# Minutes

**5th Steering Committee meeting**

**19 June 2014**

**Participants Board meeting:** Sarah, Nicoletta, Jallow, Valentin, Julia, Adla

**Apologies**: Karim, Andreas, Niels-Erik, Eyachew, Rokhaya

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

**Venue:** ENAR Office

**Accommodation:** Park Inn Hotel

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| **No** | Matter |
|  | Adoption of the agenda**DECISION:*** **The agenda is adopted.**
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|  | Adoption of the minutes of the 4th Steering Committee MeetingUpdate on Decisions**DECISION:*** **The minutes of the 4th SCM are adopted.**

**Update on the decisions of the 4th SCM:*** Support to Andreas for the strategic committee on finances has to be provided. Myriam and Sarah to discuss with Andreas how to make this happen.
* Claire to prepare a draft letter for Niels about the harassment case so that he can review and that we can proceed.
* Ensure the inclusion of the expertise of members in the development of the content work and the strategies.
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|  | Update on finances & staffing* See annexed documents.
* Myriam gives an overview of the accounts and the cash flow situation for 2014.
* We still have to fundraise about 100 000€ for this year.
* Michael is looking at applications with Hans.
* Timelines for upcoming applications: Q3: triennial agreement with the EC. Probably December: EC application for 2015 (which will have an impact on our cash flow); “core funding” from OSF during the summer; JRCT on Islamophobia probably by the end of the year. This will be a busy time.
* Michael has contacted our bank (BNP Paribas) to explore the possibility of a flexible straight loan. They would agree “in theory” but having the triennial agreement signed with the Commission should make it easier. As for Triodos Bank (alternative bank), it would be more difficult as we have no guarantee of any sort, unless we ask members, friends to commit to vouch for ENAR in case we have no EC income, or deposit an amount on a Triodos bank account as a guarantee. Triodos is open to taking into account all the money deposited in such a way.
* Membership fees: we have collected about half of them so far. We will use the Convention as a way to get members to pay their dues. We have had an increase in members asking for a reduced fee of 25€, which the Secretariat has so far granted on a case by case basis, in order to first try to maintain the idea of paying a fee, rather than focusing on the amount itself.
* The Board opposes the idea: members have to pay the full fee according to their income. ENAR can propose installments to make it easier.

**DECISIONS:*** **The Board opposes any reduction of membership fees, which have to be established on the basis of the organisation’s income.**
* **The Secretariat will propose flexible installments to the members having difficulties paying their dues – but the full membership rights will be granted only when the whole membership fee is paid.**
* **If a member cannot pay its fees by the end of the year, its ENAR membership will be terminated. The member can reapply for ENAR membership at any time, once it is able to pay its fees again.**
* **The Triodos Bank option is ruled out: it is impossible to vouch collectively for ENAR or organise deposits from members to offer a warranty for a straight loan.**
* **ENAR will further explore possibilities with BNP-Paribas for 2015.**
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|  | Convention/GA agenda review* See annexed detailed agenda of the Convention.
* Sarah will chair the election process per se with Adla and Valentin.
* The implementation of the OM provisions on the regional balance is very difficult. It should have been said from the outset that no one should have run as candidate from the North-West region. As this was not the case, we have to let them run for elections and respect the full democratic process.
* For this year, we have to respect the democratic process and offer the chance to run to all candidates irrespective of the regional balance. An ad-hoc decision will be proposed to the GA to suspend its provision exceptionally this year (see OM 3.3.2.5).
* Before the vote, Momodou will remind members to vote responsibly having all the balances in mind.
* A proposal for an ad-hoc decision of the GA to suspend the OM provision exceptionally this year will be proposed to the GA (waiting for the review of the OM by next year). If the decision is adopted, everybody will be allowed to run. If the GA turns down the decision, NW region candidates will have to retrieve their candidacy.

**DECISIONS:*** **The following proposal of ad-hoc decision will be put to the vote of the GA before the voting starts. If rejected, NW region candidates will have to step down. Text of the proposal: Ad  Hoc Decision to temporally suspend the article 3.2.2.5 of the OM Gender and Diversity balance policy on the Board of ENAR:** In 2014, the General Assembly shall decide to exceptionally suspend the balance policy until next Board election. The Gender and Balance Policy on the Operating Manual will be reviewed prior to 2015 Annual Meeting.
* **Put on the agenda of the next Board meeting in September a proposal to review the OM provisions on regional balance. Members will be asked to vote electronically on the adoption so that everything is ready for the elections next year.**
* **The country balance should be more important than the regional balance itself.**
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|  | Varia* Dates of Remaining Steering Committee meetings for 2014
* Consultancy by Board Members
* Strategic Committee Meeting (content and date)

