II

(Non-legislative acts)

DECISIONS

RESOLUTION (EU) 2020/1836 OF THE EUROPEAN PARLIAMENT

of 14 May 2020

on discharge in respect of the implementation of the budget of the European Union agencies for the financial year 2018: performance, financial management and control

THE EUROPEAN PARLIAMENT,

— having regard to its decisions on discharge in respect of the implementation of the budget of the European Union agencies for the financial year 2018,

— having regard to the Commission's report on the follow-up to the discharge for the 2017 financial year (COM(2019) 334),

— having regard to the Court of Auditors' annual report on EU agencies for the financial year 2018, together with the agencies' replies ([1]),

— having regard to the Court of Auditors' Review No 07/2019 'Reporting on sustainability - A stocktake of EU Institutions and Agencies' (Rapid Case Review), published on 12 June 2019,

— having regard to Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 ([2]), and in particular Article 1(2) and Article 208 thereof,

— having regard to Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU, and repealing Regulation (EU, Euratom) No 966/2012 ([3]), and in particular Articles 68 and 70 thereof,

— having regard to Commission Delegated Regulation (EU) No 1271/2013 of 30 September 2013 on the framework financial regulation for the bodies referred to in Article 208 of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council ([4]), and in particular Article 110 thereof,

— having regard to Commission Delegated Regulation (EU) 2019/715 of 18 December 2018 on the framework financial regulation for the bodies set up under the TFEU and Euratom Treaty and referred to in Article 70 of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council ([5]), and in particular Article 105 thereof,

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

— having regard to the opinions of the Committee on Employment and Social Affairs and the Committee on Civil Liberties, Justice and Home Affairs,

— having regard to the report of the Committee on Budgetary Control (A9-0079/2020),

([1]) OJ C 417, 11.12.2019, p. 1.
([2]) OJ L 298, 26.10.2012, p. 1.
([3]) OJ L 193, 30.7.2018, p. 1.
([4]) OJ L 328, 7.12.2013, p. 42.
([5]) OJ L 122, 10.5.2019, p. 1.

A. whereas this resolution contains, for each body within the meaning of Article 208 of Regulation (EU, Euratom) No 966/2012 of Article 70 of Regulation (EU, Euratom) 2018/1046, cross-cutting observations accompanying the discharge decisions in accordance with Article 110 of Delegated Regulation (EU) No 1271/2013 and Article 3 of Annex V to Parliament's Rules of Procedure;

B. whereas in the context of the discharge procedure, the discharge authority stresses the importance of further strengthening the concept of performance-based budgeting, accountability of Union institutions and good governance of human resources;

1. Emphasises that the agencies have significant influence on policy, decision making and programme implementation in areas of vital importance to European citizens, such as security, safety, health, research, economic affairs, freedom and justice; reiterates the importance of the tasks performed by the agencies and their direct impact on the daily lives of Union citizens; reiterates also the importance of the autonomy of the agencies, in particular the autonomy of the regulatory agencies and those agencies which have the function of independent collection of information; recalls that the main reasons for establishing the agencies were for operating Union systems, facilitating the implementation of the European Single Market and making independent technical or scientific assessments; welcomes in this regard the effective overall performance of the agencies;

2. Welcomes the visible progress made by the agencies in their efforts to respond to the demands and recommendations expressed within the annual discharge procedures; notes with satisfaction that, according to the annual report of the Court of Auditors' (the 'Court') on Union agencies for the financial year 2018 (the 'Court's report'), the Court issued an unqualified audit opinion on the reliability of the accounts of all agencies; notes in addition that the Court issued an unqualified opinion on the legality and regularity of the revenue underlying the accounts for all agencies; observes that the Court issued an unqualified opinion on the legality and regularity of the payments underlying the accounts for all agencies, except in the case of the European Asylum Support Office (EASO); notes that for EASO the Court issued a basis for a qualified opinion in relation to its findings for the financial years 2016 and 2017 in respect of the legality and regularity of the payments, but that except for the effects of the financial years 2016 and 2017, the Court is of the opinion that the EASO payments underlying the annual accounts for the year ended 31 December 2018 are legal and regular in all material aspects; acknowledges the continued progress made by EASO in delivering reforms and corrective action plans;

