

MINUTES 42nd MB MEETING

Event:	42nd Management Board Meeting
Date:	25-26 May 2023
Place:	FRA, Schwarzenbergplatz 11, 1040 Vienna
Status:	Final
Participants:	
Members:	Jim Clarken (IE, Chairperson), Irena Ilieva (BG), Veronika Bilkova (CZ), Christoffer Badse (DK), Anne Peters (DE), Mart Susi (EE, item 1 of Day 1), Miltiadis Sarigiannidis (EL), Yolanda Gamarra (ES), Agnes Martinel (FR), Snježana Bagić (HR), Oreste Pollicino (IT), Katerina Kallitsioni (CY), Artūrs Kučs (LV), Lyra Jakulevičienė (LT), Noémie Sadler (LU), Balázs Gerencsér (HU), Giannino Caruana Demajo (MT), Rick Lawson (NL), Katarina Pabel (AT), Ines Ferreira Leite (PT), Csaba Ferenc Asztalos (RO), Katarina Vatovec (SI), Katarína Batková (SK), Tuomas Ojanen (FI), Per Bergling (SE), Philippe Boillat (CoE)
Representatives COM:	Ingrid Bellander Todino (DG JUST)
Director	Michael O’Flaherty
Operational services:	Andreas Accardo (Head of Institutional Cooperation and Networks Unit), Joanna Goodey (Head of Justice, Digital and Migration Unit), Siobhan McInerney-Lankford (Head of Equality, Roma & Social Rights Unit), Constantinos Manolopoulos (Head of Corporate Services Unit), Nicole Romain (Head of Communication and Events Unit), Adrianna Bochenek (Director’s Office), Francesco Saverio Liguori (Corporate Services), Luisa Lopez (Corporate Services), Sarah Strupp (Corporate Services), Elena Balzarini (Institutional Cooperation and Networks Unit), Alessia Salvaneschi (Institutional Cooperation and Networks Unit), Anastasija Naumova (Institutional Cooperation and Networks Unit)
Excused:	Nathalie Denies (BE), Marek Szydło (PL)
Alternates (<i>when Members are present</i>)/Observers/Guests/:	Paul Hafellner (DG JUST), Saša Gajn (OBS RS), Evis Alimehmeti (OBS AL); Daniele-Nicola Cangemi (OBS CoE), Carlien Scheele (OBS EIGE); Dora Kostakopoulou (OBS SC); Marta Dimauro (CSES, day 1), Jack Malan (CSES, day 1)

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1 Opening remarks and approval of the draft agenda, possible conflicts of interest

Main Conclusions:	
1.1	The Chairperson opened the 42nd MB meeting and welcomed all participants.
1.2	The Director introduced the new head of the Equality, Roma and Social Rights Unit, Siobhan McInerney-Lankford, to the Board.
1.3	The Chairperson asked the MB members about any conflict of interest pertaining to the agenda of the meeting. No conflict of interest was reported.
1.4	No comments were received on the draft agenda which was approved.
1.5	The Chairperson informed that the President of the European Parliament, Roberta Metsola, would visit the Agency on the day to meet with the Chair and the Director, and greet the MB.
Decision:	A. The agenda of the 41 st Management Board meeting was approved.

1. a In camera session I

Main Conclusions:	
1.a.1	The Management Board discussed confidential matters.
Decision:	B. During the in camera session issues of conflict of interest were discussed, and adequate actions and decisions were taken.

2 Approval of the draft minutes of the 41st MB meeting

Main Conclusions:	
2.1	The draft minutes of the 41 st Management Board meeting were approved.
Decision:	C. The minutes of the 41 st Management Board meeting were approved.

3 a) Report from the 68th and 69th Executive Board Meeting and on the Chairperson's activities

b) Report of the Director on the work of FRA in the last period

Main Conclusions:

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- 3.1 The Chairperson reported on the 68th Executive Board (EB) virtual meeting held on 23 February 2023 in which the agenda for the 42nd MB meeting was prepared. He thanked Oreste Pollicino (IT) for his participation in the 68th EB meeting, being the last meeting in which he served as EB member.
- 3.2 He also informed about the 69th EB meeting, which was held in the morning to prepare for the MB meeting.
- 3.3 The Chairperson informed about his upcoming participation representing FRA at the conference "Addressing Statelessness in Europe: Closing Protection Gaps and Realising Everyone's Rights to a Nationality", taking place in Madrid, Spain, on 8-9 June.
- 3.4 The Vice-Chairperson recalled the appointment by the Board of the Appeals Committee (AC) to handle appeals from staff of the Agency. He informed that no appeals had been lodged since its appointment in 2022.
- 3.5 The Vice-Chairperson also recalled that at the last MB meeting he was designated as the MB observer to the pre-selection panel in the recruitment of the new Director organised by the European Commission. He confirmed that the pre-selection phase is concluded and that it was carried out professionally and in fairness to all candidates.
- 3.6 The Director presented the Board with the Agency's past activities from 1 December 2022 to 1 May 2023. He informed the Board about FRA's recent publications, and the recognition received from policy makers for the quality and utility of FRA's research. He also updated the Board on ongoing FRA surveys, cooperation with EU institutions and international organisations, as well as his most recent visits to EU Member States.
- 3.7 The Director also reported to the Board on internal matters. He updated on governance issues, including the results of the Internal Audit Services' report on communication. He also informed the Board about the need to identify new premises for the Agency.
- 3.8 The Director's report was welcomed, and the MB expressed appreciation for the Agency's work done in the reporting period

4 Update and discussion on EU-Fundamental Rights Policy developments (COM)

Main Conclusions:

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| 4.1 | The Commission provided an overview of recent fundamental rights policy developments. |
| 4.2 | The Commission informed about the follow-up to its 2022 Charter report focusing on protection and empowerment of civil society. The Board was informed that the COM is preparing an initiative on integrated child protection systems. COM is discussing with IT companies the revised Code of conduct on countering illegal hate speech online. Implementation of the antisemitism strategy is ongoing, with 10 national strategies having been adopted and 12 being under development. By the end of the year, COM will publish a study on gaps in implementation of the racial equality directive and a report on progress of national anti-racism action plans. It published an assessment report on national Roma strategic frameworks for equality, inclusion and participation. It also appointed a new Commission coordinator on combating anti-Muslim hatred. In April 2023, it released a progress report on the LGBTIQ equality strategy, while Council conclusions on safety of LGBTIQ persons are to be adopted at the June 2023 Council. |
| 4.3 | The Board was finally informed that an agreement has been reached on the EU's accession to the Istanbul Convention, while negotiations are ongoing on the proposed Directive on combating violence against women and domestic violence. A provisional agreement was reached on the EU's accession to the ECHR. |

5 a) Adoption of the Fundamental Rights Report 2023 and

b) Revised format of the Fundamental Rights Report

Main Conclusions:

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| 5.1 | The Chair of the Annual Report Editorial Committee (AREDIT), Philippe Boillat, reported on the activities of AREDIT and presented the Fundamental Rights Report 2023 for adoption. |
| 5.2 | The Management Board discussed and adopted the Fundamental Rights Report 2023, praising the work of the FRA drafting team. |
| 5.3 | In view of the next Fundamental Rights Report, the Board discussed and adopted a new structure which will consist of a lead chapter on fundamental rights in the EU; three thematic chapters; and a chapter covering the application of the EU Charter of Fundamental Rights. |
| 5.4 | The Board also discussed and selected the following three topics for the thematic chapters under the revised structure: 1) Impact of the cost of living crisis and rising poverty in the EU; 2) Threats to democratic values – Protecting civic space: strengthening meaningful participation and the rights to freedom of association, peaceful assembly and expression; 3) Migration – Fundamental rights concerns at the EU's external borders |

Decision:

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| D. | The Management Board adopted the Fundamental Rights Report 2023. |
| E. | The Management Board adopted the new structure of the Fundamental Rights Report composed of a lead chapter on fundamental rights in the EU, three thematic chapters and a chapter covering the application of the EU Charter of Fundamental Rights. |

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	F. The Management Board selected the following three topics for the thematic chapters under the revised structure: 1) Impact of the cost of living crisis and rising poverty in the EU; 2) Threats to democratic values – Protecting civic space: strengthening meaningful participation and the rights to freedom of association, peaceful assembly and expression; 3) Migration – Fundamental rights concerns at the EU's external borders.
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6 Financial matters

Main Conclusions:	
6.1	The Board received an update on financial matters, including on the budget consumption in 2022.

7 Opinion of the MB on the Final Accounts 2022

Main Conclusions:	
7.1	The FRA Accounting Officer, Andreas Miltos, presented the Agency's 2022 Final Accounts.
7.2	The Management Board adopted its opinion on the Final Accounts 2022.
Decision:	G. The Management Board adopted its opinion on the Agency's Final Accounts 2022.

