RESOLUTION (EU) 2022/1704 OF THE EUROPEAN PARLIAMENT

of 4 May 2022

with observations forming an integral part of the decision on discharge in respect of the implementation of the general budget of the European Union for the financial year 2020, Section VI – European Economic and Social Committee

THE EUROPEAN PARLIAMENT,

— having regard to its decision on discharge in respect of the implementation of the general budget of the European Union for the financial year 2020, Section VI – European Economic and Social Committee,

— 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 (A9-0079/2022),

A. whereas the European Economic and Social Committee (the 'Committee') represents and engages with social partners and civil society organisations from the Member States in the Union decision-making process and pursues its mission of better law making and strengthening Union democracy from the bottom up;

B. whereas the Committee's mission pursues three key objectives, namely (i) ensuring adequate links between Union policies and the economic, social and civic circumstances on the ground; (ii) promoting the development of a more participatory Union; and (iii) promoting the values on which European integration is founded;

C. whereas social partners and civil society organisations have been at the forefront of fighting the COVID-19 pandemic in the Union, discussing shortcomings and proposing specific measures, and, thus, can greatly contribute to the success of the implementation, monitoring and adjustment of the Union recovery plans;

D. whereas the consultation of the Committee by the Commission or the Council is mandatory in certain cases, and the Committee may also adopt opinions on its own initiative while enjoying a wide area for referral as defined by the Single European Act, the Maastricht Treaty and the Amsterdam Treaty, allowing it to be consulted by Parliament;

E. whereas, following the outbreak of the COVID-19 pandemic and given the situation in the Union, the Committee decided that all its work would take into account the impact of the COVID-19 pandemic on the economy and society in general;

F. whereas the Committee took advantage of its Liaison Group, a network of umbrella civil society organisations, to discuss the challenges they had faced in dealing with the COVID-19 pandemic, to summarise their requests related thereto and to call for a key role in designing the Union's recovery plan to be able to guide decision-makers in addressing the economic impact of the crisis;

G. whereas the COVID-19 pandemic meant it was necessary for the Committee to review and adapt its internal functioning and work methods in order to continue to fulfil its mission;

1. Notes with satisfaction that the Court of Auditors (the 'Court') identified no significant weaknesses in respect of the audited topics related to human resources (HR) and procurement for the Committee;

2. Emphasises the fact that, on the basis of its audit work, the Court concluded that the payments as a whole for the administrative expenditure of the institutions, including that of the Committee, for the financial year 2020 were free from material error; welcomes the fact that no specific issues relating to the regularity of the transactions were detected by the Court;

3. Is aware that Chapter 9 'Administration' of the Annual Report of the Court is focused on expenditure on HR, buildings, equipment, energy, communication and information technology and that the Court indicates that such spending is low-risk;

Budgetary and financial management

4. Notes that the Committee budget for 2020 amounted to EUR 142,5 million (a 4,22 % increase compared to the 2019 budget), of which EUR 130,9 million was spent or carried forward to 2021 as commitments;

5. Notes that the execution rate in 2020 was 91,8 % (compared to 98,1 % in 2019); is aware that, following the outbreak of the COVID-19 pandemic, several budget lines were impacted (members' travel costs and allowances, interpretation, staff missions and the organisation of events and hearings), in terms of both a reduced use of appropriations and necessary additional expenditure;

6. Notes that to address the remaining amounts in the budget lines affected by the outbreak of the COVID-19 pandemic, the Committee initiated transfers earlier in 2020, resulting in an exceptionally high total transfer amount of approximately EUR 12,5 million; observes, however, that the execution of appropriations carried forward from 2019 to 2020 was slightly lower than in 2019: 79,2 % (EUR 6,9 million) in 2020 compared to 82,1 % (EUR 7,1 million) in 2019;

7. Notes the decision of 28 April 2020 of the Committee's bureau on 'One-time increase in the IT co-financing allowance for Members' that entitled qualifying members (i.e. those who attended at least 50 % of the meetings to which they had been invited) to receive EUR 2 500 for each of the two annual instalments in 2020 (instead of EUR 1 500 for each of the two instalments in any other year); calls on the Committee to give information about this one-time increase in the section dedicated to members' travel expenses and allowances on its website; notes that the objective of that decision was to enable members to afford efficient and stable electronic means to communicate and attend meetings; points out that a portable PC was also offered to members; notes that the actual spending of the IT co-financing allowance for Members in 2020 was EUR 1 443 500, out of which EUR 578 000 represents that increase; draws attention, with regard to sound financial management, to the fact that the IT co-financing allowance is a flat-rate allowance not based on actual costs meaning that members are not asked to provide supporting documents in order to obtain that allowance;

