

## MINUTES MB MEETING

<b>Event:</b>	<b>31st Management Board Meeting</b>
<b>Date:</b>	16 - 17 May 2019
<b>Place:</b>	Vienna
<b>Status:</b>	<b>Final</b>
<b>Participants:</b>	
Members/Alternates (when Members are not present):	Sirpa Rautio (FI, Chairperson, 17/05), Filippo di Robilant (IT, Vice-Chairperson), Elise Barbe (FR), Jacqueline Biesheuvel-Vermeijden (NL), Maria Bergstrom (alternate SE), Pierre Calmes (LU), Rainer Hofmann (CoE), David Joyce (IE), Krassimir Kanev (BG), Peter Kostelka (AT), Julie Lejeune (BE), Marián Mesároš (alternate SK), Mārtiņš Pagarinskis (LV), Kertti Pilvik (EE), Lawrence Quintano (MT), Alejandro Saiz Arnaiz (ES), Heiko Sauer (DE), Harald Scheu (CZ), Elisavet Symeonidou-Kastanidou (EL), Verica Trstenjak (SI), Regina Valutyte (alternate LT)
Director:	Michael O'Flaherty
Representatives COM:	Emmanuel Crabit (JUST, 17/05), Barbara Nolan (JUST), Nathalie Stockwell (JUST)
Operational services:	Andreas Accardo (Head of Institutional Cooperation and Networks Unit), Elena Balzarini (Institutional Cooperation and Networks Unit), Michael Beis (Deputy Head of Communications and Events Unit), Ioannis Dimitrakopoulos (Scientific Adviser), Joanna Goodey (Head of Research and Data Unit), Francesco Saverio Liguori (Corporate Services Unit), Constantinos Manolopoulos (Head of Corporate Services Unit), Sami Nevala (Research and Data Unit), Ann-Charlotte Nygard (Head of Technical Assistance and Capacity Building Unit), Mario Oetheimer (Deputy Head of Research and Data Unit), David Reichel (Research and Data Unit), Nicole Romain (Head of Communications and Events Unit), Friso Roscam Abbing (Adviser on Communication), Sanjeev Shukla (Accountant), Gabriel Toggenburg (Institutional Cooperation and Networks Unit)
Excused Members:	Patrícia Fragoso Martins (PT), Louise Halleskov Storgaard (DK), Imre Juhász (HU), Elizbieta Karska (PL), Julija Kiršienė (LT), Eliza Savvidou (CY), Pavol Žilinčík (SK)
Alternates (when Members are present)/Observers/Guests/:	Sunniva McDonagh (IE alternate), Sasa Gajn (RS), Uranija Pirovska (MK), Sheena Keller (EEA & Norway Grants), Anja Mihr (SC), Tatiana Termacic (CoE),

# MINUTES MB MEETING

## Contents:

1	Opening remarks and approval of the draft agenda, possible conflicts of interest.....	3
2	Approval of the draft minutes of the 30 <sup>th</sup> MB meeting.....	3
3	Report from the 51 <sup>st</sup> and 52 <sup>nd</sup> Executive Board Meeting and on the Chairperson's activities.....	3
	Report of the Director on the work of FRA in the last period .....	3
4	Update and discussion on EU-Fundamental Rights Policy developments.....	4
5	a) Adoption of the Fundamental Rights Report 2019 .....	4
	b) Fundamental Rights Report 2020 Focus section and future developments.....	4
6	In camera.....	5
7	Financial Matters .....	5
8	Opinion of the MB on the Final Accounts 2017.....	5
9	Adoption of the Consolidated Annual Activity Report 2018 .....	5
10	a) Budgetary transfer 2019_01 .....	5
	b) Amendment of the Programming Document 2019-2021 .....	5
11	Future of the Fundamental Rights Forum .....	6
12	Update on the Programming Document 2020-2022 .....	6
13	Director's note on the development of the Annual Work Programme 2021 .....	7
14	Election of a new member of the Budget Committee .....	7
15	Date of MB and EB meetings in 2020 and 2021 .....	7
16	Amendment of the Agency's Financial Rules.....	7
17	Implementing Rules for the use of European Union Classified information.....	8
18	Update on the Fundamental Rights Survey .....	8
19	Discussion on FRA's work on Artificial Intelligence.....	8
20	Any other business .....	8

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

Main Conclusions:	
1.1	No new conflicts of interest were reported. The Vice-Chair reminded members and alternate members of the importance to submit their declarations of interest on a yearly basis and asked full members to remind their alternate members of this obligation.
1.2	The amended draft agenda was approved: the vote on items 8, 9 and 10 was postponed to day 2 of the meeting due to a lack of quorum on day 1.
<b>Decision:</b>	A. The draft agenda was approved.

