2023-2025

Single Programming Document

Amendment No. 3

ANNUAL WORK PROGRAMME 2023

A.2.6 Additional activities under the sector 'Social rights'

Area of activity: EQUALITY, ROMA and SOCIAL RIGHTS   Theme: Social Rights

Policy relevance

In 2023, the Agency will develop its work on social & economic rights included in the Charter of Fundamental Rights and the European Pillar of Social Rights which sets out 20 key rights and principles guiding EU action towards a strong social Europe that is fair, inclusive and full of opportunity. In 2021, the Commission published an Action Plan with EU-level targets to be achieved by 2030 that should steer national policies and reforms. In previous years FRA collected data and reported on the situation of vulnerable groups in respect to their fundamental social and economic rights, but has not analysed general population socio-economic data from a human rights perspective. This project fiche accommodates the preparatory work to be carried out in order to assess the areas of particular relevance to EU policy in addition to requests during the year for additional activities related to data collection, analysis, and provision of expertise which are not covered by other projects. Additional activities will include targeted engagement with key stakeholders to promote FRA's evidence and feed the outcome of its work into relevant EU policy processes, including the social rights platform involving the FRA, the Council of Europe, ENNHRI and Equinet, as well as the European Commission (DG EMPL), Eurostat and Eurofound. This project will also support FRA's efforts to continue collecting evidence, where relevant, on long-term implications of the COVID-19 pandemic on social rights. Moreover, this project would allow the collection of data, as may be required by developments in 2022 on social rights issues of relevance to persons displaced from Ukraine and now living in the EU due to the war. The European Pillar of Social Rights focuses explicitly on children - Principle 11 - regarding childcare and protection from poverty. This reflects relevant provisions of the Convention on the Rights of the Child, ratified by all EU Member States. The EU established the European Child Guarantee, adopted by Council in June 2021, aiming to prevent and combat social exclusion by guaranteeing the access of children in need to a set of key services: early childhood education and care; education (including school-based activities); healthcare; nutrition; and housing. FRA will provide expertise to the Commission and Member States, upon request, to assist them in their efforts to implement and monitor effectively the implementation of Child Guarantee schemes. The rights of the child will, as usual, be mainstreamed across several areas of FRA work, such as migration and justice, framed by the EU Strategy on the Rights of the Child 2021-2024, as well as the EU Strategy to fight child sexual abuse 2020-2025

Objectives

- To undertake additional data collection and analysis, as required by developments during 2022;
- To explore and identify data and analysis gaps in aspects of social rights relevant to EU competencies;
- To disseminate outputs generated through related work.

Activities	Outputs
- Additional data collection and analysis, as required by developments during 2022; - Conduct inhouse research to explore and identify data and analysis gaps in aspects of social rights relevant to EU competencies; - Assisting, upon request, the European Commission and the Council of Europe Child Rights Coordinators, and the UN Committee on the Rights of the Child; - Relevant communication and cooperation activities.	- Up to two outputs (reports or papers in print and/or online form) resulting from any additional data collection and analysis; - Written input to institutional stakeholders upon request; - Participation in EU level meetings and events, as well as events organised by the Council of Europe, and other international organisations - Translation and reprinting of selected FRA publications, as required

Financial Resources

	1st priority	2nd priority	3rd priority
Equality, Roma and Social Rights	35,000	-	150,000
Justice, Digital and Migration	-	-	-
Institutional cooperation and networks	-	-	-
Communication and Events	170,081	-	50,000
Total	**205,081**	-	200,000

B.1.5 Criminal detention in the EU - conditions and monitoring - update

Area of activity: JUSTICE, DIGITAL and MIGRATION   Theme: Justice and Security

Policy relevance

In the context of transfer of prisoners from one EU Member State to another under the 2002 European Arrest Warrant Framework Decision, and also in reference to other intra-EU transfer instruments, such as the 2008 Framework Decision on transfers of prisoners, due consideration has to be given to fundamental rights, including in relation to detention conditions. This has been underscored by the Court of Justice of the European Union (in particular the 2016 Aranyosi and Căldăraru and other cases). The extent to which detention is used is also highly relevant to the issue of detention conditions; for example, relying solely on detention increases the risk of over-crowding in detention facilities.

At the request of the European Commission, and based on findings from FRA's 2019 database and reports on conditions of criminal detention, in this project FRA will update its current database and, after consulting relevant legal practitioners, extend its scope by adding new elements (where possible), such as healthcare in prison (including mental healthcare) and the situation of female prisoners and the specific case of mothers with babies in prison. In the context of this project, FRA would closely cooperate with the relevant monitoring bodies. This will, in particular, concern the Committee on the Prevention of Torture (CPT) of the Council of Europe and the Committee against Torture (CAT) of the United Nations.

