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A9-0235/2022

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SECOND REPORT

on discharge in respect of the implementation of the budget of the European
Border and Coast Guard Agency for the financial year 2020
(2021/2146(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 budget of the European Border and Coast Guard Agency for the financial year 2020
(2021/2146(DEC))**

The European Parliament,

- having regard to the final annual accounts of the European Border and Coast Guard Agency for the financial year 2020,
- having regard to the Court of Auditors' annual report on EU agencies for the financial year 2020, together with the agencies' replies¹,
- having regard to the statement of assurance² 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 2020, pursuant to Article 287 of the Treaty on the Functioning of the European Union,
- having regard to the Council's recommendation of 28 February 2022 on discharge to be given to the Agency in respect of the implementation of the budget for the financial year 2020 (06003/2022 – C9-0101/2022),
- having regard to its decision of 4 May 2022³ postponing the discharge decision for the financial year 2020, and the replies from the Executive Director of the European Border and Coast Guard Agency,
- having regard to Article 319 of the Treaty on the Functioning of the European Union,
- having regard to Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012⁴, and in particular Article 70 thereof,
- having regard to Regulation (EU) 2019/1896 of the European Parliament and of the Council of 13 November 2019 on the European Border and Coast Guard and repealing Regulations (EU) No 1052/2013 and (EU) 2016/1624⁵, and in particular Article 116 thereof,
- having regard to Commission Delegated Regulation (EU) 2019/715 of 18 December

¹ OJ C 439, 29.10.2021, p. 3.

² OJ C 439, 29.10.2021, p. 3.

³ Texts adopted, P9_TA(2022)0171.

⁴ OJ L 193, 30.7.2018, p. 1.

⁵ OJ L 295, 14.11.2019, p. 1.

2018 on the framework financial regulation for the bodies set up under the TFEU and Euratom Treaty and referred to in Article 70 of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council⁶, and in particular Article 105 thereof,

- having regard to Rule 100 of and Annex V to its Rules of Procedure,
 - having regard to the opinion of the Committee on Civil Liberties, Justice and Home Affairs,
 - having regard to the second report of the Committee on Budgetary Control (A9-0235/2022),
1. Refuses to grant the Executive Director of the European Border and Coast Guard Agency discharge in respect of the implementation of the Agency's budget for the financial year 2020;
 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 Executive Director of the European Border and Coast Guard Agency, 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).

⁶ OJ L 122, 10.5.2019, p. 1.

2. PROPOSAL FOR A EUROPEAN PARLIAMENT DECISION

**on the closure of the accounts of the European Border and Coast Guard Agency for the financial year 2020
(2021/2146(DEC))**

The European Parliament,

- having regard to the final annual accounts of the European Border and Coast Guard Agency for the financial year 2020,
- having regard to the Court of Auditors' annual report on EU agencies for the financial year 2020, together with the agencies' replies¹,
- having regard to the statement of assurance² 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 2020, pursuant to Article 287 of the Treaty on the Functioning of the European Union,
- having regard to the Council's recommendation of 28 February 2022 on discharge to be given to the Agency in respect of the implementation of the budget for the financial year 2020 (06003/2022 – C9-0101/2022),
- having regard to its decision of 4 May 2022³ postponing the discharge decision for the financial year 2020, and the replies from the Executive Director of the European Border and Coast Guard Agency,
- having regard to Article 319 of the Treaty on the Functioning of the European Union,
- having regard to Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012⁴, and in particular Article 70 thereof,
- having regard to Regulation (EU) 2019/1896 of the European Parliament and of the Council of 13 November 2019 on the European Border and Coast Guard and repealing Regulations (EU) No 1052/2013 and (EU) 2016/1624⁵, and in particular Article 116 thereof,
- having regard to Commission Delegated Regulation (EU) 2019/715 of 18 December

¹ OJ C 439, 29.10.2021, p. 3.

² OJ C 439, 29.10.2021, p. 3.

³ Texts adopted, P9_TA(2022)0171.

⁴ OJ L 193, 30.7.2018, p. 1.

⁵ OJ L 295, 14.11.2019, p. 1.

2018 on the framework financial regulation for the bodies set up under the TFEU and Euratom Treaty and referred to in Article 70 of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council⁶, and in particular Article 105 thereof,

- having regard to Rule 100 of and Annex V to its Rules of Procedure,
 - having regard to the opinion of the Committee on Civil Liberties, Justice and Home Affairs,
 - having regard to the second report of the Committee on Budgetary Control (A9-0235/2022),
1. Points out that a proposal to close the accounts of the European Border and Coast Guard Agency for the financial year 2020 must be submitted at a subsequent part-session;
 2. Instructs its President to forward this decision to the Executive Director of the European Border and Coast Guard Agency, the Council, the Commission and the Court of Auditors, and to arrange for its publication in the *Official Journal of the European Union* (L series).

⁶ OJ L 122, 10.5.2019, p. 1.

3. MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

**with observations forming an integral part of the decision on discharge in respect of the implementation of the budget of the European Border and Coast Guard Agency for the financial year 2020
(2021/2146(DEC))**

The European Parliament,

- having regard to its decision on discharge in respect of the implementation of the budget of the European Border and Coast Guard Agency for the financial year 2020,
 - having regard to the OLAF report finalised on 15 February 2022, and made available in July 2022 to Members of the Committee on Civil Liberties, Justice and Home Affairs and of the Committee on Budgetary Control,
 - having regard to Rule 100 of and Annex V to its Rules of Procedure,
 - having regard to the opinion of the Committee on Civil Liberties, Justice and Home Affairs,
 - having regard to the second report of the Committee on Budgetary Control (A9-0235/2022),
- A. whereas the European Ombudsman has held a series of inquiries regarding the European Border and Coast Guard Agency's (the 'Agency') compliance with its fundamental rights obligations and accountability in relation to its enhanced responsibilities in the cases OI/5/2020/MHZ and OI/4/2021/MHZ and made a series of recommendations to the Agency;
1. Notes the resignation of the executive director of the Agency and his former head of cabinet on 28 April 2022 following the release of the OLAF report and following numerous reports and journalistic investigations exposing problems particularly in the field of upholding human rights; regrets the absence of disciplinary proceedings against them despite the recommendations of OLAF in this regard; welcomes the appointment by the management board of an executive director *ad interim* as of 1 July 2022; takes note of the vacancy notice for a new executive director of the Agency published on 21 June 2022; calls on the management board of the Agency to appoint an executive director as soon as possible; invites the management board, before advancing this recruitment procedure, to commit to increased transparency and accountability to Parliament and to confirm that commitment in writing; highlights that the new executive director should commit to ensuring the full respect of fundamental rights in all activities of the Agency as well as to having high-level administrative and management skills; invites the management board and the Commission to actively engage with the Parliament, in line with Parliament's prerogatives; recalls that maximum possible public access to OLAF final reports concerning the Agency, in an appropriate format for public use, as well as the full implementation of the recommendations by Parliament, and in particular by its Frontex Scrutiny Working

