



XXII FUNDAMENTAL RIGHTS OFFICER REPORT TO MANAGEMENT BOARD

Reporting period: (February 2018 - January 2019)

1. Joint Operations
2. Return Operations
3. Capacity Building Activities
4. Cooperation with the Consultative Forum (CF)
5. Individual Complaints Mechanism (CM)
6. Relations with External Actors
7. Miscellaneous

1. JOINT OPERATIONS

Pursuant to Article 34 (1) of the European Border and Coast Guard Regulation (EBCG) 2016/1624, the European Border and Coast Guard has the obligation to guarantee the protection of fundamental rights in all its activities. The Regulation further foresees that the Fundamental Rights Officer (FRO) has a task of monitoring the Agency's compliance with fundamental rights and of promoting its respect (Article 72 (1)). For this purposes, FRO regularly reports to the Management Board, and as such contributes to the mechanism for monitoring fundamental rights. Furthermore, FRO's role as part of the monitoring mechanism includes, *inter alia*, to act as a coordinator for Serious Incidents that involve alleged violations of fundamental rights as set by Frontex Standard Operating Procedure on Serious Incident Reporting (SIR).² To this end, FRO is deemed to provide and assessment and follow up the information received on the SIRs provided by the Agency and Member States.

Serious Incidents Reporting (SIR)

During the reporting period, two SIRs related to fundamental rights issues were received by the FRO.

1. Two SIRs and related updates have been initiated due to a series of articles and reports issued in the second half of 2018 as well as by one participant to a Frontex operation who gained knowledge from one person about alleged push backs at the Greek/Turkish land border in the Evros region. Allegedly, the migrants were beaten as well as stripped of their clothes and belongings, then sent back to Turkey in boats across the river Evros. FRO is acting as coordinator of the SIRs and request for information was sent; the handling of the SIRs is ongoing. FRO informed ED as well as Media and Public Relations Office for awareness. FRO is in contact with Greece for respective follow up and cases are still open.

OPLANS & FRO Observations

Under Article 71(3) of the EBCG Regulation, FRO shall be consulted on the operational plans drawn up in accordance with Article 16, 17 and 28 and Article 33(4) of the Regulation.

a) OPLANS received:

- Operational Plan for the JO Vega Children 2018;
- Operational Plan of JO Coordination Points 2018 Sea;
- Operational Plan of JO Minerva 2018;
- Operational Plan of Hera 2018;
- Amended Operational Plan of Indalo 2018;

- Amended Operational Plan of Poseidon 2018;
- Amended Operational Plan of Themis 2018;
- Operational Plan FOAR-Flexible Operational Activities in Return 2019;
- Operational Plan JO Coordination Points Air 2019;
- Operational Plan JO Focal Points Air 2019;
- Operational Plan JO Flexible Operational Activities 2019 Land;
- Operational Plan JO Focal Points 2019 Land;
- Operational Plan JO Indalo 2019;
- Operational Plan JO Poseidon 2019;
- Operational Plan JO Themis 2019.

b) Observations by FRO provided to OPLANs for 2019/2020 operational activities:

- Operational Plan of JO Minerva 2018;
- Operational Plan of JO Hera 2018;
- Amendment of the Operational Plan of FOAR 2018;
- Operational Plan JO Vega Children 2018.
- FRO revised the amended OPLANs of Indalo, Poseidon and Themis, no additional observations were needed

FERs & FRO Observations

Pursuant to Article 26 of the EBCG Regulation, the Executive Director shall transmit detailed evaluation reports within 60 days following the end of the Agency's operational activities to the Management Board, together with the observations of the FRO. Hereby find below an overview of the FERs received as well as the FRO recommendations and observations provided to OPLANs and FERs.

a) FER JOs received:

- FER JO Focal Points 2017 Land;
- FER JO Flexible Operational Activities 2017 Land on border surveillance;
- FER JO Flexible Operational Activities 2017 Land on border checks;
- FER JO Pegasus 2017;
- FER Poseidon 2017;
- FER Indalo 2017;
- FER Triton 2017;
- FER of Reference Manual Pilot Project 2017;
- FER FOAR 2017;
- FER JO Minerva 2018;
- Draft FER of the JO Hera 2018;
- FER of the JO VEGA Children 2018.

b) Observations by FRO provided to Evaluations of JOs

- FER JO Triton 2017;
- FER Indalo 2017;
- FER JO FOAR 2017;
- FER JO Poseidon 2017;
- FER JO Minerva 2018;
- FER JO VEGA Children 2018.

