REPORT

on discharge in respect of the implementation of the general budget of the European Union for the financial year 2018, Section VII – Committee of the Regions (2019/2061(DEC))

Committee on Budgetary Control

Rapporteur: Tomáš Zdechovský
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1. PROPOSAL FOR A EUROPEAN PARLIAMENT DECISION

on discharge in respect of the implementation of the general budget of the European Union for the financial year 2018, Section VII – Committee of the Regions (2019/2061(DEC))

The European Parliament,

– having regard to the general budget of the European Union for the financial year 2018¹,

– having regard to the consolidated annual accounts of the European Union for the financial year 2018 (COM(2019)0316 – C9-0056/2019)²,

– having regard to the Committee of the Regions’ annual report to the discharge authority on internal audits carried out in 2018,

– having regard to the Court of Auditors’ annual report on the implementation of the budget concerning the financial year 2018, together with the institutions’ replies³,

– having regard to the statement of assurance⁴ as to the reliability of the accounts and the legality and regularity of the underlying transactions provided by the Court of Auditors for the financial year 2018, pursuant to Article 287 of the Treaty on the Functioning of the European Union,

– having regard to Article 314(10) and Articles 317, 318 and 319 of the Treaty on the Functioning of the European Union,


– having regard to Rule 100 of and Annex V to its Rules of Procedure,

– having regard to the report of the Committee on Budgetary Control (A9-0071/2020),

1. Grants the Secretary-General of the Committee of the Regions discharge in respect of the implementation of the budget of the Committee of the Regions for the financial year 2018;

2. Sets out its observations in the resolution below;

3. Instructs its President to forward this decision and the resolution forming an integral part of it to the Committee of the Regions, the European Council, the Council, the Commission and the Court of Auditors, and to arrange for their publication in the Official Journal of the European Union (L series).
2. MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

with observations forming an integral part of the decision on discharge in respect of the implementation of the general budget of the European Union for the financial year 2018, Section VII – Committee of the Regions (2019/2061(DEC))

The European Parliament,

– having regard to its decision on discharge in respect of the implementation of the general budget of the European Union for the financial year 2018, Section VII – Committee of the Regions,

– having regard to Rule 100 of and Annex V to its Rules of Procedure,

– having regard to the report of the Committee on Budgetary Control (A9-0071/2020),

A. whereas in the context of the discharge procedure, the discharge authority wishes to stress the particular importance of further strengthening the democratic legitimacy of the Union institutions by improving transparency and accountability and implementing the concept of performance-based budgeting and good governance of human resources;

1. Notes with satisfaction that in its 2018 annual report, the Court of Auditors (the 'Court') identified no significant weaknesses with respect to the audited topics relating to human resources and procurement for the Committee of the Regions (the 'Committee');

2. Welcomes the Court’s conclusion that the payments as a whole for the year ended 31 December 2018 for the Committee’s administrative expenditure were free from material error and that the examined supervisory and control systems were effective;

3. Regrets, as a general observation, that chapter 10 ‘Administration’ of the Court’s 2018 Annual Report has a rather limited scope and conclusions, notwithstanding the fact that the Multiannual Financial Framework (MFF) Heading 5 'Administration’ is considered to be low risk;

4. Notes that the Court selected a sample of 45 transactions from MFF Heading 5 of all Union institutions and bodies; notes that the sample was designed to be representative of the range of spending under Heading 5, which represents 6,3 % of the Union budget; notes that the Court’s work indicates administrative expenditure as low risk; considers, however, the amount of transactions selected in relation to the 'other institutions' to be insufficient and asks the Court to increase the number of transactions to be examined by at least 10 %;

5. Notes that in 2018 the Committee's budget amounted to EUR 96 101 000, compared to EUR 93 295 000 in 2017, corresponding to an increase of 3 %; notes that 99,3 % of all appropriations have been committed by the end of 2018 (compared to 98 % in 2017 and 98,7 % in 2016) and 91 % have been paid in 2018 (compared to 89,9 % in 2017 and 89,6 % in 2016);

