

NEWSLETTER

COMMITTEE MEETING

TUESDAY, 23 JANUARY 2024

09.00 – 11.30 and 11.30 – 12.15 (Coordinators' meeting)

and

15.00 – 16.00 and 16.00 – 17.15 (joint meeting) and 17.15 – 17.30

BRUSSELS, SPINELLI (3E2)

Tuesday 23 January 2024, 09.00 – 9.45

1. ADOPTION OF AGENDA

2. CHAIR'S ANNOUNCEMENTS

The Chair draws attention to the following points:

Interpretation was requested in the following languages:

DE EN FR IT EL ES PT FI HU PL SK and RO

Webstreaming

The meeting will be webstreamed and can be followed live via the [CONT webpage](#).

Adoption of Coordinators' recommendations

The Coordinators' recommendations from the written procedure of 12 January 2024 were circulated to Members on 15 January 2024.

<i>If no objections are received before the end of the meeting, these recommendations will be deemed approved.</i>
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3. ADOPTION OF MINUTES

29-30 November 2023	PV – PE757.155v01-00
4 December 2023	PV – PE757.167v01-00
14 December 2023	PV – PE757.862v01-00

4. 2022 DISCHARGE: GENERAL BUDGET OF THE EU - EUROPEAN PARLIAMENT

CONT/9/12754

[2023/2130\(DEC\)](#)

PR – PE753.634v01-00

Consideration of draft report



Rapporteur: [Andrey Novakov](#) (EPP)

Administrator: Fernando Gallego Osuna

Shadow Rapporteurs: **Maria Grapini** (S&D), **Gilles Boyer** (Renew), **Daniel Freund** (Greens/EFA), **Ryszard Czarnecki** (ECR), **Matteo Adinolfi** (ID), **Younous Omarjee** (The Left)

Opinion: Committee on Legal Affairs

Deadline for tabling amendments: **30 January 2024, 14.00**

The European Parliament draft discharge report for the financial year 2022 is based on a wide range of information, which is available on the CONT website:

- Parliament's accounts for the financial year 2022,
- the report on budgetary and financial management,
- the Secretary-General's Statement of Assurance,
- the Annual Activity Reports by the Authorising Officers,
- the European Court of Auditors' Annual Report 2022,
- the follow-up report drawn up by the Administration in response to the previous year's discharge resolution,
- the questionnaire with the Secretary-General's replies, emailed to Members on 28 November 2023, and
- the exchange of views in CONT on 4 December 2023 with the Secretary General, the Court of Auditors, the Internal Auditor and the Director of the Authority for European Political Parties and Foundations.

The Rapporteur, Mr Andrey Novakov, is to present his draft report on the Parliament's management for the financial year 2022.

The rapporteur highlights that Parliament's final appropriations for 2022 totalled EUR 2 161 million, or 19,55% of Heading 7 of the Multiannual Financial Framework set aside for the 2022 administrative expenditure of the Union institutions as a whole, and welcomes the work carried out by the Secretary General and the Directorates-General of the Parliament to put the necessary tools in place to resume parliamentary work. The rapporteur also welcomes the work carried out by the European Court of Auditors, highlighting that the Court found that the level of error in spending on 'European public administration' was not material.

In this draft report, the rapporteur provides a detailed analysis of financial activities of the European Parliament, emphasizing transparency, efficiency, and accountability in the management of its budget. The rapporteur acknowledges the impact of external challenges, such as the COVID-19 pandemic and the war in Ukraine, on budgetary processes and decisions.

The rapporteur also focuses on the adherence to legal and regulatory frameworks, highlighting the commitment to prudent financial management. In his draft report, the rapporteur reviews the budgetary allocations and expenditures across the Directorates-General of the European Parliament, offering insights into the operational and financial strategies taken, as well as his recommendations. With his report, the rapporteur aims to ensure that the discharge and budgetary activities of the European Parliament align with the overarching objectives of sound financial management, promoting fiscal responsibility and effective resource allocation.

All language versions of the draft report and the reference documents can be consulted on the CONT website.

It is proposed that the consideration of the draft report proceeds as follows:

- Presentation of the draft report by the CONT Rapporteur, Mr Andrey Novakov;
- The Shadow Rapporteurs will present their views on the draft report, followed by, if time allows, a catch-the-eye session;
- Closing remarks by the CONT Rapporteur.

