**Minutes**

**2nd BOARD MEETING**

**21 November 2013**

**Participants Board meeting:** Sarah, Nicoletta, Adla, Niels-Erik, Karim, Julia, Valentin

**Apologies**: Jallow, Andreas, Rokhaya, Eyachew

**Participants ENAR Secretariat:** Michael, Shannon

**Venue and accommodation:** Best Western Museum Hotel, Athens

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| Thursday 21 November 20139:00-18:00  |
| **Time/No** | Matter |
| **9:00-10:00** | **1. Welcome, Adoption of agenda and minutes****DECISIONS**1. **The Agenda is adopted upon the inclusion of the following AOBs:**
* **Fixing the BM dates in 2014**
* **Update on the situation in Germany with regard to ineligible expenses in 2012**
* **ENORB**
1. **The minutes of the 1st Board Meeting are adopted**

**Follow up on decisions of the 1st Board Meeting*** **European Integration Forum:** Eyachew has applied for the election to the Bureau of the EIF on behalf of ENAR. Nicoletta raises concerns about the process for application and the consequences on ENAR’s image if ENAR does not offer support to our representative if he is elected.

We have to see first if he is elected and, if this is the case, reassess the support that the Board and staff members can offer. Next time, the process of designation needs to be made clearer to everybody if Board members decide to volunteer for specific positions on behalf of ENAR.* **Liability of the current Board Members with regard to decisions taken by the previous Board**: According to ENAR’s lawyers, ENAR as an organization is the only liable party towards third parties. Board Members are not responsible *intuitu personae* for the decisions taken collectively in the past. The more so as the GA has fully discharged the Board from all responsibilities before the elections. Only ENAR (as an organization) in the event that it would be condemned for not honouring contracts with 3rd parties could, in a second phase, take some of its individual Board Members to court in case there would be proven personal responsibility. But such a court action would require the decision of the GA to go against individual Board Members. 3rd parties would not be allowed to do so. The bottom line is: current Board Members are not personally liable for the remaining loss.
* **Myriam still has to follow up on Karim’s recommendation with regard to the liability insurance for Board Members** (apparently including in cases of mismanagement).
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| **10:00-12:00** | **Meeting with the Ministry of Public Order (10:30-11:30**)Shannon, Sarah, Nicoletta, KazimMinistry of Public OrderLeoforos Panagioti Kanellopoulou 4Athens 115 27GreeceWalk to the National Archeological Museum Take bus A8 towards ΣΤ. ΛΑΡΙΣΗΣ - Λ. ΑΛΕΞΑΝΔΡΑΣ - ΑΓ. ΠΑΡΑΣΚΕΥΗ and get off at ΣΤ.ΚΑΤΕΧΑΚΗWalk to Ministry of Interior and Public Order (300m).**Meeting with the Ministry of Justice (12:00-13:00)**Michael, Karim, Niels-Erik, Julia, Valentin, MoawiaMinistry of JusticeMesogion 96 (Λεωφόρος Μεσογείων 96)Athens 115 27GreeceWalk to ΠΕΔΙΟΝ ΑΡΕΩΣTake bus B5 towards ΣΤ. ΛΑΡΙΣΗΣ - Λ. ΑΛΕΞΑΝΔΡΑΣ - ΑΓ. ΠΑΡΑΣΚΕΥΗ and get off at ΞΥΠΟΛΗΤΟΥ. Walk to Ministry of Justice (150m).**Briefing by Adla and Moawiya ahead of the meetings with the Ministry of Public Order and Justice*** The hotline for racist cases is operated by the police, it’s not anonymous, and there’s little trust from the side of the victims. Last year, they only recorded 3 cases, while there were reports of 20-30 neo-Nazi attacks per day. Obviously, the hotline is not working efficiently. It should be operated by the civil society or other operators, but they need financial resources. The current situation highlights the fact that there is no political will to fight racist violence.
* Detention centres for migrants are a big issue. According to the police, there are only 4 detention centres. But they don’t count as detention centres police stations where migrants are kept sometimes up to one year in facilities built for a few days of retention before referral to a court. In the police stations, they don’t have access to proper health treatment, not to mention basic hygiene facilities. Due to ethnic profiling practices, many migrants are arrested and remain indefinitely in police stations.
* The health of migrants in detention centres is a serious concern: recently two migrants died because they were denied access to basic health services: one from stomach cancer and the other from AIDS.
* We have to make the need for a migration law clear to the Ministry of Justice. As there is currently no migration law, no one can come “legally” to Greece. Every migrant is therefore “illegal” to some degree, with few hopes to live a decent life in Greece.
* There is no integration policy either. The EIF is run by the Interior Ministry, which only gives money to a few big organisations that are not migrant organisations, with little impact on the ground.
* We should keep referring to Golden Dawn as a neo-Nazi group. The anti-racist civil society does not have many issues with the State authorities as such, but with Golden Dawn, because, as a party, they have access to resources, to the administration, but also have support groups that harass civil society organisations or activists, such as lawyers who fill complaint after complaint against NGOs to exhaust them. The more so as these have extremely scarce resources.
* There are many members of Golden Dawn within the police and the coast guards => when migrants are beaten up, there’s a real failure to protect victims by state authorities.
* The bottom line of our advocacy efforts should be that policies in the field of migration, FRONTEX, asylum… should not be discriminatory. We need to make the connection between the situation in Greece and the discussions at European level.
* The anti-racist bill has been blocked in the Greek Parliament since New Democracy (conservative right) came into power. They proposed a new draft legislation, pretending it would be more complete, but nobody has seen the draft so far as it has just been released tonight (20 November, around midnight). It would seem there is no provision on Holocaust denial – to be checked.
* It should be underlined that it is not acceptable that we have not been offered to meet with the Ministers (Internal Affairs and Justice). It sends a very bad message to European and Greek anti-racist civil societies.
* There would be a possibility to have a last minute meeting on Friday with the Minister of Health, via Karim’s contact in Greece. It could be an opportunity to raise the issue of the persons who died in detention centres due to lack of adequate health care provision.
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| **13:00-13:30** | **Light lunch and debriefing about the meetings with Ministries** |
| **13:30-15:30** | **2. Shadow report discussion:*** Shannon reported on the 2013 process (See note in attachment prepared by the policy department), highlighting the most pressing concerns (timelines, reporting demands, satisfaction regarding the European authors…).
* The staff proposes the following options:
1. Reviewing the contracts and conditions of the European authors so that a larger amount of work is done on their side (pre-drafting the national reports starting with the knowledge available from outside of the country)
2. Decreasing the workload at the national level, which was the initial plan, to compensate for a decreased fee at national level compared to previous years
3. Keeping the bi-yearly reporting plan, 2014 focusing on hatred/violence, but coming back to the previous small budget for the author(s)
4. Hiring someone full time in the secretariat to manage the whole administrative process + editing the national report + drafting the European report (it would enable us to keep the expertise and knowledge inside the organization). It’s financially possible without increasing the budget.

