

**ANNUAL ACTIVITY  
REPORT 2015**



# Annual activity report 2015



EUROPEAN UNION AGENCY FOR FUNDAMENTAL RIGHTS



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# Consolidated Annual Activity Report of the European Union Agency for Fundamental Rights 2015

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# Executive summary

This consolidated annual activity report provides an overview of the European Union Agency for Fundamental Rights (FRA) activities and achievements in 2015. It follows the guidelines of the EU Agencies Performance Development Network.

## Key conclusions

In 2015, FRA strongly focused on fundamental rights challenges arising due to the significant increase in refugees and migrants coming to the European Union (EU). In the course of the year, over one million refugees and migrants arrived in Europe by sea, mainly in Italy and Greece. In response, FRA rearranged its priorities and stepped up its activities in the area of 'Immigration and integration of migrants, visa and border control and asylum'. A high share of publications, activities and events in this thematic area also reflect this change in priorities.

In line with its mandate and its objective to provide assistance as well as to formulate evidence-based advice in the form of opinions to the EU institutions and Member States, FRA offered its expertise at 240 presentations and hearings at EU- and Member State- levels, as well as at events other international organisations organised during the year. The agency itself organised 60 events, bringing together its key partners and stakeholders to discuss fundamental rights issues in various thematic areas.

In response to requests from EU institutions and Member States, FRA formulated 122 opinions in the course of 2015, the majority of which relate to fundamental rights concerns in the area of migration and asylum. All of the agency's opinions draw on evidence obtained in its research. At the request of the European Commission, FRA provided – first weekly and later monthly – overviews of migration-related fundamental rights concerns in the EU Member States most affected by the increased number of people seeking international protection and asylum.

FRA continued its efforts to present its findings in an accessible and user-friendly manner. It consistently provided information on fundamental rights challenges and promoted fundamental rights safeguards throughout the year. The agency also did this via different social media platforms, reaching a wide audience. For publications, FRA was the highest ranking EU agency in terms of EU Bookshop orders in 2015. In total, FRA published its research findings in 32 reports and papers, which were well received and widely used by its stakeholders.

Overall, the agency disseminated some 80,396 print publications to interested stakeholders.

Several FRA findings fed into the work of EU institutions and Member States, including references in several European Parliament resolutions and different Council of the EU documents. Highlights of the year 2015 include extensive references to the results of FRA's EU-wide survey on gender-based violence against women in the European Parliament resolution on 'Progress on equality between women and men in the European Union in 2013'; these also fed into a resolution on the 'EU Strategy for equality between women and men post 2015'. The latter resolution also referenced FRA's reports on *Discrimination against and living conditions of Roma women in 11 EU Member States* and on *Being Trans in the EU – Comparative analysis of the EU LGBT survey data*.

Furthermore, FRA closely cooperated with the European Commission services – for example, by providing training on the implementation of the Schengen evaluations.

In accordance with its founding regulation (Council Regulation (EC) No. 168/2007), FRA conducts its operations in compliance with the applicable laws and regulations, working in an open and transparent manner, and meeting the expected high level of professional and ethical standards.

The agency has a set of Internal Control Standards (ICS) based on international good practice. As required by the EU financial rules, the director has put in place an organisational structure and internal control systems suited to achieving the agency's objectives, in accordance with the ICS and with due regard to the risks associated with the environment in which it operates.

FRA assessed the effectiveness of its key internal control systems during the reporting year and concluded that the ICS are effectively implemented. The agency systematically examines the observations and recommendations issued by Internal Auditors, the European Court of Auditors and the European Parliament. On this basis, it takes actions as appropriate.

In conclusion, management has reasonable assurance that, overall, suitable controls are in place and work as intended; that risks are being appropriately monitored and mitigated; and that necessary improvements and reinforcements are being implemented. The director, in his capacity as authorising officer, has signed the Declaration of Assurance.





# Introduction

The European Union Agency for Fundamental Rights (FRA) is one of the decentralised agencies of the European Union (EU). These agencies are set up to provide expert advice on a range of issues to the EU institutions and EU Member States. FRA provides the EU institutions and EU Member States with independent, evidence-based advice and expertise on fundamental rights, with the aim of helping to ensure full respect for fundamental rights across the EU. To achieve this goal, FRA performs the following main tasks:

- collecting and analysing information and data;
- providing assistance and expertise;
- communicating on and raising awareness of rights.

The agency fulfils its tasks by implementing activities within the thematic areas of its five-year Multi-annual Framework (MAF), which fall under the Charter of Fundamental Rights of the European Union, to strengthen the protection of fundamental rights in the EU in light of societal changes and progress, and scientific and technological developments.

FRA's tasks are carried out in consultation and cooperation with its partners. This allows the agency to:

- define its areas of work to ensure that its research responds to specific gaps and needs in the fundamental rights field;
- ensure that its advice and research reaches policy-makers at the right levels of government and EU institutions;
- develop communication, multimedia, and information resources based on FRA's Stakeholder Communication Framework Strategy to raise awareness and bring knowledge of fundamental rights to specific target groups and to the European citizen in general;
- share expertise, coordinate research in different areas, and work with its partners to communicate its advice to the EU and its Member States. This allows FRA to create synergies, make the most of its resources, and support other bodies by delivering clear opinions on how to improve fundamental rights protection.

FRA maintains particularly close links with:

- the European Commission, the European Parliament, and the Council of the European Union;

- other EU bodies and agencies;
- other international organisations, such as the Council of Europe, the United Nations (UN) and the Organization for Security and Co-operation in Europe (OSCE);
- governments, civil society organisations, academic institutions, equality bodies, and national human rights institutions (NHRIs).

The agency's structure on 31 December 2015 comprised the Directorate and five departments: Administration, Human Resources and Planning, Equality and Citizens' Rights, Freedoms and Justice, and Communication and Outreach. Each head of department has been delegated authorising officer rights. FRA designs and implements its projects based on an integrated cross-departmental approach.

## The year in brief

In 2015, FRA operated within the following nine thematic work areas as defined in its MAF, adopted by the Council of the European Union on proposal of the European Commission, for the period 2013-2017:

- immigration and integration of migrants, visa and border control and asylum;
- information society and, in particular, respect for private life and protection of personal data;
- racism, xenophobia and related intolerance;
- Roma integration;
- discrimination based on sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation;
- rights of the child;
- access to justice;
- victims of crime;
- cross-cutting activities.

## Immigration and integration of migrants, visa and border control and asylum

In line with its main objective in the area of 'Immigration and integration of migrants, visa and border control and asylum' – to effectively promote fundamental rights safeguards – the agency released five publications presenting research findings on important fundamental rights challenges. These included severe labour exploitation and guardianship systems for children deprived of parental care, as well as fundamental rights implications in connection with the increased number of refugees and migrants arriving in the EU. FRA effectively contributed to EU policymaking by responding to the European Commission's request for regular updates on the situation on the ground in the EU Member States most affected by the inflow of refugees and migrants. A survey interviewing third-country nationals at seven border-crossing points complemented FRA's research activities in the asylum and migration field. With networks of partners and stakeholders increasingly important for tackling current and upcoming challenges, FRA also intensified its cooperation with other EU bodies and agencies by providing fundamental rights expertise and training, and by developing new tools.

## Information society and, in particular, respect for private life and protection of personal data

In the thematic area 'Information society and, in particular, respect for private life and protection of personal data', FRA's findings on surveillance by national intelligence services fed into the European Parliament's work, which used FRA's expertise in its resolution on safeguarding citizens' fundamental rights in this context. Within the framework of this thematic area, the agency also participated in an expert working group of the European Commission.

## Racism, xenophobia and related intolerance

FRA's main goal in the area of 'Racism, xenophobia and related intolerance' is to serve as an observatory on such phenomena; accordingly, FRA published its tenth annual overview of data on antisemitism in the EU. In addition, the agency's work reflected its emphasis on the topic of victims of hate crime: FRA published in 2015 a report on equal protection for victims of crime, focusing on people with disabilities; and initiated the Working Party on Improving Reporting and Recording of Hate Crime in the EU. The agency plays an important role in developing training and tools in this area of work; one example from 2015 is the first training of judges and magistrates on investigating and adjudicating hate crimes and discrimination.

## Roma integration

FRA is tasked with supporting the EU institutions and Member States in achieving the goals set by the EU Framework on Roma integration. In 2015, the agency did so through three activities: facilitating the development of a web-based reporting tool for Roma integration measures that incorporates an agreed indicator framework; providing support to individual Member States through local visits to use the tool; and monitoring through local visits the implementation of its 'Local Engagement for Roma Inclusion' project. The overall aim was to measure progress of Roma integration in EU Member States.

## Discrimination based on sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation

In an effort to provide robust, policy-relevant, and evidence-based advice in the area of discrimination, FRA's work in 2015 covered fundamental rights aspects concerning LGBT and intersex people, violence against women, as well as persons with disabilities and their rights as set out in the UN Convention on Rights of Persons with Disabilities (CRPD). At the same time, the agency paved the way for starting the field work of the second wave of its 'European Union Minorities and Discrimination Survey (EU MIDIS II)'; several Member States started the survey interviews at the end of 2015.

## Rights of the child

Having mainstreamed children's rights into other areas of its work, FRA followed a cross-cutting approach to this thematic area. The agency's publications in 2015 include a *Handbook on European law relating to the rights of the child*; reports on child-friendly justice and on violence against children with disabilities; as well as key findings of its mapping of child protection systems in the EU. The agency provided input at several events at EU and Member State level, presenting its child rights-related findings. It also offered its expertise at an online seminar organised by the European Police College (CEPOL).

## Access to justice

FRA's main objective in the area of 'Access to justice' is to contribute to the EU's efforts to enhance judicial and non-judicial mechanisms for ensuring access to justice at EU and Member State level. To achieve this objective, FRA launched an online tool aimed at directing people



to competent non-judicial bodies dealing with fundamental rights in their Member States. In addition to providing input to a number of events focusing on access to justice, FRA launched a report on the freedom to conduct a business and continued its research in the area of criminal justice.

## Victims of crime

In view of the Victims' Rights Directive's transposition deadline of 16 November 2015, FRA launched its report *Victims of crime in the EU: the extent and nature of support for victims* in January 2015. The agency seized many opportunities to present its findings at events to support Member States in their transposition. In line with its approach of mainstreaming activities into several areas of work, FRA's activities in the area of victims of crime were linked to several other areas, such as discrimination, racism, rights of the child, and migration and asylum, as reflected in FRA reports published in 2015.

## Cross-cutting projects and activities covering all MAF areas

FRA's cross-cutting projects cover a wide range of activities, such as cooperation with EU Member States and other EU institutions, communication and dissemination activities, or performance monitoring and evaluation. To seek greater synergies for cooperation, FRA brought together its network of national stakeholders and FRA bodies and continued to take part in various other networks, such as the Network of Justice and Home Affairs (JHA) Agencies or the Working Party on Improving Reporting and Recording of Hate Crime in the EU. The agency also coordinated the EU Agencies Network until the end of February and the EU Member States' Working Party on Roma Integration Indicators throughout 2015.

For the main activities and deliverables in all areas, see Part I, which outlines FRA's achievements in 2015 by strategic priority and thematic area.



# 1

## Achievements of the year



This part describes FRA's achievements in terms of its strategic priorities and objectives (see [Section 1.1](#)), as well as the objectives it has set within the thematic areas of its work ([Sections 1.2.-1.10](#)). FRA's current strategic priorities and objectives are defined in the Strategic Plan that the FRA Management Board adopted for the period 2013-2017. The thematic areas of the agency's work are determined by a five-year Multi-annual Framework (MAF), adopted by the Council of the European Union on proposal of the European Commission, for the period 2013-2017.

### 1.1 Achievements by strategic priorities and objectives

#### 1.1.1. Enhancing FRA's contribution to processes at EU level

##### FRA's main objectives:

- enhancing its relevance for legislative and policy processes at EU level;
- responding to requests for opinions and advice in a timely and competent manner;
- enhancing its coordination with and providing evidence-based advice to the European Commission, the European Parliament and the Council of the European Union;
- cooperating efficiently with other EU agencies and civil society.

The main fundamental rights challenge in 2015 related to the significant increase in refugees and migrants coming to the EU. Over one million refugees and migrants – compared with some 200,000 in

2014 – arrived in Europe by sea, mainly in Greece and Italy. From there, many moved onwards, initially spontaneously and later in an increasingly coordinated manner through the western Balkan countries, primarily to Austria, Germany and Sweden but also to other EU Member States. In response, the EU and Member States adopted a great number of policies and measures. To respond to the situation, FRA rearranged its priorities, which are described in [Sections 1.1.4](#) and [1.2.1](#).

More generally, concerning the agency's cooperation with the European Parliament, FRA contributed to, and participated in, 19 meetings – including hearings – at the European Parliament. The agency participated in six meetings of the European Parliament Committee for Civil Liberties, Justice and Home Affairs (LIBE) and contributed to its public hearing on Islamophobia, anti-semitism and hate speech. FRA also contributed to two inter-parliamentary meetings with national parliaments on surveillance and on the hotspot-approach to migration. In addition, FRA engaged with the European Parliament's Committee on Employment and Social Affairs (EMPL), to which it presented its report on severe forms of labour exploitation in the EU, and with the Committee on Petitions (PETI), to which it presented its work on rights of people with disabilities. FRA further contributed to several European Parliament Intergroup meetings, namely the LGBTI and Disabilities Intergroups. FRA also held numerous bilateral meetings with members of parliament to present its work in the area of asylum, migration and borders; non-discrimination; rights of the child; and awareness raising.

FRA's opinions and findings were referenced in several European Parliament resolutions and in questions to the European Commission and the Council of the EU.

- In May 2015, the European Parliament adopted a resolution on the List of Issues adopted by the



UN Committee on the Rights of Persons with Disabilities in relation to the initial report of the EU. The resolution called on the European Commission to consult with all relevant institutions and agencies, including FRA.

- In March 2015, the European Parliament adopted a resolution on 'Progress on equality between women and men in the EU in 2013', which referenced the results of FRA's EU-wide survey on gender-based violence against women. Over the course of the year, several members of the European Parliament used the FRA violence against women survey data as an evidence base for their written and oral parliamentary questions and during parliamentary debates.
- In June 2015, the European Parliament adopted a resolution on the 'EU Strategy for equality between women and men post 2015'. Significant reference was made to FRA's violence against women survey, the report on *Discrimination against and living conditions of Roma women in 11 EU Member States* and *Being Trans in the EU – Comparative analysis of the EU LGBT survey data*.
- In October 2015, in its resolution on the follow-up to the resolution of 12 March 2014 on the electronic mass surveillance of EU citizens, the European Parliament confirmed its intention to make use of the findings of FRA's in-depth research on the protection of fundamental rights in the context of surveillance.

The agency also contributed evidence and expertise to other discussions and resolutions 'in-the-making'. The most prominent – in the current context of migration – is the proposed European Parliament resolution on the situation in the Mediterranean and the need for a holistic approach to migration.

Regarding its cooperation with the Council of the European Union, FRA participated in 17 preparatory meetings of Council bodies. The agency contributed to five meetings of the Council's Working Party on Fundamental Rights, Citizens Rights and Free Movement of Persons (FREMP), delivering presentations on its Annual report, rights of the child, racism, FRA's Clarity tool, rights of intersex people, and the freedom to conduct a business. In addition, FRA engaged with the Standing Committee on Operational Cooperation on Internal Security (on internal security, severe forms of labour exploitation); the Working Party on e-Law (on FRA's Clarity tool); the Strategic Committee on Immigration, Frontiers and Asylum (on the EU list of safe countries of origin); the Working Party on Frontiers (on Smart Borders); and the Working Party on Terrorism (on Islamophobia). In June 2015, FRA organised an event to

launch the report on severe forms of labour exploitation together with the General Secretariat of the Council and the Latvian Presidency of the Council of the EU.

Different Council documents referred to FRA's work, such as the European External Action Service's (EEAS) discussion paper on the external dimension of children's rights; a reflection paper on the 9<sup>th</sup> European Forum on the Rights of the Child; a discussion paper on the state of play regarding the fight against racism; and the Council conclusions on the application of the Charter of Fundamental Rights in 2014.

### Contributing to EU-level processes

FRA presented its Annual report 2014 on fundamental rights challenges and achievements to the Council's Working Party on Fundamental Rights, Citizens Rights and Free Movement of Persons (FREMP) in May 2015 and to the European Parliament's Committee for Civil Liberties, Justice and Home Affairs (LIBE) in June 2015. The main findings were reflected in the Justice and Home Affairs Council conclusions on the application of the Charter of Fundamental Rights in 2014.

The European Parliament's 2015 resolution on the situation of fundamental rights in the European Union (2013-2014) made extensive reference to FRA's work (e.g. on violence against women, migration, internal security, LGBT rights, and victim support). FRA's Fundamental Rights Platform also contributed by providing input to the Rapporteur.

FRA maintained extensive working relations with the European Commission services across all its thematic areas. Highlights include cooperation in the context of the Annual Colloquium on Fundamental Rights, the development of a data collection template on Roma integration, and cooperation on two handbooks for Member States – one on returns and one on Eurosur. Many other examples are listed under the relevant thematic areas.

The European Commission requested FRA's opinion on a possible legal instrument, prepared by the Directorate-General for Justice and Consumers (DG JUST), to supplement the existing European Criminal Records Information System (ECRIS) as regards the exchange of information on third-country nationals (TCN) convicted in the EU.

Following the European Commission's presentation of the Agenda for Migration in May 2015, FRA took part in regular meetings between the Commission and relevant Justice and Home Affairs (JHA) agencies concerning the implementation of actions to fight migrant smuggling and to enforce returns of migrants in an irregular situation. Pursuant to a request by the Commission, FRA



compiled weekly updates on the situation on the ground in the eight Member States most affected by the significant increase in newly arriving refugees and migrants.

FRA's evidence from the first wave of its [European Union Minorities and Discrimination Survey \(EU-MIDIS I\)](#) and its survey on discrimination and hate crime against Jews was referenced in an oral question to the Commission regarding its first Annual Colloquium on Fundamental Rights. Furthermore, the European Parliament's discussions on migration and refugees, as well as in the context of an oral question on the Facilitation *acquis* (the EU anti-smuggling legislation), used FRA's findings and opinions in the area of irregular migration and severe forms of labour exploitation.

In 2015, the new system to evaluate EU Member States' implementation of the Schengen *acquis* became operational. FRA supported the European Commission through training, information sharing and expert advice during on-site evaluation missions.

Furthermore, the European Commission extensively used FRA evidence in its Report on the implementation of the EU Framework for National Roma Integration Strategies 2015.

The European Commission also used extensively the results of FRA's EU-wide survey on violence against women to shape policies in this area, including documents such as:

- 'Strategic Engagement for Gender Equality 2016-2019';
- 'Report on equality between women and men 2014';
- the roadmap on a possible 'EU Accession to the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention)'.

The Commission's call for proposals for action grants to support transnational projects to combat sexual harassment and sexual violence against women and girls included FRA's survey results as evidence supporting taking this action.

FRA also cooperated with the European Economic and Social Committee by contributing to the 'Better inclusion of the Roma community through civil society initiatives' project. The final report includes references to the Roma Working Party and its monitoring framework.

Moreover, FRA stepped up its involvement in coordinating the joint actions of the Justice and Home Affairs agencies network in preparation for the agency's

chairmanship of the network in 2016. Discussions focused on cooperation in e-learning, training, synergies in the areas of ICT, cyber security and business continuity, cooperation on combatting terrorism, the external dimension of cooperation with third countries, the external communication of the network, and the role of the agencies in implementing the European Agenda on Migration and on Security. At the Heads of Agencies Meeting in November, FRA presented the draft priorities for 2016, which include:

- strengthening collaboration in the area of migration, asylum and border management;
- enhancing the focus on fundamental rights in policies and initiatives in the area of freedom, security and justice.

FRA continued to implement its cooperation agreements with EASO and Frontex, playing an active role in the respective consultative fora and chairing the working group on forced returns of the Frontex Consultative Forum. FRA also took part in several EASO and Frontex initiatives in training and developing tools for EU Member States.

In 2015, FRA enhanced its cooperation with eu-LISA – the European Agency for Large-Scale IT Systems. At short notice, FRA carried out a survey of third-country nationals at seven border crossing points to collect their experiences of, and attitudes to, giving biometric data for border control purposes, contributing to the Smart Border Pilot project by eu-LISA. FRA interviewed over 1,000 passengers at selected border-crossing points. The research findings were annexed to an eu-LISA report and presented in the Council of the EU.

In June 2015, the European Institute for Gender Equality (EIGE) launched the second edition of its Gender Equality Index, incorporating data from FRA's EU-wide survey on violence against women. EIGE also used FRA's survey results in its report *An analysis of the Victims' Rights Directive from a gender perspective*.

FRA's work on facilitating a more joined-up approach to human rights monitoring continued in 2015, by providing FRA findings on EU Member States that come under scrutiny through the UN Universal Periodic Review (UPR). At the request of the Office of the United Nations High Commissioner for Human Rights (OHCHR), a pilot document, similar to the UPR, was submitted to the UN treaty body in charge of monitoring the International Convention on the Elimination of Racial Discrimination. FRA also contributed to the EU human rights dialogues – coordinated by EEAS – with Belarus and the Association of Southeast Asian Nations (ASEAN), sharing its relevant expertise and research findings. FRA, in its role as a member of the EU Framework to promote, protect and monitor the

implementation of the UN Convention on the Rights of Persons with Disabilities (CRPD), also participated in the review of the EU's implementation of the CRPD by the CRPD Committee. FRA took over the role of chair and secretariat of the framework on an interim basis, until at least June 2016.

### 1.1.2. Enhancing FRA's contribution to processes at national level

#### FRA's main objectives:

Increasing its cooperation with:

- national stakeholders to contribute to fundamental rights policy processes at national level;
- national liaison officers and other key national-level stakeholders to put FRA's evidence-based advice at the centre of national fundamental rights policymaking and implementation.

#### Strengthening the network of national stakeholders

As a one-time initiative, FRA brought together in Vienna 120 representatives from its networks of national stakeholders and FRA bodies. The meeting identified opportunities for cooperation between FRA and its national networks, as well as between national stakeholder groups themselves. Moreover, participants had the opportunity to exchange good practices of cooperation to contribute positively to the fundamental rights situation at national level. On this occasion, FRA proposed the development of useful tools and practices in 2016, which aim to contribute to the work of its stakeholders.

An increasing number of FRA national stakeholders have begun to organise events in their own countries to discuss fundamental rights in general and FRA's research findings in particular. For instance, FRA's Annual report and the report on severe labour exploitation in the EU were presented in national seminars and conferences in Ireland, Italy and Portugal, which brought together members of FRA's Management Board and Scientific Committee, National Liaison Officers (NLOs), representatives of national authorities and national human rights bodies, Franet (the agency's multidisciplinary research network), and civil society.

