



European Parliament

Committee on Budgetary Control
9th Legislative Term

Welcome Pack
September 2019

Welcome to CONT

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A word of welcome from the Director

Monika Strasser

Directorate for Budgetary Affairs

Directorate-General for Internal Policies of the Union



Dear Member,

I would like to congratulate you on your election to the European Parliament and to wish you a warm welcome to the Committee on Budgets and the Budgetary Control Committee!

The two secretariats of the Directorate for Budgetary Affairs organise the smooth running of the Committee on Budgets and the Budgetary Control Committee and will assist you in any committee task assigned to you. Additionally, the Policy Department on Budgetary Affairs, which is also part of the Directorate under my responsibility, is at the committees' disposal for any analysis, briefing papers or other background documentation required in your parliamentary work.

Money is the backbone and lifeblood of all European policies. Whatever action, programme or project the EU decides upon, it is the EU budget and its figures that turn European policies into reality. And, it is the European Parliament, together with Council, who decides on the budget of the European Union based on the preparatory work done in the Committee on Budgets.

The European Parliament is also the Union's discharge authority. This is an important power in the interest of all European citizens and taxpayers aimed at confirming that the budget has been spent legally and regularly, whilst respecting the principle of sound financial management.

The work of the Committee on Budgets and the Budgetary Control Committee has high political significance and directly concerns the European citizens in your Member States and constituencies. Our booklet will briefly introduce you to important subjects the two committees are dealing with as well as the main procedures used for budget and discharge.

My staff and I will be happy to assist you in your important work as a member of one of our committees. We look forward to working with you soon!

Sincerely,

A handwritten signature in black ink, appearing to read 'Monika Strasser', with a long, sweeping horizontal line extending to the right.

Monika Strasser

The Committee on Budgetary Control (CONT) in a nutshell

Welcome to the Committee on Budgetary Control!

You could be forgiven for being afraid of joining a group of pencil pushers, but CONT actually does not verify single receipts. Rather, the European Parliament, based on the preparatory work of CONT, will decide on whether to grant discharge to the Commission in respect of the implementation of the budget (Article 319 of the EU-Treaty) - and the EU budget is worth EUR 150 billion. For the actual audit work, CONT relies on the expertise of the European Court of Auditors (ECA). The Court issues annually a “Declaration of Assurance” (“DAS”). This is the Court’s opinion on the legality and regularity of the financial transactions. The presentation of the Court’s DAS marks the moment when CONT’s political scrutiny starts.

Did the Commission, together with the Member States, accomplish the desired political objectives? Were the instruments chosen to achieve the objectives effective and economical? Can the management of funds be further improved?

However, CONT’s political scrutiny does not stop at evaluating programmes (structural, agricultural and development policies), projects, management and control systems and irregularities.

CONT also looks at the wider picture, the political framework conditions, which may have an influence on how money is spent.

If the rule-of-law is not assured, as it was the case in Poland, Hungary and Slovakia, sound financial management may be in jeopardy: Recourse to legal revision may become politically tainted, public procurement procedures may not have the desired objective outcome, and in Slovakia, an investigative journalist even lost his life.

In the Czech Republic the prime minister, who is also a wealthy businessperson, was under investigation as some of his companies may have benefitted from EU funding, which could constitute a conflict of interest between political and economic decision-making.

CONT also spearheaded Parliament’s protest against at the appointment procedure for the current Commission secretary general, as it felt the appointment was not organised in an objective and transparent manner. In the end, the European Parliament voted that the appointment could be seen as a coup-like action, which stretched and possibly overstretched the limits of the law.

CONT has wide-ranging, horizontal responsibilities. It is therefore important that it cooperates regularly and smoothly with the Committee on Budgetary Affairs and also with specialised committees.

In the following chapters the work of the Committee on Budgetary Control is explained in more detail.

