

MANAGEMENT BOARD DECISION 26/2020 of 23 September 2020

on the appointment of an ad interim Fundamental Rights Officer

THE MANAGEMENT BOARD

Having regard to the European Border and Coast Guard Regulation¹, and in particular Article 109 thereof;

Having regard to the Staff Regulations of Officials and Conditions of Employment of Other Servants of the European Union² (hereafter the “Staff Regulations” and “CEOS”, respectively), and in particular Article 7(2) of the Staff Regulations, applicable by analogy to temporary agents pursuant to Article 10 CEOS;

Having regard to the Management Board Decision laying down implementing rules on temporary occupation of management posts³;

Whereas:

- (1) The remit and scope of the duties of the Fundamental Rights Officer as provided for in the European Border and Coast Guard Regulation has been significantly increased, including the selection and management of the Fundamental Rights Monitors and other staff members of the Fundamental Rights Office, in comparison to the regulation it replaced⁴ and, consequently, the post is now at middle management level;
- (2) To fill the post of Fundamental Rights Officer a new selection process at middle management level needs to be launched, which will take a considerable amount of time and can only be launched following the approval of the Management Board decision on middle management staff in line with Article 110 of the Staff Regulations;
- (3)
- (4) To ensure business continuity in such an important area as fundamental rights, the Chairperson of the Management Board has identified a staff member possessing the required expertise in the field of fundamental rights;
- (5) Ms Annegret Kohler was appointed by the Management Board in the past as ad interim Fundamental Rights Officer⁵, she was however not recruited as a middle manager in the sense of the applicable rules;
- (6) It is therefore appropriate, pursuant to Article 10 CEOS and the Management Decision laying down implementing rules on temporary occupation of management posts, to temporarily assign Ms Annegret

¹ Regulation (EU) 2019/1896 of 13 November 2019 on the European Border and Coast Guard (OJ L 295, 14.11.2019, p. 1).

² Regulation (EU, Euratom) No 1023/2013 of the European Parliament and of the Council of 22 October 2013 amending the Staff Regulations of Officials of the European Union and the Conditions of Employment of Other Servants of the European Union (OJ L 287, 29.10.2013, p. 15-62).

³ Management Board Decision No 18/2020 of 29 July 2020 laying down implementing rules on temporary occupation of management posts.

⁴ Regulation (EU) 2016/1624 of 14 September 2016 on the European Border and Coast Guard (OJ L 251, 16.9.2016, p. 1)

⁵ Management Board Decision 27/2018 on the appointment of an ad interim Fundamental Rights Officer of 5 November 2018.

Kohler to the post of ad interim Fundamental Rights Officer at middle management level as defined under Article 109 of the European Border and Coast Guard Regulation.

HAS DECIDED AS FOLLOWS:

Article 1

1. Ms Annegret Kohler () is appointed as ad interim Fundamental Rights Officer.
2. She is independent in the conduct of her duties pursuant to Article 109(5) of the European Border and Coast Guard Regulation.
3. During her appointment as ad interim Fundamental Rights Officer, Ms Kohler shall not carry out other functions.
4. This temporary appointment of Ms Kohler shall be understood as a temporary assignment
5. This temporary assignment shall cease on the date when the post is successfully filled as the result of a selection process or after a maximum period of one year from the date of this Decision entering into force, whichever occurs first.
- 6.

Article 2

This decision has no impact on Ms Annegret Kohler's current contract of employment, namely on its duration, place of employment, current function group, grade, step and the seniority in that grade and step.

Article 3

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

Done in Warsaw, 23 September 2020.

For the Management Board

[signed]

Marko Gašperlin
Chairperson
