### MINUTES OF THE 19TH MB MEETING

**EVENT:** 19th Meeting of the FRA Management Board  
**PLACE:** Vienna  
**DATE:** 22-23 May 2014  
**STATUS:** FINAL VERSION

#### Participants:

**Members/Alternates:** Maija Sakslin (FI, Chairperson), João Caetano (PT), Patrick Charlier (BE), Maud de Boer-Buurschop (CoE), Anaete Erdmane (LV), Adoración Galera Victoria (ES, alternate), Philip Geddes (UK), Hent Kalmo (EE), Alain Lacabaratz (FR, alternate), Janiela Lajškova (SK), Tomáš Langšek (CZ, alternate), Jernej Letnar Černel (SI, alternate, 22.5.), Katharina Pabel (AT, alternate), Attila Péterfalvi (HU), Patricia Prendiville (IE), Fabienne Rossler (L.U), Franke Seidensticker (DE), Cecilia Sjölander (SE, alternate), Vesselin Hristov Tsankov (BG), Aristos Tsirtas (CY, alternate), Jens Vedsted-Hansen (DK), Lora Vidočić (HR), Lorenzo Violini (IT), Sylvia Wortmann (NL), Miroslav Wróbłewski (PL), Irina Zălătescu (RO)

**Representatives COM:** Satish Sule (JUST), Alexander Hoefmans (JUST)

**Operational services:** Morten Kjærerum (Director), Constantinos Minoulopoulos (Head of ADMIN), Paul Cozzi (Head of HRP), Ioannis Dimitrakopoulos (Head of ECR), Jo Goodey (Head of FJ), Friso Roscam-Abbing (Head of COR), Andreas Accardo (DIR), Francesco Saverio Liguori (HRP), Luca Burello (ADMIN), Mario Oetheimer (FJ), Gabriel Toggenburg (DIR), Nicole Romuin (ECR), Michail Beis (ECR), Henri Nickel (ECR), Waltraud Heller (COR), Dennis Van der Veur (COR), Eleni Karaktou (HRP), Sanjeev Shukla (ADMIN), (ADMIN), Alina Jalea (DIR)

**Excused Members:** Manfred Nowak (AT, Vice-Chairperson), Miguel Azpitarte-Sánchez (ES), Tomas Davulis (LT), Fredrik Malmborg (SE), Eliana Nicolaou (CY), Pavel Štrum (CZ), Raymond Zammit (MT), Andreja Valič Zver (SI), Stelios Perrakis (EL), Paul Nemitz (COM)

**Observers/Guests:** Rosemary Byrne (SC), Daniele Cangemi (CoE), Valentin González (FRP)

#### Contents:

1. Opening remarks and approval of the draft agenda, possible conflicts of interest .......................... 2
2. Approval of the draft minutes of the 18th MB meeting, discussion about MB minutes to be published on the FRA website .................................................. 2
2a. Vacancy notice for the position of Director of the FRA ............................................................. 2
3. Director’s Report on the work of FRA in the last period, FRA communication plan 2014 etc. Report from the 30th and 31st Executive Board Meeting and on the Chairperson’s activities representing FRA ........................................ 2
4. Update on EU-Fundamental Rights Policy developments (COM) .............................................. 3
6. Adoption of the Annual Activity Report 2013 ............................................................................... 4
7. Financial matters .......................................................................................................................... 4
8. Observer status for EFTA in the FRA MB .................................................................................... 5
9. Report from the Fundamental Rights Platform ............................................................................ 5
10. Outlook on conferences 2014 and 2015, including the Fundamental Rights Forum ....................... 6
11. Amendment of Draft Budget and Annual Work Programme 2015 ............................................. 7
12. Discussion of the Annual Work Programme 2016 ................................................................... 7
13. Cooperation with EU Member States, Working group on national level engagement and communication (including the terms of reference) ........................................... 7
14. Adoption of the Multi-annual Staff Policy Plan 2015-2017 ......................................................... 8
15. FRA’s chairmanship of the Network of EU agencies .................................................................. 8
16. Follow up on the FRA work on hate crime ................................................................................. 8
17. Dates of EB and MB meetings in 2015 and 2016 ..................................................................... 9
18. Any other business ..................................................................................................................... 9
1 Opening remarks and approval of the draft agenda, possible conflicts of interest

