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**14th BOARD MEETING**

**Minutes**

**Brussels, 21 May 2016**

**Participants:** Sarah, Nicoletta, Marcell, Peter, Jallow, Amel

**Apologies**: Intissar, Jamie, Vilana, Laurentia

**Participants ENAR Secretariat:** Michael, Claire, Myriam, Officers as relevant

**Venue:** ENAR Office, 67, rue Ducale, 1000 Brussels

**Accommodations:** Hotel Motel One, 120, rue Royal, 1000 Brussels.

CEJI training on Antisemitism scheduled on Friday, May 20 at the ENAR Office.

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| Saturday, 21 May 20159:00-17:00 |
| **No** | Matter |
| **09:00-09:15** | Opening words**1. The Agenda is adopted.****AOB includes:*** **Discussion on the project proposal of the Central European University on facilitating access to university for migrant students (Erasmus+)**
* **The refusal by the City of Malmö to set up an organisation to support PAD/BE on the model of other communities**

**2. Minutes of the 13th Board Meeting****DECISIONS:*** **AOB: move the point about Andreas’ stepping down (it is not a decision) up. Record that the Board thanks him for his dedication and great work.**
* **The minutes are adopted.**

**3. Follow up of the minutes of the 13th Board Meeting*** Jamie has not yet sent her note on intersectionalities. Amel will contact her to explore how to proceed.
* Feedback on the CEJI training to the Board and Staff on Antisemitism:
1. It was very interesting in terms of content;
2. It was a good team building exercise between the Board and the Staff. It should happen more often;
3. The experience should be renewed on other issues;
4. CEJI is also member of ENAR and it was great to benefit from the expertise of our member => ENAR should do similar trainings with other members of ENAR who have expertise on other topics => we would take advantage of the expertise of members and connect it to EU level work;
5. We should communicate about it on social media + and say it’s the first step towards other trainings;
6. The next Board will explore which issues it would wish to be trained on.
* Nicoletta has still not received any written clarification about the Cyprus project and NPC role for last year. She wants to receive information on this for procedural reasons.
* At the next Board meeting, we will have to reflect on the assessment of the NPC’s role (usefulness, content, impact and statutory review).

**DECISIONS:*** **The reflection about the statutory review of the membership is postponed to the Board meeting of September.**
* **Amel will contact Jamie to see if she wants to continue developing her note on intersectionalities or if she prefers to hand it over.**
* **The Board agrees on the need for other joint Board/staff trainings on other issues of concern; the decision about other topics is left to the September Board meeting.**
* **Georgina: release information about the training on our social media.**
* **Juliana: write a letter to KISA to clarify the process last year as well as the status of the NPC in Cyprus.**
* **The assessment of the NPCs’ role is put on the agenda of the Board meeting in September.**
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| **09:15-10:30** | Update on finance, staff and office **4.1 Financial update*** National projects are no longer part of the EC funding, they are fully under the OSF grant (=> we went for option 2, as discussed during the 13th Board meeting – see minutes). It is not additional funding, but we took 35.000€ outside of the co-funding provided by OSF. Funding from JRCT should cover this amount for our co-funding. As a conclusion, these 35.000€ were “re-injected” into other budget lines. It also means that the reporting procedures will be slightly lighter.
* In the narrative for the EC, we have included the salaries of the staff for the management of these national projects. This avoids adding over-heads to the national projects. This is in any case consistent with the empowerment and capacity building work which runs through our EC supported work plan.
* The relationship with JRCT is extremely positive. They asked us to apply in September for a three-year core grant of 120.000£ instead of 25.000€ /one year grants.
* The owner of the building does not wish to have a rental guarantee in the form of a blocked bank account, and we had to set up a bank guarantee instead. The guarantee is for 9 years. In a spirit of good governance, the money that we had set aside for the expected blocked account has been set aside on another account so that ENAR will not be in trouble in case anything happens with the new bank guarantee that can be claimed at any time by the owner.

**DECISION:*** **Myriam: prepare a loss recovery plan for the Board meeting of September.**

**4.2 Staffing*** Lunch cheques increase: see annexed document for justification (limited to no impact on the overall salary ledger - max. 5000€/year for all the staff members included). It’s the only way to grant a salary increase in the current context.
* Need to have a good rationale for it towards the members.
* Event and office manager: though not policy related, this position plays a crucial role in the organisation – see annexed document for justification. It is suggested that the salary of this position be increased with the left over from the outgoing Advocacy Officer.
* The gendered dimension of salaries will be examined.
* We need to have a level playing field within the staff regarding salaries.
* Recruitment of a new Advocacy Officer to replace Joël: see annexed document for the presentation of the diversity profiles of the applicants: there is a real improvement, in particular when it comes to Roma applicants. So far, Myriam, Claire and Michael have interviewed 5/7 candidates. They look very good. We expect to come to a decision soon.
* Kahina will cover Julie’s maternity leave.
* Amel, as member of the HR subgroup, raises the issue of the workload of the staff. Everyone is overstretched. There’s too much work and it’s not sustainable any more. The Consultant (ODS) assessing the organisation is coming to the same conclusions. The staff operates all year round in crisis/reactive mode.
* ODS Consultant: their report is due next week, but we received some recommendations on workload already.
* Marcell suggests delegating work to Board members and members when possible. This needs to be explored (e.g. going to meetings, conferences…). We have to ensure that there is added value for their work, that it relates to their needs (what ad hoc working groups can be established for example?). Michael welcomes the idea, but points out that organising volunteers (in this case) also takes time to be efficient and respond to Marcell’s suggestions. We therefore first need to decrease the workload to be able to invest in volunteer management. There are good examples of the positive effects of such practices.

