

### JHA agencies: internal and external activities to respect, observe and promote Charter rights

This is a *provisional* list of activities and processes collected in the preparation of the first informal ‘annual Charter exchange’ amongst the 9 JHA agencies on 24 September 2020. The exchange implements point 5 of the joint statement on the implementation of the Charter of Fundamental Rights of the European Union adopted by the 9 Heads of the 9 JHA Agencies’ on 12 November 2019.

The purpose of the list is neither to be exhaustive, nor to provide a comparison. Rather its ambition is to provide examples that can inspire all agencies and allow them to better brainstorm how to best deliver on Article 51 of the Charter which establishes that the Charter’s provisions “*are addressed to the institutions, bodies, offices and agencies of the Union ...[who] shall therefore respect the rights, observe the principles and promote the application thereof in accordance with their respective powers*”.

### INTERNAL ACTIVITIES/PROCESSES

eu-LISA	<b>access to own data</b> visible in the HR system in line with data protection; process need to ensure step-by-step that rights are ensured (dp and atd). Remark: Requires regular update
	Implementing rules on Prevention of harassment in place; <b>Nominated confidential counsellors in the organisation; information available through Intranet; regular awareness sessions</b>
	<b>Information on how to submit a complaint is available in the Intranet</b> with description of steps and relevant forms
	applies an <b>equal opportunities policy and addresses particular needs</b> as foreseen in different policies, in different procedures (recruitment, worklife balance, facilities etc).
	Implementing Rules on time management aspects (flexitime, teleworking, part-time, etc.) are adopted. Regulations on work in shifts and stand-by duty are applied. Remark: Staff seeks more flexibility regarding time worked and corresponding compensation
	The Agency has put in place a governance body, the <b>Audit Compliance and Finance Committee, to ensure adequate follow-up to the findings and recommendations stemming from various internal or external audit reports</b> and evaluations as well as for the organisation, audit planning and reporting of the internal audit capability. The body assists the Management Board to make related decisions. Internal Control Framework of eu-LISA (ref. MB decision No 2019-042 of 19 March 2019) has been put in place and annual assessments are carried out.
Eurojust	Several <b>training sessions on data protection</b> have been organised, particularly in the last 18 months as the DP regime for our agency changed; information sessions on anti-fraud and whistleblowing, anti-harassment, unconscious bias, ethics
	Eurojust has a <b>welfare officer for health, wellbeing and harassment issues</b> , a <b>network of confidential counsellors</b> to support in cases of (alleged) harassment and conflict, a <b>whistleblowing contact point</b> and an <b>anti-fraud contact point</b>

	<b>All selection boards receive training on equal treatment</b> and relevant selection rules
	Eurojust has <b>public access to documents rules and a public register</b> of documents on its website
	<b>Accommodations are made for disabilities and impairments</b> based on physical or medical needs, including provision of specialist equipment, furniture etc. We have a breastfeeding room and silence room that can be used for prayer/religious purposes. We allocate nursing mothers specific time for breastfeeding.
<b>EMCDDA</b>	in the last year the EMCDDA has set up its <b>internal procedure aimed at granting possible aid for persons with a disability, pursuant to the conclusion</b> recently adopted on this matter by the College of Heads of Administration of the EU Institutions (= granting of aid in accordance with Article 76 SR to support staff members and/or their dependent family members with a disability, provided that necessary appropriations are available).
	Specific <b>training</b> for EMCDDA staff and managers on how to <b>address and deal with situations of moral and sexual harassment</b> at work
<b>EIGE</b>	policy call on <b>confidential counsellors</b> ; appointed in the interest of the service and as part of the Institute's commitment to create the necessary institutional support
	<b>Workplace wellness and health programme</b> : BeWell@EIGE, in place since 2017; In promoting engagement in healthy lifestyle choices and activities among its staff members, <b>EIGE allocates a fixed allowance, calculated annually, for the reimbursement of fees related to selected activities</b> . Provides online exercises that focus on work stress reduction and supports other social policy and welfare activities.
	Given that official language of the host country is Lithuanian, Seconded National Experts (SNEs), trainees and their spouses and/or officially recognised partners seeking to facilitate their integration are <b>reimbursed for Lithuanian language training costs</b> . The same arrangement applies to statutory staff and the spouses and/or officially recognised partners of statutory staff
	COVID: In view of the experience during 2020 in dealing with the COVID-19 situation, it is recognised that <b>greater flexibility</b> is required in the interest of the service with respect to the application of EIGE's implementing rules <b>on telework</b> .
	<b>Psychotherapy support for EIGE trainees during the coronavirus (COVID-19) crisis</b> (covering costs for psychotherapy session(s))
<b>EASO</b>	training for staff on: <b>ethics and integrity, anti-harassment</b> . Confidential counsellors training is organised as well.
	<b>In January 2020, the Legal and Data Protection Sector (LDPS) was established at EASO in order to enhance the compliance of EASO's activities with the EASO Founding Regulation in the fields of legal affairs, Personal Data Protection, Ombudsman cases and Public Access to Documents.</b> LDPS oversaw the adoption of the Management Board Decision establishing internal rules for imposing restrictions on certain rights of data subjects under Article 25 of Regulation (EU) 2018/1725. According to the EU Data Protection Regulation 'EUDPR', such <b>restrictions must respect the essence of the fundamental rights</b> and freedoms. Before applying the restriction on the exercise of data subjects' rights (Articles 14-22, 35 and 36 EUDPR), EASO performs a necessity and proportionality test, which is documented in an internal assessment note, prior to the application of the restriction and in the context of each period review of its application. The LDPS has been redesigning and <b>improving the existing internal legal framework and procedures on public access to documents</b> , by preparing a new draft MB + ED Decision wherein ' <i>strengthening the principles of democracy and respect for fundamental rights as laid down in Article 6 of the TEU, developed in Article 15(3) of the Treaty on the Functioning of the European Union and in Article 42 of the Charter of Fundamental Rights of the European Union on access to documents</i> ' are specifically mentioned. The new internal PAD framework should further facilitate EU citizens in exercising their (fundamental) right of public access to documents.