CONT Timetable

Event	Body	Date
Consideration of draft report	CONT	23 January 2024
Deadline for amendments	CONT	30 January 2024, 14:00
Vote	CONT	22 February 2024
Adoption of report	Plenary	April I 2024

Tuesday 23 January 2024, 9.45 – 10.45

DISCHARGE 2022: OTHER INSTITUTIONS

5. 2022 DISCHARGE: GENERAL BUDGET OF THE EU - EUROPEAN COUNCIL AND COUNCIL

CONT/9/12773

[2023/2131\(DEC\)](#)

PR – PE753.479v01-00

6. 2022 DISCHARGE: GENERAL BUDGET OF THE EU - EUROPEAN EXTERNAL ACTION SERVICE

CONT/9/12831

[2023/2134\(DEC\)](#)

PR – PE753.482v01-00

7. 2022 DISCHARGE: GENERAL BUDGET OF THE EU - EUROPEAN COURT OF JUSTICE

CONT/9/12792

[2023/2132\(DEC\)](#)

PR – PE753.480v01-00

8. 2022 DISCHARGE: GENERAL BUDGET OF THE EU - EUROPEAN COURT OF AUDITORS

CONT/9/12811

[2023/2133\(DEC\)](#)

PR – PE753.481v01-00

9. 2022 DISCHARGE: GENERAL BUDGET OF THE EU - EUROPEAN ECONOMIC AND SOCIAL COMMITTEE

CONT/9/12851

[2023/2135\(DEC\)](#)

PR – PE753.483v01-00

10. 2022 DISCHARGE: GENERAL BUDGET OF THE EU - COMMITTEE OF THE REGIONS

CONT/9/12870

[2023/2136\(DEC\)](#)

PR – PE753.484v01-00

11. 2022 DISCHARGE: GENERAL BUDGET OF THE EU - EUROPEAN OMBUDSMAN

CONT/9/12889

[2023/2137\(DEC\)](#)

PR – PE753.486v01-00

12. 2022 DISCHARGE: GENERAL BUDGET OF THE EU - EUROPEAN DATA PROTECTION SUPERVISOR

CONT/9/12908

[2023/2138\(DEC\)](#)

PR – PE753.487v01-00

13. 2022 DISCHARGE: GENERAL BUDGET OF THE EU - EUROPEAN PUBLIC PROSECUTORS OFFICE

CONT/9/12911

[2023/2139\(DEC\)](#)

PR – PE753.489v01-00

Consideration of draft reports



Rapporteur: [Luke Ming Flanagan](#) (The Left)

Administrators: Kaare Barslev, Christelle Courtade and Diego Rasetti

Shadow Rapporteurs:

European Council and Council: **Marian-Jean Marinescu** (EPP), **Sándor Rónai** (S&D), **Jozef Mihál** (Renew), **Mikuláš Peksa** (Greens/EFA), **Ryszard Czarnecki** (ECR), **Joachim Kuhs** (ID)

EEAS: **Eleni Stavrou** (EPP), **Sándor Rónai** (S&D), **Alin Mituța** (Renew), **Mikuláš Peksa** (Greens/EFA), **Ryszard Czarnecki** (ECR), **Joachim Kuhs** (ID)

CJEU: **Eleni Stavrou** (EPP), **Sándor Rónai** (S&D), **Ramona Strugariu** (Renew), **Mikuláš Peksa** (Greens/EFA), **Ryszard Czarnecki** (ECR), **Joachim Kuhs** (ID)

ECA: **Marian-Jean Marinescu** (EPP), **Sándor Rónai** (S&D), **Olivier Chastel** (Renew), **Mikuláš Peksa** (Greens/EFA), **Ryszard Czarnecki** (ECR), **Joachim Kuhs** (ID)

EESC: **Marian-Jean Marinescu** (EPP), **Sándor Rónai** (S&D), **Olivier Chastel** (Renew), **Mikuláš Peksa** (Greens/EFA), **Elżbieta Rafalska** (ECR), **Joachim Kuhs** (ID)

CoR: **Eleni Stavrou** (EPP), **Sándor Rónai** (S&D), **Alin Mituța** (Renew), **Mikuláš Peksa** (Greens/EFA), **Ryszard Czarnecki** (ECR), **Joachim Kuhs** (ID)

European Ombudsman: **Marian-Jean Marinescu** (EPP), **Sándor Rónai** (S&D), **Ilana Cicurel** (Renew), **Mikuláš Peksa** (Greens/EFA), **Ryszard Czarnecki** (ECR), **Joachim Kuhs** (ID)

