



Plenary sitting

A8-0343/2017

31.10.2017

REPORT

on the nomination of João Alexandre Tavares Gonçalves de Figueiredo as a
Member of the Court of Auditors
(C8-0333/2017 – 2017/0817(NLE))

Committee on Budgetary Control

Rapporteur: Indrek Tarand

CONTENTS

	Page
PROPOSAL FOR A EUROPEAN PARLIAMENT DECISION	3
ANNEX 1: CURRICULUM VITÆ OF JOÃO ALEXANDRE TAVARES GONÇALVES DE FIGUEIREDO	4
ANNEX 2: SUMMARY BY JOÃO ALEXANDRE TAVARES GONÇALVES DE FIGUEIREDO OF EXPERIENCE AS A COURT MEMBER AND OBJECTIVES FOR A FUTURE MANDATE	13
PROCEDURE – COMMITTEE RESPONSIBLE	15

PROPOSAL FOR A EUROPEAN PARLIAMENT DECISION

**on the nomination of João Alexandre Tavares Gonçalves de Figueiredo as a Member of the Court of Auditors
(C8-0333/2017 – 2017/0817(NLE))**

(Consultation)

The European Parliament,

- having regard to Article 286(2) of the Treaty on the Functioning of the European Union, pursuant to which the Council consulted Parliament (C8-0333/2017),
 - having regard to Rule 121 of its Rules of Procedure,
 - having regard to the report of the Committee on Budgetary Control (A8-0343/2017),
- A. whereas Parliament's Committee on Budgetary Control proceeded to evaluate the credentials of the nominee, in particular in view of the requirements laid down in Article 286(1) of the Treaty on the Functioning of the European Union;
- B. whereas at its meeting of 26 October 2017 the Committee on Budgetary Control heard the Council's nominee for membership of the Court of Auditors;
1. Delivers a favourable opinion on the Council's nomination of João Alexandre Tavares Gonçalves de Figueiredo as a Member of the Court of Auditors;
 2. Instructs its President to forward this decision to the Council and, for information, the Court of Auditors, the other institutions of the European Union and the audit institutions of the Member States.

ANNEX 1: CURRICULUM VITÆ OF JOÃO ALEXANDRE TAVARES GONÇALVES DE FIGUEIREDO

PROFESSIONAL EXPERIENCE

- 10/2016 – Present **Member of the European Court of Auditors**
Member of the ECA, assigned to Chamber I - Sustainable use of natural resources.
Responsible for audits in the field of the Common Agricultural Policy.
Participates in the drawing-up of strategic guidelines and documents for the planning and evaluation of the ECA's activities.
Member of the ECA's Ethics Committee.
- 06/2008 – 09/2016 **Judge at the Portuguese Audit Court**
Participated in approval decisions for the Opinion on the General Account of the Portuguese State.
Checked the legality of contracts concluded by administrative or corporate entities of the State's Central Administration, the Autonomous Regions and the local authorities: loans and leases, service provision, works, supply of goods, property purchases, operating lease contracts, works and service concessions, public-private partnerships, mergers of local businesses.
Carried out audits of contract performance and to determine financial liability.
Implemented legislation on public financial management in the public sector and business sectors, national and European public procurement legislation, and key administrative legislation.
Helped draw up the Court's activity plans and reports.
President of the Court's IT Committee.
Member of the editorial board of the journal of the Court.
- 03/2005 – 06/2008 **State Secretary for Public Administration, Ministry of Finance, Government of Portugal**
Participated in Councils of Ministers and meetings of the State Secretaries.
Contributed to plenary sessions of the Assembly of the Republic and Parliamentary Committees.
Participated in EU Councils of Ministers.
Participated in the drawing up of General Accounts and Budgets of the State, Growth and Stability Programmes and key Portuguese public finance legislation during this period.
Reviewed the Public Administration's most important human resources legislation, notably in the areas of contractual ties, careers and remuneration, performance appraisal, social protection and retirement.
Created the Public Administration's central human resources database.
Responsible for the restructuring programme for the State's Central Administration (PRACE), which had an impact on all ministerial departments at central and decentralised level, and which aimed to improve management effectiveness and efficiency with a 26 % reduction in senior management positions and structures.
Created the State's Shared Services.

