

MINUTES MB MEETING

Event:	33rd Management Board Meeting
Date:	9 June 2020
Place:	via videoconferencing
Status:	Final
Participants:	
Members/Alternates (when Members are not present):	Sirpa Rautio (FI, Chairperson), Filippo di Robilant (IT, Vice-Chairperson), Julie Lejeune (BE), Krassimir Kanev (BG), Harald Scheu (CZ), Julia Duchrow (DE alternate), Kertti Pilvik (EE), Alejandro Saiz Arnaiz (ES), Elise Barbé (FR), Snježana Bagić (HR), Sunniva McDonagh (IE), Julija Kiršienė (LT), Pierre Calmes (LU), Réka Varga (HU), Mārtiņš Pāparinskis (LV), Lawrence Quintano (MT), Jacqueline Biesheuvel-Vermeijden (NL), Elizbieta Karska (PL), Paulo Saragoça da Matta (PT), Nicolae Voiculescu (RO), Verica Trstenjak (SI), Anne Ramberg (SE), Luis Jimena Quesada (CoE)
Director:	Michael O’Flaherty
Representatives COM:	Emmanuel Crabit (DG JUST, for agenda item 6), Barbara Nolan (DG JUST)
Operational services:	Constantinos Manolopoulos (Head of Corporate Services Unit), Andreas Accardo (Head of Institutional Cooperation and Networks Unit), Ioannis Dimitrakopoulos (Scientific Adviser), Joanna Goodey (Head of Research and Data Unit), Ann-Charlotte Nygard (Head of Technical Assistance and Capacity Building Unit), Nicole Romain (Head of Communications and Events Unit), Friso Roscam Abbing (Adviser on Communication), Adrianna Bochenek (Director’s Office), Mario Oetheimer (Research and Data Unit), Michael Beis (Communications and Events Unit), Gabriel Toggenburg (Institutional Cooperation and Networks Unit), Saverio Francesco Liguori (Corporate Services), Andreas Miltos (Deputy Accountant), Barbara Jaeschke (Institutional Cooperation and Networks Unit), Rachel Forster (Institutional Cooperation and Networks Unit), Elena Balzarini (Institutional Cooperation and Networks Unit)
Excused Members:	Peter Kostelka (AT), Louise Halleskov Storgaard (DK), Elisavet Symeonidou-Kastanidou (EL), Eliza Savvidou (CY), Pavol Žilinčík (SK)
Alternates (when Members are present)/Observers/ Guests/:	Laura Guercio (IT alternate) Sasa Gajn (Observer RS) Tatiana Termacic (CoE), Sheena Keller (EEA & Norway Grants), Anja Mihr (SC), Jolanta Reingarde (EIGE)

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

Main Conclusions:	
1.1	The Chair welcomed all the participants. She introduced the new members from Croatia, Hungary, Portugal, Romania and Sweden participating in their first MB meeting.
1.2	No conflicts of interest were reported.
1.3	The Chair reminded members and alternate members of the importance of submitting their declarations of interest on a yearly basis and asked full members to remind their alternate members of this obligation.
1.4	The draft agenda was approved.
1.5	With reference to item 6 of the agenda, the Chair reminded that full members wishing to stand for elections could notify their candidacy until the beginning of the elections proceedings.
Decision:	A. The draft agenda was approved.

2 Approval of the draft minutes of the 32nd MB meeting

Main Conclusions:	
2.1	The draft minutes of the 32 nd MB meeting were approved with an editorial correction.
Decision:	B. The draft minutes of the 32 nd MB meeting were approved.