Main Conclusions:

1.1 The Chairperson reminded the MB members of the importance of regularly informing the operational services of changes of their professional status in order to prevent potential conflicts of interests.
1.2 The draft agenda was amended and approved.

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

2 Approval of the draft minutes of the 18th MB meeting, discussion about MB minutes to be published on the FRA website

Main Conclusions:

2.1 The MB adopted the minutes of the 18th MB meeting.
2.2 The MB decided that, starting with the present meeting, MB minutes will be published on the FRA website for a higher degree of transparency of the activities of the FRA.

Decision: B. 
The minutes of the 18th MB meeting were adopted

Decision: C. 
Starting with the present meeting, MB minutes will be published on the FRA website

2a Vacancy notice for the position of Director of the FRA

Main Conclusions:

2a.1 The Director informed the MB about his intention to terminate his contract of employment during the first half of 2015.
2a.2 The COM ensured that it will aim for a timely publication of the respective vacancy notice in order to avoid unnecessary delay.

Decision: D. 
The MB accepted the resignation of the Director with date of effect 1 April 2015.

3 Director’s Report on the work of FRA in the last period, FRA communication plan 2014 etc.
   Report from the 30th and 31st Executive Board Meeting and on the Chairperson's activities representing FRA

Main Conclusions:

3.1 The Director updated the MB on the work of FRA in the last period, based on the Director’s Report. He also explained that the new structure of the Director’s Report
followed the Strategic Plan, adopted by the MB in December 2013, thus providing an account on the implementation of the agreed strategic and thematic priorities.

3.2 The Chairperson informed about her attendance of the Fundamental Rights Platform in Vienna and the Hate Crime Seminar, held in cooperation with the Hellenic Presidency, in Thessaloniki (both in April 2014). She also informed about having participated in the launch of FRA’s survey on violence against women survey in Brussels, in the IDAHO (International Day Against Homophobia and Transphobia) Conference in Malta, where FRA presented the results of its LGBT survey, and in the 26th Session of the Council of Europe Congress of Local and Regional Authorities. She mentioned that at the latter event a representative of the European Court of Human Rights had suggested that FRA and the Congress work on publishing a handbook for local authorities on human rights.

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

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<th>Main Conclusions:</th>
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<td>4.1 The COM informed that on 14 April 2014 it released its 4th Annual Report on the application of the Charter of Fundamental Rights, which shows an increasing awareness of the Charter, especially among national judges. Regarding legislative actions and policy initiatives, COM shared news on the gender equality report; the Communication on the rule of law; the Data Protection Directive; the decision of the Court of Justice of the EU on the Data Retention Directive; rights of the child and on the external / internal coherence of the EU in the field of human rights.</td>
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<td>4.2 The Director added information on activities of the Council of the EU and European Parliament, with relevance to the FRA. For example, the forthcoming adoption of Council conclusions on violence against women, which follow up on FRA’s survey, and the encouragement in two recent non-legislative resolutions of the European Parliament to review and strengthen the mandate of the FRA related to rule of law issues.</td>
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5 Adoption of the Annual Report: 'Fundamental rights: challenges and achievements in 2013'