6. Welcomes the overall prudent and sound financial management of the Committee in the
2018 budget period; welcomes the fact that the commitment rate for Title 1 'Expenditure relating to persons working with the Committee' was 99.1 % and for Title 2 'Buildings, equipment and miscellaneous operating expenditure' 99.6 %;

7. Recognises the Committee’s answer related to the payment execution rates (76.9 % in 2018, 77.1 % in 2017 and 74.5 % in 2016) for Title 2; notes that invoices mainly for maintenance and energy consumption arrive only at the beginning of the following year; asks the Committee to improve the situation, where possible by formulating balanced payment terms over the year in the related service contracts;

8. Observes the unused appropriations for several budget lines, such as courses for members (item 105) with 59.0 %, missions for staff (item 162) with 33.3 %, medical services (item 1634) with 77.9 % and fitting-out premises (item 2007) with 92.7 %; recalls the need for measures in order to minimise budget overestimates;

9. Stresses that notwithstanding the Committee’s political activities, its budget is considered to be purely administrative and accounts for 1 % of the Administrative Heading 5 of the Union Budget; welcomes the Committee’s efforts in applying performance-based budget principles in its daily operations and its willingness to improve further together with other Union institutions and bodies; notes the successful tools, such as the budget execution reviews, in order to monitor and help to improve the Committee’s budget execution rates; welcomes overall the Committee’s performance oriented approach;

10. Notes that the Committee maintains a central register of reporting exceptions related to non-compliance with internal procedures and corrective measures; welcomes that the overall number of financial exceptions decreased by 6.8 % compared to 2017;

11. Welcomes the Committee’s efforts to reduce the average time for payment (under the Financial Regulation payments need to be made within 30 days) to 16 days on average in 2018 which is the best rate for 10 years (compared to 23 days in 2017, 26 days in 2016 and 20 days in 2015); notes that no case of payment of mandatory default interest was recorded in 2018;

12. Notes that the Committee launched an exercise for the 16 internal control standards (ICS) by means of a questionnaire, designed to evaluate compliance and effectiveness of the requirements specified for each ICS; notes the positive outcome and the conclusions to focus strongly on ICS 3, staff allocation, ICS 10, business continuity, and ICS 12, information and communication, due to the future challenges, such as a new mandate and the 25-year anniversary of the Committee;

13. Recognises that the monitoring of the internal audit function is provided by an audit committee composed of one member per political group of the Committee’s Commission of Financial and Administrative Affairs and one high-level external advisor; notes that the 2018 target to close 75 % of very important recommendations after six months was achieved at a rate of 50 %, and the target to close 100 % of very important recommendations after 12 months was achieved at a rate of 100 %;

14. Reiterates the importance of interinstitutional cooperation, such as service-level
agreements for human resources and other administrative agreements; calls on the Committee to inform Parliament’s Committee on Budgetary Control of the amounts paid under such agreements in the next annual activity report;

15. Stresses the importance of promoting the involvement of regional and local authorities given their role in the implementation of Union policies;

16. Notes that the administrative cooperation agreement entered into between the Committee, the European Economic and Social Committee (EESC) and Parliament in 2014 came to end on 31 December 2019; notes that until now the 2014 agreement has not been renegotiated or extended; is of the opinion that the 2014 agreement was very unbalanced for the Committee and the EESC (the ‘Committees’) which transferred in total 60 translators to Parliament (36 from the EESC) and in exchange only got to use the services of the European Parliamentary Research Service (EPRS); notes with concern that as a consequence the Committees had to hire contract staff and outsource their translation services; notes with concern that to compensate for the reduction in translation staff, Parliament has provided additional funds (EUR 1 200 000 since 2015 to 2016) to the Committees to cover the outsourcing of translation services and that this amount can be reallocated to other policy areas if it is not fully used for outsourced translation (the EESC used this reallocation possibility in the last three years); is of the opinion that these circumstances are not in line with the criteria of overall prudent and sound financial management and should be reconsidered in the case of an extension of the present contract or negotiation of a new agreement; recognises that, from a political point of view, the agreement must be updated to face today’s challenges, such as the new MFF or the new cohesion policy rules;