General features

Powers and responsibilities

The Committee on Budgetary Control (CONT) is responsible:

1. The Control of the implementation of the Union budget and of the European Development Fund, and the decisions on discharge to be taken by Parliament, including the internal discharge procedure and all other measures accompanying or implementing such decisions;
2. The closure, presenting and auditing of the accounts and balance sheets of the Union, its institutions and any bodies financed by it, including the establishment of appropriations to be carried over and the settling of balances;
3. The control of the financial activities of the European Investment Bank(EIB);
4. Monitoring of cost-effectiveness implementation of the Union's policies, involving, upon the Committee on Budgetary Control's request, the specialised committees and acting, upon the Committee on Budgetary Control's request, in cooperation with the specialised committees for the examination of special reports of the Court of Auditors;
5. Relations with the European Anti-Fraud Office (OLAF), consideration of fraud and irregularities in the implementation of the budget of the Union, measures aimed at preventing and prosecuting such cases, the strict protection of the Union's financial interests and the relevant actions by the European Public Prosecutor in this field;
6. Relations with the Court of Auditors, the appointment of its members and consideration of its reports;
7. The Financial Regulation as far as the implementation, management and control of the budget are concerned.

Committee structure

Members

The political groups and non-attached members nominate members of the committee. These nominations take effect once announced to Parliament by the President. The committee's overall membership reflects, as far as possible, the political composition of the full Parliament. The political groups and the non-attached Members may appoint a number of permanent substitutes for each committee equal to the number of full members representing them on the committee.

Bureau and Chair

At its constitutive meeting, the committee elects a Chair and usually four Vice-Chairs, who together form its **Bureau**. The Bureau holds office for two and a half years.

The diversity of Parliament must be reflected in the composition of the bureau of each committee.

The **Chair** is responsible for chairing meetings of the committee and of its coordinators, has authority over voting procedures and rules on the admissibility of amendments, and represents the committee both within and outside Parliament.



Coordinators

At the start of the legislative term, each political group designates one member to act as its coordinator in the committee. The coordinators meet in closed session (in camera) in the margins of the committee meetings. The committee may delegate to them the power to decide, among other things, on the allocation of reports and opinions to the groups, the holding of hearings in the committee, the commissioning of studies, and committee missions.

Committee secretariat

A secretariat composed of officials from Parliament's administration assists the committee in its daily work. The secretariat (under the guidance of the Chair) organises the committee's meetings and work schedule. It also provides support and advice to the Chair on committee business and to individual members on their reports and opinions.

Political group advisers

Advisers appointed by the political groups provide support to their coordinators on committee business and to their individual members on matters under consideration in the committee.

Other services assisting the committee

Other Parliament services regularly assist the committee in its work. They include the relevant Policy Department, the Legislative Affairs Unit, Committee Coordination and Legislative Programming Unit, the Legal Service, the Directorate for Legislative Acts, the Directorate-General for Translation and the Press-Unit.

Constitutive meeting

The first meeting of the committee is opened by the provisional Chair, i.e. either the outgoing Chair or, if the latter is not available, an outgoing Vice-Chair in order of precedence, or, if no

out-going Vice-Chair is in attendance, the Member having served for the longest period at the Parliament.

The first task of the committee is to elect its Chair and Vice-Chairs. Candidates are nominated in close consultation among the political groups. If the number of nominations does not exceed the number of seats to be filled, the candidates are elected by acclamation, unless Members or a political group or request a secret ballot.

As soon as the committee Chair has been elected, the Member who is provisionally in the chair vacates it and the new Chair presides the election of the committee Vice-Chairs.

The challenges ahead

Unfinished business

As concerns the ordinary legislative procedure, “unfinished business” means any legislative proposal referred by the Commission to Parliament on which parliamentary work is ongoing.

At the end of the last part-session before elections, all Parliament's unfinished business are deemed to have lapsed. However, parliamentary committees may request to resume or continue the consideration of such unfinished business. The Conference of Presidents takes a decision on the committees’ reasoned requests.

In the CONT committee, the annual discharge exercise might also not be finished after the first round of votes, as the discharge to an institution can be postponed when the Parliament considers that the budget was not correctly implemented or elements needed to grant discharge were not provided.