	<p>The LDPS has been Managing EASO's actions/correspondence in the context of <b>complaints lodged by EU citizens to the EU Ombudsman</b> in accordance with Article 47 of the EASO Founding Regulation and Article 228 of the TFEU. In that way, it has been <b>providing legal advice on ensuring EU citizens' right to good administration and respect of the EU Code of Good Administrative Behaviour, with focus on Article 41 and 43 of the CFREU</b>.</p> <p>The LDPS has been analysing the <b>liability of the asylum support team members</b> operating in EU Member States (cf. Article 21, 22 and 45 of the EASO Founding Regulation), with the liability for the violations of FR as a particular focus of that (mostly Article 18 CFREU on the right to asylum).</p> <p>Remark: EASO would benefit from:</p> <ul style="list-style-type: none"> <li>• exchange on <b>how to incorporate FR dimension in a day to day legal review documents</b>.</li> <li>• exchange of <b>practices in regards transition after mandate revisions/re-establishment of agencies</b>.</li> <li>• experience of other Agencies in how they approach the <b>liability of their staff or dependent stakeholders for the violations of FR</b> – also, against the backdrop of liability of the Agency.</li> <li>• exchange of good <b>practices amongst Agencies about (alleged) cases of maladministration</b>, based on Article 43 of the CFREU – a catalogue of cases' outcomes could be prepared in order for EASO and other JHA agencies to be able to draw from the 'lessons learnt' and prevent similar occurrences from happening in the future.</li> <li>• exchange of information/ best practices with other EU agencies on <b>how to best implement the EU Code on Good Administrative Behaviour</b>.</li> <li>• sharing practical examples as to <b>how the legal support of an Agency could contribute to reinforcing the FR awareness raising</b> would be most beneficial.</li> </ul> <p><b>Regular data protection training</b> is provided to the staff members of the Agency. <b>Training on Ethics and Integrity</b> is also provided (as part of the induction training), whereby a strong focus on FR such as for instance non-discrimination (Article 21) and cultural diversity (Article 22) are promoted. Besides, awareness of FR is promoted also in the context of the provision of legal advice and support.</p>
<b>CEPOL</b>	<p>The <b>E-Recruitment tool</b> in use at CEPOL since 2018 increases transparency and objectivity in assessing received applications. The <b>tool does not provide the panel members personal data (name, nationality, gender, age) of the candidates</b>.</p> <p>Since 2018, CEPOL also has a <b>Programme Officer which is assigned as a portfolio holder for Fundamental rights issues in the context of training</b>.</p> <p>Remark: Resources are limited; this portfolio, if it grows, may requires more resources</p> <p>adopted the <b>Implementing Rules on prevention of psychological and sexual harassment</b> and is organisation training on this every two years. This is a horizontal training and <b>obligatory</b> for all staff.</p> <p>staff have been given the opportunity to be trained as confidential councillor in order to accommodate the so-called information procedure.</p>
<b>FRONTEX</b>	<p><b>New Fundamental Rights Strategy</b> to be endorsed by the Fundamental Rights Officer (FRO) and Frontex Management Board by the end of the year, as per Regulation (EU) 2019/1896. All Frontex entities need then to implement it and FRO to monitor the compliance.</p> <p><b>Annual FRO report to the public</b>, as per Regulation (EU) 2019/1896</p> <p>Manage and maintain a functional <b>Complaints Mechanism (CM)</b>. The CM will strengthened with new Rules and dissemination plan</p> <p><b>Support and advise on FR compliance in setting up the European Travel Information and Authorisation System (ETIAS)</b>. FRONTEX to contribute to the design and support to Fundamental Rights Advisory Board of ETIAS.</p>