Group, should form part of the commitment of the management board to transparency and accountability;

2. Welcomes the briefing note on ‘Actions taken by Frontex management during transition period’ that was sent to the Committee on Budgetary Control on 27 June 2022 that informs the discharge authority on the measures taken by the interim management of the Agency, in anticipation of the appointment of a new executive director; calls on the interim management and on the to be appointed executive director to continue with proactively informing the discharge authority on its response to its observations and recommendations;
3. Welcomes the briefing note on ‘Actions taken by Frontex management during transition period’ that was sent to the Committee on Budgetary Control on 27 June 2022; takes note of the commitment that has been undertaken for the preparation of an action plan on the remedial actions presented in this document under the lead of the acting executive director; welcomes the acknowledgement by the acting executive director of the existing problems of the Agency, acknowledges the commitment of the acting executive director to ensuring that the Agency fully implements its mandate and operates in full respect of the rule of law and appreciates the positive change with regard to respecting fundamental rights and to changing the organisational culture of the Agency, including to making sure people are not afraid to report possible wrongdoings and that there is proper follow-up thereof, to establishing a dialogue with the members of staff, to encouraging the delegation of powers and to building relationships of trust with other institutions and the public; further welcomes also her commitment to transparency; expects the above acknowledgements and commitments to be reflected in an action plan to be submitted to the Parliament, together with regular updates on its implementation; considers the progress in implementing the action plan as an important condition in the Agency’s discharge process;
4. Calls on the executive management of the Agency to continue with the implementation of the Agency’s mandate; reiterates that clarity, transparency, open dialogue and communication both internally and externally, the delegation of responsibilities and tasks, as well as abiding by high standards of ethics and compliance with fundamental rights are essential for changing the organisational culture within the Agency, ensuring good governance and improving its functioning towards the full implementation of its mandate, as established by Regulation (EU) 2019/1896; recalls that this is a collective effort which requires the sincere cooperation of the executive management, the Agency's management board and the Commission; reiterates, in this context, its call on the Commission to provide clear guidelines for the interpretation and implementation of the Agency’s mandate, particularly with regard to border control aspects; reiterates Parliament's support within this process; recalls remarks made in the meeting of the Committee on Budgetary Control on 13 July 2022 that the fast growing pace imposed by the new mandate of the Agency caused difficulties that were, with hindsight, underestimated, leading to delays in recruitment in particular; notes that the current correction coefficient causes serious difficulties in attracting qualified and diversified staff and calls for a revision of that correction coefficient taking into account the reality of the cost of living in order to improve geographical balance within the Agency;
5. Highlights the increased role that the Agency has had to play in the context of the

Russian invasion of Ukraine; welcomes in this regard the signature of the Agreement between the European Union and the Republic of Moldova on operational activities carried out by the European Border and Coast Guard Agency in the Republic of Moldova¹ and the assistance given to Chisinau in managing migratory flows;

Budgetary and financial management

6. Recalls the Court of Auditors (the ‘Court’) observation on the carry-over of a provisional budgetary commitment of EUR 18 000 000 for the preparation of field deployments in 2021 for which a legal commitment was lacking; notes the remedial measures taken by the Agency, which focus on clarifying the regulatory framework, better involving the Agency’s financial service and training staff, however without release of the amount concerned to the Union budget; considers that the provisional budgetary commitment should have been cancelled, instead of being carried-over; calls on the Court to evaluate the decision by the Agency not to cancel the commitment;
7. Reiterates its concern that the executive director of the Agency used, in violation of the Financial Regulation, a private plane on 4 March 2020, costing the Agency EUR 8 500;

Conditions formulated for the 2019 discharge

8. Takes note of the report of the Agency on the implementation of the seven conditions formulated for the 2019 discharge of the Agency; regrets nevertheless that only five of the seven conditions are reported as being implemented by the Agency; regrets to note that several conditions still have not been fully met;
9. Regrets that one of the conditions not yet met is the recruitment of 40 fundamental rights monitors (FRMs), as on 1 June 2022, 31 FRMs were in service, with three more to take office on 1 September 2022; highlights that according to Article 110(6) of Regulation (EU) 2019/1896, the Agency had the obligation to recruit at least 40 FRMs by 5 December 2020; underlines that the Frontex Scrutiny Working Group has established that the recruitment of FRMs was unnecessarily delayed by the Agency’s previous executive director, while the Agency explains that the delay was due to lengthy recruitment procedures in Union institutions; recognises the recent progress made by the Agency in recruitment and welcomes the increase in the number of FRMs from 40 to 46; highlights that Regulation (EU) 2019/1896 provides the framework for further increases in the number of FRMs as the Agency expands, with the initial 40 FRMs being the threshold and not the ceiling; reiterates its calls on the Agency to conduct all future recruitment and the appointments of FRMs at AD level; acknowledges the Agency’s commitment to recruit the remaining FRMs as quickly as possible; notes that the Fundamental Rights Officer (FRO) has expressed to be content with the procedure;
10. Regrets that the Agency has not evaluated its activities in Greece, even though reports by institutions of Member States, the Council of Europe and the United Nations show that the Agency was carrying out joint border surveillance operations in sections where

¹ OJ L 91, 18.3.2022, p. 4.

