

Final Report of the  
Advisory Panel of  
The FRA's Fundamental Rights Platform  
(2012-2014)

February 2014

## Acknowledgements

The AP would also like to take this **opportunity to thank** the FRA staff for their ongoing support to the AP over the term of office. The quality of the meetings for example, is testimony to the engagement of the staff with the FRA. We would also like to acknowledge the engagement by FRP members and their generosity in sharing knowledge, insights and resources, to support the work not only of the AP but the wider FRP.

## Summary<sup>1</sup>

### 1 Overview and purpose of the document

The report presents an overview of activities, highlighting key decisions, achievements and reflections during the term of this Advisory Panel. At its commencement, the current Advisory Panel indicated a hope that it would be able to build on the foundations that had been set by the previous panel, contributing to the AP and the FRP into the longer term through enhancing participation. As well as presenting on activities, the report provides also a space to document learning from the current AP that might inform the development and implementation of future APs and their support through the FRA.

### 2 Summary of key activities

A number of activities have been developed and implemented by the AP, including through the support of the FRA. The AP's main role is to provide advice to the FRA Director on the good functioning of the FRP, including on the FRP annual conference. The AP members have been involved in other activities to both prepare for and enhance meetings, communications, consultations and conferences.

### 3 Learning and reflection (recommendations)

The AP worked well as a team, facilitated through effective communications and meetings. The process of preparing for meetings for example and engagement of both members and FRA staff, were key to enabling effective meetings. Opportunities to create good working relationships and understanding between AP members including meetings, methodology employed in meetings and informal spaces, such as a dinner for AP members with the FRA director and staff members which, while informal, was organized in a way that facilitated discussion on e.g. European policy context, fundamental rights, work activities and hopes for the role. Having developed a body of work and enhanced engagement with civil society organisations, there is an opportunity to better link with the FRA structures, including the MB. A number of proposals could be developed to support this. FRA for example might consider organising a meeting with all FRA structures/representatives, which can facilitate information sharing and cross-structural learning and communication. This can enable more coordinated evaluation and quality, evidence-based, recommendations for ongoing improvement of activities and processes.

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<sup>1</sup> The reports of Advisory Panel meetings and of FRP meetings are available online at <http://fra.europa.eu/en/cooperation/civil-society>. More information about the AP members can also be found at this link.

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## Section 1: Introduction

This report was created in accordance with the Terms of Reference (ToR), which foresee an activity report to the Director and the FRP at the end of the AP term. This report will be presented in May 2014 to the EU FRA Management Board. The report presents an overview of activities, highlighting key decisions and reflections.

At the commencement of its term of office, the current Advisory Panel indicated a hope that it would be able to build on the foundations that had been set by the previous panel, contributing to the AP and the FRP into the longer term through enhancing participation. As well as presenting on activities, the report provides a space also to document learning from the current AP that might also inform the development and implementation of future APs and their support through the FRA.

Section two provides information about the AP including its role, election process and membership. Section three presents an overview of the key activities of the AP 2012-2014. Section four provides the space for reflection on processes, methodology and key learning. The objective is to provide future APs and other FRA structures suggestions for further strengthening of the work of the AP structure.

## Section 2: About the Advisory Panel: role, membership, elections.

### 2.1 Role of the Advisory Panel

According to the Terms of Reference (ToR) the Advisory Panel (AP) is “a tool in aiding the good functioning of the FRP, suggesting, where necessary, adjustments and improvements to processes and procedures, thus facilitating support to the work of the Director in organising and coordinating the FRP. The nature of the AP is consultative. It deals with procedural issues, not questions of content. The AP has no representative role on behalf of the FRP or the FRA. The AP advises the Director.”

### 2.2 Election and appointments

The third Advisory Panel (AP) of the Fundamental Rights Platform was elected in April 2012 by all the FRP organisations present in the 6th Fundamental Rights Platform meeting. According to the AP [Terms of Reference](#), the Director also appointed three members. The process of selection of new appointees, being the decision of the Director, was informed by a skills audit.