	<b>Training on Fundamental Rights to the Staff</b> of the Agency/promote Agency culture that embeds Fundamental Rights (now frequently given staff increase).
<b>FRA</b>	<b>Establishment of an Equality and Diversity Group (EDG)</b> in 2015. The EDG was established to enshrine equality and diversity strategies into the Agency's functions as core values of fundamental rights. Remark: Partnership with relevant actors needs to be strengthened continuously.
	<b>Management required to sign up to live up an Equality and Diversity Commitment Statement.</b> Each member of the FRA Management Team is required to sign as their individual commitment to ensure that they act in respect of this core fundamental rights principle in the execution of their managerial responsibilities. Remark: The values require re-enforcement on a continuous basis.
	<b>Adoption of an Anti-harassment policy and a Confidential Counsellors Network.</b> The protection of individual physical and mental integrity (art. 3 of the Charter) is ensured through a set of measures, like the adoption of an Anti-harassment policy and the establishment of a network of Confidential Counsellors. As this is regulated through the implementing rules of the Staff Regulation, FRA has managed to develop a solid basis for it, taking the decision to create this network since 2011. The target of the network is to ensure a safe workplace for every staff member. The Network is composed of 4 members selected through a rigorous procedure among the staff members. Remark: Staff members are confident to approach a Confidential Counsellor, nevertheless the renewal of the network may entail some challenges.
	<b>Appointment of a Data Protection Officer</b> in line with the EDPS guidelines. The appointment of a Data Protection Officer ensures that the internal processes are following the rules established through the Regulation (EU) 2018/1725 (art. 8 of the Charter). The Data Protection Officer is appointed for a period between 3 and 5 years and the person should report directly to EDPS. The Data Protection Officer and a Deputy Data Protection Officer ensure the implementation of the principles across the internal processes.
	<b>Access to documents:</b> Under the provisions of Regulation (EC) No 1049/2001, and of the MB decision no 2012/10 concerning the implementation of the regulation on public access to documents, FRA is subject to the principle of transparency, i.e. that the public has a right of access to documents drawn up or received by the Agency. <b>Applications for access to sensitive documents are subject to examination by the Director and the Head of Corporate Services. If confidential documents are to be made available in response to a request, it shall be declassified by decision of the Director. A team formed at the level of Corporate Services Unit ensures that all the requests are handled properly and in line with the Regulation no 1049/2001.</b> Remark: In some of the cases the amount of requests exceeds the capacity of the resources allocated.
	The <b>code of good administrative behaviour</b> has been adopted in 2007 and further revised through the MB decision 2015/10. The provisions of this decision ensure that FRA follows throughout its activities the principles promoted through art 41 of the Charter. The Code of good administrative behaviour is <b>complemented with ethical measures, like measures for preventing the conflict of interests.</b> Remark: The application of the Code of good administrative behaviour is indirectly followed during the different audits that are carried out by IAS or ECA. Also the appointment of the Ethical Officers ensures the supervision of ethical principles by staff members.
<b>EUROPOL</b>	COVID: The Agency and its staff are <b>provided more readily with advice on health and safety</b> , which has proven extremely useful during the COVID-19 crisis.
	<b>Review and update of the policy on preventing harassment</b> , including the appointment of new confidential counsellors and clarification of procedures

	<b>Whistle-blowing arrangements</b> to ensure freedom to address malpractice without having to fear retaliation
	<b>Right to be heard embedded in all HR processes</b> that may have an adverse effect for staff members
	Financial support granted upon request for <b>non-medical costs incurred by staff (or their dependents) with a disability</b>
	Involvement of the <b>DPO in all HR policies having an impact on the protection of personal data and privacy</b> and insertion of data protection provisions to protect them. Regular update of records of processing activities to ensure compliance with relevant rules
	Adoption of amendment to COM Decision introducing a right similar to <b>maternity leave or adoption leave to surrogate parents</b> already presented for adoption at the September CMWG – to be presented to the October MB Meeting
	Corporate law team (G2-21) is the team responsible at Europol for public <b>access to documents. To this end, the team is coordinating a cross-departmental taskforce</b> covering all areas of activities of Europol. Europol has <b>dedicated part of its website to providing public access to Europol documents</b> ( <a href="https://www.europol.europa.eu/publications-documents/public-access-to-europol-documents">https://www.europol.europa.eu/publications-documents/public-access-to-europol-documents</a> ), to further enhance transparency and facilitate broad access to documents, in line with the recommendations of the Ombudsman. This is aided by a <b>user-friendly web form to submit public access requests</b> . Additionally, a public register of documents is available and regularly updated. Europol also responds to requests for access to documents received both directly and through consultation by third parties.
	Implementation of a number of <b>activities to promote diversity and inclusion. The activities have been designed and carried out by the Diversity and Inclusion Steering Group</b> such as: <ul style="list-style-type: none"> <li>• Organisation of an Unconscious Bias training for managers, staff involved in recruitments and confidentiality counsellors resulting in the Directorate's approval that it should become part of Europol's regular training curriculum (now reflected in the new Leadership and Management Development program);</li> <li>• Investment in building Europol's diversity profile externally through active engagement with partners (e.g. International Gender Champions Initiative; JHA network of Agencies; The Hague Inter-Agency D&amp;I network; ESTEC; ECB, Dutch Marechaussée)</li> <li>• Organisation of Europol's first international conference on Diversity and Inclusion in Law Enforcement (Europol Diversity Day, July 2019);</li> <li>• Annual celebrations of International Women Day (8 March 2020) and International Day against Homophobia, Transphobia and Biphobia (17 May 2020);</li> <li>• Various internal awareness activities (e.g. creation of an IRIS blog page <i>'Focus on Diversity'</i>; information leaflets; organisation of lunch &amp; learn sessions; delivery of information sessions to newcomers and staff; Summer party stand; creation of a Diversity &amp; Inclusion wall planner);</li> <li>• Various external awareness activities (e.g. creation of a page on childcare in the Netherlands for Europol Website; creation of slides on Europol's diversity for inclusion in Europol's general presentation and Europol's roadshow curriculum.)</li> <li>• Involving and accepting input from the diversity and inclusion steering group e.g. on the draft HR Strategy and Internal Selection policy.</li> </ul>
	<b>On data protection the following measures were adopted:</b> <ul style="list-style-type: none"> <li>• Monitoring of ongoing operations to ensure the adequate processing of operational personal data and administrative personal data</li> <li>• Involvement of the DPO in early stages of the project lifecycle in order to implement a data protection by default and by design approach</li> </ul>

