**Minutes**

**4th BOARD MEETING**

**24 - 25 April 2014**

**Participants Board meeting:** Sarah, Nicoletta, Jallow, Andreas, Niels-Erik, Valentin, Rokhaya, Julia and Eyachew

**Apologies**: Adla, Karim

**Participants ENAR Secretariat:** Michael, Myriam, Claire

**Venue & Accommodation:** HOTEL DOMIDEA, Via Raffaele Costi, 17/21 - 00155 Roma   
Tel. +39.069.76.59.073

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| **Thursday 24th April 2014: Meeting with Politicians, civil servants and NGOs**  **Friday, 25th April, 2014**  9:15-17:00 | | |
| **No** | **Matter** |  |
| **09:15-09:45** | **Opening words**  **Adoption of the agenda**  **Adoption of the minutes of the 3rd BM**  Sarah | **DECISIONS:**  - The agenda is adopted.  - The minutes of the 3rd Steering Committee meeting are adopted.  **Follow up of meetings of 3rd Steering Committee Meeting**  - On the cases of deaths/suicides of migrants/refugees in detention in Cyprus brought up by Nicoletta: it is suggested to collect data on migrants/refugees dying in custody (see what data is already available) via the revised Shadow Reporting process and aggregate data with the view to build up the case.  - On communication: a higher reaction rate from ENAR is expected by a number of members. There are technical issues (monitoring 28 Member States, the relevance of google alerts, the human resources available for this function only). The NPC should be made more aware of the need to flag up relevant issues to the Secretariat. The Secretariat, reversely, is tasked to check if there is a trend worth communicating about.  **DECISIONS**:  - Georgina/Juliana to mail to all the members, in particular the NPCs, to be proactive in sending out information to the Secretariat on cases worth communicating about – with reminders on regular basis.  - The Secretariat is tasked to be as proactive as possible in checking important issues trending on the internet/in the media and contacting relevant members for reaction if something happens. |
| **09:45-10:30** | **Update on Finances**   * Audit 2011, 2012 – reimbursement from NCs * Current situation 2014 + amendments * Cash flow gap 2014-2015 * Debt * Prospects for 2015 * EF update   Myriam | - Myriam presented the details of the ineligible amounts of 2011 and 2012 as well as a forecast for 2013: additional amounts might come up, further increasing the level of the loss.  - Andreas proposed 3 levels to deal with the current situation:  1. DG Justice/EC increased scrutiny (longer term conversation) needs to be met with a strategy  2. For the NPCs: provide advice on book keeping and relevant guidelines  3. The Board should become a role model in this area.  As this is a longer conversation, Andreas proposes to have it via Skype  - For 2012, some members might not be able to reimburse their 30,55%. This will be added to the operational loss of ENAR which will have to be covered by external incomes.  - For 2014:  a) We need to pay all invoices before end of January 2015 => accountancy will be closed on 31/01  b) As a consequence, the cash flow gap will run from January to May to cover the operations of ENAR  c) Try to have co-funding from elsewhere and get the money during the cash flow gap so that it can decrease the amount of money to be borrowed  d) Collect money at ENAR events (donation box)  e) Triodos Bank: for guarantee of credit line: ask individuals to vouch for a % of the total guarantee  **DECISIONS**:  - Set up a group for strategic discussions that could propose decisions for the Board (Andreas, Sarah, Julia, Niels-Erik + MDF/MP) + send an email to Adla and Karim to ask if they want to join.  - For 2012, MDF will send a detailed request to recover 30,55% of ineligible amounts to the members concerned.  - The rest of the unrecovered amount will be added to the operational loss of the organisation.  - Information about the reporting deadlines for this year will be communicated to members during the GA.  - EF: an assessment of the cost/benefit work of the EF shall be carried out.  **RECOMMENDATION**:  - Board members are encouraged to think creatively as regards the budget and communicate with Andreas and Myriam. |
| **10:30-10:45** | **Coffee Break** | |
| **10:45-13:00** | **Content discussion:** Update on Strategies (15’)   1. **Equality Data collection (1h15)** 2. **EP elections (30’)** + midpoint review   Claire, Michael, Sarah | **1) Equality Data collection**  - See attached strategy.  - See annex for the details of the discussion.  **RECOMMENDATIONS**:  - Ask first for soft law, rather than advocate directly for hard law in this area.  - In the power mapping, a number of municipalities could be key stakeholders as they also need equality data to devise sound policies.  - Need to keep having informed discussions at the national level with community organisations - when we have such discussions, we see that there is potential support and that communities already advocate for or do internal data collection.  - For the national level advocacy: develop a toolkit to support members in the development of their advocacy activities.  - For Germany: there is a window of opportunity for advocacy around the development of the micro-census in 2015/16.  - Migration status needs to be taken on board - in the first phase or later.  - We need to look at the intersectionality between discrimination grounds.  - We need to look at other areas than employment, at least those covered in EU legislation. Hate crime could also be a venue.  - Health and education could be good entry points as they are universal rights irrespective of legal status.  - For the national level, we will need to be flexible and adapt to the priority areas most relevant in each national context.  **B) EP elections**  - See attached strategy.  - Presentation of Slovenia’s actions by Eyachew  - The signatories of our equality demands are a good basis for the next EP – they will be our 1st supporters  - After the elections, target specific MEPS (chairs of crucial committees: LIBE, EMPL, Budget,...)  - Valentin draws attention to the fact that the rise of the far-right is not linked to the crisis. The crisis is a catalyst. |
