



CONT_PV(2020)1207_1

MINUTES

Meeting of 7 December 2020, 14.00-16.00 and 16.45-18.45

BRUSSELS

Room: József Antall 4Q1 and visio conference

The meeting opened at 14.10 on Monday, 7 December 2020, with Monika Hohlmeier (Chair) presiding.

7 December 2020, 14.00 – 15.30

1. Adoption of agenda

Decision: The draft agenda was adopted in the form shown in these minutes.

2. Chair's announcements

The Chair drew the attention of Members to the information in the CONT News.

3. 2019 discharge: General budget of the EU - European Commission

CONT/9/03689

2020/2140(DEC) COM (2020)0288[01] – C9-0220/2020

Rapporteur:

Joachim Kuhs (ID)

Responsible:

CONT

Opinions:

AFET, DEVE, INTA, BUDG, ECON, EMPL, ENVI, ITRE, IMCO, TRAN, REGI,
AGRI, PECH, CULT, JURI, LIBE, AFCO, FEMM, PETI

- Exchange of views with Mariya Gabriel, Commissioner responsible for Innovation, Research, Culture, Education and Youth, in the presence of reporting ECA member Mihails Kozlovs

The following spoke:

Monika Hohlmeier, Mihails Kozlovs (ECA Member), Mariya Gabriel (European Commission, Commissioner for Innovation, Research, Culture, Education and Youth), Joachim Kuhs, Markus Pieper, Tsvetelina Penkova, Olivier Chastel, Viola Von Cramon-Taubadel, Andrey Novakov

7 December 2020, 15.30 – 16.00

4. ECA Special Report 10/2020 (Discharge 2019): EU transport infrastructures: more speed needed in megaproject implementation to deliver network effects on time

CONT/9/03492

Rapporteur:

Andrey Novakov (PPE)

- Presentation of the special report by reporting ECA Member, Annemie Turtelboom

The following spoke:

Monika Hohlmeier, Annemie Turtelboom (ECA Member), Andrey Novakov, Maria Grapini, Joachim Kuhs, Michèle Rivasi, Herald Ruijters (European Commission, DG Move)

The meeting adjourned at 16.10.

The meeting resumed at 16.57.

7 December 2020, 16.45 – 17.30

5. Partial renewal of the Members of the Court of Auditors - PL nominee

CONT/9/04598

2020/0806(NLE) 12496/2020 – C9-0350/2020

Rapporteur:

Matteo Adinolfi (ID)

Responsible:

CONT

- Hearing of Marek Opiola, candidate nominated by Poland

The following spoke:

Monika Hohlmeier, Marek Opiola (ECA candidate), Matteo Adinolfi, Tomáš Zdechovský, Maria Grapini, Olivier Chastel, Mikuláš Peksa, Ryszard Czarnecki, Petri Sarvamaa, Pierre

Karleskind, Joachim Kuhs, Joachim Stanisław Brudziński

7 December 2020, 17.30 – 17.45

6. Opening of the remote voting procedure

Voting procedure opened from 17.45-18.30

All Members voted using the EPVote application

* * *

Parallel to the voting session

7 December 2020, 17.45 – 18.45

7. ECA Annual Report on EU agencies for the financial year 2019
CONT/9/04743

Rapporteur:

Ryszard Czarnecki (ECR)

- Presentation of the annual report by reporting ECA Member, Alex Brenninkmeijer

8. ECA Special Report 22/2020 (Discharge 2019): Future of EU agencies – Potential for more flexibility and cooperation

CONT/9/04748

Rapporteur:

Ryszard Czarnecki (ECR)

- Presentation of the special report by reporting ECA Member, Alex Brenninkmeijer

The following spoke:

Monika Hohlmeier, Alex Brenninkmeijer (ECA Member), Rosa Aldea Busquets (European Commission, DG BUDG), Bjorn Hansen (ECHA Executive Director), Ryszard Czarnecki, Joachim Stanisław Brudziński, Lefteris Christoforou, Tomáš Zdechovský, Sándor Rónai, Katalin Cseh, Joachim Kuhs, Mikuláš Peksa

9. Any other business

10. Next meetings

- 14 December 2020, 17.30 – 17.45 (Brussels)
- 6-7 January 2021 (Brussels)

The meeting ended at 19.14.

Results of roll-call vote

5. Partial renewal of the Members of the Court of Auditors - PL nominee

CONT/9/04598

2020/0806(NLE) 12496/2020 – C9-0350/2020

Rapporteur: Matteo Adinolfi

Key to symbols:

+ : in favour

- : against

0 : abstention

7	+
23	-
0	0

**ПРИСЪСТВЕН ЛИСТ/LISTA DE ASISTENCIA/PREZENČNÍ LISTINA/DELTAGERLISTE/
 ANWESENHEITSLISTE/KOHALOLIJATE NIMEKIRI/KATAΣΤΑΣΗ ΠΑΡΟΝΤΩΝ/RECORD OF ATTENDANCE/
 LISTE DE PRÉSENCE/POPIS NAZOČNIH/ELENCO DI PRESENZA/APMEKLĒJUMU REĢISTRŠ/DALYVIŲ SAŖAŠAS/
 JELENLÉTI ÍV/REGĪSTRU TA' ATTENDENZA/PRESENTIELIJST/LISTA OBECNOŠCI/LISTA DE PRESENÇAS/
 LISTĂ DE PREZENȚĂ/PREZENČNÁ LISTINA/SEZNAM NAVZOČIH/LÄSNÄOLOLISTA/NÄRVAROLISTA**