Work to continue

The discharge to the Council and European Council have been refused for the financial year 2009, and continuously until financial year 2016, which was voted in October 2018. In April 2019, Parliament postponed the discharge for the financial year 2017 of the Council and the European Council and of the European Asylum Support Office (EASO). The institutions concerned are required to demonstrate within the months following the postponement of discharge that they did - or are doing - what was necessary to improve their budget implementation and provide the elements required by the Parliament to take an informed decision in that regard.

A second draft report on these two institutions will be considered in July 2019 for a vote in September 2019 in the CONT committee. The plenary will adopt the reports during its October 2019 part-session.

Hearing of Commissioners

Before Commissioners-designate can take office, Parliament exercises a crucial step of democratic and political scrutiny by holding hearings with the proposed candidates in order to ascertain whether their skills and qualifications match the posts proposed to them. Parliament needs to give its consent to the appointment of the Commission as a body.

The CONT Committee conducts the hearing on the Commissioner-designate in charge of budgetary control and of other Commissioner-designates, in case their portfolios fall partly with the remit of CONT.



In view of the hearings, Members will prepare written questions to be forwarded the Commissioner-designate. Immediately after the hearing, the committee Chair and coordinators evaluate whether the Commissioner-designate is qualified to be member of the College to carry out the particular duties, which he/she has been assigned.

The day-to-day work

Committee meetings

Meeting schedule

Generally, the committee meets at least twice a month in Brussels, during the ‘pink weeks’ shown on Parliament’s calendar of activities according the committee’s calendar.

If necessary, extraordinary meetings are held occasionally either during Strasbourg part-sessions or in Brussels at other agreed times.

Public or in camera meetings, and webstreaming

As a general rule, **committee meetings are open to the public and webstreamed**. On some occasions, the committee may decide to deal with certain sensitive items in closed session (*in camera*).

Interpretation facilities

Simultaneous interpretation is provided during committee meetings, in accordance with the committee’s linguistic profile based on the language needs of the Members composing the committee in accordance to the Code of Conduct on Multilingualism.

Meeting documents

Documents to be discussed by the committee are available on the committee website no later than 48 hours before the start of the meeting and via the eMeeting application.

The Discharge procedure

The concept

The discharge is a Parliament decision that reflects its conclusions at the end of a process, the discharge procedure, on the way the Commission (and other institutions and bodies) has carried out its task of implementation of EU budget.