FRA also contributed to inter-parliamentary forms of cooperation in Europe, which ensure outreach to many parliaments across the EU. For instance, FRA presented its ongoing project on surveillance to a large audience at the inter-parliamentary conference on oversight of the intelligence services in the EU, which the European Parliament hosted.

#### Furthering cooperation with national parliaments

National parliaments are showing increasing interest in the type of support FRA could provide at the national level. This is partly a result of the designation of FRA national parliamentary focal points (NPPFs), which FRA had encouraged in 2014. A first meeting of NPPFs took place in February 2015. With the help of these bodies, FRA was invited to present its work and reports in the parliaments of Estonia and Poland, while parliamentary delegations from Italy and Finland conducted study visits to FRA. In terms of specific FRA research, FRA was invited to present the results of its EU-wide survey on violence against women in the German Parliament and the Committee on Family Affairs, Senior Citizens, Women and Youth in February 2015. Moreover, the Parliamentary State Secretary of the German Federal Ministry of Justice and Consumer Protection visited FRA in February.

In the field of asylum and migration, FRA continued to participate in several Contact Committee meetings, in which the European Commission discusses the implementation of EU law with Member States. FRA provided fundamental rights expertise at several such meetings on issues such as asylum, returns, policies against the smuggling of migrants and policies to sanction employers who employ migrants in an irregular situation. These meetings offer a unique opportunity for FRA as all 28 EU Member States attend them.

In the framework of its project on 'Social inclusion and migrant participation in society', FRA collected data on the situation in the 28 EU Member States in regard to the implementation of integration, social inclusion and social cohesion policies for migrants and their descendants. The data allow for providing a comprehensive overview of the diverse approaches amongst the Member States in each specific policy area. Collected data (both qualitative and quantitative) will be disseminated to the public by early 2016 through FRA's new data visualization tool (MDX) and a number of FRA Thematic Focus Papers will be made widely available via social media and stakeholder cooperation.

FRA continued to provide relevant inputs to national governments. For example, FRA co-organised an event in Estonia with the agency's NLO, at which it presented its report on children and justice. This contributed to the government's own effort to review Estonian national law related to child protection to bring it in line with the Convention on the Rights of the Child. The results of FRA's survey on violence against women were also presented at a regional conference in Prague in May 2015, and in national seminars in Spain in June 2015 and Estonia in October 2015.



Moreover, FRA offered its expertise to Member States in the framework of so-called ‘technical assistance’. Activities in this regard included, among others:

- support and expertise with regard to the transposition of the Victims’ Rights Directive, which had to be implemented by 16 November 2015 – including an event jointly organised with the European Commission, at FRA, with eight representatives of eight EU Member States; the discussion also included juvenile justice or child protection laws;
- trainings (for example, for National Roma Contact Points on implementing the data collection tool and on the monitoring progress for Roma integration; for the judiciary on hate crime), as well as the review of trainings;
- methodological support for project development;
- input during workshops.

FRA held two thematic workshops – on ‘Violence against children with disabilities’ and on ‘Severe forms of labour exploitation’ – with relevant civil society organisations from the Fundamental Rights Platform (FRP). These thematic workshops helped the communication and dissemination of these reports’ key messages to relevant audiences at EU and national levels. Involving civil society experts at an early stage of FRA research proved beneficial for sharpening the scope of the reports and for increasing the impact at the national level.

Furthermore, FRA, together with the European Network of National Human Rights Institutions (ENNHRI) and the European Network of Equality Bodies (Equinet), invited communications officers from the respective institutions and their member organisations in May to further explore ways of cooperating in their communications work.

As a follow-up to the annual meeting of the Ombudsmen for children in September, at which FRA presented its related work, the European Network of Ombudsmen for Children (ENOC) informed FRA about the establishment of the Task Force on ‘Children on the Move’. FRA will contribute to the work of this task force.

Additional language versions of the handbooks on European law published by FRA and the European Court of Human Rights have been released. The data protection handbook and the handbook on asylum, borders and immigration became available in all EU languages except Gaelic and Maltese. Presentations of the handbook on asylum, borders and immigration was presented at dedicated events in Bulgaria, Latvia and Portugal. The download figures and the number of

hardcopies ordered point to an extensive use by practitioners around Europe.

FRA in 2015 assisted a number of Member States in their efforts to implement robust frameworks for monitoring progress in Roma integration. From 2015 onwards, the focus of the Working party of Roma Integration Indicators was increasingly on targeted support for Member States that encounter specific issues in regard to monitoring progress on Roma integration. Tailor-made technical assistance was provided to several National Roma Contact Points (NRCPs) both collectively through the Roma Working Party and bilaterally.

One particular area of support in 2015 was the preparation for the Slovak Presidency of the Council. FRA assisted the Slovak Presidency preparatory team in defining the topics to be covered during the Presidency in the area of Roma inclusion.

### 1.1.3. Identifying trends over time and measuring progress in EU Member States

#### FRA’s main objectives:

- identifying trends over time and monitoring progress across the EU regarding key areas;
- establishing methodologies for identifying trends;
- regularly disseminating analysis based on trends.

The *Fundamental Rights Report 2016* aims to identify new promising practices at national level and assess already existing practices; it continues to refer to national data, including national case law referring to the Charter of Fundamental Rights of the EU, as well as to developments relating to international human rights obligations. Wherever possible, the Fundamental Rights Report identifies trends by making increasing use of fundamental rights indicators based on a Structural-Process-Outcome (SPO) matrix. For example, the chapter on asylum regularly provides an overview of the implementation of forced return monitoring systems by Member States – a requirement set out in EU law to prevent ill-treatment during the return of migrants in an irregular situation, which is only slowly implemented.

## Identifying trends across the EU

In December 2015, FRA published a report on 'Protection against discrimination on grounds of sexual orientation, gender identity and sex characteristics in the EU', a comparative legal analysis identifying trends in legislation and case law and its implementation across the EU.

FRA also worked together with the contractor of the second wave of the survey on minorities and discrimination (EU-MIDIS II) to finalise the survey questionnaire and other fieldwork materials in all survey languages and to develop new sampling methodologies. This survey incorporates the second wave of FRA's Roma survey, first implemented in 2011, and will allow for a comparison between the surveys. FRA also monitored selected interviewer training sessions to ensure that the sub-contractors at the national level follow the agreed training programme, and monitored the work of interviewers in selected locations across the EU. Feedback was collected and communicated to survey teams in all Member States to achieve a high level of standardisation of data collection approaches. In September 2015, the first Member States started the interviews. Interview completion is expected in the second quarter of 2016.

In April 2015, FRA published a call for tender for 'pre-testing and feasibility assessment for the FRA Fundamental Rights Survey'. In July 2015, FRA signed a contract with TNS Opinion, which foresees the mapping of survey sampling frames in all Member States, the development of survey design scenarios and cognitive pre-test interviews in six Member States. Information from this study will assist FRA in developing the full-scale Fundamental Rights Survey. In parallel, FRA continued the internal development of the survey content. To this end, FRA mapped practices in European social surveys to measure fundamental rights and conducted internal consultations to set out the data needs across different thematic areas. The final survey (planned to be carried out for the first time in 2017-2018 and repeated every 5+ years) will contribute to the measurement of trends in fundamental rights over time.

## Disseminating trend analysis

FRA continued to present the results of, and the data collection methods used in, the agency's earlier surveys. The United Nations Development Programme (UNDP) and the Office of the United Nations High Commissioner for Human Rights (OHCHR) invited FRA to contribute to an expert meeting concerning the measurement of LGBTI (lesbian, gay, bisexual, transgender and intersex people) inclusion and the development of a related index, based on FRA's experience from the EU-LGBT survey. Violence against women survey results and its methodology were presented in various national events and international contexts, including at events related to awareness-raising campaigns and the implementation of the Council of Europe's Convention on Preventing and Combatting Violence against Women and Domestic Violence.

FRA's violence against women survey methodology has also been of interest to the OSCE, which will replicate the survey in ten non-EU countries.

The annual overview of data on antisemitism in the EU for the first time presented trend lines in relation to variations in recorded crime.

### 1.1.4. Developing timely and targeted responses to fundamental rights emergencies

#### FRA's main objectives:

- providing robust data analysis and advising on fundamental rights emergencies;
- developing the necessary flexibility to respond to fundamental rights emergencies;
- addressing emergency situations in a timely and adequate manner;
- playing a complementary role vis-à-vis other international organisations.



## Intensifying work in the area of asylum, migration and borders

Responding to a significant increase in the arrival of refugees and migrants to the EU, FRA intensified its work and outputs in the area of asylum, migration and borders. Since the publication of the Commission's European Agenda on Migration in May 2015, FRA has readjusted its activities with a view to providing input for short-term fundamental rights challenges emerging from the field (for example, the risk of use of force for compulsory Eurodac fingerprinting), as well as contributing its fundamental rights expertise to ongoing policy discussions with longer-term impact, such as the discussions on 'smart borders' – a European Commission initiative to manage EU external borders in a more efficient and modern way by using new and innovative technologies.

The Commission adopted action plans in follow up to the Agenda for Migration: the Action Plan on return and the Action Plan against migrant smuggling. Regular implementation meetings between the Commission and the relevant JHA agencies are also attended by FRA. In addition to specific FRA action points in the anti-smuggling plan (mapping of training needs), FRA supports the implementation of the action plans with its fundamental rights expertise.

In the framework of the EU Action Plan on Return of September 2015, the European Commission launched a 'Return Handbook' to harmonise national authorities' practices in implementing the Return Directive. The handbook incorporates in full FRA's 2012 guidelines on the apprehension of migrants in an irregular situation. Moreover, reference is made to the joint FRA – European Court of Human Rights 'Handbook on European law relating to asylum, borders and immigration' of 2014.

The Commission invited FRA to contribute to the fundamental rights impact assessment of envisaged changes to the EU Facilitation *Acquis* – the EU anti-smuggling legislation. Based on findings from its research on the situation of migrants in an irregular situation, the paper on criminalisation of migration, and the report on the situation at Europe's southern sea borders, FRA made a number of suggestions to avoid the criminalisation of those who act on humanitarian grounds.

## Providing expertise on fundamental rights emergencies

On request by the Commission, from the end September through November 2015, FRA compiled weekly updates on the situation on the ground in the eight Member States that were most affected by the significant increase in newly arriving refugees and migrants. Following the first compilations, the Commission issued a formal request to FRA to continue the exercise on a monthly basis. The Commission also gave feedback on the added value of the compilation, highlighting the usefulness of provided information for, among others, monitoring the implementation of the EU *acquis* and the Agenda on Migration from a fundamental rights angle. The compilations were made public at the end of 2015 and are widely used among Commission services and relevant EU agencies.

The regular overviews cover fundamental rights challenges and developments during initial registration, reception of asylum seekers through to detention and return. The updates focus in particular on the situation of vulnerable people and children. They also reflect legislative and policy changes and report on racist incidents, such as demonstrations, online hate speech, or hate crime.

The attacks that took place in France in January 2015 had tremendous impact across the EU and beyond. In the immediate aftermath of the events in Paris, FRA collected responses across Europe, focusing on Jewish and Muslim community organisations, political leaders, civil society and the media. FRA published a paper on this issue in February 2015.

### 1.1.5. Improving the impact of FRA's communication and awareness raising

#### FRA's main objectives:

- improving the impact of its communication and awareness-raising activities;
- increasing its impact on decision-making processes;
- using effectively 'multipliers', in particular to better reach actors at national level.

### Bringing FRA's work to a wider audience

The publication and targeted dissemination of FRA reports contributes decisively to raising awareness of important fundamental rights concerns among stakeholders and the general public, including children (through targeted child-friendly material).

FRA ranks highest among all EU agencies in terms of the number of publication orders through the EU Bookshop, with 5,202 orders in 2015.

Downloads from the FRA website remained strong in 2015. FRA publications were downloaded 95,406 times from the website. Highlights include the Handbook on European law relating to asylum, borders and immigration, with 16,973 downloads in 2015. In addition, the FRA-Council of Europe 'Handbook on European data protection law' had an impressive 64,597 additional downloads from the Council of Europe website, including the non-EU language versions, and 13,992 additional downloads from the FRA website.

FRA continued its efforts to communicate its work to stakeholders in a more accessible, user-friendly and timely fashion. In addition to the traditional FRA reports, it developed several innovative tools and products:

- FRA Focus papers are a new type of paper that can be swiftly produced. They provide the results of FRA research in a short and focused manner;
- FRA Infographics on various topics can be easily shared on social media;
- Further development of interactive data visualisations and innovative knowledge-bases such as the Charterpedia, Case Law Database, and the Clarity tool;
- FRA's multilingual website (in EN, FR & DE) and basic information about the agency in the other 21 official languages of the EU;
- A dynamic and thriving presence on social media, especially Facebook (more than 35,000 fans, with 9,888 new fans in 2015) and Twitter (over 20,000 followers, out of which 9,627 joined in 2015). The agency is also active on YouTube, LinkedIn and Instagram, making it one of the leading EU agencies on social media.

FRA produced 11 videos in 2015. The videos cover the thematic areas 'Discrimination', 'Immigration', 'Access to justice', 'Cross-cutting' as well as 'Rights of the child', and include four animated videos that explain children's rights in a child-friendly way. All FRA videos were viewed a total of 19,516 times in 2015.

In the context of the on-going asylum policy developments, FRA's publications in the area of asylum, migration and borders continued to be intensively disseminated to stakeholders both at EU and national levels. FRA contributed to current fundamental rights debates with specific focus papers on:

- The implementation of the UN Convention on the Rights of Persons with Disabilities (CRPD);
- The fundamental rights situation of intersex people;
- Alternatives to detention for asylum-seekers;
- Fundamental rights implications of the obligation to provide fingerprints for Eurodac.

In autumn, FRA conducted an online questionnaire on the use of the focus papers and suggestions for improvements. Results from the evaluation procedure will be communicated in early 2016 (for first results, see Annex 1: "Core business statistics", last objective).

To help increase the implementation of fundamental rights policy and legislation, FRA reviewed and expanded its current awareness-raising efforts by developing a strategy for 2015-2017. The strategy sets out thematic priorities, target audiences, delivery and review mechanisms for awareness-raising activities under the Work Programmes 2015-2017.

### 1.1.6. Planning FRA's work and evaluating its impact

#### FRA's main objectives:

- effectively prioritising its work and evaluating its impact;
- planning of evaluation activities from the first phases of a project;
- applying the new performance measurement framework to all projects;
- sharing best practices throughout the agency.

Striving to enhance the agency's performance, accountability and learning, FRA's planning section manages planning activities through the design and implementation of strategic and operational processes, in accordance with EU policy developments and stakeholders' needs. To ensure smooth progress from planning to the implementation of activities and eventually to monitoring, review and evaluation, as well as to ensure transparency, FRA employs a number of instruments. The FRA Project Planning Evaluation (FRAPPE) process takes



place at the start of a project and includes the establishment of concrete indicators to assess its future results in terms of outputs and potential impact. MATRIX is the main project management tool used by the agency successfully over several years; it allows research, production, communication, and stakeholder engagement activities to be planned, recorded, and monitored per relevant milestones. Enhancements of the tool carried out in 2015 will enable FRA to improve its planning, monitoring, and reporting activities.

Performance indicators are at the heart of FRA's planning, monitoring, evaluation and reporting activities. The indicators set in the Performance Measurement Framework (PMF) are used to measure FRA's performance. The PMF contains project level indicators describing the planned output of each project and short-term, long-term and aspirational indicators, most of which can only be measured after completion of project activities. The PMF is linked to both the Strategic Plan and Annual Work Programmes. FRA's PMF is organised in a way that supports the analysis of performance at different levels of the agency, i.e. project, activity, thematic area, and at strategic levels.

Activities and projects carried out by FRA are developed based on a 5-year Strategic Plan as well as Annual Work Programmes prepared two years in advance, taking into consideration key performance indicators and information gained through stakeholder consultations. In addition, short term requests are supported by a tool for planning the implementation of project activities. In addition, FRA drafted the 'Programming Document' for 2017-2019 – a new reporting instrument streamlined for all EU Agencies including the annual Work Programme and multiannual planning on strategic and thematic level.

A Management Board Working Group named STRATEGY was established with the aim of reviewing and refining the Strategic Plan objectives; based on the stock-taking reports, a mid-term review of the Strategic Plan was prepared.

In line with the European Commission's newly established Better Regulation Guidelines and Toolbox, FRA created a package of key evaluation documents including an Evaluation Policy, an Evaluation Step-by-Step Guide, as well as an Evaluation Plan for 2015. The policy sets out principles, processes and tools tailored to FRA and has an overview of all evaluation activities conducted at FRA (2011-2014). Based on the policy, an evaluation plan for 2015 was prepared with the projects that are eligible for conducting ex-ante and ex-post evaluation.

## Taking stock of FRA's performance

To ensure that its multi-annual strategic and thematic objectives are met, the agency prepared stock-taking reports for each strategic priority and thematic area. The stock-taking reports for the Management Board meeting (May) and the Management Board Retreat (September) offered an overview of main achievements and a preliminary impact analysis. The preliminary impact analysis provided information related to the FRA performance indicators, results achieved, key messages from ex-post evaluations of projects (conducted by an external contractor) and also included an internal self-assessment of the achievements, risks and opportunities in relation to different stakeholders.

To involve stakeholders as much as possible in FRA's work, two stakeholder consultation procedures were conducted: on the Programming Document 2017-2019 and on the Multi-Annual Framework 2018-2022. Stakeholders' views and suggestions are reflected in documents and taken into consideration in the process of planning of FRA activities.

## 1.2. Achievements in the thematic area 'Immigration and integration of migrants, visa and border control and asylum'

### FRA's main objectives:

- effectively promoting fundamental rights safeguards in the development and implementation of EU policies in the field of immigration and integration of migrants, visa and border control and asylum.

### Main achievements, activities and deliverables

Under this MAF area, in 2015, FRA released five new publications. In addition, as described in part 1, from the end of September through November 2015, FRA compiled weekly updates on the situation on the ground in the eight Member States most affected by the significant increase in new arriving refugees and migrants.



## Preventing severe labour exploitation and facilitating victims' access to justice

Drawing on country reports from 21 EU Member States, FRA's 2015 report on severe labour exploitation (SELEX) documents a widespread phenomenon of disregard to basic labour rights of migrant workers moving within or into the European Union and informs about responses to this issue. A video on severe labour exploitation in the EU, available on the agency's webpage, complements the report's findings. FRA's stakeholders have shown great interest in the report, which has received attention at numerous high-level international, EU and national events.

Apart from the launch of the SELEX report at the General Council of the EU and the Latvian Presidency of the Council of the EU, the findings were presented and discussed at UN-level, at the OSCE Human Dimension Committee, as well as by EU agencies and working groups, NGOs, national human rights bodies and civil society organisations. On request, FRA presented the report's main findings at the European Parliament, which also used them in its working document on tackling criminal smuggling, trafficking and labour exploitation of irregular migrants as well as in a report on women domestic workers and carers in the EU. Moreover, national stakeholders and parliaments, among others in Ireland and Portugal, raised awareness of FRA's SELEX findings by featuring them in specific launches.

Building on a handbook on guardianship published by FRA together with the Commission in 2014, a comparative report on guardianship systems for children deprived of parental care in the EU, published in October, explores the key features of guardianship systems put in place to cater for the needs of all children in need of protection, including child victims and those at risk of becoming victims of trafficking in human beings or of other forms of exploitation. Information on procedures of informed consent and ethical approval when involving children in research in all EU Member States has been available via the FRA webpage since January 2015.

## Presenting economic reasons to extend access to healthcare

In September 2015, FRA released a report aiming to estimate the economic cost of providing timely access to screening and treatment for migrants in an irregular situation, compared with providing treatment only in emergency cases. It presents an economic model to calculate such costs for two medical conditions: hypertension and prenatal care. To better illustrate its application in practice,

the model is applied to three EU Member States – Germany, Greece and Sweden. The testing shows that providing access to regular preventative healthcare for migrants in an irregular situation would be cost-saving for healthcare systems. Even when using a simple model to estimate costs, the implications are clear: treating a condition only when it becomes an emergency not only endangers the health of a patient, but also results in a greater economic burden to healthcare systems.

In a focus paper, FRA presented a toolbox of possible schemes EU Member States could use to enable more persons in need of international protection to reach the EU without resorting to smugglers. The paper presents different refugee-specific schemes – including resettlement, humanitarian admissions, the issuance of humanitarian visas, the lifting of visa requirements and temporary protection – as well as regular mobility schemes, such as those available to family members of persons residing in the EU, students, migrant workers and other categories of persons, which could be made more accessible to refugees staying in third countries. Increasing the availability of legal avenues to reach the EU would contribute to making the right to asylum set forth in Article 18 of the Charter of Fundamental Rights of the EU a reality for vulnerable refugees and other persons in need of protection who are staying in a third country, often facing risks to their safety.

## Addressing urgent fundamental rights questions during fingerprinting

As a first publication of FRA's biometrics project, in October 2015, FRA issued a focus paper on the fundamental rights implications of the obligation to provide fingerprints for Eurodac. The paper intends to assist EU Member States and EU institutions and agencies in avoiding fundamental rights violations when promoting compliance with the duty to provide fingerprints, by examining more closely the impact of refusing to give fingerprints on the principle of *non-refoulement*, the right to liberty and security, and the protection from disproportionate use of force. It also contains a checklist to guide authorities responsible for implementing the duty to take fingerprints.

In December, FRA initiated preparations for further research activities and fieldwork in the area of biometrics in the large-scale IT databases Eurodac, SIS II and VIS.

FRA's publications were presented and promoted among EU institutions and agencies, international organisations, Member States and other stakeholders at various events during the course of the year.



In addition, FRA continued to provide support to the Commission regarding the implementation of Schengen evaluations. FRA delivered input at four training events for evaluators, promoting fundamental rights safeguards in respect to return issues, police cooperation as well as the Schengen Information System data base (SIS II). Based on a request by the Commission pursuant to Article 8 of Regulation (EU) No. 1053/2013, FRA compiled relevant fundamental rights information in the form of a 'Schengen Evaluation Risk Analysis', which was presented to the Schengen Committee – a forum set up by the European Commission with Member States. In this connection FRA also accompanied as an observer evaluation missions reviewing the EU return *acquis* in four Member States.

As a response to the asylum and migration situation, FRA intensified its cooperation with other EU agencies to support them with fundamental rights expertise. Structured input was provided into various EASO materials, such as a tool to identify asylum seekers at borders, a tool on family tracing, and the development of a training module on international protection and fundamental rights. In November, FRA provided fundamental rights expertise to the European Centre for Disease Control on the prevention of infectious diseases among newly arrived migrants.