8. Reiterates its regrets regarding the decision of 9 June 2020 of the Committee's bureau allowing members to claim the usual daily subsistence allowance for having participated in Committee meetings remotely; notes that the objective of that decision was to compensate members for the time spent in the performance of their duties and for the related administrative costs, but notes that it damages the reputation of the Committee in the eyes of the citizens; takes note that the Committee's proposal for a specific daily allowance for remote attendance of meetings (EUR 145 compared to the standard allowance of EUR 290) could not be put into practice until the Council's adoption of that proposal and its subsequent entry into force on 1 July 2021; understands that none of those decisions covered reimbursements in addition to the daily subsistence allowance, thus excluding the reimbursement of travel costs and allowances; notes that the total cost of the daily subsistence allowance in 2020 was EUR 4 440 099 of which EUR 2 270 700 was for remote participation and EUR 2 169 399 for physical participation; acknowledges that the budgetary authorities were notified of each relevant decision of the bureau; reiterates its call on the Committee to look into new remuneration practices to ensure fair and proportionate remuneration for members which is not based solely on reimbursements or allowances; asks the Council to align the Committee's decision-making powers regarding remuneration with that of the Committee of Regions;

9. Notes that the Committee's travel agency applies ceilings for travels between Brussels and the main European cities; asks the Committee what it does to encourage its members and its travel agency to adopt smart booking practices for travelling;

10. Notes that in 2020 the Committee, as the lead institution, organised eight calls for tenders open to competition with a value above EUR 15 000; observes that the tender for joint security guard services for the Committee and the Committee of the Regions (the 'CoR') amounted to approximately EUR 24 million, becoming the highest-value tender for the Committee in 2020;

Internal management, performance, internal control

11. Remarks that the integrated business analysis project (IBIP) was launched to identify the root cause of budget variances by carrying out a comparative analysis of the budget and the real costs related to activities such as meetings, events, conferences etc.; notes that the first part of the IBIP aims to capture and map underlying processes, which paves the way for the second part of the project that will focus on improvements and re-engineering of processes; asks the Committee to report on the costs and savings associated with the IBIP;

12. Notes that the Committee issued 131 opinions, position papers and information reports in 2020 (compared to 127 in 2019); takes into account that, due to the difficulties in adopting opinions via referrals within the tight interinstitutional deadlines at the beginning of the COVID-19 pandemic, the Committee adopted, prior to the approval of its amended procedure, 13 position papers in response to referrals to ensure an effective and timely contribution to the Union response; asks the Committee to for a report on its respect of interinstitutional deadlines and possible delays over the last five years;

13. Notes that the new organisational chart entered into force on 1 January 2020, introducing important changes such as the creation of a directorate for communication and interinstitutional relations and moving the legal service to be under the secretary-general of the Committee; is concerned that the reorganisation does not provide the legal service with the independence it requires to work efficiently; asks the Committee to reconsider its reorganisation;

14. Notes the adoption of Decision No 078/21 of the Committee establishing a procedure for consulting its legal service; is concerned about the weak and imprecise wording which states that the legal service 'is informed and/or consulted before measures relating to serious irregularities are adopted' as mere information is not sufficient; reiterates once more its firm call for internal procedures providing for the timely and mandatory consultation with the legal service on such irregularities and their related measures with the aim of mitigating the legal risk of decisions related thereto; reminds the Committee that the legal service must be able to assess independently all the decisions taken by the Committee's management and must be provided with sufficient resources and the requisite prerogatives to perform its tasks successfully in the interest of the Committee;

15. Notes the Committee's efforts in disseminating its opinions together with other reports and activities that also contribute to achieving its mission; acknowledges that the Commission's impact assessment regularly takes into account the Committee's opinions, but Parliament remains concerned by the impact of the Committee's work; calls, therefore, on the Committee to ensure that every opinion is shared with the members of the relevant committees of Parliament and to officially and systematically request a speaking slot at the presentation of Parliament's draft reports, in line with the cooperation agreement between Parliament and the Committee; invites the Committee to involve Parliament rapporteurs during the preparation of opinions, in order also to strengthen the political cooperation with Parliament; recommends that the Committee carries out a more quantitative and qualitative impact analysis of its opinions; urges, therefore, the Committee to reinforce the staff working in the areas of legislative work and inter-institutional relations;

16. Notes that in 2020, the Committee organised four training sessions on risk assessment for members of staff, including middle management, with a participation of around 15 % of the members of staff as well as coaching sessions for each directorate to help them assess the impact of risk scenarios on their annual objectives; notes that at the end of 2020, a register was set-up linking objectives, risks and control measures for each directorate;

17. Notes with concern that the shortage of staff in the Committee's internal audit sector (IAS) has a negative impact on the assurance that the internal auditor is able to provide; recalls that according to the Court's 2019 annual report, the Committee has not carried out a comprehensive risk assessment since 2014, and is concerned that the only global risk assessment is based almost exclusively on information obtained by the IAS; urges the internal audit committee to remedy that situation; notes that the drafting of a charter and an audit manual further defining working methods and procedures is ongoing; once again asks the Committee to report on the main findings of the internal audit report on ethics, already requested in 2019;

18. Notes that at the end of 2020 the Committee launched its annual exercise to assess compliance with the internal control standards and that the 2020 questionnaire was revised; recalls that two follow-up actions were postponed from the 2019 exercise to the 2020 exercise, namely (i) a formal assessment of sensitive functions, which was adopted in December 2021; and (ii) the implementation of a multiannual internal communication strategy; regrets, due to the crucial importance of that action, that the reflections on the communication strategy are still ongoing, and that the action was postponed to 2021; notes that, from the 2020 exercise, the registration and centralisation of procedures by all directorates was planned for 2021;