Excerpts of the discussion:* Having a full time person in the secretariat could be a good idea as this person, after a few months, will be able to take on other tasks and support the policy team. It will require a clear job description. This person will have to be a native English speaker, have excellent writing and communication skills, be a good communicator as there should be a connection with the campaigning/advocacy. This person should be able to feed in campaigning activities.
* The contracts of the European authors should be improved if we choose to keep this model, to avoid the pitfalls we’re encountering now.
* Maybe we could work using detailed questionnaires, rather that reporting templates. It could better direct the authors to the information we are looking for. Or a mix of different methodologies: detailed questionnaire, open questions/template on the more substantial issues so that we also have an analysis and not just a questionnaire. Nicoletta has been participating in a research where the questionnaire was very precise and allowed for gathering information in a very structured way, also facilitating the work of the reporters.
* Such a questionnaire would have to be developed by an expert in the field so that it yields relevant results, while always securing the grassroots voice.
* Maybe we should be more focused in what we are looking for, so that the research would better support our advocacy activities.
* We could set up an ad-hoc group to develop the reporting template/detailed questionnaire.
* In case we would opt for reinforcing the secretariat, what would the most advantageous option: hiring someone full time in Belgium, in another country? Hiring an external consultant?
* Sarah and Michael recommended avoiding hiring someone in another country as the experience of the Field Officers was not really conclusive in that regard. An external consultant would not necessary be less costly. In addition, it is forbidden to hire independent consultants for long term contracts on a single specific mission (Karim will look into this more specifically).
* It would amount to +/- 60 000€/year everything included, as for the Policy Officers.
* Valentin proposed another idea: instead of spending so much time on producing reports that we do not fully make use of, maybe a better way to proceed would be to hire one officer that would do some reporting, all year round, on a specific issue in line with our advocacy needs (e.g. on racist crime). S/he could produce fact sheets, press releases, European and national fact sheets on a specific issue, which could be brought together in a “thematic shadow report” at the end of the year. The authors at national level would report on that specific issue, which would probably entail less work too.

