

MINUTES MB MEETING

Event:	35th Management Board Meeting
Date:	10-11 December 2020
Place:	via videoconferencing
Status:	Final
Participants:	
Members/Alternates (<i>when Members are not present</i>):	Elise Barbé (FR, Chairperson), Irena Ilieva (BG), Veronika Bilkova (CZ), Heiko Sauer (DE), Christoffer Badse (alternate DK), Kertti Pilvik (EE), Konstantinos Tsekelis (alternate EL), Yolanda Gamarra Chopo (ES), Snježana Bagić (HR), Sunniva McDonagh (IE, Vice-Chairperson), Oreste Pollicino (IT), Maria Lottidou Stylianou (CY), Mārtiņš Pāparinskis (LV), Lyra Jakuleviciėnė (LT), Noémie Sadler (LU), Gergely Deli (alternate HU), Rick Lawson (NL), Elizbieta Karska (PL), Paulo Saragoça da Matta (PT), Csaba-Ferenc Asztalos (RO), Verica Trstenjak (SI), Pavol Žilinčík (SK), Tuomas Ojanen (FI), Anne Ramberg (SE), Philippe Boillat (CoE)
Director:	Michael O’Flaherty
Representatives Commission (COM):	Barbara Nolan (DG JUST)
Operational services:	Andreas Accardo (Head of Institutional Cooperation and Networks Unit), Joanna Goodey (Head of Research and Data Unit), Constantinos Manolopoulos (Head of Corporate Services Unit), Ann-Charlotte Nygard (Head of Technical Assistance and Capacity Building Unit), Nicole Romain (Head of Communications and Events Unit), Ioannis Dimitrakopoulos (Scientific Adviser), Friso Roscam Abbing (Adviser on Communication), Adrianna Bochenek (Director’s Office), Elena Balzarini (Institutional Cooperation and Networks Unit), Barbara Jaeschke (Institutional Cooperation and Networks Unit), Anna Vuova (Institutional Cooperation and Networks Unit)
Excused Members:	Peter Kostelka (AT)
Alternates (<i>when Members are present</i>) / Observers (OBS) / Guests:	Gabriela Belova-Galeva (BG), Eugenia Pastor (ES), Marco Fasciglione (IT), Katerina Kallitsioni (CY), Leena Leikas (FI), Lawrence Early (CoE) / Evis Alimehmeti (OBS AL), Uranija Pirovska (OBS MK), Saša Gajn (OBS RS) / Carlien Scheele (EIGE), Christos Giakoumopoulos (CoE), Tatiana Termacic (CoE), Frode Fjeldavli (EEA & Norway Grants), Sheena Keller (EEA & Norway Grants), Theodora Kostakopoulou (FRA Scientific Committee), Maria Rosaria Mollica (COM)

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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 35 th MB meeting and welcomed all participants, in particular the newly appointed MB members Noémie Sadler (LU), Rick Lawson (NL), Christoffer Badse (alternate DK) and Evis Alimehmeti, the newly appointed observer from Albania.
1.2	The Chairperson introduced the draft agenda. She clarified that the agenda item 10 "FRA Strategy 2018-2022: mid-term review" was a point of discussion not for decision as indicated in the draft agenda circulated before the meeting.
1.3	As no comments were received on the draft agenda, the agenda was approved.
1.4	The Chairperson asked the MB Members about any conflict of interest pertaining to the agenda of the meeting. No conflict of interests were identified.
1.5	The Head of Corporate Services reported on the annual verification of the potential conflicts of interests of the Management Board and the Scientific Committee members. He confirmed that no conflicts were identified during the annual exercise.
Decision:	A. The agenda of the 35 th Management Board meeting was approved. B. No conflicts of interests were reported.

2 Approval of the draft minutes of the 34th MB meeting

Main Conclusions:	
The draft minutes of the 34 th Management Board meeting were discussed and approved.	
Decision:	C. The minutes of the 34 th Management Board meeting were approved.

3 Report from the 58th Executive Board Meeting and on the Chairperson's activities and Report of the Director on the work of FRA in the last period

Main Conclusions:	
3.1	The Chairperson reported back on the 58 th EB meeting, which took place in the morning to prepare for the 35 th MB meeting.
3.2	The Chairperson reported on her activities since the last MB meeting in September. These included raising awareness of the Agency in the French Court of Cassation and her participation in a colloquium linked to the 20 th anniversary of the Charter of Fundamental Rights.
3.3	The Vice Chair reported on her participation, on behalf of the Chairperson, in a meeting with FRA's National Liaison Officers (NLO). She informed the Board on the role of the NLOs and gave examples of good cooperation with NLOs at the national level in promoting FRA's work.
3.4	The Director informed the Board on the Agency's past activities since the last MB meeting in September. He reported on outputs and activity highlights from the five

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programmatic areas of FRA: "Fair and Equal societies", "Just, digital and secure societies", "Asylum, borders and immigration", "Supporting human rights systems" and "Communicating rights". He also briefed the Board on internal governance issues.