	<ul style="list-style-type: none"> <li>• Publication of the register of processing operations (administrative data) and portfolio of opening decisions (operational personal data) as means of ensuring transparency</li> <li>• IRIS DPF dedicated page: <a href="https://iris.europolhq.net/organisation/DPF/Pages/default.aspx">https://iris.europolhq.net/organisation/DPF/Pages/default.aspx</a></li> <li>• DPO Implementing rules – right to present a complaint in conditions of confidentiality to the DPO by Europol staff</li> <li>• Involvement of the DPO/DPF on administrative inquiries involving access to personal data</li> <li>• Support in the prior consultation mechanism and in the notification of personal data breaches</li> <li>• Network of Europol data protection contact points (throughout the organisation and business specific expertise): Europol Data Protection Champions Network</li> </ul>
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### EXTERNAL ACTIVITIES/PROCESSES

<b>eu-LISA</b>	eu-LISA publishes on its website in <b>all the official languages of the institutions of the European Union all the required corporate publications</b> . Other publications in EN, FR, EST, DE. eu-LISA Management <b>Board has approved ‘The eu-LISA approach to EU multilingual practice’</b> . Justification: Art. 41”, incl. the right to write to the institutions in one of the languages of the Treaties and have an answer in the same language”
	<b>adopted the Ethical Behaviour and Conduct Code.</b>
	access all institutional legal remedies foreseen by the law (e.g. complaints under art. 90.2 Staff Regulation). The Agency, by consistently using the templates provided by the EC, <b>makes sure that the above legal remedies are systematically brought to the attention of individuals</b> (or companies) affected by potentially negatively affecting decisions.
	<b>Appointing a focal point/officer to support Charter compliance in the activities carried out by the agency: will depend on assuring additional human resources to perform respective tasks</b>
	Staff training: Regular awareness sessions on wide range of topics related to fundamental rights, including prevention of harassment, data protection etc, but not separate sessions held on fundamental rights.
<b>Eurojust</b>	<b>code of good administrative behaviour is public</b> and can be downloaded from our website
	Request and <b>complaint mechanisms are advertised on the website</b> and in applicable decisions, e.g. how to request access to documents and how to appeal the outcome, how to complain against a decision in a selection procedure or tender;
	<b>Website informs</b> about data protection regime
<b>EMCDDA</b>	Next to promotion of statement, there was also <b>promotional activity on international women’s day</b> .
	put in place a <b>code of conduct and practical recommendations/guidelines for the interaction of it staff with interest representatives</b> the report “ <a href="#">Health and social responses to drug problems: a European guide</a> ”, EMCDDA mentions a whole series of rights in the area of health and social assistance (see p. 15), including right to the integrity of the persons (free and informed consent of the person); in the “ <a href="#">European drug prevention quality</a>



	<p><a href="#">standards</a>”, EMCDDA addresses topics strictly connected to fundamental rights, such as confidentiality and voluntary participation ( see page 56 - D: Ethical drug prevention).</p> <p>EMCDDA also provides training for practitioners and professionals. These training events also incorporate fundamental rights.</p>
<b>EIGE</b>	<p>Charter is particularly important for EIGE’s <a href="#">work on Violence against women</a>, Monitoring of Beijing Platform for Action (BPfA), Gender Mainstreaming and the Gender Equality Index</p> <p>Beijing +25: the <b>fifth review of the <a href="#">implementation of the Beijing Platform for Action in the EU Member States</a></b></p> <p>Risk assessment and management of intimate partner violence in the EU: Report that gives an <b>overview of <a href="#">risk assessment and management practices in each EU Member State</a></b>. It outlines the approach taken by each country, identifies gaps and challenges, and proposes a way to improve the existing policies.</p> <p>EIGE’s <b>guidelines and recommendations</b> offer a common EU-wide approach to risk assessment and risk management.</p> <p>EIGE’s <b>new guide helps estimate the risk of <a href="#">female genital mutilation</a></b>: The fine-tuned methodology will assist those responsible for carrying out risk estimations of female genital mutilation in a region or country of the EU</p> <p>Study on Gender-sensitive education and training for the integration of third-country nationals</p> <p>Gender Equality Index 2019; Gender Equality Index 2020 (upcoming, to be launched 29 Oct 2020) <b>looks at progress of <a href="#">Gender Equality in the EU in 6 domains (Work, Power, Money, Knowledge, Time, Violence and intersecting inequalities)</a></b>.</p> <p>The domain of <a href="#">intersecting inequalities</a> highlights the diverse realities that different groups of women and men face in the EU. It examines how elements such as disability, age, level of education, country of birth and family type, intersect with gender to create different pathways in people’s lives.</p>
<b>EASO</b>	<p>in the context of its <b>Consultative Forum</b>, <b>EASO maintains <a href="#">close cooperation with civil society</a></b> and implements different activities to that purpose throughout the year, including e.g. CF meetings, electronic consultations and selected CSOs are also regularly invited to participate in EASO activities. The <b>topics discussed in meetings and consultations with civil society are often related to ensuring fundamental rights in the Asylum area</b>. Amongst others, <b>civil society is also consulted on the EASO Work Programme</b>, through which CSOs are involved in the planning phase of our Agency’s activities allowing for increased coherency in implementing the Work Programme in line with the rights and principles enshrined in the Charter.</p> <p>The activities concerning the Operating Plans in the EU+ MSs concerns support to the implementation of the Common European Asylum System (CEAS) in countries under particular pressure or requiring support and, hence, respect of the Charter concerning International Protection and vulnerable groups. The <b><a href="#">Operating Plans all include a part on the “Lawfulness and Respect for Fundamental Rights”</a></b>. <b>It is requested from all personnel involved in the activities under the Operating Plans to comply with this.</b></p> <p>Remark: Based on the evaluations of EASO activities in support of the MS this has been confirmed to have contributed to an improvement in the implementation of the CEAS and, hence, respecting the Charter in those MS.</p> <p>EASO established the <b>‘<a href="#">Code of conduct for persons participating in EASO operational support activities</a>’</b> (the ‘CoC’), which is to be observed by all persons taking part in its activities. <b>As per Article 4 thereof, those persons are obligated to respect human dignity and the fundamental rights and comply with the EU and international FR instruments</b>, in the performance of their tasks. <b>Legal support is also provided to the Operational Support Centre in its implementation.</b></p>