3. Notes that for the 32 decentralised Union agencies, the 2018 budgets amounted to around EUR 2 590 000 000 in commitment appropriations, representing an increase of approximately 10,22 % compared to 2017, and to EUR 2 360 000 000 in payment appropriations, showing an increase of 5,13 % in comparison to 2017; notes moreover that of the EUR 2 360 000 000, some EUR 1 700 000 000 were financed from the general budget of the Union, representing 72,16 % of the agencies' total financing in 2018 (72,08 % in 2017); acknowledges furthermore that some EUR 657 000 000 were financed by fees and charges and by direct contributions from participating countries;

4. Recalls its request to streamline and accelerate the discharge procedure with a view to deciding on granting discharge in the year immediately following the year for which the discharge is granted and closing the procedure within the year following the accounting year in question; welcomes in this regard the positive efforts made and the good cooperation with the European Union Agencies Network (the 'Network') and the individual agencies, and in particular with the Court, showing clear potential for streamlining and accelerating the procedure on their part; appreciates the progress made so far and invites all relevant actors to continue their efforts towards further advancing the procedure;

Main risks and recommendations identified by the Court

5. Notes with satisfaction that according to its report, the Court considers the overall risk to the reliability of agencies' accounts, based on international accounting standards, to be low, and that only a few material errors arose in the past; notes, however, that the increasing number of delegation agreements, whereby the Commission assigns specific additional tasks and revenue to agencies, represent a challenge in terms of the consistency and transparency of the treatment of agencies' accounts;

6. Notes that according to its report, the Court considers the overall risk to the legality and regularity of revenue underlying the agencies' accounts to be low for the majority of agencies, and to be medium for the partly self-financed agencies where specific regulations are applicable to the charging and collecting of fees and contributions from economic operators or cooperating countries; notes that the Court considers the overall risk to the legality and regularity of transactions underlying the agencies' accounts to be medium, varying from low to high for specific budget titles; notes that the risk for Title I (staff expenditure) is generally low, for Title II (administrative expenditure) the risk is considered to be medium, and for Title III (operational expenditure) the risk is considered to be low to high, depending on the agency in question and the nature of its operational expenditure; points out that high risk sources usually derive from procurement and grant payments which should be taken into account when the Court decides on a sample of future checks and audits;

7. Observes that, according to the Court's report, the risk to sound financial management is medium and is identified mainly in the areas of information technology (IT) and public procurement; regrets that IT and public procurement remain areas prone to error; reiterates its call on the Commission to provide for additional training and exchange of good practices for Agencies' procurement teams;

8. Stresses that the necessity to have separate administrative structures and procedures for each agency constitutes an inherent risk to administrative inefficiency and urges agencies to strengthen thematic bundling and cooperation in accordance with their fields of policy to ensure harmonisation and efficient sharing of resources; calls on the agencies to make additional efforts towards widening the scope of their shared services thereby improving the efficiency and cost effectiveness of their procedures;

9. Highlights the problem whereby dual operational and administrative headquarters do not offer operational added value for the agencies and encourages further action to limit the inefficiencies; encourages agencies to co-locate while concentrating on their specific policy fields; notes that the Commission is responsible for providing proposals regarding possible mergers, closures and/or transfers of tasks;

10. Notes, according to the Court's report, that, following observations raised in previous years and due to known Union policy developments in certain areas, the risk identified in relation to the level of cooperation of Member States is high for some agencies, namely the European Borders and Coast Guard Agency (Frontex), EASO and the European Chemicals Agency (ECHA); reiterates its call on the Commission to put these issues on the agenda of Council with a view to strengthening Member States' cooperation;

11. Acknowledges that the effective, efficient and error-free work of the agencies is closely linked to an adequate level of funding to cover their operational and administrative activities;

Budget and financial management

12. Notes the Network's reply in support of Parliament's invitation to provide the Union institutions with constructive feedback in the framework of the post-2020 Multiannual Financial Framework negotiations and that each agency was invited to perform an analysis of the Multiannual Financial Framework 2021-2027 proposal by the Commission; acknowledges the high importance of the Multiannual Financial Framework on the budgeting of the agencies and encourages them to continue exploring new sources of financing in addition to the existing Union budget contributions;