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<th>Discussion of the Annual Report 2014</th>
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<td>5.1 The Chair of the Annual Report Editorial Committee updated the MB on its discussions on the Annual Report 2013 and the future Annual Report 2014. He recommended that the MB adopts the Annual Report 2013. He also highlighted that FRA – for the first time - had been invited to present the Annual Report at the Justice and Home Affairs Council (Luxembourg, 5 June 2014).</td>
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<td>5.2 The MB adopted the Annual Report 2013.</td>
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<td>5.3 For future Annual Reports, MB members were in favour of maintaining a focus section. They also recommended that efforts are taken into considerably reducing the length of the report while keeping a balance between a more opinionated approach and the descriptive presentation of evidence. Finally, the MB recommended that the FRA ensures a higher accessibility and user-friendliness of the AR.</td>
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<td>5.4 The COM is exploring, in consultation with FRA, possibilities of synchronisation and complementarity of FRA’s Annual Report with annual reports issued by other bodies (COM, EP, Council of Europe).</td>
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<td>5.5 The Chair of the Scientific Committee recommended that FRA maintains a strong</td>
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commitment to formulate evidence-based advice in future Annual Reports.

Decision:  

E.  
The MB adopted the Annual Report “Fundamental rights: challenges and achievements in 2013”.

6  Adoption of the Annual Activity Report 2013

Main Conclusions:

6.1  The Head of the Administration Department briefed the MB on the Annual Activity Report 2013.

6.2  An MB member suggested that the operational services modify Annex 2 – Human and financial resources (table A2.1: Human resources by ABB activity) to present "Research and Data Collection" not as an activity that is separate from the thematic areas, but rather as part of this. This will be taken into consideration for future activity reports.

Decision:  

F.  

7  Financial matters

Main Conclusions:

7.1  The Budget Committee provided an overview of the issues discussed at its meeting on 21 May 2014 (Annual Activity Report 2013, Activity Based Budget/Activity Based Management, budget execution). In 2013, the European Court of Auditors (ECA) conducted two visits, while the Internal Audit Service completed one audit on human resources management and one limited review on contract management. The Agency has agreed to implement all the recommendations received by the two institutions. In this context, the importance of regular declarations of interest was underlined.

7.2  The MB Working Group on Conflict of Interest drew attention to the publication by the Commission of the “Guidelines on the prevention and management of conflicts of interest” (December 2013). By 5 September 2014, the FRA will prepare a draft of new guidelines on conflict of interests, whose adoption will be on the agenda of the December 2014 MB meeting. The existing version of the FRA rules governing conflict of interest will be revised taking into account the Commission Guidelines of December 2013.

7.3  The MB was informed that the ECA undertook two audit visits relating to the financial year 2013: an interim visit in September 2013 and a final visit in February 2014. The major issue identified by the ECA, which related to budget implementation, was the high level of carry-overs. However, the ECA also stated that these levels were understandable and in accordance with the Agency’s planned expenditure. The final ECA report on the 2013 final accounts will not officially be published until September 2014. The Agency is however not expecting any qualifications based on its contacts with the ECA.

7.4  The MB was requested to adopt an amending budget for the financial year 2014, following a donation from the Austrian authorities. The amounts refer to: Austrian government’s
contribution for the organisation of the EU Agencies Network meetings in October 2014; the Austrian authorities’ contribution to one third of the annual rent for the period January - December 2014. The MB adopted the 2014-02 Amending Budget.

7.5 The Head of the Administration Department explained the necessity for reallocating funds within Title III of the budget 2014 to cover the needs for a number of operational projects. Funds will be released from other operational projects. The MB adopted the 2014-01 Management Board budgetary transfer.

7.6 The Head of the Administration Department informed that a "Letter of Intent" was signed between the FRA and the Financial Mechanism Office (FMO), affiliated to EFTA. No provision in this agreement should be seen as committing the EEA/Norway Grants and the FRA financially. The funding of activities deriving from this cooperation will be subject to separate agreements. In case Norway provides FRA with budgetary support, the FRA Director will prepare a cooperation agreement, in line with the Legal Framework governing the EEA and the Norwegian Financial Mechanisms and the Founding Regulation of the FRA. An overview was given of the areas of common interest in which the FRA and the FMO would be interested in further cooperating (ex. through the financing or co-financing of projects): 1. Roma inclusion; 2. Hate crime; 3. Civil Society; 4. Gender-based violence; 5. Funding seconded national experts and/or study visitors to FRA.