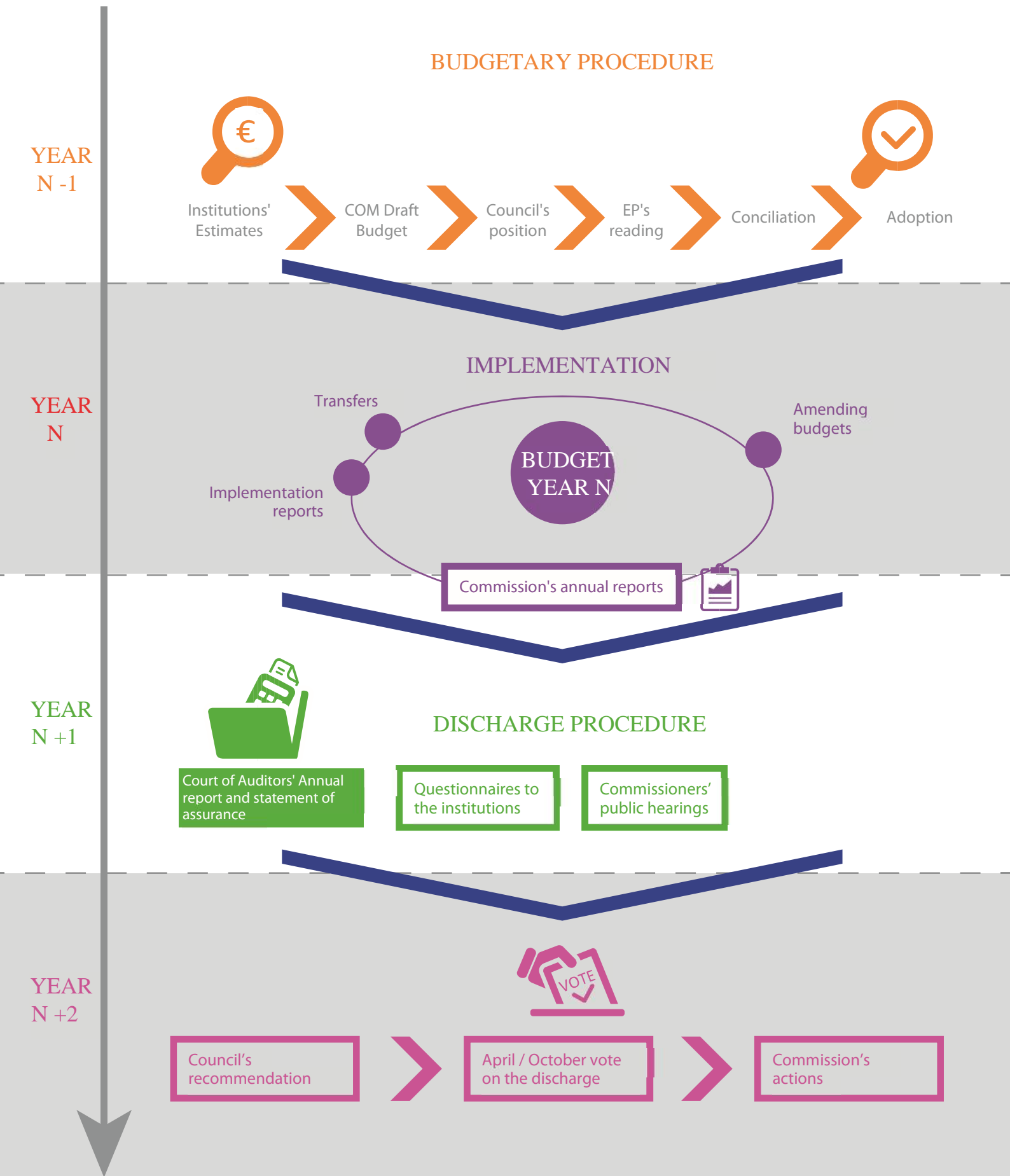
This process of parliamentary scrutiny of the Commission's implementation of the budget is aimed at ensuring compliance with the relevant legal and regulatory framework requirements, and use in accordance the principle of sound financial management, namely in accordance with the principles of "economy", "efficiency" and "effectiveness".

When taking its decision on discharge, Parliament also adopts a resolution, which contains its comments in respect of the implementation of the budget. These comments may require changes to the procedures and practice of the Commission or seek improvements in the way it administers Union policies.

In the course of the discharge procedure, Parliament may ask the Commission to provide explanations with regard to the implementation of the budget or to defend itself against charges of mismanagement and fraud. Thereby, the Committee on Budgetary Control politically appraise the Commission's work.

Thus, the Committee exercises parliamentary control aimed at ensuring that problems identified in audits by the European Court of Auditors and/or in investigations by the Anti-Fraud Office (OLAF) are given political prominence, are remedied and lead to improvements in the systems. The conclusions and recommendations of the discharge procedure feed naturally into subsequent annual budgetary cycles. The budget procedure is another major prerogative of the European Parliament falling under the remit of the BUDG Committee (see infographics 1 and 2).

Overview of the budgetary and discharge cycle



YEAR
N +1



NOVEMBER
Court of Auditors
publishes annual report
for year N

NOVEMBER / DECEMBER
CONT questions
Commission / other
institutions

JANUARY
Commissioners / other
institutions public
hearings and debate



FEBRUARY
CONT has debate on draft
reports

FEBRUARY
EU presidency: Council
Recommendations

FEBRUARY / MARCH
CONT adopts discharge
reports



APRIL
Plenary: Debate and vote
on reports. If discharge
granted, procedure ends

IF DISCHARGE IS POSTPONED

UNTIL SEPTEMBER
Commission / other
institutions react to
reasons for postponement

SEPTEMBER / OCTOBER
CONT adopts new reports

OCTOBER
New vote. Plenary grants
or refuses discharge.



Discharge timetable
Welcome to CONT

For a detailed account of the possible discharge decisions by plenary in April and October respectively, please see Annex VI to the Rules of Procedure.