FRA closely followed the establishment of "hotspots" in Italy and Greece. In September 2015, it presented a number of fundamental rights implications for EU action in "hotspots" in LIBE. The FRA checklist on fingerprinting was actively promoted by Frontex and translated into Italian and Greek.

Fundamental rights issues relating to Frontex operations in Italy and Greece were discussed bilaterally and as part of FRA's role in the Frontex Consultative Forum. FRA chaired the Forum's working group on return and has contributed to mainstreaming fundamental rights in related planning and guidance documents, such as the code of conduct and the guide on joint return operations.

EU institutions also continued to involve FRA in pending legislation. As an illustration, in October and December, FRA offered its expertise to the Council's Strategic Committee on Immigration, Frontiers and Asylum (SCIFA) as well as to the European Parliament's LIBE Committee on the fundamental rights impact of a pending legislative file regarding safe countries of origin.

In November, FRA received a request for a legal opinion from the European Commission on the proposed extension of the European Criminal Records Information System (ECRIS) to third-country nationals. FRA's views were requested before the Commission issued the proposal, which was published in January 2016. The proposal includes a number of safeguards promoted in the FRA opinion – for example, as regards measures to eliminate

false matches – and highlights the principle of equality before the law. At the same time, some issues raised by FRA were referred to in an explanatory memorandum but not addressed. These were left to the discretion of EU Member States. Examples include possible adverse effects in the field of migration and asylum or considering the impact on third-country national children.

The Commission invited FRA to six Contact Committee meetings, at which it discussed with Member States the implementation of EU law in the field of return of migrants in an irregular situation, facilitation of irregular entry and stay, and employers' sanctions for employing migrants in an irregular situation. At these meetings FRA presented its new publications and shared its fundamental rights expertise.

FRA attended six regular meetings between the Commission and JHA Agencies in three policy areas, namely trafficking, smuggling and returns. These meetings follow up on commitments included in the EU Anti-Trafficking Strategy, the Action Plan against Migrant Smuggling and the Action Plan on Return.

Concerning fundamental rights safeguards in the field of return, FRA continued to report on developments in the introduction of forced return monitoring systems by publishing an overview of the state of play in all 28 EU Member States (August 2015). Furthermore, to promote the use of alternatives to detention, it issued a compilation of legal sources and existing tools on alternatives to detention; the document gives weight to alternatives to electronic tagging, which is given preference in the EU action plan on return (October 2015). The agency also took part in conferences, training seminars and workshops on this matter, where it provided its expertise.

In support of the Smart Border Pilot project by eu-LISA – the European Agency for Large-Scale IT Systems – FRA carried out a survey interviewing over 1,000 third-country nationals at seven border crossing points on their attitudes towards providing biometric data. The results of the survey intend to inform the EU institutions when developing a system of smart borders, which entails the collection of biometric data for all third-country nationals who cross the Schengen border. Results of the survey were presented to the Commission and the Council Working Party on Frontiers.

FRA participated in various events, including an informal meeting of EU Justice and Home Affairs ministers in January as well as the first ever European Migration Forum – a platform bringing together civil society organisations and the European institutions. The agency also joined a thematic debate on managing diversity in European municipalities and regions organised by the Council of European Municipalities and Regions.

FRA issued 12 new language versions of the Handbook on European law relating to asylum, immigration and borders, jointly published with the European Court of Human Rights.

### Issues encountered

Similar to the previous reporting period, FRA saw an increase in requests for input and support from EU institutions and JHA agencies, as a result of its past activities in this area. This led to targeted follow-up activities on issues identified by FRA in its report. While increasing the relevance of FRA's work, this development has put additional pressure on FRA's capacity, in particular in view of the agency's limited human resources. In this connection, it is also challenging to follow important national policy discussions that might be essential for FRA's opinions.

The project on 'Social Inclusion and Migrant Participation' (SIMPS) faced constraints in terms of human resources but managed to provide quality data in a previously under-researched area of FRA. Continuous engagement efforts are needed to ensure that FRA survey evidence is taken into account.

## 1.3. Achievements in the thematic area 'Information society and, in particular, respect for private life and protection of personal data'

### FRA's main objectives:

- establishing FRA as a relevant player in the area of information society, privacy and data protection.

### Main achievements, activities and deliverables

#### Fundamental rights safeguards and remedies in light of surveillance by national authorities

In November FRA published a report on surveillance by national intelligence services examining fundamental rights safeguards and remedies in the 28 EU Member States. The report was prepared in response to the European Parliament's call for thorough research on fundamental rights protection in light of the revelations of electronic mass surveillance

by Edward Snowden in 2013, and in particular with regard to the available judicial remedies. FRANET, the agency's multidisciplinary research network composed of contractors in each EU Member State, delivered data on national legal frameworks, which was analysed and assessed. For the publication, FRA also drew on its findings from the report on data protection remedies to assess the privacy and data protection safeguards in EU Member States and the remedial avenues at an individual's disposal.

Drawing on FRA's preliminary findings for the report, which were presented to the European Parliament in spring 2015, the parliament published a resolution in October 2015, addressing the need to safeguard citizens' fundamental rights in this respect. In addition, the Council of Europe's Committee of Ministers referred to the agency's activities in this area in a reply to the Parliamentary Assembly Recommendation on mass surveillance, expressing interest in FRA's report. Moreover, the agency's findings were provided and discussed with the Council of Europe Venice Commission in the context of its work on democratic oversight of the security services.

FRA's findings focus on the role of state actors, showing how national institutions in the EU Member States ensure democratic oversight over intelligence authorities regarding the protection of private and family life as well as personal data. Moreover, the report provides information on remedies available to individuals alleging infringements of their right to privacy in the respective Member States.

The report was launched at the World Forum for Democracy in Strasbourg in November. Also in November, FRA met representatives of the EU institutions, the Council of Europe, national oversight bodies, data protection authorities and academia to discuss further activities in this respect, such as field research and the update of legal research.

Furthermore, FRA presented the report's findings at an official hearing of the Italian parliamentary committee for the security of the Republic (Copasir), the parliamentary oversight of the Security Intelligence System's activities in Italy, as well as at the Council of Europe's Venice Commission. At EU-level, FRA participated in an inter-parliamentary committee meeting on democratic oversight of national intelligence services at the European Parliament. In addition, the report on surveillance by intelligence services was presented and discussed at the Colloquium Intelligence Services & Law in Vienna and at a conference organised by the Academy of European Law in Brussels.

On general matters related to the respect for private life and protection of personal data, FRA enhanced its working relationships with EU institutions, relevant EU agencies (such as EDPS and ENISA) and international





bodies over the year. In March, FRA was invited by the European Commission to participate in an expert working group to discuss the questions of necessity and proportionality of the Passenger Name Records (PNR) proposal. In October FRA was given observer status at the International Conference of Data Protection and Privacy Commissioners, where the agency participated in discussions related to oversight of national intelligence services, the processing of genetic data and recommendations on how to foster transatlantic application of diverging legal frameworks on data protection. Finally, FRA upon request – in the context of the Commission’s impact assessment of a future system complementing the current European Criminal Records Information System – in December issued Opinion 1/2015 “on the exchange of information on third country nationals under a possible future system complementing the European Criminal Records Information System”. FRA’s recommendations were addressed in the impact assessment report published by the Commission in January 2016 along with a Proposal for a Directive.

### Issues encountered

Given the sensitive nature of FRA’s surveillance project, the agency decided to adjust the project’s methodology, entrusting FRA senior staff with conducting fieldwork interviews with key stakeholders. With regard to increasing the demand for FRA’s opinions in this thematic area, there is still room for improvement when it comes to cooperation with Council working groups as well as international organisations, in particular at UN level. At national level, while it remains difficult to reach out to Member States in situations where it would take ‘28 efforts’, the work on surveillance highlighted this issue.

## 1.4. Achievements in the thematic area ‘Racism, xenophobia and related intolerance’

### FRA’s main objectives:

- serving as an ‘observatory/data warehouse’ on the phenomena of racism, xenophobia and related intolerance, including hate crime and extremism, as well as on racial and ethnic discrimination.

### Main achievements, activities and deliverables

In 2015 FRA presented its annual overview of data on antisemitism in the EU at a hearing on antisemitism organised by the Committee on Equality and Non-Discrimination of the Parliamentary Assembly of the

Council of Europe. Additional fora used to disseminate the updated findings were the European Commission’s Expert Group on the Framework Decision on Racism and Xenophobia as well as the annual EU-Israel seminar. FRA’s annual overview of data on antisemitism in the EU provides information on manifestations of antisemitism recorded by official and unofficial sources in EU Member States. The report, which was published in September, is the tenth in a series of yearly updates prepared by FRA and its predecessor – the European Monitoring Centre on Racism and Xenophobia (EUMC).

In January 2015, then-FRA Director Morten Kjaerum addressed the European Parliament’s Committee on Civil Liberties, Justice and Home Affairs (LIBE) in a debate on counter-terrorism, de-radicalisation and foreign fighters, stressing that fundamental rights needed to be built into any EU security policy.

In March and November FRA held meetings of its Working Party on Improving Reporting and Recording of Hate Crime in the EU. The working party was already set up in 2014 in response to Council Conclusions on combating hate crime, inviting Member States to take measures to improve reporting and recording of hate crime and calling on FRA to facilitate the exchange of good practices as well as to assist Member States in their efforts. The two meetings in cooperation with the Latvian and Luxembourgish Presidencies of the Council of the EU, respectively, brought together representatives from EU Member States and the European Commission, the Council of Europe’s Commission against Racism and Intolerance (ECRI), the OSCE’s Office for Democratic Institutions and Human Rights (ODIHR), as well as civil society organisations. In addition to the exchange of information with regard to improving the recording of hate crime and encouraging reporting, the working party also discussed incidents of hate crime and hate speech against refugees and asylum seekers. The working party’s meeting in November took place in the shadow of the attacks in Paris earlier that month, making its objectives particularly relevant.

In March FRA published a report on equal protection for all victims of hate crime, focusing on people with disabilities. Other publications by the agency in this thematic area include a focus paper on ‘Promoting respect and diversity – combating intolerance and hate’ as well as a publication on the Paris terrorist attacks.

In the course of the year FRA contributed to the European Police College’s (CEPOL) webinars aimed at law enforcement officials and front line police in the EU by providing expertise on discriminatory ethnic profiling and human rights policing. Furthermore, the material used in the online training toolkit entitled ‘Fundamental Rights and Holocaust remembrance’, which is tailored to EU and Member States’ public officials, was tested

and evaluated during the first pilot training for EU officials organized by the Commission in Brussels.

### Providing guidance on improving reporting of hate crime

A capacity-building workshop on improving reporting and recording of hate crime that arose from the work of FRA's hate crime working party was held at the UK's Ministry of Justice in London on 23 March. Participants from 13 EU Member States – including representatives from the police, the Ministries of Interior, of Justice, of Public Order and Citizens' Protection and of Employment, as well as civil society organisations – attended the workshop. Moreover, the launch of the workshop on guiding principles for hate crime training took place in August.

In October, FRA also contributed to the first training of judges and magistrates on the investigation and adjudication of hate crimes and discrimination cases organised by the General Council of the Judiciary of Spain. This was followed by the presentation of a training manual for this purpose two months later.

FRA also presented its work on hate crime at the OSCE/ODIHR Reinforced Human Dimension Committee Meeting in Vienna on 17 November.

With regard to its work on the issue of antisemitism, islamophobia and hate speech, FRA attended a European Parliamentary debate on 29 June and participated in the European Commission's first Annual Colloquium on Fundamental Rights, entitled 'Tolerance and respect: preventing and combating anti-Semitic and anti-Muslim hatred in Europe' in October. On 9 September, following an invitation from the Luxembourg EU Presidency, FRA contributed to discussions of the Council of the EU's Terrorism Working Party, which devoted special attention to Islamophobia in the EU.

On 14-15 December a workshop was co-organised by FRA in cooperation with the Austrian Ministry of Interior, entitled 'Developing a Toolbox for Communication Strategies to promote respect, non-discrimination, fundamental rights, freedoms and solidarity'.

Frans Timmermans, First Vice-President of the European Commission, announced the nomination, within the Commission, of two coordinators, one for antisemitism and one for Islamophobia. FRA is mentioned as playing an important role in supporting Member States in developing training and tools for teachers and educators; in supporting media literacy on tolerance and fundamental rights in cooperation with the European Broadcasting Union; and in improving recording and identifying a methodology for data collection of hate crimes.

## Issues encountered

No particular issues and challenges preventing FRA from executing the work programme in the area of racism, xenophobia and related intolerance were encountered during the reporting period.

Efforts should be made with regard to awareness raising in this thematic area, as issues pertaining to racism, xenophobia and related intolerance are of limited interest to some stakeholders, unless situations of crisis arise. Since much of FRA's work on racism, xenophobia and related intolerance is generally subsumed under other projects, there is less visibility of this area of work.

## 1.5. Achievements in the thematic area 'Roma integration'

### FRA's main objectives:

- to contribute to the achievement of the goals set by the EU Framework on Roma integration to respect the fundamental rights of Roma across the EU in the context of the implementation of the EU 2020 Strategy.

## Main achievements, activities and deliverables

Throughout 2015 FRA continued to support the European Commission and the EU Member States in preparations for the first reporting cycle on the implementation of the Council Recommendation of 9 December 2013 on effective Roma integration measures. During the National Roma Contact Points (NRCP) meeting in October an agreement was reached to apply a web-based reporting tool the development of which FRA facilitated. Its application would allow the efficient use of the indicator framework agreed upon by the Member States' Working Party on Roma Integration Indicators, coordinated by FRA. The indicator framework aims to provide Member States with a tool for self-assessment and to communicate progress in their forthcoming annual reporting. The agreed-upon indicators cover the key areas of education, employment, health and housing, as well as horizontal issues such as rights awareness and non-discrimination. Civil society was also invited by the European Commission to use the template by entering the available evidence.

The work of the Working Party on Roma Integration Indicators is regularly reported back to all National Roma Contact Points. Once the information collection

template was agreed upon, the focus of the Working Party shifted to targeted support for individual Member States facing specific issues. The work also feeds into the European Commission's work on Roma. FRA's work with respect to the reporting and indicator framework was also prominently featured in the European Commission's Report on the implementation of the EU Framework for National Roma Integration Strategies 2015. Council of Europe and OSCE/ODIHR CPRSI have expressed interest in applying the monitoring framework for the reporting by their Member States.

### Working towards fairness for Roma

FRA conducted a number of local visits to support and monitor the implementation of its participatory action research project 'Local Engagement for Roma Inclusion' (LERI). In 2015 the main phase of the LERI project took shape after a number of barriers were identified in the pilot phase. After assessing the needs in the selected 22 localities, local project plans were developed, outlining the methodology, activities, and stakeholders involved. The assessment phase will be followed by the implementation and monitoring of local level interventions with the meaningful participation of Roma communities and all relevant local level actors. The project was implemented in 22 localities across 11 EU Member States: Bulgaria, the Czech Republic, Finland, France, Greece, Hungary, Italy, Romania, Slovakia, Spain and the UK.

FRA contributed to the report on Roma issues published by the UN Special Rapporteur on minority issues. FRA also presented its Roma work in a number of stakeholder meetings:

- FRA also presented its work on Roma at the OSCE/ODIHR Human Dimension Implementation Meeting in Warsaw on 1 October. Between 28-29 May, FRA provided input to the European Committee for Social Cohesion, Human Dignity and Equality of the Council of Europe, where the agency presented its work on Roma, child rights and disability issues.
- Also in May, FRA participated in the annual Workshop on Migration Statistics organised by the United Nations Economic Commission for Europe (UNECE) in Geneva and presented a Working Paper on 'Multidimensional poverty from a fundamental rights perspective: the case of Roma'.
- In June FRA was invited to speak at the launch event 'Combatting Anti-Gypsyism and Discrimination as a root cause of Roma marginalisation' in Geneva;
- In October FRA participated in a conference on Roma and discrimination in Cluj, presenting the work on fundamental rights indicators applied to Roma;
- FRA also contributed to the design of a structured survey on end-recipients of the support provided by the Fund for European Aid to the Most Deprived (October, DG EMPLOY);
- In October FRA presented its Roma work at a working group at the 4<sup>th</sup> Annual Forum of the EU Danube Strategy in Ulm;
- FRA presented its work on Roma at the 9<sup>th</sup> and 10<sup>th</sup> meeting of the Ad hoc Committee of Experts for Roma Issues (CAHROM) hosted by the Council of Europe in Strasbourg between 27 and 29 May and in Bucharest on 28 October. Moreover, FRA took part in the meeting of the Coalition of International Organisations on Roma Inclusion on 27 May and on 28 October.
- On 23-24 November, FRA took part in the final meeting of the EURoma Network, bringing together representatives from National Roma Contact Points, European Social Fund Management Authorities and the European Commission.

### Supporting Member States in ensuring Roma integration

A number of requests for support related to the implementation of the monitoring frameworks for tracking progress in Roma integration were received from Bulgaria, the Czech Republic, Germany and Slovakia. All were met either through missions or support provided on-line. One particular area of support was the preparation for the Slovak Presidency of the Council. FRA assisted the Slovak Presidency preparatory team in defining the topics to be covered during the Presidency in the area of Roma inclusion. FRA also continued to support the implementation of SocioRoMap – an EEA/Norway Grants-supported project in Romania.

### Issues encountered

Member States' different approaches to ethnically-disaggregated data collection make difficult common reporting on the Council Recommendation and call for continued support from FRA. The implementation of the LERI project suggests that participatory action research at local level faces numerous risks that need to be carefully managed (e.g. changing political environments; community-level tensions; competing interests; poor coordination between local experts and intermediaries).

In general, the diverging situations and levels of integration of Roma in individual Member States make it difficult to develop jointly shared approaches. Moreover, work in candidate countries is possible only upon request from the European Commission's Directorates General DG NEAR through DG JUST.

## 1.6. Achievements in the thematic area 'Discrimination based on sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation'

### FRA's main objectives:

- timely provision of robust, policy-relevant and evidence-based advice to EU institutions and Member States as well as other stakeholders on equality and non-discrimination fundamental rights challenges.

### Main achievements, activities and deliverables

In September 2015, the first Member States started interviews in the framework of the second wave of the 'European Union Minorities and Discrimination Survey' (EU-MIDIS II). The survey aims to support the EU in protecting the fundamental rights of people with an immigrant or ethnic minority background, including Roma. It also aims to populate core indicators for measuring progress in the implementation of the EU Framework for National Roma Integration Strategies as well as selected indicators on immigrant integration. Interview completion is expected by the end of the first quarter of 2016. On 9 November, FRA attended an expert meeting on the policy needs for data on crime, which brought together European Commission services, Member States' representatives and independent experts; FRA shared, among others, information on its EU-MIDIS II survey.

### Raising awareness of discrimination against LGBT people

In May FRA published a comparative analysis of the EU LGBT survey data 'Being Trans in the EU', examining issues of equal treatment and discrimination on two grounds, namely sexual orientation and gender identity. The report analyses data on the experiences of 6,579 trans-respondents from the 'EU Lesbian, gay, bisexual and transgender (LGBT) survey' - the largest body of empirical evidence of its kind to date.

FRA research covering transgender health was discussed at the first conference of the European Professional Association for Transgender Health in Ghent from 12-14 March, attracting 350 participants from 31 different countries. Furthermore, the agency participated actively in the meeting of LGBTI governmental focal points and in the forum of the 'International Day Against Homophobia and Transphobia'.

### Analysing the legal situation of lesbian, gay, bisexual, transgender and intersex people

In May FRA published its first focus paper on the fundamental rights situation of intersex people. The paper drew on evidence gathered to elaborate on FRA's broader comparative legal analysis on protection against discrimination on grounds of sexual orientation, gender identity and sex characteristics in the EU. FRA published that comparative analysis in December, providing an overview of legal developments in the EU from 2010 onwards, and updating and expanding its previous reports on this topic.

FRA's findings on the fundamental rights of intersex people in the EU were discussed at the Council Working Party on Fundamental Rights, Citizens' Rights and Free Movement of Persons (FREMP); with members of the European Parliament's LGBTI Intergroup; at an IDAHO Forum meeting (together with the Office of the Commissioner for Human Rights of the Council of Europe); at the annual conference of ILGA-EUROPE; and the intersex solidarity days in Vienna (Austria).

In December the United Nations Development Programme (UNDP) and the UN's Office of the High Commissioner for Human Rights (OHCHR) invited FRA to contribute to an expert meeting in New York concerning the measurement of LGBTI (lesbian, gay, bisexual, transgender and intersex) inclusion and the development of a related index, based on FRA's experience from the agency's EU-LGBT survey. Moreover, FRA took part in the international conference on 'Freedom of Speech and Assembly: A world perspective in a narrative' in June, which coincided with EuroPride in Riga - a pan-European international event dedicated to LGBT pride.

Regarding violence against women, FRA participated in the Interinstitutional Congress on Gender Violence: Future Challenges, which brought together the Autonomous Administrations of Spain to advance in the coordination and standardisation of their processes, also *vis-à-vis* the Central State Administration.

With respect to its work on disability, FRA focused on fulfilling its specific role to promote, protect and monitor the Convention on the Rights of Persons with





Disabilities (CRPD). This was achieved through three main activities: providing evidence-based advice to stakeholders, preparation for fieldwork to be carried out in 2016 and expert meetings organised at FRA premises.

FRA participated in numerous conferences, raising awareness of rights and challenges of people with disabilities:

On 14-15 April FRA held a meeting in Vienna to discuss its findings from the draft report on violence against children with disabilities with civil society experts.

On 26-27 November FRA hosted an expert meeting on the next steps in the agency's project on the right to independent living for persons with disabilities, bringing together representatives from the Council of Europe, the European Commission, national human rights bodies, disabled persons organisations and academic experts.

Moreover, FRA presented its work at conferences at EU-, UN- and national level and, among others, to the UN Committee on the Rights of Persons with Disabilities in August in Geneva as well as to the 'Zero Project Conference' – a platform focusing on the rights of people with disabilities globally. FRA's work also fed into the 2015 Zero Project Report that was launched during the conference in Vienna.

### Mapping progress in EU Member States

The agency also published the focus paper 'Implementing the UN CRPD: An overview of legal reforms in EU Member States', outlining how Member States across the EU have reformed their laws and policies to meet their obligations under the UN Convention on Rights of Persons with Disabilities (CRPD).