Бюро/Mesa/Předsednictvo/Formandskabet/Vorstand/Juhatus/Προεδρείο/Bureau/Predsjedništvo/Ufficio di presidenza/Prezidijs/ Biuras/Elnökség/Prezidium/Birou/Predsednictvo/Predsedstvo/Puheenjohtajisto/Presidiet (*)
Monika Hohlmeier, Isabel García Muñoz, Caterina Chinnici, Tamás Deutsch
Членове/Diputados/Poslanci/Medlemmer/Mitglieder/Parlamendiliikmed/Βουλευτές/Members/Députés/Zastupnici/Deputati/Deputāti/ Nariai/Képviselek/Membri/Leden/Posłowie/Deputados/Deputați/Jäsenet/Ledamöter
Matteo Adinolfi, Olivier Chastel, Lefteris Christoforou, Ryszard Czarnecki, José Manuel Fernandes, Daniel Freund, Christian Ghinea, Pierre Karleskind, Joachim Kuhs, Tsvetelina Penkova, Markus Pieper, Sabrina Pignedoli, Petri Sarvamaa, Lara Wolters, Angelika Winzig, Tomáš Zdechovský
Заместници/Suplentes/Náhradníci/Stedfortrædere/Stellvertreter/Asendusliikmed/Αναπληρωτές/Substitutes/Suppléants/Zamjenici/ Supplenti/Aizstājēji/Pavaduojantysnariai/Pötagok/Sostituti/Plaatsvervangers/Zastępcy/Membros suplentes/Supleanți/Náhradníci/ Namestniki/Varajäsenet/Suppleanter
Joachim Brudziński, Katalin Cseh, Bas Eickhout, Maria Grapini, Andrey Novakov, Jan Olbrycht, Mikuláš Peksa, Michèle Rivasi, Sándor Rónai, Viola Von Cramon-Taubadel

209 (7)
216 (3)
56 (8) (Точка от дневния ред/Punto del orden del día/Bod pořadu jednání (OJ)/Punkt på dagsordenen/Tagesordnungspunkt/ Päevakorra punkt/Σημείο της ημερήσιας διάταξης/Agenda item/Point OJ/Τοčka dnevnoĝ reda/Punto all'ordine del giorno/Darba kārtības punkts/Darbotvarkēs punktas/Napirendi pont/Punt Agenda/Agendapunt/Punkt porządku dziennego/Ponto OD/Punct de pe ordinea de zi/Bod programu schôdze/Točka UL/Esityslistan kohta/Punkt på föredragningslistan)

Наблюдатели/Observadores/Pozorovatelé/Observatører/Beobachter/Vaatlejad/Παρατηρητές/Observers/Observateurs/Promatrači/Osservatori/Novērotāji/Stebėtojai/Megfigyelők/Osservatori/Waarnemers/Observatorzy/Observadores/Observatori/Pozorovatelia/Opazovalci/Tarkkailijat/Observatörer

По покана на председателя/Por invitación del presidente/Na pozvání předsedy/Efter indbydelse fra formanden/Auf Einladung des Vorsitzenden/Εσimehe kutsel/Με πρόσκληση του Προέδρου/At the invitation of the Chair/Sur l'invitation du président/ Na poziv predsjednika/Su invito del presidente/Pēc priekšsēdētāja uzaicinājuma/Pirmininkui pakvietus/Az elnök meghívására/ Fuq stedina tač-Chairman'/Op uitnodiging van de voorzitter/Na zaproszenie Przewodniczącego/A convite do Presidente/La invitația președintelui/ Na pozvanie predsedu/Na povabilo predsednika/Puheenjohtajan kutsusta/På ordförandens inbjudan
Marek Opiola (ECA candidate)

Съвет/Consejo/Rada/Rådet/Rat/Nöukogu/Συμβούλιο/Council/Conseil/Vijeće/Consiglio/Padome/Taryba/Tanács/Kunsill/Raad/Conselho/Consiliu/Svet/Neuvosto/Rådet (*)	
Комисия/Comisión/Komise/Kommissionen/Kommission/Komisjon/Επιτροπή/Commission/Komisija/Commissione/Bizottság/Kummissjoni/Commissie/Komisja/Comissão/Comisie/Komisja/Komissio/Kommissionen (*)	
Rosa Aldea Busquets, Mariya Gabriel, Jean-Eric Paquet, Herald Ruijters	
Други институции и органи/Otras instituciones y organismos/Ostatní orgány a instituce/Andre institutioner og organer/Andere Organe und Einrichtungen/Muud institutsioonid ja organid/Λοιπά θεσμικά όργανα και οργανισμοί/Other institutions and bodies/Autres institutions et organes/Druge institucije i tijela/Altre istituzioni e altri organi/Citas iestādes un struktūras/Kitos institucijos ir įstaigos/Más intézmények és szervek/Istituzjonijiet u korpi ohra/Andere instellingen en organen/Inne instytucje i organy/Outras instituiçōes e outros órgãos/Alte instituții și organe/Iné inštitúcie a orgány/Muut toimielimet ja elimet/Andra institutioner och organ	
European Court of Auditors	Alex Brenninkmeijer, Mihails Kozlovs, Annemie Turtleboom
ECHA	Bjorn Hansen