3 Report from the 55th and 56th Executive Board Meeting and on the Chairperson's activities Report of the Director on the work of FRA in the last period

Main Conclusions:

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- 3.1 The Chair reported from the 55th EB and 56th EB meetings. She informed the Board of the adoption of one Implementing Rules during the 56th EB: EB Decision 2020/02 on the application by analogy of Commission Decision of 13/03/2020 on leave.
- 3.2 She reminded the Board of the adoption by written procedure of EB Decision 2020/01 referring to the organisation of the 33rd MB meeting via videoconference.
- 3.3 The Chair thanked the MB for their cooperation in the adoption of the decisions by written procedure in May due to exceptional circumstances (Budget transfer n.1 and amending programming document n.1; opinion on FRA accounts 2019; amending budget n. 1; consolidated annual activity report 2019; nomination of a deputy accountant; adoption of the Fundamental Rights Report 2020).
- 3.4 The Chair informed the Board about her participation in the judicial seminar on 31 January 2020 in Strasbourg opening the judicial year of the European Court of Human Rights.
- 3.5 The Vice-Chair informed about his participation in the International Holocaust Remembrance Alliance ministerial meeting on 19 January 2020, in Brussels.
- 3.6 The Director updated the Board on the Agency's activities since the last MB meeting in December. He introduced the Director's report and presented key outputs and progress of work in the five Agency programmes. He drew particular attention to dedicated FRA work related to reporting on COVID-related fundamental rights implications. He also informed the Board about impacts on FRA's working conditions due to the lockdown measures.
- 3.7 On request from the Commission, he informed the MB about the FRA internal Well Being Survey.

4 Update and discussion on EU-Fundamental Rights Policy developments

Main Conclusions:

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- 4.1 The Commission (COM) updated the MB on ongoing Commission policy work, including the development of the Charter Strategy, work on the Rights of Child, Artificial Intelligence and the Digital Services Act, code of conduct on countering hate speech online, as well as Commission work to counter anti-Muslim hatred and antisemitism. COM highlighted the importance of being able to rely on FRA's data and expertise on all these files.
- 4.2 The Commission expressed appreciation for the agency's COVID-19 bulletins, underlining that they help in monitoring the situation in Member States on fundamental rights and the rule of law.
- 4.3 The Board was informed about the adoption of the COM proposal to amend FRA's Founding Regulation. The review intends to clarify that following the entry of the Lisbon Treaty the Agency's remit covers all of EU law, including police and judicial cooperation in criminal matters. In addition, the amendments serve to align the FRA regulation with the common approach on EU decentralised agencies. Such alignment would remove the Multiannual Framework (MAF) procedure which is unique to FRA. The Commission reminded that adoption of the proposal requires unanimity in the Council.
- 4.4 The Chair welcomed the envisaged reform of the FRA Regulation and expressed support for the proposed amendments, which to a large extent reflect the Board's own recommendations made to the Commission following the Agency's external evaluation in 2017. However, the Chair expressed concern regarding the removal of the explicit role of the independent Management Board in the proposed amendments of articles related to the evaluation (Art. 30 and 31 of the FRA Regulation). Several Board members intervened in support of the Chair's statement.

5 In camera session I

In camera session II

Main Conclusions:

- 5.1 The Management Board discussed confidential matters.

6 Elections of MB Chair, Vice-Chair and one EB member

Main Conclusions:

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- 6.1 The Commission's member Emmanuel Crabit chaired the election proceedings of the new Chairperson and new Vice-Chairperson of the Management Board.
- 6.2 The candidate for the position of Chairperson, Elise Barbé (FR), presented her qualifications and made a statement on her interest to become the new Chairperson of the Board.
- 6.3 By virtue of article 1.3 (b) of the FRA Rules of Procedures, being the only candidate and having had no requests for a vote from any Board member, Elise Barbé was elected the new Chairperson of the Management Board. Her mandate will start on 13 July 2020.
- 6.4 The candidate for the position of Vice-Chairperson, Sunniva McDonagh (IE), presented her qualifications and made a statement on her interest to become the new Vice-Chairperson of the Board.
- 6.5 By virtue of article 1.3 (b) of the FRA Rules of Procedures, being the only candidate and having had no requests for a vote from any Board member, Sunniva McDonagh was elected the new Vice-Chairperson of the Management Board. Her mandate will start on 13 July 2020.
- 6.6 The current Chairperson, Sirpa Rautio, chaired the elections of one new member of the Executive Board.
- 6.7 As no candidacies were received, the Board agreed that the election of one new member of the Executive Board will take place at the next Management Board meeting, scheduled in September 2020.