In May FRA's interim Director spoke at a public hearing organised by the European Parliament on the EU's review by the UN Committee on the Rights of Persons with Disabilities. Furthermore, FRA addressed a conference in Thessaloniki in September in this respect, being the first opportunity to assess the impact of the UN Committee on the Rights of Persons with Disabilities concluding observations. The agency also provided evidence to the European Commission in the course of the preparation for the CRPD Committee review, as well as to the European Parliament's Committee on Petitions (PETI).

In addition, infographics to help raise awareness of the voting rights of people with disabilities were made available in additional languages.

### Issues encountered

No particular issues and challenges preventing FRA from executing the work programme in the area of discrimination were encountered during the reporting period.

At EU level, efforts should be made to raise awareness of FRA's work in this thematic area to further promote the dissemination of FRA's work among the EU institutions as well as the possibility for EU bodies to draw on FRA's expertise.

## 1.7. Achievements in the thematic area 'The rights of the child'

### FRA's main objectives:

- timely provision of robust, relevant and evidence-based advice to EU institutions and Member States on the protection, respect and promotion of the rights of the child.

### Main achievements, activities and deliverables

#### Strengthening child protection and promoting child-friendly justice

In response to a request by the European Commission, FRA conducted a mapping of child protection systems in the 28 EU Member States. Key findings of the mapping were published on FRA's webpage in January and are available in English, German and French. In May FRA published a report on 'Child-friendly justice – Perspectives and experiences of professionals on children's participation in civil and criminal judicial proceedings in 10 EU Member States'. The launch of the report took place on 5 May in Brussels during two live radio debates with members of the European Parliament. FRA's fieldwork findings are based on interviews with professionals who work with children involved in criminal and civil proceedings, primarily in cases of sexual abuse, domestic violence, neglect and custody conflicts. The report draws on country reports prepared under contract by FRA's research network FRANET.

## Supporting the European legal protection of children

On the occasion of Universal Children's Day on 20 November, FRA launched the Handbook on European law relating to the rights of the child in cooperation with the Council of Europe and the European Court of Human Rights. Serving as a reference on how EU and Council of Europe law and case-law accommodate the specific interests and needs of children, the handbook is designed for non-specialist legal professionals, judges, public prosecutors, child protection authorities, and other practitioners and organisations responsible for ensuring the legal protection of the rights of the child. It addresses issues such as equality, personal identity, family life, alternative care and adoption, migration and asylum, child protection against violence and exploitation, as well as children's rights within criminal justice and alternative proceedings.

Furthermore, FRA published a report on violence against children with disabilities, looking at laws to protect children from violence. Preliminary findings in this respect were shared with the Council of the European Union's Working Party on Fundamental Rights, Citizens Rights and Free Movement of Persons (FREMP) as well as the Informal Member States Experts Group on Rights of the Child.

FRA was invited to present its work and expertise in the area of rights of the child at:

- the '9<sup>th</sup> European Forum on the Rights of the Child', organised by the European Commission in Brussels in June;
- the 19<sup>th</sup> annual European Network for Ombudspersons for Children (ENOC) in Amsterdam in September;
- the 12<sup>th</sup> conference entitled 'Helping children victims of crime', which took place in October in Warsaw;
- the seventh annual dialogue with the Commission for Citizenship, Governance, Institutional and External Affairs (CIVEX) of the EU's Committee of the Regions in November;
- an expert meeting on the policy needs for data on crime in November, coordinated by DG Home, bringing together Commission services, Member State representatives and independent experts;
- the advisory panel of the Polish Ombudsman for Children, composed of practitioners and legal experts, where FRA also met NGOs active in this area as well as representatives of the relevant ministries;

- the Council of Europe's meeting of the Committee of Experts, joining discussions with regard to the draft of a strategy on children's rights;
- the European Commission's Expert Group on Rights of the Child;
- several national-level events, including discussions with key-stakeholders in Estonia, Montenegro, Bulgaria, Austria and Sweden.

In March, FRA organised an experts' meeting at its premises on child protection to present findings of its research on child protection systems and discuss promising practises and common challenges.

Moreover, FRA and UNICEF, in partnership with the European Parliament Intergroup on Children's Rights, organised an event on access to justice for children in June on the margins of the 9<sup>th</sup> European Forum on the Rights of the Child.

In October FRA offered its expertise at an online seminar on interviewing children victims and witnesses of crime, organised by CEPOL. Furthermore, the agency provided feedback on the European Asylum Support Office's (EASO) Practical Guide for Family Tracing in Malta and was part of an expert group providing input to the development of training modules for professionals by the International Juvenile Justice Observatory (IJJO).

The agency was also invited to provide its expertise to the Informal Justice and Home Affairs ministers' meeting for the revision of the Brussels II regulation on jurisdiction regarding parental responsibility in Luxembourg. Furthermore, FRA provided data to the Commission's DG Justice for the development of a reflection paper on the 'Coordination and cooperation in integrated child protection systems'.

In 2015 FRA's website for children, which was launched as part of its website section on the rights of the child in 2014, was enriched by the addition of five animation films on raising children's awareness of their rights.

FRA has also mainstreamed children's rights into other areas of its work, such as the fundamental rights of LGBTI people, violence against women and, in particular, migration and asylum –for example, information on FRA's report on 'Guardianship systems for children deprived of parental care in the European Union' can be found under the thematic area 'Immigration'.

## Issues encountered

It remains challenging to reach out to all EU Member States in situations where it would take '28 efforts' and



meet the demands of all stakeholders. Therefore, good use must be made of multipliers. In addition, a focus on strategic requests from the European Parliament and cooperation with more Commission Directorates General (CONNECT, EMPL, HOME) could help in providing advice in a focused and systematic manner. Moreover, efforts should be made to intensify cooperation with international organisations (OHCHR, UNCRC).

## 1.8. Achievements in the thematic area 'Access to justice'

### FRA's main objectives:

- contributing to the EU's efforts to enhance mechanisms, judicial and non-judicial, for ensuring access to justice at EU and Member State levels, which serve to underpin fundamental rights compliance.

### Main achievements, activities and deliverables

#### Ensuring access to justice

In October, FRA launched a pilot version of 'Clarity', which stands for the 'Complaints, Legal Assistance and Rights Information Tool for You', an online tool that directs people to competent non-judicial bodies that can deal with their particular fundamental rights issue(s) in a given EU Member State. The tool, which was also introduced in a short video clip available on FRA's website, was presented in various contexts (e.g. the Council's Working Party on E-Law, FREMP, and the European Parliament's Petitions Committee). Since the launch of Clarity there have been over 500 submissions of the form. The 2015 Council conclusions on the application of the Charter of Fundamental Rights welcomed the Clarity tool and underlined the need for its further development. National representatives of the Council's Working Party on E-Law are currently discussing ways to ensure full coverage of all bodies in all states, its further translation into EU languages, and its eventual transfer to the European e-Justice Portal.

FRA provided input to a number of events focusing on access to justice, including:

- a meeting with the UN High Commissioner for Human Rights, Zeid Ra'ad Al Hussein, in January;
- training for Justice and Home Affairs (JHA) Counselors in February in Brussels;
- a visit to the FRA premises by the German parliamentary committee in February;
- a presentation of FRA's police manual in March and an online seminar on effective strategies to address violence against women in April, organised by CEPOL;
- a conference of the European Network of Equality Bodies (Equinet) in June, focusing on the role and importance of the EU Charter of Fundamental Rights in safeguarding fundamental rights;
- an EU Rule of Law Oversight discussion in the framework of an academic event in London in June;
- the launch of the Council of Europe-FRA-European Network of National Human Rights Institutions (ENNHRI)-European Network of Equality Bodies (Equinet) Collaborative Platform on Social and Economic Rights in Strasbourg in October;
- the final conference of the EU-funded 'Pilot project for development of indicators to measure the implementation of the European Charter of women and men in local life', organised by the Council of European Municipalities and Regions (CEMR) in October in Brussels;
- conferences on empowering workers with disabilities in the EU and on protection of fundamental rights in the EU organised by the Academy of European Law in December and June, respectively;
- the European External Action Service's (EEAS) human rights dialogue with Belarus and the Association of South East Asian Nations (ASEAN);
- the European Development Days - the leading forum in Europe for international development and cooperation;
- a public hearing on the protection of the rights of people with disabilities, organised by the European Parliament's Petitions Committee.

FRA presented its survey findings on violence against women at a number of conferences and national events – for example, in Estonia, the Czech Republic, Germany, Ireland and Spain. The agency also took part in a Council of Europe conference on monitoring the implementation of the Istanbul Convention. Moreover, a campaign in Vienna aiming to strengthen cooperation between victim support centres and hospitals reflected on the results of FRA's EU-wide violence against women survey.

## Providing valuable research data

In June, the European Parliament adopted a resolution on the EU Strategy for equality between women and men post-2015. Significant reference was made to FRA's survey on violence against women, the report on 'Discrimination against and living conditions of Roma women in 11 EU Member States', and 'Being Trans in the EU – Comparative analysis of the EU LGBT'. In this connection, FRA also provided researchers access to its violence against women survey data set, to support further use and assessment of the survey results. By the end of the year, a number of researchers from academic institutions and research agencies had made use of the opportunity to further analyse the survey results, adding to the body of knowledge developed based on FRA's survey.

In 2015 the European Parliament adopted a resolution concerning the Progress on equality between women and men in the EU in 2013, and the resolution on the EU Strategy for equality between women and men post-2015, referring to the results of FRA's survey on violence against women. Over the course of the year, several members of the European Parliament used this survey's data as an evidence base for written and oral parliamentary questions.

The European Commission used the results of FRA's violence against women survey extensively in 2015 – for example, in the Commission's 'Strategic Engagement for Gender Equality 2016-2019', the 'Report on equality between women and men 2014', and the roadmap '(A possible) EU Accession to the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention)'. Furthermore, the Commission's call for proposals for action grants to support transnational projects to combat sexual harassment and sexual violence against women and girls used results from FRA's violence against women survey as the evidentiary basis for taking this action.

In June 2015 the European Institute for Gender Equality (EIGE) launched the second edition of its Gender Equality Index with a 'satellite domain' on violence, which EIGE based on FRA's violence against women survey data. These survey results were also used in the report published by EIGE in November 2015 'An analysis of the Victims' Rights Directive from a gender perspective'. The OSCE in 2015 started an initiative to replicate the FRA survey on violence against women in ten non-EU countries. The survey's results were also referenced in reports by UN Women, the United Nations Economic Commission for Europe, and a number of civil society organisations.

In addition, FRA published a call for tender entitled 'Pre-testing and feasibility assessment for the FRA Fundamental Rights Survey'. The results of the study will assist FRA in developing the full-scale Fundamental Rights Survey, which will contribute to the measurement of trends in fundamental rights over time. On 10 February, FRA held the first consultation meeting, bringing together, among others, representatives of the European Commission, the Council of Europe, the OHCHR, Equinet, Eurofound and the OECD to discuss the expectations for the planned survey.

Furthermore, together with the European Court of Human Rights, FRA finalised a handbook on access to justice, which profited from earlier input by the Council of Europe's European Commission for the Efficiency of Justice (CEPEJ). The handbook, which is due to be launched in the second quarter of 2016, aims to raise awareness and knowledge among judges and other legal practitioners about the main legal and jurisprudential principles in the area of access to justice.

In August FRA launched a report on the freedom to conduct a business (Article 16 of the EU Charter), which analyses this freedom in the context of access to justice and implications for specific population groups. The report was presented at a European Commission (DG GROW) event organised for Member States and other Directorate Generals; at a FREMP meeting; at business and entrepreneurship events; and to members of the European Parliament working on relevant files (e.g. on female entrepreneurship).

In addition, FRA continued its research in the area of criminal law, such as on the fundamental rights aspects of EU law on the transfer of persons sentenced or awaiting trial or on the right to interpretation and translation and the right to information of suspects or persons accused in criminal proceedings in the EU, which was requested by the European Commission in 2014. In this connection, the agency was involved in several exchanges with key stakeholders and gave presentations on preliminary results, including at the 45<sup>th</sup> Plenary Meeting of the European Judicial Network (EJN) in November.

## Issues encountered

In the area of criminal justice, coordinating with various other actors to ensure that research undertaken on the European Commission's request does not overlap with that of others remains a challenge (including with other Commission-funded research).





## 1.9. Achievements in the thematic area 'Victims of crime'

### FRA's main objectives:

- becoming a main actor in the promotion of the fundamental rights of crime victims, in particular as regards the right of victims to have access to justice,
- making visible the invisible victims of, in particular, hate crime.

### Main achievements, activities and deliverables

#### Strengthening victim support structures

FRA seized many opportunities to present findings from its report on 'Victims of crime in the EU: the extent and nature of support for victims'. The report, which was launched in January 2015, examines the different support services provided for victims across the 28 EU Member States, in line with the 2012 Victims' Rights Directive. FRA's expertise in this area will provide guidance to Member States when implementing the directive and further improving victim support structures. FRA completed all EU language versions of a summary of this report. The report findings are very topical and timely, given the transposition deadline for the Victims' Rights Directive of November 2015. Information on promising practices from FRA's research on victims of crime was used by the European Commission for a guidance document on the Victims' Rights Directive.

In June, FRA hosted a European Commission-coordinated regional event with experts from eight Member States to discuss the implementation of the Victims' Rights Directive. The focus of this event was the state of play of the implementation as well as the exchange of best practices.

In addition, FRA participated in the Annual Conference of the European umbrella organisation 'Victim Support Europe', a conference of the European Institute for Gender Equality (EIGE), as well as a Luxembourg Presidency event.

To mark the European Day of Victims of Crime on 22 February, FRA created an infographic to raise awareness of victim support services and their role in helping crime victims have effective access to justice in the EU.

FRA's activities in the area of victims of crime are also linked to other thematic areas of work, such as

discrimination, racism, rights of lesbian, gay, bisexual, transgender and intersex people (LGBTI), violence against women, the rights of the child, people with disabilities and, in particular, migration and asylum. FRA's project on severe labour exploitation, described in the section on 'Immigration and integration of migrants, visa and border control and asylum', also relates to victims of crime, as does the work on children and justice, described in the section on 'The rights of the child'. Publications referring to the area 'victims of crime' include, among others:

- a report on child-friendly justice;
- a paper entitled 'Equal protection for all victims of hate crime – The case of people with disabilities';
- a report on 'Severe labour exploitation: workers moving within or into the European Union'.

### Issues encountered

No particular issues or challenges were encountered during the reporting period.

## 1.10. Achievements in the thematic area 'Cross-cutting activities'

### Main achievements, activities and deliverables

FRA chaired the EU Agencies Network in the period 1 March 2014 to 28 February 2015. The coordination of the network rotates between the agencies for periods of one year. The network was set up with the aim of improving the coordination, information exchange and agreement of common positions on issues of shared interest among agencies. During this time FRA strengthened relations between agencies and the new European Parliament and European Commission while helping to raise the visibility of agencies' work among Member States, stakeholders and the people of Europe. Towards the end of FRA's chairmanship on 20 February, all EU agencies signed a joint statement to strengthen fundamental rights protection in all areas of their work.

FRA also continued to provide relevant inputs to national governments. For example, FRA co-organised an event in Estonia with the agency's NLOs, where it presented its report on children and justice. This contributed to the government's own effort to review the Estonian national law related to child protection to bring it in line with the Convention on the Rights of the Child. Moreover, FRA discussed fundamental rights challenges and achievements in the EU at the Polish Senate in July and addressed

the Danish Parliament's European Affairs Committee on how to safeguard fundamental rights in the EU in March. At an official hearing of the Italian Parliamentary Committee for the Security of the Republic – the parliamentary oversight of the Security Intelligence System's activities in Italy – FRA presented its findings on surveillance by national intelligence services.

FRA also continued to take part in the Network of Justice and Home Affairs (JHA) Agencies – a thematic group of nine EU agencies, aiming to coordinate operational work and explore synergies in the areas of freedom, security and justice. In November the agency attended a meeting focusing in particular on the contribution and role of JHA Agencies in implementing the European Agenda on Migration and the European Agenda on Security.

FRA coordinated the Member States' Working Party on Roma Integration Indicators, bringing together Member States' national Roma contact points, the European Commission, as well as many other interested stakeholders.

The agency also cooperated with EU Member States in the framework of its Working Party on Hate Crime, established in response to Council Conclusions on combating hate crime in the European Union. The aim of the working party is to assist Member States in designing and implementing relevant measures in this respect.

In addition, FRA addressed the European Parliament's Committee on LIBE and discussed fundamental rights challenges with the European Parliament President as well as with the UN High Commissioner for Human Rights.

As a one-time initiative, FRA brought together its Network of National Stakeholders and FRA bodies in Vienna in November to identify more synergies and opportunities for cooperation.

In February FRA contributed to a Council of Europe event on social rights. In May, FRA engaged in a forum held in Salzburg; composed of Central and South-East EU Member States, the forum discussed security and fundamental rights.

FRA, together with the Committee of the Regions, has jointly developed a condensed portable version of the online toolkit for officials entitled 'Joining up fundamental rights'. The corresponding booklet, entitled 'Making rights real: a guide for local and regional authorities', is now available in German, French and Swedish.

FRA also developed further online tools for promoting fundamental rights – such as the Charterpedia, Case Law Data base, and Clarity – and has made its website partly available in all EU languages.

In 2015, FRA published awareness-raising video clips on children & justice in 9 EU languages and produced infographics on various thematic areas, the Charter, and EU agencies' work.

FRA also sent 10 newsletters in EN, FR and DE to its 6,500 subscribed stakeholders and 15 press releases, most of them in all EU languages, to its stakeholder and media contacts (approx. 1,350 contacts).

## Issues encountered

No particular issues and challenges preventing FRA from meeting its objectives in the area of cross-cutting activities were encountered during the reporting period.

## 1.11. Economy and efficiency of spending and non-spending activities

According to the agency's Financial Rules (Article 29), the principle of economy requires that the resources used by the agency in the pursuit of its activities shall be made available in due time, in appropriate quantity and quality and at the best price. The principle of efficiency concerns the best relationship between resources employed and results achieved.

Respect for these principles is continuously pursued through the implementation of internal procedures and predefined practices. These procedures ensure that activities are executed in an efficient manner (e.g. the different workflows contribute to efficient cooperation between staff, departments, etc.) and according to the principle of economy (e.g. the procurement rules ensure procurement in optimal conditions).

The agency is continuously fine-tuning its internal arrangements to improve the efficiency and economy of its operations. The following initiatives show how these principles are implemented.

In December 2015, the agency upgraded its datacentre cooling system with a new system, which is environmentally friendly as it uses the outside temperature to cool its datacentre. Due to weather conditions in Vienna it is expected to reduce current electricity costs related to the cooling of the datacentre by 50 %. Furthermore, in 2015, the agency reduced its building maintenance and running costs by 7 % due to better organisation of related activities, ensuring cost efficiency. Finally, the agency continued to take advantage of the practices initiated in 2014 to utilise modern technologies like video conferencing systems to eliminate travel costs where possible. Over 50 video conferences took place in 2015.



# 2

## Management



Assurance is an objective examination of evidence to provide an assessment of the effectiveness of risk-management, control and governance processes. Management, which monitors the functioning of the internal control systems on a continuous basis, and the internal and external auditors carry out this examination. Its results are documented and reported to the FRA Director, including reports on:

- Activity-based management:
  - it reports on the management of the financial resources (including planned and actual, as well as deviations)
  - it reports on the management of human resources (including planned and actual, as well as deviations)
  - it reports on activity-based costing;
- ex post controls;
- internal control standards (ICS) gap analysis;
- the observations and recommendations by the Internal Audit Service (IAS) of the European Commission;
- the observations and recommendations by the European Court of Auditors (ECA);
- the recommendations of the European Parliament.

This part outlines the control results and other relevant elements that support management assurance on the achievement of the internal control objectives, including the following aspects:

- effectiveness, efficiency and economy of operations;
- reliability of reporting;

- safeguarding of assets and information;
- prevention, detection, correction and follow-up of fraud and irregularities;
- adequate management of the risks relating to the legality and regularity of the underlying transactions, taking into account the multiannual character of programmes as well as the nature of the payments (FRA Financial Rules, Article 32).

It looks at the management of FRA's resources, financial and human, and assesses the results of internal and external audits, including the implementation of audit recommendations.

### 2.1. Management Board

FRA carries out an annual risk assessment exercise, which includes an evaluation of potential risks, their likelihood of occurrence and the potential impact. The results of the exercise are summarised in a risk register. An extract of this risk register is annexed to the annual work programme (AWP). This annex presents the risks that the management considers relevant to the implementation of the AWP. It also presents the corresponding preventative mitigating actions.

In 2015, no significant risks materialised that would have required a Management Board decision.

### 2.2. Major events

#### Staff cuts

In 2015, FRA's establishment plan was decreased by two temporary agent posts (one administrator (AD) and

one assistant (AST)) as a result of the additional staff cuts across the EU institutions, agencies and bodies (see [Interinstitutional Agreement 2013/C 373/01](#)).

## 2.3. Budgetary and financial management

The implementation rate of C1 credits maintained last year's trend and remained at 100 %. Similarly, the cancellation rate of C8 committed appropriations remained low at 1.61 %.

The implementation rate of C1 payment appropriations under Title III was 30 %. This is in line with FRA's planning for automatic carrying forward (i.e. C8s), as estimated during the first quarter of 2015 and evolving during the financial year. In total, 28.38 % of appropriations were automatically carried forward from 2015 to 2016.

It should be noted that most of FRA's operational projects have an implementation period of at least one year. In these cases, the agency is compelled to automatically carry forward a high level of outstanding amounts at the end of the financial year.

In 2015, two budgetary transfers were submitted to the Management Board for approval. In addition, the

director authorised nine budgetary transfers. The total amount transferred among titles amounted to €964,245.

Further information is provided in the [report on budgetary and financial management](#).