19. Appreciates that in addition to the multi-layered preventive controls, it is foreseen as part of the reimbursement process that all claims will be checked by a financial initiating agent and subsequently re-scrutinised by a functionally independent verification agent and that all payments will then be authorised by a duly entrusted authorising officer at managerial level;

Human resources, equality and staff well-being

20. Notes that at the end of 2020 the total number of staff employed by the Committee was 702, the same number as at the end of 2019, and that the occupation rate of its establishment plan posts was 95,6 %, which is slightly lower than in previous years; is concerned about the Committee's growing workload, which may affect the well-being of staff;

21. Regrets the number of long-lasting vacancies for middle and senior management posts (five vacancies of seven months or longer), of managers in 'ad interim' posts (two managers in 'ad interim' posts longer than seven months) despite the rules in place, and of managers in double posts 'in the interest of the service' (six managers in double posts longer than seven months); regrets that in 2020, two selection procedures were cancelled and republished, while one selection procedure was closed without appointment and is the subject of a complaint to the European Ombudsman (the Ombudsman); observes with concern that 23 positions are occupied after the expiration of the mobility deadline; is concerned that those situations may contribute to a negative perception of the Committee's HR management and thus increase the difficulties in recruitment; asks the secretary-general, as the highest administrative authority within the Committee, to carry out a complete assessment of the situation and report to the budgetary authorities;

22. Notes that in 2020 the Committee identified the inability to find adequate members of staff as an internal cross-cutting issue; encourages the Committee to explore ways of increasing the attractiveness of the Committee as an employer and the interest of potential applicants, and to enhance collaboration with the European Personnel Selection Office, i.e. to create a reserve lists of qualified candidates; is aware of the publication of detailed job descriptions in Sysper for all posts at the Committee's secretariat in order to increase transparency and support a more streamlined allocation of responsibilities; strongly appeals to the Committee's secretary-general to enhance transparency in appointing selection panels, especially in recruitment procedures for management positions, and to halt the creation of so-called 'equivalent' positions that makes accountability more opaque and creates suspicions about the compliance with the principle of equal treatment; calls for actions to respond to the career expectations of staff, such as a review of the Committee's mobility decisions, investing in training for staff and providing career counselling;

23. Notes that in recent years the percentage of staff making use of flexible working arrangements has fluctuated between approximately 29 % and 34 %, with a significant decrease in 2020 that can be explained by a combination of the measures related to the COVID-19 pandemic, in particular the mandatory confinement, and the exemption from working-time registration adopted by the Committee; notes with concern that the proportion of men using flexible working patterns in 2020 was one fifth, remaining approximately the same as the proportion in 2019; calls on the Committee to adopt validated good practices in this area, such as information sessions for newcomers, individual advice provided by equal opportunity officers or a dedicated space on the intranet, as well as to ensure that making use of the available working arrangements does not penalise in any way the career progression of the employees in question; welcomes that persons in registered partnerships can benefit from parental leave and flexible working-time possibilities for parents with young children;

24. Appreciates that teleworking was extended and rolled out to all members of staff, apart from members of staff carrying out critical tasks that requires presence on the premises; notes that staff received a regular newsletter with tips and tricks, in addition to specific self-care oriented actions, to help them cope with the long period of teleworking;

25. Notes that at the end of 2020, the 702 members of staff employed by the Committee were made up of 458 women and 244 men; observes that the percentage of women occupying middle management posts decreased from 48 % in 2019 to 47 % in 2020, including acting heads of unit; observes with concern a steeper decrease in senior management posts from 57 % in 2019 to 40 % in 2020, including deputy directors; points out that this trend goes against the increasing number of women at AD level or equivalent in non-management posts (63,3 % in 2020, compared to 62,2 % in 2019 and 60,6 % in 2018); disagrees with the inclusion of acting or deputy posts in the figures due to their temporary nature and because in a relatively small institution one appointment may distort the overall ratio;

26. Encourages the Committee to explore specific incentives and measures successfully implemented in other entities to promote women's access to management posts, such as the formal recognition of management responsibilities below head of unit level, mentoring support and pre-managerial training courses; recalls the several measures to enhance gender mainstreaming in political and administrative work that have been discussed and identified by Parliament's Committee on Women's Rights and Gender Equality; believes that the Committee should set more ambitious targets on gender balance to make the working environment fairer and more diverse and attractive; suggests the appointment in its HR department of an equal opportunity officer to facilitate actions on the ground in this regard;

27. Notes that the Committee employs staff from all Member States; observes that, as regards the geographical distribution of managers, only 15 % of managers were from EU-13 Member States in December 2020 (compared to 19 % in 2019); calls on the Committee to make significant progress and to take steps to reach geographical balance within its staff so that a proper representation of nationals from all Member States, including at management level, reflecting their diversity, is achieved, as indicated in Article 27 of the Staff Regulations;

28. Notes that, to safeguard personal data, no data on staff with disabilities is gathered but points out that a real assessment of the situation and the elaboration of adequate policies in that area is hindered as a result; notes that the Committee applies the reasonable accommodation principle to provide ergonomic furniture and IT equipment to create a suitable working environment; welcomes the fact that the joint buildings strategy of the Committee and the CoR takes disability fully into account;