17. Welcomes the ‘Reflecting on Europe/Future of Europe’ campaign amounting to more than 209 events carried out in total (until February 2019); notes that the Committee is following up on this success to develop a model for permanent European citizens’ consultations together with other Union institutions and bodies with the aim of combining local debates with a feedback mechanism to inform decision-makers at Union level; calls on the Committee to report back on the results achieved in its next annual activity report;

18. Welcomes for transparency reasons a list of events for 2017 and 2018 in the context of the ‘Reflecting on Europe/Future of Europe’ campaign in its annual activity report; notes the names of the involved Committee members, title, date, place and the overall cost amounting to EUR 41 747,87 in 2018 (compared to EUR 45 505,93 in 2017);

19. Appreciates the Committee’s success on social media with 12 658 page likes on Facebook in 2018 (compared to 9 013 in 2017) and 3 727 followers on Twitter in 2018 (compared to 3 425 in 2017); acknowledges the successful use of the online survey/mobile app 'Have your say on Europe!' across the Union; congratulates the Committee on its new website with 101 983 page views in 2018 (compared to 43 748 in 2017); welcomes the open online course (MOOC) in January 2018 under the headline “make the most of EU resources for your region or city” with almost 15 000 participants (compared to 8 500 in 2015 and 5 500 in 2016);

20. Welcomes the Committee's achievement in increasing its publication of studies, amounting to 27 and surpassing the target of 15; notes that all of those studies have
been published on the Committee’s website and are, therefore, accessible to the public;

21. Notes that the agreement between the Committees, and the Commission on the exchange of the Commission's VMA building for the Committees BEL68/TRE 74 buildings was signed on 28 August 2019; notes that the exchange will become effective on 16 September 2022; notes with concern that the main priority identified by the Committees' buildings policy is the geographical concentration of the buildings; notes with concern that this exchange results in a loss of office space of 10 440 m² and, thus, a need to find extra offices to accommodate around 200 members of staff after the exchange, which cannot be entirely offset by alternative measures in the short-term, such as densifying the use of space in the other buildings and increased teleworking, but will necessitate the purchase of another adjacent building to compensate this reduction; notes also the need to renovate the VMA building in the short to medium term; fears the consequences that this agreement will have not only for the finances of the Committee but also for the wellbeing of the concerned staff; regrets that the legal service has not been consulted on a matter of such scope and importance for the Committee;

22. Notes that the Committees have recently established a joint working group for the purpose of preparing a further analysis in order to find adequate solutions; notes that another working group is tasked with reflecting on new ways of working; stresses that in no case must the staff well-being, manner of work and work space suffer negative consequences arising from the exchange of buildings; recalls the requirement that members of staff be consulted on the exchange of buildings and that their opinion be taken into account; calls on the Committees to inform Parliament’s Committees on Budgetary Control and Budgets on any results achieved;

23. Expresses serious concerns about the confirmation of presence of asbestos in critical places of the VMA building including the parking area; deeply deplores that an inventory realised by an specialised external contractor was carried out in September 2019, only one month after the signature of the agreement with the Commission; deplores the fact that the agreement was signed without informing all stakeholders in due time about the possibly presence of asbestos in the VMA building; also deplores that members and staff have not been informed about the situation and considers that it is not sufficient that the information has been published on the ESSC intranet where it is difficult to find;

24. Notes that the Committees received an asbestos-safe certificate for the VMA building in September 2019 and that this certificate specifies that the building contains asbestos without risk for normal use of the building; taking into account especially that the next use of the building will not be normal use, but a situation of construction, is deeply concerned about the future developments relating to this issue;

25. Notes that the effects of prolonged and unsafe asbestos exposure on human health are well documented and are always a source of concern and alarm among the population in general; asks both Committees to carry out a policy of total and proactive transparency and information about the management of the situation before and after the effective occupation of the VMA building while at the same time avoiding unnecessary alarmism;