Objectives

- Update and extend the EU specific database on detention conditions

- Contribute to the Commission's assessment of the functioning of the European Arrest Warrant Framework Decision;

- Contribute to the proper implementation of fundamental rights and secondary EU legislation at Member State level as concern specific aspects of the transfer of detained individuals

Activities	Outputs
- FRANET data collection	- Updated and extended online database
- Testing and finalisation of the database	- Publication of FRANET country studies on the Agency's website

Financial Resources			
	1st priority	2nd priority	3rd priority
Equality, Roma and Social Rights	-	-	-
Justice, Digital and Migration	278,000	-	-
Institutional cooperation and networks	-	-	-
Communication and Events	-	-	-
Total	**278,000**	-	-

B.3.5 Fundamental rights implications of the Entry/Exit System (EES) and the European Travel Information and Authorisation System (ETIAS)

Area of activity: JUSTICE, DIGITAL and MIGRATION   Theme: Migration and Asylum; Data and Digital

Policy relevance

This project builds on FRA's past findings on the use of biometric data and on EU large-scale IT systems. It is also closely linked to FRA's work on AI. In 2023 and 2024, two new EU large-scale information systems will become operational.

- The Entry/Exit system (EES, Regulation (EU) 2017/2226) will register the entry and exit of all third-country nationals who cross the Schengen borders for a short stay (90 days within a period of 180 days). The EES will use facial recognition technology for verification purposes for all third-country nationals, including children. It will also record people whose access to the Schengen area has been refused at the external border. It will furthermore support immigration authorities to see if third-country nationals have overstayed, once in the Schengen area.

- Visa-free third-country nationals will have to request authorisation to enter the Schengen area through the European Travel Information and Authorisation System (ETIAS, Regulation (EU) 2018/1240). ETIAS will support responsible authorities to predict whether an applicant may pose a risk to public health, security, and irregular migration by using 'screening rules', i.e. an algorithmic functionality.

Past FRA findings have pointed out opportunities for and risks to fundamental rights that the EU large-scale information systems and their interoperability pose. They can affect a wide range of fundamental rights, such as the right to protection of personal data, the right to information, the right to access, rectify wrong data and delete unlawfully stored data, the prohibition of non-discrimination, the right to asylum, the right to an effective remedy and the rights of the child. The research will examine the potential fundamental rights implications of the systems and the way safeguards embedded in EU law are implemented in practice when they are operational. For the EES, research will focus on selected areas – to be identified during stakeholder consultations; for example, on the treatment of children or persons with disabilities and on the impact of incorrect data stored in IT systems on travellers. For ETIAS, the main focus will be the algorithms used. Specific research topics will be prioritised, taking also into account the needs of practitioners working with these two systems. Through fieldwork, FRA will collect data on the experiences of travellers as well as authorities (mainly those in charge of border management) and experts, as these two new IT systems are rolled out. The main research activities for the EES will take place at selected border crossing points, whereas for ETIAS it will focus on the ETIAS Central and National Units. The fieldwork will take place in different phases in 2023 and 2024, with each phase focusing on particular topics or issues, which will be analysed separately. FRA will discuss timing, locations to cover, as well as methodology with the European Commission, eu-LISA, Frontex and selected Member States. To address awareness raising among civil society with respect to these systems - in 2022, FRA started work to develop the contents of an online awareness raising tool for CSOs, which will be rolled out in 2024.

Objectives

- To support Member States and relevant EU agencies in implementing the fundamental rights safeguards embedded in the EES and ETIAS Regulations
- To identify the main fundamental rights challenges and opportunities arising from the implementation of EES and ETIAS
- To provide EU institutions, agencies and Member States with data and information on the implementation of the fundamental rights safeguards in EES and ETIAS.
- To raise civil society awareness about fundamental rights implications of EU large scale IT systems

Activities	Outputs
- Desk research - Stakeholder consultations - Contracting and implementing the fieldwork (field work in late 2023 and/or 2024) - Analysing findings and drafting of outputs	- Planned for 2024 – two short thematic reports on these IT systems - Inputs to training and other tools (EU level and national), upon request - Online tool to raise awareness among civil society of large-scale interoperable IT systems in the field of border management

Financial Resources

	1st priority	2nd priority	3rd priority
Equality, Roma and Social Rights	-	-	-
Justice, Digital and Migration	325,000	-	
Institutional cooperation and networks	-	-	-
Communication and Events	-	-	-
Total	**325,000**	**-**	**-**

B.3.7 Additional activities under the sector 'Migration and Asylum'

Area of activity: JUSTICE, DIGITAL and MIGRATION   Theme: Migration and Asylum

Policy relevance

This project accommodates additional activities related to data collection, analysis, and provision of fundamental rights expertise which are not covered by specific Agency projects.