simultaneously, fundamental rights violations were taking place; regrets that the discharge authority has addressed this matter in its first 2020 discharge report on the Agency, but that the Agency has not provided any substantial information on how it plans to follow-up on this; emphasises the urgency of this matter in light of the developments in Greece; urges the Agency to conduct a thorough evaluation as soon as possible and keep the discharge authority updated;

11. Regrets that the Agency has not yet revised the standard operating procedure for Serious Incident Reports; notes that this was initially planned for the second quarter of 2022 but that this has, according to the Agency due to the war in Ukraine, been delayed to the third quarter of 2022;
12. Regrets that another condition not yet met is the call on the Agency to suspend its support-related activities in Hungary, not acting in accordance with Article 46 of Regulation (EU) 2019/1896 and in line with the conclusions of the Court of Justice of the European Union (Court of Justice) on infringement procedures against Hungary; notes that the Agency argues that, instead of suspending the support-related activities, it takes additional safeguarding measures to get assurance from the Hungarian authorities that fundamental rights have been respected, and monitors this closely which is supported by the argument expressed by the Commission in the Committee on Budgetary Control meeting of 13 July that a presence of the Agency in Hungary allows the Agency to monitor and control possible violations of fundamental rights against refugees or asylum seekers by Hungarian authorities at the border; underlines that this presence should be limited to monitoring activities and highlights that the Agency must refrain from participating in any operations governed by provisions of national legislation that had been deemed incompatible with Union law by the Court of Justice until all such provisions are in line with the *acquis communautaire*; notes that the Agency's FRO stresses that the continuous support of the Agency in Hungary can implicate it in the violation of the non-refoulement principle, and recommends that the Agency suspends its support-related activities in Hungary, and builds in additional safeguards if the Agency would nonetheless continue to monitor these operations, especially in the context of the overall rule of law situation in Hungary; reiterates, in this context, its call upon the Agency to suspend all other activities in Hungary; notes nevertheless the progress made by the Agency through the adoption of the detailed Standard Operating Procedures for Article 46, in the form of an executive director Decision in January 2022; highlights the importance of implementing those procedures abiding by the highest standards of respecting fundamental rights;
13. Concludes that the Agency has implemented most of the conditions formulated by the discharge authority in a satisfactory manner, but that the full implementation of all of those conditions is still not achieved and that important conditions are outstanding; calls on the Agency to promptly act and comply with the remaining conditions; stresses that meeting those conditions is a crucial aspect considered by the discharge authority in order to grant discharge for the financial year 2020;
14. Reiterates, once again, that the dramatic increase in competences and budget which the Agency has seen in recent years must be accompanied by a corresponding increase in accountability and transparency; stresses that the granting of discharge in respect of the implementation of the Agency's budget is conditional on such accountability and

transparency, and especially on the Agency's commitment to Union law;

The European Anti-Fraud Office (OLAF) report

15. Notes that OLAF and the Agency's management board have made an anonymised version of the OLAF final report on the Agency's activities available; notes that this anonymised version has only been made available to the Members of the Committee on Budgetary Control and the Committee on Civil Liberties, Justice and Home Affairs; recalls that having access to that report was deemed necessary by the discharge authority in order to take a fully informed decision on the 2020 discharge; regrets the long delay to grant access to that report that hampered Parliaments' scrutiny prerogative; points, moreover, out that the findings of the OLAF report are a matter of public interest; notes that it has by now been clarified that OLAF is the report's owner and that all pending actions following up on the report's findings have been closed;
16. Notes that the serious concerns raised on the basis of the partial presentation of findings from the final report in the Committee on Budgetary Control meeting of 28 February 2022 are confirmed in the final report; is deeply concerned about the findings of the investigation and by the magnitude of the serious misconduct and other irregularities identified by OLAF, as well as the level at which they have been committed; expresses, in this context, its utter dismay in the behaviour and actions of the persons concerned described in the findings and the lack of accountability; notes, from the statements of the Chair of the Agency's management board in the Committee on Budgetary Control meeting of 13 July 2022, that actions have been taken in follow-up to OLAF's conclusions in the final report; considers, in this regard, that serious remedial actions should be taken and that the resolution of the problems discovered by OLAF will take time and will require strong engagement especially by the new expected executive director; reiterates its call upon the Agency to present a detailed road map on how it intends to fulfil the outstanding concerns, together with a clear and detailed timeframe for these actions; recalls that, during the meeting of the Committee on Budgetary Control on 13 July 2022, OLAF reconfirmed that the final report does not contain any financial implications or indications of violations of sound financial management; recalls that the investigation focused on the allegations of misconduct and non-compliance with procedures by senior management; highlights, however, that the conclusions presented in the OLAF final report on the investigation conducted with respect to the activities of the Agency, under the former executive leadership, are extremely serious and relevant for the discharge procedure for the year 2020; recalls that two additional OLAF final reports are expected to be presented in 2022 in relation to the Agency; calls for the immediate access of Members the Parliament to those final reports once finalised, as well as of all executive staff of the Agency that need to access those reports to ensure a correct implementation of the Agency's budget in the future;

Change in the Agency

17. Acknowledges and welcomes the positive change in management style introduced by the acting executive director who committed to change the organisational culture of the Agency, promoting a team-based approach with consultative and inclusive leadership, where people are not afraid to speak up about possible wrongdoings, with the full support of the management board and the FRO; welcomes in particular the commitment

of the acting executive director to transparency and expects decisive steps to be taken in order to fulfil those commitments; welcomes the positive role of the new Chair of the management board and the important contribution by the FRO, which has improved and intensified collaboration and communication in the Agency; notes as well the comments from the Chair of the management board and the Commission's Deputy Director-General for Migration and Home Affairs that the report shows the failings of the individuals concerned, and that there is no structural issue; reiterates that OLAF's investigation was limited to misconduct and non-compliance with procedures by individuals and stresses that a deeper analysis is needed for the discharge authority to assess the exact nature of the failings identified in order to ensure there are no structural problems;