13. Notes that the level of detail provided in the audited budgetary implementation reports of certain agencies differs from that of the majority of agencies, which demonstrates the need for clear guidelines on agencies' budget reporting; acknowledges the efforts made to ensure consistency in the presentation and reporting of accounts; observes, again this year, discrepancies in information and documents disclosed by the agencies, especially regarding staff-related figures, including in reports on the establishment plan (posts filled, or maximum posts authorised, under the Union budget); notes the reply from the Network that it is following the guidelines from the Commission, which were revised following the Delegated Regulation (EU) 2019/715 and adopted on 20 April 2020; furthermore, reiterates its calls on the Commission in the coming years to automatically provide the discharge authority with the official budget (in commitment appropriations and in payment appropriations) and staff figures (establishment plan, contract agents and seconded national experts as of 31 December of the year in question) in respect of the 32 decentralised agencies;

Performance

14. Encourages the agencies and the Commission to further develop and implement the principle of performance-based budgeting, to consistently seek the most effective ways to provide added value, and to explore possible improvements in efficiency in relation to resources management; notes the Court's suggestion that the publication of agency budgets by activity would allow the linking of resources to the activities for which they are used, and would facilitate easier budget allocation, efficacy and would limit unnecessary expenses;

15. Notes with satisfaction that the Network was set up by the agencies as an inter-agency cooperative platform to enhance the agencies' visibility, to identify and promote improvements in efficiency and to add value; recognises the added value of the Network in its cooperation with Parliament and welcomes its efforts in coordinating, collecting and consolidating actions and information for the benefit of Union institutions; furthermore appreciates the guidance provided by the Network to the agencies in their efforts to optimise their capacity to plan, monitor and report on results, budget and resources used;

16. Notes with satisfaction that some agencies cooperate effectively according to their thematic grouping (for example, the Justice and Home Affairs agencies ([6]) and the European Supervisory Authorities ([7])); encourages other agencies to increase cooperation with each other wherever possible, not only in establishing shared services and synergies, but in their common policy areas as well; notes that the majority of agencies focus and strive on enhancing synergies and sharing resources; notes that the Network has established an online catalogue of shared services (mainly IT services) and that in 2018, a pilot programme was developed to monitor the use and benefit of shared services and that this has been extended in 2019 to all shared services;

17. Notes that, according to the Court's report, in 2018, some progress was made in relation to the introduction of Sysper2 (the human resources management tool developed by the Commission), with five additional agencies signed up to it in 2018; notes, however, that progress in its implementation varies, due to the project being complex and each agency having its own specificities; invites the Commission therefore to assist in ensuring that good use is made of the tool; notes furthermore that satisfactory progress was made in the introduction of e-procurement; notes, however, that a number of agencies are still in the process of introducing the tools for electronic invoicing developed by the Commission;

18. Expresses its concern about the fact that only one Union agency, the European Union Intellectual Property Office, publishes a sustainability report; calls on all agencies to fully integrate sustainability in their reporting information, to publish sustainability reports covering both the running of the organisation and the operations carried out, and to ensure the reliability of sustainability reporting through auditing;

19. Underlines that Union agencies, when carrying out their activities, need to pay particular attention to ensuring compatibility with Union law, respecting the principle of proportionality and complying with the fundamental principles of the internal market;

20. Encourages the agencies to pursue the development of a coherent policy for the digitalisation of their services;

Staff policy

21. Notes that the 32 decentralised agencies employed a total of 7 626 officials, temporary agents, contract agents and seconded national experts in 2018 (7 324 in 2017), representing an increase of 3,74 % compared with the previous year;

22. Notes that in 2018, at the level of senior management, an even gender balance was achieved by 6 agencies, a good balance was achieved by 4 agencies, but that there was no gender balance in 14 agencies (one of them featured only male representation); calls on the agencies to increase their efforts towards better gender balance among management staff;

([6]) European Border and Coast Guard Agency (Frontex), European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA), European Asylum Support Office (EASO), European Institute for Gender Equality (EIGE), European Monitoring Centre for Drugs and Drug Addiction (EMCDDA), European Union Agency for Law Enforcement Training (CEPOL), European Union Agency for Law Enforcement Cooperation (Europol), European Union Agency for Fundamental Rights (FRA), European Union Agency for Criminal Justice Cooperation (Eurojust).