EDPS: **Eleni Stavrou** (EPP), **Sándor Rónai** (S&D), **Alin Mituța** (Renew), **Mikuláš Peksa** (Greens/EFA), **Ryszard Czarnecki** (ECR), **Joachim Kuhs** (ID)

EPPO: **Marian-Jean Marinescu** (EPP), **Sándor Rónai** (S&D), **Ramona Strugariu** (Renew), **Mikuláš Peksa** (Greens/EFA), **Ryszard Czarnecki** (ECR), **Joachim Kuhs** (ID)

In the framework of the discharge procedure for the 2022 budget, the Rapporteur submitted a full set of questions to each concerned Institution, taking into account the input received from Shadow rapporteurs and other CONT Members. The Other Institutions received the questions on 28 September 2023 and their written replies, provided on 13 October 2023, were circulated to Members on the same day. For the European External Action Service (EEAS) the questionnaire was sent on 27 October 2023, while the replies were received from EEAS and circulated to Members on 16 November 2023.

Discharge hearings with the Secretaries-General or Directors of the Other Institutions (excepted EEAS) were held on 25 October 2023. Council did not send replies and was not present at the hearing. On 30 November 2023, the discharge hearing was held with the High Representative Vice-President of the EEAS. The responsible ECA Member, Laima Andrikienė, participated in both hearings and provided information to CONT on the findings of the ECA in their annual report.

At the meeting of 23 January 2024, the CONT Members will have an exchange of views on the 2022 budget discharge for Other Institutions, including the EEAS, based on the draft discharge reports. The European Public Prosecutor's Office, which was formally audited by ECA as an agency, was included in the Ols discharge for the second time since the starting of its operational activities in June 2021.

The Rapporteur prepared the draft discharge reports based on the above exchanges of views in the CONT Committee and on the replies given by the institutions concerned. The draft reports also take into account the information provided in the financial and accountability reporting of the Other Institutions, amongst which their annual activity reports, the related balance sheets and annual accounts, their internal audit reports. The findings of

the ECA annual report under Chapter 9 “Administration” were also taken into account where relevant. The ECA annual report focuses on expenditure on human resources, buildings, equipment, energy, communication and information technology. In this report, the ECA does not target the administrative expenditure of each individual Institution but refers to the error level of the administrative expenditure at the aggregated EU budget, which, based on the work of the ECA over many years, was indicated as being a low-risk expenditure.

The draft reports look into the following aspects:

- budgetary and financial management of the Institution concerned,
- internal management, performance and internal control,
- human resources, equality and staff well-being,
- ethical framework and transparency,
- digitalisation, cybersecurity and data protection,
- buildings,
- environment and sustainability,
- interinstitutional cooperation, and
- communication.

As the current discharge concerns the year 2022, a specific attention was given to the effects of Russia’s war of aggression against Ukraine on the budget and operations of the Other Institutions.

CONT Timetable

Event	Body	Date
Consideration of draft report	CONT	23 January 2024
Deadline for amendments	CONT	30 January 2024, 14:00
Vote	CONT	22 February 2024
Adoption of report	Plenary	April I 2024

Tuesday 23 January 2024, 10.45 – 11.30

DISCHARGE 2022: JOINT UNDERTAKINGS

14. 2022 DISCHARGE: CIRCULAR BIO-BASED EUROPE JOINT UNDERTAKING

CONT/9/13008

[2023/2174\(DEC\)](#)

PR – PE753.488v01-00

15. 2022 DISCHARGE: EUROPEAN JOINT UNDERTAKING FOR ITER AND THE DEVELOPMENT OF FUSION ENERGY (FUSION FOR ENERGY)

CONT/9/13018

[2023/2178\(DEC\)](#)

PR – PE753.493v01-00

16. 2022 DISCHARGE: EUROPEAN HIGH PERFORMANCE COMPUTING JOINT UNDERTAKING

CONT/9/13016

[2023/2177\(DEC\)](#)

PR – PE753.492v01-00

17. 2022 DISCHARGE: INNOVATIVE HEALTH INITIATIVE JOINT UNDERTAKING

CONT/9/13020

[2023/2179\(DEC\)](#)

PR – PE753.499v01-00

18. 2022 DISCHARGE: CLEAN HYDROGEN JOINT UNDERTAKING

CONT/9/13011

[2023/2175\(DEC\)](#)