	<p>The execution of liability against the CoC is supported by the Standard Operating Procedure (the 'SoP'), introduced by a ED Decision, which assigns roles for managing the reports on violations of the CoC (Article 19 CoC).</p> <p>Remark: <b>EASO could benefit from the exchange of information about the scope and application of CoCs (if existing) at other Agencies. In particular, the terms for the respect of the FR included therein. EASO could also benefit from sharing information about the approach to sanctioning the suspected violations of FR by Agencies' staff and dependent stakeholders (e.g. SNEs, contracted staff, experts deployed from EU Member States). Good practices on real cases (appropriately anonymised) could be of great value.</b></p> <p>A dedicated <b>team of 4 persons is devoted to mainstreaming and integrating vulnerability in all EASO activities</b>. Through its activities, the team aims to facilitate fair and equal access to international protection procedure and to reception conditions and the provision of the adequate support. Within the team there are specific focal points for the different topics, <b>focal point on children, on trafficking in human beings, on their sexual orientation, gender identity and expression (SOGIE issues), and on mental health</b>. In order to optimise the external impact of their activities, a <b>Network of experts was created in 2018 to support MS authorities to identify, assess their special needs and provide adequate support to persons with special needs</b> who have applied or are in need of international protection in the EU.</p> <p>Thematic meeting in April 2019 on withdrawal of international protection with geographic focus. In the context of EASO Asylum Processes Network. This meeting was a chance for the MS to <b>discuss the withdrawal of international protection</b> for beneficiaries of international protection related to specific countries of origin. The participants exchanged information on good practices, current projects and challenges related to this issue.</p> <p>Thematic meeting in Oct 2019 <b>on backlog</b>. The overall aim of the meeting was a chance for the Member States to:</p> <ul style="list-style-type: none"> <li>• take stock of the practices and lessons learned from backlog management strategies that were applied in the aftermath of the influx of 2015-2016;</li> <li>• discuss the causes of backlogs in the national systems;</li> <li>• to discuss prevention and reduction measures;</li> <li>• to reflect on policies, practices and measures aimed at increasing, improving or streamlining processing capacity, especially under strong pressure.</li> </ul> <p>Thematic <b>meeting on Membership of a particular social group</b> in Jan 2020 in the context of the EASO Asylum Processes Network and the EASO Country Guidance Network. This meeting aimed at bringing together national asylum processes experts and senior policy officials, as well as members of courts and tribunals, and academic experts, in order to enrich and advance the discussions on the concept of 'membership of a particular social group' (MPSG).</p> <p>Online thematic <b>meetings on Remote Personal Interviews and online registrations</b>. Three meetings took place in April-June 2020 in the context of the EASO Asylum Processes Network.</p> <p>The overall aim was to discuss on the process of online asylum interviews, challenges and practices of MS to ensure business continuity within the restrictions imposed by the Covid-19 pandemic.</p> <p>Following the meetings, two EASO Practical Recommendation reports were published.</p> <p>NCP Meeting in Nov 2019 with a <b>thematic focus on guarantees for the applicants and special procedures</b>. The overall aim was a chance to take stock of relevant developments in 2019 and discuss together the way forward for the EASO asylum processes and quality activities in 2020. Under the thematic focus, several special procedures were discussed, such as accelerated procedure, border procedures, admissibility procedure and subsequent</p>
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	applications. In particular, the meeting aimed to discuss the ways that the guarantees as described in the Asylum Procedures Directive can be secured when special procedures are implemented.
	<b>EASO Guidance on membership of a particular social group:</b> The purpose of this guidance is to provide further assistance in applying the reason for persecution of ‘membership of a particular social group’, and more generally in applying the same legal criteria and common standards when determining who qualifies for international protection.
	<b>EASO Guidance on asylum procedure: operational standards and indicators</b> published in Sept 2019: The overall objective of this guidance is to support Member States in the practical implementation of key provisions of the APD to achieve fair and effective asylum procedures and to strengthen the Common European Asylum System at an operational level
	Thematic <b>Meeting of the EASO Exclusion Network ‘The use of Social Media for exclusion purposes’</b> in March 2019: The meeting focused on the research methodologies and use of pieces of evidence found on the social media which are directly or indirectly related to exclusion cases. Firstly, the meeting aimed at presenting an overview of trends and recent developments in the social media landscape and <b>exploring the possibilities and limitations of social media research</b> . The situations in which a social media research can best be initiated, the role of the case officer and the tasks of COI-specialised unit were also explored. The use of social media information during the personal interview and in the exclusion decision were looked into. The <b>type of information that can be found on social media that is relevant for exclusion assessments was part of the discussion as well</b> .
	Annual NCP Meeting – Exclusion and Syria, November 2019: main objective of the meeting was to discuss the screening, identification and <b>handling of potential exclusion cases of applicants from Syria</b> . Another objective was the exchange of good practices and challenges relating to the same topic. Additionally, the Network’s 2019 activities were discussed as well as future activities and other priorities of the network.
	<b>A network of senior policy officials from EU+ countries was set-up in 2016 with the purpose of jointly assessing the situation in main countries of origin. EASO coordinates and facilitates</b> the work of this network. The country guidance documents assist decision-makers in the examination of applications from particular countries of origin, without being binding and without replacing the individual assessment of protection needs. Ultimately, they aim to foster convergence in asylum decisions in the EU+ and to ensure that similar applications are treated in a similar way. Work of the network is ongoing. One to two new documents are developed and published per year since 2018. In addition, the existing guidance is reviewed and if necessary updated on a regular basis. The development and update of country guidance requires the investment of EASO resources from different parts of the agency, including a dedicated sector, as well as significant support in relation to country of origin information and ongoing contribution regarding general guidance in international protection. Significant resources are also required from EU+ countries, as they participate in meetings and consultations, and nominate experts to support the drafting process. The European Commission and UNHCR are also closely involved throughout the process.
	<b>Capacity building activities to promote fundamental rights in priority Third Countries</b> (i.e. Western Balkans, Turkey, Middle East and North Africa (MENA) Region): The purpose of the capacity building activities is to enhance protection space for refugees and asylum seekers in line with the CEAS and EU standards. Mainly, capacity building activities are implemented within the framework of Roadmaps for cooperation with variable timeframe from 6 months from 2 years.