([7]) European Banking Authority (EBA), European Insurance and Occupational Pensions Authority (EIOPA), European Securities and Markets Authority (ESMA).

23. Notes further that in 2018, within management boards, an even gender balance existed in 3 agencies, a good balance existed in 6 agencies, but that there was no gender balance in 21 agencies (one of them featuring only male representation); asks the Member States and the relevant organisations which participate in management boards to bear in mind the necessity for a better gender balance when nominating their representatives to these bodies;

24. Observes that only one agency, European Securities and Markets Authority (ESMA), has reported an even gender balance for both senior management staff and the management board; welcomes this achievement and encourages the other agencies to follow this good example;

25. Notes the information provided by the agencies concerning the gender balance among senior management and within management boards, and the remarks by some agencies that they have no senior management apart from the executive director; asks in this regard that the agencies in future present data for all categories of management staff;

26. Encourages the agencies to develop a long term human resources policy framework which addresses the work-life balance of its staff, lifelong guidance and career development, gender balance, teleworking, non-discrimination, geographical balance and the recruitment and integration of persons with disabilities;

27. Notes the conclusion in the Court's report that, following its rapid case review in 2017 on how agencies implemented the commitment made to cut 5 % of staff in their establishment plans for the period 2014-2018, the 5 % reduction had been implemented, albeit with some delays;

28. Notes that some of the agencies are facing the challenge of insufficient staff, especially when new tasks are allocated without additional personnel envisaged for their implementation, and that the discharge authority is concerned specifically with the difficulties that some agencies experience in hiring qualified staff at specific grades, which hinders the overall performance of the agencies and necessitates the employment of external actors;

29. Recognises the steps towards establishing a harassment-free environment taken by the agencies, such as the additional training for staff and management as well as the introduction of confidential counsellors; encourages agencies which have not yet introduced such steps to do so; and encourages agencies which have received harassment-related complaints to treat these as a priority;

30. Notes that the agencies continuously monitor and assess their staffing levels and their needs in terms of additional human and financial resources, and that they make relevant requests where necessary; acknowledges that such requests should be subject to a wider interinstitutional process, so that the level of resources corresponds to the tasks and responsibilities of the agencies;

31. Stresses the importance of a staff well-being policy; stresses that agencies should provide for decent, high quality working conditions for all staff;

32. Notes that, according to the Court's report, payments in its audit samples indicate a trend towards compensating for shortages in its own statutory staff by external staff (particularly IT consultants) working in the premises of the agencies at times, and involves the use of contract and interim staff; notes that five agencies engaged in the use of interim workers provided by registered temporary work agencies, but did not respect all the rules laid down in both Directive 2008/104/EC of the European Parliament and of the Council ([8]) and the respective national law (for instance, as regards working conditions for interim workers); notes that three agencies used contracts for the provision of IT and other consultancy services which were formulated and/or implemented in a way that, in practice, might result in the assignment ('mise à disposition') of temporary agency workers instead of the provision of clearly specified services or products and as required by Directive 2008/104/EC, and by Staff Regulations and social and employment rules, thereby exposing these agencies to legal and reputational risks; calls on the Network to introduce a general policy to preclude the replacement of permanent staff by more expensive external consultants;

33. Notes with concern the findings made by the Court that in some agencies interim workers have poorer working conditions than workers employed directly by the agency; recalls that, according to Directive 2008/104/EC and several national labour laws, interim workers are to work under the same working conditions as workers employed directly by the user undertaking; calls on the agencies concerned to analyse the working conditions of their interim workers and ensure that they are in line with Union and national labour law;

([8]) Directive 2008/104/EC of the European Parliament and of the Council of 19 November 2008 on temporary agency work (OJ L 327, 5.12.2008, p. 9).

