**MINUTES OF THE 21st MB MEETING**

**EVENT:** 21st Meeting of the FRA Management Board

**PLACE:** Vienna

**DATE:** 20 - 21 May 2015

**STATUS:** FINAL Version

**Participants:**

- Frauke Seidensticker (DE, Chairperson), Manfred Nowak (AT, Vice-Chairperson), Miguel Azpitarte-Sánchez (ES), João Caetano (PT), Patrick Charlier (BE), Toras Davulis (LT), Maud de Boer-Buquicchio (CoE), Anete Erdmure (LV), Philip Geddes (UK), Jurej Letaar Čermič (SI, alternate, 20.5.), Fredrik Malmborg (SE), Mart Nutt (EE, alternate) Attila Péterfalvi (HU), Patricia Prendiville (IE), Fabienne Rossler (LU), Majda Saksin (FI), Cecília Sjölander (SE, alternate), Pavel Štrumia (CZ), Vesselin Hristov Tsankov (BG), Andreja Vallič Zver (SI, 20.05.), Jens Vedsted-Hansen (DK), Lora Vidović (HR), Lorenza Violini (IT), Sylvia Wortmann (NL), Miroslaw Wróblewski (PL), Irina Zâțescu (RO)

**Representatives COM:**

- Chiara Adamo (JUST), Satish Sule (JUST)

**Operational services:**

- Constantinos Manolopoulos (Director a.i.,) Xavier Catilà (acting Head of ADMIN), Paul Cozzi (Head of HRP), Ioannis Dimitrakopoulos (Head of ECR), Jo Gooley (Head of FJ), Friso Roscam-Abbing (Head of COR), Andreas Accardo (DIR), Francesco Saverio Liguori (HRP), Mario Oetheimer (FJ), Gabriel Toggenburg (DIR), Nicole Romain (ECR), Waltraud Heller (COR), Dennis Van der Veur (COR), Sanjeev Shukla (ADMIN), Alina Jalea (DIR)

**Excused Members:**

- Jean-Paul Jean (FR), Hent Kalmo (EE), Jarmila Lajškáová (SK), Eliana Nicolaou (CY), Raymond Zammit (MT), Stelios Perras (EL), Paul Nemitz (COM)

**Observers/Guests:**

- Rosemary Byrne (SC), Markus Jaeger (CoE), Matthias Kloth (CoE), Thérèse Murphy (EIGE), Bente Angell-Hansen (EFTA), Finn Denstad (EFTA)

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

Main Conclusions:

1.1 The draft agenda was amended and approved

Decision: A.
The draft agenda was amended and approved.

2 Approval of the draft minutes of the 20th MB meeting

Main Conclusions:

2.1 The draft minutes of the 20th MB meeting were amended and approved.

Decision: B.
The draft minutes of the 20th MB meeting were amended and approved.

3 Update regarding the recruitment of the new FRA Director (in camera)

Main Conclusions:

3.1 The MB agreed on elements of the recruitment procedure in the September meeting, reiterating its commitment for a fair and transparent procedure.

4 Adoption of the Annual Report: 'Fundamental rights: challenges and achievements in 2014'

Main Conclusions:

4.1 The MB and the Chairperson of the Scientific Committee praised the Annual Report 2014 and welcomed its shorter format, the policy-focused and evidence-based nature of the FRA conclusions.

4.2 The MB agreed to decide at its September meeting on the focus chapter of the Annual Report 2015 (choosing amongst the topics of rights of the children, migration/integration or CRPD). It also followed the advice of AREEDIT MB Working Group that the Report would have a separate chapter on disability in case not selected as focus chapter.

4.3 AREEDIT concluded its current term of office, drawing a very positive assessment of its collaboration with the operational services.

Decision: C.
The MB adopted the FRA Annual Report 2014.
6 Adoption of the Annual Activity Report 2014

Main Conclusions:

6.1 The Director a.i. presented the Consolidated Annual Activity Report 2014, which the MB commended as an excellent tool to assess the Agency’s efficiency and effectiveness in achieving its objectives.

Decision: D.