Overview FRO FER Recommendations and Observations

- FRO identified fundamental rights aspects as relevant for the core activities of the Agency. In this context, FRO considers to focus on following aspects: referral mechanism, unaccompanied children, the need to enhance awareness on local fundamental rights situation in operational briefings, the need to step up the efforts on identification and prompt referral of potential victims of trafficking in human beings.
- In order to ensure the effectiveness of the referral mechanism, FRO considers that information on the number and profile of the vulnerabilities described specifically in the EBCG Regulation (UAMS, THB, asylum cases, etc.) are extremely important information to be collected during joint operations and subsequent subject to analysis and observations by FRO upon completion of an operation. This would allow to evaluate impact on fundamental rights of the operation based on comprehensive data collection and not limited only to external and scattered information. A FRO questionnaire was sent to all MS on the national referral procedures with the intention that respective information will be made available in FOSS as part of the Annexes to OPLANs.

The need for an effective measuring of the implementation of the referral mechanism was addressed to MS by FRO during the Evaluation meetings on operational activities, held in November 2018. The modalities and scope of data collection for this purpose will be further discussed during 2019 with MSs concerned.

Other support to Frontex operational activities

During the reporting period, FRO and the Team delivered presentations on fundamental rights as part of operational briefings for:

- General Briefing JO Focal Points Air 2018 Third Country Observers- 03.06.2018;
- Joint Operation Alexis Air 2018- briefing Third Country Observers - 26.04.2018;
- Familiarization of Indalo EU Coast Guard Functions Officers to Frontex HQ - 15.05.2018;
- Joint Operation VEGA Children 2018 - Briefing for deployed officers, airport representatives and International Organisation Experts- 29.05.2018;
- Familiarization of Themis EU Coast Guard Functions Officers to Frontex HQ - 04.06.2018;
- Briefing Meeting for Team Members to be deployed within the JO Focal Points 2018 Land and JO Coordination Points 2018 - 05.06.2018;
- Visit of Representatives of "Direction Générale de Migration" (DGM) Congo- 26.06.2018;
- JO Focal Points Air 2018 (I) General Briefing for Deployed Officers and airport representatives- 26.06.2018;
- JO Focal Points Air 2018 (II) General Briefing for Deployed Officers and airport representatives- 27.06.2018;
- JO Coordination Points Air 2018 General Briefing for Deployed Officers/EU Advisers and airport representatives- 28.06.2018;
- JO VEGA Children 2018 Briefing for deployed officers, airport representatives and International Organisation experts- 29.08.2018;
- Familiarization of a Frontex-Liaison Officer to NATO activity in the Aegean - 18.10.2018;
- Familiarization of Frontex operational activities - visit of the Gambian delegation - 10.10.2018;
- Briefing to Frontex Liaison Officers to MS and TCs on fundamental rights in Frontex activities- 13.11.2019;
- Workshop for Team Leaders of Debriefers - 27.11.2018;
- Workshop: Harmonization of procedures related to medical assistance in return operations- 28.11.2018;
- Combined 50th Meeting with Direct Contact Points in Return Matters & 9th Meeting with Pre-Return Activities Network;
- General Briefing JO Focal Points Land 2019 - 9.01.2019;
- Border Surveillance Officer - Maritime Operations course I/2019 - 16 .01.2019;
- General Briefing JO Focal Points Air 2019 - 23.01.2019;
- Additionally, FRO team delivered suggestions and recommendations for the Handbook to OPLANs-maritime operations.