09/2003 – 03/2005

Lead Auditor at the Portuguese Audit Court

Issued legal and financial opinions on: amendments to the Budgetary Framework Law (LEO); the applicability of the LEO's budgetary rules and principles to the local authorities; the assignment of State and social security credits for securitisation; the independence of the Audit Courts; the relationship of the Audit Courts to internal control; the Law on the Organisation and Procedure of the Court; the legal regime on the extra-contractual civil liability of the State; principles and standards that must be followed by the direct and indirect State Administration.

Technical and legal support on financial audits, compliance audits, and performance audits.

Participated in international meetings involving supreme audit institutions (SAIs) within the European Union, INTOSAI and EUROSAI.

11/2002 – 09/2003

Head of the Training Department

Directorate-General of Customs - Ministry of Finance - Portugal

Drew up and monitored policies, plans and evaluation reports on the training of Portuguese customs officials in the implementation of the Portuguese and EU border customs regimes. Implemented training initiatives for Portuguese customs officials.

04/2001 – 11/2002

Managing Director

Director-General of the Prison Service - Ministry of Justice - Portugal

Ultimate responsibility for the service, including central services and 54 prisons, 6 300 officials, an operating budget of EUR 188 000 000 and an investment budget of EUR 55 400 000 (2002 figures).

Ultimate responsibility for enforcing custodial sentences handed down by the Courts to 13 500 prisoners (2002 figures).

Defined the strategic development options for the Portuguese prison system, and activity reports and plans.

Drew up a new draft law on custodial sentences and a draft legislative provision to strengthen the prison service's Audit and Inspection Service with the aim of ensuring oversight and the legal compliance of its prison practices and management.

Carried out the first study in Portugal on drug trends and consumption in prisons for the Centre for Research and Studies in Sociology at the University Institute of Lisbon (ISCTE).

Developed and implemented a programme to improve security in prisons, and a suicide prevention programme.

Carried out a prison building and renovation programme (Carregueira, Paços de Ferreira, Porto Judicial Police, Tires, Sintra, Montijo, Olhão, Leiria, Coimbra and Porto).

Edited the journal 'Temas Penitenciários'.

02/1999 – 04/2001

President

National Probation Service - Ministry of Justice - Portugal

Ultimate responsibility for the service, including 115 administrative units in 104 municipalities, 1 700 officials, and a budget of EUR 37 500 000

(1999 figures).

Ultimate responsibility for providing the Courts with technical support in criminal jurisdiction and for enforcing non-custodial sentences (16 000 requests per year).

Ultimate responsibility for supporting the Courts in the application and implementation of measures relating to juvenile and family justice through the Service's 14 juvenile institutions (26 000 requests per year) and the adoption of procedures under international conventions relating to juveniles, on which the Service was the central authority.

Drew up the strategic plan for 2000-2003 and designed and developed a planning system.

Contributed to the reform of juvenile law (Law No 147/99 of 1 September 1999 and No 166/99 of 14 September 1999).

Created the conditions for the courts to order community service, including agreements with 440 public and private institutions prepared to take on individuals serving this type of sentence.

Implemented an electronic surveillance system in Portugal for the supervision of young offenders at home (Law No 122/99 and Ministerial Implementing Order No 26/2001).

11/1995 – 02/1999

**Head of Private Office, Ministry of Justice
Ministry of Justice - Portugal**

Prepared decisions of the Ministry of Justice relating to the following areas: the judicial police, the Directorate-General of Prison Services, the Directorate-General of Registry and Notary Services, the National Probation Service, the General Secretariat, the Research and Planning Office, the Financial Management Office, the Social Services of the Ministry of Justice, the European Law Office; international judicial cooperation in criminal matters, ensuring liaison with the Attorney-General's Office.

Ensured liaison between the Cabinet of the Ministry and the above bodies, as well as with the Supreme Court of Justice and the Supreme Administrative Court, the Supreme Council of the Judiciary, the Supreme Council of the Administrative and Fiscal Courts, the Attorney-General's Office and the Bar Association.