## 2 Approval of the draft minutes of the 30<sup>th</sup> MB meeting

Main Conclusions:	
2.1	The draft minutes of the 30 <sup>th</sup> MB meeting were approved, together with the comments provided in writing.
<b>Decision:</b>	B. The draft minutes of the 30 <sup>th</sup> MB meeting were approved.

## 3 Report from the 51<sup>st</sup> and 52<sup>nd</sup> Executive Board Meeting and on the Chairperson's activities Report of the Director on the work of FRA in the last period

Main Conclusions:	
3.1	<p>The Vice-Chair reported from the 51st and 52nd Executive Board meetings. He informed about the adoption of one Implementing Rule by written procedure in March 2019 and the adoption of two Implementing Rules during the 52<sup>nd</sup> Executive Board meeting.</p> <p>The Vice-Chair informed about an independent European Citizens Initiative Initiative launched in Italy and promoted in 7 EU Member States. This initiative explicitly calls for the strengthening of FRA's mandate. It is currently gathering signature of support.</p>
3.2	The Director updated on the Agency's activities since the last MB meeting. He presented key outputs and progress of work in the five strategic pillars. The Director's report was welcomed by the Management Board and strong appreciation was expressed for the quality of the staff's work.

## 4 Update and discussion on EU-Fundamental Rights Policy developments

### Main Conclusions:

- 4.1 The Commission provided an update on its work on Anti-Semitism and welcomed FRA's initiative to hold a national stakeholder meeting in Austria to follow up on the Council Declaration on Antisemitism issued under the AT Presidency. The MB was informed about the adoption of the new EU directive on whistleblowing. In the area of rights of the child, the Commission informed on its EU Forum on the Rights of the Child with participation of the FRA Director. Artificial Intelligence remains high on the EU policy agenda and the Commission is considering the need to adopt a new regulatory framework on AI. With regards to the High-level group on Racism and Xenophobia, the Management Board was briefed about the creation of three subgroups which will take forward specific work streams (hate crime recording, law enforcement training and victim support) and feed their findings into the high-level group. The Commission thanked FRA for its continued support in this area. On the Charter of Fundamental Rights, a report on the Charter will be published on 5 June, one day before the Agency's Fundamental Rights Report 2019. On 12 November, the Commission will organise a high-level conference on the 10<sup>th</sup> anniversary of the Charter in cooperation with FRA and the incoming Finnish Presidency. The members of the Management Board will receive an invitation to the event. Promoting greater awareness on the Charter remains a priority. The Charter report will be accompanied by the results of a Eurobarometer survey on the public's awareness of the Charter. In respect of the Rule of Law, the Commission launched a reflection process on how to strengthen the rule of law framework, leading to the publication of a Communication on this issue later in the year.

## 5 a) Adoption of the Fundamental Rights Report 2019

### b) Fundamental Rights Report 2020 Focus section and future developments

### Main Conclusions:

- 5.1 The Chair of the Annual Report Editorial Committee (AREDIT) presented the Fundamental Rights Report (FRR) 2019. The Management Board adopted the FRR 2019.
- 5.2 The Chair of AREDIT reported back on the discussion in AREDIT concerning the topic of the focus section of the FRR 2020. The Management Board selected the following topic for the focus section of next year's FRR: "10 years of the EU Charter of Fundamental Rights".

<b>Decision:</b>	C. The Management Board adopted the Fundamental Rights Report 2019.
<b>Decision</b>	D. The Management Board selected the topic "10 years of the EU Charter of Fundamental Rights" for the focus section of the Fundamental Rights Report 2020.

## 6 In camera

### Main Conclusions:

- 6.1 The members of the Management Board discussed confidential matters

## 7 Financial Matters

### Main Conclusions:

- 7.1 The Management Board received an update on financial matters and was informed on the discussion that took place the previous day in the Budget Committee.
- 7.2 The observer from the Financial Mechanism Office of the EEA & Norway Grants expressed appreciation for the partnership with FRA.

## 8 Opinion of the MB on the Final Accounts 2017

### Main Conclusions:

- 8.1 The Management Board heard a presentation from the Agency's Accountant and adopted its opinion on the Final Accounts 2018.

### Decision:

E. The Management Board adopted its opinion on the Final Accounts 2018.

## 9 Adoption of the Consolidated Annual Activity Report 2018

### Main Conclusions:

- 9.1 The Management Board was briefed about the Consolidated Annual Activity Report 2018 and adopted it.