**DECISIONS:*** **The Board agrees to the increase of lunch cheques for all the staff (from 5.6 to 8€/day as of 1st of June 2016).**
* **The Board agrees to the increase of the Office and Event Assistant salary using the left over from the outgoing Advocacy Officer salary, as an increase of the lowest salary in the current salary scale.**
* **Amel will set up an HR subcommittee within the new Board to review the salary scale and prepare some proposals; Myriam will inquire about the salary scales in similar European organisations.**
* **Amel will address the work overload with the HR subcommittee and prepare some proposals.**

**4.3 Membership*** To address the decrease in participation at the GA due to the difficulty of paying membership fees for some members, it is proposed that the Foundation offers grants to organisations that really can’t pay the minimal fee.
* The Board prefers to propose twinning of organisations: Members will be asked if they wish to support one or more member organisations to allow them to attend the GA. The Secretariat will prepare a list of criteria to select organisations that would benefit from this support.
* Willy Totoro is planning to attend the GA. It appears that the letter that was meant to be sent to him in July 2014 was finally never sent out. There was a gap in the communication process between Board and Staff.
* The Board comes to the conclusion that although Mr Totoro’s organisation was not informed of the Board decision that it is allowed to attend any ENAR meeting provided that they send another representative to avoid any further victimisation of the persons involved, that the Board decision remains enforceable. An updated letter will be sent to the organisation, with copy to Mr Totoro, informing them of our decision before the person books his flight.
* Mr Totoro can file a complaint to the Board should he wish to, but his suspension remains enacted.
* Walter Fondo: there has not been any formal complaint so far; but it is not too late to address the issue ahead of the GA to ensure he’s fully aware of the situation. Jallow will talk to him.
* Camelius Konkwo: the final audition of the appeal took place on 12 May. The judge indicated to our lawyer that the decision is most likely to be in our favour.
* Michael Mc Eachrane: Jallow explains the context of the publication of Michael’s letter in Sweden. He was against the re-publication in the Weekly Mail because he considered it deceptive in terms of content (lying about some of the signatories). He considered that it would be akin to endorsing the content which is undermining the work of ENAR and of most ENAR members in Sweden.
* The issue should have been brought to the Board, which could have had a fair assessment of the problematic issue and made a decision.
* The Board considers that one cannot review and possibly censor all the links sent by members for publication.
* Members of ENAR can disagree with ENAR on strategies (and vice-versa) – as long as the ultimate objective remains the same. We should not lose the freedom of expression and disagreement.

**DECISIONS:*** **The Board approves the list of applicant organisations**
* **MP : circulate a call for twinning of NGOs to support members unable to pay their fees to participate in the GA**
* **MP : prepare a list of NGOs whose fees could be paid for the Board (through the twinning programme, or possibly the Foundation)**
* **Chair of GA: address the harassment issue at the beginning of the GA: be descriptive and name a contact person in case of harassment**
* **Jallow: contact Fondo ahead of the GA about appropriate behaviour**
* **MP: send letter to ARCCY and CC Willy Totoro on Monday**
* **Georgina: put Michael McEachrane’s link in upcoming Weekly Mail**
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| **10:30-13:00****(incl. coffee break)** | **5. General Assembly*** Keynote speeches: we will try to get Commissioner Jourova (or possibly Amel Clooney or Niels Muiznieks).
* Twitter is interested in offering a training session to our participants (how to become a trusted reporter; how to report hate).
* We will try with Amel to look for imaginative ways of reporting (graphic harvesting / drama).
* We will try to make workshops reflective spaces: this needs to be a time where organisations can share their inspiring talks and practices – they should be “inspiration bubbles”.
* We will present next year’s priorities at the GA. The Board will receive them ahead of the GA.
* There will be an “Overview of the achievements of 2015”.
* EP session: the Board prefers to have a conversation on hate crime rather than hate speech; if possible taking into account double standards in the application of hate crime legislation (just an aggravating factor; but there is no definition of hate crime in EU legislation? Do we want more legislation? If yes, there is an issue of lack of legal ground for the EU => however we can ask for guidelines on police investigation, as well as for possibilities of infringement proceedings based on Article 4). In any case, the topic should not be presented in a technical way.
* Elections: Sarah informs the Board that only Amel and Marcel will run for chair so far; Laurentia will run for Vice-Chair. They are reminded to apply on time.