## 2.3 Membership

The Advisory Panel 2012-2014 is composed of the following representatives:

Elected members:

- Ms Dominika Bychawska-Siniarska - Helsinki Foundation for Human Rights
- Ms Jamie Bolling - European Network on Independent Living (ENIL)
- Roger Kiska - Alliance Defending Freedom
- Allan Leas – European Council on Refugees and Exiles (ECRE)
- Catherine Lynch – ENAR Ireland (Irish Network Against Racism)
- Evelyne Paradis – International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA – Europe)

Members appointed by the FRA Director<sup>2</sup>.

- Elisabeta Kitanovic - Human Rights, Conference of European Churches (CEC)
- Klaus Lörcher - European Trade Union Confederation (ETUC)
- Sara Giménez – Gitano

Two members of the AP, Dominika Bychawska and Jamie Bolling, were elected for a second mandate, hence contributing to continuity in the AP.



**Photo:** Members of the Advisory Panel 2012-2014, FRA Director and staff members.

<sup>2</sup> The appointment of three AP members by the FRA Director is facilitated by the revised Terms of Reference for the Advisory Panel.

## 2.4 Functioning of the Advisory Panel

The AP members work through email exchanges, conference calls and in-person meetings. The AP 2012-2014 has met three times in Vienna (one meeting after the FRP meeting on April 20, 2012; a two-day meeting on November 19 - 20, 2012; and one meeting after the FRP meeting on April 26, 2013). There have also been several conference calls between AP members and FRA Secretariat over the term of this mandate. At the time of writing this report, a final meeting of the AP 2012-2014 was being planned just ahead of the 7<sup>th</sup> FRP meeting in April 2014.

## 2.5 Reporting

In accordance with the Terms of Reference, the AP presents an activity report to the Director and the FRP at the end of its term.

The AP was also invited to report to the FRA Management Board (MB). Dominika Bychawska, as one of the returning AP members, presented a brief summary of the AP work from 2010-2012 at the May 2012 meeting of the MB. Catherine Lynch gave the presentation on behalf of the FRP Advisory Panel to the MB in May 2013. This report focused on:

- (a) the results and suggestions from the 6<sup>th</sup> FRP meeting;
- (b) a mid-term assessment by the AP (including perception on the FRP and needs of FRP organisations);
- (c) the summary of the FRP input on the consultation on the Annual Work Programme 2015.

In 2013, the AP decided to use the time with the MB to provide a mid-term assessment of the needs of the FRP members which emerged at the FRP meeting, rather than discuss the outcomes of the Annual report and Annual Work Programme reports, which the MB already receives in writing.

The AP also used the 6<sup>th</sup> FRP meeting to have an exchange with FRP members during a “Floor is Yours” workshop, in particular on how to improve consultation processes with the FRP.

## Section 3: Report on activities of the Advisory Panel

Over its two-year mandate, the AP was consulted by the FRA on a variety of issues related to process and procedures. Members of the AP have been invited to provide input and advice on topics such as improving participation to FRA consultation processes, programme of the FRP meetings and strengthening engagement of FRP members with the FRA’s work. The AP has also put on its agenda a few points of discussion emerging from their own experiences and exchanges with other FRP members. These are the main issues considered by the AP 2012-2014, and the outcomes of these discussions:

## Composition of the Advisory Panel

One of the first tasks of the AP 2012-2014 was to provide advice on finalizing the revision of the AP Terms of Reference. The AP was consulted on proposed amendments for the terms of reference for the Advisory Panel, term of panel, voting procedure and the appointment by the Director of three Advisory Panel members. On this last point, the AP was invited to provide advice on the process of selection of new appointees by the FRA Director. The AP proposed to carry out a skills audit of the elected AP members to map out existing knowledge, expertise and experience in the AP, and to seek to appoint FRP members who would complement the AP. The AP developed and coordinated completion of a skills audit which was sent to the Director to inform his selection of three AP members.

