The focus and timing of activities will be adapted in response to the Agency’s progress in the implementation of the Regulation (EU) 2019/1896 of the European Parliament and of the Council of 13 November 2019 on the European Border and Coast Guard and repealing Regulations (EU) No 1052/2013 and (EU) 2016/1624 (hereinafter “Frontex Regulation”) as well as the evolution of the COVID19 pandemic.
The Frontex Consultative Forum on Fundamental Rights brings together key European agencies, international and civil society organisations that are concerned with the fundamental rights of migrants and refugees.

In its current composition, the Consultative Forum is composed of representatives from:

- Amnesty International European Institutions Office (AIEIO),
- Churches’ Commission for Migrants in Europe (CCME),
- Council of Europe (CoE),
- European Asylum Support Office (EASO),
- European Union Agency for Fundamental Rights (FRA),
- International Commission of Jurists (ICJ),
- International Organization for Migration (IOM),
- Jesuit Refugee Service Europe (JRS Europe),
- Office of the High Commissioner for Human Rights (UN Human Rights - OHCHR),
- Organisation for Security and Co-operation in Europe, Office for Democratic Institutions and Human Rights (OSCE/ODIHR),
- Red Cross EU Office,
- Save the Children,
- United Nations High Commissioner for Refugees (UNHCR).

These organisations contribute their work on a voluntary basis in accordance with the principles of independence, transparency, mutual respect, informed participation and collegiality.
I. **Introduction**

In accordance with Article 108 of the Frontex Regulation, the role of the Consultative Forum is to assist the Agency “by providing independent advice in fundamental rights matters”. To this effect, the Consultative Forum may be consulted on any matter related to fundamental rights. It shall be consulted “on the further development and implementation of the fundamental rights strategy, on the functioning of the complaints mechanism, on codes of conduct and on the common core curricula”.

For the purpose of performing these duties, and in line with Article 108(2) of the Frontex Regulation:

> “The Consultative Forum shall, after consulting the Management Board and the Executive Director, define its working methods and set up its work programme.”

With the adoption of its Programme of Work, the Consultative Forum outlines the activities it intends to undertake in order to better ensure knowledge within the Agency of key fundamental rights aspects of Frontex activities and to suggest methods for better promoting their effective respect in the Agency’s work. In the present Programme of Work, the Consultative Forum sets out its priorities for 2021.

The Programme of Work reflects the priorities and activities of the Consultative Forum jointly identified with Frontex and its Management Board. The Consultative Forum, however, also remains available for *ad-hoc* consultation by the Executive Director of Frontex and the Frontex Management Board in line with emerging needs. In the implementation of this Programme of Work, the Consultative Forum will continue working together with, and supporting, the Frontex Fundamental Rights Officer and the team, while ensuring complementarity with the Fundamental Rights Officer’s mandate and activities.
The priorities of the Consultative Forum in 2021 are:

A. Implementation of EU Regulation 2019/1896 with regard to its fundamental rights stipulations.
B. Gaining a detailed overview of the fundamental Rights implications of Frontex operational and return activities.
C. Analysing and advising on the fundamental Rights implications of Frontex engagement with third countries/international cooperation.
D. Providing support in the establishment of capacity-building and quality review mechanisms with regard to fundamental Rights in Frontex training activities.

UN Human Rights OHCHR offered support to the Consultative Forum and a consultant was hired from November 2020 until November 2021. OHCHR has a project in place in the context of the Universal Periodic Review (UPR), which seeks to advance the implementation of UPR recommendations relating to integrated border management in those EU Member States that accepted the UPR recommendations. The consultant will be supervised by the co-chairs and will support the Consultative Forum as part of this UPR project.

All activities and recommendations of the Consultative Forum will fully respect the right to protection of personal data.

II. Priorities and activities

Priority A: Implementation of EU Regulation 2019/1896 with regard to its fundamental rights stipulations.

In line with its mandate, and building on the priorities that the Consultative Forum outlined in 2020, the Consultative Forum will continue offering its support to the Agency in relation to the implementation of the Frontex Regulation.

Activity A.1: Advise on the recruitment of a Frontex Fundamental Rights Officer and Deputy Fundamental Rights Officer
**Output:** In line with the Frontex Regulation, the Consultative Forum will offer its expertise in the recruitment of the Fundamental Rights Officer and Deputy Fundamental Rights Officer. The Consultative Forum will also offer its support to the new team in relation to the establishment and functioning of an independent Fundamental Rights Office including the Fundamental Rights Monitors within Frontex.

Activity A.2: Advise on key fundamental rights policies and processes

**Output:** Advice on the Agency’s policies and processes with an impact on fundamental rights including the Action Plan for the implementation of the Frontex Fundamental Rights Strategy, the procedure on Due Diligence, the Supervisory Mechanism and the Rules to guarantee the independence of the Fundamental Rights Officer and her staff.

Activity A.3: Establishment of an effective system to monitor, investigate and address potential fundamental rights violations

**Output:** Advice on the revision of existing and the development of new mechanisms to monitor, investigate and address fundamental rights violations in Frontex activities including, but not restricted to the Serious Incident Reporting, Complaints Mechanism and rules for the implementation of the Fundamental Rights Officer’s responsibility to investigate.

**Output:** Support to the establishment of the Frontex Fundamental rights monitors.

Activity A.4: Enhance the capacity of the Consultative Forum on Fundamental Rights to advise on human rights-compliant policies by Frontex as a follow up to UPR recommendations relating to integrated border management which were accepted by EU Member States

**Output:** Increase awareness of UPR recommendations addressed to EU Member States relating to integrated border management and to the human rights of migrants.

Priority B: Gaining a detailed overview of the fundamental rights implications of Frontex operational and return activities.

Activity B.1: Consultative Forum visit to a Frontex operational activity
**Output:** If the situation allows, the Consultative Forum would request to visit a Frontex operational activity followed by a focus group discussion on findings with Frontex and Management Board Representatives.

**Activity B.2: Fundamental rights Implications of Frontex return activities**

**Output:** Ongoing advice and organisation of focus group meetings with the European Centre for Returns to discuss progress in the implementation of the Consultative Forum recommendation on return and the development of Frontex new mandate areas, including voluntary returns and pre- and post-return activities.

**Activity B.3: Observing the governance of the pool of forced return monitors, which will move from ICMPD to Frontex**

**Output:** Advice to FRO and ECRET on the pool’s governance with the ultimate objective of increasing the monitoring of forced return operations.

**Priority C: Analysing and advising on the fundamental rights implications of Frontex engagement with third countries/ international cooperation.**

**Activity C.1: Continue advising Frontex on cooperation with third countries**

**Output:** Advice on anchoring provisions of the Consultative Forum recommendation on third country cooperation into Frontex work.

**Priority D: Providing expertise in the establishment of capacity-building and quality review mechanisms with regard to fundamental rights in Frontex training activities.**

**Output:** Advice on the establishment of a Training Quality Assurance System and fundamental rights components in the development and delivery of all Frontex training activities.