- 2024), the EU Child Guarantee, as well as the ongoing development of the Council of Europe's new Strategy for the Rights of the Child (2022-2027).

FRA also continues to contribute to, and support the work of, the Steering Committee for the Rights of the Child (CDENF) and of the Lanzarote Committee. In May 2021, the CDENF held a virtual session focusing on the EU and CoE strategies for the rights of the Child. FRA gave an update of its most recent work on the rights of the child and its potential contributions to implementing the EU strategy.

FRA also provided written input on the draft CoE Strategy for the Rights of the Child.

In October 2021, FRA submitted written input to the Lanzarote Committee in the context of the compliance procedure related to follow-up by parties to specific recommendations of the Committee's special report on "*Protecting children affected by the refugee crisis from sexual exploitation and sexual abuse*".

In October, FRA took part in the first high-level conference of a joint EU and Council of Europe project to strengthen child participation in Europe. FRA stressed joint efforts to move towards the goal of meaningful child participation.

FRA and the Council of Europe are in the process of updating the *Handbook on European law relating to the Rights of the Child*, with its publication scheduled for April 2022.

3.1.2. Just, digital and secure societies

Cooperation on the topic of artificial intelligence was very fruitful during the period under review.

²⁶ The Congress of Local and Regional Authorities (2021), [Protecting LGBTI people in the context of rising anti-LGBTI hate speech and discrimination: The role of local and regional authorities](#), 25 January 2021.

²⁷ FRA (2020), [From institutions to community living for persons with disabilities: perspectives from the ground](#), Luxembourg: Publications Office.

FRA participated in the work of the CoE's Ad hoc Committee on Artificial Intelligence (CAHAI), in particular its Policy Development Group (PDG). During the last CAHAI plenary, FRA had the opportunity to provide an update of its work on AI.

FRA also disseminated its evidence and findings in the area of AI, victims of crime and non-discrimination, informing the work of the Expert Committee on Combating Hate Speech (ADI/MSI-DIS). In addition, FRA joined the Expert Committee on Freedom of Expression and Digital Technologies (MSI-DIG).

FRA's Director spoke at a high-level panel at the virtual event "Human Rights in the Era of AI – Europe as International Standard Setter for Artificial Intelligence", hosted by the German Chairmanship of the CoE Committee of Ministers; and at the CoE Conference of Ministers responsible for Media and Information Society "Artificial intelligence – Intelligent politics Challenges and opportunities for media and democracy" organised by the CoE.

FRA's Director was also invited to speak at the Conference on "Current and Future Challenges of Coordinated Policies on AI Regulation", co-organised with the Hungarian Chairmanship of the Council of Europe on 26 October 2021. He provided a keynote speech for a panel discussion via pre-recorded video.

Close cooperation and various exchanges also took place on topics such as violence against women and domestic violence, data protection, business and human rights, cybercrime, and victims' rights. For example, FRA participated at the inauguration of the Cyberjust Network organised by the CEPEJ; and presented the findings of the report "Crime, safety and victims' rights"²⁸, based on data from its Fundamental Rights Survey at the CoE Conference on "Three Decades of Crime and Criminal Justice Statistics in Europe".

FRA also participated at regular meetings of the Globalpolicy.ai meeting, an informal platform of international organisations working on AI. It is organised by OECD, and brings together UNESCO, the Council of Europe, European Commission, FRA, the World Bank, and the Inter-American Development Bank. The group has published a website, globalpolicy.ai, that features the work of each of the organisations.

3.1.3. Migration, asylum and borders

Cooperation between the CoE and FRA on migration, asylum and border-related human rights issues involved different themes and projects.

As a follow-up to the previous joint note entitled "*Fundamental rights of refugees, asylum applicants and migrants at the European borders*"²⁹, the CoE and FRA published a joint note entitled "*European standards on legal remedies, complaints mechanisms and effective investigations at borders*".³⁰ This note sets out the human rights standards, stemming from both the European Convention on Human Rights and EU law, applicable at European borders. It provides detailed information on effective remedies for human rights violations at borders, complaints mechanisms, and the duty to carry out investigations into alleged violations.

²⁸ FRA (2021), [Crime, safety and victims' rights](#), Luxembourg: Publications Office.

²⁹ FRA (2020), [Fundamental rights of refugees, asylum applicants and migrants at the European borders](#), Luxembourg: Publications Office.