- 3.5 As regards the current COVID situation, the Director updated the Board on the Agency's internal working arrangements, which extended the teleworking regime and established a system of shifts in case of presence in the office. He assured the Board that the Agency is following closely the provisions set by the Austrian authorities.
- 3.6 In response to a specific question of an MB member, the Director informed about the scope of FRA's cooperation with Frontex and that it was contributing to the discussions in the Frontex Management Board on fundamental rights issues.

4 Update and discussion on EU-Fundamental Rights Policy developments

Main Conclusions:

- 4.1 The Commission updated the MB on the ongoing negotiations regarding the proposed revision of the FRA Founding Regulation.
- 4.2 The Board was informed by the Commission about a number of newly adopted Commission strategies (i.e. Strategy on victims' rights; Strategy on the Charter of Fundamental Rights; the Democracy Action Plan; EU Framework of Roma equality, inclusion and participation; LGBTIQ Equality Strategy and EU anti-racism action plan) as well as upcoming strategies of 2021 (Disability Strategy; Rights of the Child Strategy and the Strategy against Antisemitism). It was emphasised that FRA's work plays an important role in informing such strategies and in helping in their implementation.

5 Financial matters

Main Conclusions:

- 5.1 The Management Board received an overview and update of the budget execution and budgetary transfers that took place since the last Management Board meeting.

6 a) Budgetary transfer 2020_03 and amendment n. 3 of the Programming Document 2020 – 2022 b) Amending budget 2020_02

Main Conclusions:

- 6.1 The Services presented the Board with the information relevant to Budgetary Transfer n.3 and Amendment n. 3 of the PD 2020-2022, which were adopted by the Management Board.
- 6.2 The Services presented the Board with the information related to the Amending Budget n. 2, which was adopted by the Management Board.

Decision:

- D. The Management Board adopted the Budgetary Transfer n.3 and the Amendment n. 3 of the PD 2020-2022.

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	E. The Management Board adopted the Amending Budget 2020_02.
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7 a) Programming Document 2021 – 2023

b) Statement of revenue and expenditure 2021

Main Conclusions:	
7.1	The Management Board discussed and adopted the final Programming Document (PD) 2021-2023.
7.2	The Management Board discussed and adopted the statement of revenue and expenditure for 2021
Decision:	F. The Management Board adopted the Programming Document 2021-2023. G. The Management Board adopted the Statement of revenue and expenditure 2021

8 a) Draft estimate of revenue and expenditure 2022

b) Programming Document 2022 – 2024

Main Conclusions:	
8.1	The Management Board was presented with the Draft estimate of revenue and expenditure 2022, which was adopted.
8.2	The Management Board was presented with the draft Programming Document 2022-2024, which was endorsed by the Board (with the abstention of the Commission in view of its Opinion to be delivered by July 2021).
Decision:	H. The Management Board adopted the Draft estimate of revenue and expenditure 2022 and endorsed the Draft Programming Document 2022-2024 (with the Commission's abstention).

9 Election of new members of the MB Working Groups

Main Conclusions:	
9.1	The Chairperson reminded the Board of two open positions in the Budget Committee and one position open in the Annual Report Editorial Committee (AREDIT) for which candidacies were open.
9.2	Irena Ilieva (BG) submitted her candidacy to the Budget Committee and presented her area of expertise and qualifications.
9.3	Yolanda Gamarra Chopo (ES) submitted her candidacy to AREDIT and presented her area of expertise and qualifications.
9.4	The Management Board elected Irena Ilieva (BG) to the Budget Committee and Yolanda Gamarra Chopo (ES) to AREDIT for a mandate of 2.5 years, both starting on 11 December 2020.
9.5	The election of the position remaining open in the Budget Committee will take place at the next Management Board meeting.