Contributed to the preparation of legislative provisions in major areas of justice policy, specifically: the law on religious freedom, the law on the trafficking and consumption of drugs, the law on the application of community service sentences, the law on the electronic monitoring of offenders at home, the reform of juvenile law, the law on the liberalisation of the notary profession, decree-laws on the procurement of works, goods and services and the recruitment of staff to the prison service, the creation of prisons, and the organisation and functioning of the judicial police. Contributed to the preparation of budgets and plans for the Ministry of Justice.

Worked on international issues of the Ministry of Justice, in particular preparations for the participation of the Ministry of Justice in meetings of the EU JHA Council of Ministers and other international meetings,

specifically those of the UN, the Council of Europe, the CPLP and the Conference of Ministers of Justice of Ibero-American Countries, as well as for its trips abroad.

Monitored the relationship between the Ministry of Justice and the trade union organisations in the sector.

11/1991 – 11/1995

Head of Cabinet of the State Secretary attached to the Ministry of Justice

Ministry of Justice - Portugal

Prepared decisions of the Secretary of State in the following areas: juvenile protection services, the National Probation Service, IT services, the Centre for Judicial Studies, the Office of Planning and Coordination of the Fight against Drugs, forensic medicine services, the Judicial Computerisation Office, overall coordination of cooperation with the Portuguese-speaking African countries in the areas of nationality, voluntary institutional arbitration, consumer protection, environmental protection, child protection boards.

Contributed to the preparation of legislative provisions, specifically the code on special business recovery and bankruptcy procedures, the legal framework on the consumption and trafficking of drugs, the legal framework on adoption, international legal instruments concerning judicial cooperation in criminal and civil matters and cooperation with the PALOP and child protection boards from 1992 to 1995.

Prepared public presentations and trips abroad for the State Secretary, in particular for the purposes of participation in meetings of the EU JHA Council of Ministers, the Council of Europe, the UN, the CPLP and the Conference of Ministers of Justice of Ibero-American Countries.

Drew up the study 'Contributos para uma reforma orgânica do Ministério da Justiça'.

11/1987 – 11/1991

Deputy Director-General

National Probation Service - Ministry of Justice - Portugal

Senior manager of the operational activity of the Service carried out by 300 officials in the judicial districts of Lisbon and the south of the country, the Azores and Madeira, covering: technical support for the Courts in making decisions relating to criminal cases, enforcement of sentences, juveniles and families; technical support for the prison administration in making decisions as regards prisoners (specifically approvals for release and open regimes); psychological and social support for minors, young people and adults subject to legal proceedings, and their families; links with other public entities and private entities working towards crime prevention and social reintegration.

- 02/1987 – 11/1987 **Head of Research and Planning Department, Administration of Macau Institute for Social Action**
 Legal advice on the Institute's social action.
 Prepared procedures for the drawing up and signing of works contracts for the construction of social housing developments (Mong-Há social housing estate, with 650 dwellings and a value of MOP 48 million, and Fai Chi Kei estate, with 1 100 dwellings).
 Design studies for the system of financial support and social facilities managed by private institutions.
 Design studies for the Institute's planning system.
- 02/1985 – 02/1987 **Head of Organisation and Information Technology Department, Administration of Macau Civil Service Central Office**
 Issued opinions on basic rules of public services, on procedures for public service IT acquisitions and on administrative rationalisation and bureaucracy reduction.
 Standardised forms in the Administration of Macau.
 Designed and set up a system for acquisition of IT and microfilming equipment by Macau's public services.
 Drew up a plan for computerisation of the common areas of administration and management of Macau's public services.
 First survey of Macau Administration human resources (total workforce: 8 500 people).
 Computerisation of the Administration and Civil Service Department.
 Designed an integrated public relations system in the Administration of Macau.
 Designed an integrated management system for the Administration and Civil Service Department.
- 06/1983 – 02/1985 **Director of Technical Coordination, Research and Planning Services National Probation Service - Ministry of Justice - Portugal**
 Coordinated activities relating to the publication of studies on social reintegration of offenders.
 Established the format for welfare reports used for sentencing and for individual plans for rehabilitation in the probation system.
 Designed the statistical data system for the Service's activities.
 Developed protocol agreed with the prison services regulating the Service's operation in prisons.
 Drew up the Service's activity plan in 1984.
- 04/1979 – 06/1983 **Advanced Public Administration Technical Officer State Secretariat of Public Administration, Portugal**
 Drafted opinions on basic rules of public services.
 Technical advice on and reorganisation of municipal councils.
 Technical advice on restructuring of the Ministry of Industry, Energy and Exports.
 Technical advice to the Republic of Guinea-Bissau.
 Studies on municipal structures and management.
 Comparative study of macrostructures of the administrations of Member