Други учасници/Otros participantes/Ostatní účastníci/Endvidere deltog/Andere Teilnehmer/Muud osalejad/Επίσης παρόντες/Other participants/Autres participants/Dруги sudionici/Altri partecipanti/Citi klātesošie/Kiti dalyviai/Más résztvevők/Partecipanti ohra/Andere aanwezigen/Inni uczestnicy/Outros participantes/Alți participanți/Inți účastnici/Dруги udeleženci/Muut osallistajat/Övriga deltagare

<p>Секретариат на политическите групи/Secretaría de los Grupos políticos/Sekretariát politických skupin/Gruppenes sekretariat/Sekretariat der Fraktionen/Fraktsioonide sekretariaat/Γραμματεία των Πολιτικών Ομάδων/Secretariats of political groups/Secrétariat des groupes politiques/Tajništva klubova zastupnika/Segreteria gruppi politici/Politisko grupu sekretariāts/Frakciju sekretoriai/Képviseletcsoportok titkársága/Sekretarjat gruppi poliitiçi/Fractiesecretariaten/Sekretariat Grup Politycznych/Secretariado dos grupos políticos/Secretariate grupuri politice/Sekretariát politických skupin/Sekretariat političnih skupin/Poliittisten ryhmien sihteeristöt/De politiska gruppernas sekretariat</p>	
<p>PPE S&D Renew ID Verts/ALE ECR GUE/NGL NI</p>	

<p>Кабинет на председателя/Gabinete del Presidente/Kancelář předsedy/Formandens Kabinet/Kabinett des Präsidenten/Presidendi kantselei/Γραφείο του Προέδρου/President's Office/Cabinet du Président/Ured predsednika/Gabinetto del Presidente/Priekšsēdētāja kabinets/Pirmininko kabinetas/Elnöki hivatal/Kabinett tal-President/Kabinet van de Voorzitter/Gabinet Przewodniczącego/Gabinete do Presidente/Cabinet Preşedinte/Kancelária predsedu/Urad predsednika/Puhemiehen kabinetti/Talmannens kansli</p>	
<p>Кабинет на генералния секретар/Gabinete del Secretario General/Kancelář generálního tajemníka/Generalsekretærens Kabinet/Kabinett des Generalsekretärs/Peasekretäri büroo/Γραφείο του Γενικού Γραμματέα/Secretary-General's Office/Cabinet du Secrétaire général/Ured glavnog tajnika/Gabinetto del Segretario generale/Ġeneralsekretära kabinets/Generalinio sekretoriaus kabinetas/Főtitkári hivatal/Kabinett tas-Segretarju Ġenerali/Kabinet van de secretaris-generaal/Gabinet Sekretarza Generalnego/Gabinete do Secretário-Geral/Cabinet Secretar General/Kancelária generálneho tajomníka/Urad generalnega sekretarja/Pääsihteerin kabinetti/Generalsekreterarens kansli</p>	
<p>Генерална дирекция/Dirección General/Generální ředitelství/Generaldirektorat/Generaldirektion/Peadirektoraat/Γενική Διεύθυνση/Directorate-General/Direction générale/Glavna uprava/Direzione generale/Ġenerāldirektorāts/Generalinis direktoratas/Főigazgatóság/Direttorat Generali/Direktoraten-generaal/Dyrekcja Generalna/Direção-Geral/Direcții Generale/Generálne riaditeľstvo/Generalni direktorat/Pääosasto/Generaldirektorat</p>	
<p>DG PRES DG IPOL DG EXPO DG EPRS DG COMM DG PERS DG INLO DG TRAD DG LINC DG FINS DG ITEC DG SAFE</p>	

Правна служба/Servicio Jurídico/Právní služba/Juridisk Tjeneste/Juristischer Dienst/Όίγυστενιστυς/Νομική Υπηρεσία/Legal Service/ Service juridique/Pravna služba/Servizio giuridico/Juridiskais dienests/Teisės tarnyba/Jogi szolgálat/Servizz legali/Juridische Dienst/ Wydział prawny/Serviço Jurídico/Serviciu Juridic/Právný servis/Oikeudellinen yksikkö/Rättstjänsten
Секретариат на комисията/Secretaría de la comisión/Sekretariát výboru/Udvalgssekretariatet/Ausschusssekretariat/Komisjoni sekretariaat/Γραμματεία της επιτροπής/Committee secretariat/Secrétariat de la commission/Tajništvo odbora/Segreteria della commissione/Komitejas sekretariāts/Komiteto sekretoriatas/A bizottság titkársága/Sekretarjat tal-kumitat/Commissiesecretariaat/ Sekretariat komisji/Sekretariado da comissão/Sekretariat comisie/Sekretariat odbora/Valiokunnan sihteeristö/Utskottssekretariatet
Evelyn Waldherr
Сътрудник/Asistente/Asistent/Assistent/Assistenz/Βοηθός/Assistant/Assistente/Palīgs/Padējējas/Asszisztens/Asyistent/Pomočnik/ Avustaja/Assistenten
Kameliya Velcheva

