



Vilnius, 9 November 2023

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Subject: Commission's letter of 22.06.2023 on the recommendations of the second external evaluation of EIGE

Dear Commissioner Dalli, Dear Commissioner Hahn,

On behalf of the Management Board (herein 'the MB' or 'the Board') of the European Institute for Gender Equality ('EIGE'), which I am currently chairing, I would like to thank you for your letter of 22.06.2023 which responds to the Board's recommendations stemming from the second external evaluation of EIGE of 2022.

The MB discussed the follow-up to the external evaluation recommendations in light of your response at an extraordinary meeting on 4.10.2023. Following on from this discussion, the MB would like to further substantiate its recommendations to the Commission.

Revision of the MB composition and establishment of an Executive Board

As regards the recommendations to revise the composition of the MB, the Board confirms its favourable position to align the Agency's governance and advisory structures with the standards established in the Common Approach to Decentralised Agencies. Such revisions are only possible if EIGE's Regulation is amended, in accordance with Article 21 therein.

The revisions would introduce full representation by all 27 Member States in the MB, alongside the establishment of an Executive Board.

The Common Approach recommends full representation of the Member States in management boards to ensure sufficient representation of stakeholders' interests while finding common ground for an EU solution. An Executive Board tasked to prepare the work of the Board and take decisions in emergency situations would ensure efficiency and business continuity in the Board. Both measures are intended to improve the effectiveness and efficiency of the Agency, in accordance with the external evaluation recommendations.

The MB welcomes the Commission's acknowledgement of the benefits of ensuring continuous involvement of all Member States in the work of EIGE, in line with the Common Approach, and invites the Commission to propose these changes in a revised EIGE Regulation. The Commission's proposal to have the Member States that are not represented in the Board to be invited as observers could be, indeed, a temporary measure to involve the unrepresented stakeholders, albeit one with limited effect, since observers are not able to vote and take decisions in the interest of EIGE.

Reform of the Experts' Forum

As regards the Commission's proposal for EIGE to further explore efficiencies in the working methods of the Experts' Forum, the MB would like to highlight that the second external evaluation report acknowledges the Agency's considerable efforts since 2015 to improve the efficiency and effectiveness of the Forum. The evaluation confirms that weaknesses remain despite these efforts and that a substantial reform of the Forum is needed by replacing it with another type of body.

Discontinuation of the Experts' Forum and the establishment of an advisory body along the lines seen in other agencies (such as the Scientific Committee of the Fundamental Rights Agency) and in line with the standards set in the Common Approach (i.e., membership done through transparent selection based on competences and expertise) would improve the cost-effectiveness and efficiency of the body and would better ensure independence and excellence among its members.

The MB, therefore, considers that a revision of the Founding Regulation to pursue the discontinuation of the Experts' Forum and the establishment of a new body, such as a Scientific Committee, would effectively address the respective evaluation recommendation.

Risks assessment for the revision of EIGE's Regulation

The MB discussed in earnest the potential risks associated with the opening of EIGE's Regulation, in accordance with the Commission's recommendation in its letter. Following thorough discussions and analysis, the Board considers the risks to be minimal.

Firstly, there has been no legislative proposal put forward by the Commission to merge EIGE with another Agency. The second external evaluation proves that EIGE's mandate is unique and that existing synergies are already well exploited. The evaluation results do not provide any grounds for a merger with another Agency.

Secondly, the external evaluation provides no grounds for possible discontinuation of EIGE. On the contrary, it shows that EIGE is a well-functioning organisation, which fulfils the mandate set out in its Regulation and manages its resources well. The discharge reports for EIGE since inception confirm these results. It is highly unlikely that an impact assessment would find evidence for discontinuing the Agency. Should a qualified Council majority not vote in favour of a revised Regulation for EIGE, the current Regulation would remain in force.

The MB recognises that preparatory work is needed on the part of the Commission, should it propose a revision of EIGE's Regulation.

However, considering that:

1. Only targeted technical revisions are sought,
2. The revisions stem from the second external evaluation, and
3. The changes do not entail significant costs.

There may be grounds for a derogation from the Better Regulation Guidelines¹ requirement to perform an impact assessment. The external evaluation report already provides sufficient evidence-based information for the changes proposed. This would facilitate the Commission's preparatory work wherein a legislative proposal could be put forward ahead of the next European elections.

EIGE's staffing needs

Lastly, and equally important, the MB would like to reiterate the need for EIGE to be properly staffed. The external evaluation report reveals significant staff shortages that prevent the Agency from fully responding to its stakeholders' needs. The MB welcomes the two Contract Agent posts proposed by the Commission in the draft 2024 budget while acknowledging that the proposal accommodates only partially EIGE's needs.

The Commission mentions the additional resources proposed for EIGE in the directive proposal on combating violence against women and domestic violence. The MB recalls that providing a financial statement to accompany a proposal of new legislation is a requirement of the EU Financial Regulation and that the resources proposed are earmarked for the implementation of a specific activity. Since the Commission assigns specific tasks to EIGE in the directive, the resources proposed for EIGE are not in response to the recommendations of the external evaluation.

The MB, therefore, maintains its recommendation to the Commission for a strong reinforcement of the Agency's capabilities in terms of staff and budget to enable it to respond adequately to stakeholders' needs and to effectively address EU priorities.


¹ Commission Staff Working Document Better Regulation Guidelines, SWD(2021) 305 of 3.11.2021.

CONCLUDING WORDS

The MB of EIGE firmly believes that, amidst a series of crises that have caused a sharp rise in intersectional inequalities and movements promoting anti-gender narratives, a stronger EU Agency for gender equality is needed now more than ever. EIGE's important and unique mandate is demonstrated through the results of the second external evaluation. Challenges are revealed as well. The MB's recommendations based on the findings of the evaluation are a great opportunity for the Commission to tackle these challenges effectively and to reinforce EIGE's capabilities and operations.

The MB avails itself to remain available to the Commission to provide further clarity on any matters raised in the external evaluation or in this letter.

Yours sincerely,



Tanja Auvinen
Chairperson
Management Board

Cc: CAB Dalli – L. Radelicki, S. Agius; CAB Hahn – N. Athanasiadou; DG SG – P. Leardini; DG JUST – A. Gallego, Director-General, I. Moozova, Deputy Director-General, K. Vandekerckhove, HoU D3