### Decision:

F. The Management Board adopted the Consolidated Annual Activity Report.

## 10 a) Budgetary transfer 2019\_01

## b) Amendment of the Programming Document 2019-2021

### Main Conclusions:

# MINUTES MB MEETING

- 10.1 The Head of the Corporate Services Unit introduced budgetary transfer n. 2019\_01 and the respective first amendment of the Programming Document 2019-2021 including the budgetary transfers. The budgetary transfers were adopted by the Management Board.
- 10.2 The Management Board was briefed about the Draft Partnership Agreement with the Bulgarian National Statistical Institute in the framework of the cooperation with the EEA & Norway Grants. In order to facilitate the implementation of the Project Partnership Agreement, the Services proposed to the Management Board to agree that, following reception of the funds foreseen in Annex 2 of the Agreement, they are directly entered into the Agency's budget and an amending budget is published accordingly. The MB will be informed during the first available MB meeting of any funds thereby received and entered into the budget. The Management Board requested the Services to inform the Board in case of financial issues. The Head of the Corporate Services Unit reassured the Management Board that it is the Services' practice to inform the Management Board in case of any particular issue.

**Decision:**

G. The Management Board adopted budgetary transfer n. 2019\_01 and amendment 1 of the Programming Document 2019-2021 as well as the proposal to facilitate the implementation of the Partnership Agreement with the Bulgarian National Statistical Institute by entering the funds foreseen in Annex 2 of that Agreement into the Agency's budget as soon as they are received and by publishing an amending budget accordingly.

## 11 Future of the Fundamental Rights Forum

**Main Conclusions:**

- 11.1 The Management Board was informed about the results of the external evaluation of the Fundamental Rights Forum 2018.
- 11.2 The Director presented a proposal for the future of the Forum. The Management Board welcomed the suggestion that the Forum should be a triennial event, triggering ideas to address key EU concerns. It should serve to build new alliances to protect fundamental rights and empower human rights defenders. The Management Board welcomed the organisational proposals, i.e. to maximise outsourcing, cap the participation to 500 persons, reduce the duration to two days, further simplify/refine the core themes and reduce the number of parallel activities.

**Decision:**

H. The Board supported the Director's proposal that the next Forum takes place in 2021.

## 12 Update on the Programming Document 2020–2022

**Main Conclusions:**

- 12.1 The Director presented the updated Programming Document (PD) 2020-2022.
- 12.2 The Management Board discussed the updated PD 2020-2022 that will be adopted in December. While the Commission will submit its statutory formal opinion on the draft by July 2019, it provided a number of oral comments. The Commission informed that for 2020, only, it has been proposed during the budget procedure to provide FRA with an additional budget of € 500.000 dedicated to FRA's EU MIDIS III

# MINUTES MB MEETING

survey. The Commission underlined that EU MIDIS results should be delivered early in each new EU policy cycle.

## 13 Director's note on the development of the Annual Work Programme 2021

### Main Conclusions:

13.1 The Director outlined the proposed priorities for 2021. The Management Board expressed appreciation for the quality of the note.

## 14 Election of a new member of the Budget Committee

### Main Conclusions:

14.1 The Management Board elected the Austrian member, Peter Kostelka, as member of the Budget Committee.

**Decision:** I. The Austrian member, Peter Kostelka, was elected member of the Budget Committee.

## 15 Date of MB and EB meetings in 2020 and 2021

### Main Conclusions:

15.1 The Management Board was presented with a proposal for the dates of the Executive Board and Management Board meetings in 2020 and 2021, including the dates for a Management Board Retreat in 2020.

**Decision:** J. The Management Board adopted the dates of the Executive Board and Management Board meetings in 2020 and 2021.

## 16 Amendment of the Agency's Financial Rules

### Main Conclusions:

16.1 The Management Board was presented with the new amended Financial Rules for adoption.

**Decision:** K. The Management Board adopted the proposed amended Financial Rules.

## 17 Implementing Rules for the use of European Union Classified information

<b>Main Conclusions:</b>	
17.1	The Management Board was presented with the new "security rules and rules on protecting restraint UE/EU restricted information in FRA."
17.2	The Management Board requested to be informed on any issue referring to the security rules. The Services confirmed that it is the practice to inform the EB and MB on any issue related to the governance of the Agency. The Agency has an obligation to report to the Commission on this specific matter.
<b>Decision:</b>	L. The Management Board adopted the proposed "security rules and rules on protecting restraint UE/EU restricted information in FRA."

## 18 Update on the Fundamental Rights Survey

<b>Main Conclusions:</b>	
18.1	The Management Board was provided with an update on the FRA Fundamental Rights Survey. It expressed appreciation for the work of FRA on this project.

## 19 Discussion on FRA's work on Artificial Intelligence

<b>Main Conclusions:</b>	
19.1	The Management Board was presented with FRA's work on Artificial Intelligence. It praised the very timely and policy relevant work that the FRA is doing on this topic.

## 20 Any other business

<b>Main Conclusions:</b>	
20.1	No issue was discussed under this agenda item.

Date of the next meeting: 12-13 December 2019

<b>Approved on:</b>	12 / 12 / 2019
<b>By the Chair:</b>	p.o. Filippos Dimitrakis