| **13:00-13:45** | **Lunch Break** | |
| **13:45-15:15** | **Content discussion:**   1. **Community strategies** – in particular PAD/BE **(45’)** 2. **equal@work (15’)** 3. **racist violence (30’)**   Claire, Michael, Jallow | **C) Community strategies**  C.1) PAD strategy  - See annexed document presented by Jallow  - See annex for the details of the discussion  **RECOMMENDATIONS:**  - What should be the role of ENAR regarding the launch of specific community based networks? Incubator, provider of financial and/or logistical support? Should they be for our member organisations only? Open to other organisations outside of the network?  - ENAR should keep reinforcing the cooperation between communities to avoid further fragmentation and competition between victims.  **D) Equal@work**  - Discussion postponed due to lack of time  **E) Racist violence**  - Discussion postponed due to lack of time |
| **15:15-15:30** | **Coffee break** | |
| **15:30-16:15** | **Varia:**   * Strategic planning update * Shadow report update * EIF update (Eyachew) * Inappropriate behaviour at ENAR meetings   Michael, Claire, Eyachew, Jallow | **5.1) Strategic plan:**  - The preliminary 2-pager on objectives is really good  - Contextual analysis could be shortened  - The issue of migration/integration is not really fledged out – Nicoletta to propose recommendations  **DECISIONS:**  - Board members to send feedback on the draft to Michael by 02/05 at the latest  - Consultation of the network should be sent out by mid-May at the latest to remain within the statutory deadlines  **5.2) Hate crime/racist violence Shadow Reporting form**  - It should try to capture the actual situation on the ground  - It should also highlight where possible the disparities between official data and data collected by NGOs.  **DECISIONS**:  - Board members to comment on the reporting template by 02/05 at the latest.  - The Secretariat should develop guidelines for answering authors’ questions, rather than phone calls/online presentations.  **5.3) European Integration Forum (EIF)**  - Eyachew has been elected on behalf of EU NGOs on the steering committee of the EIF.  - The Secretariat can provide logistical support to organise meetings with other EU NGOs ahead of the meetings.  - Board members and members who have expertise on integration/migration issues should be connected to Eyachew to ensure structured grass-roots input through Eyachew.  **DECISION**:  - Eyachew to consult with the Secretariat and members about the issues to raise during the steering committee meetings.  **5.4) Inappropriate behaviours during and around meetings**  - Jallow briefs the Board about 2 cases that happened during a meeting organized by ENAR in collaboration with ISD Bund. It appeared that the harassers are connected to ENAR.  **DECISIONS**:  - No confrontation will be organised between the victims and the accused harassers  - ENAR has the right to, and will, exclude the individuals involved, not their organisations, from attending any further ENAR meeting. Organisations will be asked to send other representatives to ENAR meetings. By doing so, there will be no ground to sue ENAR.  - In order to maintain peace and prevent victims from being re-victimised, ENAR can ask the individuals not to attend our meetings – it is without prejudice to what actually happened. It is not a sanction.  - ENAR will apply the shift of the burden of the proof: ENAR considers that there is enough evidence of harassment (the distress expressed by the victims). Accused individuals will have to prove that they did not harass if they are not happy with ENAR’s decision.  - Sarah will inform the relevant organisations of ENAR’s decision and ask for other representatives to be sent to ENAR meetings.  - Niels-Erik will draft letter for Sarah and circulate it to the Board for approval. |
| **16:15-16:45** | **Staffing**  Myriam, Michael | - 2 positions are currently vacant: the Shadow Report Officer and the Deputy Director Policy  **DECISIONS**:  - Sarah to send an email to the Board to organise Michael’s appraisal before the Convention  - Members are encouraged to disseminate the calls for application as widely as possible to increase the pool of talents and diversity profiles available.  - Sarah and Jallow will participate in the reviewing and selection committee of the Deputy Director. |
| **16:45-17:00** | **AOB and closing words**  Sarah | - Letter of Roma organisations from the UK requesting the ENAR Board to publish a statement opposing the adoption of Slovak Roma children by British same sex couples  **DECISION**:  - The Board refuses to publish such a statement. |