<b>CEPOL</b>	<p><b>Capacity building projects:</b> The external funded projects implemented by CEPOL in the non-EU countries have a strong emphasis on the respect of fundamental rights. While developing and implementing the projects, <b>CEPOL addresses fundamental rights as a cross cutting</b> issue encompassing all of its training activities.</p>
	<p>CEPOL implements an EU-Strategic Training Needs Assessment every 4 years to define strategic level training needs of law enforcement officials across Europe. Moreover, each year, CEPOL completes an Operational Training Needs Analysis of certain priority topics in all Member States which also measures the need for Fundamental Rights training.</p> <p>In the <b>EU STNA Fundamental rights is considered as a core capability gap, i.e. all training activities addressing law enforcement officials shall include elements on fundamental rights</b>. Before the EU-STNA was published in 2018 CEPOL had experienced that Member States ranked fundamental rights as last when indicating training prioritise on operational level.</p>
	<p>On-site training activities: CEPOL has <b>included several training activities concerning Fundamental Rights and related issues, like Hate Crime and Victim Protection, in its programme</b>. A 2-step training activity on 1) Human rights and Police Ethics and 2) Management of Diversity has been implemented on an annual basis since 2012; furthermore, almost each year, an activity on Hate Crime or Hate Speech takes place. In addition, for 2021, an activity on Victim Protection is planned.</p> <p>CEPOL implements a <b>high number of webinars on Fundamental rights issue every year</b> in cooperation with as well as upon request by the Fundamental Rights Agency (in 2020, 8 such webinars were held).</p> <p>These training activities are very well attended and receive excellent feedback.</p> <p>Challenges: As fundamental rights are closely connected with collective but also individual values (e.g. hate crime and xenophobia), a fundamental rights-based approach may at times go against the individual official's views, whilst professional requirements oblige them to respect those principles and not allow themselves to be driven by prejudice and stereotypes. This makes training on this topic essential with its potential of changing attitudes and enhancing self-awareness. One of the challenges for which training could be an essential solution consists in the fact that the understanding of the fundamental rights principles is not the same everywhere, not even in all EU MS.</p>
	<p>CEPOL ensures that Fundamental Rights issues as a horizontal subject are addressed in training activities on other law enforcement topics and highlights this need too its Framework Partners that are implementing training activities. Here more can be done as not all Framework Partners indeed address the issue where this would be useful and relevant.</p>
	<p>CEPOL is a <b>member in the High Level Group on Combating Racism, Xenophobia and other Forms of Intolerance</b>.</p>
	<p><b>Close cooperation with FRA and EIGE is regular practice.</b></p>
	<p><b>Support and guidance on Fundamental Rights compliance during operational (including return related) activities.</b></p>
<b>FRONTEX</b>	<p>Provide advice and tools to prevent fundamental rights violations during Agency's activities, with focus on operational activities (operational advice and FRO opinion/observations ).</p>
	<p><b>Monitoring mechanisms set up and to be strengthened</b> (on Complaints, Serious Incident Reports, due diligence procedure).</p>
	<p><b>Establishment of Fundamental Rights Monitors</b> to be assigned to operational areas, as per Regulation (EU) 2019/1896. Fundamental rights monitors will monitor Frontex operational activities and report to FRO. Recruitment ongoing.</p>