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<td>The MB gave a favourable opinion on the FRA’s 2013 Final Accounts.</td>
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<td>The MB adopted the 2014-02 Amending Budget.</td>
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<td>The MB adopted the 2014-01 Management Board budgetary transfer and amending Annual Work Programme 2014, allotting a significant amount for the development of data visualisation online tools.</td>
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8 Observer status for EFTA in the FRA MB

Main Conclusions:

8.1 The Director informed about the intended cooperation between the Agency and the Financial Mechanism Office (FMO), which is affiliated to the European Free Trade Association (EFTA). In light of the FMO’s support to promoting fundamental rights in 16 EU Member States (beneficiary countries of the EEA and/or Norwegian Financial Mechanism), the Director mentioned that the FRA intends to develop a cooperation with the FMO to reinforce each other’s actions. Given this overall context, EFTA, represented by the FMO, made a formal request to participate as observers in the FRA Management Board.

8.2 The COM supported the approach of strengthening synergies with the FMO. The COM has no objections in welcoming EFTA to the Management Board with an observer status. However, in line with Art. 8.3 of the Founding Regulation, the COM will need to give a formal opinion on the administrative arrangements for cooperation before they can be adopted by the MB.
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<td>The operational services will initiate the process of concluding a cooperation agreement with EFTA in accordance with Art. 8.3 of the Founding Regulation. This will include the possibility for EFTA to participate as observers in the FRA MB. Should the cooperation agreement not be concluded in time for the coming MB meeting, then the Chairperson will extend an ad-hoc invitation for the December MB meeting in accordance with Art. 12 of the Founding Regulation.</td>
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9 Report from the Fundamental Rights Platform (FRP)

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<td>9.1 A member of the FRP Advisory Panel presented the outcomes of the 7th FRP meeting in April 2014, which focused on the contribution of the civil society to the future fundamental rights priorities in the area of freedom, security and justice.</td>
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<td>9.2 The Communication and Outreach Department informed about ongoing steps to enhance the cooperation with the civil society and encouraging the creation of national fundamental rights platforms. The Director underlined the importance of the new MB Working Group IMPACT to look at ways of involving, inter alia, national civil society organisations in FRA work. He also referred to the fragmentation of the fundamental rights landscape at national level and welcomed strengthened dialogue between civil society and the different national human rights and equality bodies.</td>
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<td>9.3 The MB suggested that its Working Group IMPACT would also look at relations with national civil society organisations in the context of further developing the FRP.</td>
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10 Outlook on conferences 2014 and 2015, including the Fundamental Rights Forum

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<th>Main Conclusions:</th>
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<td>10.1 The Head of the Communication and Outreach Department briefed on the latest events organised by the FRA in 2014.</td>
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<td>10.2 In view of the Fundamental Rights Conference, the MB offered suggestions on how the event could contribute to redefining Europe’s discourse on migration. The MB suggested including a specific session on the situation of children in the context of migration. It also recommended highlighting the importance of local and regional authorities.</td>
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<td>10.3 The MB expressed agreement and interest in FRA organising a Fundamental Rights Forum (FRF) in 2016, while in 2015 a smaller scale FRA “network of networks” meeting would take place. The latter would bring together all existing FRA networks and help in preparing the FRF. The operational services will prepare a detailed concept on the FRF for the MB meeting in December 2014 and Annual Work Programmes 2015/2016 will be adjusted accordingly.</td>
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11 Amendment of Draft Budget and Annual Work Programme (AWP) 2015

Main Conclusions:
11.1 The Head of the Administration Department and the Head of the Freedoms and Justice Department explained the proposed amendments to the budget of the AWP 2015.
11.2 The CoE observer pointed at the possibility of FRA and CoE collaborating on a project related to the right to interpretation and translation and the right to information in criminal proceedings in the EU.
11.3 In the absence of its official opinion, the COM abstained from the voting procedure.