- * (P) = Председател/Presidente/Předseda/Formand/Vorsitzender/Esimees/Πρόεδρος/Chair/Président/Predsjednik/Priekšsēdētājs/
 Pirmininkas/Elnök/Chairman/Voorzitter/Przewodniczący/Prešedinte/Predseda/Predsednik/Puheenjohtaja/Ordförande
- (VP) = Заместник-председател/Vicepresidente/Místopředseda/Næstformand/Stellvertretender Vorsitzender/Aseesimees/Αντιπρόεδρος/
 Vice-Chair/Potpredsjednik/Vice-Président/Potpredsjednik/Priekšsēdētāja vietnieks/Pirmininko pavaduotojas/Alelnök/ Vīci
 'Chairman'/Ondervoorzitter/Wiceprzewodniczący/Vice-Presidente/Viceprešedinte/Podpredseda/Podpredsednik/
 Varapuheenjohtaja/Vice ordförande
- (M) = Член/Miembro/Člen/Medlem./Mitglied/Parlamendiliige/Βουλευτής/Member/Membre/Član/Membro/Deputāts/Narys/Képviselő/
 Membru/Lid/Członek/Membro/Membru/Člen/Poslanec/Jäsen/Ledamot
- (F) = Длъжностно лице/Funcionario/Úředník/Tjenestemand/Beamter/Ametnik/Υπάλληλος/Official/Fonctionnaire/Dužnosnik/
 Funzionario/Ierēdnis/Pareigūnas/Tisztviselő/Ufficial/Ambtenaar/UrządNIK/Funcionário/Funçionar/Úradník/Urädnik/Virkamies/
 Tjänsteman

NEWSLETTER

COMMITTEE MEETING

MONDAY, 7 DECEMBER 2020

14:00 to 16:00 and 16:45 to 18:45

Remote participation of Members

Room: remote meeting with Interactio (József Antall (JAN) 4Q1)

Monday, 7 December, 14:00 - 15:30

1. ADOPTION OF THE AGENDA

The draft agenda and meeting documents are available in the [meeting file](#).

2. CHAIR'S ANNOUNCEMENTS

The Chair draws attention to the following points:

Languages available

FR, DE, IT, EL, EN, ES, CS, HU, PL and RO

[Webstreaming](#)

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

3. 2019 DISCHARGE: GENERAL BUDGET OF THE EU - EUROPEAN COMMISSION

CONT/9/03689 - [2020/2140\(DEC\)](#)



Discharge hearing with Mariya Gabriel, Commissioner responsible for Innovation, Research, Culture, Education and Youth, in the presence of reporting ECA member Mihails Kozlovs

Rapporteur:

[Joachim Kuhs \(ID\)](#)

Administrators:

Aleksi Hyvätti / Kaare Barslev

Shadow Rapporteurs: Markus Pieper (EPP), Tsvetelina Penkova (S&D), Olivier Chastel (RE), Viola Von Cramon-Taubadel (Greens), Ryszard Czarnecki (ECR), Luke Ming Flanagan (GUE/NGL)

On 7 December 2020, the CONT Committee will hold a hearing with Commissioner Gabriel in the context of the discharge procedure for the Commission for financial year 2019.

Research policy is part of Chapter 4 in the European Court of Auditors' Annual Report entitled "Competitiveness for growth and jobs – MFF heading 1a". The Commission's Directorate-General on Research and Innovation, DG RTD, implements EU funds under this policy field, which in 2019 represented 13,7 % of the total EU budget (EUR 21,7 billion in payments). The Court's audit population for 2019 covered for EUR 16,7 billion of the expenditure.



DG RTD's expenditure is implemented mainly in direct management in the form of grants to public or private beneficiaries participating in projects. DG RTD had a reservation in its Annual Activity Report for 2019, concerning the Seventh Framework Programme, as its residual error rate was above the materiality threshold at 3,52 %.

Total planned spending for MFF heading 1a in the 2014-2020 period is EUR 142,1 billion, of which EUR 83,3 billion was paid out by the end of 2019. Some of the most significant policy instruments in this sub-heading are Horizon 2020, Erasmus+, Galileo and CEF.

In 2019, the Court examined the following aspects for 'Competitiveness for growth and jobs':

- a sample of 130 transactions, designed to be representative of the full range of spending under this MFF sub-heading. The sample consisted of 80 transactions in the area of research and innovation (70 for Horizon 2020 and 10 for FP7) and 50 under other programmes and activities, notably Erasmus+, CEF and space programmes. The beneficiaries audited were located in 19 Member States and four non-EU countries.
- selected systems, which concerned the reliability of the Commission's ex post audit work on the regularity of transactions under H2020. For this purpose, the Court selected six audits carried out by the Commission's Common Audit Service (CAS) and 14 that the Commission had contracted out to two private external auditors.
- the regularity information given in the annual activity reports (AARs) of DG RTD, DG EAC and DG GROW, and its inclusion in the Commission's Annual Management and Performance Report (AMPR).

In 2019, 51 (i.e. 39 %) of the 130 transactions examined contained errors. Based on the 28 errors the Court quantified, the Court estimated the level of error to be at 4,0 % for this policy field. For 2019, the Court also looked more closely into the performance of MFF heading 1a, namely on Horizon 2020 and EFSI, which represent 47,2 % of the total budget in payments for this MFF heading.

The discharge hearing will be based on information provided in public documents, such as

- the Court of Auditors' 2019 Annual Report, and
- the new Annual Report on Performance of the EU budget, as well as
- the Commission's Integrated Financial and Reporting package, and
- the 2019 Annual Activity Report of DG RTD.

All the relevant documents can be found on the [CONT website](#).