34. Notes the very low number of whistleblower cases in Union agencies, raising concerns of staff not being aware of existing rules, or a lack of trust in the system; calls for the bringing of whistleblower protection policies of all Union agencies into line with Directive (EU) 2019/1937 of the European Parliament and of the Council ([9]); urges the agencies to effectively utilise their established internal rules or guidelines on whistleblowing; and calls on the agencies that are still in the process of adopting such rules to do so without unnecessary delay;

35. Calls on all agencies to disclose their level of annual staff turnover and average levels of absence from work due to sick leave and to clearly indicate the positions which are occupied on 31 December of the relevant year, in order to ensure inter-agency comparability;

36. Reiterates its call on the Commission to review how the salary coefficient for staff working in different Member States is calculated with the aim of providing for a better geographical balance of staff in agencies;

37. Notes with concern that low correction coefficients applied to staff salaries create difficult situations that may hamper an agency's ability to effectively perform its daily duties and may lead to high levels of staff turnover; stresses that agencies located in countries where a low correction coefficient is applied should receive further support from the Commission in implementing complementary measures in order to make them more attractive to current and prospective staff, such as establishing European schools and other facilities; calls on the Commission to assess the impact and viability of applying salary correction coefficients in the future;

38. Notes that most agencies do not publish their vacancy notices on the website of the European Personnel Selection Office (EPSO); takes note of the concern regarding high translation costs; welcomes in this regard the inter-agency job board launched and maintained by the Network and invites all agencies to take advantage of the platform;

39. Encourages the Union agencies that do not have a fundamental rights strategy to consider adopting one, including making a reference to fundamental rights in a code of conduct that could define the duties of their staff and training for staff; recommends that effective prevention policies should be implemented and efficient procedures identified to resolve harassment issues;

Procurement

40. Notes with concern that, according to the Court's report, shortcomings were found related to excessive dependency on contractors, external consultancy and interim workers, to the use of inadequate award criteria and to the conclusion of contracts with abnormally low tenderers without reasonable justification; notes that several agencies have outsourced, extensively, regular activities and, occasionally, core business activities, thereby weakening internal expertise and control over contract execution, with some weakening in the procurement process which may impair fair competition and the achievement of best value for money procurements; recommends an adequate ratio between price and quality when awarding contracts, an optimal design of framework contracts, justified intermediary services and the use of detailed framework contracts; notes that for six agencies the framework contract terms for the provision of IT maintenance and equipment were weak, as they allowed the purchase of items which were not specifically mentioned therein and were not subject to an initial competitive procedure, and they also allowed the contractor to charge uplifts on the prices of items purchased from other suppliers; notes that although agencies have no power to change the basic contractual arrangements, their related *ex-ante* controls did not check the accuracy of the up-lifts charged by the contractor; calls on all agencies and bodies of the Union to strictly abide by public procurement rules; underlines that digitalisation is a great opportunity for agencies to increase efficiency and transparency, including in the field of procurement; calls, therefore, on all agencies and bodies to rapidly finalise and implement e-tendering, e-submission, e-invoicing and e-forms for public procurement; asks the Commission and the agencies to address necessary improvements in procurement teams as a matter of urgency, taking into account that the problem persists and needs to be addressed systemically;

([9]) 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).

41. Considers that agencies, bodies and institutions of the Union must set an example in terms of transparency; calls therefore for the publication of the full lists of contracts awarded through public procurement procedures, including those below the legally required EUR 15 000 threshold;

42. Notes that the decentralised agencies and other bodies, together with the eight Union joint undertakings, push for increased administrative efficiency and economies of scale through an increased use of joint procurement procedures; notes, however, that despite the promising trend, attempts for joint procurement procedures were not always successful, for instance due to inadequate market analysis;