### 3.2 Preparation of FRP meetings

An important function of the AP is to provide input and feedback on the organisation of the FRP annual meetings. In addition to providing feedback on the draft programme of the 6th and 7th FRP meetings, the AP also made suggestions on how to ensure that the annual FRP meetings are useful and relevant for FRP participants as well as the FRA. Here are some of the main suggestions made the AP in 2013-2014:

- There should be less time for speeches and more time for discussions in panel debates and interaction with the audience.
- Rules of engagement should be set at the beginning of the meeting.
- There should be an information session on the role of the FRA and cooperation possibilities and there should be more opportunities to meet FRA staff in a less formal environment. The presence of FRA staff should be at all the workshops.
- It is important to have some key policy makers attending (especially from European level) providing opportunities to CSOs to be heard.
- The FRP could use the YouTube channel with video recording instead of live streaming.
- There should be a space for FRP organisations to showcase projects and exchange information. Informal networking could take place before the start of the meeting.

With a view to ensuring variety and quality of workshops at the ‘Floor is Yours’, the AP recommended to develop guidelines for the events (e.g. how long an introduction should take; best practices can also be helpful for the presenter) and to ask presenters to make a self-evaluation. Priority should be given to workshops on cross-cutting issues, include innovative elements and/or are hosted in cooperation with other participants. Priority should be given also to new organisations that have never taken the opportunity to host a session. A “small report” of the results should be produced for each session for concrete impact. In 2013, AP members also joined the “harvesting team” of the FRA, and therefore contributed to the work of compiling the final FRP report.

### 3.3 Participation to FRA consultation processes

Another important issue for the AP during its mandate was the question of participation to FRA consultation processes. The AP considered the following questions:

- a) How can we make the consultation process more effective and useful, both for FRA and FRP organisations?
- b) What are the best ways and channels for civil society organisations to provide input to FRA's work?
- c) How can we further improve regular consultations on the FRA Annual Report and Annual Work Programme?

The AP originally proposed to carry out a consultation to elaborate more concrete recommendations but was unable to do so, in large part because of lack of time and resources. These questions were thus addressed at meetings and during conference calls. Members of the AP also used the opportunity of a workshop at the 6<sup>th</sup> FRP meeting to hear feedback from other FRP members. The AP made a few practical suggestions to improve FRA consultation processes, including: better planning of consultation periods and timely reminders or 'save the date' for FRP participants would help to reserve time for feedback; official letters could be sent to organisations requesting their input for a consultation as these are often taken more seriously than email invitations; commitment to publish their input online could be another incentive to take part in a consultation.

There were discussions on making participation in the consultations (e.g. on the Annual report and the Annual Work Programme) a condition for FRP organisations to put forward a candidate for the election of the AP. It was pointed out that it would be a problem for organisations like trade unions, whose main areas of activities is not included in the MAF of the agency and therefore are more likely to respond less to consultations. It was mentioned that this would be more of a punitive measure than an incentive to participation. Further discussion was considered needed before making a final suggestion.

### 3.4 Strengthening engagement with FRP members

An important issue for the AP over the two years was how to enhance the relevance and effectiveness of the engagement of the FRP in the FRA's work. Discussions held in the AP considered different aspects of cooperation, namely:

- (a) facilitate a better and meaningful contact between the FRA and FRP members;
- (b) cooperation between FRP members and
- (c) enhance engagement of the FRA and the national level civil society organisations.

In considering ways to strengthen cooperation between the FRA and FRP, a few concrete suggestions were made around involvement of FRP members in FRA's work, with a view of contributing to EU policy-making on fundamental rights. There was a proposal that the FRP organisations could present key fundamental rights priorities to the EU Presidencies at the beginning of each new mandate. There would need to be further discussions on how FRP members can make

better use of FRA reports for advocacy at both EU and member state level. It is to this end that a meeting between the Director and Brussels-based FRP civil society organisations (CSOs) working at both the European and international level took place on March 25, 2013 in Brussels. Moreover, it was considered important in AP discussions that a structured dialogue and joint action with the Conference of international NGOs at the Council of Europe (CoE) take place to endorse international recognition of the FRP. The role of Trade Unions as having a special role as a social partner was also emphasized.