### Activity-based budgeting

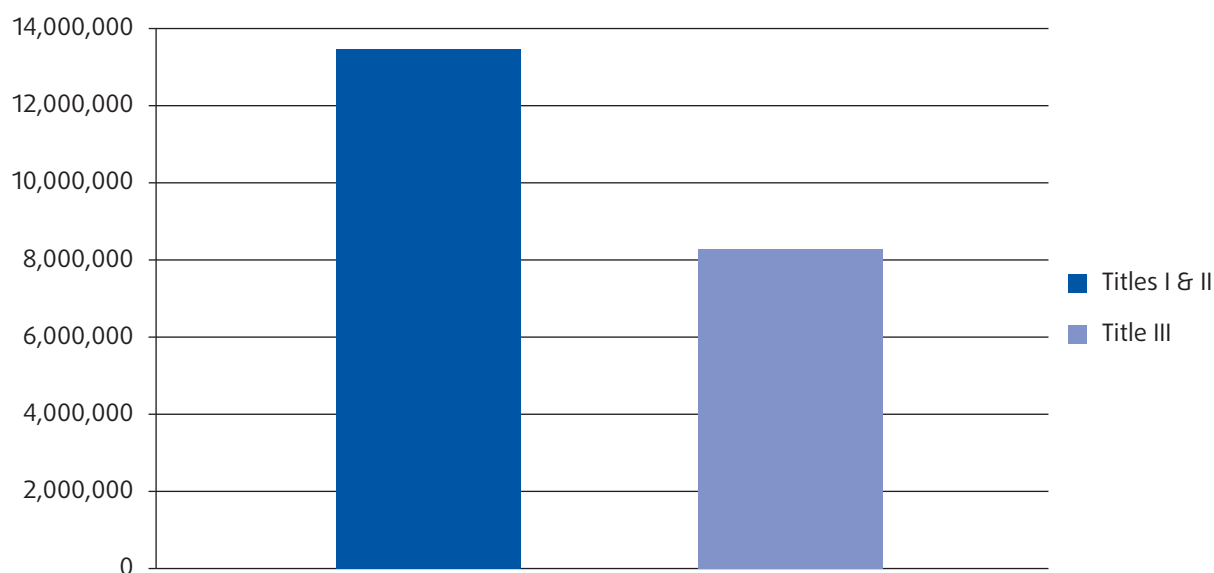
In 2015, FRA executed in commitment appropriations €21,616,591 consisting of C1, C4 and Ro funds. Based on the traditional presentation of budget execution (i.e. Titles I, II and III), €13,458,755 was spent on overheads (Titles I and II), representing 62 % of overall expenditure. The amount of €8,157,836 was spent on operational expenditure, representing 38 %, as shown in [Figure 1](#).

[Figure 2](#) presents the activity-based budgeting (ABB) of the budget execution. FRA's expenditure is split as follows, compared with the traditional presentation:

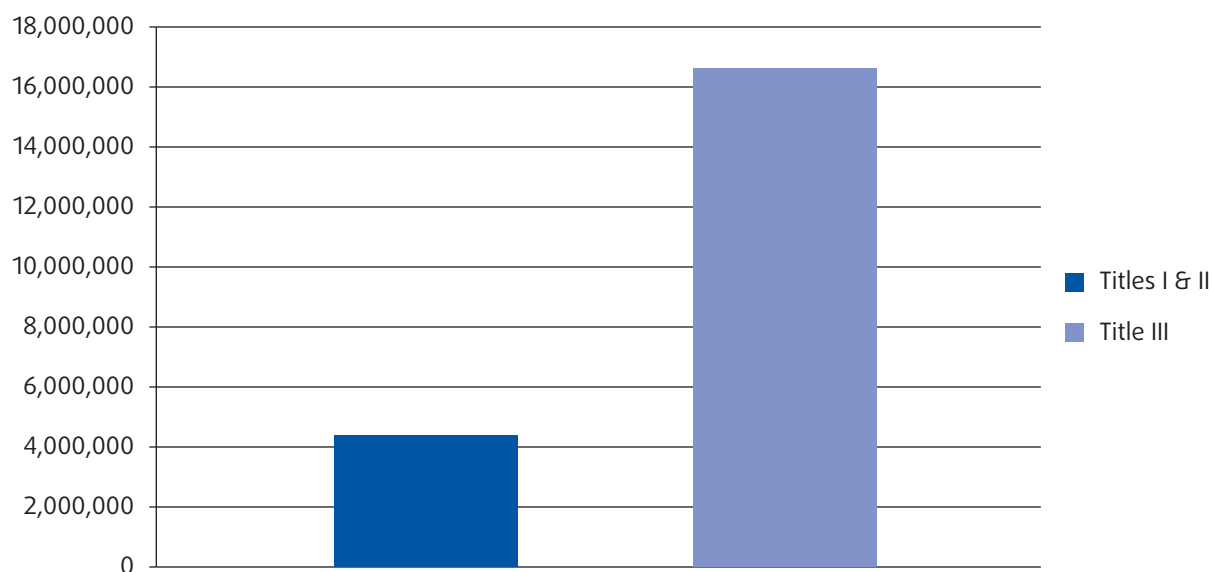
- 79 % for operational expenditure instead of 38 % for Title III;
- 21 % for support expenditure (i.e. overheads) instead of 62 % for Titles I and II.

Further details are provided in [Annex IV](#).

**Figure 1: Traditional presentation of budget execution**



Source: FRA, 2015

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

Source: FRA, 2015

## 2.4. Human resources management

In November 2015 the budgetary authority authorised two new AD posts in the agency's establishment plan in relation to the ongoing asylum/migration situation and the deletion of one AST post in relation to the additional staff cuts for the redeployment pool.

Following the departure of the Director in April 2015, the new Director took office on 16 December 2015.

In 2015 the agency adopted a new policy on the engagement and use of temporary agents (TA 2f i.e. the new category of staff introduced as of 1 January 2014) in the interest of coherent rules among EU agencies and with a view of facilitating their mobility both within an agency and across the agencies. New rules concerning unpaid leave for temporary and contract staff were also adopted in order to introduce the changes brought by the 2014 reform of the Staff Regulations.

HR further enhanced its technology based IT applications by introducing an online objectives setting tool and developing an online performance appraisal tool.

2015 was the last year of the agency's first Action Programme on Equal Opportunities and Diversity stemming from the Equal Opportunities and Diversity Policy. At the end of 2015, the agency adopted an Equality and Diversity Strategic Action Plan 2016–2020 in order to continue its efforts in promoting equality and diversity at the workplace. In addition, the agency decided to establish an Equality and Diversity Group.

In September 2015, the agency launched its third well-being survey the results of which will be analysed and an action programme will be prepared by a working group in the course of 2016.

The agency applies the methodology agreed by all EU agencies. In 2015, two temporary agent posts were deducted due to staff cuts requirement namely, one operational and one neutral. On the other hand, one contract agent was hired under operations. The results of the benchmarking exercise for the year 2015 are shown in the [Table A 4.2](#).

## 2.5. Assessment by management

This section reports on and assesses the elements identified by management that support assurance on the achievement of the internal control objectives. Section B of Annex VI outlines the main risks, together with the control processes intended to mitigate them and the indicators used to measure the performance of the control systems.

### 2.5.1. Control effectiveness as regards legality and regularity

FRA has set up internal control processes intended to ensure the adequate management of risks relating to the legality and regularity of the underlying transactions, taking into account the multiannual character of programmes as well as the nature of the payments concerned. The control objective is to ensure that FRA has reasonable assurance that the total amount of any



financial operation authorised during the reporting year which would not be in conformity with the applicable contractual or regulatory provisions does not exceed 2 % of the authorised commitments.

### Summary of materiality criteria

As regards the legality and regularity of the underlying transactions, the objective is to ensure that the estimated annual risk of errors in commitments and payments at the time of the authorisation of the transactions is less than 2 %.

Regarding the legality and regularity of the underlying transactions, the objective is to ensure that the estimated residual risk of error is less than 2 % at the end of the financial year. The residual risk of error is estimated by the residual error rate obtained from an examination of a representative sample of transactions less any corrections made resulting from the supervisory and control systems in place.

### Recoveries resulting from ex post controls

At the end of the reporting period, the results of ex post controls did not reveal any amounts to be recovered.

### 2.5.2. Control efficiency and cost-effectiveness

The principle of efficiency concerns the best relationship between resources employed and results achieved. The principle of economy requires that the resources used by the agency in the pursuit of its activities shall be made available in due time, in appropriate quantity and quality and at the best price. This subsection outlines the indicators used to monitor the efficiency of the control systems, including an overall assessment of the costs and benefits of controls.

### Qualitative analysis of the management review of the registry of exceptions and internal control weaknesses

The exceptions registered are analysed to identify specific areas of concern and actions for improvement, assisting the decision-making process. In addition, they enable the management team to handle exceptional circumstances with a reasonable degree of flexibility and in a transparent and justified way. IAS and ECA examined the exceptions during their audits and raised no observations.

The annual analysis of the level of compliance with the Internal control standards includes qualitative analysis and recommendations for improvement which are communicated to the Management.

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

Two of the 2015 exceptions had a value greater than €5,000. The total amount involved in these two exceptions was €22,000. They related to deviation from the financial rules. In particular, the first is an ex-post exception that refers to an increase of commitment that was done 'a posteriori'. The second is an ex-ante exception, which, due to the nature of the services requested, was duly justified. None of these exceptions involved financial loss.

### Qualitative analysis of the results of the supervisory controls on the procurement procedures

All procurement procedures were subject to a supervisory review before the launch of the call for tender. The minutes of these controls are recorded on paper and corrective actions are introduced where necessary.

FRA has set up measures to quantify the costs of the resources and inputs required to carry out significant controls, as described in [Section B of Annex VI](#), and estimates, insofar as it is possible, their benefits in terms of the amount of errors and irregularities prevented, detected and corrected by these controls.

Overall, in 2015 the controls carried out by the agency for the management of the budget appropriations were cost effective, as the estimated quantifiable benefits exceeded the cost.

In particular, for procurements, an estimated €4,964 was invested in controlling 14 procurement procedures for tenders with a total value of €4,257,000. Thus, 0.12 % of the total estimated contract value was dedicated to control and each procurement procedure cost an estimated average of €355.

The corrective actions included modification of the tender specifications, mainly in terms of the selection and award criteria. This improved the quality of the tenders and, as a result, the efficiency of these procurement procedures.

The procurement procedures are to a large extent a regulatory requirement which cannot be curtailed. In addition, as the risks outlined in [Annex VI.B](#) show a significant proportion of the appropriations would be at risk if these controls were not in place.

For financial circuits, no amount was invested in controlling financial transactions. FRA has no additional financial verification function.



## Qualitative analysis of the results of the ex post supervisory controls

In accordance with Article 46 of its Financial Rules, in 2015 the agency performed an ex post control exercise to verify missions and duty travel expenditures.

A total of 21 missions, four under Title I and 17 under Title III, amounting to a total of €18,388 were subject to a supervisory desk review.

The overall conclusion of the ex-post controls was that the transactions were done respecting the existent regulatory system, the ex-ante controls in place assuring their conformity.

Four errors were identified with a financial implication that represents 0.69 % of the total value of the sample, meaning without materiality.

In conclusion, the analysis of the available control results has not shown any significant weakness which could have a material impact on the legality and regularity of the financial operations. The control objective for legality and regularity has thus been achieved.

For supervisory measures an estimated amount of €2,495 was invested in controlling 38 financial transactions worth €18,388. Thus, 3 % of the total value of transactions checked ex post was dedicated to control. Each transaction or procedure checked ex post cost an estimated €66.

In addition, there are a number of non-quantifiable benefits resulting from the controls aimed at ensuring that the financed projects contributed to the achievement of objectives, and from the deterrent effect of ex post controls. Furthermore, FRA considers that the necessity of these controls is undeniable, as the totality of the appropriations could be at risk if they were not in place.

### 2.5.3. Fraud prevention and detection

FRA has developed an anti-fraud strategy, evaluating the introduction of new controls, if necessary, after a dedicated risk assessment. The Management Board adopted the strategy during its December 2014 meeting, together with a related action plan, which has been implemented during 2015.

In principle, the controls aimed at preventing and detecting fraud are not unlike those intended to ensure the legality and regularity of transactions (unintentional errors). Still, FRA screens the population of transactions, contracts, projects and beneficiaries to identify those at a higher risk of fraud and subjects the latter to more in-depth monitoring controls. During the reporting year,

no cases were transmitted to the European Anti-Fraud Office (OLAF) and/or the Commission Investigating and Disciplinary Office (IDOC) for investigation. In 2015 the agency was informed that an OLAF investigation was opened.

## 2.6. Budget implementation tasks entrusted to other services and entities

No budget implementation tasks were entrusted to other services or entities during the reporting year.

## 2.7. Assessment of audit results during the reporting year

This section reports on and assesses the observations and conclusions reported by auditors which could have a material impact on the achievement of the internal control objectives, and therefore on assurance, together with any management measures taken in response to the audit recommendations.

FRA is audited by both internal and external independent auditors: (1) the IAS and (2) the ECA.

### Internal Audit Service (IAS)

In February 2015 the Internal audit service performed a follow up audit on two engagements performed at the end of 2013 namely the audit on HR management and the limited review on contract management.

As a result all the recommendations were closed except:

- one which was rated as “very important” on HR management and related to the issuance of the implementing rules on reclassification by the Commission, not yet available at the time, and
- one which was downgraded from “very important” to “important” related to contract management.

By the end of 2015 the agency has continued to provide evidence of implementation achieving the successful closure of the last open recommendation on contract management.

The recommendation on HR management has been fulfilled in February 2016 at the first Executive Board meeting, formal confirmation of closure was received in May 2016.

## European Court of Auditors (ECA)

Finally, the ECA observations did not include previously undisclosed issues related to transactions, control systems or the management representations in the CAAR. The agency agreed to the observations and responded by stressing the low level of cancellations it has every year, which implies a final outturn higher than 99 % and can be considered a best indicator of proper budget implementation, as well as taking the necessary corrective measures and executing the supplementary salary payments.

As a result of the assessment of the risks underlying the auditors' observations together with the management measures taken in response the agency believes that the recommendations issued do not raise any assurance implications and are being implemented as part of the continuous efforts in terms of further improvements.

## 2.8. Follow up of audit plans, audits and recommendations

### IAS

All the recommendations issued by the IAS have been addressed and closed.

## ECA

For the implementation of recommendations issued in previous years, FRA has implemented the relevant action plans as planned. In 2014, the ECA issued two comments on FRA's annual accounts report, concerning the high level of carry-overs. The ECA declared, however, that the budgetary commitments were completed in a timely manner and that, because of the multi-annual nature of the agency's operational projects, payments were made according to the planned schedule.

The agency confirmed that not only are the carry-overs planned in advance but also the level of cancellations of carry-overs is very low (less than 2 %), resulting to an overall budget consumption of 99 % of the EU subsidy.

Consequently, the current state of play does not lead to assurance-related concerns.

## 2.9. Follow up of observations from the Discharge Authority

This section presents a summary of the observations and comments by the Discharge Authority (DA) on the implementation of the 2013 budget, as per Article 110 (2) of the Financial Rules, and the measures taken by FRA.

## Observations regarding FRA

Observation DA	FRA's reply and measures	Implemented
Use of the Commission's guidelines on whistleblowing	The agency will continue to apply the Commission's guidelines on whistleblowing until the Commission will adopt a new policy.	Ongoing
High level of committed appropriations carried over	The agency will continue with a tight planning and monitoring of its carry-overs in order to maintain the low level of cancellations.	Implemented
Harmonisation of the rules concerning its MB and need to adopt the rules regarding its staff	The agency revised and adopted harmonised rules for prevention of conflict of interest concerning its MB and SC. In addition, the agency has developed and adopted guidelines for prevention of conflict of interest for the staff.	Implemented
Harmonisation of the presentation of its annual accounts with those of other Union Agencies	In 2014, the agency harmonised the presentation of its annual accounts with other Union agencies.	Implemented

## Main observations regarding all EU agencies

Observation DA	FRA's reply and measures	Implemented
Reporting systems have to be further strengthened in effectiveness and results achieved in order to enhance the democratic accountability of the agencies.	The agency has introduced a Performance Measurement Framework which includes key performance indicators to measure the agency's effectiveness.	Implemented
Lack of visibility and democratic accountability of the agencies.	One of the key priorities included in the adopted agency Strategic plan 2013-2017 is to help enhancing the agency's contribution to processes at national level.	Implemented



# 3

## Assessment of the effectiveness of the internal control systems



### 3.1. Risk Management

The general risk environment in which the agency operates and the inherent risks of the agency's processes is annually assessed with an exercise involving all management.

Key risks are identified and assessed in a risk register on the basis of the effectiveness of existing controls; whenever a risk is not considered to be at an acceptable level, specific preventative actions are agreed on and implemented.

During the financial year, no risks materialised.

In the context of the antifraud strategy, a specific fraud risk assessment was implemented, resulting in an action plan that was fully implemented by the end of the reporting year and is continually monitored.

### 3.2. Compliance and effectiveness of Internal Control Standards (ICS)

FRA adopted a set of internal control standards, based on international good practice, aimed at ensuring the achievement of policy and operational objectives.

As regards financial management, compliance with these standards is a requirement. The agency put in place an organisational structure and internal control systems suited to the achievement of the control objectives, in accordance with the ICS and having due regard to the risks associated with the environment in which it operates.

The measures in place to ensure the effective implementation of ICS are adequate. In accordance with ICS No 15, FRA conducts various activities that have as purpose the assessment of the level of implementation and effectiveness of the internal control systems. The assessment and the consequent exercise of prioritising are done on the basis of the following sources: internal gap analysis, register of exceptions, ex post control, risk assessment, and audit findings (IAS and ECA).

#### Corrective actions already implemented in 2015

The agency had foreseen a number of measures to improve the effective implementation of ICS No 5 "Objectives, performance indicators", ICS No 11 "Document management", and the ICS on "Business continuity". By the end of the reporting year, these measures were satisfactorily implemented.

#### Internal gap analysis

In December 2015, an internal gap analysis (based on desk analysis of existing documentation, interviews and auditing bodies' recommendations) was performed, aiming to provide a detailed assessment of the compliance level of the Internal Control Standards. The resulting report gives the overview of the percentage of implementation for each standard and summarises a set of recommendations classified per priority.

As a result, FRA identified a number of measures to improve the effective implementation of ICS. These are expected to be fully implemented by the end of 2016.

## Exceptions

In addition to the gap analysis and following the provisions of ICS No 8 "Processes and procedures", FRA has in place a process for the registration and authorisation of exceptions, the register being centrally maintained and regularly provided to the external auditing bodies (i.e. IAS, ECA).

The period under evaluation reveals that the internal control system based on strong ex ante controls is able to detect the most significant deviations from the financial regulation leading to the registration of the exceptions and allowing appropriate decision-making.

It has to be noted that the preventative measures agreed on in the past together with improved communication have contributed to an increased awareness of the staff on the specific topic of budgetary and legal commitments and to better clarity of the contents in the procedures.

## Ex post controls

An ex post control exercise is implemented on an annual basis; the risk-based identification of target areas allows for an efficient use of resources and the clear identification of areas with a need of control.

In 2015 an exercise on mission management was completed, without identification of criticalities.

## Conclusion

The agency annually assesses the effectiveness of its key internal control systems, relying on a number of monitoring measures and sources of information. The assessment concludes that the internal control standards are effectively implemented.



# 4

## Management assurance



This part reviews the assessment of the elements reported in Parts II and III, and draws conclusions supporting the declaration of assurance and whether it should be qualified with reservations.

### 4.1. Review of the elements supporting assurance and possible reservations

The information reported in Parts II and III stems from the results of management and auditor monitoring contained in the reports listed. These reports result from a systematic analysis of the evidence available. This approach provides sufficient guarantees as to the completeness and reliability of the information reported and results in a complete coverage of the budget managed by the agency.

In conclusion:

- there were no reservations listed on the previous years' annual activity reports;
- all IAS recommendations were considered adequately implemented and have been closed.
- the ECA issued a positive declaration of assurance for the financial year 2014 on legality and regularity of the transactions;
- there is one ongoing observation from the European Parliament, which is expected to be implemented within 2016.

### 4.2. Reservations

Taking into consideration the above, no weaknesses were identified related to the financial management of appropriations inside the agency, so no reservations are made in this context in the declaration.

### 4.3. Overall conclusion on assurance and reservations (if applicable)

In view of the control results and all other relevant information available, the AO's best estimation of the risks relating to the legality and regularity for the expenditure authorised during the reporting year is between 0 % and 2 %, which implies an amount at risk of below €0.43 million.

The internal control strategy foresees the implementation of further controls during subsequent years aimed to detect and correct these errors. It is not possible to identify the specific errors and amounts which will be effectively corrected in the coming years.

Taking into account the conclusions of the review of the elements supporting assurance and the expected corrective capacity of the controls to be implemented in subsequent years, it is possible to conclude that the internal controls systems implemented by the agency provide sufficient assurance to adequately manage the risks relating to the legality and regularity of the underlying transactions. Furthermore, it is also possible to conclude that the internal control systems provide sufficient assurance with regard to the achievement of the other internal control objectives.



# 5

## Declaration of assurance



I, the undersigned,

Director of the European Union Agency for Fundamental Rights

In my capacity as authorising officer

Declare that the information contained in this report gives a true and fair view.

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

This reasonable assurance is based on my own judgement and on the information at my disposal, such as the results of the self-assessment, 'ex-post' controls, the observations of the Internal Audit Service and the lessons learned from the reports of the Court of Auditors for years prior to the year of this declaration.

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

Vienna, 31 May 2016

Michael O'Flaherty



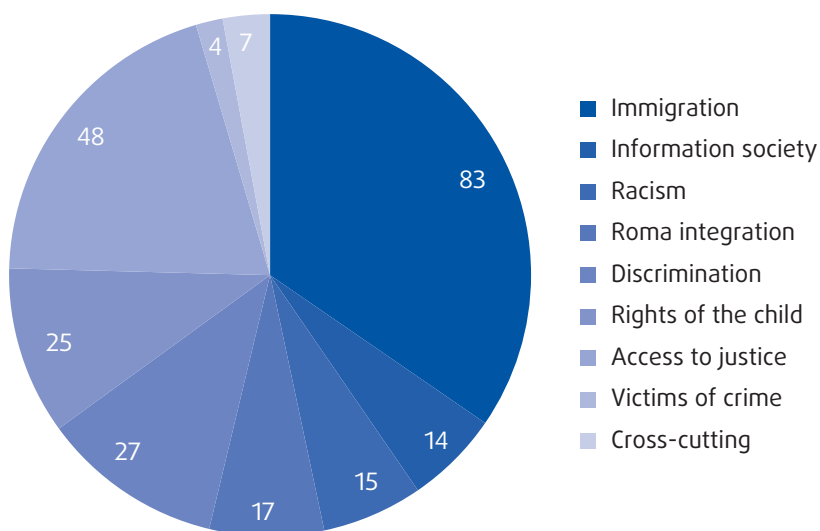
# Annex I: Core business statistics

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

- Providing assistance and expertise to EU institutions and Member States;
- Collecting data and conducting research and analysis on fundamental rights trends and challenges;
- Cooperating and networking with Member States, Union institutions, research centres, national bodies, non-governmental organisations;
- Raising public awareness of fundamental rights and actively disseminating information about its work.

