



**2017/2179(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 Union agencies for the financial year 2016: performance, financial management and control  
(2017/2179(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. Welcomes the Courts of Auditor's (the Court ) conclusions that the final annual accounts of all agencies in the area of justice and home affairs (JHA agencies) present fairly their financial position on 31 December 2016 and that their transactions are legal and regular; notes, however, that in the case of the European Asylum Support Office (EASO) the Court issued a qualified opinion due non-compliance with public procurement principles as the percentage of irregular payments exceeded (2,9 %) its expenditure budget;
2. Regrets that the legality of underlying European Data Protection Supervisor's (EDPS) transactions was not examined by the Court, as no EDPS transaction was selected for audit as part of a random sample from administrative expenditure, as a whole, covering all institutions and bodies;
3. Points out that the tasks and budgets of the European Border and Coast Guard (Frontex) and EASO increased significantly throughout 2016; recognises that these agencies were confronted with administrative and operational challenges and high expectations without much time to adapt systems and procedures and to hire the necessary staff; notes that as a result they faced problems the absorbing additional Union funds granted during the budgetary year leading to considerable cancellations and/or carry-overs as well as difficulties to comply to budgetary and financial rules;
4. Regrets that two JHA agencies, Frontex and the European Union Agency for Law Enforcement Training (CEPOL), experienced difficulties in finding suitable candidates with the required profile, which is possibly related to the salary correction coefficient applied for the hosting country (66,7 % for Poland, and 69 % for Hungary); notes that the number of staff recruited from the host Member State was disproportionately higher than the number of staff from other Member States; points out that the high turnover of staff can put at risk the achievement of objectives set in EASO's annual and multi-annual work programmes; takes note of EASO's ongoing efforts to address deficiencies with regard to high staff turnover; believes that, should there be continuing recruitment problems, this issue should be examined further with a view to addressing specific barriers;
5. Acknowledges that EASO, European Agency for the operational management of large-scale IT Systems in the area of freedom, security and justice (eu-LISA) and to a much lesser extend European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) did not fully comply with public procurement principles and rules laid down by the Financial Regulation; notes that for eu-LISA, Frontex and EMCDDA the Court also identified weaknesses in monitoring contract implementations; highlights also the very significant weaknesses of EASO Internal Controls; welcomes however the commitment of these three agencies to improve themselves and take the necessary corrective measures;

6. Points out that eu-LISA and EASO are the only JHA agencies for which there are no obligations to conduct regular external audits in their founding regulations; calls on the co-legislators to evaluate options to address this important issue when revising their founding regulations;
7. Regrets that internal whistleblowing procedures have not yet been implemented as JHA agencies were waiting for guidance or input from the Commission; understands that, as an interim measure, some of the agencies have been pro-active by including general whistleblowing principles in their code of conducts and which are easily accessible on their website; urges the Commission to ensure the swift adoption of its guidelines on whistleblowing that will consequently be immediately adopted and effectively implemented by Union agencies, including the European Union's Judicial Cooperation Unit (Eurojust), CEPOL, EASO and eu-LISA, in the form of clear internal rules on the protection of whistle-blowers;
8. Urges in particular Eurojust, EASO and eu-LISA to step up their efforts for adopting without delay guidelines for an efficient policy on the prevention and management of conflicts of interest to the benefit of transparency so that there is also a more coherent approach to public declarations concerning conflict of interest.

## INFORMATION ON ADOPTION IN COMMITTEE ASKED FOR OPINION

<b>Date adopted</b>	1.2.2018
<b>Result of final vote</b>	+: 45 -: 5 0: 1
<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, 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

45	+
ALDE	Nathalie Griesbeck, Filiz Hyusmenova, Sophia in 't Veld, Angelika Mlinar, Maite Pagazaurtundúa Ruiz
ECR	Branislav Škripek, Helga Stevens
GUE/NGL	Malin Björk, 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 Štětina, 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

5	-
EFDD	Jonathan Bullock, Raymond Finch
ENF	Lorenzo Fontana, Auke Zijlstra
NI	Udo Voigt

1	0
EFDD	Kristina Winberg

Key to symbols:

+ : in favour

- : against

0 : abstention