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Decision:	I. Irena Ilieva (BG) was elected member of the Budget Committee for a mandate of 2.5 years starting on 11 December 2020. J. Yolanda Gamarra Chopo (ES) was elected member of the Annual Report Editorial Committee (AREEDIT) for a mandate of 2.5 years starting on 11 December 2020.
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10 FRA Strategy 2018-2022: mid-term review

Main Conclusions:
10.1 The MB was presented with the results of a mid-term review of the FRA strategy 2018-2022 commissioned to the external contractor ICF. 10.2 The mid-term review report covered five aspects: relevance; effectiveness; impact; efficiency and sustainability. 10.3 The Commission representative expressed the view that that there is no legal obligation to draft a Strategic Plan in FRA's Founding Regulation and suggested instead the multiannual programming document as the key document guiding FRA's work. She observed that from the Commission's perspective FRA's central focus is its research capacity and data collection. 10.4 Following the presentation on the mid-term review, it was concluded that the FRA Strategy 2018-2022 as it was adopted by the MB in 2017 still fits its purpose.

11 Multiannual Framework 2023-2027: first exchange of views and designation of an MB Working Group

Main Conclusions:	
11.1 The Board was informed about the context under which the drafting of the Multiannual Framework (MAF) covering the period 2023-2027 became necessary and about the deadline to submit a Management Board opinion on the MAF 2023-2027 to the Commission (end-February 2021). 11.2 The MB took note of the time constraints created by the approaching deadline, and shared some preliminary views on the possible thematic areas to be included in the new MAF. 11.3 The Board decided to establish the Working Group (WG) "MAF 2023-2027" tasked to prepare a draft MB opinion based on the discussion within the Board and on written contributions to be provided by the members. 11.4 The Board adopted the Terms of Reference of the "MAF 2023-2027", which will be composed of 5 members, including a representative of the Commission as observer. 11.5 Sunniva McDonagh (IE), Martins Paporinskis (LV), Rick Lawson (NL) and Philippe Boillat (CoE) presented their candidacies to the WG and were elected by the Board. 11.6 The Board discussed and agreed that the MB opinion on the MAF 2023-2027 will be adopted by written procedure.	
Decision:	K. The Management Board established the Working Group "MAF 2023-2027" tasked to draft the MB opinion on the MAF 2023-2027. L. The Management Board adopted the Terms of Reference of the Working Group "MAF 2023-2027". M. The Management Board elected Sunniva McDonagh (IE), Martins Paporinskis (LV), Rick Lawson (NL) and Philippe Boillat (CoE) as members of the Working Group "MAF 2023-2027".

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N. The Management Board decided that the MB Opinion on the MAF 2023-2027 would be adopted by written procedure.

12 Exchange of views with the Council of Europe and the cooperation between the Agency and the CoE

Main Conclusions:

- 12.1 The Board had an exchange of views with Christos Giakoumopoulos, Director General of Human Rights and Rule of Law of the Council of Europe on the cooperation between the Agency and the CoE.
- 12.2 Christos Giakoumopoulos underlined the excellent cooperation and complementarity with FRA and highlighted particularly salient elements of the cooperation during 2020. FRA's Director echoed the strength of the cooperation and also pointed to future areas of intensive collaboration with the CoE in the coming period.

13 Update on the implementation of the agreement with the EEA and Norway Grants

Main Conclusions:

- 13.1 The Observers from EEA and Norway Grants, Frode Fjeldavli and Sheena Keller, presented the Board with an overview on the scope and areas of activity of the Grants. They provided updates on the cooperation arrangement between the Grants and the Agency, specifying the programme and project level cooperation undertaken in 2020.
- 13.2 FRA Director stressed that the cooperation with EEA and Norway Grants greatly enhances FRA's capacity to perform its core job.

14 In camera session

Main Conclusions:

- 14.1 The Management Board discussed confidential matters.

15 Fundamental Rights Forum 2021

Main Conclusions:

- 15.1 The Board received a presentation on the future Fundamental Rights Forum, which will take place on 11-12 October 2021. The Forum is envisaged to have a hybrid format with its main location in the Vienna City Hall and hubs in other European cities. A number of Fundamental Rights Dialogues targeting young people are taking place ahead of the Forum.
- 15.2 Members of the MB expressed appreciation for the draft programme of the Forum and encouraged a focus on young people.

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16 Any other business

Main Conclusions:	
16.1	The Chairperson informed that the next MB meeting is scheduled on 20 and 21 May 2021.
16.2	The Commission informed that it has been requested to raise in all MB meetings of agencies the issue of post-service activities of staff. Officials of the Commission and agencies' staff are bound to certain obligations as per article 16.1 of the Staff Regulation stipulating that staff cannot take part, after leaving the services, in any activity that would be incompatible with the values/objectives of the EU.
16.3	The services confirmed that the Agency has already adopted the EB Decision 2018/06 which applies by analogy the Commission Decision C(2018)4048 on outside activities and assignments, and on occupational activities after leaving the Service.

Date of the next meeting: 20-21 May 2021

Approved on:	20 May 2021
By the Chair:	