In the context of Article 71 of the EBCG Regulation, two FRO team members undertook a mission to the Evros region, Greece, from 14-18.01.2019. The aim of the mission was to get familiar with operational activities during the JO Flexible Operational Activities 2018 Land on Border Surveillance as well as to monitor compliance with fundamental rights. The mission was partially combined with the visit of the Fundamental Rights Agency (FRA) in the area. FRO representatives met with the local Hellenic Authorities, LCC representatives, UNHCR, civil society and undertook visits to the pre-removal center in Fylakio and the detention center at the BCU in Soufli (Evros region).

ACTION POINTS

- *Follow up on the inclusion of Observations provided to OPlans.*
- *Ensure FRO Observations to FERS are uploaded to FOSS together with OPlans.*
- *Continue briefings to participants in Frontex operations for general awareness and specificities in the relevant operation for a solid understanding of fundamental rights aspects.*
- *Regular meetings FRO with ORD, including ECRET, on FR relevant issues and activities.*

2. RETURN OPERATIONS

Consultations on Return matters & Return interventions

In accordance with Articles 28 and 33 of the EBCG Regulation, the Agency shall provide the necessary assistance and, at the request of one or several participating Member States, ensure the coordination or the organisation of return operations and return interventions. The Agency shall perform return activities with respect for fundamental rights and general principles of Union law as well as for international law, including refugee protection and children's rights. FRO is also supporting the finalization of the Guide for readmission operations by sea.

In this context, FRO contributes to the establishment and selection of forced-return monitors for joint return operations. The selection procedure is organised by Pooled Resources Unit, following an open call addressed to relevant bodies in Member States. During the reporting period, FRO Team contributed to 7 selection procedures. FRO team members participated in a JRO from Germany to Gambia in December 2018.

FERs & FRO Observations

In compliance with Article 28(8) of the EBCG Regulation, FRO observations are annexed to the Executive Director's evaluation report are transmitted to the Management Board every six months, covering all return operations conducted in the previous semester. During the reporting period, FRO received 148 monitoring reports which also serve to provide concrete recommendations as well as to adjust training needs of those organising the implementation of return operations.

FRO presented the Observations to the return operations for the first half of 2018 to the MB in September 2018. The Observations include i.a., the recommendation to ensure sufficient number of female escorts to ensure gender balance, the need to carefully observe the privacy rights and media coverage in all return activities, the good practices observed on medical matters during flights (information and prompt reaction by doctors) but also the recurrent recommendation to ensure a fit-to-travel form for all returnees, or the recommendation to develop further guidance for the transport of families with small children.

FRO observations (first half 2018) were submitted to national monitoring bodies for information as well as encouraging them once more to provide monitoring reports for national returns as well.

Moreover, during the Meetings with Direct Contact Points in Return Matters and on the Pre-Return activities Network, FRO presented her observations to the return observations in 2018 (first half).

3. CAPACITY BUILDING ACTIVITIES

The FRO's role in supporting the Agency's initiatives in ensuring that all border guards and other relevant staff of the European Border and Coast Guard teams receive training in relevant Union and international law, including on fundamental rights and access to international protection falls under Article 36(2) of the EBCG Regulation. During the reporting period, FRO continued to actively contribute and support the Agency's activities in the field of capacity building as explained below.

FRO took part in meetings and workshops of the Forced-Return Monitoring II project.

The project is supporting the Agency to further establish the pool of forced-return monitors (Pool) in line with its Regulation. Furthermore, it will support Member States (MSs) in meeting their obligations under Art. 8(6) of the Return Directive, requiring them to provide for an effective forced return monitoring system.

- Workshop on Good Practices: Fundamental Rights Compliance in Forced-Return Operations; lessons learned meeting and ways to share experiences and good practices with regards to day-to-day deployment of monitors; coordination meeting between Frontex and ICMPD staff to finalize and fine-tune the document "Establishment of the Pool of Forced-Return Monitors within Frontex structures" prior to its adoption in the frame of the Forced-Return Monitoring Project III.

Extension of the EU funded FReM project on Forced-Return Monitoring started on 1 December 2018 for 30 months. A coordination meeting between FReM implementers (ICMPD), FRO a.i. and Frontex business entities took place on 7 and 8 January 2019 in Frontex HQ for programming purposes and in view of the future management of the pool within Frontex structures.