States of the European Communities.

1999 – 2004

President (2001-2004) and Board member (1999-2001) of the Confederation of European Probation (CEP)

Chaired General Assemblies and Board meetings of the CEP (organisation bringing together Ministry of Justice bodies of 36 European countries with responsibility for enforcing non-custodial criminal penalties, with its central office in the Netherlands).

Chaired other meetings with the Vice-Presidents, Secretary-General and Executive Officer, at the secretariat in the Netherlands, and events and workshops organised by the CEP. Established CEP development strategy, planning, budgeting and activity assessment.

Meetings with representatives of prison boards of member countries, the EU Commission and the Council of Europe.

Supervised budget management and CEP Newsletter.

1994 – 2003

Member of the Committee on Access to Administrative Documents - Assembly of the Republic, Portugal

Promoted the principle of transparency in public administration and free access to administrative documents.

Followed the application of the Access to Administrative Documents Act, submitted and assessed proposed amendments.

Assessed applications for review submitted by citizens following refusal of access to documents by public administration departments and bodies.

Organised dissemination and training activities on public service transparency and access to administrative documents.

Approved plans and activity reports of the Committee.

1992 – 1993

Member of the Commission for Quality and Rationalisation of Public Administration Presidency of the Ministerial Council, Portugal

Participated in the work of the Commission, established by the Prime Minister, which led to a report with measures on state disengagement, relations between administration and citizen, structural solutions and flexibility in management of public administration.

1985 – 1986

Member of Commission for Adoption of the Chinese Language - Administration of Macau

Participated in the work of the Commission, established by the Governor of Macau, which led to the adoption of a report with measures on progressive use of Chinese as official language of administration of the territory at all levels, specifically including recruitment of local officials and leaders, the development of the legal system, use in government bodies and courts, and Chinese-Portuguese translation systems.

EDUCATION AND
TRAINING

09/1973 – 07/1978

Degree in Law

Law Faculty, University of Lisbon, Portugal

Took part as lecturer or trainer, and as a trainee, in many national and international conferences, congresses, seminars, and workshops on diverse subjects, notably on reform of public administration, public management, public finances, administrative law, external and independent financial control, courts of auditors, criminal justice, probation and reintegration into society, juvenile justice, prevention and suppression of drug trafficking and consumption, and juvenile delinquency (see attachment).

PERSONAL SKILLS

Mother tongue Portuguese

Other languages	UNDERSTANDING		SPEAKING		WRITING
	Listening	Reading	Spoken interaction	Spoken production	
French	C1	C2	C1	C2	B2
English	B2	B2	B2	B2	B2
Spanish	C1	C1	A2	A2	A1

Communication skills Good communicative ability, developed over the years in the course of senior management roles in major public services and through political activity, as State Secretary, involving a great deal of public speaking, participation in parliamentary debates, appearances on television and radio programmes and contact with other media, as well as participation in numerous congresses, workshops, etc., and leading and coordinating national and international meetings.

Organisational skills Good coordination, organisation and leadership skills, developed through leading and reorganising public services and performing political roles closely linked to public administration reforms.