- a) stresses firstly, that the checks and balances have to be thoroughly analysed since the misconduct by individuals was allowed to continue too long;
 - b) stresses secondly, that media reports on OLAF findings about Member States pressuring the Agency's coast guards, and concealing pushbacks, present challenges for the Agency beyond the past leadership;
 - c) is concerned about the expressed intentions of several staff to quit working for the Agency because of the organisational culture and overall working environment, and expects the acting executive director to act immediately in addressing these issues;
 - d) is also concerned about the manner in which the Agency continues to apply Article 46 of Regulation (EU) 2019/1896, as is indicated by the acting executive director's decision to increase presence in the Aegean Sea despite media reports of OLAF's findings pointing to persistent fundamental rights violations in this area;
18. Recognises that all the problems that the Agency is confronted with are legacy issues and that the current and future leadership of the Agency need to find a way to deal with those issues in order to help the Agency move forward; emphasises that if the Agency's current leadership recognises that, and aims to address them, the Agency has the discharge authority's full support; stresses that the scope of both the Commission and the Agency's management board should be to address all challenges, in order for a new and fresh start to be made, and prevent that the Agency continues to fall short in respecting fundamental rights; calls, therefore, on the Commission and the Agency's management board to conduct a thorough analysis of all these matters and report on them to the discharge authority; underlines that the future discharge cycles will be seriously considering all the aspects mentioned above;
19. Urges for the Agency's executive management, including the acting executive director, the deputy executive directors and the FRO, to be granted access to and to read the content of the OLAF final report in light of its crucial importance for ensuring a correct implementation of the Agency's budget and regulation in the future; calls on the Agency's management board and executive management to carefully re-assess the content of the OLAF final report and to address the issues it raises; calls in particular on the Agency's executive management to review the conclusions on incidents examined

by the management board in relation to their compliance with fundamental rights, in light of the reported concealing of information to the management board as reported by the media, and on the sharing of information within the Agency and between the Agency and the Parliament; urges the Agency and the Commission to acknowledge and address any structural issues related to both the Agency's direct operations as well as to oversight, and to ensure that similar situations never happen again; calls on the Commission and the Agency to inform the discharge authority about how these issues will be addressed;

The Court of Auditors' Special Report 08/2021

20. Notes that the Agency has reported implementation of Recommendation 5 of the Court of Auditors' Special Report No 8/2021 (deadline end of 2021), but is postponing the deadline for implementation of Recommendation 1, regarding the improvement of the information exchange framework and of the European situational picture, by more than a year from mid-2022 to the third and the fourth quarters of 2023; notes further the ongoing/partial implementation of Recommendations 2, 3 and 4 and encourages the Agency to respect the deadline for their implementation by the end of 2022;

Transparency

21. Recalls the European Ombudsman's decision in its own initiative enquiry on fundamental rights obligations; notes the Ombudsman's conclusion that the Agency should ensure a more proactive approach to transparency, including by publishing documents that are needed to understand the respective roles and responsibilities of the actors involved in its operations; notes that the Agency cannot share information of a tactical nature that could be abused for the purpose of human trafficking or other illegal activities; calls on the Agency to implement the Ombudsman's recommendations; suggests that the Agency develops and implements a new code of conduct ensuring full transparency and good management and that the Agency keeps the discharge authority informed about the progress made in that regard;
22. Notes the adoption of special rules to guarantee the independence of the fundamental rights officer as well as the drawing up of a fundamental rights strategy and action plan;
23. Notes the shared responsibilities that the Agency and the Member States have in the fulfilment of fundamental rights obligations; urges the Agency and Member States to further develop structures of cooperation, information-sharing and exchange of best practices;
24. Takes note of the outcome of the extraordinary meeting of the Agency's management board that was held on 27 July 2022; welcomes the positive actions taken by the management board in order to improve the functioning of the Agency's internal administrative structure and the updated Frontex External Communication Strategy; shares with the management board the concerns about the increasing level of violence at the external borders; expects the Agency to implement the recommendations of the fundamental rights officer as set out in his 2021 annual report;

Data Protection

25. Notes with deep concern the media reports from July 2022 indicating that the Agency pursued an expansion of intrusive data collection from migrants under the PeDRA programme; expresses further concern over reports that the Data Protection Officer repeatedly warned that this data expansion cannot be achieved without breaching the Union law and recommended the consultation of the European Data Protection Supervisor (EDPS); expresses also concern over reports concluding that the Agency had initially ignored this advice and went ahead with that data expansion; welcomes, based on information provided by the Agency, the fact that upon receiving the EDPS opinions on data processing rules, the Agency has proceeded to redraft the management board decisions with the Agency's Data Protection Officer in order to ensure full compliance with Union data protection rules, stating new rules would diligently follow the EDPS observations; requests the Agency to report to the discharge authority on the current status of this matter and keep the discharge authority informed about the future steps in the development of this *programme*;

Harassment cases

26. Recalls that the Agency reported to have been notified of 17 cases of alleged sexual harassment in 2020; notes from the Agency's follow-up to the first 2020 discharge report that two of those 17 cases were opened as informal procedures under the Agency's manual of procedures for confidential counsellors; deplors the fact that the other 15 cases were closed without further follow-up; highlights that a particular focus should be placed on identifying, reporting and combatting sexual harassment, especially in light of whistleblower reporting of such alleged cases; welcomes the statements of the acting executive director in the meeting of the Committee on Budgetary Control that the Agency remains vigilant in this area and that additional measures have been taken to make sure all cases are properly treated; welcomes the expressed commitment of the acting executive director to remain vigilant and take additional measures in this field; expresses shock and deep concern about the case of suicide of a member of staff, related to alleged practices of sexual harassment, mentioned in discussions between Agency officials and Members participating in the mission of the Committee on Budgetary Control to Poland in July 2022, and welcomes the reopening of this case by the new executive leadership; calls on the executive director to conduct a full and detailed investigation about this particularly severe and worrying case, to keep the discharge authority informed about the results of this investigation and to fully cooperate with criminal investigation authorities in the process; calls on the executive director to conduct a thorough investigation into the implementation of existing procedures against sexual harassment, to fully cooperate with all relevant authorities and to report back to the discharge authority about the findings and to present a detailed action plan with measures ensuring zero tolerance towards sexual harassment in both its administrative and operational activities; requests the Agency to fully cooperate with all relevant authorities in the process and keep the discharge authority informed about the results;
27. Commends the staff of the Agency, that has been through a very difficult period, facing challenges about which the acting executive director made statements in the meeting of the Committee on Civil Liberties, Justice and Home Affairs of 30 May 2022; points in particular towards the treatment of the former FRO whose work has been hampered over the years by the former executive management of the Agency, as reported by the media; calls on the executive management of the Agency and on the management board

to continue making the Agency a safe place to work that encourages people to speak up; is encouraged by the statements that many members of staff reported wrongdoings they witnessed to their superiors and calls on the Agency to make sure that all signals concerning professional misconduct are taken seriously and properly followed-up; insists on the need to have compulsory training on social harassment for management and for all staff;

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28. Refers, for other observations of a cross-cutting nature accompanying its decision on discharge, to its resolution of ...² on the performance, financial management and control of the agencies.