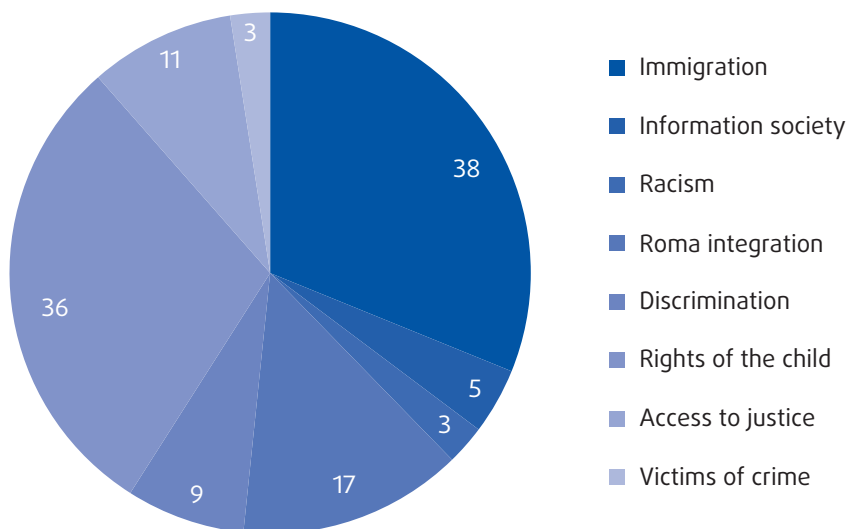
To better monitor and evaluate the performance of the agency and the impact made, based on the activities undertaken, FRA has established a Performance Management Framework (PMF). The PMF consists of an intervention logic model and indicator framework. Below are charts linked to some of the key performance indicators (KPIs) reflecting FRA’s performance in 2015.

Objective	Indicator
Provide assistance and expertise to EU institutions and Member States	Number of hearings or presentations to institutional stakeholders across levels of governance



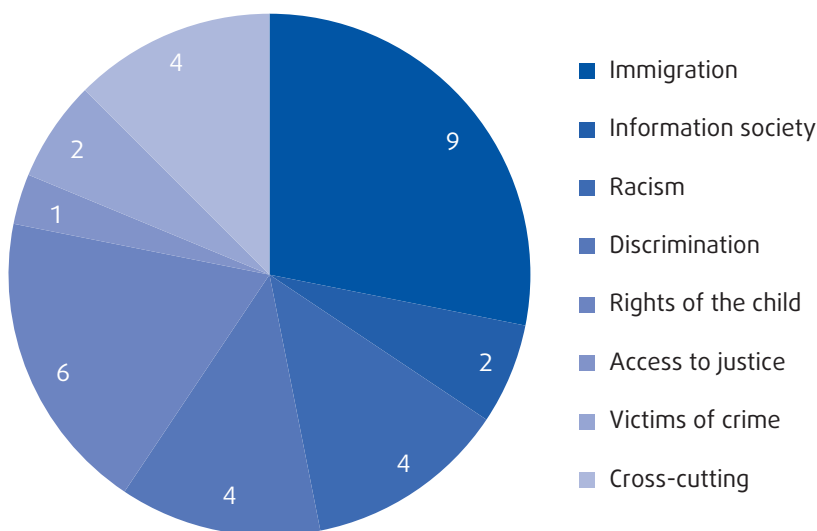
The chart represents the FRA presentations and hearings at MS- and EU-level events as well as at events organised by other international organisations per thematic area. The high figure for the **Immigration area** is due to the numerous presentations of the findings from the **Severe forms of labour exploitation (SELEX)** project, as well as due to the great interest in the area of migration and the ongoing refugee and migrant situation.

Objective	Indicator
Formulate Opinions and other advice to EU Institutions and Member States	<ul style="list-style-type: none"> <li>Number of responses to requests for opinions and other advice</li> </ul>



The chart represents the FRA advice provided to EU institutions and MS in various forms, formally and informally. With the year marked by the ongoing refugee and migration situation, FRA was most active in providing evidence-based advice related to fundamental rights concerns in the area of migration. In addition, the Commission requested FRA to provide first **weekly and then monthly updates** on the situation on the ground in the MS concerned.

Objective	Indicator
Publish thematic reports and handbooks	Number of publications produced



In 2015, FRA published a total of **32 publications**. The chart reflects the distribution of the 2015 publications per thematic areas.

For many of the publications, although they belong to one thematic area, they cover issues relevant to other areas, as well – such as the publications from the thematic areas of Immigration and Racism, which also cover issues relevant to the thematic area Rights of the Child.

Objective	Indicators
Disseminate targeted information to the right stakeholders and at the right time	<ul style="list-style-type: none"> <li>Number of relevant stakeholders receiving FRA information</li> <li>Number of stakeholders receiving a copy of the publications</li> </ul>







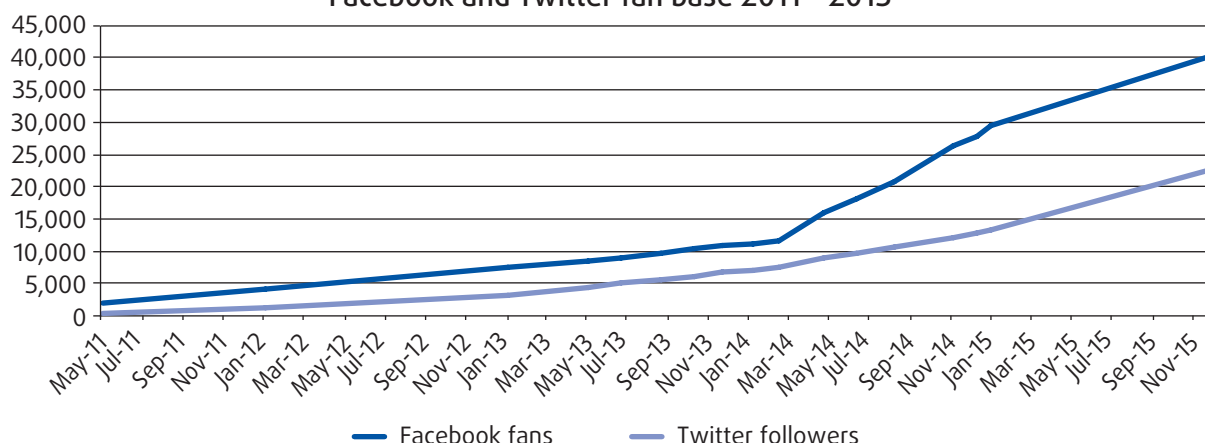
**80,396**

Printed publications disseminated

**19,516**

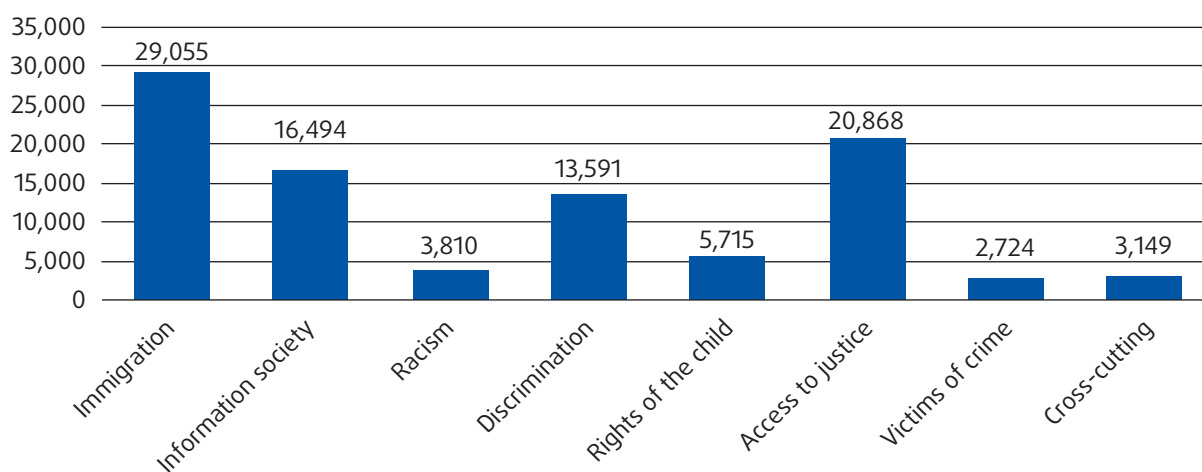
Views of FRA videos

Facebook and Twitter fan base 2011 - 2015



FRA continuously uses different channels to disseminate FRA information to its stakeholders and the general public. In 2015, 11 videos were produced, of which four are animated videos aimed at children and their better understanding of the rights of the child.

In 2015, FRA continued to use social media to share FRA information and reach the general public. The social media fan base is constantly increasing, with 9,888 new Facebook fans and 9,627 new Twitter followers in 2015.

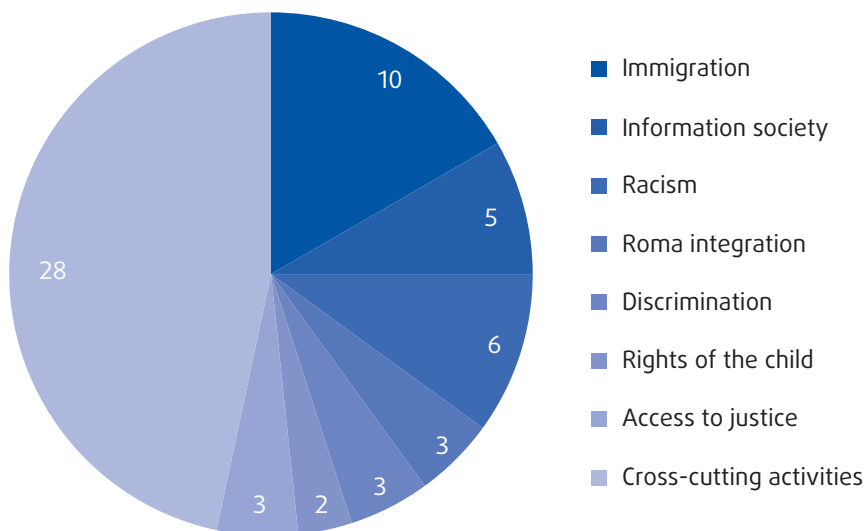


Publications from FRA’s website were downloaded 95,406 times.

In addition, the FRA-CoE Handbook on European Data Protection Law had an impressive 64,597 additional downloads in 2015 from the CoE web site, including non-EU language versions – and in addition to the 13,992 downloads from the FRA website.

The Handbook on European law relating to asylum, borders and immigration was the most downloaded publication from FRA’s website in 2015, with 16,973 downloads.

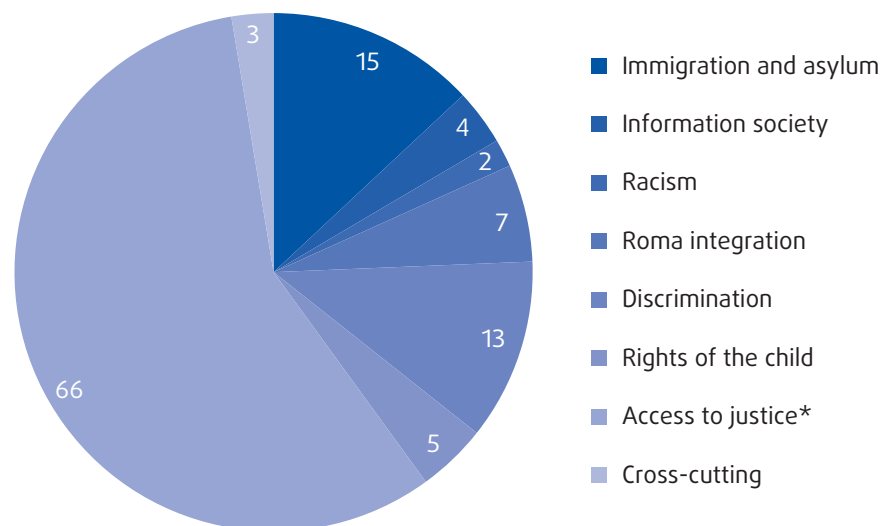
Objective	Indicator
Develop effective networks with key partners and agency networks	Number of networking events organised



FRA was active in organising a total of 60 events. Most of them, as expected, fell into the cross-cutting thematic area and were an opportunity for FRA and its stakeholders to discuss fundamental rights issues in various thematic areas.

In addition, thematic area-based events and expert meetings were organised to discuss specific thematic issues.

Objective	Indicator
FRA's assistance and expertise provided to support legal and policy developments related to fundamental rights	Number of references to FRA's conclusions or recommendations or FRA's activities in policies and legislation



Findings from FRA data collection and analysis, publications and opinions, were referenced by EU and MS bodies and institutions, as well as by other international organisations and civil society organisations.

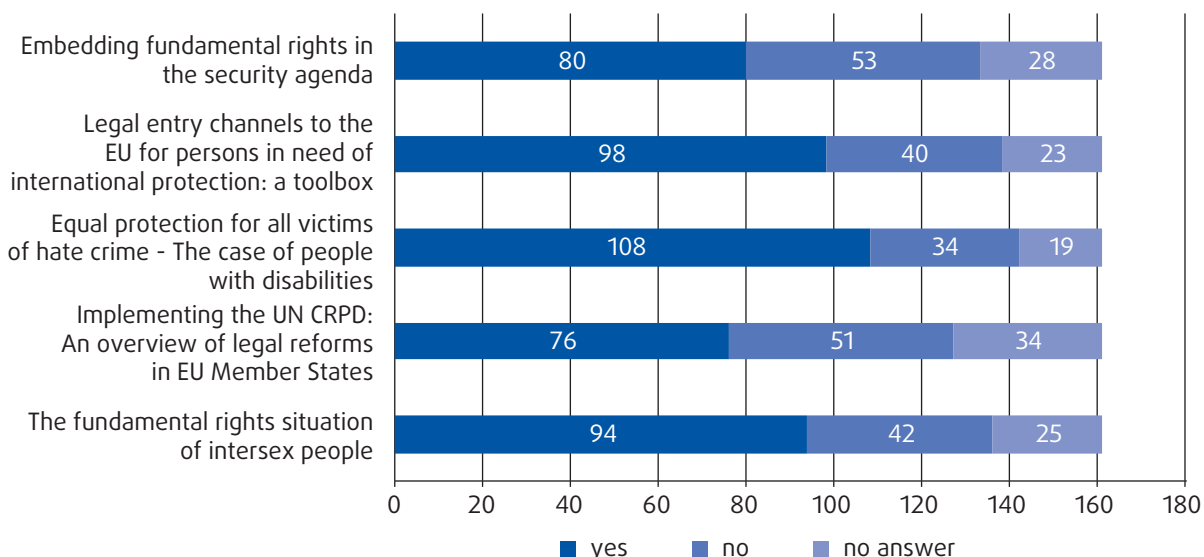
The high number of references in the area of Access to justice is due to the findings from the [Violence Against Women](#) survey, which remains very relevant.

\*The total number of references (115) is not exhaustive and mostly refers to the first half of 2015.



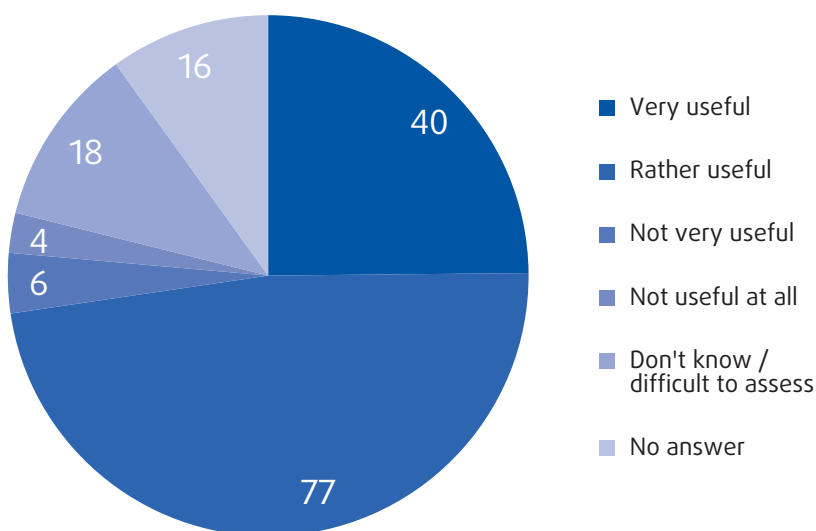
Objective	Indicators
Produce and/or disseminate effective evidence-based recommendations and conclusions from research findings, opinions and other policy advice to decision-makers and key stakeholders	<ul style="list-style-type: none"> <li>Proportion of key stakeholders that consider evidence and opinions provided by FRA to be: relevant, reliable, of high quality and useful</li> <li>Proportion of key stakeholders and experts who consider that reliable, relevant and high quality information resulting from FRA Data collection, research and analysis activities is delivered to intended target group</li> </ul>

Number of stakeholders coming across FRA's Focus Papers



FRA conducted a survey among its stakeholders on FRA’s Focus Papers. The results showed that, depending on the topic and interests of the stakeholders, FRA’s Focus Papers managed to reach 47 % to 67 % of the surveyed stakeholders.

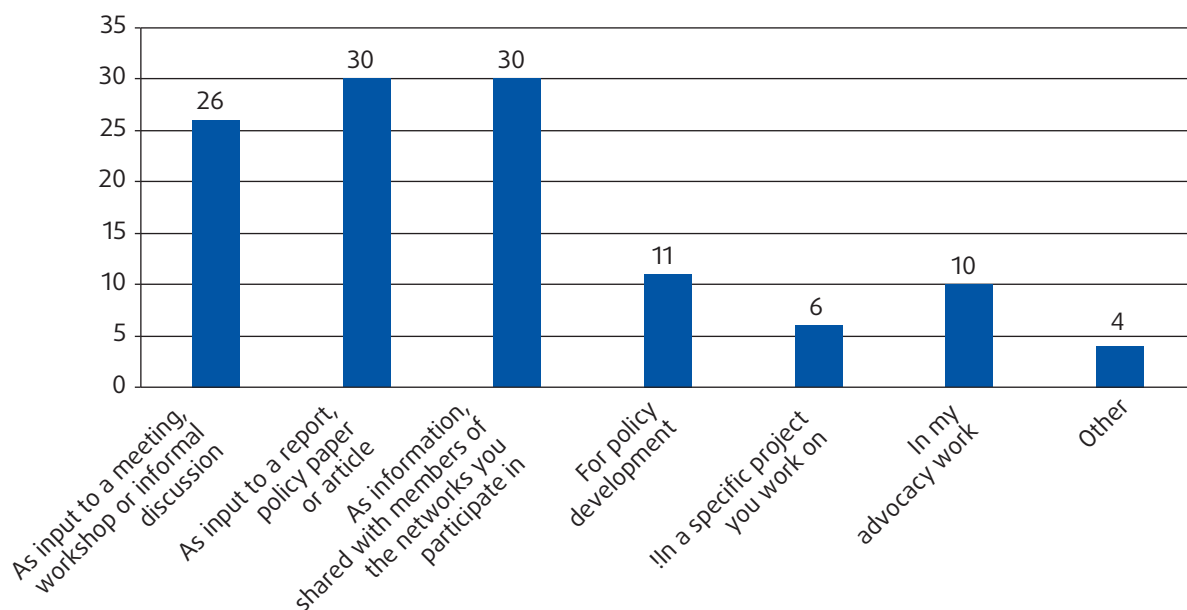
Stakeholders’ opinion on the usefulness of FRA's Focus Papers for their work



73 % of stakeholders that come across FRA’s Focus Papers find them (very and rather) useful to their work – an excellent result.

Only 6 % of surveyed stakeholders found FRA’s Focus Papers not very useful or not useful at all.

### Use of FRA's Focus Reports by stakeholders in their work



Stakeholders who answered that they find FRA's Focus Papers (very or rather) useful to their work, mostly use the Focus Reports for input to a report, policy paper or article; as information to share with members of networks they participate in; and for input to a meeting, workshop or informal discussion.



# Annex II: Statistics on financial management

Please refer to the report on budgetary and financial management at:

<http://fra.europa.eu/en/about-fra/finance-and-budget/financial-documents>

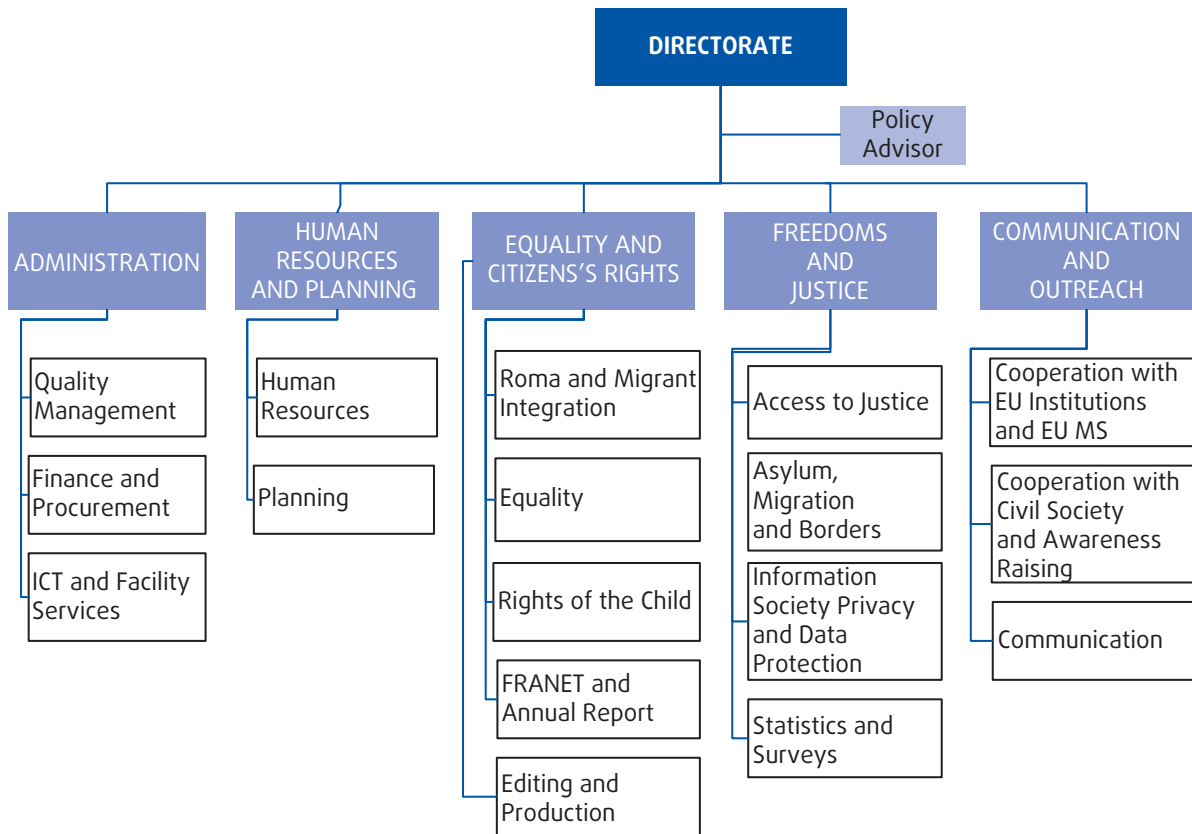




# Annex III: Organisational chart

FRA's structure in 2015 comprised the Directorate and five departments as shown below.