In accordance with the timetable for the discharge procedure, the written questions for this meeting were sent to the Commission on 26 November 2020 and emailed to Members on the same day. The Commission's answers are expected on 3 December and the CONT secretariat will forward them immediately to Members.

It is proposed that the hearing with Commissioner Gabriel proceeds as follows:

- Introduction by the reporting Member of the European Court of Auditors, Mihails Kozlovs, who will present the findings of the respective chapters of the Annual Report 2019, and the Report on the performance of the EU budget;
- Commissioner Gabriel will reply to this introduction;
- CONT Rapporteur and shadow rapporteurs will put questions to the Commissioner and the Court followed by answers (the ping-pong system);
- Other Members will question the Commissioner and/or the Court;
- Closing remarks by the CONT Rapporteur.

CONT Timetable

Event	Body	Date
Exchange of views	CONT	22-23 February 2021
Deadline for amendments	CONT	2 March 2021
Vote	CONT	22-23 March 2021
Adoption of report	Plenary	April 2021

15:30 - 16:00

4. ECA SPECIAL REPORT 10/2020 (DISCHARGE 2019) : EU TRANSPORT INFRASTRUCTURES: MORE SPEED NEEDED IN MEGAPROJECT IMPLEMENTATION TO DELIVER NETWORK EFFECTS ON TIME

CONT/9/03492



Presentation of the special report by reporting ECA Member, Annemie Turtelboom

Rapporteur: [Andrey Novakov \(EPP\)](#)
Administrators: Aleksi Hyvätti

Shadow Rapporteurs: Maria Grapini (S&D), Martina Dlabajová (RE)

The Court of Auditors audited the Commission's management of eight cross-border transport megaprojects in thirteen Member States. These projects are key missing links for connecting national networks to create seamless European transport corridors. The total estimated cost of the selected Transport Flagship Infrastructures (TFIs) was €54.0 billion, of which the EU has paid €3.4 billion to the date of the Special Report.

The Court assessed whether the Commission has ensured that EU co-funded cross-border TFIs on the EU core transport network are well planned and efficient. To do so, the Court analysed: whether the Commission has ensured that processes applied in Member States for delivering TFIs will lead to completed and operational core network corridors by 2030; whether the planning of TFIs is of good quality, robust and transparent; whether the implementation of TFIs is efficient; and whether the Commission's supervision of EU co-funded investments in actions which are part of TFIs is adequate.

The Court selected eight TFIs with cross-border impact on seven out of nine core network corridors. The audit involved 13 Member States and covered road and rail infrastructure, inland waterways, and combinations of rail and road, and maritime and rail infrastructure. Their total cost was €54.0 billion; the amount of EU co-funding allocated to the eight selected TFIs has been €7.5 billion to the date of the audit, of which €3.4 billion had already been disbursed. The Court also audited 17 underlying actions.



The following eight TFIs were audited by the Court:

- *Rail Baltica*: a rail line connecting Estonia, Latvia and Lithuania to Poland and enabling a link to Finland (on the North Sea Baltic corridor);
- *Lyon-Turin link*: a cross-border rail link connecting France and Italy (on the Mediterranean corridor);
- *Brenner Base Tunnel*: a cross-border rail link connecting Austria and Italy (on the Scandinavian-Mediterranean corridor);
- *Fehmarn Belt fixed link*: a rail/road connection between Denmark and Germany (on the Scandinavian-Mediterranean corridor);

- *Basque Y* and its connection with France: a high-speed rail connection linking up Vitoria in Spain to Bordeaux in France (on the Atlantic corridor);
- *Seine-Scheldt link*: originally an inland waterway link between the rivers Seine and Scheldt, evolving into an inland waterway network in France and Belgium (on the North Sea Mediterranean and Atlantic corridors);
- *A1 motorway in Romania* (on the Rhine-Danube corridor);
- *E59 railway line in Poland* and its connection to the ports of Szczecin and Swinoujscie (on the Baltic-Adriatic corridor).

The Court found that the core network is unlikely to be operational by 2030, as was planned in 2013. The delays in the construction and putting into operation of these megaprojects put at risk the effective functioning of five out of nine TEN-T corridors. The Court found examples of poor planning and inefficient implementation. While the Commission's oversight of the timely completion of the network has weaknesses and is distant, the Commission has a tool that can be built upon to improve performance. The Court made a number of recommendations to improve the sound financial management and to support the long-term planning, management and supervision of these multi-billion euro investments.

Suspension of the meeting until 16h45

16.45 – 17.30

5. PARTIAL RENEWAL OF THE MEMBERS OF THE COURT OF AUDITORS - PL NOMINEE

CONT/9/04598 - [2020/0806\(NLE\)](#)



Hearing of Marek Opiola, candidate nominated by Poland

Rapporteur: [Matteo Adinolfi \(ID\)](#)
Administrators: Olivier Sautière / Kaare Barslev

Shadow Rapporteurs: Tomáš Zdechovský (EPP), Maria Grapini (S&D), Olivier Chastel (RE), Mikuláš Peksa (Greens), Ryszard Czarnecki (ECR), Luke Ming Flanagan (GUE/NGL)

Background

The Members of the European Court of Auditors shall be appointed for a term of six years. In accordance with Article 286(2) of the TFEU the Council, after consulting the European Parliament, shall adopt the list of Members drawn up in accordance with the proposals made by each Member State.