FRO delivered the fundamental rights module during the second training of the EBCG Maritime Border Surveillance Officer Training in Warsaw (March/September 2018, January 2019). The FR session included the general framework of fundamental rights obligations for the Agency and participants in its operational activities (inter alia, FRS, CoC, SIR and complaints mechanisms) as well as fundamental rights aspects of the Regulation 656/2014 on sea border surveillance operations coordinated by Frontex, followed by some practical examples of protection sensitive situation that surveillance officer could encounter at sea. Very active engagement and interesting Q&A session with participants concluded the session.

From 3 to 10 March 2018, FRO actively supported as an expert the Forced-Return Monitoring II (FreM II) 3rd Training course for Forced-Return Monitors, hosted by the Office of the Public Defender of Rights and the Czech Police. The training equipped participants with the overall competences to monitor and report on forced-return operations in an impartial manner.

FRO contributed to the Instrument for Pre-Accession Assistance (IPA II) First Regional Training for the forced return monitors from Western Balkans on 11-12 April 2018. The regional training was co-organized together with Frontex International and European Cooperation Division and ECRET, and mirrored the regular forced return monitoring training of Frontex. FRO delivered several sessions on fundamental rights and took active part in the practical exercises.

After the launching of the EU funded AFIC Project to develop the capacity of AFIC countries to work on joint intelligence analysis of crime in September 2017, FRO took part in the meeting of the Board to update on activities and plans of the Project. This project will focus on training experts and setting up AFIC Risk Analysis Cells (RACs).

On 11-12 June 2018, FRO and the Operational Officer from ECRET were invited to Athens as experts and members of the facilitation team to attend the Training for monitors - Fundamental Rights in Return and Readmission operations. As a result, the participants of the training are expected to have gained confidence in their ability to identify fundamental rights violations and report on them in the context of forced return and readmissions monitoring.

On 19 June 2018, FRO team members participated as observers to the 2nd High Level Round Table on Return organised at Frontex premises.

On 11 September 2018, FRO team actively participated in the preparation meeting of the Annual Negotiations 2019 with Cooperating Third Countries.

Cooperation with CBD/Training Unit

FRO Team contributed to the development of several **trainings and training materials** (CCC Basic & Mid-level, preventive profiling and Operational Training Aid 2019). For the CCC Basic level, the team reviewed and provided comments and suggestions for mainstreaming fundamental rights in the evaluation questionnaire. Depending on the needs, the team will attend a development meeting with TRU and experts from Member States to jointly review the material during the development week (21-25 January 2019).

For the CCC Mid-Level, the FRO team reviewed all the training materials in details, provided an introduction to the CCC Mid-Level Manual, extensive comments and suggestions and participated in the development meeting from 26th to 30th December 2018 to support this exercise.

For the training on preventive profiling, FRO team provided written comments and participated to the development training week from 17-21st December 2018.

FRO and the Team are continuously engaged in the **Induction trainings for new-comers**. Sessions were held during the reporting period on a monthly basis. The engagement in this activity is deemed as very important since the new Regulation has clearly stepped up the fundamental rights obligations of the European Border and Coast Guard. FRO team has jointly revised and reflected on the most efficient way to convey FR basic information and enhance the awareness of the Agency's staff on the matter, as the first step towards effective implementation of these obligations.

FRO welcomes the restart of the FR training for staff which concept was revised by FRO in 2018 and submitted to Human Resources.