Prevention and management of conflicts of interests and transparency

43. Notes that on 2 April 2019 a workshop was organised at the request of Parliament's Committee on Petitions on 'Conflicts of Interest: Integrity, Accountability and Transparency in EU institutions and agencies' in the course of which the preliminary findings of an upcoming study on 'Conflicts of interests and EU Agencies' were presented; regrets that the study, whose date of presentation was supposed to be in July 2019, was published only in January 2020; notes that the study provides a comprehensive overview and analysis of the policies on avoidance of conflicts of interest in the different agencies and also that it makes recommendations in relation to improved scrutiny of conflict of interest policies in agencies; calls on the Network to report to the discharge authority on developments in the application of conflict of interest regulations and policies, and on possible changes in terms of such regulations and policies;

44. Notes with concern that not all agencies and bodies of the Union have published on their respective websites the declarations of interest for members of the management boards, executive leadership and seconded experts; regrets that some agencies still publish declarations of absence of conflict of interest; highlights that it is not up to the board members or executives to declare themselves to have an absence of conflict of interest; calls for a unified model of declarations of interest to be implemented by all agencies; stresses the importance of establishing an independent ethics body to assess conflict of interest and revolving door situations throughout the institutions, agencies and other bodies of the Union; urges the Member States to ensure that all seconded experts publish their respective declarations of interest and CVs on the respective agency websites;

45. Reiterates that an insufficiently detailed conflict of interests policy may result in a loss of credibility of an agency; upholds that the starting point for all of these policies is the submission of regular and sufficiently detailed declarations of interests; stresses in this regard that moving towards positive declarations of interests instead of declarations of absence of interests would allow for more comprehensive controls; stresses that in addition to this, Union agencies should have a conflict of interests screening mechanism in place, proportionate to the size and function of that agency;

46. Calls on all agencies to participate in the interinstitutional agreement on the transparency register for interest representatives under negotiation between the Commission, the Council and Parliament;

47. Considers it regrettable that there are still no clear guidelines and that there is no consolidated policy on the revolving doors issue; stresses the fact that this issue is of key importance, particularly in the case of those agencies working with industries; calls on the Commission to provide stronger rules, better controls and clearer guidelines on cooling-off periods for outgoing staff, as well as other revolving-doors related measures;

48. Welcomes the fact that most agencies, except the Translation Centre for the Bodies of the European Union (CdT) and the European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA) have guidelines in place for granting public access to documents; notes, however, that CdT envisages having guidelines in place and that eu-LISA is going to develop internal rules on how to handle requests to access public documents and will endeavour to adopt them in 2020;

49. Reiterates its concern that agencies which receive a large part of their revenues as fees paid by the industry are more prone to the risk of the conflict of interests and their professional independence; calls on the agencies and the Commission to reduce dependency on industry fees;

50. Reiterates its call on the agencies to implement a comprehensive and horizontal policy concerning the avoidance of conflicts of interest, and to use ECHA's independence policy as a model of best practice and an exemplary system for monitoring and preventing any conflicts of interest; encourages all agencies to set up a conflicts of interest advisory committee;

Internal controls

51. Acknowledges the Court's comment that when using interinstitutional contracts, agencies remain responsible for the application of public procurement principles for their specific purchases, and that agencies' internal controls must ensure they are respected;

52. Notes that at the end of 2018, the boards of 29 agencies had adopted the Commission's revised internal control framework, and that 15 agencies also reported its implementation; calls for the adoption and implementation of the internal control framework by all agencies in order to align control standards to the highest international standards and to make sure that internal controls support decision making effectively and efficiently;

53. Notes that, according to the Court's report, some agencies do not have policies in place defining their sensitive functions and related mitigating controls (which aim to reduce the risk of the misuse of powers delegated to staff and which should be a standard element of internal control); urges those agencies therefore to adopt such policies;

Other comments

54. Notes that, according to the Court's report, the agencies previously based in London (the European Banking Authority (EBA) and the European Medicines Agency (EMA)) were relocated from the United Kingdom in 2019 and that their accounts include provisions for the related removal costs; notes, furthermore, in the case of EMA, that the Court referred to developments following the lease agreement of the agency and the ruling of the High Court of Justice of England and Wales; notes the contingent liability of EUR 465 000 000 left following the conclusion of the new sublease agreement and the uncertainty about the total loss of staff following the relocation; in addition, notes with concern that for both agencies, the Court also referred to possible decreases in revenue following the United Kingdom's withdrawal from the Union;