² Texts adopted, P9_TA(2022)xxxx.

5.9.2022

OPINION OF THE COMMITTEE ON CIVIL LIBERTIES, JUSTICE AND HOME AFFAIRS

for the Committee on Budgetary Control

on discharge in respect of the implementation of the budget of the European Border and Coast Guard Agency for the financial year 2020
(2021/2146(DEC))

Rapporteur for opinion: Ramona Strugariu

SUGGESTIONS

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

1. Highlights the importance of an effective and well-functioning European Border and Coast Guard Agency (the 'Agency'), able to assist Member States in managing the common external borders of the Union and to ensure an integrated border management in full compliance with fundamental rights; stresses that effective management of the external borders is of crucial importance for addressing current and future challenges at the external borders of the Union and the protection of the Schengen Area as an area of freedom, security and justice; strongly calls on the Agency to implement concrete steps, in order to be able to continue fully implementing its important tasks and responsibilities, in full compliance with fundamental rights, including responding to the various threats, challenges and opportunities identified in the 2022 strategic risk analysis;
2. Recalls that the Agency, with its new mandate from 2019, has been strengthened in terms of staff and technical equipment; notes that in view of the complex geopolitical situation, the importance of the Agency in supporting Member States has increased significantly; stresses that the Agency is the justice and home affairs agency that receives the largest amount of Union budget funds; reiterates, once again, that the significant increase in competences and budget which the Agency has seen in recent years must be accompanied by a corresponding increase in accountability and transparency; stresses that the granting of discharge in respect of the implementation of the Agency's budget is conditional on such accountability and transparency, and especially on the Agency's commitment to Union law;
3. Notes the adoption of special rules to guarantee the independence of the fundamental rights officer as well as the drawing up of a fundamental rights strategy and action plan;

4. Deplores that the obligation included in Article 110(6) of Regulation (EU) 2019/1896¹ to recruit at least 40 fundamental rights monitors by 5 December 2020 has still not been fulfilled; highlights in this regard the findings of the Frontex Scrutiny Working Group indicating that the former executive director of the Agency has caused a significant and unnecessary delay in the recruitment of fundamental rights monitors; urges the Agency to swiftly recruit the remaining fundamental rights monitors and to appoint them without further delay, as Parliament and the Commission have repeatedly called for; reminds the Agency that that is one of the seven conditions set by Parliament in its previous discharge reports; recognises the progress made very recently by the Agency in that respect and welcomes the intention of the fundamental rights officer and the Agency ad interim executive management to operate a first increase of the number of fundamental rights monitors to 46; highlights, however, that this condition can still not be considered as fulfilled; underlines that Regulation (EU) 2019/1896 provides the framework for further increases in the number of fundamental rights monitors, as the Agency expands; reiterates its calls on the Agency to conduct all future monitors recruitments and appointments at AD level;
5. Regrets that the call to suspend the Agency's support for return-related operations from Hungary for as long as, and as concluded by the Court of Justice of the European Union (the 'Court of Justice'), the return decisions issued by the Hungarian authorities are incompatible with Directive 2008/115/EC² and the Charter of Fundamental Rights of the European Union has not been fulfilled; calls on the Agency to suspend those operations in Hungary immediately; takes note of the Agency's fundamental rights officer's recommendation to only partially suspend return operations and implement additional safeguards when conducting return operations; underlines, however, that the Agency must refrain from participating in any operations governed by national legislation provisions that had been deemed incompatible with Union law by the Court of Justice, until all such provisions are in line with the Union *acquis*; further notes with concern that the Court of Justice established through its judgement of 30 June 2022³ that Lithuanian legislation was incompatible with Union and international law; underlines the reports of the fundamental rights officer highlighting this situation; deplores that the Agency has failed to act in accordance with Article 46 of Regulation (EU) 2019/1896, even after the judgment of the Court of Justice; notes the progress done by the Agency through the adoption of the detailed standard operating procedures for Article 46 of Regulation (EU) 2019/1896, in the form of an executive director decision of January 2022; highlights the importance of implementing those procedures and compliance with the highest standards of respecting fundamental rights and the principle of non-refoulement, in accordance with the Union *acquis*, especially in light of developments in Lithuania, Latvia and Greece;

¹ Regulation (EU) 2019/1896 of the European Parliament and of the Council of 13 November 2019 on the European Border and Coast Guard and repealing Regulations (EU) No 1052/2013 and (EU) 2016/1624 (OJ L 295, 14.11.2019, p. 1).

² Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals (OJ L 348, 24.12.2008, p. 98).

³ Judgment of the Court (First Chamber) of 30 June 2022, *M.A. v Valstybės sienos apsaugos tarnyba, C-72/22 PPU*, ECLI:EU:C:2022:505.