26. Acknowledges the Committee’s building strategy approved on 29 November 2017 with
the priority of 'geographical concentration' and 'physical connection' to the Committees' main building, Jacques Delors, providing significant financial and non-financial benefits; notes that the VMA building will require a minor refurbishment at the earliest moment possible (2020-2022) and a more thorough renovation when the Committees will completely own the VMA building in 2028; notes that the costs will be covered by the Committees according to the sharing key applicable under the administrative cooperation agreement;

27. Welcomes all the measures implemented so far to ensure adequate (cyber-)security standards; notes that, following the installation of the new equipment for access control and the IT Security actions, the related security standards have reached the same level as the standards of Parliament and the Commission;

28. Regrets that the Committee does not yet have a legal framework with which to deal with harassment cases involving its members; reiterates the European Ombudsman's call on the institutions to adopt rules on harassment applicable to their members; asks the Committee to urgently adopt such rules, along the lines of Parliament's Bureau Decision of 2 July 2018 on harassment complaints; calls on the Committee to report back on its follow-up actions to Parliament;

29. Urges the Committee to strengthen its efforts related to the planned Code of Conduct for its members related to the prevention and fight of conflict of interests; asks the Committee to ensure the publication of the concerned rules and procedures on its websites;

30. Recognises the robust mechanism in place to tackle harassment cases involving staff only with internal rules that implement the relevant provisions of the Staff Regulations; welcomes the organisation of trainings for all staff on the topic of prevention of harassment focusing on the rules, provisions and procedures in place regarding harassment complaints; notes that the Committee has a functioning team of confidential counsellors (currently six are appointed and two have been placed on a reserve list) who have all received training before taking up their function;

31. Notes that the appropriations for translation outsourcing increased in the context of the cooperation agreement signed with Parliament and the resulting reduction in translation staff; notes that in 2018 translation outsourcing reached 20.2 %, slightly above the 20 % target, also partly caused by the high workload (21 % higher compared to the same period in 2017); notes further that the total cost of outsourced translation in 2018 was EUR 3 251 855 compared to EUR 5 263 108, which would have been the total cost of in-house translation;

32. Recognises the Committees’ efforts that resulted in a significant reorganisation under a new strategy for a more resource efficient multilingualism; regrets that from 2014 to 2017 transfers of posts from the linguistic services to the services of Parliament needed to be compensated by an increased number of contractual staff; calls on the Committee to inform Parliament regularly of the related developments;

33. Notes the evaluation report on the pilot project for the common management of some translation units which identified, apart from a reduction in management overheads, additional synergies at translation assistance level once all translation units are merged
and all necessary technical conditions are in place; notes that the Committee’s Bureau gave a mandate to its Secretary-General to draw up and propose a new establishment plan, in cooperation with the EESC’s Secretary-General; notes that the merger of the pilot units is confirmed and that two more mergers shall take place in 2019; calls on the Committee to report back on all actions taken to make translation output sustainable;

34. Notes the efforts to further simplify human resources processes, in particular through the gradual introduction of paperless workflows, such as invoices, missions and files; calls on the Committee to strengthen its efforts in the modernisation of its procurement processes related to IT tools, setting-up an electronic workflow to permit a paperless mode; notes the good progress made with e-invoicing which is now fully operational from an IT point of view;

35. Notes an establishment plan of 538 staff members in 2018 (compared to 533 in 2017); welcomes the lower vacancy rate of posts in 2018 (less than 2 %) than in 2017 (approximately 2,5 %); welcomes the fact that a workload assessment exercise was initiated in 2018 to have an overview of the efficient use of human resources in the Committee and to identify possible gaps; notes that the final report was delivered in Spring 2019; requests a detailed follow-up of the situation in its next annual activity report;

36. Welcomes the introduction of a new appraisal system focusing on individual performance and a new promotion scheme based on merit which were the subject of an intensive social dialogue in 2018; recognises that the implementation of an action plan following a staff satisfaction survey organised late 2016 resulted in a management programme for both middle and junior managers covering topics which are linked to staff satisfaction;