29. Notes the evaluation of the action plan on equal opportunities and diversity 2017-2020 and expects that to provide valuable input for further suitable and concrete measures; calls on the Committee to also take into account the lessons learnt from the COVID-19 pandemic when drafting a new action plan;

30. Welcomes that, in 2020, the Committee finally adopted an individualised approach to prevent cases of burnout that, together with general measures, included proactive contact with the members of staff at risk, flexible working schedules (without time registration), a newsletter with tips and tricks, and specific communication actions; is disappointed that the Committee has not been able to quantify how many cases involving work-related burnout symptoms there have been among its members of staff; calls on the Committee to go beyond awareness-raising actions and adopt validated good practices in relation to, inter alia, workload management, communication and conflict solving training for managers or a return-to-work policy that takes into account the specificities related to that particular burnout;

31. Notes that the Committee hosted 48 long-term trainees, all awarded with a monthly grant (including 14 traineeships suspended because of the COVID-19 pandemic which then resumed in the autumn of 2020 and are counted twice); observes that all trainees were provided with adequate IT tools and benefited from the working arrangements in force for the members of staff of the Committee but regrets that, out of five short-term trainees, three were not entitled to any financial contribution whatsoever apart from insurance policy; reiterates the call on the Committee to make sure that all of its trainees receive a decent remuneration;

32. Recalls the investigation carried out by the European Anti-Fraud Office (OLAF) in 2018 and 2019 with regard to the harassment case involving the former president of Group I, opened after years in which the shortcomings of the internal proceedings and the unjustifiable inaction by the administrative hierarchy prevented a better resolution of the case; deeply regrets that the Committee's secretary-general still refuses to admit internal shortcomings and responsibilities, leading to a breach of duty of care towards the Committee's staff; acknowledges that the decision of the Committee's bureau of 9 June 2020 requested the said member to withdraw his candidacy for the Committee presidency and discharged that member from all staff management activities; stresses that OLAF issued disciplinary and judicial recommendations and that, following the latter, the Belgian prosecutor opened a criminal case; is aware that that member appealed the decision of the Committee's bureau to the Court of Justice but lost the action; highlights that the said member still does not acknowledge or regret his wrongdoings, which demonstrates a complete lack of self-reflection and respect for the victims concerned;

33. Is deeply concerned that the former president of Group I was appointed by the Council as a member for a new mandate; acknowledges that Article 302 of the Treaty on the Functioning of the European Union grants the Council the exclusive power to appoint Committee members after consultation with the Commission and on the basis of the list of candidates proposed by the Member States; acknowledges, therefore, that the Committee does not have a formal role in the decisions taken by the Council to appoint Committee members; regrets that the Committee cannot be consulted in the appointment of its own Members; emphasises that it is in the interest of the proper functioning of the Committee that the Council and Commission are properly informed about candidates during the appointing procedure; requests a revision of the appointment procedure to allow the Committee to take a more active approach with respect to the appointment of its members; welcomes the Committee's willingness to be more involved in the appointing procedure and to bring this to the attention of the Commission;

34. Notes the decision of the Committee's bureau of 9 June 2020 with regard to the Committee joining the procedure before the Brussels Criminal Court as a civil party; notes that the immunity of the member in question was waived in the previous mandate upon request by the Brussels Labour Auditor and urges the Committee to promptly adopt all the necessary measures to facilitate the pending action before the Belgian judicial authorities; expects that the concerned parties will be held to account and asks to be informed about the proceedings;

35. Is aware that settlement agreements have been reached with the two victims of moral harassment, who are still working at the Committee, but regrets that one of those victims still awaits the final execution of the settlement; takes note of the fact that in April 2022 the Committee declared to Parliament's Committee on Budgetary Control that the single pending point of the agreement is directly linked to an upcoming organigramme change to be decided with the Committee of the Regions, and that both parties agreed that the alternative solution embedded in the settlement agreement should not be triggered to date; calls on the Committee to promptly execute and report on the effective enforcement of those settlement agreements as legally required;

36. Regrets that since the virtual meetings between the two victims of serious misconduct and the president of the Committee in March 2021, the Committee has not yet reached settlement agreements with the victims, and regrets that the actions taken by the management of the Committee have been neither effective nor decisive; rejects the view of the Committee's secretary-general that the fact that those two victims are no longer working at the Committee is a valid justification for not having reached settlement agreements; reminds the Committee of the several communications that were sent by the victim that left the Committee in 2017; emphasises that that victim did not see any initial proposal from the administration until mid-2021, whereas the complaints to the secretary-general of the Committee date back to early 2019, and therefore strongly condemns the statement by the secretary-general indicating that the delay of the settlement was the fault of the victim; notes that the victim of serious misconduct who is a former Committee member made several requests to the president of the Committee during the virtual meeting in March 2021, including a request for a public apology from the Committee to the victims, full settlement of compensation for the victims and an external investigation into harassment within the Committee; deeply regrets that the victims who are in a vulnerable situation have again been forced to publicly deny the statements made by the Committee's secretary-general to Parliament; takes note that in April 2022 the Committee

declared to Parliament's Committee on Budgetary Control that the measures agreed during the said meeting have been implemented or are being implemented; notes the public statement of the President of the Committee of 13 April 2022 reiterating her official apology on behalf of the Committee to all the victims of the case;