PR – PE753.490v01-00

19. 2022 DISCHARGE: CLEAN AVIATION JOINT UNDERTAKING

CONT/9/13004

[2023/2173\(DEC\)](#)

PR – PE753.485v01-00

20. 2022 DISCHARGE: KEY DIGITAL TECHNOLOGIES JOINT UNDERTAKING

CONT/9/13023

[2023/2180\(DEC\)](#)

PR – PE753.500v01-00

21. 2022 DISCHARGE: SINGLE EUROPEAN SKY ATM RESEARCH 3 JOINT UNDERTAKING

CONT/9/13025

[2023/2181\(DEC\)](#)

PR – PE753.502v01-00

22. 2022 DISCHARGE: EUROPE'S RAIL JOINT UNDERTAKING

CONT/9/13013

[2023/2176\(DEC\)](#)

PR – PE753.491v01-00

Consideration of draft reports



Rapporteurs:

[Michał Wiezik](#) (Renew) – CBE, ITER&F4E, HPC, IHI, Clean Aviation, Clean Hydrogen, Key Digital Technologies, SESAR3

[Józef Mihál](#) (Renew) – EU Rail

Administrator: Ana Maria Nogueira

Shadow Rapporteurs: **Angelika Winzig** (EPP), **Corina Crețu** (S&D), **tbc** (Greens), **Ryszard Czarnecki** (ECR), **Matteo Adinolfi** (ID), **Younous Omarjee** (The Left)

Opinions: TRAN: Clean Aviation, SESAR3, EU Rail

[Article 187](#) of the Treaty on the Functioning of the European Union (TFEU) specifies that the EU may set up joint undertakings (JUs) or any other structure necessary for the efficient execution of EU research, technological development and demonstration programmes.

JUs are partnerships between the EU, represented by the Commission and private partners from industry and research organisations. In some cases, intergovernmental organisations and Participating States are also involved. The primary mission of JUs is to foster the transformation of scientific knowledge into marketable breakthrough innovations within a strategic vision that the partners share. Moreover, JUs should respond to European social challenges currently insufficiently served by industry.

The members of these JUs are typically the European Union (represented by the European Commission) and industry-led associations, as well as other partners. JUs adopt their own research agenda and award funding mainly on the basis of open calls for proposals.

Under the Multiannual Financial Framework (MFF) programmes for research and innovation, JUs are set up as EU bodies with separate legal personalities. They adopt their research and innovation agenda in their strategic research area and implement it through calls for proposals or procurements.

The partnerships, established as European Union bodies for a duration until 31 December 2031 (under the new 2021-2027 MFF), will have a budget of approximately €10 billion until 2027 from the Horizon Europe programme, complemented by an equal amount from the participating partners.

The JUs operating under the 2021-2027 MFF implement their specific research and innovation agenda in transport, energy, health, circular bio-based industries, key electronic components, supercomputing, and network systems.

For the financial year 2022, the nine Joint Undertakings subject to the discharge procedure by Parliament are the following:

- The Single European Sky Air Traffic Management Research Joint Undertaking (SESAR 3);
- The Clean Aviation Joint Undertaking;
- The Innovative Health Initiative Joint Undertaking (IHI);
- The Clean Hydrogen Joint Undertaking Clean H2);
- The Key Digital Technologies Joint Undertaking (KDT);
- The Circular Bio-based Europe Joint Undertaking (CBE);
- The Europe's Rail Joint Undertaking (EU-RAIL);
- The European High Performance Computing Joint Undertaking (EurHPC);
- The European Joint Undertaking for ITER and the Development of Fusion Energy (F4E).

On 15 November 2023, the Court of Auditors (ECA) published its specific annual report on JUs in the form of a single consolidated report on all JUs.

Overall, the Court's audit of the nine JUs for the financial year ended on 31 December 2022 confirmed similar results reported to previous years. Through the statements of assurance issued for each JU, the Court provided: (a) unqualified (clean) audit opinions on the reliability of accounts for nine JUs; and (b) unqualified (clean) audit opinions on the legality and regularity of the transactions underlying the accounts for nine JUs.

The draft reports are based on the following set of documents:

- 2022 Annual report on EU Joint Undertakings for the financial year 2022 - European Court of Auditors;
- Joint Undertakings' individual Report on Budgetary and Financial Management;
- Joint Undertakings' individual Annual Activity Report;
- Joint Undertakings' individual Annual Accounts.