The basic legal provisions

According to the provisions of the Treaty on the Functioning of the European Union (TFEU), the Commission implements the budget "in cooperation with the Member States, [...], on its own responsibility and within the limits of the appropriations, having regard to the principles of sound financial management"(Article 317).

The Commission shall submit annually to the Parliament and the Council the accounts of the preceding financial year relating to the implementation of the budget and Commission shall also forward to them a financial statement of the assets and liabilities of the Union (Article 318). In addition, the Commission shall submit to the Parliament and to the Council an evaluation report on the Union's finances based on the results achieved, in particular in relation to the indications given by the European Parliament and the Council in the discharge resolution.

The Parliament's discharge procedure belongs therefore to a comprehensive legal framework, which includes:

-) Articles 317 to 325 of the TFEU;
-) Regulation No 2018/1046 on the Financial Rules applicable to the general budget;
-) Parliament Rules of Procedure (Rules 96 to 98).

The European Parliament, acting on a recommendation from the Council, shall give a discharge to the Commission in respect of the implementation of the budget (Article 319).

To this end, the Council and the Parliament in turn shall examine:

-) the accounts, financial statement and evaluation report;
-) the annual report by the Court of Auditors together with the replies of the institutions under audit to the observations of the Court of Auditors;
-) the statement of assurance;
-) any relevant special reports by the Court of Auditors.

Before granting discharge to the Commission, or for any other purpose in connection with the exercise of its powers over the implementation of the budget, Parliament may ask to hear the Commission with regard to the execution of expenditure or the operation of financial control systems. The Commission is required to submit any necessary information to Parliament at the latter's request (Article 319(2)).

As regards the timeframe and given that the annual report of the Court of Auditors is the main tool used in the discharge procedure, the Financial Rules lays down that:

-) the Court of Auditors shall transmit to the authorities responsible for giving discharge, by 15 November, its annual report accompanied by the replies of the Institutions and shall ensure publication thereof in the Official Journal of the European Union (Article 258) and;
-) Parliament, on a recommendation from the Council, shall, before 15 May of year $n + 2$ give a discharge to the Commission in respect of the implementation of the budget for year n , which is the financial year under consideration (Article 260).

In practical terms, this means that the bulk of the committee's discharge work is concentrated in the six months between these two dates.

The scope and content of the discharge procedure

According to the provisions set out in Annex IV of Parliament's Rules of Procedure, the CONT committee may invite Parliament to grant, postpone or refuse discharge in respect of implementation of the budget. In this way, MEPs express their approval or disapproval of the way EU funds have been spent. The Commission - or any of the concerned institutions - must act upon any comments or recommendations in Parliament's resolution.

By granting a discharge through a resolution voted in March (or at the latest by 15 May), Parliament approves the implementation of the budget in respect of the financial year under examination (year n). If Parliament concludes that there are serious shortcomings, it will postpone the discharge. The Commission - or any of the concerned institutions - then has to take swift action to remedy the problems. Parliament then draws up a second report recommending either granting or refusing discharge, for debate at the October part-session.

The refusal to grant discharge has no legal consequences but may be regarded as a serious political sanction. With regard to the Commission, this has happened twice in the last thirty years. The first time was in 1984 and the most recent instance was in December 1998, regarding the implementation of the 1996 budget, resulting in the setting up of the Committee of Independent Experts mandated to investigate charges of serious mismanagement levelled against the Commission. Following the publication of its findings, the Santer Commission resigned on 15 March 1999.

It should be stressed, however, that Parliament's decision not to give discharge to the Commission does not in itself constitute a motion of censure on the Commission, for which the Treaty requires a separate procedure as well as a higher majority for adoption.

The discharge decision regarding the general budget managed by the Commission concerns by far the biggest share of the EU budget. However, direct management by the Commission itself applies only to a limited part of the budget, as some 80 % of EU funds are managed and monitored primarily by national and local administrations in the Member States (the so-called "shared management" system).

Documents sent to the Parliament in the frame of the discharge can be consulted on the [CONT website](#).