37. Notes that the settlement agreements aim to cover moral damages, legal costs and impact on careers; is concerned that the individual negotiations at different stages of the case might result in imbalanced agreements for the victims because the cases are handled differently; urges the Committee to establish and execute suitable and fair settlement agreements for all the concerned victims as soon as possible; regrets that the Committee still fails to accept responsibility or conduct an external investigation to review the seriousness of the abuse, and urges the Committee, as was promised by the management of the Committee, to conduct such an investigation and to publicly apologise to all the victims of misconduct and moral harassment by the former president of Group I; urges the Committee to take all necessary measures immediately when a case arises and to put in place specific measures to prevent all potential cases of harassment in the future; recalls the importance of a compulsory training on the zero-harassment policy for staff;

38. Reminds the Committee that the victim who is a former member was also the whistleblower that alerted the Union institutions about the conduct of the former president of Group I; condemns that, contrary to Directive (EU) 2019/1937 of the European Parliament and of the Council ([1]) and the Committee's rules on whistleblowing ([2]), the Committee failed to protect the identity of the whistleblower; strongly disapproves that both the former president of the Committee and the former director of human and financial resources, now the secretary-general of the Committee, attempted to take legal action against the whistleblower;

39. Welcomes the new multi-layered system of communication offered to whistleblowers (direct superior, OLAF and an external authority) established in July 2021 together with the guidance and support of the ethics counsellors;

40. Notes with concern that while it is provisionally estimated in 2020 that compensation and legal fees would cost the Committee approximately EUR 150 000, it is not yet possible to exactly quantify the final total amount of funds spent in previous years or expected to be spent on this case in the future; urges the Committee, working together with its legal service, to adopt all necessary measures to finalise this case, including claiming back from the perpetrator the corresponding amounts compensated to the victims by the Committee; regrets the low expectations for recovering the amount of public money spent and asks the Committee to provide Parliament with a detailed estimate of the amounts it hopes to recover;

41. Recalls that Parliament refused to grant discharge to the Committee's secretary-general for the financial year 2018, on the grounds, inter alia, of a flagrant breach of the administration's duty of care and of inaction, along with financial consequences, and was deeply disappointed about the lack of decisive action, in particular preventive and corrective measures, by the then director of human and financial resources, now the secretary-general, of the Committee until discharge for 2018 was refused;

42. Recalls that Parliament had asked the president of the Committee, in the context of the 2019 discharge, to play an active role in negotiating a settlement with the victims, with the aim of reaching a fair and satisfactory agreement between all parties, and preventing any conflicts of interest and for the Committee to publicly apologise to the victims, something that, unfortunately, did not happen;

43. Regrets that there were six requests for assistance related to possible cases of harassment in 2020, which proves that the preventive measures in place need to be reinforced; is aware that three of those requests are related to the case of the former president of Group I, which was referred to the Belgian judicial authorities; notes that one case was closed and one other case is also before the Belgian judicial authorities; with concern, draws attention to the fact that one

([1]) Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of Union law (OJ L 305, 26.11.2019, p. 17).

([2]) EESC Decision No 053/16 A of 2 March 2016, Art. 9(1).

request was still under enquiry internally in November 2021, which makes Parliament reiterate that, while due process and individual rights must be respected, the lapse of time operates against the victims and, thus, urges the Committee to advance the treatment of that request without further delay and to report on the handling of this case;

44. Is aware of the harassment case reported to the Committee by a whistleblower and transmitted to OLAF in August 2020 that concerns member of staff of the CoR working in the joint services and also contains allegations of mismanagement and financial irregularities; calls on the Committee and the CoR to jointly report to Parliament about the outcome of the investigation by OLAF, as well as any further internal verification or measure pending investigation;

45. Notes that the decisions on harassment and on whistleblowing were reviewed in 2020 and regrets that the new decisions, due to be adopted in 2021, were delayed; reiterates the importance of the principle of duty of care towards staff which includes the protection of whistleblowers and the prevention of any form of harassment, as well as clear and strong protection and support measures for victims; urges the Committee to apply uniform procedures for dealing with cases of harassment so that there are no differences between victims and to ensure equal treatment of the accused independently of factors such as the hierarchical level; reminds the Committee that the fact that the Staff Regulations cannot be imposed on a member of the Committee cannot be regarded as an excuse for inaction; takes note of the fact that in April 2022 the Committee declared to Parliament's Committee on Budgetary Control that the revised decisions on whistleblowing and on harassment entered into force on 15 December 2021 and 4 April 2022 respectively;

46. Is aware of three OLAF investigations involving the Committee, of which one closed in 2020 without finding evidence to indicate any responsibility on behalf of the member of staff concerned, and two are still ongoing, one of which was opened in 2019 and the other in 2020, as well as one selection case that was dismissed also in 2020 without the initiation of any investigation;