In practical terms, the importance of involving FRP members in the early planning stage of FRA projects was stressed as important. In relation to encouraging more interaction amongst FRP members, the AP pointed to the role for the FRA in creating space to facilitate networking where connections as of yet do not exist. The e-FRP provides an important tool which can be used especially for 'cross cutting' issues (such as hate crimes). It was also suggested to consider practical ways to improve understanding of each other's issues within the FRP membership. A recommendation was made to conduct a survey with FRP organisations on what they would need from the FRP.

In looking at the engagement with national level CSOs, the AP considered the creation of national FRP groups and supported the idea for the FRA Director to meet with organisations at national level where and when possible. The AP also supported the idea of promoting the "Vienna Principles on the establishment of National Fundamental Rights Platforms". Such platforms could link the 28 civil societies to the EU level and, most importantly, create links to the national governmental structures, especially national parliaments (which, in turn, might be beneficial for the latter to exploit their "Lisbon potential" in the area of FR).

### 3.5 Election of the Advisory Panel

The AP had a few discussions around the process of election of the Advisory Panel. A first topic was the possibility of having online voting for the next AP elections. On one hand, it would allow for more participants to vote, namely those who have no means to be present at the annual meeting. On the other hand there are security concerns on the technical aspects. Furthermore, the annual meeting is the only time in the year FRP organisations come together and those participating demonstrate commitment towards the FRP, and it would lose the *momentum* if participants don't need to be present to vote. The possibility of allowing delegation of votes was also discussed and concerns were raised about the risk of this system, bringing difficulties in organising the elections. There was no agreement on this idea of January 2014 within the AP.

Another topic was the question of allowing organisations to put forward a candidate, after having put forward a candidate who became an AP member that reached the term of two mandates. The regulation does not prohibit that possibility. There were also discussions on making the responses to consultations mandatory for FRP organisations to a) put forward a candidate for the election of the AP and b) receive funding for the flight to participate in the FRP annual meeting. No consensus was reached on either topic and the AP considered that further discussion is needed.

## FRA expansion

The AP was kept informed about calls for membership to the FRP and about decisions made about new members. The AP was also consulted on the process implemented by the FRA in cases of rejection of membership applications.

## Section 4: Key learning and reflections

The AP would like to highlight a few key lessons in relation to the role and functioning of the FRP as a whole, as well as on the functioning of the AP itself.

### *About the Advisory Panel:*

- Meetings of the AP were useful, effective and very important for team/relationship building between AP members. It is very important for the FRA to ensure that there are two yearly in-person meetings of the AP. This is essential to the dynamics of the group and to ensure continuity of the work.
- The AP would like to highlight a few good practices which created good working relationships and understanding between AP members during meetings such as non-formal methodology and dinners/social gathering for AP members with the FRA director and staff members which, while informal, were organized in a way that facilitated discussion on e.g. European policy context, fundamental rights, work activities and hopes for the role.
- With regards to the Final Activity Report, it is important to keep regularly preparing it and to avoid waiting for the end of the term to write it, as elements of the work can be forgotten. It was suggested to carry out a mid-term evaluation which could be shared with the FRP members, the FRA and the MB.
- The effective functioning of the AP relies significantly on the FRA team to carry out its work and activities. The FRA team is key to the coordination and the continuity of the AP. This AP is extremely grateful for the support it has received from the FRA and calls on the Agency to ensure that the FRP is always properly resourced – both financially and with human resources – to carry out this work.

*About the FRP:*

Having developed a body of work and enhanced engagement with civil society organisations, there is an opportunity to better link with the FRA structures, including the MB. It is proposed that consideration be given to:

- Providing Observer status to an AP representative on the MB;
- FRA organising a meeting with all FRA structures/representatives, which can facilitate information sharing and cross-structural learning and communication. This can enable more coordinated evaluation and quality, evidence-based recommendations for ongoing improvement of activities and processes.
- Further ways to improve participation to the FRA consultation processes

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*Further information about the Fundamental Rights Platform and the Advisory Panel can be found on <http://fra.europa.eu/en/cooperation/civil-society>*