Figure A3.1: Organisational chart





# Annex IV: Establishment plan

Table A4.1: Establishment plan

Category and grade	Permanent posts		Temporary posts	
	2015 (authorised posts)	2015 (actually filled as of 31/12/2015)	2015 (authorised posts)	2015 (actually filled as of 31/12/2015)
AD 16	-	-	-	-
AD 15	-	-	1	-
AD 14	-	-	1	1
AD 13	-	-	2	1
AD 12	-	-	10	-
AD 11	-	-	-	5
AD 10	-	-	14	2
AD 9	-	-	11	5
AD 8	-	-	1	9
AD 7	-	-	4	14
AD 6	-	-	2	7
AD 5	-	-	-	-
Total AD	-	-	46	44
AST 11	-	-	-	-
AST 10	-	-	1	-
AST 9	-	-	3	-
AST 8	-	-	3	3
AST 7	-	-	7	4
AST 6	-	-	12	3
AST 5	-	-	-	8
AST 4	-	-	1	7
AST 3	-	-	-	2
AST 2	-	-	-	-
AST 1	-	-	-	-
Total AST	-	-	27	27
AST/SC 6	-	-	-	-
AST/SC 5	-	-	-	-
AST/SC 4	-	-	-	-
AST/SC 3	-	-	-	-
AST/SC 2	-	-	-	-
AST/SC 1	-	-	-	-
Total AST/SC	-	-	-	-
<b>Total</b>	-	-	<b>73</b>	<b>71</b>

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

Job Type (sub) category	Year N-1 (%)	Year N (%)
<b>Administrative support and coordination</b>	<b>17</b>	<b>17</b>
Administrative Support	15	16
Coordination	2	1
<b>Operational</b>	<b>70</b>	<b>70</b>
General operational activities	9	11
Programme management and implementation	58	55
Top operational coordination	3	4
Evaluation & Impact assessment	-	-
<b>Neutral</b>	<b>13</b>	<b>15</b>
Accounting, finance, non-operational procurement, contract management and quality management, internal audit and control	10	11
Linguistic activities	3	4



# Annex V: Human and financial resources by activity

**Table A5.1: Human resources by ABB activity**

ABB Activity	Human Resources by ABB activity	
	Total person days	Percentage
Access to Justice	1,099	5.6%
Victims of crime	94	0.5%
Information society	570	2.9%
Roma integration	985	5.0%
The rights of the child	786	4.0%
Discrimination	1,399	7.1%
Immigration and integration of migrants, visa and border control and asylum	1,674	8.6%
Racism, xenophobia and related intolerance	546	2.8%
Communication and awareness-raising	3,772	19.3%
Cross-cutting activities	909	4.6%
Consultation and cooperation mechanism	352	1.8%
Research and stakeholder cooperation	799	4.1%
<b>Total operational</b>	<b>12,985</b>	<b>66.3%</b>
Support activities	6,586	33.7%
<b>Total support activities</b>	<b>6,586</b>	<b>33.7%</b>
<b>Total agency days</b>	<b>19,571</b>	

Note: The above data rely on FRA's time recording system, which is a component of the wider implementation of the activity-based management (ABM) in the agency. They represent the actual working time during the reporting year. Therefore, part time and absences (unpaid and leave other than the regular annual entitlement) are not reported.

Source: FRA, 2015

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

ABB Activity	Direct expenditure	Indirect expenditure (overheads)	Total
Access to Justice	897,320	742,068	1,639,388
Victims of crime	9,909	63,471	73,380
Information society	287,591	384,876	672,467
Roma integration	734,290	665,093	1,399,383
The rights of the child	900,005	530,724	1,430,729
Discrimination	1,865,687	944,635	2,810,322
Immigration and integration of migrants, visa and border control and asylum	1,514,821	1,130,320	2,645,141
Racism, xenophobia and related intolerance	172,727	368,671	541,397
Communication and awareness-raising	915,047	2,546,935	3,461,981
Cross-cutting activities	297,743	613,776	911,519
Consultation and cooperation mechanism	162,726	237,678	400,404
Research and stakeholder cooperation	256,379	539,502	795,880
<b>Total operational</b>	<b>8,014,245</b>	<b>8,767,748</b>	<b>16,781,993</b>
Support activities	-	4,447,007	4,447,007
<b>Total support activities</b>	<b>-</b>	<b>4,447,007</b>	<b>4,447,007</b>
<b>Total</b>	<b>8,014,245</b>	<b>13,214,755</b>	<b>21,229,000</b>





# Annex VI: Specific annexes related to Part II

## A. Materiality criteria

Materiality is the basis for defining significant weaknesses in both qualitative and quantitative terms. The materiality criteria used by FRA and the method used to assess their significance are presented below.

Qualitative criteria are linked to failure in achieving FRA’s short-term objectives, reputational risks to FRA, significant weaknesses in the FRA control systems and repetitive errors. These involve use of resources, sound financial management, and legality and regularity of the transactions. Their significance is judged on the basis of:

- the nature and scope of the weakness;
- the duration of the weakness;
- the existence of compensatory measures (mitigating controls which reduce the impact of the weakness);
- the existence of effective corrective actions to correct the weaknesses (action plans and financial corrections) which have had a measurable impact.

In quantitative terms, a weakness is considered material in cases where the financial impact or risk of loss is greater than 2 % of FRA’s authorised commitments.

## B. Internal control template(s) for budget implementation

### Stage 1 – Procurement

#### A – Planning

**Main control objectives:** Effectiveness, efficiency and economy. Compliance (legality and regularity).

Main risks It may happen (again) that...	Mitigating controls	How to determine coverage, frequency and depth	How to estimate the costs and benefits of controls	Control indicators
Non-applicable, as no medium or high risks were identified under this phase.	-	-	-	-

#### B – Needs assessment & definition of needs

**Main control objectives:** Effectiveness, efficiency and economy. Compliance (legality and regularity).

Main risks It may happen (again) that...	Mitigating controls	How to determine coverage, frequency and depth	How to estimate the costs and benefits of controls	Control indicators
Non-applicable, as no medium or high risks were identified under this phase.	-	-	-	-

## C – Selection of the offer & evaluation

**Main control objectives:** Effectiveness, efficiency and economy. Compliance (legality and regularity). Fraud prevention and detection

Main risks It may happen (again) that...	Mitigating controls	How to determine coverage, fre- quency and depth	How to estimate the costs and benefits of controls	Control indicators
Conflict of interest/unequal treatment of tenderers; for example, via biased selection criteria or partial evaluations (relating also to MB and SC).	Formal evaluation process, governed by dedicated internal procedures: Opening committee and Evaluation committee  Including a minimum number of five members in the selection panel for tenders above €60,000, and three in case of those below €60,000, reducing the risk of unequal treatment  Providing clear rules for the purchases up to €15,000	100 % – all calls for tenders <b>Depth:</b> all documents transmitted	<b>Costs:</b> estimation of cost of staff involved <b>Benefits:</b> compliance with FR  Difference between the most onerous offer and the selected one  Preventing the unequal treatment of tenderers, and therefore the potential complaints or litigation that may occur	<b>Effectiveness:</b> numbers of complaints or litigation cases filed  Number of requests for clarification regarding the tender  <b>Efficiency:</b> average cost of a tendering procedure  Costs for closing a complaint / litigation
	Declarations of conflict of interest are signed by the members of both the opening and evaluation panels	100 % of the members of the opening committee and the evaluation committee	<b>Costs:</b> estimation of cost of staff involved <b>Benefits:</b> amounts of contracts for which the control prevented the risk of litigation or fraud	
	Declarations of conflict of interest are signed by the members of MB and SC	100 % of declarations of conflict of interest are signed by the members of MB and SC	<b>Costs:</b> estimation of cost of staff involved in the preparation, publication, screening and archiving of declarations signed <b>Benefits:</b> potential irregularities prevented, by avoiding interference in the procurement procedure/contracting	
	Dedicated pages on the FRA website that assure the transparency of the information	100 % information available on the website <b>Depth:</b> compulsory for calls for tenders above €15,000	<b>Costs:</b> estimation of costs for running the website (updating, maintenance, etc.). <b>Benefits:</b> potential complaints that may be received from bidders concerning the access to information  Participation in competition of a sufficient amount of bidders	
	Exclusion and selection criteria documented and transparent, by including them in technical specifications  Existence of the Steering Committee  Admin supervision and AO approval of tender specifications	100 % of the tender specifications are scrutinised <b>Depth:</b> determined by the amount of the awarded contract	<b>Costs:</b> estimation of cost of staff involved <b>Benefits:</b> limiting the risk of litigation  Limiting the risk of cancellation of a tender  Amount of proposed contracts for which the supervisory and approval detected material error	

## Stage 2 – Financial transactions

**Main control objectives:** Ensuring that the implementation of the contract is in compliance with the signed contract.

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

Note: ABAC: Financial Information Systems; AOD: Authorising Officer by Delegation

## Stage 3 – Supervisory measures

**Main control objectives:** Ensuring that any weakness in the procedures (tender and financial transactions) is detected and corrected.

Main risks It may happen (again) that...	Mitigating controls	How to determine coverage, frequency and depth	How to estimate the costs and benefits of controls	Control indicators
Incomplete or inaccurate data in the information system related to contracts	Use of the 'four eyes' principle, including a check of the inputted information	100 % verification of the information uploaded in the Tender Contract Maker (TCM) application	<b>Costs:</b> estimation of cost of staff involved Costs for the running of TCM (maintenance, updates, etc.) <b>Benefits:</b> Preventing mistakes in drafting and implementing the contracts	<b>Effectiveness:</b> number of errors undetected (related to irregularities and error) <b>Efficiency:</b> cost of the errors undetected Costs of the ex post controls with respect to the benefits
	Ex post controls	Selected transactions <b>Depth:</b> the control sampling is risk based		



# Annex VII: Specific annexes related to Part III

There are no specific annexes related to Part III.





# Annex VIII: Draft annual accounts

Table A8.1: Outturn on C1 commitment appropriations in 2015 (in Mio €)

Chapter		Commitment appropriations authorised *	Commitments made	%
		1	2	3=2/1
<b>Title A-1 STAFF EXPENDITURE</b>				
A01100	Basic salaries	5.21	5.21	100.00 %
A01101	Family allowances	0.68	0.68	100.00 %
A01102	Expatriation and foreign-residence allowances	0.79	0.79	100.00 %
A01103	Secretarial allowances	0.01	0.01	100.00 %
A01113	Trainees	0.39	0.39	100.00 %
A01115	Contract Agents	1.44	1.44	100.00 %
A01130	Insurance against sickness	0.18	0.18	100.00 %
A01131	Insurance against accidents & occupational disease	0.03	0.03	100.00 %
A01132	Insurance against unemployment	0.07	0.07	100.00 %
A01140	Childbirth and death grants	0.00	0.00	100.00 %
A01141	Travel expenses for annual leave	0.10	0.10	100.00 %
A01150	Overtime	0.00	0.00	100.00 %
A01175	Interim services	0.00	0.00	0.00 %
A01178	External services	0.06	0.06	100.00 %
A01190	Salary weightings	0.39	0.39	100.00 %
A01200	Recruitment expenses	0.03	0.03	100.00 %
A01201	Travel expenses	0.00	0.00	100.00 %
A01202	Installation resettlement and transfer allowances	0.05	0.05	100.00 %
A01203	Removal expenses	0.02	0.02	100.00 %
A01204	Temporary daily subsistence allowances	0.00	0.00	0.00 %
A01300	Mission expenses and duty travel expenses and other ancillary expenditure	0.16	0.16	100.00 %
A01410	Medical service	0.05	0.05	100.00 %
A01420	Professional training of staff	0.22	0.22	100.00 %
A01430	Legal services	0.03	0.03	100.00 %
A01520	Staff exchanges	0.44	0.44	100.00 %
A01610	Social contacts between staff	0.01	0.01	100.00 %
A01620	Other welfare expenditure	0.80	0.80	100.00 %
A01630	Early childhood centres and creches	0.03	0.03	100.00 %
A01700	Entertainment and representation expenses	0.00	0.00	100.00 %
<b>Total Title A-1</b>		<b>11.18</b>	<b>11.18</b>	<b>100.00%</b>

<b>Title A-2 BUILDINGS EQUIP. &amp; MISC OPERATING EXPENDITURE</b>				
A02000	Rent	0.57	0.57	100.00 %
A02010	Insurance	0.01	0.01	100.00 %
A02020	Water, gas, electricity and heating	0.10	0.10	100.00 %
A02030	Cleaning and maintenance	0.31	0.31	100.00 %
A02040	Fitting-out of premises	0.00	0.00	100.00 %
A02050	Security and surveillance of buildings	0.12	0.12	100.00 %
A02100	Hardware/Software	0.41	0.41	100.00 %
A02101	Software Development	0.23	0.23	100.00 %
A02102	Other external services for data processing	0.05	0.05	100.00 %
A02200	New purchases of equipment and installations	0.07	0.07	100.00 %
A02203	Maintenance use and repair of technical equipment and installations	0.00	0.00	0.00 %
A02210	Furniture	0.00	0.00	100.00 %
A02230	Hire of vehicles	0.00	0.00	100.00 %
A02250	Library stocks purchase of books	0.00	0.00	0.00 %
A02252	Subscriptions to newspapers and periodicals	0.00	0.00	0.00 %
A02300	Stationery and office supplies	0.02	0.02	100.00 %
A02320	Bank charges	0.00	0.00	100.00 %
A02353	Departmental removals and associated handling	0.01	0.01	100.00 %
A02355	Publications and reproduction of documents	0.00	0.00	100.00 %
A02400	Postage and delivery charges	0.01	0.01	100.00 %
A02410	Telecommunications charges	0.12	0.12	100.00 %
A02411	Telecommunications equipment	0.00	0.00	100.00 %
A02550	Miscellaneous expenditure for meetings	0.01	0.01	100.00 %
A02601	Studies surveys consultations	0.01	0.01	100.00 %
<b>Total Title A-2</b>		<b>2.04</b>	<b>2.04</b>	<b>100.00%</b>
<b>Title Bo-3 OPERATIONAL EXPENDITURE</b>				
B03211	Information society and, in particular, respect for private life and protection of personal data	0.29	0.29	100.00 %
B03230	Immigration and integration of migrants	1.51	1.51	100.00 %
B03311	Racism xenophobia and related intolerance	0.17	0.17	100.00 %
B03321	Discrimination	1.87	1.87	100.00 %
B03340	Roma integration	0.73	0.73	100.00 %
B03350	Rights of the child	0.90	0.90	100.00 %
B03620	Access to justice	1.03	1.03	100.00 %
B03630	Victims of crime & comp.	0.01	0.01	100.00 %
B03701	Research and data collection	0.26	0.26	100.00 %
B03711	Communication and awareness-raising	0.92	0.92	100.00 %
B03801	Bodies of the agency	0.30	0.30	100.00 %
B03802	Consultation mechanisms	0.16	0.16	100.00 %
B03900	Reserve for Title 3	0.00		
<b>Total Title Bo-3</b>		<b>8.15</b>	<b>8.15</b>	<b>100.00%</b>
<b>TOTAL FRA</b>		<b>21.36</b>	<b>21.36</b>	<b>100.00 %</b>

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

Source: FRA, 2015



Figure A8.1: Outturn on C1 commitment appropriations in 2015 (% by chapter)

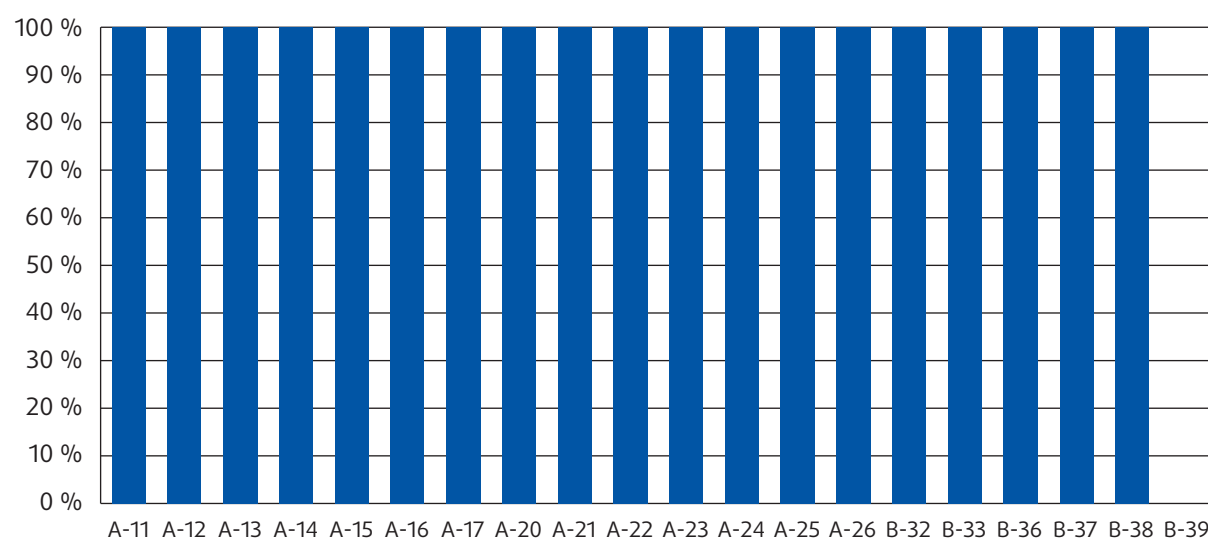


Table A8.2: Outturn on payment appropriations in 2015 (in Mio €)

Chapter		Payment appropriations authorised *	Payments made	%
		1	2	3=2/1
<b>Title A-1 STAFF EXPENDITURE</b>				
A01100	Basic salaries	5.21	5.21	100.00 %
A01101	Family allowances	0.68	0.68	100.00 %
A01102	Expatriation and foreign-residence allowances	0.79	0.79	100.00 %
A01103	Secretarial allowances	0.01	0.01	100.00 %
A01113	Trainees	0.39	0.39	99.04 %
A01115	Contract Agents	1.44	1.44	100.00 %
A01130	Insurance against sickness	0.18	0.18	100.00 %
A01131	Insurance against accidents & occupational disease	0.03	0.03	100.00 %
A01132	Insurance against unemployment	0.07	0.07	100.00 %
A01140	Childbirth and death grants	0.00	0.00	100.00 %
A01141	Travel expenses for annual leave	0.10	0.10	100.00 %
A01150	Overtime	0.00	0.00	100.00 %
A01175	Interim services	0.00	0.00	0.00 %
A01178	External services	0.06	0.06	100.00 %
A01190	Salary weightings	0.39	0.39	100.00 %
A01200	Recruitment expenses	0.03	0.02	88.57 %
A01201	Travel expenses	0.00	0.00	17.48 %
A01202	Installation resettlement and transfer allowances	0.05	0.05	100.00 %
A01203	Removal expenses	0.02	0.01	53.05 %
A01204	Temporary daily subsistence allowances	0.00	0.00	0.00 %
A01300	Mission expenses and duty travel expenses and other ancillary expenditure	0.19	0.17	88.62 %
A01410	Medical service	0.06	0.04	66.29 %
A01420	Professional training of staff	0.22	0.17	77.27 %
A01430	Legal services	0.04	0.03	68.63 %
A01520	Staff exchanges	0.44	0.44	100.00 %

Chapter		Payment appropriations authorised *	Payments made	%
		1	2	3=2/1
A01610	Social contacts between staff	0.02	0.02	94.02 %
A01620	Other welfare expenditure	0.80	0.80	99.74 %
A01630	Early childhood centres and creches	0.03	0.03	98.51 %
A01700	Entertainment and representation expenses	0.00	0.00	98.32 %
<b>Total A-1</b>		<b>11.26</b>	<b>11.14</b>	<b>98.89%</b>
<b>Title A-2 BUILDINGS EQUIP. &amp; MISC OPERATING EXPENDITURE</b>				
A02000	Rent	0.57	0.57	100.00 %
A02010	Insurance	0.01	0.01	100.00 %
A02020	Water Gas Electricity and Heating	0.10	0.10	100.00 %
A02030	Cleaning and maintenance	0.32	0.31	97.36 %
A02040	Fitting-out of premises	0.00	0.00	100.00 %
A02050	Security and surveillance of buildings	0.13	0.12	90.49 %
A02100	Hardware/Software	0.56	0.37	65.16 %
A02101	Software Development	0.39	0.36	92.08 %
A02102	Other external services for data processing	0.05	0.05	100.00 %
A02200	New purchases of equipment and installations	0.22	0.18	85.41 %
A02203	Maintenance use and repair of technical equipment and installations	0.00	0.00	0.00 %
A02210	Furniture	0.00	0.00	100.00 %
A02230	Hire of vehicles	0.00	0.00	100.00 %
A02250	Library stocks purchase of books	0.00	0.00	0.00 %
A02252	Subscriptions to newspapers and periodicals	0.00	0.00	0.00 %
A02300	Stationery and office supplies	0.02	0.02	90.02 %
A02320	Bank charges	0.00	0.00	52.63 %
A02353	Departmental removals and associated handling	0.01	0.01	70.15 %
A02355	Publications and reproduction of documents	0.00	0.00	95.13 %
A02400	Postage and delivery charges	0.01	0.01	91.83 %
A02410	Telecommunications charges	0.16	0.12	74.86 %
A02411	Telecommunications equipment	0.00	0.00	0.00 %
A02550	Miscellaneous expenditure for meetings	0.01	0.01	97.95 %
A02601	Studies surveys consultations	0.02	0.01	50.00 %
<b>Total A-2</b>		<b>2.59</b>	<b>2.25</b>	<b>86.86%</b>
<b>Title Bo-3 OPERATIONAL EXPENDITURE</b>				
B03211	Information society and, in particular, respect for private life and protection of personal data	0.34	0.13	38.87 %
B03230	Immigration and integration of migrants	2.75	1.76	63.98 %
B03311	Racism xenophobia and related intolerance	0.19	0.14	74.04 %
B03321	Discrimination	4.59	2.95	64.35 %
B03340	Roma integration	1.29	0.76	59.14 %
B03350	Rights of the child	1.07	0.33	30.74 %
B03620	Access to justice	1.25	0.53	42.73 %
B03630	Victims of crime & comp.	0.10	0.09	95.13 %
B03701	Research and data collection	0.47	0.22	47.03 %
B03711	Communication and awareness-raising	1.40	0.95	67.75 %
B03801	Bodies of the agency	0.37	0.26	69.01 %