47. Reiterates that any unethical behaviour by staff and members of the Union institutions and bodies hinders the sound management of the Union's funds and negatively impacts citizens' trust in the Union as a whole; observes with concern that, while a far-reaching overdue revision of the internal ethical framework is in process, it is undeniable that a serious breach of the Committee's duty of care towards its members of staff has persisted for too long, creating a regrettable culture of impunity and harassment as a result of reprehensible managerial styles, illustrated by, among other elements, the recurrent emergence of requests for assistance and cases reported to OLAF; regrets that its unambiguous calls for an internal exercise of accountability have been consistently ignored and insists on the need for an external and independent investigation to determine the responsibility of the administrative hierarchy of the Committee; and, where applicable, apply Article 22 of the Staff Regulations; requests an external investigation to review the Committee's HR procedures and effectiveness thereof with a focus on addressing harassment claims and ensuring the well-being of staff;

Ethical framework and transparency

48. Notes the creation of an internal working group entrusted with a long overdue revision of the Committee's ethical framework as a whole; is aware that the working group drafted an action plan that was adopted in January 2021 and prompted revisions to the Committee's code of conduct; calls on the Committee to report to Parliament about the outcome of this analysis, the action plan and the implementing actions;

49. Notes that a dedicated group of members of the Committee was entrusted with the mandate to review the code of conduct for members, including reinforcing prevention measures and possible sanctions, following the new Committee term of office in October 2020; believes that the code of conduct has to be based on the experience learnt following the harassment case, refer to the principles endorsed by the General Court in its rulings and by the Ombudsman in her recommendations, and include a specific, quick complaint procedure that protects victims from the outset, along with a clear and enforceable sanction system; is aware that the new code of conduct was adopted in January 2021 and that a detailed brochure on its implementation has been made available to the members; calls on the Committee to use validated good practices to raise awareness among members and alternates and, in the long term, improve the internal culture of the Committee on ethical issues;

50. Points out that the new code of conduct includes an expulsion procedure according to which expulsion shall be decided by the assembly on the basis of a proposal put forward by the bureau and shall be notified to the Council so that a replacement procedure can be initiated; welcomes that the revised rules of procedures are aligned with the expulsion provisions as laid down in the code of conduct and is aware that the ongoing revision of the rules of procedures of the Committee is required to make use of that expulsion procedure feasible; calls on the Committee to inform Parliament about those revisions quickly and encourages the Committee to engage in explorative talks with the Commission on the possibility of amending the relevant provisions in force;

51. Is aware of the four complaints handled by the Ombudsman in 2020 that concerned lack of transparency, refusal of access to documents and, in two cases, omissions to reply to a request; notes that at least one of those enquiries concerned reimbursement and allowances; condemns the lack of transparency and urges the Committee to communicate fully and transparently on this matter;

52. Asks the Committee to further engage in awareness-raising actions regarding the ethical framework and whistleblowing procedures; welcomes the mandatory training course on ethics and integrity for all members of staff including newcomers following a decision adopted in 2021; calls on the Committee to make this training mandatory for members and managers; welcomes the creation of a post as coordinator on ethics within the Committee's Directorate for Human Resources and Finances supported by a new team of ethics counsellors; appreciates the signature of a new service level agreement with the Commission's Investigation and Disciplinary Office (IDOC) to professionalise administrative enquiries;

53. Acknowledges that the Agreement between the European Parliament and the European Commission on the transparency register for organisations and self-employed individuals engaged in EU policymaking and policy implementation ([3]) and the Interinstitutional Agreement of 20 May 2021 between the European Parliament, the Council of the European Union and the European Commission on a mandatory transparency register ([4]) allow for the voluntary involvement of Union institutions, bodies, offices and agencies; objects to the dismissal by the Committee of the use of the Transparency Register on the grounds that the Committee is a consultative body; urges the Committee to join the Transparency Register with a view to improving the transparency of its interactions with external interest representatives;

54. Notes that the setting up of an internal ombudsman is one of the key measures in the action plan adopted in 2021 to strengthen the Committee's ethical framework; points out that the decision to set up an internal ombudsman was presented as an agreement that had been welcomed by staff when, in actual fact, the Committee's staff committee had expressed a negative opinion on it; echoes the reservations expressed by the Committee's staff committee and legal service on the proposal with regard to the independence, impartiality and confidentiality of the internal ombudsman; questions the need for such an internal ombudsman in light of, on the one hand, the HR constrictions and, on the other hand, the existence of ethics counsellors, confidential counsellors and, in particular, the agreement with IDOC; urges the Committee to focus on enforcing the ethics-related mechanisms already in place while devoting adequate staff to its legislative work, focusing on the actual effectiveness of the measures adopted; recalls that the Ombudsman, in her Report on dignity at work in the EU institutions and agencies SI/2/2018/AMF, observes that finding investigators who are perceived to be impartial and fair can be particularly challenging in small institutions and recommends the use of external and independent investigators rather than in-house resources in order to guarantee independence and neutrality;

55. Reiterates its request for further improvements with respect to the external activities of the Committee's members following the Ombudsman's recommendation in her report 'Revolving doors – Implementation of Article 16 of the EU Staff Regulations in a range of EU institutions, bodies and agencies', Case SI/2/2017/NF; notes the decision of the Committee to carry out a detailed analysis to assess the degree of implementation of the various recommendations made by the Ombudsman in that report; invites the Committee to speed up the decision on the revision of the current framework on lobbying and advocacy in order also to reinforce its system to avoid potential conflicts of interest;

([3]) OJ L 277, 19.9.2014, p. 11.
([4]) OJ L 207, 11.6.2021, p. 1.

