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*Committee on Civil Liberties, Justice and Home Affairs*

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**2017/2164(DEC)**

7.2.2018

# OPINION

of the Committee on Civil Liberties, Justice and Home Affairs

for the Committee on Budgetary Control

on discharge in respect of the implementation of the budget of the European  
Border and Coast Guard Agency (Frontex) for the financial year 2016  
(2017/2164(DEC))

Rapporteur: Kostas Chrysogonos

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## SUGGESTIONS

The Committee on Civil Liberties, Justice and Home Affairs calls on the Committee on Budgetary Control, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

1. Notes the Court of Auditors' conclusions that the annual accounts of the Agency present fairly its financial position on 31 December 2016 and that its transactions are legal and regular; highlights that in 2016 Frontex's role and activities were significantly expanded, with a budget increase of 75 % and a staff increase of 18 % following the adoption of Regulation (EU) 2016/1624 of the European Parliament and of the Council<sup>1</sup>;
2. Notes that, following the increased levels of the migration into the Union in 2015 and 2016, Frontex faced problems absorbing additional Union funds granted throughout 2016, leading to considerable difficulties in complying with budgetary and financial rules; stresses the high level of cancelled carry-overs from 2015 for Title III (16 %); notes in this regard the overall budget utilisation rate of 95,3% for the 2015 appropriations; underlines that it originally allocated EUR 20 million from its 2016 budget for expenditure dedicated to 'hotspots' but has in the meantime already committed almost EUR 35 million for that purpose and the linked joint operational activities; points out that the Agency funded national returns operations until October 2016, and that the Court considers that these were irregular payments; requests the Agency to significantly improve its financial planning, control and budget management capabilities;
3. Notes that the Agency experienced difficulties in finding suitable candidates with the required profile and the Agency's efforts to balance the geographical distribution of its recruitment of qualified candidates; criticises, nevertheless, the irregular recruitment of 14 temporary staff at high AST grades; requests the Agency to strictly adhere to the Staff Regulations at all times; notes in this regard that the Staff Regulations offer the necessary flexibility for labour market conditions prevailing in the Union to be taken into account when recruiting officials and other servants in order to address the specific needs of the institutions; stresses that the Agency's staff will more than double from 2016 to 2020; regrets, however, that the increase was not based on a thorough analysis; requests the Agency to better justify its needs in the future, based on accurate and verifiable information and data;
4. Highlights the contribution of Frontex to saving more than 250 000 people at sea in 2015; welcomes the increase in the Agency's search and rescue capacity; notes, however, that considerable efforts still have to be made in that direction;
5. Notes the existence of specific objectives and performance indicators for internal use

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<sup>1</sup> Regulation (EU) 2016/1624 of the European Parliament and of the Council of 14 September 2016 on the European Border and Coast Guard and amending Regulation (EU) 2016/399 of the European Parliament and of the Council and repealing Regulation (EC) No 863/2007 of the European Parliament and of the Council, Council Regulation (EC) No 2007/2004 and Council Decision 2005/267/EC (OJ L 251, 16.9.2016, p. 1).

for joint operations; regrets that these are not public and that the majority of Frontex operational programmes therefore lack quantitative objectives and specific target values for the joint operations; notes with concern that this, together with insufficient documentation from cooperating countries, might hamper the ex post evaluation of the effectiveness of joint operations in the long term; regrets that the actual impact of joint operations is therefore difficult to assess; calls on the Agency to further set relevant strategic objectives for its activities and to establish an effective result-oriented monitoring and reporting system with relevant and measurable key performance indicators; recalls that the provisions on information and communication as part of the accountability of Frontex towards the public were considerably modified by Regulation (EU) 2016/1624 requiring Frontex to be more transparent about its activities; regrets that Frontex still does not fully live up to these new rules and calls upon Frontex to implement them without delay;