	<b>Development of a methodology to assess Fundamental Rights implications</b> of the Agency's activities (ongoing).
	Development and inclusion of a <b>designated FR clause in Working Arrangements</b> (WAs) as per Regulation (EU) 2019/1896
	OPLANS contain appropriate safeguards for protection of personal data processed in the framework of joint operations and regulate the role and responsibilities of third country officials in the processing personal data.
	The protection of <b>FR is a key transversal element</b> of the Frontex-led IPA II Project "Regional Support to Protection–Sensitive Migration Management in the Western Balkans and Turkey"
	The EU4BorderSecurity project is implemented following the guiding principles of the Frontex International Cooperation Strategy and in this regard, it streamlines Fundamental Rights throughout its activities with third countries, in particular taking into consideration the rights of the most vulnerable, women and children, and gender considerations
	FR constituted a key element of the Frontex-led EaP IBM Capacity Building project, implemented with a consortium of partners (IOM, WCO and ICMPD) under the Eastern Partnership programme (2014-2018)
	<b>All OPLANs include the Code of Conduct laying down procedures intended to guarantee the principles of the rule of law and the respect for and promotion of fundamental rights with particular focus on vulnerable persons.</b>
<b>FRA</b>	The Regulation (EU) 2019/1896 foresees that a <b>return operation can be suspended or terminated by the Executive Director if FR violations are serious in nature or likely to persist.</b>
	FRA <b>provides expertise and advice in the context of the Charter both to the EU as well as to the MS</b> (when acting within the scope of EU law). This is done both formally and informally, through direct exchange as well as through the provision of tools. All FRA work and activities contribute to this overall objective. An example for such a <b>tool is the Charter Handbook</b> targeting legal practitioners, especially those involved in law and policy making. It provides guidance in the context of the difficult question whether or not the Charter applies in a concrete context. It will soon be available in all EU languages. Already available language versions include <a href="#">English</a> , <a href="#">Dutch</a> , <a href="#">Polish</a> and many others.
	The agency <b>regularly collects evidence regarding the implementation of the Charter at national level</b> . This is presented mainly in a dedicated chapter in the yearly Fundamental Rights Report. See for this year: "Ten years on: unlocking the Charter's full potential" which is online available in <a href="#">EN</a> , <a href="#">FR</a> and <a href="#">DE</a> . The agency also collects information and data in the context of <a href="#">consultations</a> .
	The Code of Conduct of Europol, including the 5 Europol Values of Service, Integrity, Accountability, Initiative and Teamwork, are directly inspired by the key principles of the Charter of Fundamental Rights of the European Union, setting clear standards of expected behaviour for individual conduct, towards colleagues at Europol and the organisation, as well to the general public (e.g. fairness, diversity, respect for others, including zero tolerance to discriminatory behaviour). Revision of the Code of Conduct aiming at involving more staff members and raising awareness on the Charter activities is foreseen.
<b>EUROPOL</b>	The <b>Code of Conduct of Europol, including the 5 Europol Values of Service</b> , Integrity, Accountability, Initiative and Teamwork, are directly inspired by the key principles of the Charter of Fundamental Rights of the European Union, setting clear standards of expected behaviour for individual conduct, towards colleagues at Europol and the organisation, as well to the general public (e.g. fairness, diversity, respect for others, including zero tolerance to

	discriminatory behaviour). <b>Revision of the Code of Conduct aiming at involving more staff members and raising awareness</b> on the Charter activities is foreseen.
	On data protection: <ul style="list-style-type: none"> <li>Information to the public on the processing activities of Europol and the means available for the exercise of the rights of data subjects (article 28(2)ER) - <a href="https://www.europol.europa.eu/DPF/index.html">https://www.europol.europa.eu/DPF/index.html</a></li> <li>Europol Data Protection Experts Network (EDEN) Platform – dedicated Europol Platform for Experts on data protection matters which has, as a sub-group a network of Law Enforcement DPOs (EDEN LE DPOs) that also aims at dealing with compliance issues vis-à-vis the regime of shared responsibilities of Europol and MS as regards the processing of data</li> </ul>

### EXTERNAL AWARENESS

<b>Eu-LISA</b>	<b>Creating awareness among external and internal stakeholders is most efficient through joint actions</b> , which should be undertaken and coordinate by the s.c. lead-Agency. Like this there is the additional element of collaboration and also enlarged reach.
<b>EIGE</b>	EIGE undertakes <b>country visits where it organises specific events for administration, civil society and academia</b> . During the visit EIGE aims at raising awareness both of officials and general public on situation of gender equality in particular country and the EU <b>Capacity building for EU-presidencies: Carried out before the start of a respective presidency</b> of the Council of the EU. The exercise consists of an information/awareness raising session on Gender Mainstreaming into different policy areas. It targets civil servants working with EU Presidency
<b>EASO</b>	The Charter of Fundamental Rights is <b>mainstreamed in almost all the EASO Training Curriculum modules</b> , where the relevant rights are being referenced under parts related to the legal framework. The EASO training curriculum modules target mainly asylum and reception officials and is used in national and operational trainings. In particular, the <b>'Fundamental Rights and International Protection in the EU' module focuses on fundamental rights in the context of the asylum procedure, having the EU Charter of Fundamental Rights at its core</b> . The relevant provisions of the Charter are introduced and explained to participants in the framework of the consecutive phases of the asylum and reception processes. This module targets practitioners in the asylum process and reception area, both experienced and newly recruited. It can also be beneficial to border guards and policy makers. It has been developed in close cooperation between EASO, FRA, and FRONTEX and is available for the common use of these agencies. It follows a blended learning approach comprised of approximately 25-30 hours of online studies and 2 days of face-to-face session or webinar in a group of up to 20 participants facilitated by two trainers. During 2019, one Train-the-Trainer session was organised on this module, with the participation of 18 asylum officials, coming from Greece, Turkey, Czech Republic, Croatia and Cyprus. Following the train-the-trainer approach, the participants who successfully completed this training can deliver training sessions in their national context. <b>Training in view of deployments to operations:</b> During the second semester of 2019, the <b>video developed by FRA for EASO and FRONTEX</b> deployed experts in the hotspots has been incorporated in all face-to-face operational inductions sessions, delivered to deployed experts and EASO interim staff