Digital competence

SELF-ASSESSMENT

Information processing	Communication	Content creation	Safety	Problem solving
Independent user	Independent user	Independent user	Independent user	Independent user

ADDITIONAL INFORMATION

INTERNATIONAL
EXPERIENCE

Member of the ECA since October 2016.
Besides chairing and taking part in Confederation of European Probation (CEP) Board meetings, mentioned above, of which he is currently an honorary member, he has taken part in numerous meetings of bodies of the European Union, OECD, UN, Council of Europe, Community of Portuguese-Speaking Countries, conferences of Ibero-American Justice Ministers and Ministers for Public Administration, the International Organisation of Superior Audit Institutions (INTOSAI) and its European regional group (EUROSAI), the Contact Committee of the Heads of the Supreme Audit Institutions of the EU and its liaison officers, and the Latin American Centre for Development Administration (CLAD).

PUBLICATIONS

“Deontologia e Ética do Serviço Público. Contributos para uma Sistematização da Ética Profissional dos funcionários”, Secretariado da Modernização Administrativa, November 1988;

“A União Económica e Monetária e a Política Orçamental – A problemática dos défices”, in *Revista do Tribunal de Contas* n.º 43, Jan-Jun 2005, Lisbon, pp. 41-71;

“Por uma carta latina-ibero-americana de competências comuns para dirigentes públicos: a proposta de Portugal”, with Valadares Tavares, Luis, in “*Revista do Serviço Público*”, vol. 57, n.º 1, Jan/Mar 2006, Escola Nacional de Administração Pública, Brasília;

“Eficiência e Legalidade na Administração Pública”, in “*Revista do Tribunal de Contas*”, n.º 51, Jan/June 2009, originally published by the OECD with the title “Efficiency and Legality in the Performance of the Public Administration”, Conference on Public Administration Reform and European Integration, Budva, Montenegro, 26-27 March 2009;

“Contributos para a determinação do âmbito da fiscalização prévia do Tribunal de Contas” in “*Revista do Tribunal de Contas*”, n.º 51, Jan/June 2009;

“Desempenho dos Serviços Públicos e sua avaliação: adaptação a novos desafios”, in “*Colóquio Internacional – A moderna gestão financeira pública: uma resposta à crise económica?*”, published by the Portuguese Court of Auditors on the occasion of its 160th anniversary, Lisbon, 2009;

“As reformas na Administração Pública”, preface to *Regime Geral da Função Pública. Coletânea de Legislação*, organised by Maria Laura Veríssimo Dias and Paulo Guilherme Fernandes Lajoso, July 2009;

“As reformas na Administração Pública de 2005 a 2008: Alguns aspetos fundamentais” in “*Revista do Tribunal de Contas*”, n.º 52, Jul/Dec 2009;

“As reformas da proteção social na Administração Pública de 2005 a 2009”, preface in “*A Proteção Social dos Trabalhadores em Funções*”

Públicas”, by Isabel Viseu and Vasco Hilário, Coimbra Editora, July 2011;

“Conflito de interesses e ética do serviço público”, co-author with Augusto Santos Silva, academic article to be published in the Manual of Fraud in Portugal, to be published in 2016 by the Economics Faculty of the University of Porto;

“SIDA, Direito e Ética”, in “Criminalidade e Cultura – Cadernos do Centro de Estudos Judiciários”, nº 2/90, pp. 225-240;

“Antecedentes Legislativos da Reinserção Social” in “Cidadão Delinquente: Reinserção Social”, Portuguese Ministry of Justice, 1983, pp. 17-47;

“A Justiça de Menores na Europa” in *Infância e Juventude*, nº 01-1, Jan-Mar 2001, pp. 9-20;

“Medidas para a Prevenção da Delinquência Juvenil” in *Infância e Juventude* nº 01-2, Apr-Jun 2001, pp. 19-24;

“Execução de Medidas Tutelares Educativas” in “Direito Tutelar de Menores – O Sistema em Mudança”, Law Faculty of the University of Coimbra and the Prosecutor-General’s Office, Coimbra Editora 2002, pp. 195-210.