6. Notes that the Agency has postponed the deadline to fully implement recommendation 1 of the Court of Auditors' (the 'Court') Special Report No 8/2021, concerning the improvement of the information exchange framework and of the European situational picture, to 2023, beyond the timeframe for the implementation set out in the Court's special report (mid-2022);
7. Expresses its great concern about the Agency's proposed updated rules on PeDRA, or 'Processing of Personal Data for Risk Analysis', which would purportedly allow for the bulk collection of sensitive personal data from migrants and those seeking international protection in the Union in contravention of Union law; highlights that media reports⁴ published on 7 July 2022 revealed that the Agency had allegedly sidelined their own data protection watchdogs in the initial pursuit of expanding the PeDRA programme, deplores the decision to ignore the Agency's own data protection officer, as well as the initial decision to not consult European Data Protection Supervisor despite warnings by the data protection officer concerning the serious risks associated; calls on the Agency to provide immediate clarifications about its intentions related to, and the ongoing redrafting of, that programme;
8. Notes that several actions against the Agency have been initiated at the Court of Justice, in particular one action brought in May 2021 on behalf of two asylum-seekers, one action brought in October 2021 on behalf of a Syrian family, returned from Greece to Turkey on a flight operated by the Agency and the national authorities, and one case brought to the Court of Justice by Alaa Hamoudi in March 2022;
9. Is deeply concerned about the recent revelations by the media that had access to the European Anti-Fraud Office (OLAF) report⁵ according to which the former executive leadership of the Agency was aware of illegal pushbacks in Greece, supporting and participating in their financing; considers it totally unacceptable that the Agency participate in such actions; urges the Commission to take serious responsibility and clear steps to ensure that such situations do not happen again and to hold Union agencies, bodies and offices accountable for human rights violations; reiterates its call on the Agency to thoroughly evaluate its operations in Greece, in light of reports by OLAF, institutions of Member States, the Council of Europe and the United Nations, showing that the Agency had been carrying out joint border surveillance operations in sections where, at the time, fundamental rights violations were taking place; notes that the Agency and the Greek authorities cooperate towards implementing the action plan aiming to improve monitoring the activities carried out during the surveillance patrols; expresses further concern, however, over reports⁶ about an interpreter employed by the Agency being assaulted by national border guards in Greece, alongside at least 100 third-country nationals then being forced across the border into Turkey; calls on the Agency and the Greek authorities to accelerate the investigation and penalise any possible misconduct;

⁴ <https://balkaninsight.com/2022/07/07/eus-frontex-tripped-in-plan-for-intrusive-surveillance-of-migrants/>

⁵ <https://www.spiegel.de/international/europe/frontex-scandal-classified-report-reveals-full-extent-of-cover-up-a-cd749d04-689d-4407-8939-9e1bf55175fd>

⁶ <https://www.nytimes.com/2021/12/01/world/europe/greece-migrants-interpreter-expelled.html>

10. Welcomes the decision to partially grant Members of Parliament's Committee on Budgetary Control and Committee on Civil Liberties, Justice and Home Affairs access to the OLAF report on the investigation conducted with respect to the activities of the Agency; deeply regrets the long delay taken towards granting that access; underlines that this delay has hampered Members' scrutiny of the Agency; highlights that access to the findings of the OLAF report is essential in making an informed decision by the discharge authority; is profoundly concerned about the findings of that investigation; underlines that the OLAF report has confirmed the fears and concerns raised by many within Parliament over the last number of years; expresses its utter dismay in the behaviour and actions described in the findings presented and the lack of accountability; reiterates its call upon the Agency to present a detailed roadmap on how it intends to fulfil the outstanding concerns, together with a clear and detailed timeframe for those actions;
11. Calls on the new interim executive director, the deputy executive directors and the fundamental rights officer to urgently be granted access to the OLAF report in light of its crucial importance for ensuring a correct implementation of the Agency's budget and Regulation (EU) 2019/1896 in the future; further considers that the findings of the OLAF report are a matter of public interest and should be made public as long as there is no prejudice towards any steps under possible further associated procedures; requests OLAF to reassess making the report public without further delay, in full compliance with OLAF regulations and data protection legislation;
12. Highlights that in April 2022, a new investigation coordinated by Lighthouse Reports showed that the Agency was involved in the illegal pushbacks of at least 957 refugees between March 2020 and September 2021; calls for an urgent re-examination by the Agency of all potential incidents based on the findings of the OLAF report, including the ones that were not categorised as a potential fundamental rights violation;
13. Points that two additional OLAF reports are expected to be presented in 2022 in relation to the Agency; calls for immediate access by Members to those additional reports once they are finalised to ensure Members' scrutiny, as well as by all executive staff of the Agency that need to access the report to ensure a correct implementation of the Agency's budget in the future;
14. Welcomes the appointment of the interim executive director on 1 July 2022; recalls the repeated criticism from Parliament concerning the Agency's failure, under the former executive leadership, to protect the fundamental rights of migrants and asylum seekers, particularly among numerous reports and journalistic investigations of its complicity in illegal pushbacks, which led to the resignation of the former executive director; reaffirms that this situation should not happen again; strongly requests monitoring mechanisms to be put in place and to keep Parliament informed about the measures applied to ensure non-repetition of fundamental rights violations;
15. Is deeply concerned by the expressed intentions of several staff members to quit the Agency due to the organisational culture and overall working environment; highlights that a particular focus should be placed on identifying, reporting and combatting sexual harassment, especially in light of whistle-blower reports of such alleged cases; notes that out of the 17 cases of alleged sexual harassment reported in 2020, 15 were closed

without further follow-up while investigations in two cases have been initiated; welcomes the expressed commitment of the ad-interim executive director to remain vigilant and take additional measures in that field; expresses shock and deep concern about the case of suicide of a staff member, related to alleged practices of sexual harassment, mentioned in discussions between Agency officials and Members participating in the mission of Parliament's Committee on Budgetary Control to Poland in July 2022 and welcomes the reopening of that case by the new executive leadership; calls on the executive director to conduct a full and detailed investigation into that particularly severe and worrying case, to keep the discharge authority informed about the results of that investigation and to fully cooperate with criminal investigation authorities in the process; calls on the executive director to conduct a thorough investigation into the implementation of existing procedures against sexual harassment, to report back to the discharge authority about the findings and to present a detailed action plan with measures ensuring zero tolerance towards sexual harassment in both its administrative and operational activities;