Digitalisation, cybersecurity, data protection

56. Acknowledges that the outbreak of the COVID-19 pandemic accelerated the already ongoing trend in the simplification and digitalisation of communication tools and administrative processes, like the adoption of 'paperless' financial circuits; believes that the tested improvements introduced in March 2020 should become structural and stay beyond the pandemic;

57. Notes that the budget for IT in 2020 was EUR 7 500 000 compared to EUR 4 900 000 in 2019, representing an increase of 53 %, largely due to unused appropriations transferred from other budget lines in order to further address the backlog in IT; recalls that budget transfers cannot replace the necessary structural funding of any IT service;

58. Notes that by the end of 2020, the Committee had provided a laptop to each member of staff while high quality headsets were provided on demand at a total cost of EUR 322 462; is aware that in January 2021 the Committee adopted a decision on the payment of a lump sum, at the request of eligible members of staff, to cover extraordinary costs related to the obligatory telework (563 requests were made amounting to a total of EUR 107 271);

59. Welcomes the specific deliverables related to cybersecurity set out in the Committee's digital strategy; appreciates the close cooperation with the Computer Emergency Response Team for the EU institutions, bodies and agencies (CERT-EU) as a cornerstone of the Committee's IT security;

60. Congratulates the Committee on the significant improvement of the members' portal, Phoenix and the Adonis document workflow tool and on the progress that was made regarding the hybrid cloud environment as the last component of the digital workplace; notes that the members' section of the Committee intranet was fully revamped to become a one-stop shop; welcomes the use of qualified electronic signature for signing electronically as well as other remote and digital tools;

61. Notes that in recent years, the focus of the internal audit at the Committee has been almost entirely on analysing and assessing the soundness of procedures and processes and to a lesser extent on auditing transactions; calls for a specific plan to promote remote or digital internal auditing at the Committee; notes that, at the request of the European Data Protection Supervisor, the Committee mapped the transfers of personal data to third countries and concluded that no activities were affected; notes the fact that the Committee signed the enrolment linking it to an interinstitutional framework contract with Microsoft and that it has no separate individual license agreements in place with Microsoft anymore; however, encourages the Committee to prioritise open source technology in order to retain control over its own technical systems, avoid dependency and vendor lock-in, provide stronger safeguards for user's privacy and data protection, and increase security and transparency for the public;

Buildings and security

62. Is aware that the Committee and the CoR are implementing their long-term building strategy focusing on geographical concentration and reorganisation of office allocations; notes that the responsible working group considered it essential to have an additional building with a capacity of around 200 people in order to be able to create good working conditions; notes that that analysis led the Committee and the CoR to negotiate taking over the rental contract for the B100 building from the European External Action Service and that the draft administrative agreement was approved by the bureaus of the Committee and the CoR in the last quarter of 2020; is aware that the COVID-19 pandemic caused a delay in the process;

63. Welcomes the improvements in key areas within the buildings strategy, namely refurbishment of existing buildings to create healthier workspaces aligned to ergonomic standards, increase the level of security, reduce electricity consumption and align with environmental obligations;

64. Notes that, following the takeover of the B100 building in September 2021, tests and asbestos abatement are ongoing; calls on the Committee and the CoR to periodically monitor the conditions of that building and to inform the staff at all times accordingly; recalls its resolution of 20 October 2021 with recommendations to the Commission on protecting workers from asbestos ([5]);

([5]) Text adopted P9_TA(2021)0427.

Environment and sustainability

65. Welcomes the integration of sustainability, environmental and accessibility standards, including those of the Union eco-management and audit scheme (EMAS), as part of the buildings strategy of the Committee and the CoR; notes that since the setting up of their environmental management system, the Committee and the CoR have taken various actions with the aim of improving the energy performance of their buildings and reducing their carbon footprint; welcomes the creation of the working group dedicated to the Green Deal and is aware that a study on the carbon neutrality of the Committee and the CoR by 2030 is on-going; welcomes the participation of the Committee in Parliament's offsetting of greenhouse gas emissions' scheme and that the Committee has a specific budget line to provide the respective appropriations; welcomes the fact that the electricity consumed by the Committee is exclusively provided by green energy from sustainable sources; further encourages the Committee to install solar panels on all buildings in order to increase carbon efficiency;

66. Notes a number of concrete actions taken to reduce paper use and urges the Committee to adopt a proper paperless policy; welcomes that the amount of paper used per person per day in 2020 decreased by 52 % compared to 2019 and by 81 % compared to 2015;