The MB adopted the Consolidated Annual Activity Report 2014

7 Report of the interim Director on the work of FRA in the last period, Report from the 34th and 35th Executive Board Meeting and on the Chairperson’s activities representing FRA

Main Conclusions:

7.1 The Director a.i. updated the MB on the work of FRA in the period following the last MB meeting, illustrating FRA’s activities in pursuit of its strategic and thematic objectives.

7.2 The former MB Chairperson informed about her attendance of the opening of the Judicial Year of the European Court of Human Rights, as well as her participation in a meeting of the CoE Committee of Ministers’ Rapporteur Group on External Relations (GR-EXT) and a meeting of the LIBE Committee in the European Parliament, together with the former FRA Director.

7.3 The MB Chairperson informed on the previous two EB meetings, as well as on the upcoming Strategic MB Retreat in September 2015.

7.4 The MB Chairperson informed about her participation in a number of FRA activities, including in the German Bundestag where FRA presented its violence against women survey; at a high level Conference on the implementation of the European Convention for Human Rights, organised by the Belgian Chairmanship of the CoE’s Committee of Ministers; and at a meeting of representatives of the FRA and EIGE Management Boards on the follow up on FRA’s violence against women survey.

8 Update and discussion on EU-fundamental rights policy developments

Main Conclusions:

8.1 COM updated on EU fundamental rights policy developments, expressing appreciation for FRA’s contribution to the new Security and Migration agendas through recent FRA focus papers. It drew attention to the recent adoption of the Digital Single Market Agenda, which relates in multiple ways to the work of FRA.

8.2 COM informed on the Better Regulation package which amongst other innovations foresees that the fundamental rights impact assessments will need to be made public. COM also referred to an upcoming inter-institutional agreement with the European Parliament and Council to ensure a fundamental rights impact assessment throughout the legislative process, including of legislative amendments.
8.3 COM briefed about its 2014 Report on the Application of the EU Charter of Fundamental Rights, which for the first time included a section on the important emerging issue of fundamental rights in the digital sphere. It also looked at the invocation of the Charter in infringement proceedings and at case law of the Court of Justice of the EU and national courts. In light of new Eurobarometer data showing a lack of public awareness of the Charter, COM reiterated the importance of CLARITY as a good tool for EU citizens to understand where to turn to in case of rights violations.

8.4 COM reminded of the launch of its Annual Colloquium on Fundamental Rights. The first Colloquium will take place on 1-2 October 2015 and will focus on promoting tolerance and respect, with particular attention on preventing and combating anti-Semitic and anti-Muslim hatred. FRA has been invited to contribute with data and analysis.

9 Financial matters
a) Report from the Budget Committee
b) 2015-01 Amending Budget
c) 2015-01 MB budgetary transfer
d) Opinion on 2014 Final Accounts

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<td>9.1 The MB took note of the information related to 2014 and 2015 budget execution. The MB Budget Committee concluded positively that the financial figures for 2014 indicated sound and effective financial management. In 2014, the consumption of the budget in committed appropriations was 100%, equal to the previous financial year. Until May, the 2015 budget execution reached 66.5% for the commitment appropriations (compared to the 70% forecast), and 23% for the payment ones (compared to the 28% forecast). 23% of the carry overs from 2014 have been paid. The 2015 Establishment Plan was decreased in 2015 by two posts, following the decision of the Budget Authority of December 2014. FRA opposes additional cuts for the re-deployment pool, which may be confirmed in December 2015.</td>
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<td>9.2 The Operational services explained the reasons for amending the 2015 budget. The amending budget was necessary, mainly, as the Agency received 244,000 euro from the Austrian authorities, corresponding to one third of the annual rent 2015.</td>
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<td>9.3 The Operational services explained the reasons for the requested 2015 MB budgetary transfer.</td>
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<td>9.4 The MB expressed a favourable opinion on the Agency’s 2014 Final Accounts, pending the formal publication of the opinion of the Court of Auditors.</td>
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<td>The MB adopted the amending budget 2015-01.</td>
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<td>The MB adopted the proposed budgetary transfer 2015-01.</td>
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<td>The MB expressed a favourable opinion on the Agency’s 2014 Final Accounts, pending the formal publication of the opinion of the Court of Auditors.</td>
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10 Adoption of the Multi-annual Staff Policy Plan 2016-2018

Main Conclusions:

10.1 The Head of the Human Resources and Planning Department presented the Multi-annual Staff Policy Plan 2016-2018, highlighting issues related to gender balance, geographical balance, and contract type distribution.