Appointments to the ECA are submitted to Parliament's plenary on the basis of a report from CONT, which takes into account the primary law requirement of Article 286(1) of the TFEU: "*the Members of the Court of Auditors shall be chosen from among persons who belong or have belonged in their respective States to external audit bodies or who are especially qualified for this office. Their independence must be beyond doubt.*" , as well as other considerations.

A. Procedure

According to Rule 129 (1) of Parliament's Rules of Procedure, "*candidates nominated as Members of the Court of Auditors shall be invited to make a statement before the committee responsible and to answer questions put by members. The committee shall vote on each nomination separately by*



secret ballot."

I. Questionnaire and statement

In preparation for the hearing, the candidate has been asked to answer the **questionnaire** prepared by CONT.

II. The hearing

The hearing will take place according to the timetable set out in the draft agenda.

- Opening of the hearing by the Chair;
- The candidate will be invited to make an opening statement (5 minutes) and the remainder of his hearing will be devoted to replies to questions from Members (40 minutes);
- The CONT Rapporteur and shadow-rapporteurs will put questions to the candidate (the ping-pong system);
- Other members will question the candidate (catch-the-eye);
- Closing remarks by the CONT Rapporteur;
- Concluding remarks by the Chair.

III. Evaluation, votes and adoption of draft report

Once the hearing has been completed, the committee will hold an evaluation of the candidate and then proceed to vote on the appointment of the candidate in question. Evaluation, votes and adoption of draft report will be in camera.

According to Rule 129 (1), the committee shall vote by secret ballot. The vote will be carried out by means of the remote electronic voting system. In accordance with Rule 192, Members should indicate for a candidate whether they give a favourable opinion, a negative opinion or abstain.

B. The Report

The format of opinions on candidates for membership of the Court of Auditors is defined as follows¹:

- a) each recommendation on each nomination shall be submitted in the form of a report, to be adopted on the basis of a majority of the votes cast, with the report merely indicating the nomination;
- b) the report shall consist of:
 - i. citations summarising the circumstances of the referral to Parliament;
 - ii. recitals outlining the procedure to the competent committee;
 - iii. operative text which may only consist of a favourable opinion or an unfavourable opinion;
- c) citations and recitals shall not be put to the vote;

These strict rules on procedures, before the Committee on Budgetary Control and in plenary sitting, adopted by Parliament do not allow any amendments to be tabled to the draft report.

The draft report will be finalised, according to the outcome of the evaluation and the vote in committee. The candidate's curriculum vitæ and the answers to CONT questionnaire or summary shall be annexed to the report.

The report for plenary will state that Parliament delivers either a favourable or a negative opinion on the appointment of the candidate.

The draft report was circulated to Members on 01 December and is available on the CONT website.

CONT Timetable

Event	Body	Date
Adoption of report	Plenary	December 2020

Suspension of the meeting until 17h45

¹ Parliament's [resolution](#) of 4 February 2014

6. OPENING OF THE REMOTE VOTING PROCEDURE

Voting procedure will be open from 17.45-18.30

All Members will vote using the EPVote application



* * *

Parallel to the voting session

17:45 - 18:45

7. ECA ANNUAL REPORT ON *EU* AGENCIES FOR THE FINANCIAL YEAR 2019

CONT/9/04743



Presentation of the annual report by reporting ECA Member, Alex Brenninkmeijer

Rapporteurs: [Ryszard Czarnecki](#) (ECR), [Joachim Brudziński](#) (ECR)

Administrator: Hans Stander

Shadow Rapporteurs:

- EPP:
 - Tomáš Zdechovský - CEDEFOP, EMCDDA, ETF, EU-OSHA, EUROFOUND, CEPOL, EASO, EU-LISA, EUROJUST, EUROPOL, FRA, FRONTEX
 - Lefteris Christoforou - all other agencies
- Sándor Rónai (S&D)
- RE:
 - Ramona Strugariu - FRA, EUROJUST, EUROPOL, EMCDDA, Frontex, EU-LISA, CEPOL, EASO;

- Cristian Ghinea - EU-OSHA, EBA, ETF;
 - Gilles Boyer - EIOPA, ESMA;
 - Katalin Cseh - ECDC, BEREC, EIT, ECHA, EFSA, EMA, ENISA, ACER, Euratom, GNSS, EEA;
 - Olivier Chastel - CDT, CEDEFOP, ERA, EASA, EIGE, Eurofound, horizontal report);
 - Pierre Kaleskind - EFCA, EMSA
- Bas Eickhout (Greens)
 - Younous Omarjee (GUE/NGL)

The European Court of Auditors published its 2019 annual report on the EU agencies alongside its special report on the Future of EU agencies on 22 October 2020.

According to the Court, the financing sources for the agencies in 2019 amounted to EUR 148.5 billion, compared to EUR 144.8 billion in 2018.

In its **Annual report 2019**, the Court gave a clean opinion on the reliability of the accounts and on the legality and regularity of revenue of all agencies. For the legality and regularity of expenditure, the Court gave a clean opinion for all but two agencies: ACER and EASO. EASO also had a qualified opinion on expenditure in 2018.



The qualified opinion for ACER results from two irregular procurement procedures that were not appropriately competitive. The resulting payments of these irregular procedures amounted to 6,3 % of all payments made by ACER, with a total value of EUR 988 138.