16. Welcomes the acknowledgement by the acting executive director of the standing problems of the Agency and the commitments she made in her presentation in Parliament's Committee on Civil Liberties, Justice and Home Affairs on 30 May 2022, which included commitments to ensure that the Agency fully implements its mandate and operates in full respect of the rule of law and fundamental rights, to change the organisational culture of the Agency, including to make sure people are not afraid to speak up about possible wrongdoings and that there is proper follow-up, to organise a dialogue with the members of staff, to encourage delegation of powers and to build relationships of trust with other institutions and the public; welcomes also her commitment to transparency; urges the Agency to take decisive steps to fulfil those commitments; notes with concern the statements of the acting executive director about the demotivation and distress of the staff; calls for an establishment of a detailed strategy to tackle that issue to be implemented before the end of 2022; reminds the Agency of the importance of adhering to the Staff Regulations;
17. Welcomes the actions taken by the Agency executive management team, during the transition period, with the aim of handing over a better functioning Agency to the next executive director, once appointed by the management board; reiterates that clarity, transparency, open dialogue and communication both internally and externally, the delegation of responsibilities and tasks, as well as abiding by high standards of ethics and respect for fundamental rights are essential for changing the organisational culture within the Agency, ensuring good governance and improving its functioning towards a full implementation of its mandate, as established by Regulation (EU) 2019/1896; recalls that this is a collective effort which requires the sincere cooperation of the executive management, the Agency's management board and the Commission; reiterates Parliament's support within that process;
18. Calls on the management board and Commission to recruit a new executive director who truly commits to ensuring the respect of fundamental rights in all activities of the Agency; in line with Parliament's prerogatives, invites the management board and the Commission to actively engage with Parliament in that process; before advancing that recruitment, calls on the management board to commit to full transparency and accountability to Parliament, to be confirmed through a written exchange; recalls that

public access to OLAF reports, in an appropriate format for public use, as well as the full implementation of all recommendations by Parliament, and in particular by its Frontex Scrutiny Working Group, should form part of such a commitment of the management board to transparency and accountability;

19. Takes note that a vacancy notice for the appointment of a new executive director was published on 21 June 2022 and that 79 applications were received within the deadline of the procedure for that appointment; calls on the Commission to propose at least three candidates for the post of executive director; highlights that, before the appointment, the candidates proposed will be invited to make a statement before Parliament's Committee on Civil Liberties, Justice and Home Affairs, and answer questions put by Members; stresses Parliament's expectation that all candidates proposed by the Commission be able to fulfil all functions and powers of the office of the executive director as required by Regulation (EU) 2019/1896, and have high-level administrative and management skills, including relevant senior professional experience in the field of management of the external borders and return, as provided for by Article 107(2) of Regulation (EU) 2019/1896;
20. Recalls that, given its tasks of providing strategic direction, appointing the executive director and more generally overseeing the Agency's activities, an efficient management board is crucial to guarantee the Agency's proper functioning; reiterates the position of Parliament's Frontex Scrutiny Working Group that the management board should have played a more proactive role in acknowledging the serious risks of fundamental rights violations; invites the Agency to ensure that selection procedures and criteria for the management board's members allow to designate candidates with the right experience, knowledge and expertise; calls on the management board to make sure new members are properly trained to fulfil their role; recommends to the management board to establish specialised working groups and preparatory bodies to facilitate its work and ensure continuous follow-up of important issues; notes the setting-up of the management board's working group on fundamental rights and legal-operational aspects of operations; invites the management board to develop permanent structures to guarantee the Agency's compliance with its fundamental rights obligations;
21. Notes with strong concern the media reports in August 2022 whereby the Agency is accused of exploiting cultural mediators by using a contractor who allegedly offers them an effective wage of less than EUR 2, 50 an hour, as well as considering that those mediators need to be available 24 hours a day and seven days a week; points the petition initiated by cultural mediators in this regard as well as their complaint to the European Ombudsman;
22. Highlights the increased role that the Agency has had to play in the context of the Russian invasion of Ukraine; welcomes in this regard the signature of the Agreement between the European Union and the Republic of Moldova on operational activities carried out by the European Border and Coast Guard Agency in the Republic of Moldova⁷ and the assistance given to Chisinau in managing migratory flows;

⁷ OJ L 91, 18.3.2022, p. 4.

23. Notes the shared responsibilities that the Agency and the Member States have in the fulfilment of fundamental rights obligations; urges the Agency and Member States to further develop structures of cooperation, information-sharing and exchange of best practices;
24. Calls on the Agency to ensure that standing corps officers are recruited amongst a diversity of nationalities; underlines the importance of border guards and coastguards' proper training, including with regard to fundamental rights and access to international protection;
25. Recalls the important role of the fundamental rights officer and the consultative forum in ensuring the Agency's compliance with its fundamental rights obligations; calls on the management board and the executive director to actively involve the fundamental rights officer and the consultative forum in relevant processes and to take their opinions and recommendations into consideration in their decision-making;
26. Emphasises the importance of an effective and accessible complaints mechanism for breaches of fundamental rights; calls on the fundamental rights officer and the executive director to rely on a diversity of sources when investigating a serious incident report; recommends that reports of similar serious incidents be handled carefully, particularly regarding communication with a host Member State, and that they be followed up on by the management board; urges the Agency to commit to increased transparency regarding serious incident reports, reports on the use of force and individual complaints;
27. Welcomes the recent improvement of information exchange between the Agency and Parliament during the fact-finding investigation of the Frontex Scrutiny Working Group; deplores that, according to reports from the media⁸ that had access to the OLAF report, the former executive leadership had concealed information from Members; calls on the fundamental rights officer and the consultative forum to regularly report back on their activities to Parliament; urges the management board and the executive director to commit to increased dialogue and transparency with Parliament regarding the Agency's activities;
28. Takes note of the outcome of the extraordinary meeting of the Agency's management board that was held on 27 July 2022; welcomes the positive actions taken by the management board in order to improve the functioning of the Agency's internal administrative structure and the updated Frontex External Communication Strategy; shares with the management board the concerns about the increasing level of violence at the external borders; expects the Agency to implement the recommendations of the fundamental rights officer as set out in his 2021 annual report;
29. Recalls that the Agency is accountable to Parliament, and that Parliament is committed to ensuring that the Agency contributes to the continuous and uniform application of Union law, including the Union *acquis* on fundamental rights, in particular the Charter of Fundamental Rights of the European Union; highlights that, in order to achieve that goal, an enhanced cooperation with the Agency's management board by ensuring

⁸ <https://www.euractiv.com/section/justice-home-affairs/news/eu-border-agency-frontex-covered-up-greek-pushbacks-reports/>

transparency, accountability and democratic oversight of the Agency is needed;

30. Recommends, in view of the seriousness of the conclusions presented in the OLAF report on the investigation conducted with respect to the activities of the Agency under the former executive leadership, together with other observations presented in this opinion, that Parliament's Committee on Budgetary Control not grant discharge for the financial year 2020.