10.2 The MB, with the exception of COM, expressed support for FRA’s policy to maintain the offer of indefinite contracts.

10.3 The MB, with the exception of COM, agreed to support the request of the FRA operational services for four additional contract agent positions, given increasing demands on the Agency and in the context of the recent staff reductions decided by the budgetary authority.

10.4 The MB agreed that discussions on the structural organisation of FRA’s departments will be entrusted to the new Director.

10.5 The MB expressed interest in being further informed on FRA’s efforts to build upon the recommendations of the Equality and Diversity audit.

The Head of the Human Resources and Planning Department announced his imminent departure. The MB expressed its gratitude for his commitment during the past years.

Decision:  

The MB adopted the Multi-annual Staff Policy Plan 2016-2018, with one abstention from COM.

15 Working group IMPACT: update

Main Conclusions:

15.1 The chair of WG IMPACT (dealing with FRA’s strategic objective of “Enhancing FRA’s contribution to processes at national level”) presented a list of activities for MB members to use as inspiration to assist in increasing FRA’s impact at national level. She proposed that this document is distributed to new MB members at the Strategic Retreat 2015.

15.2 The WG Chair suggested that the WG is merged with the proposed new WG STRATEGY (see point 12), given the fact that both WGs focus on strategic objectives of the Agency. She also suggested that the upcoming Strategic Retreat of the MB dedicates time to the issue of FRA’s impact in the Member States.


Main Conclusions:

11.1 The Head of the Human Resources and Planning Department presented the FRA Strategic Plan 2013-2017.

11.2 The MB welcomed the tangible progress achieved and the concrete follow-up to the recommendations emerging from FRA’s external evaluation of 2012. MB members praised the high quality of FRA’s research and surveys and underscored the importance of FRA’s communication and awareness-raising work. They also stressed the value of FRA’s support to capacity building vis-à-vis Member States and EU agencies.
11.3 The MB encouraged the operational services to continue striking a balance between long term research planning and a rapid response to emerging needs of policy makers and fundamental rights emergencies.

11.4 Some MB members expressed a preference for FRA to focus on a few main topics that are important and timely instead of dealing with a too wide range of topics simultaneously.

11.5 The MB underlined the importance of giving attention to issues concerning the majority population while focusing on the rights of minority groups. They indicated migration and integration, racism and hate crime, the information society, as well as disability as important topics to continue focussing on.

11.6 The MB highlighted a number of possible areas to be strengthened in the next Multiannual Framework, in particular in the area of social and economic rights.

11.7 The MB encouraged to continue making FRA data available to the scientific community, via its website. It also encouraged FRA to make more efforts towards reaching out to the business community.

12 MB strategic retreat, September 2015: Establishment of an MB Working Group

Main Conclusions:

12.1 The MB agreed to establish a new Working Group on strategic planning ("WG STRATEGY") and to merge the existing WG IMPACT with this new WG.

12.2 The WG STRATEGY will initially focus on preparing the MB Retreat in September 2015 and the mid-term review of the current FRA Strategic Plan. Subsequently, it will work on developing the MB Opinion on the next FRA Multiannual Framework covering the years 2018-2022. It will also continue the work of the previous IMPACT WG and focus on FRA efforts to strengthen the impact of its work at national level (one of FRA’s strategic priorities).

12.3 The MB nominated the following MB members in the WG STRATEGY: Anete Erdmane, Philip Geddes, Fredrik Malmberg, Manfred Nowak, a COM representative and the independent person appointed by the CoE.

12.4 The WG may invite a Scientific Committee representative as observer.

Decision: I.

The MB amended and adopted the terms of reference of the new Working Group STRATEGY (subsuming also the former IMPACT WG).

Decision: J.

The MB nominated the following MB Members in the WG STRATEGY: Anete Erdmane, Philip Geddes, Fredrik Malmberg, Manfred Nowak, one COM representative and the independent person appointed by the CoE.