6. Notes with concern a significant gender imbalance of 93% / 7% in the Agency's management board; urges the future correction of this indicator; calls on Member States to ensure gender balance when nominating their members for the Agency's Management Board; calls on the Agency to proactively remind Member States of the importance of gender balance;
7. Notes the fact that the fundamental rights officer has received 5 new posts since 2016, three of them being vacant; deeply deplores, however, that despite repeated calls of Parliament and a significant overall staff increase for Frontex, the fundamental rights officer still lacks adequate human resources and is therefore clearly hampered from properly conducting the tasks entrusted to her by Regulation (EU) 2016/1624; urges, therefore, the Agency to provide its fundamental rights officer with adequate resources and staff, in particular for setting up a complaint mechanism and for further developing and implementing the Agency's strategy to monitor and ensure the protection of fundamental rights.

## INFORMATION ON ADOPTION IN COMMITTEE ASKED FOR OPINION

<b>Date adopted</b>	1.2.2018
<b>Result of final vote</b>	+: 42 -: 7 0: 3
<b>Members present for the final vote</b>	Asim Ademov, Heinz K. Becker, Malin Björk, Michał Boni, Caterina Chinnici, Frank Engel, Cornelia Ernst, Raymond Finch, Lorenzo Fontana, Kinga Gál, Ana Gomes, Nathalie Griesbeck, Sylvie Guillaume, Monika Hohlmeier, Brice Hortefeux, Filiz Hyusmenova, Sophia in 't Veld, Dietmar Köster, Barbara Kudrycka, Cécile Kashetu Kyenge, Juan Fernando López Aguilar, Roberta Metsola, Claude Moraes, Péter Niedermüller, Ivari Padar, Soraya Post, Judith Sargentini, Birgit Sippel, Branislav Škripek, Csaba Sógor, Sergei Stanishev, Helga Stevens, Traian Ungureanu, Marie-Christine Vergiat, Udo Voigt, Josef Weidenholzer, Kristina Winberg, Tomáš Zdechovský, Auke Zijlstra
<b>Substitutes present for the final vote</b>	Kostas Chrysogonos, Carlos Coelho, Maria Grapini, Teresa Jiménez-Becerril Barrio, Marek Jurek, Andrejs Mamikins, Angelika Mlinar, Maite Pagazaurtundúa Ruiz, Jaromír Št tina
<b>Substitutes under Rule 200(2) present for the final vote</b>	Georges Bach, Jonathan Bullock, Julia Reda, Francis Zammit Dimech

## FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

42	+
ALDE	Nathalie Griesbeck, Filiz Hyusmenova, Sophia in 't Veld, Angelika Mlinar, Maite Pagazaurtundúa Ruiz
GUE/NGL	Kostas Chrysogonos, Cornelia Ernst, Marie-Christine Vergiat
PPE	Asim Ademov, Georges Bach, Heinz K. Becker, Michał Boni, Carlos Coelho, Frank Engel, Kinga Gál, Monika Hohlmeier, Brice Hortefeux, Teresa Jiménez-Becerril Barrio, Barbara Kudrycka, Roberta Metsola, Csaba Sógor, Jaromír Štítný, Traian Ungureanu, Francis Zammit Dimech, Tomáš Zdechovský
S&D	Caterina Chinnici, Ana Gomes, Maria Grapini, Sylvie Guillaume, Dietmar Köster, Cécile Kashetu Kyenge, Juan Fernando López Aguilar, Andrejs Mamikins, Claude Moraes, Péter Niedermüller, Ivari Padar, Soraya Post, Birgit Sippel, Sergei Stanishev, Josef Weidenholzer
VERTS/ALE	Julia Reda, Judith Sargentini

7	-
EFDD	Jonathan Bullock, Raymond Finch, Kristina Winberg
ENF	Lorenzo Fontana, Auke Zijlstra
GUE/NGL	Malin Björk
NI	Udo Voigt

3	0
ECR	Marek Jurek, Branislav Škripek, Helga Stevens

Key to symbols:

+ : in favour

- : against

0 : abstention