

MANAGEMENT BOARD DECISION No 12/2012
of 23 May 2012

ON THE COMPOSITION OF FRONTEX CONSULTATIVE FORUM

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 shall establish a Consultative Forum to assist the Executive Director and the Management Board in fundamental rights matters,

(2) The Consultative Forum shall be consulted on the further development and implementation of the Fundamental Rights Strategy, Code of Conduct and common core curricula,

(3) The Consultative Forum is envisaged as a knowledge and expertise resource aiming at the enhancement of the respect of Fundamental Rights in all Frontex activities,

(4) The European Asylum Support Office (EASO), the European Union Agency for Fundamental Rights (FRA) and the United Nations High Commissioner for Refugees (UNHCR) should be invited to the Consultative Forum pursuant to the Frontex Regulation,

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.

(5) The Council of Europe (CoE), the International Organization for Migration (IOM), and the Organization for the Security and Co-operation in Europe (OSCE) should also be invited due to their mandate and expertise in the promotion and respect of Fundamental Rights in the field of border and migration management,

(6) Civil Society Organisations promoting the respect of fundamental rights in the fields of border and migration management should also be invited to the Consultative Forum,

(7) In order to ensure a transparent selection procedure of the Civil Society Organisations, a public call for applications with objective and verifiable selection criteria is required,

(8) Other organisations or individuals in a personal capacity may be invited to participate at the Consultative Forum to ensure that it remains an open Forum and that the required expertise is available,

(9) Representatives of Frontex Management Board and of EASO, FRA and UNHCR meeting in the Drafting Committee² have given their advice to the Executive Director for the preparation of this Decision.

HAS DECIDED AS FOLLOWS

² Established by Frontex Management Board at its meeting of 8/9 February 2012.

Article 1

Object

This Decision establishes Frontex Consultative Forum pursuant to Article 26a (2) of the Frontex Regulation and defines its composition.

Article 2

EU Agencies and International Organisations

The following EU Agencies and International Organisations shall be invited to become members of the Consultative Forum.

- a) The European Asylum Support Office;
- b) The European Union Agency for Fundamental Rights;
- c) The United Nations High Commissioner for Refugees
- d) The Council of Europe;
- e) The International Organization for Migration;
- f) The Organization for the Security and Cooperation in Europe;
- g) ;

Article 3

Civil Society Organisations

1. A maximum number of nine Civil Society Organisations shall be invited to become members of the Consultative Forum following a public call for applications.
2. The Drafting Committee selects these members from among the organisations presenting their applications, following an assessment based on the eligibility and selection criteria defined in the Annex to this decision. Details regarding the selection procedure shall be published together with the call for application.

3. In case an organisation decides to withdraw from the Consultative Forum, the invitation for its replacement follows the order of assessment referred to in the previous paragraph.

Article 4

Other participants at the Consultative Forum

The rules regarding the participation at the Consultative Forum meetings of other non-member organisations as well as individuals acting in a personal capacity are to be laid down in a separate Management Board Decision on the Working Methods of the Consultative Forum pursuant to Article 26a (2) of the Frontex Regulation.

Article 5

Frontex participants at the Consultative Forum

Frontex Management Board Chairperson or its Deputy, the Executive Director or its Deputy and the Fundamental Rights Officer as well as other Frontex staff members assigned by the Executive Director may attend the Consultative Forum meetings as observers or to contribute with their expertise to specific agenda items.

Article 6

Chairperson

The inaugural meeting of the Consultative Forum shall be chaired by Frontex Management Board Chairperson.

Article 7

Reimbursement of expenses

Frontex shall reimburse travel, accommodation and subsistence expenses for participants in the Consultative Forum meetings in accordance with the applicable Frontex' rules on the reimbursement of expenses incurred by persons invited to Frontex meetings³.

Article 8

Revision

This decision shall be revised by the Management Board at the latest three years after its entry into force.

Article 9

Entry into force

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

Done in Warsaw, 23 May 2012

For the Management Board

Ralf Göbel
Chairperson

³ At the moment of the adoption of this Decision: Decision of the Executive Director No. 2012/20 of 29 February 2012, on the reimbursement of expenses incurred by persons invited to attend Frontex meetings.

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;

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 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 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.