The Rapporteurs echoed the European Court of Auditors' opinion, both on the positive results and on the need for improvement in areas of programme implementation, human resources, and the management and control systems for payment.

CONT Timetable

Event	Body	Date
Consideration of draft report	CONT	23 January 2024
Deadline for amendments	CONT	30 January 2024, 14:00
Vote	CONT	22 February 2024
Adoption of report	Plenary	April I 2024

Tuesday 23 January 2024, 11.30 – 12.15

23. COORDINATORS' MEETING

*** *In camera* ***

Tuesday 23 January 2024, 15.00 – 16.00

24. STUDY ON "DUE DILIGENCE IN EU INSTITUTIONS' PROCUREMENT RULES AND PRACTICES"

CONT/9/13945



Presentation of the study by the authors followed by an exchange of views

Rapporteur: [Lara Wolters](#) (S&D)
Administrators: Hans Stander (CONT)
Francisco Padilla/Alix Delasnerie (PoldepD)

Public procurement, the acquisition by public bodies of goods and services needed for their government mission, accounts for 13,3% of GDP across the EU. The EU legislator has therefore for decades sought to regulate public procurement as mechanism for realising the EU internal market.

Public procurement has however also the potential to contribute to other EU strategic goals, to stimulate for example sustainable production and consumption. At the same time, elements of the current legal regime present challenges for public buyers seeking to engage in green or socially sustainable procurement. Procurement rules can make it for example difficult to exclude companies that harm the environment from access to public contracts, or to strongly favour companies that work in a social sustainable manner.

This is important because companies are increasingly expected to act responsibly and sustainably, based on UN and OECD standards. In this context, these companies are expected to operationalise that responsibility by implementing diligence processes, to identify, assess, prevent, cease or mitigate and remediate harmful practices concerning human rights and the environment, caused by their own activities, or to which they are directly linked by activities of their business partners.

In this context the study, authored by Ms Claire Methven O'Brien (University of Dundee) and Roberto Cantara (Turin University), aimed to look into the question whether EU Institutions' rules and practices for their procurement of goods and services currently integrate due diligence requirements.

Based on an analysis of legal, documentary and interview data, the study finds **the current legislative framework is not favourable to the uptake of human rights and sustainability due diligence by EU public buyers** and that sustainability due diligence is lacking across EU bodies' procurement rules and practices.

The study puts forward recommendations to further integrate due diligence into EU institutions' procurement, acknowledging the constraints and flexibilities offered by the existing regulatory framework, and identifies steps for the revision of the framework that will promote its progressive development in the future.

The recommendations centre around three areas for improvement:

First, **within the existing legal framework**, the study recommends measures that can be adopted more rigorously to secure compliance by EU Institutions' suppliers with existing minimum legal obligations, both statutory and contractual, using tools that are already available and without legislative reform. To this end, communication between EU authorising officials must be strengthened (section 5.2.1); information on wrongdoing must be more generally available (section 5.2.2.); opportunities for whistleblowing and remediation must be enhanced (section 5.2.3); and greater reliance should be put on SPP contract clauses (5.2.4).

Second, addressing the need to **revise the existing regulatory framework** to align EU institutions' own-account procurement law with EU sustainability and due diligence standards. The study stresses the need to integrate due diligence and binding sustainable procurement goals into the EU Financial Regulation (5.3.1); to ensure the

Financial Regulation is continuously updated to be aligned with EU sustainable procurement requirements (5.3.2); to extend mandatory exclusions (5.3.3); to integrate sustainable procurement into general EU budgetary control mechanisms (5.3.4); and finally measures to link EU institutions' own procurement with the anticipated adoption of the EU Corporate Sustainable Due Diligence Directive (CSDDD) (5.3.5).

Third, the study contains recommendations **strengthening efforts and capacity of EU Institutions on due diligence and Strategic Public Procurement (SPP)** (section 5.4). This is an immediate imperative, both in terms of securing compliance with existing law, as well as to support the effectiveness and impact of any future legislative or policy changes. Whereas some initiatives to foster mutual support and dissemination on SPP across EU bodies are already underway, greater effort is needed to secure cross-institutional policy coherence, while more synergy in SPP measures would likely enhance both their cost-effectiveness and their sustainability impacts. Development of guidance, trainings and exchange of good practices form one discrete area of requirements.