ANNEX 2: SUMMARY BY JOÃO ALEXANDRE TAVARES GONÇALVES DE FIGUEIREDO OF EXPERIENCE AS A COURT MEMBER AND OBJECTIVES FOR A FUTURE MANDATE

1. In the term which I began on 1 October 2016, I was assigned to Chamber I of the ECA (Sustainable use of natural resources). In this Chamber, I was appointed Reporting Member for the following audit reports:
 - a) ‘The certification bodies’ new role on CAP expenditure: a positive step towards a single audit model but with significant weaknesses to be addressed’ (Special report No 7/2017). After being adopted by the Court, this report was presented at the CONT meeting of 22 June 2017;
 - b) ‘The basic payment scheme for farmers’ (CH 178/1/16). The audit report is currently being finalised and is scheduled to be adopted by the end of 2017;
 - c) ‘Simplified financing options in the field of rural development’ (Task 17CH1003). The fieldwork has been completed and work has begun on drawing up the report that will be presented to CONT in 2018, following the adversarial procedure.
2. I was appointed as a member of the Ethics Committee of the European Court of Auditors, responsible for considering requests submitted by Members of the Court relating to outside activities during and after their term, as well as any matter relating to professional ethics raised by the President of the ECA or by other Members.
3. I was involved in decisions taken by the College of Members of the ECA, namely: the adoption of the Statement of Assurance and the annual report of the Court for the 2016 financial year, the adoption of the ECA’s strategic plan for 2018/2020, on ‘Fostering (EU citizens’) trust through independent audit’, the adoption of the Court’s opinions on the mid-term review of the MFF 2014-2020, the revision of the EU’s Financial Regulation, the extension of the European Fund for Strategic Investments and the increase in the EU budget guarantee to the EIB, and on relations between the ECA and OLAF.
4. As regards the objectives for a possible future mandate, as well as my willingness to carry out other tasks that may be assigned to me, I should like to state that it is my firm intention:
 - a) To play a part in the drafting and adoption of statements of assurance and annual reports, enhancing their added value for the budgetary authorities, as already set out as a strategic option for the Court;
 - b) To play a part, guided by principles of quality, effectiveness, economy and efficiency, notably as a Reporting Member, in the opinions on the future of the CAP, and in financial, compliance and performance audits in the fields of agricultural spending, environmental protection, climate change, energy and consumer protection, as a Member assigned to Chamber I, and in any other areas as decided by the Court;
 - c) Also to pay particular attention to the ECA’s output in relation to the future of the EU’s finances, the new MFF and new financial and budgetary systems, notably results-based systems, by contributing to drafting and decision-making;

- d) To play an active role in the Court's strategic and operational planning processes with a view to raising the profile of the EU's actions as a whole, focusing in particular on addressing the concerns of the ECA's main stakeholders, assessing the added value of the EU's actions and better communicating its audit work to the various target audiences;
 - e) To attend CONT meetings to present ECA reports, or on other occasions when requested to do so.
5. I shall also continue to attach particular importance to my work in the ECA's Ethics Committee, ensuring that high standards of professional ethics continue to be observed in this institution.

PROCEDURE – COMMITTEE RESPONSIBLE

Title	Partial renewal of members of the Court of Auditors - PT nominee
References	11871/2017 – C8-0333/2017 – 2017/0817(NLE)
Date of consultation / request for consent	21.9.2017
Committee responsible Date announced in plenary	CONT 5.10.2017
Rapporteurs Date appointed	Indrek Tarand 2.10.2017
Date adopted	26.10.2017
Result of final vote	+: 22 –: 1 0: 1
Members present for the final vote	Nedzhmi Ali, Inés Ayala Sender, Zigmantas Bal ūytis, Martina Dlabajová, Luke Ming Flanagan, Ingeborg Gräßle, C t ūlin Sorin Ivan, Arndt Kohn, Georgi Pirinski, José Ignacio Salafranca Sánchez-Neyra, Petri Sarvamaa, Claudia Schmidt, Bart Staes, Indrek Tarand, Marco Valli, Derek Vaughan, Tomáš Zdechovský, Joachim Zeller
Substitutes present for the final vote	Richard Ashworth, Andrey Novakov, Julia Pitera, Patricija Ŗulin
Substitutes under Rule 200(2) present for the final vote	Angel Dzhambazki, Lieve Wierinck
Date tabled	31.10.2017