**Annex on the details of the content discussions (Agenda points 3 and 4)**

**A) Equality Data collection**

Nicoletta

- Better to go from soft law towards hard law rather than advocate directly for hard law.

- For the national level advocacy: we need to develop a toolkit to support members in the development of their advocacy activities in their respective Member States (=> background research necessary on the situation in the different Member States).

- ENAR’s upcoming publication is a first step in this direction + the OSF/MPG research on 7 countries is also a good basis.

Niels-Erik:

- Stakeholder/power mapping: the municipality of Copenhagen should be added, as they have a great interest in data on the profile of their population.

- Could we have more details about the “framework” we are aiming for: do we differentiate between the different levels of power? Actually, local authorities might be a better entry point than Member States.

- The role of the private sector should also be explored.

Jallow:

- The EU remains a key entry point to force reluctant Member States to act – because they also prevent the local level from collecting equality data even if they would like to on many issues.

- The UK should be involved.

Andreas:

- He organized the national round table in the framework of the OSF equality data collection project.

- Crucial learning from the meeting: when people take part in an informed discussion, they understand the situation (see report)

- Some NGOs are very much involved in data collection already, and developing solutions (e.g. ISD) – others, like Roma organisations, are much more reluctant because of the Holocaust, and the fact that they were subject to critical surveillance by the German authorities until the end of the 1970s. But they have done their own internal monitoring to have an estimation of the size of their own community => so there is still a possibility to get them on board by, for example, including communities in the process – it should not only be an “external” process of data collection by authorities. Communities need to be fully involved in the exercise and be clear about its objectives.

- There will be a window of opportunity in 2015-16 in Germany to move the debate forward with the development of a micro-census at federal level => it will open a space for discussion, even if we will not be able to go immediately into the “ethnicity” debate => in any case, it will have an impact on Eurostat data collection.

- Building the case bottom up, while connecting with the European level, helps to think our approach differently.

- There is a small lobbying group out of the network that wants to continue this work in the future

Nicoletta

- Which set of data are we looking for, and in which area(s)? Is it only employment?