³⁰ Council of Europe and FRA (2021), [European standards on legal remedies, complaints mechanisms and effective investigations at borders](#).

Various CoE reports also referred to FRA findings in the area of migration. Both the above-mentioned report by the Commissioner for Human Rights entitled “*A distress call for human rights. The widening gap in migrant protection in the Mediterranean*”³¹ and the CoE Secretary General’s 2021 annual report³² on the state of democracy, human rights and the rule of law refer to the joint CoE-FRA note on *Fundamental rights of refugees, asylum applicants and migrants at the European borders*.³³

Other joint initiatives between FRA and the CoE included cooperation on the online launch of the HELP course “*Asylum and Human Rights*”, where FRA presented its work and resources in the field of asylum and migration. FRA also presented its work in the area in a hearing on trafficking in human beings by the Sub-Committee on Migrant Smuggling and Trafficking in Human Beings of the Council of Europe’s Parliamentary Assembly. The online hearing aimed to inform the sub-committee about relevant findings to enable them to define appropriate future action.

In addition, FRA continued to participate in, and provide input to, the Drafting Committee on Migrant Women (GEC-MIG), towards the elaboration of a recommendation on migrant, refugee and asylum-seeking women and girls. FRA also contributed to the Drafting Committee on Trafficking for the Purpose of Labour exploitation (DH-TET), and provided comments on the Draft Recommendation of the Committee of Ministers to member States on Human Rights Principles and Guidelines on age assessment for children in the context of migration, currently under elaboration by the CDENF.

Informal, regular consultations on various issues of common interest related to migration continued under the coordination of the Office of the Special Representative of the Secretary General on Migration and Refugees, with the involvement of multiple divisions and entities within the CoE structure with a migration-related mandate. Finally, the CoE-Independent Human Rights Bodies Division (IHRB) contributed to FRA’s Fundamental Rights Report concerning the chapter on asylum, visas, migration, borders and integration.

FRA also provided comments and references to the CoE’s compilation of the most important CoE Standards relevant to the EU Pact on Migration and Asylum.

3.1.4. Supporting human rights systems

FRA and the CoE maintained a broad cooperation in 2021 in their joint support to human rights systems and institutions.

The close cooperation between FRA and the CoE also leads to better coordination in areas such as civic space and national human rights institutions.

In April 2021, FRA took part in the Council of Europe’s discussions on the central role National Human Rights Institutions play in promoting and protecting human rights in Europe, focusing on the recent Committee of Ministers’ [“Recommendation on the development and strengthening of effective, pluralist and independent national human](#)

³¹ Council of Europe Commissioner for Human Rights (2021), [A distress call for human rights. The widening gap in migrant protection in the Mediterranean](#).

³² Council of Europe (2021), [Report of the Secretary General of the Council of Europe on the state of democracy, human rights and the rule of law: A democratic renewal for Europe](#).

³³ FRA (2020), [Fundamental rights of refugees, asylum applicants and migrants at the European borders](#), Luxembourg: Publications Office.

[rights institutions](#)".³⁴ The High-Level Meeting was organized by the [European Network of National Human Rights Institutions](#) (ENNHRI) together with the German Presidency of the Council of Europe's Committee of Ministers.

FRA continued to engage with the Council of Europe on human rights at the local level. FRA circulated the draft framework for human rights cities to the CoE Intercultural Cities Programme (ICC) for comments. FRA ensured that the CoE's work on human rights at local level is reflected in the framework document. Cooperation with the CoE in this important area will also continue after the launch of the framework at FRA's Fundamental Rights Forum, and will include follow-up communication and dissemination of the framework to cities in Europe.

Other specific examples of cooperation in 2021 on relevant themes include the shared effort on civic space. FRA and the CoE also continued to cooperate on the topic of human rights defenders, notably through the IGO Contact Group on HRDs. FRA experts coordinating FRA's Fundamental Rights Platform are in regular contact with the Conference of INGOs.

FRA also continues to cooperate with the CoE HELP Programme in various ways. This includes contributing to updating its online courses and having its experts participate in HELP training and launch events, which regularly feature FRA publications and capacity-building tools.

3.1.5. Communicating rights

FRA and the CoE continued their established cooperation on the topic of communicating human rights in 2021.

