RESOLUTION (EU) 2020/1924 OF THE EUROPEAN PARLIAMENT

of 14 May 2020

with observations forming an integral part of the decision on discharge in respect of the implementation of the budget of the Agency for the Cooperation of Energy Regulators (now European Union Agency for the Cooperation of Energy Regulators) for the financial year 2018

THE EUROPEAN PARLIAMENT,

— having regard to its decision on discharge in respect of the implementation of the budget of the Agency for the Cooperation of Energy Regulators for the financial year 2018,

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

— having regard to the report of the Committee on Budgetary Control (A9-0052/2020),

A. whereas, according to its statement of revenue and expenditure [1], the final budget of the Agency for the Cooperation of Energy Regulators (the 'Agency') for the financial year 2018 was EUR 13 562 000, representing an increase of 2,18 % compared to 2017; whereas the entire budget of the Agency derives from the Union budget [2];

B. whereas the Court of Auditors (the 'Court'), in its report on the Agency's annual accounts for the financial year 2018 (the 'Court's report'), states that it has obtained reasonable assurances that the Agency's annual accounts are reliable and that the underlying transactions are legal and regular;

Budget and financial management

1. Notes with satisfaction that budget monitoring efforts during the financial year 2018 resulted in a budget implementation rate of 99,26 %, exceeding the Agency's planned target and representing an increase of 0,54 % compared to 2017; notes with appreciation that the payment appropriations execution rate was at 79,73 %, representing an increase of 3,92 % compared to 2017;

Performance

2. Notes that the Agency continues to use certain measures as key performance indicators to assess the added value provided by its activities, in particular to estimate the impact of network codes and guidelines, and to improve its budget management;

3. Notes the Agency's success in implementing Regulation (EU) No 1227/2011 [3] and in accompanying and monitoring the shift in the implementation of the already adopted network codes in electricity and gas;

4. Welcomes the fact that the Agency has outsourced accounting services to the Commission and shares resources with other agencies in the areas of human resources management, information and communication technology management, budget and finance, procurement and facility management; considers this initiative to be a worthwhile example for other Union institutions to follow; encourages the Agency to explore ways of resources sharing on overlapping tasks among other Union agencies with similar activities; strongly encourages the Agency to actively seek further and broader cooperation with all Union agencies;

5. Encourages the Agency to pursue the digitalisation of its services;

Staff policy

6. Notes that, on 31 December 2018, the establishment plan was 95,52 % executed, with 64 temporary agents appointed out of 67 temporary agents authorised under the Union budget (compared to 68 authorised posts in 2017); notes that in addition 22 contract agents and four seconded national experts were working for the Agency in 2018;

[1] OJ C 108, 22.3.2018, p. 167.
[2] OJ C 108, 22.3.2018, p. 168.
[3] Regulation (EU) No 1227/2011 of the European Parliament and of the Council of 25 October 2011 on wholesale energy market integrity and transparency (OJ L 326, 8.12.2011, p. 1).

7. Notes the concerns of the Agency about the inadequate additional resources envisaged for the implementation of the 'Clean Energy for All Europeans' package, in terms of staff numbers, timing and grades and that the allocation of staff includes a disproportionately large share of contract agent positions (14) compared to the number of temporary agents (only 4), despite the complexity of the new tasks assigned to Agency; notes that, according to the Agency, it will not, in such a situation, be able to properly fulfil its extended mandate without the assignment of additional resources;

8. Reiterates its concern about the lack of gender balance among the Agency's senior and middle management members of staff (five men and one woman); raises concerns about the geographic imbalance; asks the Agency to take measures to ensure better gender and geographic balance in its senior and middle management;

9. Regrets the lack of gender balance on the Agency's management board, with 12 out of 17 members being of the same gender;

10. Asks the Agency to report back to the discharge authority on the figures for harassment cases in total and report back on the results of closed harassment cases;

Procurement

11. Notes from the Court's report that in 2018 the Agency introduced e-submission, but had not yet introduced the e-tendering or e-invoicing tools developed by the Commission to introduce a single solution for the electronic exchange of information with third parties participating in public procurement procedures (e-procurement); calls on the Agency to introduce all of the necessary tools to manage procurement procedures and report to the discharge authority on the progress made in that field;

Prevention and management of conflicts of interests and transparency

12. Acknowledges the Agency's existing measures on and ongoing efforts to secure transparency, the prevention and management of conflicts of interests, and the protection of whistleblowers;

13. Notes the further steps taken in order to enhance the transparency of the Agency's activities by reporting the meetings that the Agency's staff have with external stakeholders, namely, the director's meeting with organisations and self-employed individuals, and their availability on the Agency's website since January 2018;

Internal controls

14. Notes that the Agency adopted its own internal control framework in December 2018; calls on the Agency to report to the discharge authority on the implementation of those internal control standards;

15. Notes that the Commission's internal audit service (IAS) conducted a full risk assessment, including with regard to IT, in 2016 resulting in a new strategic audit plan for the Agency for the period 2017 to 2019 and formulated the audit topics for the following planning period; notes that in 2018 the IAS performed an audit on IT security in the Agency and information security in the 'REMIT' domain and that the Agency prepared an action plan, scheduled for implementation in 2019, to address the recommendations contained in the final audit report; calls on the Agency to report to the discharge authority on developments in that regard;

Other comments

16. Welcomes the fact that the Agency carried out a formal analysis in 2018 of the likely impact of the United Kingdom's decision to withdraw from the Union on its organisation, operations and accounts;

17. Calls on the Agency to disseminate the results of its research to the public and to reach out to the public by means of the social media and other media outlets;

18. Refers, for other observations of a cross-cutting nature accompanying its decision on discharge, to its resolution of 14 May 2020 ([4]) on the performance, financial management and control of the agencies.

([4]) Texts adopted, P9_TA(2020)0121.