**Consultancy activities for ENAR by Board members*** Board members expressed different views, ranging from opposition to the possibility of Board members to work as consultants for activities run by ENAR to an acceptance under strict conditions.
* Some of the conditions have been spelt out as follows:
1. Rules should be transparent, fair and apply to all Board members working as consultants;
2. Board members potentially involved as consultants for a specific project should not take part in the decision making process;
3. It is generally felt that the specific expertise of Board members on issues ENAR might be brought to work upon should not be lost because of overly strict rules;
4. There should be a difference between a consultancy for a few thousands Euros and a project worth dozens of thousands of Euros. The scale of the task and amount outsourced to the consultancy should be taken into account;
5. ENAR has already proceeded in this way with Board members contracted to draft shadow reports or the case of the Light On project;
6. The Secretariat will check if this is fully legal under Belgian law;
7. Formal, open, transparent and fair procedures for tendering will have to be put in place;
8. It is considered as fair that a Board member bringing a project (and income) to the organisation be involved in it – with or without remuneration for the work done.
* It was also noted that a Board member might be taking part in a project via a member organisation, which would be fully legal.

**DECISION:*** **The Secretariat to propose to the Board a draft regulation for the OM based on the comments above, after checking the legality of the issue according to Belgian law.**
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|  | **Content discussion****A) Community strategies**See excerpts from the discussions below in Annexes.**DECISIONS:*** **Organise in the short term a Skype call with those interested in the migration issue to put forward initial thoughts on how to approach the topic (other than “intersectionality”)**
* **Nicoletta will use the Convention to have an initial discussion with interested members on the issue of migration.**
* **Nicoletta takes the lead on the migration steering group within the Board.**
* **Eyachew will be asked to share agendas, documents... related to the EIF so that members, with the support of the Secretariat, can provide input.**

**RECOMMENDATIONS:*** **Set up a group that would review all ENAR documents to ensure that migrants are mainstreamed in all relevant ENAR policy outputs and work.**
* **Momodou will also join the “Islamophobia steering group”.**
* **The Secretariat will seek to provide the list of all ENAR’s activities related to the migration/integration issues over the last couple of years.**

**B) Strategy on racist violence*** Claire shared the initial strategy on hate crime/racist violence (see annexed document).
* Excerpts of the discussion in the Annexes below.

**DECISIONS:*** **Claire and Juliana to check how many ENAR members are already working on data collection on hate crime. If there are not too many, they could also be invited to join the NPC capacity building training on hate crime.**
* **Claire to communicate legal analyses to the Board on why the FDRX is “lisbonised” and not fully re-written as a directive to avoid a difficult unanimity rule.**

**RECOMMENDATIONS FROM VALENTIN:**1. We should have a prosecutor office in every administrative unit: a prosecutor specialized on hate crime. This changes the dynamics in court (52 such prosecutors in Spain) but they need to be trained properly (same for the judges… they need to be able to differentiate between hate crime and assault).
2. We should ask for an EU prosecutor office on hate crime that could coordinate work in Europe.
3. We need to bring the fight to the courts and train CSOs to develop their capacity to hire good lawyers who understand the legislation. We need to reinforce strategic litigation and victim support.
4. We need to focus on having justice rendered by courts as it stops the spiral of violence.
5. We need to focus more on making the voice of hate crime victims heard, as this crucially changes the dynamics in society.
6. Terminology: Is hate crime better? / racist violence (too narrow)? / Bias violence? The debate should be pursued.

**C) Shadow Report:*** Year 2013
* Draft report by the end of the year
* Resend questionnaire (one week for comment) + timeframe
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|  | **AOB and closing words****DECISIONS:*** **Dates of remaining steering committee meetings for 2014 to be decided after the election of new Board Members.**
* **The Strategic Committee will consist of a one full day of the next Board meeting: discussions will focus on the interconnections between the different strategies and how members can be involved in their design – under the overarching objectives of the strategic plan.**
* **Time should also be dedicated to strategizing the future of the EF.**
* **If members adopt a different strategy from ENAR’s (as a European organisation, backed by the mandate of its members) on a specific issue, ENAR (Europe, Secretariat) shall not provide support and resources for them (strategic development, project applications…), as it would run against the objectives of the Network as a whole. If there is a difference of approach on a specific issue, concerned members should put this forward within ENAR’s decision making structures.**
* **Shadow report: Ojeaku will recirculate the questionnaire with one week for comment. Draft report to be prepared by the end of the year.**
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**Annexes:**

**A) Community strategies**

* Momodou gives an update on the advancement of the PAD community strategy.
* The discussion focuses on the issue of a “PAD network” as raised at the SCM in Rome in April and on the issue of intersectionality. Key discussion elements:

Nicoletta:

* We need to take into account multiple discrimination (PAD, Muslim, migrant). We need to make efforts to avoid fragmentation while taking care of the specificities of the various communities.
* ENAR resources should not be given to establishing another network. The purpose of the Secretariat is to support every community.
* It is ok to establish an independent network on PAD, to cooperate with ENAR, but ENAR resources should not go towards this objective.