37. Welcomes the fact that the rate of absenteeism has decreased over the years (from 4,86 % in 2015, 4,6 % in 2016 and 4,5 % in 2017 to 4,29 % in 2018); notes, however, that 23 staff members were on sick leave for more than 90 days in 2018, including three cases which respectively lasted 352, 296,5, and 280,5 days, and corresponded to serious illnesses; acknowledges the Committee’s comprehensive policy on absence management, including follow-up of absences and the implementation of a structured return-to-work policy;

38. Welcomes the fact that, with regard to equal opportunities, all the measures taken with respect to disability, diversity and gender balance, such as the network of the local equal opportunities contact points in the respective directorates to raise awareness and implement actions within all Committee departments; welcomes the Committee’s efforts with respect to flexible working conditions in order to allow colleagues of both genders to carry out managerial duties by better reconciling their family and professional responsibilities;

39. Notes with interest that the Committee adopted an integrated talent management strategy covering a wide range of areas and policies for ultimately contributing to staff performance and staff commitment; notes that the level of deputy heads of unit, heads of sector and team leaders has been officially recognised as a new management level and that the Committee organised related in-house training courses;
40. Recognises the Committee’s efforts to achieve geographical balance for the Committee’s managers, in particular with respect to the Member States that joined the Union in or after 2014, which has reached 22.2% (compared to the target of 20%), which is slightly above the proportion of population these countries represent compared to the total Union population;

41. Takes note of the Committee’s difficulties in increasing the proportion of women in middle and senior management positions (35.6% women in management positions); acknowledges the fact that the Committee is an institution of limited size with a relatively young group of middle managers; notes the efforts such as the Guide to Good Practice relating to Recruitment, reworked into a service instruction, introducing a binding rule to include both male and female panel members in every recruitment panel; calls on the Committee to strengthen further its efforts and to report back on any improvements achieved;

42. Reiterates the need to streamline and speed up the discharge procedure; proposes in this regard to set a deadline for the submission of the annual activity reports of 31 March of the year following the accounting year; welcomes the Committee’s readiness to follow this best practice which should help to support the request to shorten the timeline for the discharge procedure;

43. Welcomes that overall the mid-term assessment completed in early 2018 concluded that the interinstitutional cooperation agreement between the Committees is working well; notes that the joint services serve both Committees in the fields of translation, infrastructure, logistics and IT; notes that together with the salary related expenditures concerned, the annual monetary value of the joint services operations exceeds EUR 100 million;

44. Notes that the cooperation agreement between the Committees, signed in 2016, establishes a firm legal framework for long-term, efficient and effective cooperation, and demonstrates that the two Committees are acting in partnership while respecting each other's powers and prerogatives; notes that the agreement ended on 31 December 2019 and that it has been decided to extend it for one year while a new agreement is being negotiated; asks both Committees to make the necessary efforts to conclude a new agreement as soon as possible in order to allow further synergies and savings;

45. Recalls that once again both Committees dedicated less than 3% of their total budget to IT and that IT projects and equipment have suffered from structurally underfinancing for several years; notes with concern that in order to address their backlog with respect to IT projects and systems, the two Committees continue to use mopping-up exercises at the end of the year to finance IT projects; asks both Committees to implement as soon as possible the new digital strategy and multiannual IT expenditure plan;

46. Calls on the Committee to analyse further the situation in order to identify additional areas for joint services with the EESC; highlights that this kind of interinstitutional cooperation could significantly reduce the overall expenditure of the Committee; calls on the Committee to inform Parliament’s Committee on Budgetary Control of any results achieved;

47. Congratulates the Committee on its e-learning training with a specific area dedicated to
ethics designed mainly for newcomers and placed on the first page of the Committee's intranet for easy access for all; appreciates, in the interests of transparency, the publication of policies, such as whistleblowing procedures and policies on occupational activities of former senior officials, on the Committee’s website; encourages the Committee to continue a real policy for the digitalisation of its services;

48. Recalls that on 23 August 2018 a former internal auditor lodged a complaint with the appointing authority against the Committee on the basis of Article 90(2) of the Staff Regulations, following the Committee's decision of 24 May 2018 to refuse to recognise him as a bona fide whistleblower; deeply regrets the Committee’s decision that is in contradiction with Parliament's position that the internal auditor is a bona fide whistleblower, confirmed in Parliament’s resolution of 13 January 2004; encourages the Committee to fully recognise the internal auditor's status and to publicly apologise for the mishandling of his case;

