



2019/2096(DEC)

21.1.2020

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
Asylum Support Office for the financial year 2018

(2019/2096(DEC))

Rapporteur for opinion: Roberta Metsola

PA_NonLeg

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. Recalls the importance of the European Asylum Support Office ('EASO' or 'the Office') for the development of the Common European Asylum System and emphasises the positive contribution of the Office to enhancing the practical cooperation of Member States on asylum in Europe, assisting Member States in fulfilling their obligations as regards giving protection to people in need, and in acting as a centre of expertise on asylum; stresses that the Office should always respect the sovereignty of Member States when carrying out its activities;
2. Recalls the irregularities at the Office reported by the European Anti-Fraud Office (OLAF) in 2017 and OLAF's recommendations of disciplinary action to the Office's Management Board, the decision of the Office's Management Board of 6 June 2018 to release the Executive Director from his duties with immediate effect, the designation of an ad interim Executive Director on 6 June 2018 and the appointment of a new Executive Director on 16 June 2019;
3. Welcomes the fact that the Court of Auditors ('the Court') has declared the transactions underlying the annual accounts of EASO for the financial year 2018 to be legal and regular in all material respects and that its financial position on 31 December 2018 is fairly represented; points out, however, that the Court has issued a qualified ('clean') audit opinion on the legality and regularity of the payments; notes the Court's explanation that the qualified opinion was issued in relation to the slow improvement of the unsatisfactory situation reported for 2017 as regards the Office's governance and internal control arrangements, reflected by another major irregular public procurement, and the legality and regularity of transactions;
4. Stresses the necessity for the Office to establish an internal audit capability along with an effective ex post verification policy in order to guarantee that all transactions are legal and regular;
5. Notes that EASO's budget was substantially increased from EUR 79 million to EUR 98 million (representing an increase of 24%) while the staff only increased from 200 to 207 (representing an increase of 3,5 %); is concerned by the Court's finding that contingency funds in EASO's budget to cover unforeseen and urgent operational needs were absent; calls on the Office to strengthen dialogue with the Commission and the budgetary authority regarding its operational planning and resource allocation, especially in light of the nature of EASO's operational activities; welcomes the acknowledgment of the Court that 30 out of 61 measures in the action plan were completed while 31 had an ongoing status; stresses that an efficient, fair and human treatment of asylum seeker applications is a Union priority; welcomes in this regard the intention of EASO to establish sound processes and timely planning for contingency situations;
6. Is alarmed by the Court's finding that the human resources situation at the Office had

deteriorated exponentially as of the end of 2017 and that the majority of vacancies, most notably for managers in the administration department, were still not filled at the end of 2018; regrets the fact that for at least two years in a row the human resources situation of the Office has not been resolved; urges the Office to take immediate action towards finding a permanent and sustainable solution for the matter; urges the Office to prioritise filling the vacant mid-management posts with highly qualified permanent staff, in order to train the other new staff members;

7. Regrets EASO's strong reliance on interim workers to compensate for the lack of seconded national experts, which Member States are obliged to send under Regulation (EU) No 439/2010 of the European Parliament and of the Council; notes that this reliance on interim workers, as opposed to the much-needed deployment of experts by Member States, might lead to EASO being unable to provide Member States with critical support to their asylum systems; calls on the Member States to comply with their obligations in relation to staff secondment; encourages the Office to follow up on the Court's recommendation to analyse, together with the budgetary authorities, the cost-efficiency of external staff in relation to statutory staff and whether the applicable legal framework is fully complied with, especially as regards working conditions; considers in any case that the staffing of EASO should be increased to allow the Office to properly perform its entrusted duties; welcomes, in this regard, the ambitious recruitment plan put in place in the meantime and its positive impact on the filling of vacant positions;
8. Deplores the Court's finding that the Office's adherence to the 5 % staff reduction target has led to shortages in the area of IT services both in Greece and Italy; notes with concern that the Office uses service contracts for the provision of IT and other consultancy services which were formulated in a way that could imply the assignment of interim workers instead of the provision of clearly defined services or products; recognises that the nature of the Office's operations makes it difficult to predict the timing and duration of relevant contracts but calls on the Office to ensure that contracts are formulated in a way that prevents any confusion between the procurement of IT services and of interim workers;
9. Notes EASO's replies to the observations of the Court and the efforts taken to address them under the new Executive Director by, inter alia, prioritising the conclusion of hosting arrangements with Italy, Greece and Cyprus concerning the accommodation of asylum support teams and other EASO forces in the Member States, increasing the transparency of recruitment procedures and reinforcing EASO's legal function in the course of 2019;
10. Welcomes the concrete and positive steps made by the Office in reforming its organisational governance through the EASO Governance Action Plan endorsed by the Management Board in 2018; notes that around half the corrective actions launched by the Office's management still need to be completed; welcomes, in particular, the remedial actions put in place regarding internal control standards; calls on EASO to further improve its internal control processes by devoting specific attention to introducing a 'sensitive posts policy', including a mitigation of control mechanisms and staff mobility to better manage risks associated with sensitive functions;