The qualified opinion for EASO mainly resulted from findings reported since 2016, however, also in 2019 the Court identified a number of payments associated with an irregular selection procedure of expert consultants. The resulting payments in 2019 from these irregular procedures amounted to 14,6 % of all payments made by EASO, with a total value of EUR 13 979 880 (of which EUR 13 868 576 stem from 2016-2018 irregular procedures).

The Court also made a number of observations in so called 'emphasis of matter' and 'other matter' paragraphs. These do not qualify the opinion of the Court as such, but require the attention of the reader to better understand the situation.

On the reliability of the accounts these concerned EBA, EMA (emphasis of matter paragraphs related to their relocation from London and the resulting lease and rental issues) and CdT (other matter paragraph related to the lack of disclosure of the impact of the COVID-19 pandemic on its operations).

On the legality and regularity of revenue, these concerned ECHA (emphasis of matter paragraph on the corrections of fee calculations, with the total amount of corrections for 2019 yet unknown) and EMSA (other matter paragraph on fees charged to credit rating agencies that potentially can avoid fees by transferring revenues from credit rating agencies under EU jurisdiction to related entities outside the EU).

On the legality and regularity of expenditure, these concerned Frontex (emphasis of matter paragraph on grant management) and EIGE (Other matter paragraph on a case pending before the Court of Justice of the European Union on temporary agency work).

The Court also made 82 observations concerning 29 agencies to address areas where further improvements are needed.

The documents are published on the [CONT website](#) and of particular relevance for the hearing as regards the 2019 discharge for the agencies are:

- The ECA's 2019 Annual Report on EU agencies;
- The ECA's Special Report on the Future of EU Agencies;

It is proposed that the exchange of views shall proceed as follows, integrating agenda points 7 and 8 (see below):

- Introduction by the Member of the European Court of Auditors, Mr Alex Brenninkmeijer who will present the findings of the ECA Annual Report on EU agencies for the financial year 2019 and the Special Report on the Future of EU Agencies;
- Response of the deputy Director-General for Budget of the Commission, Ms Rosa Aldea Busquets to the ECA Special Report
- Response of the Chair of the EU Agencies' Network, Mr Bjorn Hansen, to the ECA annual report and the ECA Special Report;
- CONT Rapporteur and shadow rapporteurs will put questions to the Court followed by answers (the ping-pong system);
- Other Members will question the Court;
- Closing remarks by the CONT Rapporteur.

CONT Timetable

Event	Body	Date
Exchange of views	CONT	22-23 February 2021
Deadline for amendments	CONT	2 March 2021
Vote	CONT	22-23 March 2021
Adoption of report	Plenary	April 2021

8. ECA SPECIAL REPORT 22/2020 (DISCHARGE 2019): FUTURE OF EU AGENCIES – POTENTIAL FOR MORE FLEXIBILITY AND COOPERATION

CONT/9/04748



Presentation of the special report by reporting ECA Member, Alex Brenninkmeijer

Rapporteur: [Ryszard Czarnecki](#) (ECR)
 Administrator: Hans Stander

Shadow Rapporteurs: Lefteris Christoforou (EPP)

The Court also issued a **Special Report**, alongside the annual report, that focused on the performance of all agencies, the Special report on the **Future of EU agencies**.

For this Special Report, the Court builds on knowledge gathered in its annual financial audits of the agencies and in previous performance audits of individual agencies. The Court complemented this by other audit activities to assess whether the Commission and the agencies have put in place adequate conditions to ensure performance of EU agencies. The report therefore is not so much about the performance of the Agencies in achieving their objectives as such, but more about the conditions that enable them to achieve their objectives.



The Court findings centre on two particular issues:

1. The first is flexibility to serve the relevant EU policy and European cooperation, especially when the scope of the policy is wide and subject to change in a complex global context. The Court identified a lack of

flexibility in what they termed the 'life cycle' of an agency: the set-up, functioning, and possible winding-up.

- This starts with the assessment of the need for a new agency, usually performed in a so called impact assessment. The analysis of the Court showed that this process is not always as rational as it is intended to be: the conclusions of the impact assessment are not always followed and in some cases the decision to set up an agency was already taken before the impact assessment was completed.
 - As regards the functioning of agencies, the Common Approach for agencies (agreed between Parliament, Council and Commission) requires that every agency should be evaluated every five years. However, the founding regulations of several agencies still do not contain this requirement, or have a different frequency (from 3 to 10 years, or up to the management board to decide) and as a result, not all agencies are evaluated every five years. Another issue identified by the Court relates to adequate financial and human resources. This relates in particular to the fact that agencies receive additional tasks, without receiving adequate resources.
 - As regards the winding down of agencies, the Common Approach called for the insertion of a so-called 'sunset clause' or a 'review clause' in the founding regulation of all agencies, mandating the Commission to propose amending or repealing the founding regulation of an agency when it considers that the existence of the agency is no longer justified with regard to its assigned objectives. Seven years after the Joint Statement on the Common Approach, only seven out of 37 agencies have a "sunset clause", and 13 have a "review clause", in their founding regulations.
2. The second is the extent to which agencies act as centres of expertise and networking for the implementation of EU policies. The Court identified cases of overly complex or weak governance arrangements and found that performance information focused on outputs and activities rather than on their contribution to policy implementation. In addition, the Court found that a lack of cooperation with and/or support from Member States, industry, Commission or other agencies prevents agencies from fully performing their role. The Court's findings focus in particular on:
- The composition of management boards, that does not always allow efficient decision-making. Some management boards have 30-35 members with some exceptions having up to 90 members, making decision-taking difficult and generating considerable administrative costs. Also the involvement of individual management board members varies widely.
 - Budgetary authorities (Parliament and Council) hold agencies accountable for finance and compliance matters, but focus less on performance. The sectoral policy committees in the Parliament, supervising the agencies' operations at high level, send opinions to the Budgetary Control Committee as input for the discharge procedure, but the actual collection and analysis of performance information is limited and concerns individual agencies. The Council and its working parties mainly hold the partner DGs accountable for the agencies' performance.
 - Agencies report more on performance aspects, but their contribution to EU policy and cooperation is not clearly measured and communicated to citizens.
 - Cooperation between agencies and other national, EU and international bodies generally works well, with some exceptions.