	<p>in the Agency's operations in Greece and Cyprus. At the end of 2019, this video was added to the online induction course created for the abovementioned target group deployed in Greece and later on, during 2020, to the online induction course created for Cyprus.</p> <p>Remark: The use of this video has been welcomed by the participants, as it highlights the main rights of the Charter, relevant to the tasks of this target group, using examples and offering guidance to the deployed experts.</p> <p><b>EASO Case Law Database:</b> To serve as a point of reference for European and national case law related to the CEAS. It is regularly updated and also aims to <b>reach out to a wide range of stakeholders (primarily researchers, academia)</b> in order to inspire further research. Becoming the reference of jurisprudential developments for EASO products.</p> <p><b>Professional development of members of courts and tribunals:</b> Developing professional development materials specifically tailored to the needs of members of courts and tribunals. These materials (<b>Professional Development Series</b>) <b>serve as reference material for the delivery of professional development workshops to this audience.</b> Fundamental rights and the role of the Charter for implementation of the CEAS are analysed and discussed in the materials and judicial training activities. Ongoing process. Publications are regularly reviewed and if necessary, updated. Professional development workshops or webinars are organised throughout the year (around 16 activities per year).</p>
<b>CEPOL</b>	<p>While deploying trainings in the former, current and future <b>capacity building projects in non-EU countries</b>, <b>CEPOL addresses the fundamental rights as cross cutting issue for a mix law enforcement and judiciary audience.</b></p> <p>Moreover, it intends to target more in detail the role of fundamental rights in some of its specific project components.</p>
<b>FRONTEX</b>	<p><b>Trainings addressed to Fundamental Rights for operational officers</b> (EU MS and TCs) and embedded in general training curricula.</p> <p><b>Research and FR papers</b> on thematic topics (vulnerable groups, rights of the child, THB, gender)</p>
<b>FRA</b>	<p>Maintenance and <b>further development (in 2020) of Chaterpedia</b> as an online one-stop-shop serving all interested stakeholders from legal practitioners to legal professionals.</p> <p><b>In 2019 various videoclips were developed to raise awareness about the Charter</b> amongst the interested public. The main videoclip is available <a href="#">here</a> and can be used by all agencies in all relevant contexts (link on their website, use at conferences and trainings etc).</p> <p>In 2019 a <b>conference for the 10th anniversary</b> was co-organised with the <b>European Commission and the Finnish Presidency</b>. It attracted a lot of attention. The interventions by the speakers, including a lecture by the President of the CJEU President about the Charter can be accessed <a href="#">here</a>.</p> <p>End of 2020, on <b>3 December at 10.30 a.m. FRA will bring together COM Vice-President Jourova, President Lenaerts and FRA Director O'Flaherty to discuss the future of the Charter</b> in an online exchange. This will also allow to discuss the Commission's upcoming Charter strategy to be launched on 24.11.2020.</p> <p><b>Information on the use of the Charter in all MS is provided in Charter fact sheets in the national languages.</b> JHA agencies can use factsheets as they see for. See for <a href="#">Netherlands</a> (Eurojust, Europol), <a href="#">Poland</a> (Frontex), <a href="#">Hungary</a> (Cepol), <a href="#">Lithuania</a> (EIGE), <a href="#">Estonia</a> (eu-LISA), <a href="#">Portugal</a> (EMCDDA), <a href="#">Malta</a> (EASO) the links provided.</p> <p>Dedicated FRA <b>Charter trainings for practitioners</b>, NHRIs, EU Presidencies contribute to more Charter awareness.</p>
<b>EUROPOL</b>	<p><b>Europol Guest Officers (GOs) receive specific training from our Data Protection Office</b>, and this is revised on an ongoing basis.</p> <p>During this training:</p> <ul style="list-style-type: none"> <li>GOs are instructed on the main Data Protection concerns with handling data especially related to vulnerable individuals.</li> </ul>

	<ul style="list-style-type: none"> <li>• These points are now additionally stressed during another session on information handling which is dealt with by operational staff at Europol (Operational Aspects of Deployment).</li> <li>• Additionally, sufficient justifications for referrals are now constantly assessed by Europol's staff who are assigned to deal with the messages stemming from the migration hotspots;</li> </ul> <p>GOs training also cover the <b>topic of <i>Ethnic, religious and cultural aspects of deployments</i></b>. A member of the EU Fundamental Rights Agency will provide the presentation on this subject.</p> <p>Awareness is also constantly raised on these matters during the frequent monitoring missions that are carried out by members of the Europol Deployment Management Team (DMT O1-14) and by the respective Europol country coordinators in Italy and Greece.</p> <p>DPF awareness raising activities on <b>Data protection</b>:</p> <ul style="list-style-type: none"> <li>• DPF briefing – induction programme for newcomers</li> <li>• E-learning “Your data protection rescue guide”</li> <li>• Europol Analysis System (EAS) training provided to senior analysts and analysts</li> <li>• EDEN conference</li> <li>• Workshops on data retentions organised in 2019</li> <li>• Europol DPO participated in the European Institute for Public Administration certification course for DPOs.</li> </ul>
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Vienna, 25.09.2020