The officer will also communicate with ENAR’s various stakeholders (via social media for example) and support the development of a community management approach.In the case of an “emergency issue” such as the “Blond Roma kids” in Greece and Ireland, ENAR could rapidly gather information from the national level via its authors and quickly react with sound messages and be able to propose alternative narratives.**DECISIONS:*** **The Secretariat will draft a one pager on this last idea, exploring the different options proposed, as well as with a financial analysis of the feasibility of this change. It will be circulated to the Board within the next two weeks.**
* **The decision to radically change the shadow reporting process to tailor it to our new advocacy needs (as in 2001 to push for transposition of the RED) should be discussed with the other Board Members not present at the meeting. A conference call should be organized with the next 3 weeks so that we can fall back to the “normal process” and prepare it on time if the new concept would happen to be rejected.**
* **In any case, we should hold on to the issue of hate crime monitoring.**

**RECOMMENDATION:*** **Organise an ad-hoc group to devise the more detailed questionnaire for national authors as proposed above.**
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| **15:30-15:45** | **Coffee break**  |
| **15:45-17:15** | **3. Strategic Planning*** Presentation of the current internal process by MP
* The Board generally agreed that the direction taken so far was in line with the developments of ENAR over the last few years.

Excerpts of the discussion:* The idea of working on victims support with the members would be great – i.e. finding budget lines at EU level for ENAR and its members could constitute a very good link between advocacy (link with the upcoming transposition of the victims directive for which funds might become available) and action (hate crime/hate speech)

=> in this framework, Valentin insists on the fact that more work should be done in the courts in the future => we would need good “lawyer – HR activists”. This should be a long term perspective; we could also lobby for tenders to have provisions on legal representation and strategic litigation.Nicoletta suggests that we should keep raising awareness at European level that strategic litigation can make a change at national level. From an advocacy perspective, she advises to start highlighting that the first step would be to lobby for member States to provide legal aid to victims, which is often not the case. Niels-Erik reminds of the SOLID project that had been coordinated with the support of ENAR.* Shannon raises the question of what to do with the increasing number of requests of support that we receive from individuals all over Europe. Juliana is currently referring them back to our national members, or the organisations she knows in the various countries, but it’s not really satisfactory – however we have neither the funding nor the expertise to carry out this work at national level where these cases occur.
* More attention should be devoted to youth. Our involvement with the SIRIUS network is an example on how to do it without increasing the work load.
* UNCHR – ODIHR (also with ECRI) are also interested in launching a campaign on hate crime and they would be interested in ENAR joining.
* EP elections: AEGE would be interested in collaborating with ENAR.
* For our long term vision: we need to advocate for the participation of citizens and TCNs in the European elections.

**RECOMMENDATIONS:*** **Work on victims support to bridge ENAR advocacy needs at national and European level, while supporting members to reach out to funding;**
* **Lobby for tenders to have provisions on legal representation so that coordinated strategic litigation could be developed at national level, with the support of “lawyers – HR defenders”;**
* **Develop actions targeting youth**
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| **17:15-18:15** | **4. Varia****1) Press Releases*** Valentin expresses his concerns about our PR on Lampedusa. He finds that mentioning our sympathy for the victims was too weak.
* Everybody recognises that the secretariat should be supported in articulating PRs on issues that members would like ENAR to take a stand upon => members should also provide their idea of a pitch and not leave the secretariat alone to draft the PR, maybe without having an exact knowledge of the issue.
* In this regard, the PR on the Roma blond children was a good process.
* Adla will relaunch Rokhaya with the support of Anders to improve our guidelines on external communication.
* Our network is diverse. This also needs to be taken into account in our communication.