13 Adoption of Draft Budget and Annual Work Programme (AWP) 2016

Main Conclusions:

13.1 The Director a.i. presented the draft budget and AWP 2016 for adoption.

13.2 COM highlighted elements from its Opinion.
14 Discussion of the Annual Work Programme (AWP) 2017

Decision: K.
The MB adopted the draft budget and the AWP 2016.

Main Conclusions:

14.1 The Head of the Freedoms and Justice Department and the Head of the Equality and Citizens’ Rights Department presented an initial outline of the AWP 2017.

14.2 In view of FRA’s future work on age, one MB Member offered to collaborate on facilitating a study visit to Poland for FRA to learn more about the work on the rights of older people of the Office of the Human Rights Defender.

14.3 COM expressed particular interest in FRA’s work on disability, fundamental rights awareness raising, research on detention, and the update of the Handbook on European Non-Discrimination Law.

16 Cooperation with the Financial Mechanism Office (FMO) for the European Economic Area and Norwegian Financial Mechanisms

Main Conclusions:

16.1 The Operational services updated the MB on the progress of concluding an administrative cooperation arrangement between FRA and FMO, as requested by the MB at its 19th meeting on 22-23 May 2014. The Norwegian Ambassador to Austria was invited to highlight areas of common interest between FRA and the FMO.

16.2 The MB discussed the draft administrative cooperation arrangement with the FMO and provided its agreement in principle pending the formal Opinion of the COM and conclusion of the overall EU-EEA umbrella agreement. Pending its formal opinion, COM expressed a favourable view on the administrative cooperation arrangement.

17 Upcoming FRA events in 2015 and Fundamental Rights Forum 2016

Main Conclusions:

17.1 The Head of the Communications and Outreach Department outlined the main upcoming FRA events in 2015 and 2016. The MB showed particular interest in the meeting of FRA national stakeholders (19-20 November 2015) and the Fundamental Rights Forum (21-23 June 2016). There was support for the Forum not being organised as a single-issue event. One member highlighted that the Forum would provide an opportunity to look at the balance between different rights, by treating rights as universal and not in competition with one another. Other members highlighted the importance of looking not only at issues linked to trust within a given State but also between Member States. It was also suggested that the Forum could be a platform to present findings from the FRA’s Annual Report. Some MB members recommended that former MB members were invited to the Forum. COM expressed a positive view on the outline of the Forum, while foreseeing challenges in organising a debate without a focus theme.

17.2 As the Luxembourg Presidency will not co-organise an event with FRA on children and disability, COM offered FRA to join its conference on European Day for Persons with Disabilities (3 December 2015).

17.3 Some MB members suggested that FRA organises an annual event in the context of the launch of its Annual Report.
18 Tour de table for MB members leaving: brief view on their experiences, ideas, visions and concerns

Main Conclusions:

18.1 All outgoing MB members acknowledged the very intense efforts that FRA had been making in the last years towards intensifying its voice and statute in the human rights arena, with an increasing profile and impact at national level.

18.2 Many of them encouraged FRA to continue rendering its products more policy-relevant and to be a strong voice on fundamental rights issues in the EU.

18.3 They advised FRA to continue to engage with its many stakeholder groups and networks to identify emerging trends and increase its outreach in the Member States.

18.4 It was suggested that FRA could strengthen its impact at national level by, for instance, triggering debates around the Annual Report and extending access of research communities to FRA’s wealth of collected data.

18.5 MB members also drew attention to the importance of enriching fundamental rights debates by bringing stakeholders from the local and regional levels to the table.

18.6 They expressed satisfaction about the MB’s increased sense of ownership for FRA’s strategic direction and choices, in particular through the development and adoption of a multi-year strategic plan by the MB and the creation of MB working groups which interact more closely with the Operational services.

18.7 Some MB members questioned the procedure of Member States appointing full and alternate MB members, which they perceived as lacking transparency. They also underlined the importance of having independent experts being nominated to the MB.

18.8 The independent person appointed by the Council of Europe, who is outgoing from the MB, highlighted the added value and complementarity of FRA to the work of the CoE.

19 Any other business

Main Conclusions:

19.1 It was suggested that FRA engages with the European Law Institute, based in Vienna.

Date of the next meeting: 23-25 September 2015

Approved on

by the Chair

25 Sept 2015

G Steen