Decision: K.
MB agreed to amend the draft budget of the AWP 2015 and adopted it.

12 Discussion of the AWP 2016

Main Conclusions:
12.1 The operational services offered an overview of the proposed AWP 2016 and possible new projects to be initiated. They explained that these projects mostly rely on in-house research and that an important part of the data will be provided by the EU MIDS II survey.
12.2 The MB recommended several ways of refocusing and re-clustering the suggested projects for the AWP 2016.
12.3 The operational services will update the draft AWP 2016 and present it for adoption at the MB meeting in December 2014.

13 Cooperation with EU Member States, Working group on national level engagement and communication

Main Conclusions:
13.1 The Chair of the MB Working Group IMPACT briefed on the outcome of the first meeting of the group. The meeting served to agree on draft Terms of Reference of the group and to have a first discussion on means of increasing the impact and visibility of the FRA at the national level.
13.2 The MB adopted the Terms of Reference of the Working Group IMPACT.

Decision: L.
The MB adopted the Terms of Reference of the Working Group IMPACT, which aims to contribute to increasing the relevance of the FRA at the national level.
14 Adoption of the Multi-annual Staff Policy Plan 2015-2017

Main Conclusions:

14.1 The Head of Human Resources and Planning presented the Multi-annual Staff Policy Plan for the next three years, which was created in compliance with the request of the European Parliament’s Committee on Budgets. In reply to the comments received from the COM, he informed that: 1. the growth of demands on the FRA and existing tasks, as described in the Staff Policy Plan, will be accomplished within existing resources; and 2. regarding an additional 5% staff cut for the redeployment pool, the FRA operational services propose to await the outcome of the Inter-institutional Working Group (IIWG2) and its recommendations.

14.2 The MB expressed concern about the prospect of a further 5% staff cut, considering that a first 5% staff reduction for 2013-2017 had already been implemented.

14.3 The MB adopted the Multi-annual Staff Policy Plan 2015-2017 in its proposed form. The COM abstained from the voting procedure in the absence of an official opinion.

Decision: M.


15 FRA’s chairmanship of the Network of EU agencies

Main Conclusions:

15.1 The Director and the Head of the Communication and Outreach Department informed about the FRA’s role and activities as chair of the network of EU Agencies. The Director highlighted the importance of this FRA activity given that EU Agencies represent ca. 20% of the total staff of EU institutions, while the budget allocated to them stands for ca 0.6% of the EU budget.

15.2 At the request of the other EU Agencies, FRA, inter alia, mainstream fundamental rights into the activities of the network, looking for example at how horizontal non-discrimination obligations or the EU ratification of the Convention on the Rights of Persons with Disabilities impact on the work of EU agencies.

16 Follow up on the FRA work on hate crime

Main Conclusions:

16.1 The Head of the Communication and Outreach Department presented an outline of activities developed in relation to hate crime. He highlighted that the Council of EU asked FRA to facilitate the exchange of good practices among EU Member States and assist them at request in their effort to develop effective methods to encourage reporting and ensure recording of hate crimes.

16.2 The COM welcomed FRA’s work on hate crime and suggested to seek complementarity with the COM’s expert group on racism and xenophobia.
17 Dates of EB and MB meetings in 2015 and 2016

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<td>17.1 The MB adopted the dates for EB and MB meetings in 2015 (four meetings for the EB and three for the MB) and 2016 (four meetings for the EB and two for the MB).</td>
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<tr>
<td>The MB adopted the dates for MB/EB meetings in 2015 and 2016.</td>
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18 Any other business

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<tr>
<td>18.1 The MB member from Hungary informed that the Hungarian Data Protection Authority published a handbook for children and their guardians on a safe use of the internet.</td>
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Date of the next meeting: 11-12 December 2014

Approved on 12.12.2014

by the Chair