

MINUTES 44th MB MEETING

Event:	44th Management Board Meeting
Date:	14-15 December 2023
Place:	FRA, Schwarzenbergplatz 11, 1040 Vienna and Austria Trend Hotel Savoyen, Rennweg 16, 1030 Vienna
Status:	Final
Participants:	
Members:	Rick Lawson (NL, Vice-Chairperson), Els Keytsman (BE, alternate) Irena Ilieva (BG), Veronika Bilkova (CZ, Day 1), Astrid Kjeldgaard-Pedersen (DK), Paulina Starski-Lutoborski (DE), Paloma Kroot Tupay (EE, alternate), Salome Mbugua Henry (EI), Miltiadis Sarigiannidis (EL), Yolanda Gamarra Chopo (ES), Florence Merloz (FR), Snježana Bagić (HR), Oreste Pollicino (IT), Maria Stylianou-Lottides (CY), Artūrs Kučs (LV), Lyra Jakulevičienė (LT), Noemi Sadler (LU), Balázs Gerencsér (HU, alternate), Giannino Caruana Demajo (MT), Katharina Pabel (AT), Csaba Ferenc Asztalos (RO), Matej Avbelj (SI), Tuomas Ojanen (FI, Day 1), Jenny Jansson Pearce (SE), Philippe Boillat (CoE)
Representatives COM:	Ingrid Bellander Todino (DG JUST), Julien Mousnier (DG JUST, Day 1)
Director	Michael O’Flaherty
Operational services:	Andreas Accardo (Head of Institutional Cooperation and Networks Unit), Joanna Goodey (Head of Justice, Digital and Migration Unit), Siobhan McInerney-Lankford (Head of Equality, Roma & Social Rights Unit), Constantinos Manolopoulos (Head of Corporate Services Unit), Nicole Romain (Head of Communication and Events Unit), Adrianna Bochenek (Director’s Office), Cristian Popescu (Corporate Services), Elena Balzarini (Institutional Cooperation and Networks Unit), Osama Arshad (Institutional Cooperation and Networks Unit), Arina Lupu (Institutional Cooperation and Networks Unit)
Excused:	Jim Clarken (Chairperson, IE), Marek Szydło (PL), Paulo Saragoça da Matta (PT), Katarina Batková (SK)
Alternates (<i>when Members are present</i>)/Observers/Guests/:	Paul Hafellner (DG JUST), Marco Fasciglione (IT), Katerina Kallitsioni (CY) Evis Alimehmeti (OBS AL) Daniele-Nicola Cangemi (OBS CoE, online), John Morjin (OBS SC), Carlien Scheele (EIGE)

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

Main Conclusions:	
1.1	The Vice-Chairperson, Rick Lawson, opened the 44 th MB meeting and explained the reason for the absence of the Chairperson.
1.2	He welcomed all participants and introduced the new representative of the Commission, Julien Mousnier, Director of Directorate C "Rule of Law, Fundamental Rights and Democracy" in the Commission's Directorate General for Justice and Consumers.
1.3	The Vice-Chairperson gave an update on the status of the membership, including pending nominations.
1.4	The Vice-Chairperson asked the MB members about any conflict of interest pertaining to the agenda of the meeting. No conflict of interest was reported.
1.5	No comments were received on the draft agenda which was approved with the modifications presented.
1.6	He reminded all participants that items 2 to 5 of the agenda referring to the selection and appointment of the FRA Director will be held in camera.
Decision:	A. The agenda of the 44 th Management Board meeting was approved

2-5 In camera: Appointment of the new FRA Director

Main Conclusions:	
The Management Board interviewed the three candidates in alphabetic order. Following a vote by secret ballot, the Board appointed Sirpa Rautio as new director of the Agency.	
Decision:	B. The Board appointed Sirpa Rautio as the new director of the Agency.

6 Approval of the draft minutes of the 43rd MB meeting

Main Conclusions:	
6.1	The draft minutes of the 43 rd MB were approved.
Decision:	C. The draft minutes of the 43 rd MB were approved

- 7 a) Report from the 71st Executive Board Meeting and on the Chairperson's activities**
- b) Report of the Director on the work of FRA in the last period**

Main Conclusions:

- 7.1 The Vice-Chairperson opened Day 2 of the MB meeting and reported some information from the previous day. He informed that, beyond the appointment of Sirpa Rautio as the new FRA Director, on Day 1 the Board discussed agenda items 15 and 16, both held in camera. The Board also discussed item 19 of the agenda on the elections of new members of the MB working groups. The decisions taken are mentioned further below under the respective agenda items.
- 7.2 The Vice-Chairperson informed that the 71st Executive Board (EB) meeting, that took place on 13 December, was dedicated to the preparation of the MB meeting.
- 7.3 The Vice-Chairperson reported on his activities undertaken in representation of the Agency, namely his participation on 10 October in the 10th Anniversary of ENNHRI in Brussels. He also participated in the farewell to the Director organised by the Irish Embassy in Vienna on 7 November 2023.
- 7.4 The Spanish member Yolanda Gamarra also reported on her participation on behalf of the Agency in the workshop "Fundamental Rights and the Accession to the European Convention on Human Rights" co-organised by FRA and the European Parliament office in Madrid on 2 October 2023.
- 7.5 The Director presented the Board with the Agency's activities since the last Management Board meeting in September 2023. He presented key outputs and progress of work in the operational units, drawing on the Director's Report to the Board, covering among others, his latest mission to Ukraine, recent FRA publications and FRA's participation in a UN high-level event in occasion of the 75th anniversary of the Universal Declaration of Human Rights, during which FRA also made a pledge to continue its work in promoting fundamental rights.
- 7.6 The Board expressed appreciation for the work of the agency and the Director's engagement.

- 8 Update and discussion on EU-Fundamental Rights Policy developments (COM)**

Main Conclusions:

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- 8.1 The Commission representative updated the Board on recent EU policy developments related to fundamental rights.
- 8.2 Amongst others, the Commission informed about its recent activities as regards to: the 2023 annual report on the application of the Charter (focussing on legal protection and access to justice); the follow-up to the 2022 Charter report on civic space; the recently adopted Defence of Democracy package and on the forthcoming initiative on integrated child protection systems.
- 8.3 The Board was also informed about the communication against hatred in light of the spike in antisemitic and anti-Muslim hate in the wake of the Hamas attack against Israel. It was updated on progress as regards the implementation of its fundamental rights and equality related strategies, including the Antisemitism Strategy, Anti-Racism Action Plan, Roma Strategic Framework, and LGTBTIQ Equality Strategy. Finally, the Commission referred to the provisional agreements reached on the proposed Anti-SLAPP Directive, two proposed Directives establishing common standards for equality bodies, and the proposed Corporate Sustainability Due Diligence Directive, while negotiations continued on the proposed Directive on combating domestic violence.
- 8.4 Management Board members asked a series of questions related to the Commission’s legislative work regarding asylum, migration, artificial intelligence, equal treatment across discrimination grounds including intersectionality.

9 Election of the Vice-Chairperson of the Management Board

Main Conclusions:	
9.1	The Management Board re-elected Rick Lawson (NL) for a new mandate as Vice-Chairperson of the Board.
9.2	The mandate of Rick Lawson will start on 11 April 2024 for a two-and-a-half-year term.
Decision:	D. The Board re-elected Rick Lawson (NL) as vice-chairperson for a two-and-a-half-year term starting on 11 April 2024.

10 Financial matters

Main Conclusions:

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10.1 The Chair of the Budget Committee and the Head of Corporate Services updated the Board on the financial matters which were presented at the 36th Budget Committee meeting of 13 December, including information on budget execution, transfers and amendments to the programming documents.

11 Budgetary transfer 2023_03 and Amendment n.4 of the Programming Document 2023 – 2025

Main Conclusions:

11.1 The Head of Corporate Services introduced the budgetary transfer n. 3 and the amendment of the Programming Document 2023-2025 Which has been revised to reflect the proposed budgetary transfer.

11.2 The Management Board adopted the budgetary transfer n.3 and the amendment n. 4 of the Programming Document 2023-2025.

Decision: E. The Management Board adopted the Budget transfer 2023_03 and the amendment n.4 of the Programming Document 2023-2025.

12 Amending budget 2023_03

Main Conclusions:

12.1 The Head of Corporate Services presented the proposed amending budget n. 3 providing a detailed explanation about the funds received by the Agency, namely from the European Commission for Title I, from the EEA & Norway Grants for projects, and the Austrian authorities as a rent subsidy. Regarding the EEA & Norway Grants, the head of Corporate Services explained that the Agency is in negotiations to discuss the future grant scheme. He also mentioned that the Agency received funds from other EU bodies for accounting services provided to the European Labour Authority (ELA) and from the European Institute of Innovation and Technology (EIT).

12.2 The Management Board discussed and adopted the Amending Budget 2023_03.

Decision: F. The Management Board adopted the amending budget 2023_03.