Decision:

- C. Elise Barbé (FR) was elected the new Chairperson of the Management Board and will start her mandate on 13 July 2020.
- D. Sunniva McDonagh (IE) was elected the new Vice-Chairperson of the Management Board and will start her mandate on 13 July 2020.
- E. The election of one new EB Member was postponed to the next MB meeting.

7 MB Working Groups: Budget Committee (BC) and Annual Report Editorial Committee (AREDIT)

Main Conclusions:

- 7.1 The Chair informed the Board about the four positions in AREDIT and two positions in the Budget Committee (BC) that will become vacant in July at the end of the mandate of their members.
- 7.2 As no candidacies were received, the Board agreed to postpone the elections of the vacant positions of AREDIT and BC working groups to the next meeting of the Management Board.

Decision:

- F. The elections of four new members of AREDIT and two new members of the Budget Committee were postponed to the next MB meeting.

8 Adoption of the topic of the Fundamental Rights Report 2021 Focus section

Main Conclusions:	
8.1	The Chair of the Annual Report Editorial Committee (AREDIT), Julie Lejeune, reported back from the 17 th AREDIT meeting concerning the topic of the focus section of the Fundamental Rights Report (FRR) 2021.
8.2	AREDIT proposed three alternative topics for the focus section of the FRR 2021: "Artificial Intelligence & human rights"; "Being young in the EU – a fundamental rights perspective"; "The impact of the Coronavirus pandemic on fundamental rights".
8.3	The Board discussed the three proposed topics and selected "The impact of the Coronavirus pandemic on fundamental rights" as the topic of the focus section of the FRR 2021.
8.4	The Chairperson of the MB thanked the outgoing Chair and members of AREDIT for their contribution and active participation in the working group.
Decision:	G. The MB endorsed the topic "Impact of the Coronavirus pandemic on fundamental rights" for the focus section of the Fundamental Right Report 2021.

9 Update on the Programming Document 2021 – 2023

Main Conclusions:	
9.1	The Head of Corporate Services presented the updated Programming Document (PD) 2021-2023.
9.2	The Management Board discussed the updated PD 2021-2023 that will be adopted in December. While the Commission will submit its statutory formal opinion on the draft by July 2020, it provided a number of oral comments.

10 Director's note on the development of the Annual Work Programme 2022

Main Conclusions:	
10.1	The Director gave an overview of the proposed priorities for 2022.
10.2	The Commission expressed its support for the planned activities.

11 Financial Matters

Main Conclusions:	
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- 11.1 The Head of Corporate Services provided the Management Board with an update on financial matters and informed on the discussion that took place during the 26th Budget Committee.

12 MB strategic retreat September 2020

Main Conclusions:

- 12.1 The Director informed the Board about the planned Management Board Retreat scheduled on 17 September 2020.
- 12.2 The decision on the feasibility and format of the Retreat will be taken in consultation with the new Chairperson in July. It will consider the then applicable public health instructions, the predictions for September and the willingness to travel of the MB members.
- 12.3 Due to the purpose and nature of the retreat, some members expressed their preference for a physical meeting, even if an online meeting could also be acceptable due to the uncertain circumstances.

13 Any other Business

Main Conclusions:

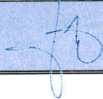
- 13.1 The Director and the Head of Corporate Services gave a brief overview of the first results of the FRA Wellbeing Survey.
- 13.2 The Board suggested that a more detailed presentation of the results could be included on the agenda of the MB Retreat in September.

14 Tour de Table of the experience of outgoing MB members followed by a virtual toast

Main Conclusions:

- 14.1 During a tour de table, some outgoing MB members took stock of their experience in the Board and with FRA. They praised the important work of the Agency in many areas and expressed interest in continuing to support and promote the Agency's work after the end of their mandate.
- 14.2 The Chair thanked all MB members for their commitment and the excellent collaboration during her mandate. She extended her appreciation to the Director and to all FRA Staff.
- 14.3 The Director thanked the Chair, the Vice-Chairperson and all the outgoing members of the Board.

Date of the next meeting: 18 September 2020 (preceded by a Retreat on 17 September)

Approved on:	25 September 2020
By the Chair:	

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