**DECISIONS:*** **Members will inform the Secretariat if they would like to have an ENAR PR on a specific issue. They will provide the secretariat with a proposal for a pitch.**
* **Adla and Rokhaya will work on the guidelines for our external communication with the support of Anders.**

**2) Anti-Semitism and other committees*** Niels-Erik contacted CIDI and had a good conversation with them, but he feels he is kind of blocked now. What follow up to envisage?
* Julie and Michael have reached out to a number of Jewish organisations on their side. Possibilities of collaboration are emerging.

**DECISIONS:*** **Niels-Erik will inform Julie of his contacts so that they can work together to develop this strand of the work and help enlarge the membership within this cluster, also with the support of our members.**
* **Board Members responsible for an ad-hoc group should keep the relevant policy officer in the loop if they have conversations with members or other stakeholders so that the secretariat is aware of new developments and is better able to support Board Members in their reach out activities.**

**3) Communication, work load and committees*** Michael expresses his will to engage a conversation on the role, responsibilities and involvement of the staff and board members in piloting the various expert committees that were decided at the last board meeting, as nothing much has been moving forward over the last couple of months.

It is suggested to start with the situation as it is, rather than engage in the work on the basis of unrealistic expectations on both sides: Board Members are overstretched activists, with many caps, who should not be expected to facilitate and lead online discussions all the time. Rather, they should be considered as resource persons, to be mobilized punctually for the most part of the work: bouncing ideas, framing discussions with members and experts, advising on directions to take based on their expertise and analysis of the situation, participating in the expert meetings whenever possible for them, as well as participating potentially on behalf of their committee to conferences… The staff could be expected to play a greater role in facilitating the expert groups/online communities, stimulating the relevant Board Members, developing approaches to ensure that the voice/expertise of the members is taken on board. * The most difficult aspect will be to ensure that members feel that they have the ownership of the production of the Network, so as to keep alive the spirit of the recent reform of the governance and the membership.
* There is no adequate solution devised for now, but we should try to have a dynamic understanding of our respective capacities for contribution depending on the time of year, the topic at stake, the resources available, without setting a particular way of functioning in stone.
* Karim highlights the fact that we also do not know the depth/wealth of expertise around the table => it would be nice to find a way to allow people to be useful, but how to engineer it? Maybe Board Members should be less shy in putting to the fore their contacts in countries that we visit, their specific expertise on subjects that would seemingly not be directly connected to ENAR. The staff could reversely reach out more proactively to members (e.g. asking for contacts with politicians before visiting a country…).

**DECISIONS:*** **We should strive to have a dynamic understanding of our respective capacities for contribution depending on the time of year, the topic at stake, the resources available, without setting a particular way of functioning in stone. Be flexible and understanding. No feeling of guilt or disempowerment!**
* **For all the expert committees, we can start by having the staff taking a more active role in the facilitation/coordination of the work, in close collaboration with the relevant Board Members.**
* **All the expert groups are kept for now (for example to be able to measure the impact of hate crime on each community)**
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| **18:15-18:30** | **AOB and closing words*** Michael informs on behalf of Andreas that the German coordination cannot find a way to trace back the missing tickets and documents leading to the declaration of about 5000€ of ineligible expenses for 2012. Therefore, the DGB is proposing to send a formal letter to ENAR asking for a clarification on who is responsible for reimbursing the ineligible costs (ENAR or the coordination) as ENAR validates the report before it is sent out to the EC. ENAR will have to answer, based on the contract. It will allow the DGB to put in its books, depending ENAR’s answer, if it going to reimburse costs or make a donation. It’s a technical issue of book keeping, but there seems to be an understanding that the DGB will reimburse the costs.

Nicoletta expresses her worries that a number of costs incurred by activities at the national level end up being on the shoulders of ENAR, i.e. the members at the end of the day. Once the final accounts done we might have to have a serious discussion on this issue.* Upcoming Board meeting: the staff will run a Doodle: 25/01 or 08/02 for 1st meeting; April (keep in mind Orthodox Easter); June; September; November
* Meeting with Health Minister on Friday: the delegation will be composed of Karim, Michael, Niels-Erik, Moawiya, Sarah
* ENORB has not been discussed (postponed to next meeting)
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| **19:00** | **Dinner** |