11. Notes the presentation by the Executive Director to the Management Board on 26 November 2019 of a new organigram; considers that a reorganisation of staff should contribute to strengthened internal control, quality assurance and risk management and to compliance with actions required by the Court and the Internal Audit Service of the Commission.

INFORMATION ON ADOPTION IN COMMITTEE ASKED FOR OPINION

Date adopted	13.1.2020
Result of final vote	+: 48 -: 8 0: 2
Members present for the final vote	Konstantinos Arvanitis, Malik Azmani, Pietro Bartolo, Nicolas Bay, Vladimír Bilčík, Vasile Blaga, Saskia Bricmont, Damien Carême, Caterina Chinnici, Tudor Ciuhodaru, Clare Daly, Lena Düpont, Cornelia Ernst, Sylvie Guillaume, Balázs Hidvéghi, Evin Incir, Sophia in 't Veld, Patryk Jaki, Assita Kanko, Fabienne Keller, Moritz Körner, Alice Kuhnke, Jeroen Lenaers, Juan Fernando López Aguilar, Roberta Metsola, Javier Moreno Sánchez, Maite Pagazaurtundúa, Kostas Papadakis, Nicola Procaccini, Emil Radev, Paulo Rangel, Terry Reintke, Ralf Seekatz, Michal Šimečka, Birgit Sippel, Sylwia Spurek, Tineke Strik, Ramona Strugariu, Tom Vandendriessche, Bettina Vollath, Ann Widdecombe, Elena Yoncheva, Javier Zarzalejos
Substitutes present for the final vote	Damian Boeselager, Patrick Breyer, Delara Burkhardt, Lucia Ďuriš Nicholsonová, Monika Hohlmeier, Beata Kempa, Ondřej Kovařík, Kris Peeters, Robert Roos, Miguel Urbán Crespo, Loránt Vincze, Petar Vitanov, Axel Voss, Maria Walsh
Substitutes under Rule 209(7) present for the final vote	Lukas Mandl

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

48	+
PPE	Vladimír Bilčík, Vasile Blaga, Lena Düpont, Balázs Hidvéghi, Monika Hohlmeier, Jeroen Lenaers, Lukas Mandl, Roberta Metsola, Kris Peeters, Emil Radev, Paulo Rangel, Ralf Seekatz, Loránt Vincze, Axel Voss, Maria Walsh, Javier Zarzalejos
S&D	Pietro Bartolo, Delara Burkhardt, Caterina Chinnici, Tudor Ciuhodaru, Sylvie Guillaume, Evin Incir, Juan Fernando López Aguilar, Javier Moreno Sánchez, Birgit Sippel, Sylwia Spurek, Petar Vitanov, Bettina Vollath, Elena Yoncheva
RENEW	Malik Azmani, Sophia in 't Veld, Fabienne Keller, Moritz Körner, Ondřej Kovařík, Maite Pagazaurtundúa, Michal Šimečka, Ramona Strugariu
VERTS/ALE	Damian Boeselager, Patrick Breyer, Saskia Bricmont, Damien Carême, Alice Kuhnke, Terry Reintke, Tineke Strik
ECR	Lucia Ďuriš Nicholsonová
GUE/NGL	Konstantinos Arvanitis, Clare Daly, Miguel Urbán Crespo

8	-
ID	Nicolas Bay, Tom Vandendriessche
ECR	Patryk Jaki, Assita Kanko, Beata Kempa, Robert Roos
NI	Kostas Papadakis, Ann Widdecombe

2	0
ECR	Nicola Procaccini
GUE/NGL	Cornelia Ernst

Key to symbols:

+ : in favour

- : against

0 : abstention