

**RESOLUTION (EU) 2019/1441 OF THE EUROPEAN PARLIAMENT
of 26 March 2019**

**with observations forming an integral part of the decision on discharge in respect of the
implementation of the budget of the Office of the Body of European Regulators for Electronic
Communications for the financial year 2017**

THE EUROPEAN PARLIAMENT,

- having regard to its decision on discharge in respect of the implementation of the budget of the Office of the Body of European Regulators for Electronic Communications for the financial year 2017,
 - having regard to Rule 94 of and Annex IV to its Rules of Procedure,
 - having regard to the report of the Committee on Budgetary Control (A8-0114/2019),
- A. whereas, according to its statement of revenue and expenditure ⁽¹⁾, the final budget of the Office of the Body of European Regulators for Electronic Communications (the 'Office') for the financial year 2017 was EUR 4 246 000, the same amount as in 2016; whereas the entire budget of the Office derives from the Union budget;
- B. whereas the Court of Auditors (the 'Court'), in its report on the Office's annual accounts for the financial year 2017 (the 'Court's report'), stated that it had obtained reasonable assurances that the Office's annual accounts were reliable and that the underlying transactions were legal and regular;

Budget and financial management

1. Notes with appreciation that budget monitoring efforts during the financial year 2017 resulted in a budget implementation rate of 99,94 %, representing an increase of 3,74 % compared to 2016; notes that the payment appropriations execution rate was at 86,92 %, representing a notable increase of 9,73 % compared to 2016;
2. Notes from the Court's report that the Office requested translations from the Translation Centre for the Bodies of the European Union (CdT) for four calls for expression of interest for the establishment of staff reserve lists; notes that, taking into account that the establishment plan was already fulfilled, the Court concluded that that request for translation was not justified; notes that, according to the Office's reply, the request was made because the Office's management committee requested the establishment of reserve lists for 75 % of job profiles with the aim of keeping the vacancy rate below 15 % in order to mitigate risks related to high staff turnover;

Cancellation of carryovers

3. Acknowledges that the cancellations of carryovers from 2016 to 2017 amounted to EUR 20 412, representing 2,53 % of the total amount carried forward, showing a decrease of 4,76 % in comparison to 2016;

Performance

4. Notes with satisfaction that the Office uses several types of measures as key performance indicators to assess the added value provided by its activities and to improve its budget management;
5. Acknowledges that the Office has reviewed its strategy taking into account the market and technological developments in order to adapt to the new environment regarding electronic communications, safeguarding of open internet and connectivity;
6. Notes with concern that the Office does not share resources with other Agencies; calls on the Office to explore further possibilities to share services and report to the discharge authority on the steps taken in that regard;

⁽¹⁾ OJ C 84, 17.3.2017, p. 189

7. Notes that the Office has outsourced its accounting services to the Commission; notes with concern from the Court's report, however, that while those events caused significant modifications to the Office's procedures and accounting system, it has not been re-validated since 2013; notes the Office's reply to the effect that the validation approach is in progress; calls on the Office to inform the discharge authority about the developments in that regard;
8. Welcomes the Commission's proposal to incorporate into the Office's founding regulation an obligatory periodical external performance evaluation every five years;

Staff policy

9. Notes that, on 31 December 2017, the establishment plan was 100 % fulfilled, with 14 temporary agents appointed out of 14 temporary agents authorised under the Union budget (15 authorised posts in 2016); notes that in addition nine contract agents and four seconded national experts have been working for the Office in 2017;
10. Notes with concern that the Office was negatively affected with the highest possible rate of cut of 12,5 %, according to the ECA report on the implementation of the 5 % reduction of staff posts, published on 21 December 2017, although the Regulation (EU) 2015/2120 assigned additional tasks to the Office;
11. Regrets the gender imbalance within the Office's management board members, with 24 out of 29 being male, 5 being female; asks in this regard the Commission and the Member States to take into account the importance of ensuring gender balance when presenting their nominations for members of the Board;
12. Notes that the Office has adopted a decision on the policy on protecting the dignity of the person and preventing harassment, and furthermore enabled confidential counsellor trainings;
13. Notes with concern that in 2017 the average employment period in the Office was only 2,7 years which is reflected in a high staff turnover; understands that the Office struggles to attract professionals, inter alia because of the low salary correction coefficient of the host country (74,9 %); expresses its concern that the reduction of the posts authorised under the Union budget in recent years together with the additional tasks acquired has increased the workload of the Office's staff; points out that this situation may pose risks to the implementation of its work programmes; acknowledges that the management is continuously working on the introduction of mitigation measures and calls on the Office to report to the discharge authority on the progress made in this regard;

Procurement

14. Notes from the Court's report that by the end of 2017 the Office had not yet implemented all of the tools launched by the Commission aimed to introduce a single solution for the electronic exchange of information with third parties participating in public procurement procedures (e-procurement); notes that, according to the Office's reply, it plans to implement these by the end of 2018; calls on the Office to report to the discharge authority on the progress made in that field;

Prevention and management of conflicts of interests and transparency

15. Notes the Office's existing measures and ongoing efforts to secure transparency and prevention and management of conflicts of interests; points out with concern, however, that it does not publish the CVs of the board members on its website; calls on the Office to report to the discharge authority on the measures taken in this regard;
16. Regrets that the Office did not have internal rules on whistleblowing in place on 31 December 2017; notes however that the Office plans to adopt these by the end of 2018; calls on the Office to report to the discharge authority on their implementation;

Internal controls

17. Notes with appreciation that in 2017, the Office undertook an internal exercise to assess its internal control systems, concluding that they have been effectively implemented;

Other comments

18. Notes that, unlike most other Agencies, the Office did not carry out a comprehensive analysis of the likely impact of the United Kingdom's decision to withdraw from the European Union on its organisation, operations and accounts; invites the Office to consider undertaking such an analysis and report to the discharge authority on the measures taken in that regard;
 19. Refers, for other observations of a cross-cutting nature accompanying its decision on discharge, to its resolution of 26 March 2019 ⁽²⁾ on the performance, financial management and control of the agencies.
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⁽²⁾ Texts adopted, P8_TA(2019)0254 (see page 361 of this Official Journal).