The study will be presented by the authors, followed by a Q&A and discussion of the Members of the CONT Committee.

Tuesday 23 January 2024, 16.00 – 17.15

25. ECA SPECIAL REPORT 28/2023 - PUBLIC PROCUREMENT IN THE EU: LESS COMPETITION FOR CONTRACTS AWARDED FOR WORKS, GOODS AND SERVICES IN THE 10 YEARS UP TO 2021

CONT/9/13920

Joint meeting with Committee on Internal Market and Consumer Protection (IMCO)

Presentation of the special report by reporting ECA Member [Helga Berger](#)

Rapporteur: tbc (ID)
Administrator: Diego Rasetti



A duly regulated public procurement process leads to the selection of the best performing companies, safeguards the public interest, strengthens transparency, equal treatment, non-discrimination and efficiency. Overall, it reduces the risk of fraud, it counters corruptive practices such as the tailoring of tender specifications to favour certain companies, and it enhances the efficient use of public money.

Today, the reporting Member of the European Court of Auditors, Ms. Helga Berger, presents to CONT and IMCO Members the ECA Special Report on the public procurement in the EU, assessing the existing level of competition for contracts awarded for works, goods and services in the EU's single market five years after the transposition of the 2014 public procurement directives into national law.

Because public procurement is one of the main drivers of economic growth and employment, the efficient use of public procurement processes in the Union is material to the effective functioning of the EU single market. One of the goals of public procurement is to obtain the best value for money, and therefore competition amongst suppliers is an essential prerequisite.

ECA has run a comprehensive analysis in a ten years period, covering 2011 to 2021, and its findings on the results achieved are disappointing at best: the level of competition for public contracts decreased over the past 10 years

in the EU single market and, in the same period, the share of single bidding procedures (where only one company showed interest and submitted a bid) almost doubled (from 23,5% in 2011 to 41,8% in 2021) while the number of bidders per procedure almost halved (from an average of 5.7 bidders to 3.2 bidders per procedure).

ECA audit work indicates that the three important objectives which were targeted by the 2014 directives (notably simplification of procurement procedures, easier access for Small and Medium Sized Enterprises and the use of strategic procurement to support EU policy objectives) were not achieved. The results exposed indicate that administrative burden is still perceived as excessive; procedure's length has increased by half since 2011 (from 62.5 days in 2011 to 96.4 days in 2021); means of simplification such as self-declaration to assess exclusion and selection criteria and digitalisation of procedures were unsuccessful; the participation of SMEs in public procurement did not increase in spite of the inclusion of provisions to allow division into lots. Further aspect is the limited use and limited impact of strategic procurement, which was intended to encourage greater consideration of environmental, social and innovative aspects in the procurement of works, goods and services by allowing contracting authorities to go beyond the lowest price criterion and aim for the "most economically advantageous tender" (MEAT).

The Special Report points out that Commission's monitoring of public procurement is suboptimal. To confirm it, the report underlines that prices of goods and services purchased under public procurement contracts are not monitored and this prevents the assessment of the consequences of the lack of competition on the prices level.

The national authorities, on the other hand, provide limited quantitative information, not uniformly reported in their monitoring reports. Tenders Electronic Daily (TED) data is not yet sufficiently complete and accurate, the Commission's Scoreboard has limited content and such content has changed several times without clarification on such methodological switches. There is no common unique identifier for suppliers and contracting authorities, and this prevents contracting authorities from analysing procurements by supplier, while using a common unique identifier would also be beneficial for the identification of the ultimate beneficial owner, thus facilitating the analysis of indirect cross-border procurements.

Overall, data analysis shows that the 2014 reform has not yet led to any significant improvements in the manner in which contracting authorities conduct procurement. Therefore, the Court makes recommendations to help the Commission, targeting the formulation of objectives and priorities, the reliability and completeness of data, the improvement of the monitoring tools and asking for a deepen root cause analysis of weak competition: these recommendations have been all accepted by the Commission. The latter, however, while acknowledging that competition depends on the management of the public procurement procedure, also points out that the decrease in competition in public procurement is related to the overall macroeconomic environment, where the Union has faced -in the past ten years- two major recessions. The Commission suggests that it is not straightforward to monitor prices, recognises that some of the factors influencing competition on the public procurement market and the efficiency of public spending are difficult to assess, as public procurement is very heterogeneous. Moreover, it underlines that the contracting authorities in the Member States are the data providers and they play a pivotal role in ensuring their quality and the completeness. Additionally, the Commission has adopted many initiatives to address the weaknesses identified by ECA, amongst them it has recommended a number of Member States to adopt structural reforms through Country Recommendations adopted within the European Semester and milestones set up in Recovery and Resilience Plans.