Since its establishment, the Agency has variously worked in the areas of asylum and migration, which is underpinned by in-depth research on key fundamental rights issues, in areas such as asylum, border management, EU IT systems, migrant smuggling and trafficking in human beings, severe exploitation of migrant workers, return and readmission, children in migration, and the rights of migrants and refugees. In 2022, FRA added a specific focus on refugees from Ukraine.

Activities under this project allow for the continued visibility of FRA outputs and expertise in key areas of work where it has built up a significant body of knowledge, data and related expertise. The Agency's recognised expertise results in numerous and diverse requests for input. This includes, for example, activities to roll out the training manual for guardians, to implement the 2018 EU Agencies Joint Statement of commitment on working together to address trafficking in human beings, and to update data on temporary protection for Ukrainian refugees. This project also accommodates requests to attend and provide tailor-made input to Council Working Parties, the European Parliament LIBE Committee hearings, expert meetings by the European Commission or EU agencies - such as ELA or ECDC with whom FRA does not have yet a formal cooperation arrangement. This project will also allow the agency to respond to carefully selected events and initiatives by other actors, for example in the framework of the United Nations, the Council of Europe or National Human Rights Institutions. This can also involve engagement at the Member State level, including with civil society and other actors, in direct response to requests during the year.

The project also covers the need to update data (for example on search and rescue at sea and on forced return monitoring) or produce tools and other materials in areas where it has established its added value. The Agency must be responsive to demands from stakeholders throughout the year, which can be encompassed under this area. This project will also enable the Agency to reprint or translate past reports and other FRA products, when needed.

Finally, this project provides for the flexibility carry out necessary research to issue additional editions of the FRA bulletin on refugees from Ukraine, if resources become available.

Objectives

To respond to current policy needs in a given year:

- To provide evidence-based advice to EU institutions, as well as Member States – on request;
- Issue ad hoc outputs based on existing material and in-house expertise;
- Update selected publications;
- Translate in selected EU language existing FRA outputs;
- Make FRA findings available to policy makers in a proactive manner;
- Cooperate with EU and other actors;
- Communicate findings and FRA expertise to EU institutions and other relevant actors.

Activities

- Communicate research findings and provide expertise to key policy makers, principally at EU level, alongside other relevant stakeholders;
- Develop targeted analysis and briefs, tools, training materials and practical guidance, for example training for labour inspectors
- Attend and make tailor-made input to meetings and events by EU institutions, bodies and agencies; the Council of Europe and other international organisations; and high-level civil society events.
- Collect data through desk research and field work;
- Analyse data and draft/update reports and other publications and/or update parts thereof;
- Translate/re-print existing publications;
- Draft legal opinions if requested by EU institutions;
- Review draft documents shared by stakeholders to FRA for comments;
- Participate in the THB Contact Points JHA Agencies;

Outputs

- Tailor-made input to at least ten documents or processes, as requested by EU institutions, bodies or agencies, and other relevant actors;
- Updates on forced return monitoring and search and rescue produced, as necessary;
- Up to two short Agency outputs (one on training of labour inspectors) resulting from any additional research and/or analysis – as requested;
- Re-issuing or updating of various FRA materials, including translations – as required.
- (If requested by EU institutions) up to two legal opinions.
- One bulletin, if additional funding becomes available.

Financial Resources

	1st priority	2nd priority	3rd priority
Equality, Roma and Social Rights	-	-	-
Justice, Digital and Migration	15,000	-	120,000
Institutional cooperation and networks	-	-	-
Communication and Events	155,000	-	-
Total	**170,000**	-	120,000

Annex XVI: Procurement plan Year 2023 (Financing Decisions)

A. EQUALITY, ROMA AND SOCIAL RIGHTS

A.2 Social Rights

A.2.6 Additional activities under the sector 'Social rights'

The overall budgetary allocation reserved for procurement contracts in 2023 amounts to EUR 205,081 (1st priority) and EUR 200,000 (3rd priority)

Budget line: B03620 Social Rights

Subject matter of the contracts envisaged: technical assistance

Type of contract: specific contract based on an existing framework contract

Type of procurement:

Indicative number of contracts envisaged: 2

Indicative timeframe for launching the procurement procedure: 1st quarter of the year

Subject matter of the contracts envisaged: research

Type of contract: specific contract based on an existing framework contract

Type of procurement: service

Indicative number of contracts envisaged: 10

Indicative timeframe for launching the procurement procedure: 3rd quarter of the year

B. JUSTICE, DIGITAL AND MIGRATION

B.1 Justice and Security

B.1.5 Criminal detention in the EU - conditions and monitoring – update

The overall budgetary allocation reserved for procurement contracts in 2023 amounts to EUR 278,000 (1st priority)

Budget line: B03010 Justice & Security

Subject matter of the contracts envisaged: research

Type of contract: specific contract based on an existing framework contract

Type of procurement:

Indicative number of contracts envisaged: 27

Indicative timeframe for launching the procurement procedure: 1st quarter of the year

Subject matter of the contracts envisaged: research

Type of contract: specific contract based on an existing framework contract

Type of procurement: service

Indicative number of contracts envisaged: 27

Indicative timeframe for launching the procurement procedure: 1st quarter of the year

B.3 Migration and Asylum

B.3.5 Fundamental rights implications of the Entry/Exit System (EES) and the European Travel Information and Authorisation System (ETIAS)

The overall budgetary allocation reserved for procurement contracts in 2023 amounts to EUR325,000 (1st priority)

Budget line: B03020 Migration & Asylum

Subject matter of the contracts envisaged: research

Type of contract: specific contract based on an existing framework contract

Type of procurement: service

Indicative number of contracts envisaged: 10

Indicative timeframe for launching the procurement procedure: 2nd quarter of the year

B.3.7 Additional activities under the sector 'Migration and Asylum'

The overall budgetary allocation reserved for procurement contracts in 2023 amounts to EUR 170,000 (1st priority) and EUR 120,000 (3rd priority)

Budget line: B03020 Migration & Asylum

Subject matter of the contracts envisaged: promotion and communication activities

Type of contract: specific contract based on an existing framework contract

Type of procurement: service

Indicative number of contracts envisaged: 5

Indicative timeframe for launching the procurement procedure: 1st quarter of the year

Subject matter of the contracts envisaged: research

Type of contract: specific contract based on an existing framework contract

Type of procurement: service

Indicative number of contracts envisaged: 3

Indicative timeframe for launching the procurement procedure: 3rd quarter of the year

ANNEX IV: Human resources - quantitative

TABLE 2 – MULTI -ANNUAL STAFF POLICY PLAN YEAR 2023, 2024, 2025

Function group and grade	Year 2021				Year 2022		Year 2023		Year 2024		Year 2025	
	Authorised Budget		Actually filled as of 31/12/2021		Authorised budget		Authorised budget		Envisaged		Envisaged	
	Permanent posts	Temporary posts	Permanent posts	Temporary posts	Perm. posts	Temp posts	Perm. posts	Temp posts	Perm Posts	Temp posts	Perm. posts	Temp. posts
AD 16	-	-	-	-	-	-	-	-	-	-	-	-
AD 15	-	1	-	1	-	1	-	1	-	-	-	-
AD 14	-	3	-	1	-	4	-	3	-	3	-	3
AD 13	-	3	-	2	-	3	-	3	-	2	-	3
AD 12	-	2	-	3	-	1	-	1	-	5	-	6
AD 11	-	5	-	4	-	6	-	6	-	7	-	8
AD 10	-	10	-	5	-	11	-	12	-	10	-	10
AD 9	-	11	-	9	-	9	-	10	-	10	-	9
AD 8	-	8	-	12	-	10	-	9	-	6	-	5
AD 7	-	2	-	5	-	3	-	1	-	2	-	2
AD 6	-	3	-	2	-	-	-	1	-	2	-	1
AD 5	-		-	-	-	-	-	1	-	1	-	1
Total AD	**-**	**48**	**-**	**44**	**-**	**48**	**-**	**48**	**-**	**48**	**-**	**48**
AST 11	-	-	-	-	-	-	-	-	-		-	-
AST 10	-	4	-	-	-	3	-	4	-	2	-	2
AST 9	-	2	-	4	-	3	-	2	-	4	-	5
AST 8	-	3	-	2	-	3	-	3	-	4	-	4
AST 7	-	7	-	5	-	5	-	6	-	5	-	5
AST 6	-	6	-	8	-	7	-	7	-	5	-	5
AST 5	-	2	-	1	-	3	-	2	-	2	-	1
AST 4	-	-	-	3	-	-	-	-	-	2	-	2
AST 3	-	-	-	-	-	-	-	-	-	-	-	-
AST 2			-	-	-	-	-	-	-	-	-	-
AST 1		-	-	-	-	-	-	-	-	-	-	-
Total AST		**24**	-	**23**	-	**24**	-	**24**	-	**24**	-	**24**
AST/SC6	-	-	-	-	-	-	-	-	-	-	-	-
AST/SC5	-	-	-	-	-	-	-	-	-	-	-	-
AST/SC4	-	-	-	-	-	-	-	-	-	-	-	-
AST/SC3	-	-	-	-	-	-	-	-	-	-	-	-
AST/SC2	-	-	-	-	-	-	-	-	-	-	-	-
AST/SC1	-	-	-	-	-	-	-	-	-	-	-	-
Total	-	-	-	-	-	-	-	-	-	-	-	-
TOTAL	-	**72**	-	**67**	-	**72**	-	**72**	-	**72**	-	**72**
GRAND TOTAL		**72**		**67**		**72**		**72**		**72**		**72**