67. Welcomes the concrete measures put in place by the Committee to promote the use of sustainable travel modes, such as service bicycles, infrastructure for cyclists and a voucher system to access the car parks in exceptional circumstances; observes that the mobility policy includes a financial contribution for cyclists and for members of staff who have purchased public transport season tickets, while the members of staff benefitting from both contributions relinquish their right to use the parking facilities;

68. Notes the Committee's commitment to implement the 17 United Nations sustainable development goals (SDGs) and to be in line with these goals and the relevant Union strategies; highlights that the Committee has a Sustainable Development Observatory, aimed at promoting sustainability within the Union;

69. Congratulates the Committee for co-managing the Circular Economy Stakeholder Platform together with the Commission;

Communication and multilingualism

70. Notes that in October 2019, the Bureau adopted a new Committee logo which reflects the logos of the Union institutions; believes that this change will contribute to the visibility and cohesion of the image of the Union institutions, bodies, offices and agencies among citizens;

71. Welcomes that the Committee was able to adapt its communication strategy in the context of the COVID-19 pandemic, organising a number of major events and actions online to facilitate its outreach and its contact with stakeholders and citizens; highlights that in July 2020 the Committee, instead of its annual Civil Society Prize, launched a one-off prize called 'Civil Society Against COVID-19' to reward not-for-profit initiatives carried out by individuals, civil society organisations and private companies aiming to tackle the COVID-19 crisis and its consequences;

72. Underlines that all work in relation to the Committee's opinions and information reports are available in all official languages and that the Committee's website is compliant with the Union accessibility standards for public sector bodies;

73. Welcomes the involvement of the Committee in the Conference on the Future of Europe, assisting that democratic exercise in better reaching organised civil society; further encourages the Committee to assist its members in participating in local dialogues with citizens and civil society on European matters;

Inter-institutional cooperation

74. Welcomes the continuously increasing and effective bilateral cooperation between Parliament and the Committee; encourages both Parliament and the Committee to continue the regular meetings between their presidents and vice-presidents and to enhance the structured cooperation between the respective rapporteurs and both the political groups and the preparatory bodies in which their members are organised; believes that the Committee's political cooperation with Parliament, the Council and the Commission should be more systematic given the role of the Committee as the representative of social partners and civil society organisations;

75. Highlights that the service level agreements with four departments of the Commission (PMO, DG DIGIT, DG BUDGET and DG HR) were reviewed and additional services were added;

76. Highlights the adoption of the new administrative cooperation agreement between the Committee and the CoR that entered into force on 1 November 2021 which reinforces the governance of the cooperation and the control mechanisms to ensure efficient management of the joint services; notes with satisfaction that the Committee considers that the new agreement is more modern and simpler than the old agreement and instrumental in creating further synergies between the Committee and the CoR;

77. Reiterates the position expressed in the previous discharge recommendations on the need to fully implement the cooperation agreement signed between Parliament and the Committee and the CoR from which a total of 60 translators, including 36 from the Committee, were transferred to Parliament in exchange for access to the services of the European Parliamentary Research Service; stresses, in this regard, the Committee's staff shortage in political areas which negatively impacts the fulfilment of its mandate;

COVID-19 pandemic

78. Is aware that the COVID-19 pandemic significantly influenced the Committee's activity, in particular because its members travel to the Committee's premises to debate its opinions and resolutions; acknowledges the collective efforts that ensured continued support to the political activities of the Committee;

79. Notes that, in order to ensure business continuity, the Committee coordinated all preventive and protective measures put in place since March 2020 in a multilayer health prevention strategy, describing all physical, operational and medical measures taken, such as extended teleworking, IT and videoconferencing equipment, equipment for health and safety on the premises and the dematerialisation of processes;

80. Notes that the business continuity plan in place was deemed to be insufficiently fir-for-purpose due to the specific nature of the COVID-19 pandemic, and that the Committee therefore set up a dedicated task force headed by the HR director, which included a broad range of contacts both within the Committee and with other institutions; stresses the importance of putting in place business continuity exercises to prepare as much as possible against possible future disruptive events;

81. Values the approach of putting health and safety of members and staff first, while the organisation adapted to the continuously evolving situation; observes that a general teleworking derogation to work from abroad was adopted for staff members (i) stranded in their home country due to travel restrictions; (ii) with a dependent or sick relative abroad; or (iii) upon request under certain conditions; believes that the decision authorising teleworking from abroad had a positive impact on reducing psychological stress and absenteeism;

82. Welcomes that the Committee and the CoR worked closely together and continue to do so concerning alignment of measures like access to buildings, hygiene and cleaning protocols; stresses that coordination was facilitated by the mutual presence of business continuity officers in each COVID-19 management team;

83. Stresses that core activities were pursued throughout the COVID-19 pandemic, enabling the Committee to represent the social partners and civil society organisations in the Union decision-making process, supporting the Union institutions in the handling of the crisis situation at hand;

84. Welcomes the intention to take advantage of the lessons learned during the pandemic and to design a new teleworking/working hours' policy and observes that the social dialogue on this issue is currently ongoing; encourages the Committee to integrate in the internal management strategy the lessons learned from the pandemic outbreak in terms of business continuity and crisis management approaches, IT responsiveness, resiliency of the organisation, duty of care towards its staff, effectiveness of internal communication and flexibility of working processes.