Chapter		Payment appropriations authorised *	Payments made	%
		1	2	3=2/1
B03802	Consultation mechanisms	0.17	0.06	38.59 %
B03900	Reserve for Title 3	0.00	0.00	0.00 %
<b>Total Bo-3</b>		<b>14.00</b>	<b>8.20</b>	<b>58.59%</b>
<b>TOTAL FRA</b>		<b>27.85</b>	<b>21.59</b>	<b>77.51 %</b>

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

Source: FRA, 2015

Figure A8.2: Outturn on payment appropriations in 2015 (% by chapter)

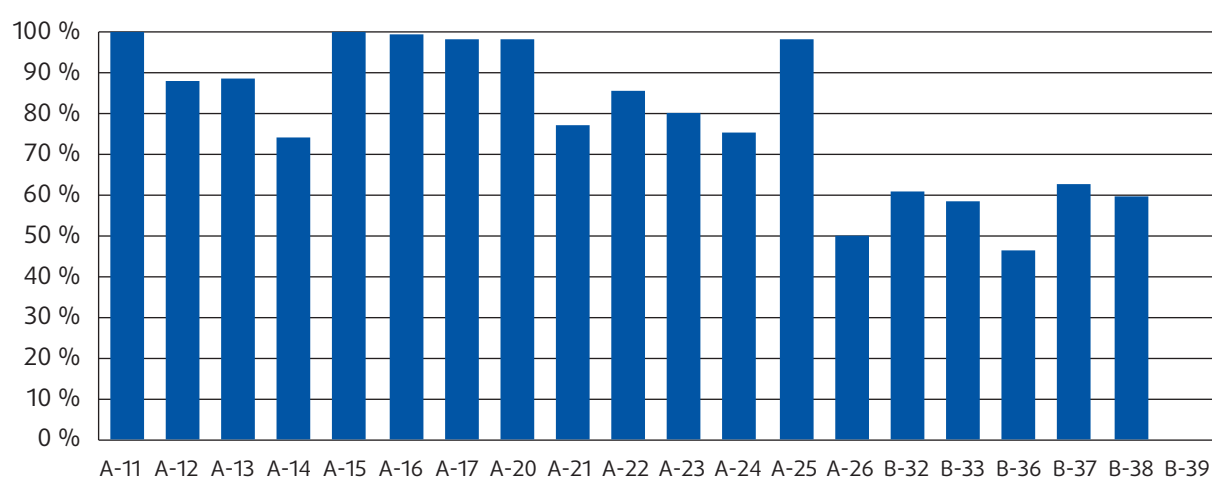


Table A8.3: Breakdown of commitments to be settled at 31 December 2015

Chapter		2015 Commitments to be settled			
		Commitments 2015	Payments 2015	RAL 2015	% to be settled
		1	2	3=1-2	4=1-2//1
<b>Title A-1 STAFF EXPENDITURE</b>					
A01100	Basic salaries	5.21	-5.21	0.00	0.00 %
A01101	Family allowances	0.68	-0.68	0.00	0.00 %
A01102	Expatriation and foreign-residence allowances	0.79	-0.79	0.00	0.00 %
A01103	Secretarial allowances	0.01	-0.01	0.00	0.00 %
A01113	Trainees	0.39	-0.38	0.00	0.39 %
A01115	Contract Agents	1.44	-1.44	0.00	0.00 %
A01130	Insurance against sickness	0.18	-0.18	0.00	0.00 %
A01131	Insurance against accidents & occupational disease	0.03	-0.03	0.00	0.00 %
A01132	Insurance against unemployment	0.07	-0.07	0.00	0.00 %
A01140	Childbirth and death grants	0.00	0.00	0.00	0.00 %
A01141	Travel expenses for annual leave	0.10	-0.10	0.00	0.00 %
A01150	Overtime	0.00	0.00	0.00	0.00 %
A01175	Interim services	0.00	0.00	0.00	0.00 %
A01178	External services	0.06	-0.06	0.00	0.00 %

Chapter		2015 Commitments to be settled			
		Commitments 2015	Payments 2015	RAL 2015	% to be settled
		1	2	3=1-2	4=1-2//1
A01190	Salary weightings	0.39	-0.39	0.00	0.00 %
A01200	Recruitment expenses	0.03	-0.02	0.00	11.43 %
A01201	Travel expenses	0.00	0.00	0.00	82.52 %
A01202	Installation resettlement and transfer allowances	0.05	-0.05	0.00	0.00 %
A01203	Removal expenses	0.02	-0.01	0.01	46.95 %
A01204	Temporary daily subsistence allowances	0.00	0.00	0.00	0.00 %
A01300	Mission expenses and duty travel expenses and other ancillary expenditure	0.16	-0.14	0.02	11.35 %
A01410	Medical service	0.05	-0.04	0.01	25.32 %
A01420	Professional training of staff	0.22	-0.17	0.05	22.50 %
A01430	Legal services	0.03	-0.02	0.01	41.25 %
A01520	Staff exchanges	0.44	-0.44	0.00	0.00 %
A01610	Social contacts between staff	0.01	-0.01	0.00	7.57 %
A01620	Other welfare expenditure	0.80	-0.80	0.00	0.25 %
A01630	Early childhood centres and creches	0.03	-0.03	0.00	1.52 %
A01700	Entertainment and representation expenses	0.00	0.00	0.00	1.68 %
<b>Total A-1</b>		<b>11.18</b>	<b>-11.07</b>	<b>0.11</b>	<b>0.94 %</b>
<b>Title A-2 BUILDINGS EQUIP. &amp; MISC OPERATING EXPENDITURE</b>					
A02000	Rent	0.82	-0.82	0.00	0.00 %
A02010	Insurance	0.01	-0.01	0.00	0.00 %
A02020	Water, gas, electricity and heating	0.10	-0.10	0.00	0.00 %
A02030	Cleaning and maintenance	0.31	-0.30	0.01	2.63 %
A02040	Fitting-out of premises	0.00	0.00	0.00	0.00 %
A02050	Security and surveillance of buildings	0.12	-0.11	0.01	9.90 %
A02100	Hardware/Software	0.41	-0.21	0.19	47.24 %
A02101	Software Development	0.23	-0.20	0.03	12.29 %
A02102	Other external services for data processing	0.05	-0.05	0.00	0.00 %
A02200	New purchases of equipment and installations	0.07	-0.04	0.03	46.32 %
A02210	Furniture	0.00	0.00	0.00	0.00 %
A02230	Hire of vehicles	0.00	0.00	0.00	0.00 %
A02300	Stationery and office supplies	0.02	-0.02	0.00	10.71 %
A02320	Bank charges	0.00	0.00	0.00	90.02 %
A02353	Departmental removals and associated handling	0.01	-0.01	0.00	35.56 %
A02355	Publications and reproduction of documents	0.00	0.00	0.00	0.00 %
A02400	Postage and delivery charges	0.01	-0.01	0.00	9.26 %
A02410	Telecommunications charges	0.12	-0.08	0.04	32.66 %
A02411	Telecommunications equipment	0.00	0.00	0.00	100.00 %
A02550	Miscellaneous expenditure for meetings	0.01	-0.01	0.00	2.05 %
A02601	Studies surveys consultations	0.01	0.00	0.01	100.00 %
<b>Total A-2</b>		<b>2.28</b>	<b>-1.95</b>	<b>0.33</b>	<b>14.41%</b>



Chapter		2015 Commitments to be settled			
		Commitments 2015	Payments 2015	RAL 2015	% to be settled
		1	2	3=1-2	4=1-2//1
<b>Title Bo-3 OPERATIONAL EXPENDITURE</b>					
B03211	Information society and, in particular, respect for private life and protection of personal data	0.29	-0.08	0.21	72.97 %
B03230	Immigration and integration of migrants	1.51	-0.53	0.98	64.92 %
B03311	Racism xenophobia and related intolerance	0.17	-0.13	0.05	26.89 %
B03321	Discrimination	1.87	-0.24	1.63	87.12 %
B03340	Roma integration	0.73	-0.23	0.50	68.60 %
B03350	Rights of the child	0.90	-0.16	0.74	82.37 %
B03620	Access to justice	1.03	-0.32	0.71	68.67 %
B03630	Victims of crime & comp.	0.01	-0.01	0.00	46.52 %
B03701	Research and data collection	0.26	0.00	0.25	98.10 %
B03711	Communication and awareness-raising	0.95	-0.52	0.43	45.63 %
B03801	Bodies of the agency	0.30	-0.18	0.11	38.49 %
B03802	Consultation mechanisms	0.16	-0.06	0.10	62.26 %
<b>Total Bo-3</b>		<b>8.18</b>	<b>-2.46</b>	<b>5.72</b>	<b>69.95 %</b>
<b>TOTAL FRA</b>		<b>21.64</b>	<b>-15.48</b>	<b>6.16</b>	<b>28.45 %</b>

Source: FRA, 2015

Figure A8.3: Breakdown of commitments remaining to be settled at 31 December 2015 (in Mio EUR)

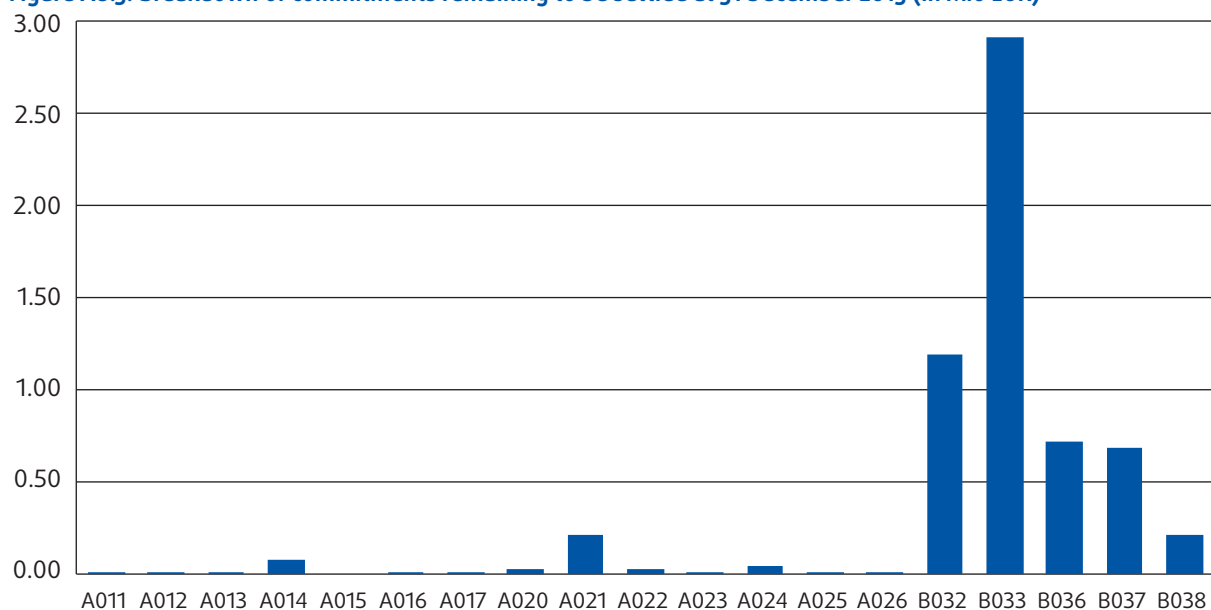




Table A8.4: Draft Balance Sheet as at 31 December 2015

BALANCE SHEET*			
	Note	31.12.2015 €	31.12.2014 €
<b>A. NON CURRENT ASSETS</b>		<b>1,270,179</b>	<b>1,352,528</b>
Intangible assets		93,299	149,002
Property, plant and equipment		1,176,880	1,203,526
Financial assets		-	-
Long-term pre-financing		-	-
Long-term receivables and recoverables		-	-
<b>B. CURRENT ASSETS</b>		<b>7,142,494</b>	<b>7,263,343</b>
Inventories		-	-
Pre-financing		310,675	-
Receivables and recoverables		208,767	230,524
Financial assets		-	-
Cash and cash equivalents		6,623,052	7,032,819
<b>TOTAL ASSETS</b>		<b>8,412,673</b>	<b>8,615,871</b>
<b>C. NON CURRENT LIABILITIES</b>		<b>-</b>	<b>-</b>
Pension and other employee benefits		-	-
Provisions for risks and liabilities		-	-
Financial liabilities		-	-
Long-term liabilities to consolidated entities		-	-
<b>TOTAL NON CURRENT LIABILITIES</b>		<b>-</b>	<b>-</b>
<b>D. CURRENT LIABILITIES</b>		<b>1,607,987</b>	<b>1,178,623</b>
Employee benefits		-	-
Provisions for risks and liabilities		-	-
Financial liabilities		-	-
Payables		1,607,987	1,178,623
<b>TOTAL LIABILITIES</b>		<b>1,607,987</b>	<b>1,178,623</b>
<b>E. NET ASSETS / LIABILITIES</b>		<b>6,804,686</b>	<b>7,437,248</b>
<b>Reserves</b>		<b>-</b>	<b>-</b>
Accumulated result		6,804,686	7,437,248
<b>B. Minority interest</b>		<b>-</b>	<b>-</b>
<b>TOTAL NET ASSETS / LIABILITIES</b>		<b>6,804,686</b>	<b>7,437,248</b>

Note: \* The figures included in Table A8.4 are provisional, since they are, at this date, still subject to audit by the Court of Auditors. It is thus possible that amounts included in these tables may have to be adjusted following this audit.

Source: FRA, 2015



Table A8.5: Draft 2015 Statement of Financial Performance

STATEMENT OF FINANCIAL PERFORMANCE*		
	2015 €	2014 €
GNI based resources	-	-
VAT resources	-	-
Traditional Own Resources	-	-
Funds transferred from the Commission to other Institutions	-	-
Contributions of EFTA countries belonging to the EEA	-	-
Fines	-	-
Recovery of expenses	-	-
European Union contribution	21,257,526	21,072,054
Other operating revenue	247,568	254,148
<b>TOTAL OPERATING REVENUE</b>	<b>21,505,094</b>	<b>21,326,202</b>
Administrative expenses	-13,993,477	-13,576,480
Staff expenses	-10,814,808	-10,472,284
Fixed asset related expenses	-479,074	-488,444
Pensions	-	-
Other administrative expenses	-2,699,595	-2,615,752
Operating expenses	-8,144,179	-6,833,573
Centralized Direct Management	-	-
Centralized Indirect Management	-	-
Decentralized Management	-	-
Shared Management	-	-
Joint Management	-	-
Other operating expenses	-8,144,179	-6,833,573
<b>TOTAL ADMINISTRATIVE AND OPERATING EXPENSES</b>	<b>-22,137,656</b>	<b>-20,410,053</b>
<b>SURPLUS/(DEFICIT) FROM OPERATING ACTIVITIES</b>	<b>-632,562</b>	<b>916,149</b>
Financial revenues	-	-
Financial expenses	-	-
Share of net surpluses or deficits of associates and joint ventures accounted for using the equity method	-	-
<b>SURPLUS/ (DEFICIT) FROM NON OPERATING ACTIVITIES</b>	<b>-632,562</b>	<b>916,149</b>
<b>SURPLUS/(DEFICIT) FROM ORDINARY ACTIVITIES</b>		
Minority interest	-	-
Extraordinary gains (+)	-	-
Extraordinary losses (-)	-	-
<b>SURPLUS/(DEFICIT) FROM EXTRAORDINARY ITEMS</b>	<b>-</b>	<b>-</b>
<b>ECONOMIC RESULT OF THE YEAR</b>	<b>-632,562</b>	<b>916,149</b>

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

Source: FRA, 2015

Table A8.6: Average payment times for 2015

Legal times							
Maximum payment time (days)	Total number of payments	Number of payments within time limit	Percentage	Average payment times (days)	Number of late payments	Percentage	Average payment times (days)
30	2,410	2,031	84.27 %	10.56	379	15.73 %	52.79
60	234	228	97.44 %	21.72	6	2.56 %	71
<b>Total number of payments</b>	<b>2,644</b>	<b>2,259</b>	<b>85.44 %</b>		<b>385</b>	<b>14.56 %</b>	
<b>Average payment time</b>	<b>17.71</b>			<b>11.68</b>			<b>53.07</b>

Suspensions							
Average Report approval suspension days	Average payment suspension days	Number of suspended payments	% of total number	Total number of payments	Amount of suspended payments	% of total amount	Total paid amount
0	45	47	1.78 %	2,644	642,900.61	4.30 %	14,959,242.62

Late interest paid in 2015			
Agency	GL Account	Description	Amount (€)
			0

Note: GL: General Ledger.

Source: FRA, 2015

Table A8.7: Situation on revenue and income in 2015

Title	Description	Year of origin	Revenue and income recognised	Revenue and income cashed	Outstanding balance
2000	European Union subsidy	2015	21,229,000.00	21,229,000.00	0.00
9000	Miscellaneous revenue	2015	376,772.00	376,772.00	0.00
<b>TOTAL FRA</b>			<b>21,605,772.00</b>	<b>21,605,772.00</b>	<b>0.00</b>

Source: FRA, 2015

Table A8.8: recovery of undue payments

Income budget recovery orders issued in 2015 Year of origin (commitment)	Total undue payments recovered		Total transactions in recovery context (incl. non-qualified)		% qualified/ total RC	
	Nbr	RO amount	Nbr	RO amount	Nbr	RO amount
<b>Sub-total</b>	0	0.00	0	0.00	0	0.00

Expenses budget	Error		Irregularity		OLAF notified		TOTAL qualified		TOTAL RC (incl. non-qualified)		% qualified/ total RC	
	Nbr	Amount	Nbr	Amount	Nbr	Amount	Nbr	Amount	Nbr	Amount	Nbr	Amount
Income lines in invoices												
Non-eligible in cost claims												
Credit notes									18	83,185.15		
<b>Sub-total</b>									18	83,185.15		

<b>GRAND TOTAL</b>									<b>18</b>	<b>83,185.15</b>		
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Note: RC: Recovery Context; RO: Recovery Order.

Source: FRA, 2015

Table A8.9: Ageing balance of recovery orders at 31/12/2015

Year of origin	Number at 01/01/2015	Number at 31/12/2015	Evolution	Open amount (€) at 01/01/2015	Open amount (€) at 31/12/2015	Evolution
2015	0	0	0.00 %	0.00	0.00	0.00 %
<b>Totals</b>	<b>0</b>	<b>0</b>	<b>0.00 %</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00 %</b>

Source: FRA, 2015

Table A8.10: Recovery order waivers in 2015 &gt; €100,000

Waiver central key	Linked RO central key	RO accepted amount (€)	LE account group	Commission decision	Comments
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<b>Total FRA</b>		<b>0.00</b>			
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<b>Number of RO waivers</b>		<b>0</b>			
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Justifications: N/A

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

Source: FRA, 2015

**Table A8.11: Census of negotiated procedures****Negotiated procedures – Contracts > €60.000**

<b>Count:</b>	<b>1</b>
<b>Total amount:</b>	<b>1</b>

Number	Contractor(s)		Type of contract	Description	Amount (€)	Legal base
	Name	Address				
1	Eticas Research & Consulting	Ferlandina 49 08001 Barcelona Spain	Direct service contract	Biometric data in large EU IT-systems in the areas of borders, visa and asylum – fundamental rights implications	589,983.70	Art. 135 1.a) and Art 2. of the RAP

Source: FRA, 2015

**Table A8.12: Building contracts****Building contracts**

<b>Count:</b>	<b>0</b>
<b>Total amount:</b>	<b>0</b>

Number	Contractor(s)		Type of contract	Description	Amount (€)	Legal base
	Name	Address				
N/A						

Source: FRA, 2015

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

The agency did not declare any contracts secret.

Source: FRA, 2015



## Annex IX: Performance information included in evaluations

FRA as a public sector organisation must demonstrate its performance, achievements and impact. In the context of financial and budgetary constraints, there is an increased demand from internal and external stakeholders for good governance, accountability and transparency, greater effectiveness and delivery of tangible results. In order to effectively respond to these requests and following the requirements from the FRA's Founding Regulation 168/2007 and the Implementing Rules to the Financial Rules of the Agency, four projects were selected in 2015 to be ex-ante and ex-post evaluated. The evaluation activities for the following projects are on-going and the reports will be finalised in 2016.

<b>EX-ANTE EVALUATIONS</b>			
<b>Project title</b>	<b>Social inclusion and migrant participation in society</b>		
Thematic area	Immigration and integration of migrants, visa and border control and asylum		
Project description	Desk research in the area of social inclusion and migrant participation in the EU societies, focussing on the development of fundamental rights indicators for EU as inclusive society. In order to assess the protection, respect, promotion and fulfilment of the fundamental rights of migrants, the agency will develop relevant indicators which will be gradually populated.		
Total estimated budget	€545,213 (total budget)		
Budget per year	€465,213 (2014)	€30,000 (2015)	€50,000 (2016)
<b>Project title</b>	<b>Rights of crime victims to have access to justice – a comparative analysis</b>		
Thematic area	Victims of crime, including compensation to victims		
Project description	An in-depth comparison of the situation of victims in a selected number of EU Member States, which represent different legal systems and traditions, will be undertaken. The research will be done at three levels: legal, institutional and practical. The project will draw on the agency's previous research on victims of crime, and the results of its large-scale survey research that shows under-reporting of crime to the authorities		
Total estimated budget	€558,000 (total 1 <sup>st</sup> priority budget)		
Budget per year	€550,000 (as 3 <sup>rd</sup> priority) (2014)	€8,000 (1 <sup>st</sup> priority) (2015)	€50,000 (1 <sup>st</sup> priority) (2016)
<b>EX-POST EVALUATIONS</b>			
<b>Project title</b>	<b>Data protection: redress mechanisms and their use</b>		
Thematic area	Information society, private life and personal data		
Project description	The objectives of the project are (1) to map the existing judicial redress mechanisms in the EU Member States in relation to data protection rights, and (2) to assess the use and level of protection provided by redress mechanisms.		
Total budget	€849,877.50		
(budget per year)	€699,877.50 (2011)	€40,000.00 (2012)	€110,000 (2013)
<b>Project title</b>	<b>Victim support services in the EU: An overview and assessment of victims' rights in practice</b>		
Thematic area	Justice, victims of crime and judicial cooperation		
Project description	A core component in meeting the rights, and needs, of victims is the provision of adequate victim support services in the EU; services that can provide victims with information and support at different stages, which can range from practical advice about how to claim compensation through to support when going to court. Through a combination of primary research and secondary data analysis, this project looks at victim support services across the EU.		
End year	2014		
Total budget	€1,291,053		
(budget per year)	€358,864.50 (2011)	€400,000 (2012)	€472,189 (2013) €60,000 (2014)









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