The Court issued the following recommendations, addressed to the Commission:

1. Ensure the relevance, coherence and flexibility of the set-up of agencies.

The following recommendations were addressed to the Commission and the agencies:

2. Allocate resources to agencies in a more flexible manner;
3. Improve governance and reporting on performance;
4. Strengthen the role of agencies as centres for sharing expertise and networking.

The ECA annual report and the special report are available on the [CONT website](#). As a follow-up, two succinct working documents with the recommendations of the Rapporteur will be sent to CONT Members.

9. ANY OTHER BUSINESS

10. NEXT MEETINGS

- 14 December 2020, 17.30 – 17.45 (Brussels) tbc
- 6-7 January 2021 (Brussels)

PAPERLESS PROGRAMME (INTERNAL USERS ONLY)

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

FOR FURTHER INFORMATION

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

NEWS FROM POLICY DEPARTMENT - BUDGETARY AFFAIRS

Recent Publications CONT

At a Glance "[Nominations for Members of the European Court of Auditors](#)" (update)

Documentation workshop "[Open spaces at EU institutions versus traditional work spaces: justification, evolution, evaluation and results](#)"

Briefing "[Open Plan Offices - The new ways of working. The advantages and disadvantages of open office space](#)"

Briefing "[Gender equality in the college of the European Court of Auditors](#)"

BUDG

Briefing "[EU Gender budgeting: where do we stand?](#)"

Study "[Pilot projects and preparatory actions \(PP/PA\) in the EU budget 2014-2019](#)"

Briefing "[Next Generation EU - Where are assigned revenue? Which impact in 2021?](#)"

Study "[How EU funds tackle economic divide in the European Union](#)" (Available in [DE](#), [ES](#), [FR](#), [IT](#), [PL](#), [RO](#))

Study "[Documenting climate mainstreaming in the EU budget - making the system more transparent, stringent and comprehensive](#)"

Briefing "[Assigned revenue in the Recovery Plan - The frog that wishes to be as big as the ox?](#)"

Study "[A Just Transition Fund - How the EU budget can best assist in the necessary transition from fossil fuels to sustainable energy](#)" (Available in [DE](#), [ES](#), [FR](#), [IT](#), [PL](#))

Briefing "[The net operating balances: Variants, emerging numbers and history](#)" (Available in [DA](#), [DE](#), [ES](#), [FR](#), [IT](#), [NL](#), [PL](#), [SV](#))

Briefing "[Why net operating balances are a distorted indicator of a Member State's benefit from the EU budget](#)" (Available in [DA](#), [DE](#), [ES](#), [FR](#), [IT](#), [NL](#), [PL](#), [SV](#))

Briefing "[The benefits of EU membership are not measured by net operating balances](#)" (Available in [DA](#), [DE](#), [ES](#), [FR](#), [IT](#), [NL](#), [PL](#), [SV](#))

Forthcoming Publications

CONT

- Study "[The largest 50 beneficiaries in each EU Member State of CAP and cohesion funds](#)"
- Study "[MEP's pension rights before and after the Members Statute in 2009](#)"
- Briefing "[Special advisers to the European Commission](#)"

Forthcoming Events

CONT Study presentation on "[Horizon 2020: Geographical balance of beneficiaries](#)"

The European Parliament has concluded a **new framework contract on external expertise** in the field of budgetary affairs, mainly for the BUDG and CONT committees. Following on a public call for tenders, seven bids have been received, checked and evaluated. Service contracts for the years 2020-24 have been signed with the following consultancies and think-tanks:

AEGIS, a network of academics from different universities, the main partners from Spain, Germany and Italy;
Blomeyer & Sanz Ltd., based in Spain, leading a group of institutes from Austria, Czechia, Germany, Italy and Poland;

Centre for European Policy Studies (CEPS), a research think-tank from Brussels, with partners from Belgium, France, Latvia and UK;

Centre for Strategy & Evaluation Services LLP (CSES), a consultancy from UK and Ireland;

Deloitte Belgium, an audit company;

European Economic Research Ltd. (Europe-Economics), a consultancy from UK;

Mr Ivailo KALFIN, a former MEP and former Minister in Bulgaria, with some associated experts.

For more information see the publication of the procurement outcome:

<https://ted.europa.eu/udl?uri=TED:NOTICE:215928-2020:TEXT:EN:HTML> or contact the Policy Department: poldep-budg@europarl.europa.eu

CONTACTS

Policy Department for Budgetary Affairs

poldep-budg@ep.europa.eu

[Policy Department Webpage](#)

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