Momodou:

* The horizontal directive covers this multiple discrimination approach. And we are also working in that direction.
* The Roma strategy is a good example of success: we advocated for it and it brought substantial change. Yet, it has not led to any fragmentation between the communities.
* The risk of fragmentation seems to be over exaggerated. Further, we apply the same principle to other groups – we are an echo of the voice of our members. It is also their demand.

Sarah:

* We don’t need to make the case for PAD/BE anymore, rather we need to focus on the way in which we do this work and how we engage with stakeholders. We want to have the issue mainstreamed in ENAR and in the work of our stakeholders.
* How do we use ENAR’s resources to achieve this? How can members be further involved? How has ENAR been facilitating this process so far? What could be improved?

Julia

* It is a question of workload of the Secretariat. Members should get activated to diminish the workload of the Secretariat.

Momodou:

* The PAD Steering Group formulated policy recommendations based on their knowledge of the issue, the staff has been facilitating the process, polishing the language to make it understandable to policy makers.
* It is a good model: members come forward with the issue, it is member driven.

Adla:

* We should make sure to address the poverty issue: ethnic & religious minorities and migrants are more likely to be discriminated when they are poor.

Momodou:

* The question of resources in ENAR is crucial: that’s why we need to have structures in place so that if ENAR can’t follow the implementation of the PAD strategy for whichever reason, there is something to keep the work going.
* ENAR has been central in bringing members such as ISD to the fore at European level (see meeting in the US, European dimension of Berlin meeting) and we should not shy away from this part of our work. We can take credit for that. Our members have of course their own set of competences, but ENAR has been the European/international convener. This is also a good practice to be duplicated for other communities.
* We now need to focus a lot on community building, on developing the base to reinforce actions at local/national level.

Nicoletta:

* Do we have the resources to carry out all the activities foreseen? Are we able to devote the same amount of our resources to all our strategies?
* How can we manage different strategies? How can members be involved?

Sarah:

* All communities are at a different speed in terms of development, and have different needs. It is therefore possible for ENAR to adapt its resource allocation to the various needs of the communities – but it goes without saying that we could not devote the same amount of resources to all the strategies at the same time.

Momodou:

* Members of the PAD/BE steering committee are working a lot themselves; it’s not only a secretariat issue. Members involved in the other strategies should also take part in the work of the Network and not leave it only to the Secretariat.

Nicoletta:

* EIF: what about migration and how do we take this on board? We need to have a sound conversation about this.
* We need to take responsibility to support Eyachew on the EIF board.
* Could we organise a Skype call to gather the intelligence of the members most involved in the migration issue?
* Reminder of the Board Members interested in a “migration steering group”: Adla is the lead board member, Nicoletta, Niels-Erik, Sarah and Eyachew are involved – no meeting planned for 2014 (see minutes BM of September 2013).
* Momodou and Julia express their willingness to also join the “migration steering group”.

**B) Strategy on racist violence**

* Momodou has been taking part in the victim support network.
* KISA will launch a data collection website on hate crime.
* We should also link with organisations not yet members of ENAR such as the “monitoring group” in the UK, Tell Mama…
* Claire should check which members are already working on hate crime reporting: if not too many, we should see if they could join the NPC training by OSCE so that they can also contribute with their expertise and link with other members.
* Momodou informs that he has been participating in the OSCE training on hate crime and that it has opened good opportunities for cooperation with the police in Malmö. The hate crime unit works in close cooperation with them as soon as there is suspicion of hate crime.
* Valentin mentions the good practice developed by his organisation: the establishment of a council of hate crime linking different platforms (PAD, Jews, Muslims, Roma) and which puts victims at the core of the process.
* The FDRX will automatically become a directive as of 1st December 2014 (according to the new rules set in the EU Lisbon Treaty). The EC will be able to start infringement proceedings, but it will not be reopened in view of being rewritten as a directive. This is too dangerous because of the unanimity rule.
* What about the judicial cooperation in legal matters? Does it have an impact on the FDRX?
* Erik Bleich (Vermont University) should be contacted on hate speech. Brilliant analysis.