**DECISIONS:*** **MP: circulate a call for member-led workshops to the membership + the initial GA programme**
* **The Board approves the initial proposal for the GA programme**
* **MP and Amel: continue developing more creative elements for the GA (reporting…)**
* **Nicoletta, Sarah and Jallow will be part of the election committee**
* **MP: Make sure that there is speaking time for outgoing board members in the agenda**
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| **13:00-13:45** | **Lunch Break** |
| **13:45-16:45****(incl. coffee break)** | **6. Policy Update*** See annexed document.

**7. Migration*** Introduction to the results of the mapping by Juliana and Ojeaku (see pictures and annexed documents).
* We first need to define what our strategic objective is so that we can design a strategy and determine our entry point into this complex field. We cannot cover it all.
* Third country nationals, whatever their status, should be treated without any discrimination in the EU, despite different legal statuses with different rights (the maximum coverage being the long term residence status). However, the EU does not have full competence in this area as Member States still have space to develop their own competences. Access to nationality remains a national competence, but there is some case law that we could use in our advocacy in this area.
* Integration: treaties prohibit harmonisation between Member States on integration/migration. Our remit is therefore limited in this area. There is no legal instrument (apart from the family reunification directive).
* How should we take into account asylum seekers and refugees + undocumented migrants?
* How to have a race perspective beyond the human rights perspective (e.g. in the determination, by the EU, of the selected countries of origin of highly skilled migrants?)
* Should we look into the racial perception of migration, such as in the case of discrimination against TCNs in Ireland? Or look into the demeaning effect of procedures to get a visa or obtain a migration permit. There’s obviously a racist dimension to them.
* We could consider as racist the way Member States and the EU cluster migrants in different groups which are granted different rights with different outcomes (e.g. Indians will end up in agriculture, other nationalities in other sectors) => to demonstrate that, we need to work on our assumptions, the change we want to see and then set our objectives and the needed research (long term battle).
* We could also explore the different penalty levels imposed on migrant women.
* In any case, it will be difficult to bring evidence of such penalties, or in another area, of the fact that people are specifically targeted by hate crime as migrants.
* We also need to define what our policy demand is.
* In all migration instruments, there is always an anti-discrimination discrimination provision that we can use.
* Why not focus on Africans and Syrians? Would the racist dimension of policies be easier to fledge out?
* In some countries, the racist dimension of policies if very obvious (HU).
* We need to differentiate between assumptions, policy areas, demands…
* Could we simplify our assumption: Forced migrant (refugees) should have equal access to 6 areas defined by the directives // Migrants (Member States can choose who comes) should also be treated equally in these 6 areas of life => Our question could be: how do migration policies facilitate access to these areas or not? Migration policies which grant different access and rights go against the principle of equality (compare the process to get to our ultimate goal = 100% employment).
* It is important to note that refugee status is rarely granted; but as Member States can’t kick people out if they are refused this status, they have to give them another vulnerable status (like “leave to stay in Ireland”, which can become a trap leading to unemployment and exclusion, while not having the possibility to leave for a better place).
* The Shadow Report could look into the issue of hate crimes against migrants.
* Institutional violence against migrants (police)?
* Attacks on detention centres… (but no strong racial dimension to this)
* Hate speech analysis? But little data to demonstrate the link between political hate speech and attacks against migrants.
* Employment? Looking at access / conditions according to legal framework?
* What about the impact on people perceived as migrants?
* We could also look into the impact of political narratives on the hardening of a number of policies (family reunification, access to citizenship and what groups are rejected).

**DECISIONS:*** **MP: ensure a strategic discussion on migration during a workshop at the GA**
* **MP and Juliana: prepare a concept note for the workshop based on the above discussion**
* **Ojeaku: for the Shadow Report, explore the feasibility of employment/hate crime/political narratives (check with the Board before final decision). The Board is happy to support on the questionnaire too.**

**8. Member projects:*** See annexed assessment.
* Maximum 15 projects can be supported. We received 20 so far, with 2 proposals in some countries (Italy for example).
* Often, there is no network development approach to the project: they are very focused on the organisations and their link to ENAR Europe (except for Ireland and Denmark where they are in networks already). Juliana is trying to improve this situation to get the maximum out of the projects.

**DECISION:*** **The Board approves the criteria set by the Secretariat**

**Foundation:*** The 2015 Report is adopted by the Board of the Foundation.
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| **16:45-17:00** | **AOB and closing words** * The Board agrees to support Malmö’s PAD/BE NGOs in setting up an organisation supporting the empowerment and the protection of the community, similar to what has been done for Jews and Roma. The Mayor and the majority just backtracked on their promise to set up such an organisation. ENAR awaits further instructions from Jallow and his colleagues on how to proceed.
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| **17:00** | **END OF MEETING** |