In addition, with the view to scrutinising the implementation by the Commission of the EU's general budget, the Committee on Budgetary Control makes an assessment of:

- the financial management of other EU Institutions, such as the Council and the European Council, the European Court of Auditors, the Court of Justice, the Committee of the Regions, the European Economic and Social Committee, the European Ombudsman, the European Data Protection Supervisor, the European External Action Service and the European Parliament itself;
- the financial management of the 32 Agencies which receive grants charged to the budget as well as 8 Joint Undertakings;

- the budgetary management of the European Development Fund, which is the main instrument for providing European Union aid for development cooperation to 79 African, Caribbean and Pacific States and 21 Overseas Countries and Territories.

During the previous legislature and following CONT initiatives:

- A. Parliament used its discharge powers and the accompanying resolutions, to influence the content and the form of next Multiannual Financial Framework (MFF) proposals, namely presenting the Union budget according to the political objectives defined in the MFF;
- B. Parliament also paid particular attention to strengthening the coherence in the EU external affairs and international cooperation areas, to increase the effectiveness of the Union's external toolbox and the visibility of the Union;
- C. Parliament insisted on the quality and reliability of financial data provided by the Commission and the Member States to be enhanced, to actively monitor and prevent the situations of conflict of interests and to ensure a high level of ethics standards as to the behaviour of Commissioners and the appointment of high civil servants;
- D. It proposed fostering the cooperation of some Agencies according to their thematic grouping or merging some in order to achieve savings and avoid overlapping objectives.

CONT's working methods

Like other committees, the Committee on Budgetary Control, through its political groups' coordinators, appoints "rapporteurs" to prepare the draft reports or opinions which will form the basis of deliberations in committee.

In view of the complexity of EU budgetary matters, individual members may choose to specialise in particular EU policy areas based on an allocation of specific sectors to the political groups. As members responsible for a particular subject or policy area, they will prepare Parliament's response to the Court of Auditors' products in their field, in the form of working documents.

The Court's work and assessments are discussed in the committee CONT meetings, especially the way in which the Institutions and agencies of the Union carry out their tasks and whether financial operations have been properly recorded, legally and regularly executed and managed.

Reports and opinions

The committee adopts reports or opinions on Commission's legislative proposals. It also adopts non-legislative reports on topics falling within its competence. The rapporteur, who can be a full member or a substitute member, is responsible for the preparation of a report or an opinion. Political groups will in addition nominate shadow rapporteurs. Internal rules to allocate reports and opinions are decided by the committee based on a proposal by Coordinators.

The draft report or opinion presented by the rapporteur can be modified following the adoption of amendments tabled by members by the deadline set by the Chair. The

rapporteur and shadow rapporteurs usually meet at shadows meeting to prepare compromise amendments. Members sitting in the committee will then vote on the original text and the amendments, including compromise amendments agreed by political groups.

The report adopted by the committee is submitted to the plenary for approval, while opinions are forwarded to the lead committee.

Scrutiny and relations with EU institutions and bodies

CONT Committee, due to its transversal remit, is one of the engines of the Parliament when it comes to exercise its power of scrutiny vis-à-vis other EU institutions and bodies, notably through the discharge procedure.

Commission

In accordance with the Treaty of Lisbon, the Commission shall take all appropriate steps to act on the observations in the decisions giving discharge and on other observations by the Parliament. CONT follows up the Commission's and other institutions measures.

CONT addresses written questionnaires to the Commission and invites the Commissioner responsible for a specific policy area to its public meetings to present his/her replies to the questions addressed by the members.

As any other committee, CONT can invite the Commission for a question time session on subjects of common interest and put questions for oral answer with debate to the Commission in plenary.

Council

The Council is Parliament's negotiating partner in legislative procedures. In the specific case of CONT, the Council also makes a recommendation to the Parliament on the annual discharge procedure.

The main interlocutor for committees is the rotating six-month Council presidency. Committee representatives are generally in pro-active contact with an incoming presidency well ahead of the start of its term. The presidency may also be invited to comment on ongoing procedures during committee meetings.