4. COOPERATION WITH THE CONSULTATIVE FORUM (CF)

During the reporting period, a member of the Forum delivered a presentation on **gender mainstreaming in Frontex activities** to the management of the Agency. The presentation reflected upon the following ten **recommendations** shared with Frontex Executive Director in December 2017:

- 1) Integrate gender into the Frontex Fundamental Rights Strategy and Action Plan
- 2) Adopt a Gender Equality Policy
- 3) Perform a participatory gender audit or peer review and monitor institutional gender equality progress on a regular basis

- 4) Develop and enhance general gender awareness and specific gender expertise among Frontex staff
- 5) Collect data and disseminate statistics disaggregated by sex and in a way that contributes to identifying gender-specific needs
- 6) Adapt and develop gender-sensitive procedures, guidelines and tools
- 7) Integrate gender as a cross-cutting issue into all monitoring and evaluation activities and reports
- 8) Establish and maintain partnerships and collaboration with key actors relevant to gender mainstreaming
- 9) Actively promote gender equality and gender mainstreaming when cooperating with Member States and third countries
- 10) Ensure that all visibility material and communications are gender-sensitive and publish items that highlight specific gender-related topics.

FRO welcomes the interest of the CF and Frontex in jointly addressing the enhancement of gender mainstreaming in Frontex. FRO has incorporated the matter in the draft Fundamental Rights Strategy (FRS) for further discussion by relevant stakeholders.

On 16-17 May 2018, FRO presented her regular report in the framework of the **16th CF meeting**. The Forum expressed concern regarding the limited number of SIRs directly reported by officers on alleged fundamental rights violations for over a year. Several member organisations have presented at the EU borders where, according to their reports, fundamental rights violations are occurring. Furthermore, the CF welcomed FRO proposal to include fundamental rights related indicators in Frontex Operational Plans and inquired about the revision of the Fundamental Rights Strategy as it is a core part of their mandate (Article 70 (3) EBCG Regulation). Following a request for information, FRO shared "FRO report on Complaints Mechanism to Frontex Executive Director and Management Board" on 23 May.

Child protection and safeguards in Frontex activities was discussed during a meeting with representatives from Save the Children - the new CF member with specific expertise in child protection and safeguarding - on 21 September. The meeting served as an introductory meeting to welcome Save the Children but most importantly it aimed at getting an idea of the work and capacity of Frontex in child safeguarding and link it to the mandate of Frontex and relevant strategies. Participants agreed there is a need to ensure a more systematic consideration of child protection in border management and strengthen referral mechanisms for children at the borders. In this regard, Frontex can play a crucial role in building trust with national authorities and setting standards with regards to child safeguarding in cooperation with relevant actors.

The **17th CF meeting** took place on 17-18 October. Due to an extended sick leave, the Fundamental Rights Officer was absent during the meeting and therefore could not provide her regular reporting to the CF members. With regards to the revision of the 2011 Fundamental Rights Strategy (FRS), CF members consider of utmost importance that Frontex takes forward the revision of the FRS in the most proactive way and continue the work carried out by the FRO.

On 12 December, the Consultative Forum submitted to Frontex Executive Director and Chair of the Management Board a **recommendation on "Statelessness in the activities of the European Border and Coast Guard Agency"**. FRO stands ready to support actions in the context of this matter.

5. INDIVIDUAL COMPLAINTS MECHANISM (CM)

As required by Article 72(9) and referred to in recital (50) of the EBCG Regulation, FRO is responsible for handling complaints in writing received by the Agency from individuals directly affected by activities of the Agency or their representatives. FRO is in charge of performing an admissibility check and referring the admissible complaints for follow up and findings to the relevant MS authorities and the Agency's Executive Director, as applicable.

During the reporting period, FRO has received eight (8) complaints out of which three (3) admissible complaints have been forwarded to the relevant MS authorities and the Executive Director. In relation to complaints declared inadmissible, FRO responds individually, and provides information on other remedies available, when known, in case complainants wish to address their complaints or concerns to other institutions or authorities, in accordance to the principle of good administration.

The FRO received three (3) requests regarding Access to Documents (PAD) under Regulation (EC) No 1049/2001 on access to public documents. The requests were related to the individual complaints received by Frontex since the entry into force of the complaints mechanism on 6 October 2016. According to Article 4(4) of the aforementioned Regulation^[1], the FRO Office contacted Member States involved in the complaints to assess disclosure of the documents and indicate the reasons, if any, for which Frontex should not disclose the documents justified under the specific exceptions the Regulation 1049/2001 provides.