13 a) Final Single Programming Document 2024-2026 b) Statement of revenue and expenditure 2024

Main Conclusions:

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- 13.1 The Head of Corporate Services presented the final Single Programming Document 2024-2026. During the presentation, the Head of Corporate Services acknowledged and thanked the Commission services for understanding the financial difficulties of the Agency. In that regard, he explained that the Commission has agreed to postpone to 2025 the survey on migrants and their descendants. This allows the Agency to have a budget proportionate to the activities planned for the year 2024.
- 13.2 The Commission confirmed its agreement to postpone the survey on migrants and their descendants to 2025 and reiterated the importance of FRA surveys as core business of the agency. The Commission representative suggested to eliminate a proposed activity under B.2.7, namely the 'expert advice and fundamental rights analysis to help inform the inter-institutional negotiations on the Commission's proposal for a Regulation on preventing and combating child sexual abuse'. She also stressed the need for further consultation with the Commission on the 3rd priority activity under C.2.4 to 'conduct a data-driven, human rights-based strategic foresight study on fundamental right'.
- 13.3 The Management Board discussed and adopted the final Single Programming Document 2024-2026 and the Statement of revenue and expenditure for 2024, taking the Commission's comments on board.

Decision:	G. The Board adopted the Single Programming Document 2024-2026 and the Statement of revenue and expenditure 2024.
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14 Draft Single Programming Document 2025-2027 and Draft estimate of revenue and expenditure 2025

Main Conclusions:

- 14.1 The Director presented the Draft Programming Document for 2025-2027.
- 14.2 The Board discussed and endorsed the Draft Single Programming Document 2025-2027. The Commission abstained in view of its formal opinion to be delivered in July 2024.
- 14.3 The Board was presented with the draft estimate of revenue and expenditure 2025 and adopted it.

Decision:	H. The Management Board endorsed the Draft Single Programming Document 2025-2027 (with the Commission's abstention).
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Decision:	I. The Management Board adopted the draft estimate of revenue and expenditure 2025 (with the abstention of the Commission).
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15 In camera I: Transitional measures until the taking up duties of the new Director

Main Conclusions:

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15.1 During the in camera session, the Board appointed Constantinos Manolopoulos, Head of Corporate Services, as Director ad interim until the taking up of duties by the new Director Sirpa Rautio.

Decision: J. The Board appointed Constantinos Manolopoulos as Director ad interim until the until the taking up of duties by the new Director.

16 In camera II: FRA Scientific Committee – appointment of a new member

Main Conclusions:

16.1 During the in camera session, the Board appointed, from the Scientific Committee reserve list, Colin Harvey as new member of the Scientific Committee. The mandate will run until June 2028.

16.2 The Board decided that, in case the appointed new Scientific Committee member would not be available any longer, the appointment would go to the next person in the established Scientific Committee reserve list.

Decision: K. The Board appointed Colin Harvey as new member of the FRA Scientific Committee.

17 FRA Communication Strategy 2023 - 2028

Main Conclusions:

17.1 The Head of the Communications and Events Unit provided the Board with an overview of the draft Communication strategy for the period 2023-2028.

17.2 The Board discussed the draft and agreed to include a midterm review of the strategy into the document.

17.3 With this amendment, the FRA communication Strategy 2023-2028 was approved.

Decision: L. The FRA Communication Strategy 2023-2028 was adopted as amended.

18 Decision on educational costs for children of FRA Staff

Main Conclusions:

18.1 The Head of Corporate Services presented the revised draft decision on the educational costs for children of FRA staff. The revised version aligns the FRA decision to the decision of the Commission.

18.2 The Board discussed and adopted the revised decision on school and childcare costs for children of FRA staff.

Decision: M. The Board adopted the revised decision on school and childcare costs for the children of FRA staff.

19 Appointment of new members of MB Working Groups: Budget Committee (BC) and Annual Report Editorial Committee (AREDIT)

Main Conclusions:	
19.1	The Board elected Veronika Bilkova (CZ) to the Annual Report Editorial Committee (AREDIT) for a second mandate of a two-and-a-half-year term as of 12 February 2024.
19.2	The Board agreed to postpone the election of a new member of the Budget committee (BC) to the next Board meeting.
Decision:	N. Veronika Bilkova (CZ) was elected to AREDIT for a two-and-a-half-year term as of 12 February 2024.

20 Any other business

Main Conclusions:	
20.1	The Management Board warmly thanked Director Michael O’Flaherty for his leadership during the eight years of his mandate. The Board acknowledged his excellent contribution to the promotion of the Agency’s work in Europe and internationally.
20.2	The Board was informed that the next meeting will take place in person on 23 and 24 May 2024, in Vienna.

Date of the next meeting: 23 and 24 May 2024

Approved on:	23. Mai 2024
By the Chair:	