55. Welcomes the Court's Review No 07/2019 'Reporting on sustainability: A stocktake of EU Institutions and Agencies' (Rapid Case Review), published on 12 June 2019; reiterates its findings that the information collected or published mainly relates to how the running of the organisation affects sustainability (such as its internal use of paper or water) rather than on how the organisation has considered sustainability in its overall strategy and operations; stresses that such internally-focused reporting does not capture the most essential issues for an organisation; calls on all agencies to take stock of the adverse impact on sustainability produced by their operations, and to include this in a structural way in their sustainability reporting;

56. Encourages strongly the agencies to implement the Court's recommendations;

57. Stresses the urgent need to direct the focus of the agencies towards disseminating the results of their research and work to the general public, and to reach out to public via social media and other media outlets in order to raise awareness of their operations; recalls the general lack of awareness of citizens about the agencies even within the country in which they are based; appeals to the agencies to reach out to people more effectively and frequently;

58. Stresses the possible negative effects of the United Kingdom's withdrawal from the European Union on the organisation, operations and accounts of the agencies, specifically when it comes to a reduction in direct contributions; urges the Commission to act with extreme diligence when handling risk prevention and risk mitigation for the agencies;

59. Welcomes the creation of the European Labour Authority (ELA), whose founding regulation came into effect in March 2018 and which started its operation in October 2019; highlights the need to ensure that sufficient financial resources are set aside for its establishment; insists that funding cannot be accomplished by redeploying allocations from the other employment and social affairs agencies and budgetary lines, and that the ELA, being a new body, requires fresh resources to run smoothly; stresses in particular that the establishment of ELA should not result in a reduction of resources and capabilities for European Employment Services (EURES), which plays a pivotal role in facilitating labour mobility of Union citizens and offers services and partnerships for jobseekers and employers, public employment services, the social partners and the local authorities; highlights therefore the need to maintain clear and separate budget lines for both ELA and EURES;

60. Points out that ELA will help ensure that Union rules on labour mobility and social security coordination are enforced effectively and fairly, will assist national authorities in cooperating to enforce these rules, and will make it easier for citizens and businesses to benefit from the internal market; is of the opinion that, although the four agencies European Centre for the Development of Vocational Training (Cedefop), European Foundation for the Improvement of Living and Working Conditions (Eurofound), European Training Foundation (ETF) and European Agency for Safety and Health at Work (EU-OSHA) are predominantly research-centred, they could usefully support and contribute to the work of ELA;

61. Highlights that transparency, and awareness by citizens of the existence of the agencies are essential for their democratic accountability; considers that ease of use of agency resources and data are of paramount importance; calls therefore for an assessment of how data and resources are currently presented and made available, and of the degree to which citizens find them easy to identify, recognise and use;

62. Recommends that all agencies focus on public communication and publicity as their existence and activities are often not recognised among citizens;

63. Encourages the Union agencies to consider adopting a fundamental rights strategy, including a reference to fundamental rights in a code of conduct that could define the duties of their staff and training for staff; encourages the setting up of mechanisms to ensure that any violation of fundamental rights are detected and reported, and that risks of such violations are swiftly brought to the attention of the main bodies of the agency concerned; encourages the establishing, whenever relevant, of the position of a fundamental rights officer, reporting directly to the management board (to ensure a certain degree of independence vis-à-vis other staff) in order to ensure that threats to fundamental rights are immediately addressed, and that a constant upgrading of the fundamental rights policy within the organisation takes place; encourages the developing of a regular dialogue with civil society organisations and relevant international organisations on fundamental rights issues; encourages making compliance with fundamental rights a central component of the terms of reference of the collaboration of the agency concerned with external actors, including in particular members of national administrations with whom they interact at an operational level.

64. Encourages all agencies in the area of Justice and Home Affairs, to consider registration under the Eco-Management and Audit Scheme (EMAS) in order to improve their environmental performance.

65. Instructs its President to forward this resolution to the agencies subject to this discharge procedure, the Council, the Commission and the Court of Auditors, and to arrange for its publication in the *Official Journal of the European Union* (L series).