The FRO further developed and disseminated information materials to raise awareness about the existence of the complaints mechanism. As mentioned in the previous report, the FRO is glad to inform that there are complaint forms and materials about the complaints mechanism already available in eleven (11) languages: English, French, Arabic, Urdu, Pashtu, Tigrinya, Albanian, Serbian, Russian, Farsi and Spanish. In addition to the booklet explaining the complaints mechanism, the FRO and communication team designed a poster on the complaints mechanism for display. Both materials have been distributed in operational areas and are also available on the Agency's website. The printable versions are uploaded in FOSS and FAR to be at hand for all deployed officers. Furthermore, the FRO has been working on a video about the complaints mechanism for the general public to be informed. The video is meant to be translated into several languages and to be available in operational areas where potential complainants can see it. Also, as part of the awareness raising campaign, the FRO has started to consider the development of complaints materials for children which will be further enhanced in the year 2019. Further discussions about dissemination plan and awareness raising actions are being developed. The FRO has finalised a recorded seminar on the complaints mechanism for deployed officers of the Agency. The videos are part of the training materials for Frontex staff, to be stored in FOSS, FAR and used in pre-deployment briefings.

FRO complaints also strives to have an online system for submission of complaints directly from mobile devices and is working on its development in cooperation with the ICT unit.

As mentioned in the previous report, the FRO team performed two rounds of revisions of the current Rules of the Complaints Mechanism. In June 2018 the FRO presented a note to the Executive Management to raise the main concerns and questions in favour of evaluating the mechanism towards the revision of the CM rules. The FRO held a meeting in September 2018 with the Legal and Procurement Unit (LPU) and representatives of the Agency's Cabinet. The Executive Management concluded that the Rules adopted on 6 October 2016 will remain unchanged with the CM undergoing yearly evaluations and that guidelines to enhance the procedures of the complaints mechanism as per Article 17 of the CM rules should be drafted. The FRO expressed her concerns in relation to this decision.

In line with the Agency Regulation, (50) and article 72(9), the FRO submitted the Report on the Complaints Mechanism from 6 October 2016 until 31 December 2017, as information to the Agency's Annual Report. The Report contains in particular the number of complaints the FRO has received, the types of fundamental rights violations involved, the operations concerned and the follow-up measures taken by the Agency and Member States.

ACTION POINTS

- *Follow up on the distribution of information/awareness material including video currently produced by Frontex and recorded seminar for deployed officers.*
- *Follow up on the training material for the CM and ensure relevant information on CM is provided during the operational briefings and other training activities.*
- *Follow up on the online system for submission of complaints via smartphones.*
- *Follow up on the guidelines on the rules of procedures regarding the CM.*

6. RELATIONS WITH EXTERNAL ACTORS

During the visit of the UN Special Rapporteur on Trafficking in Persons on 26 March 2018, FRO recalled that Fundamental Rights are an integral part of integrated border management and mentioned the importance of having female staff to fight THB as a cross border crime and a fundamental rights violation prohibited by the EU Charter. She provided details about the role of the FRO according to the Regulation and role of the CF. Concerning the Fundamental Rights Strategy, highlights were put on the desire to include more safeguards (identification, referral) for THB victims. She also mentioned that the Regulation comprises fundamental rights safeguards for THB victims, the responsibility

^[1] Regulation (EC) No 1049/2001, Article 4(4): "as regards third-party documents, the institution shall consult the third party with a view to assessing whether an exception in paragraph 1 or 2 is applicable, unless it is clear that the document shall or shall not be disclosed".

of border guards to refer to national authorities and the importance and difficulty to identify. There is a need to further work on identification, there is an obligation in the OPLANs to refer. Finally she provided an explanation about the functioning of the Complaints mechanism and difference with SIRs.

From **8 to 10 April 2018**, FRO was invited by the European Union Agency for Fundamental Rights (FRA) and European Commission (EC) representative to a two-day discussions/interviews on the fundamental rights issues at the European Union Regional Task Force (EURTF) office in Catania.

On **7 May 2018**, FRO accompanied the Head of Sector Asylum, Migration and Borders Freedoms and Justice Department of the European Union Agency for Fundamental Rights, during his visit to Frontex focused on the development of the IBM Strategy and return matters.