49. Notes that on 20 December 2019, the Committee made a proposal to the former internal auditor for an out of court settlement subject to a non-disclosure agreement, which was rejected by the former internal auditor based on the lack of transparency; encourages the Committee to revise its proposal in order to formally recognise the former internal auditor as a bona fide whistleblower and to allow any conciliation agreement to be public in the interests of transparency;

50. Regrets that the launch of a mediation process between the Committee and the former internal auditor, requested in Resolution (EU) 2019/1429¹, has not yet taken place and is only planned for the beginning of 2020; further regrets that it took over 20 years for the Committee to enter into a mediation process with the former internal auditor; reiterates its strong support, as expressed in numerous Parliament's resolutions, for the just and fair settlement with the former internal auditor and Committee's public apology for its wrongdoings in handling of that case;

51. Notes the decision of the third invalidity committee, which unanimously confirms that the internal auditor was invalided out on occupational grounds and was subjected to a process of bullying by the Committee;

52. Notes that on 20 December 2019, the Committee presented a proposal for an out-of-court settlement and a draft public statement, which was rejected by the former internal auditor, who expressed the wish for a mediation process to be activated as the most appropriate vehicle for a fair resolution of the case;

53. Welcomes the appointment of MEP Sophie in’t Veld as mediator in the case of the former internal auditor with a view to reaching a compromise settlement in the case; reminds of its request that such a mediation should also address the bona-fide whistleblower status of the former internal auditor (as recognised by Parliament in its 2004 discharge resolution) and the fact that he was acting in the interests of the Union by reporting wrongdoings within the Union institutions.

54. Requests that the Committees promptly accept the mediation in order to implement the decision by the third invalidity committee, taking all necessary measures as to respond to the requests made in Parliament’s previous resolutions;

55. Notes that the Committee, in the context of its 'revolving doors' policy, ensures that all staff leaving the service, and senior managers in particular, are proactively and systematically reminded of their obligation to declare their intention to engage in an occupational activity; welcomes the fact that the Committee reminds also staff leaving the service temporarily for unpaid leave or for invalidity of their obligations under Article 16 of the Staff Regulations and the Committee’s internal decision No 66/2014 on outside activities and assignments;

56. Notes that the Council stipulated that from the date that the United Kingdom's withdrawal from the Union becomes legally effective, three out of the 24 seats currently attributed to the United Kingdom will be attributed to Estonia, Cyprus and Luxemburg; notes that the number of Committee seats would thus only be reduced by 21;

57. Highlights all the results achieved in the last years in areas such as the performance-based budgeting, the ethical framework with all its related rules and procedures, the enhanced communication activities and the increasing amount of measures to improve transparency; welcomes the significant amount of interinstitutional service and cooperation agreements; underlines the importance of the collaboration and sharing of experience among the Union institutions and bodies; suggests that the Committee analyses the possibility of formalised networking activities in different domains to share best practices and develop common solutions.
### INFORMATION ON ADOPTION IN COMMITTEE RESPONSIBLE

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| Result of final vote | +: 18  
-: 7  
0: 0 |
| Members present for the final vote | Matteo Adinolfi, Olivier Chastel, Caterina Chinnici, Lefteris Christoforou, Ryszard Czarnecki, José Manuel Fernandes, Luke Ming Flanagan, Isabel García Muñoz, Cristian Ghinea, Monika Hohlmeier, Jean-François Jalkh, Joachim Kuhs, Tsvetelina Penkova, Sabrina Pignedoli, Michèle Rivasi, Nico Semsrott, Angelika Winzig, Lara Wolters, Tomáš Zdechovský |
| Substitutes present for the final vote | Maria Grapini, David Lega, Marian-Jean Marinescu, Mikuláš Peksa, Ramona Strugariu |
| Substitutes under Rule 209(7) present for the final vote | József Szajer |
## FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

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Key to symbols:
+ : in favour
- : against
0 : abstention