As in the case for the Commission, the committee may invite the Council presidency for a question time session and may put questions for oral answer with debate to the Council in plenary.

European Court of Auditors

The European Court of Auditors, as the EU's external auditor, contributes to improving the Union's financial management and promoting public accountability.

CONT Committee is the main stakeholder for the relations with the Court of Auditors. The cooperation between the Court of Auditors and Parliament is central to the EU's budgetary control system.

The President and Members of the Court of Auditors frequently attend committee meetings in order to present the annual working programme, the annual report, special reports, audit products and opinions.

In addition to any specific meeting or debate, CONT holds an annual meeting with the Court of Auditors.

OLAF

The European Anti-Fraud Office (OLAF) investigates alleged fraud against the EU budget, corruption and serious misconduct within the European institutions, and develops EU-wide anti-fraud policies.

OLAF receives information about possible fraud and irregularities from a wide range of sources, including the CONT committee. Often, the information stems from controls by those responsible for managing EU funds within the European Institutions or in the Member States. All allegations received by OLAF undergo an initial assessment to determine whether the allegation falls within the remit of the Office and meets the criteria for opening an investigation.

Organisationally, OLAF is attached to the European Commission. However, in its day-to-day operations it acts independently. The OLAF Supervisory Committee (OLAF-SC) was created to reinforce the Office's independence by regular monitoring of the implementation of the investigative function. CONT regularly hears the OLAF-SC.

Every year OLAF publishes an Annual Report on OLAF's activities in the previous year, which is presented by the OLAF Director-General in CONT for an exchange of views. The OLAF-SC also drafts an annual report about its activities, which it debates with CONT.

Once a year, the Parliament, the Council and the Commission meet for an inter-institutional exchange of views on the functioning of the OLAF.

The OLAF Regulation will be revised in the near future with the view to creating maximum synergy between the European Public Prosecutor's Office (EPPO), created in 2017 and about to become operational in October 2020, to further improve the effectiveness of OLAF investigations and to better protect the rights of persons under investigation.

European Investment Bank

The European Investment Bank is the EU's financing institution and the world's largest multilateral borrower and lender financing projects in 160 countries.

Every year, the Committee on Budgetary Control invites the EIB for an exchange of views on the control of the financial activities of the EIB, which reviews the main achievements and the impact of the lending activities of the European Investment Bank Group.

In recent years, the EP raised a number of items in relation to the EIB's role and accountability namely for ensuring a value-adding strategic public investment in order to continue bridging recurrent investment gaps and reduce inequalities in the Union, to improve the performance of the EIB's financial operations and the European Fund for Strategic Investment (EFSI) achievements, and to enhance transparency and accountability in EIB corporate governance.

32 Decentralised Agencies

Decentralised agencies have been set up by the EU to perform technical and scientific assessments that help the EU institutions implement policies and take decisions. They are

spread across the EU and have a significant influence on policy, decision making and programme implementation in areas of vital importance to European citizens.

CONT addresses written questionnaires to the Agencies' Network and invites some Heads of Agencies to an annual public hearing to present their replies.

8 Joint Undertakings

Joint Undertakings are public-private partnerships, funded jointly by industry and the EU, to help carry out its duties and disburse funds. Joint undertaking are established by a dedicated legal act. They undergo the discharge procedure similar to the decentralised agencies.

European National Parliaments

CONT cooperates with its counterparts in the national parliaments through inter-parliamentary committee meetings and inter-parliamentary conferences on specific topics generally related to the use of EU funds. When a CONT delegation goes on a fact-finding mission, it meets with representatives from national parliamentary committees.

Committee missions

Each year, the committee sends delegations of members to locations within the EU and to third countries to assess how the EU funds are being used. The six-monthly programme of delegation visits is authorised by the Conference of Presidents and the Bureau. The committee secretariat is responsible for organising those missions.

Relationship with EP delegations

The work of the committees guides the positions taken by the EP's standing delegations in their discussions abroad with the parliaments of the EU's global partners. Where delegation activities overlap with committee work, delegations can be invited to participate in committee meetings to provide input and committee rapporteurs can accompany delegations on their travels abroad.