



2018/2114(INI)

24.1.2019

OPINION

of the Committee on Civil Liberties, Justice and Home Affairs

for the Committee on Constitutional Affairs

on the implementation of the legal provisions and the Joint Statement ensuring
parliamentary scrutiny over decentralised agencies
(2018/2114(INI))

Rapporteur for opinion: Maria Grapini

PA_NonLeg

SUGGESTIONS

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

1. Notes that EU agencies are established by the co-legislators for specific tasks under Union law, such as contributing to the implementation of EU policies or supporting cooperation between the EU and national governments; considers therefore that agencies are primarily accountable to Parliament and the Council, which must ensure that adequate scrutiny mechanisms are in place in the legislative acts governing those agencies and that those mechanisms are subsequently properly implemented; points out that certain policy areas require the close involvement of national parliaments in the scrutiny of agencies (for example, the Joint Parliamentary Scrutiny Group on Europol);
2. Points out that the mechanisms to ensure the accountability of agencies are incorporated in the Treaties, in the founding regulations of agencies, in the case-law of the European Court of Justice, as well as in the joint Statement and Common Approach;
3. Considers that the Common Approach to decentralised agencies – which lays down common principles for the establishment and functioning of EU agencies – could be updated to take account, on the one hand, of the need to have common rules governing EU agencies and, on the other hand, of the differences between agencies in terms of staff size, budget and operational responsibility; considers that the process leading to such an update has to be fully inclusive of all relevant actors and be undertaken in compliance with the principles of loyal cooperation and transparency;
4. Considers that the EU agencies must live up to the highest standards of transparency towards the general public, thereby facilitating scrutiny of their activities;
5. Considers that the nature of scrutiny mechanisms may vary depending on the actual role and operational impact of the agency, including factors such as the agency's mission, budget and staff numbers, and the political sensitivity of its activities; believes that agencies granted greater operational competence, larger budgets and a larger staff must be subject to greater democratic oversight and scrutiny mechanisms, particularly where they are active in politically sensitive fields; calls therefore for those factors to be taken into account when streamlining governance and accountability mechanisms;
6. Believes that it is imperative to continue to improve relations between operational EU agencies and Member States to help bring greater efficiency and effectiveness both to the work of the agency and to national policies;
7. Points out that the Common Approach has not always been followed in the adoption or amendment of the founding acts of agencies; considers therefore that thought should be given to a binding agreement on the establishment and functioning of agencies;
8. Considers the current rules for missions to agencies (three Members every two years with missions strictly limited to green weeks and to the seat of an agency) as too rigid to allow for regular political contact between Parliament and an agency, this contact being a precondition for successful scrutiny by Parliament; proposes that committees should

be given greater flexibility to organise scrutiny or information visits to agencies, and in particular for visiting locations in which the agency carries out operational activities; proposes that at least one Member from each political group should be able to attend such missions;

9. Considers that the cooperation with the Joint Parliamentary Scrutiny Group on Europol should be strengthened; proposes that the Co-Chair or other relevant members of the Group should be invited to participate in Parliament's missions to Europol and to other agencies, where relevant;
10. Proposes that, given the problems encountered in obtaining sufficient, relevant and timely information from agencies, Parliament should, as a rule, be entitled to send an observer to the management board meetings of operational agencies; underlines that this proposal does not exclude the fact that agencies should have sufficient budgetary resources and qualified staff to carry out their mandates effectively.

INFORMATION ON ADOPTION IN COMMITTEE ASKED FOR OPINION

Date adopted	23.1.2019						
Result of final vote	<table style="width: 100%; border: none;"> <tr> <td style="width: 60%;">+:</td> <td style="text-align: right;">54</td> </tr> <tr> <td>–:</td> <td style="text-align: right;">0</td> </tr> <tr> <td>0:</td> <td style="text-align: right;">0</td> </tr> </table>	+:	54	–:	0	0:	0
+:	54						
–:	0						
0:	0						
Members present for the final vote	Asim Ademov, Martina Anderson, Monika Beňová, Malin Björk, Caterina Chinnici, Daniel Dalton, Agustín Díaz de Mera García Consuegra, Frank Engel, Tanja Fajon, Kinga Gál, Nathalie Griesbeck, Sylvie Guillaume, Monika Hohlmeier, Sophia in 't Veld, Eva Joly, Dietmar Köster, Barbara Kudrycka, Cécile Kashetu Kyenge, Juan Fernando López Aguilar, Monica Macovei, Roberta Metsola, Claude Moraes, Alessandra Mussolini, József Nagy, Judith Sargentini, Giancarlo Scottà, Csaba Sógor, Sergei Stanishev, Helga Stevens, Traian Ungureanu, Bodil Valero, Marie-Christine Vergiat, Cecilia Wikström, Kristina Winberg, Tomáš Zdechovský						
Substitutes present for the final vote	Carlos Coelho, Ignazio Corrao, Pál Csáky, Miriam Dalli, Gérard Deprez, Maria Grapini, Anna Hedh, Teresa Jiménez-Becerril Barrio, Jean Lambert, Gilles Lebreton, Jeroen Lenaers, Innocenzo Leontini, Angelika Mlinar, Emilian Pavel, Barbara Spinelli, Geoffrey Van Orden						
Substitutes under Rule 200(2) present for the final vote	Wajid Khan, Anthea McIntyre, Mylène Troszczynski						

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

54	+
ALDE	Gérard Deprez, Nathalie Griesbeck, Sophia in 't Veld, Angelika Mlinar, Cecilia Wikström
ECR	Daniel Dalton, Innocenzo Leontini, Anthea McIntyre, Monica Macovei, Helga Stevens, Geoffrey Van Orden, Kristina Winberg
EFDD	Ignazio Corrao
ENF	Gilles Lebreton, Giancarlo Scottà, Mylène Troszczynski
GUE/NGL	Martina Anderson, Malin Björk, Barbara Spinelli, Marie-Christine Vergiat
PPE	Asim Ademov, Carlos Coelho, Pál Csáky, Agustín Díaz de Mera García Consuegra, Frank Engel, Kinga Gál, Monika Hohlmeier, Teresa Jiménez-Becerril Barrio, Barbara Kudrycka, Jeroen Lenaers, Roberta Metsola, Alessandra Mussolini, József Nagy, Csaba Sógor, Traian Ungureanu, Tomáš Zdechovský
S&D	Monika Beňová, Caterina Chinnici, Miriam Dalli, Tanja Fajon, Maria Grapini, Sylvie Guillaume, Anna Hedh, Wajid Khan, Dietmar Köster, Cécile Kshetu Kyenge, Juan Fernando López Aguilar, Claude Moraes, Emilian Pavel, Sergei Stanishev
VERTS/ALE	Eva Joly, Jean Lambert, Judith Sargentini, Bodil Valero

0	-

0	0

Key to symbols:

+ : in favour

- : against

0 : abstention