On **8 May 2018**, FRO provided an overview of fundamental rights matters in Frontex during the visit of a member of the International Protection Appeals Tribunal from Ireland to Frontex. The purpose of the visit was to exchange programme of European Judicial Training Network EJTN. FRO delivered a presentation on practical aspects of fundamental rights in Frontex activities, access to asylum and the complaints mechanism.

On **30 May 2018**, FRO provided a presentation via Skype for the participants of the workshop on the situational picture of migratory flows in the Mediterranean, organised in Alicante, Spain.

On **12 October 2018**, FRO team member delivered a speech at the AMIF Conference “The National Guarantor and the protection of fundamental rights in forced return operations: a survey over two years of monitoring activities”.

On **26 November 2018**, FRO team member presented as speaker to the international conference on “Monitoring returns- strengthening fundamental rights”, Athens. The conference was organized by the Greek Ombudsman Office, with the support of the Asylum, Migration and Integration Fund (AMIF).

On **14 December 2018**, FRO team member provided a presentation on “Conditions for action and good practices” during the IPCAN Seminar on the Police conduct of law enforcement services in their relationships with migrants in Europe, Paris.

On **8 Jan 2019**, FRO organised a Video Conference with the UNHCR office in Athens regarding FRO role and the migrant situation in Greece and activities.

FRO supports ETIAS meetings and attended the High Level Seminar held on 21 January 2019 in Fronte HQ.

ACTION POINTS

- *Careful selection of external activities continues to be applied by FRO when considering external engagements, which are only undertaken when focused on fundamental rights and border management activities.*

7. MISCELLANEOUS

Staffing:

In Nov. MB 2018, the MB adopted a Decision to assign a Frontex Staff with senior experience as an FRO a.i. during the absence of FRO. The assignment started on 6 November 2018. Given the fact that the current level of requests from the business entities and external partners is exceeding the capacities of FRO and the team by all means, adequate staffing has been requested in 2018 and the Executive Management assured the enhancement of FRO office in the mid and long term perspective. In this respect, FRO is in the process of consultations with the Executive Management for the allocation of posts to fill these gaps.

Consultancies:

A consultant expert on child protection has been recruited by FRO a.i. in November 2018 for a short term period. Her role is to support the FRO in ensuring utmost compliance with the best interest of the child in the Agency through the submission of a report including recommendations to also feed into the general Action Plan of the Fundamental Rights Strategy. The FRO team has regularly provided feedback to the consultant, both in the form of written suggestions and orally during her visit to Frontex on 11-12 December 2018 by which the expert had the opportunity to meet with business entities to contribute to her work.

The consultancy for the Consultative Forum evaluation is under development. In January, the contractor will be selected according to internal evaluation to start the assessment of the work of the CF with a contract duration of 3 ½ months. The Terms of References have been consulted with the MB Chair and the Executive Management.

Implementation of the Fundamental Rights Strategy

A first draft of the FRS was submitted by FRO to the executive management at the end of 2017. Further development is under consideration also in view of aligning with the IBM strategy. The FRO is looking forward to supporting the managers in case further technical, internal and/or external consultations are launched that would enhance the applicability of the strategy and its implementation for the Agency.

Implementation of ETIAS

Regulation (EU) 2018/1240 establishing a European Travel Information and Authorisation System (ETIAS) entered into force on October 9, 2018. The ETIAS is expected to go live in 2021. As per Art.10 of this Regulation, the Fundamental Rights Office is expected to play a role in the establishment and the functioning of the ETIAS Fundamental Rights Guidance Board. FRO will continue to attend respective meetings regarding the set-up of the system and provide advice in its areas of expertise.

Upcoming activities

- 08 February: Annual strategic meeting with UNHCR, Frontex premises;
- 12 February: 1st FReM project steering group meeting, Vienna;
- 20-22 February: 20th Anniversary of the Greek Ombudsman, Athens;
- 11-12 March: 18th Consultative Forum meeting;
- 18-22 March 2019, Norway: 1st training for forced-return monitors from Member States under FReM project.