8 Adoption of the Consolidated Annual Activity Report (CAAR) 2022

Main Conclusions:	
8.1	The Management Board was presented with the Consolidated Annual Activity Report (CAAR) 2022. The CAAR describes the achievement of FRA's objectives across its areas of work. It provides an overview of FRA evidence and expert opinions, technical advice, and other activities that contributed to the EU priorities and policy agenda. It also lists the main publications that FRA published in 2022 and informs about the media mentions and references to FRA's work.
8.2	The Management Board adopted the report, praising its overall quality and giving credit to the Agency's staff for the activities and achievements.
Decision:	H. The Management Board adopted the Consolidated Annual Activity Report 2022.

9 a)Budgetary transfer 2023_01 and b) Amendment of the Programming Document 2023 – 2025

Main Conclusions:

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9.1	The Head of Corporate Services (CS) introduced the first budgetary transfer which covers a transfer of surplus from Title I and II to the operational expenditures in Title III. In addition, internal transfers will take place within Title III.
9.2	He proposed to the Management Board to postpone some projects and allocate those funds to the Fundamental Rights Forum 2024 due to the urgency to conclude a contract with an event organiser for its preparation.
9.3	He informed the Board that the Programming Document 2023-2025 has been amended to reflect the proposed budgetary transfers.
9.4	The Management Board adopted the budgetary transfer n.1 and the amendment n. 1 of the Programming Document 2023-2025.
Decision:	I. The Management Board adopted the Budget transfer 2023_01 and the amendment n. 1 of the Programming Document 2023-2025.

10 Amending budget 2023_01

Main Conclusions:	
10.1	The Head of Corporate Services presented the proposed amending budget n. 1 providing a detailed explanation about the funds received by the Agency including from the Financial Mechanism Office (FMO) of the EEA & Norway Grants, the Greek Ombudsman (project funded by the EEA & Norway Grants), and the Austrian authorities (rent subsidy).
10.2	The Management Board discussed and adopted the Amending Budget 2023_01.
Decision:	J. The Management Board adopted the amending budget 2023_01.

11 FRA Strategic Plan 2023-2028: Discussion

Main Conclusions:	
11.1	The Management Board discussed the Strategic Plan 2023-2028. The contractors from the Centre for Strategy & Evaluation Services (CSES) presented the process that led to the submission of the final draft.
11.2	The Management Board provided several comments and suggestions on the draft document and agreed to give time to the Board's Strategy Working Group to reflect on the comments and to present a final draft for adoption on the following day.

12 FRA Strategic Plan 2023-2028: Adoption

Main Conclusions:	
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| 12.1 | The Strategy Working Group presented the Board with its feedback and reflections on the comments received the previous day to the draft Strategic Plan 2023-2028. |
| 12.2 | A revised version of the draft was presented and discussed. |
| 12.3 | The Management Board adopted the FRA Strategic Plan 2023-2028. |

Decision:	K. The Management Board adopted the FRA Strategic Plan 2023-2028.
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13 Update on the Draft Programming Document 2024-2026

Main Conclusions:

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| 13.1 | The Management Board was presented with the updated draft Programming Document 2024-2026. |
| 13.2 | During the presentation the Director introduced two new project ideas: 1) Setting up a FRA youth advisory panel to mainstream a youth perspective into FRA's work, and 2) Exploring operational implications of the EU's accession to the ECHR for FRA's work. He proposed that the two projects would already start in 2023 and would then continue in 2024. He asked the Board to agree to their inclusion in the Programming Document for 2023 through a written procedure as soon as the relevant fiches have been prepared. |
| 13.3 | The Management Board agreed to the written procedure. |
| 13.4 | The COM representative welcomed the Draft Programming Document 2024-2026, confirming that it is in line with the EU policy agenda and providing its informal preliminary views. COM emphasised the importance of a timely delivery of the results from FRA's large surveys and invited to continue the commitment to allocate sufficient resources to these core activities. In this respect, she announced the agreement within the Commission to propose an increase of the FRA's budget by €1.4 million next year for the Roma and the immigrant surveys, taking into account the impact of inflation on the surveys. |
| 13.5 | The Board was informed by the Director about FRA's financial constraints. The Board noted with concern that the Agency's ability to fulfil its mandate is hampered by a lack of adequate financial and human resources. |
| 13.6 | The Management Board agreed that the Chairperson would write to the European Institutions on behalf of the Management Board to draw attention to the budget difficulties facing the Agency and to request adequate funding. |

14 Director's note on the development of the Annual Work Programme 2025

Main Conclusions:

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| 14.1 | The Director presented the proposed priorities and planned activities for 2025. |
| 14.2 | Feedback from Board members highlighted a number of topics, including ideas for celebrating the 25th anniversary of the Charter. It also highlighted the need to reflect FRA's newly adopted 2023-2028 Strategic Plan in the work programme for 2025. |

15 Fundamental Rights Forum 2024

Main Conclusions:

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| 15.1 | The Management Board was presented with the concept and outline of the Fundamental Rights Forum 2024. |
| 15.2 | The Management Board members welcomed the proposed structure and content of the event and offered suggestions on topics for possible panel discussions. |

16 Executive Board: Election of one member

Main Conclusions:

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| 16.1 | The Chairperson informed that, following the end of the mandate of Oreste Pollicino (IT) in the Executive Board, one post had become available. |
| 16.2 | Katharina Pabel (AT) submitted her candidacy and presented her expertise in the field. |
| 16.3 | In the spirit of ensuring gender balance within the EB and given that another qualified candidacy had been submitted, Oreste Pollicino announced that he would abstain from submitting his candidacy for a second term. |
| 16.4 | The Management Board elected Katharina Pabel (AT) to the Executive Board for a term of two-and-a-half years starting on 26 May 2023. |

Decision:

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| L. | The Executive Board elected Katharina Pabel as member of the Executive Board for a term of two-and-a-half years starting on 26 May 2023. |
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17 Annual Report Editorial Committee (AREDIT): Election of one member

Main Conclusions:

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| 17.1 | The Chairperson informed that the mandate of Yolanda Gamarra (ES) in the Annual Report Editorial Committee (AREDIT) will end on 10 June 2023. Consequently, one post will become vacant after that date. |
| 17.2 | Yolanda Gamarra submitted her candidacy for a new term. |
| 17.3 | The Management Board re-elected Yolanda Gamarra for a second term starting on 11 June 2023 for a term of two-and-a-half years. |

Decision:

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| M. | The Management Board re-elected Yolanda Gamarra for a second term for a term of two-and-a-half years starting on 11 June 2023. |
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18 Budget Committee: Election of one member

Main Conclusions:	
18.1	The Chairperson informed that the mandate of Irena Ilieva (BG) in the Budget Committee will end on 11 June 2023, consequently one post will become vacant after that date.
18.2	Irena Ilieva submitted her candidacy for a new term.
18.3	The Management Board re-elected Irena Ilieva to the Budget Committee for a term of two-and-a-half years starting on 12 June 2023.
Decision:	N. The Management Board elected Irena Ilieva (BG) as member of the Budget Committee for a term of two-and-a-half years starting on 12 June 2023.

19 In camera II: Selection process for the Scientific Committee 2023-2028: appointment

Main Conclusions:
The Management Board appointed the new eleven members of the FRA Scientific Committee for the period 2023-2028.

20 In camera III

Main Conclusions:
The Management Board discussed confidential matters.

21 Approval of the dates of the EB and MB meetings for 2024 and 2025

Main Conclusions:	
The Management Board approved the dates of the EB and MB meetings in 2024 and 2025: 23 – 24 May 2024, 27 September 2024 and 12 -13 December 2024; 22-23 May 2025, 18-19 September 2025, 11-12 December.	
Decision:	O. The Management Board approved the dates of the EB and MB meetings for 2024 and 2025: 23 – 24 May 2024, 27 September 2024 and 12 -13 December 2024; 22-23 May 2025, 18-19 September 2025, 11-12 December.

22 Any other business

Main Conclusions:

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- 22.1 The Board was informed about the need to reschedule the next MB meeting, originally planned for 29 September 2023, to align the timing with the ongoing selection procedure for the new FRA Director. The new proposed date for the next MB meeting is 19-20 October 2023, pending confirmation from the Commission on progress of the selection procedure for the Director.
- 22.2 The Chairperson proposed that in case the selection procedure would not be concluded before 19-20 October, the Board meeting would be replaced by a virtual half-day meeting on 29 September to discuss other pending agenda items.
- 22.3 The Chairperson thanked Saša Gajin, the Observer from Serbia, for his commitment and support during his term, ending in September 2023.
- 22.4 The Chairperson also thanked Theodora Kostakopoulou for her chairmanship of the FRA Scientific Committee over the last years. The Director echoed the Chairperson and extended appreciation to the entire Scientific Committee whose term ends on 3 June 2023, underlining its importance and highlighting the value added to everything the Agency produced.

Date of the next meeting: 19th and 20th October 2023

Approved on:	29 September 2023
By the Chair:	p.p. 