- If we focus only on employment, we will miss many issues affecting migrants (TCNs, refugees), who are discriminated more upstream in the process, well before actually getting a job.

- We should look at least at all areas covered in the Equality Directives.

- We need to take migration status on board because individuals have different rights depending on their status.

Claire:

- We use the UK, but also Northern Ireland as good practices.

- The first step, even before starting the national advocacy, is to build the demand for data collection among communities.

- Our focus has been on race and ethnicity as defined in the directive.

- Migration is very difficult.

- Employment is the 1st level, but we are open to other areas (housing, education). The situation can change from one country to another, depending on the national debate: you can make headway in the area of justice but stall in relation to employment for example. We need to be flexible on that.

- At EU level, we are advocating to get a bottom line on what is really needed, what are the key principles that should be applied and respected by national/local authorities

- Data protection: the legislation is similar in all Member States, but the interpretation of exceptions varies a lot.

Sarah:

- The UK is not always good example as they do not always connect anonymised data. We also need to remain critical about the good practices.

Eyachew:

- We need to propose questions to Eurostat and check their data in any case.

- Migration status could come in a second stage.

Nicoletta:

- Access to healthcare could be one key focus area because the right to health care is a basic fundamental right, whatever one’s status => could be a better area to start with, because it is universal (not depending on the crisis as an excuse as with employment).

- We could also apply this to education.

Andreas:

- Supports this view: we need to look into intersectionality.

Claire:

- Advocacy at national level should be closely linked to the national priorities => members will have to decide on that.

- At EU level, we will need to be strategic. Hate crime is a great venue, but we need another set of arguments – we need hate crime data, because there’s a breach of EU law.

Sarah:

- Maybe in Cyprus, migration status is the key issue.

**C) Community strategies**

PAD strategy presented by Jallow

Nicoletta

- Why should we support the establishment of a new network? What is the role of ENAR? Do we have the capacities to do that?

- Where is the issue of migration in the PAD strategy?

Valentin:

- Is a fragmentation between strategies on different grounds useful?

Claire:

- It’s good to have a new network as we need to empower communities to advocate for themselves.

- Even if there would be a new PAD network, ENAR still remains very relevant; in particular our PAD strategy which does not depend on the existence of such networks, but would be reinforced by them.

Michael

- ENAR took the decision in 2011 to adopt an approach looking both transversally AND in silo to address the specificities of certain types of racism.

- In parallel, we are increasingly working on developing solidarity between communities to (1) mitigate the risk of fragmentation, and (2) make communities’ voices stronger by supporting one another.

Jallow:

- This network would be part of ENAR with its own financing => the network is just incubating within ENAR, but with the view to further the work undertaken by ENAR.

- It will have to develop its own finances to go to the next level.

Sarah:

- Could this be a good practice for other communities?

Andreas:

- We should be careful not to generate competition between victims to access funding.

- From the identity perspective (issue of critical whiteness / colour / status…), which issues is this network focusing on?

Sarah:

- We should remain very aware of the potential for competition between victims => ENAR’s role is to push for reinforced solidarity.

Claire:

- To develop our strategic approach, we should always ask “What is our added value?”, including on the issue of migration. Other networks working on migration (ECRE, PICUM, EUNOMAD…) all look at specific aspects, so could we bring as an anti-racist network?

Nicoletta:

- There is no network on “migration” as such – the other networks only focus on specific issues (asylum seekers, irregular migrants…).

- Migrants have their specificity as migrants.

Michael:

- Would this mean that we understand “migration” as a discrimination ground?

- With regard to encouraging the setting up of new networks for other communities, we should stay in “waiting” mode and be an incubator for such networks only if there is a genuine demand for a new organisation – it should not be an ENAR policy to generate new networks on every issue.

Andreas:

- It is actually not an identity question, but a political question: “do we think it is politically wise to generate a new network?”