The CONT Working Document presented to prepare the exchange of views points out that there is a widespread lack of awareness for competition as prerequisite for value for money procurements. Both the Commission and the Member States pay insufficient attention to competition in public procurement, and the initiatives to analyse public procurement data and identify possible reasons for decreases in the level of competition are rare.

The Working Document calls for the Commission to improve its monitoring of public procurement which is currently made more difficult by the poor and inaccurate data collection on the contracts awarded and points out that the shortcomings in the Commission's monitoring tools limit effectiveness and transparency of the process. The Working Document therefore endorses recommendations issued by the Court, calling on the Commission to ensure their implementation by end 2025.

Tuesday 23 January 2024, 17.15 – 17.30

***** Voting time *****

26. ESTABLISHING THE UNION CUSTOMS CODE AND THE EUROPEAN UNION CUSTOMS AUTHORITY, AND REPEALING REGULATION (EU) No 952/2013

CONT/9/12071

[2023/0156\(COD\)](#)

Adoption of draft opinion



Rapporteur for the opinion: [Petri Sarvamaa](#) (EPP)

PA – PE755.970v01-00
AM – PE755.971v01-00

Responsible: IMCO

Rapporteur: [Deirdre Clune](#) (EPP)

PR – PE755.046v01-00
AM – PE756.213v01-00

Shadow Rapporteurs: [Maria Grapini](#) (S&D), [Pirkko Ruohonen-Lerner](#) (ECR)

Administrator: Fernando Gallego Osuna

Opinions: INTA*, BUDG, CONT

In its work programme for 2022, the European Commission announced that it would put forward an initiative for a revision of Union's customs legislation. The European Commission tabled its proposal in May 2023. The key part of the reform is the proposal for a set-up of a new EU Customs Authority, which should oversee an EU Data Hub. Customs data will only need to be submitted to the EU Customs Data Hub, as opposed to the multiple interfaces from the many separate systems in place across the EU Member States today, saving Member States up to €2 billion a year in operating costs. The new Customs Authority will help deliver on an improved EU approach to risk management and customs checks.

The rapporteur's draft report focuses on three main aspects: first, it proposes improvements to the risk assessment and control framework in customs matters, including codifying issues long requested by the European Parliament such as calculating the customs gap. Second, it proposes enhancements to the compliance monitoring and related procedures of the Authorised Economic Operator mechanism, developing oversight and defining unclear concepts like serious or repeated infringements. Third, it further develops the governance framework of the new Customs Agency and proposes new ways to measure performance in customs procedures.

CONT Members tabled 83 amendments to the IMCO report, covering areas such as the institutional architecture of the new Customs Authority, risk analysis, or the role of EPPO, among other topics.

CONT Timetable

Event	Body	Date
Vote	CONT	23 January 2024
Adoption of report in lead Committee	IMCO	22 February 2024
Adoption of report in Plenary	Plenary	March 2024

***** End of voting time *****

27. ANY OTHER BUSINESS

28. NEXT MEETINGS

- 1 February 2024
- 19 February 2024 (TBC)
- 22 February 2024

PAPERLESS PROGRAMME (INTERNAL USERS ONLY)

Access CONT committee meeting documents on [eMeeting](#) or any CONT committee information on [eCommittee](#)

FOR FURTHER INFORMATION

Contact [CONT Secretariat](#) or visit the [website](#) of the CONT committee

NEWS FROM POLICY DEPARTMENT - BUDGETARY AFFAIRS

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CONT

Workshop Proceedings [“Sponsorships of EU Presidencies: Stocktaking and Perspectives”](#)
 Briefing [“Nominations for Members of the European Court of Auditors: Sweden and Portugal”](#)
 Briefing [“EU assistance to Ukraine and scrutiny of the EU financing provided”](#)
 Briefing [“Preventing EU funds from ending up with individuals or companies tied to the EU-Russia sanctions list”](#)
 In-Depth Analysis [“The EU Emissions Trading System: Method and Effects of Free Allowance Allocation”](#)
 Briefing [“Nominations for Members of the European Court of Auditors: Belgium and Finland”](#)
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