The Council of Europe is actively involved in the *C-9 group of chief communicators from international organisations*.³⁵ The Council of Europe participates through representatives of the Secretariat, the Office of the Commissioner for Human Rights, and ECRI. These chief communication officers continued their regular meetings to strengthen communications on human rights' issues. The group jointly worked on 'updated' *10 keys for effectively communicating human rights*, to reflect developments, research and experiences in communication theory and practice. These were launched at the Fundamental Rights Forum 2021, at which 'Communicating rights' featured prominently, including by way of the Council of Europe hosting a 'hub' live from Strasbourg.

Further impact of the cooperation with the Council of Europe on the 10 keys project will develop in 2022, with the production of 'tutorial videos' on how the 10 keys can be used by human rights communicators. The C-9 group will benefit from the vast experience and knowledge of the Council of Europe in producing such audio-visual tools. Tutorials and an e-learning tool (to be developed by FRA) will significantly increase the outreach and impact of the 10 keys.

The Human Rights Communicators Network 2021 Annual Meeting, of which the Council of Europe is also part, focused on disinformation. The topic proved to be deeply relevant for human rights communication professionals, who need to deliver their human rights

³⁴ Council of Europe (2021), [Recommendation on the development and strengthening of effective, pluralist and independent national human rights institutions](#), 31 March 2021.

³⁵ Office of the United Nations High Commissioner for Human Rights; Council of Europe (Secretariat, European Commission against Racism and Intolerance, and the Commissioner for Human Rights); Organization for Security and Co-operation in Europe Office for Democratic Institutions and Human Rights; Equinet; ENNHRI; and the European Commission Directorate-General for Justice and Consumers.

messages in a complex and challenging environment. The participants discussed key questions surrounding disinformation and identified applied tools and strategies to successfully deal with it. The network will continue to focus on strategic communication on human rights and aims to identify possibilities for joint communication activities. The group's membership had increased to 430 members as of October 2021.

3.1.6. COVID-19's impact on fundamental rights

FRA and the CoE cooperated in several ways to highlight and report on the impact of COVID-19 on fundamental rights.

FRA shared with the CoE its bulletin on the vaccine rollout and equality of access in the EU in the context of the COVID-19 pandemic,³⁶ as well as its *Fundamental Rights Report 2021*,³⁷ whose focus chapter is on the pandemic's impact on fundamental rights across the 27 EU Member States throughout 2020. The CoE provided input for the focus chapter of FRA's *Fundamental Rights Report 2022*, which will look at social rights.

At the same time, the CoE shared with FRA its reports and statements regarding the impact of COVID-19 on human rights. For instance, the Annual Report on ECRI's activities³⁸, which makes multiple references to its cooperation with FRA, discusses the impact of COVID-19 on vulnerable groups, in particular migrants and Roma. It also examines the risks that AI tools, which were made use of by governments to tackle the pandemic, pose in terms of discrimination.

³⁶ FRA (2021), [Coronavirus pandemic in the EU - Fundamental Rights Implications: Vaccine rollout and equality of access in the EU - Bulletin 7](#), Luxembourg: Publications Office.

³⁷ FRA (2021), [Fundamental Rights Report 2021](#), Luxembourg: Publications Office.

³⁸ ECRI (2021), [Annual report on ECRI's activities 2021 covering the period from 1 January to 31 December 2020](#), March 2021.

Part IV: Outlook for cooperation in 2022

FRA and the CoE will continue their established institutional cooperation in 2022.

Regarding handbooks, FRA and the CoE, including the ECtHR, will continue to meet at expert level to identify new topics for future joint handbooks. In 2022, the updated Handbook on the Rights of the Child will be launched, and the Handbook on European Law relating to Cybercrime and Fundamental Rights will be initiated. FRA, the CoE and the ECtHR will also look into producing new language versions of existing handbooks.

With regard to EFRIS, FRA and the CoE will further develop the tool, starting with adding information on GREVIO, GRETA, the Framework Convention for the Protection of National Minorities (FCNM), and following up on the implementation of judgments by the European Court of Human Rights (the Execution Department).

FRA will also continue to participate in inter-governmental committees and expert groups.

Thematic cooperation between FRA and the CoE will continue across many areas. These include, but also go beyond: combating racism, xenophobia and other forms of intolerance; equality and non-discrimination, including combating hate speech and hate crime; asylum and migration; information society, data protection, artificial intelligence; social rights; the rights of the child; Roma and Travellers; rights of LGBTI persons; national human rights institutions; civic space; human rights at the local level; the HELP Programme; sustainable development goals (SDGs); and communicating human rights.