

MANAGEMENT BOARD DECISION No 29/2015

of 09 September 2015

on the composition of the Frontex Consultative Forum on Fundamental Rights

THE MANAGEMENT BOARD,

Having regard to the Frontex Regulation¹, in particular Article 26a (2) thereof,

Having regard to the Proposal of Frontex Executive Director,

Whereas:

(1) Frontex established a Frontex Consultative Forum on Fundamental Rights to assist the Executive Director and the Management Board in Fundamental Rights matters in 2012.

(2) The Frontex Consultative Forum is envisaged as a knowledge and expertise resource aiming at the enhancement of the respect of Fundamental Rights in all Frontex activities in accordance with Article 26a of the Frontex Regulation.

(3) The European Asylum Support Office (EASO), the European Union Agency for Fundamental Rights (FRA) and the United Nations High Commissioner for Refugees (UNHCR) were invited to the Frontex Consultative Forum pursuant to the provisions of the Frontex Regulation by the Management Board Decision No 12/2012 of 23 May 2012 on the establishment and composition of Frontex Consultative Forum.

(4) The Council of Europe (CoE), the International Organization for Migration (IOM), and the Organization for the Security and Co-operation in Europe (OSCE) were also invited to the Frontex Consultative Forum by the Management Board Decision No 12/2012 of 23 May 2012 due to their mandate and expertise in the promotion and respect of Fundamental Rights in the field of border and migration management.

(5) Nine Civil Society Organisations promoting the respect of Fundamental Rights in the fields of border and migration management were invited to the Frontex Consultative Forum by Management Board Decision No 18/2012 of 26 September 2012 on the working methods of the Frontex Consultative Forum and the modalities of the transmission of information to the Frontex Consultative Forum, following a public call for expression of interest, and their mandate was of 3 years, which could be renewed.

(6) Following the forthcoming expiry of the mandate of the nine Civil Society Organisations, a new call for expression of interest has been launched on 29 June 2015 and nine Organisations have been selected according to objective and verifiable selection criteria.

(7) With the aim to avoid the interruption of the implementation process on the Frontex Consultative Forum Annual Program of Work and other pending activities, the present Decision defines the term of the mandate of the members invited by this Decision to expire on 31 December 2018.

¹ Council Regulation (EC) No 2007/2004 of 26 October 2004 establishing a European Agency for the Management of Operation Cooperation at the External Borders of the Member States of the European Union OJ L 349, 25.11.2004, p. 1, as last amended.

HAS DECIDED AS FOLLOWS

Article 1

Object

This Decision defines the composition of the Frontex Consultative Forum upon expiration of the 3 years term of the mandate of some of its members.

Article 2

EU Agencies and International Organisations

1. The following EU Agencies and International Organisations were specifically mentioned in the Frontex Regulation and were invited to become permanent members of the Frontex Consultative Forum:
 - a) The European Asylum Support Office (EASO);
 - b) The European Union Agency for Fundamental Rights (FRA);
 - c) The United Nations High Commissioner for Refugees (UNHCR)
2. The following International Organisations have been invited to renew their membership in the Frontex Consultative Forum due to their mandate and expertise in the promotion and respect of Fundamental Rights in the field of border and migration management and their mandate is renewed:
 - a) The Council of Europe (CoE);
 - b) The International Organization for Migration (IOM);
 - c) The Organization for the Security and Cooperation in Europe/Office for Democratic Institutions and Human Rights (OSCE/ODIHR).

Article 3

Civil Society Organisations

1. A maximum number of nine (9) Civil Society Organisations were invited to become members of the Frontex Consultative Forum following the public call for applications.
2. A selection committee chaired by the Frontex Deputy Executive Director, with the participation of representatives from the Frontex Management Board and the Chair of Frontex Consultative Forum, selected the proposed nine Civil Society Organisations from among the Organisations presenting their applications, following an assessment based on the eligibility and selection criteria defined in the Annex to this Decision.
3. The nine selected Organisations are:
 - a) AIRE Centre
 - b) Amnesty International European Institutions (AI- EIO)
 - c) Caritas Europa
 - d) Churches' Commission for Migrants in Europe (CCME)
 - e) European Council for Refugees and Exiles (ECRE)

- f) International Commission of Jurists (ICJ)
 - g) Jesuit Refugee Service (JRS)
 - h) Platform for International Cooperation on Undocumented Migrants (PICUM)
 - i) Red Cross EU Office (RCEU)
4. In case a Civil Society Organisation decides to withdraw from the Frontex Consultative Forum during its mandate, the Frontex Management Board decides on a proposal of the Frontex Executive Director and after consultation with the Frontex Consultative Forum whether to launch an open call to fill in the vacancy.

Article 4

Participants at the Frontex Consultative Forum

The rules regarding the participation at the Frontex Consultative Forum meetings are laid down in a separate Management Board Decision on the Working Methods of the Frontex Consultative Forum pursuant to Article 26a (2) of the Frontex Regulation.

Article 5

Revision and expiration of the mandate

1. By way of derogation from Article III (1.1) of Annex I of the Management Board Decision Nr 18/2012 of 26 September 2012, the term of the mandate of the members invited by this Decision expires on 31 December 2018.
2. This Decision shall be revised by the Management Board at the latest by 31 December 2018.

Article 6

Repeal

Management Board Decision No 12/2012 of 23 May 2012 on the establishment and composition of Frontex Consultative Forum and Annex II (List of Civil Society Organisations) of Management Board Decision No 18/2012 of 26 September 2012 on the working methods of the Frontex Consultative Forum and the modalities of the transmission of information to the Frontex Consultative Forum are hereby repealed.

Article 7

Entry into force

This Decision enters into force on the day following the date of its adoption.

Done in Warsaw, 09 September 2015

For the Management Board
[signed]

Ralf Göbel
Chairperson

1. Eligibility Criteria

a. Legal status of the organisation

The organisation applying for membership in the Frontex Consultative Forum (CF) must have a legal status according to the law of the state in which it is established.

b. Obligations of professional secrecy

Members of the Consultative Forum and their representatives, as well as other participants mentioned in Article 4 shall comply with the obligations of professional secrecy. They shall be ready to sign the “Declaration of Adherence to the Obligations of Professional Secrecy” on behalf of their organisation.

2. Selection Criteria for Civil Society Organisations

a. Expertise

Established knowledge and experience in the areas relevant to the CF, namely in the policy areas of fundamental rights in regard to migration and international protection, in particular asylum, child protection, data protection, trafficking in Human Beings and safeguards in relation to deprivation of liberty and return, as related to Frontex activities, specially focused on the European context;

b. Relevance

Ability of the organisation to provide input vis-à-vis the activities, objectives and strategy of Frontex; Previous relations with Frontex and/or involvement in EU institutions and bodies in practical cooperation measures/training/academic activities in the field of migration and border management will be taken into account;

c. Extent

Representation in their field of competence at the European or international level (including third countries). Relevance of the organisation’s geographical area of interest and location in Europe will be taken into account;

d. Approach

Follow evidence-based approach to research and demonstrated experience and availability to work with a wide range of organisations from official and public institutions, in particular law enforcement bodies, to international

organisations and non-governmental organisations, in order to encourage and foster mutual understanding. Belonging to relevant networks/groups/public institutions in a European context will be taken into account;

e. Accountability

Transparent approach in view of the organisation's responsibilities to their stakeholders (e.g. donors, states, the public...);

f. Commitment

Public commitment to the respect and promotion of fundamental rights listed in the Charter of Fundamental Rights of the European Union.