INFORMATION ON ADOPTION IN COMMITTEE ASKED FOR OPINION

| | |
|---|---|
| Date adopted | 5.9.2022 |
| Result of final vote | +: 33 -: 7 0: 13 |
| Members present for the final vote | Magdalena Adamowicz, Abir Al-Sahlani, Konstantinos Arvanitis, Malik Azmani, Vladimír Bilčík, Karolin Braunsberger-Reinhold, Patrick Breyer, Saskia Bricmont, Damien Carême, Lena Düpont, Lucia Ďuriš Nicholsonová, Cornelia Ernst, Maria Grapini, Evin Incir, Sophia in 't Veld, Patryk Jaki, Fabienne Keller, Peter Kofod, Jeroen Lenaers, Juan Fernando López Aguilar, Lukas Mandl, Nadine Morano, Javier Moreno Sánchez, Maite Pagazaurtundúa, Terry Reintke, Karlo Ressler, Birgit Sippel, Sara Skytvedal, Tineke Strik, Ramona Strugariu, Annalisa Tardino, Milan Uhrík, Elissavet Vozemberg-Vrionidi, Javier Zarzalejos |
| Substitutes present for the final vote | Malin Björk, Gwendoline Delbos-Corfield, Daniel Freund, Brice Hortefeux, Rasa Juknevičienė, Rob Rooker, Michal Šimečka, Róza Thun und Hohenstein, Juan Ignacio Zoido Álvarez |
| Substitutes under Rule 209(7) present for the final vote | Marek Paweł Balt, Jens Geier, Svenja Hahn, Hannes Heide, Marisa Matias, Cláudia Monteiro de Aguiar, Tsvetelina Penkova, René Repasi, Joachim Schuster, Günther Sidl |

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

| 33 | + |
|-----------|---|
| RENEW | Abir Al-Sahlani, Malik Azmani, Lucia Ďuriš Nicholsonová, Svenja Hahn, Sophia in 't Veld, Fabienne Keller, Maite Pagazaurtundúa, Michal Šimečka, Ramona Strugariu, Róza Thun und Hohenstein |
| S&D | Marek Paweł Balt, Jens Geier, Maria Grapini, Hannes Heide, Evin Incir, Juan Fernando López Aguilar, Javier Moreno Sánchez, Tsvetelina Penkova, René Repasi, Joachim Schuster, Günther Sidl, Birgit Sippel |
| THE LEFT | Konstantinos Arvanitis, Malin Björk, Cornelia Ernst, Marisa Matias |
| VERTS/ALE | Patrick Breyer, Saskia Bricmont, Damien Carême, Gwendoline Delbos-Corfield, Daniel Freund, Terry Reintke, Tineke Strik |

| 7 | - |
|-----|--------------------------------|
| ECR | Patryk Jaki, Rob Rooken |
| ID | Peter Kofod, Annalisa Tardino |
| NI | Milan Uhrík |
| PPE | Brice Hortefeux, Nadine Morano |

| 13 | 0 |
|-----|--|
| PPE | Magdalena Adamowicz, Vladimír Bilčík, Karolin Braunsberger-Reinhold, Lena Düpont, Rasa Juknevičienė, Jeroen Lenaers, Lukas Mandl, Cláudia Monteiro de Aguiar, Karlo Ressler, Sara Skyttedal, Elissavet Vozemberg-Vrionidi, Javier Zarzalejos, Juan Ignacio Zoido Álvarez |

Key to symbols:

+ : in favour

- : against

0 : abstention

INFORMATION ON ADOPTION IN COMMITTEE RESPONSIBLE

| | |
|---|---|
| Date adopted | 6.10.2022 |
| Result of final vote | <div style="display: flex; justify-content: space-between;"> +: 12 </div> <div style="display: flex; justify-content: space-between;"> –: 15 </div> <div style="display: flex; justify-content: space-between;"> 0: 0 </div> |
| Members present for the final vote | Matteo Adinolfi, Gilles Boyer, Olivier Chastel, Caterina Chinnici, Lefteris Christoforou, José Manuel Fernandes, Luke Ming Flanagan, Daniel Freund, Isabel García Muñoz, Monika Hohlmeier, Pierre Karleskind, Mislav Kolakušić, Jan Olbrycht, Sándor Rónai, Petri Sarvamaa, Angelika Winzig, Lara Wolters, Tomáš Zdechovský |
| Substitutes present for the final vote | Bas Eickhout, Maria Grapini, Niclas Herbst, Mikuláš Peksa, Ramona Strugariu |
| Substitutes under Rule 209(7) present for the final vote | Malin Björk, Andželika Anna Mozdżanowska, Elżbieta Rafalska, Andrey Slabakov |

FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

| 12 | + |
|-----|--|
| ECR | Andželika Anna Mozdżanowska, Elżbieta Rafalska, Andrey Slabakov |
| PPE | Lefteris Christoforou, José Manuel Fernandes, Niclas Herbst, Monika Hohlmeier, Jan Olbrycht, Petri Sarvamaa, Angelika Winzig, Tomáš Zdechovský |
| S&D | Maria Grapini |

| 15 | - |
|-----------|--|
| ID | Matteo Adinolfi |
| NI | Mislav Kolakušić |
| RENEW | Gilles Boyer, Olivier Chastel, Pierre Karleskind, Ramona Strugariu |
| S&D | Caterina Chinnici, Isabel García Muñoz, Sándor Rónai, Lara Wolters |
| THE LEFT | Malin Björk, Luke Ming Flanagan |
| VERTS/ALE | Bas Eickhout, Daniel Freund, Mikuláš Peksa |

| 0 | 0 |
|---|---|
| | |

Key to symbols:

+ : in favour

- : against

0 : abstention