

**RESOLUTION (EU) 2019/1450 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 European Union Agency for Law Enforcement Training
(CEPOL) 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 European Union Agency for Law Enforcement Training 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 and the opinion of the Committee on Civil Liberties, Justice and Home Affairs (A8-0121/2019),
- A. whereas, according to its statement of revenue and expenditure ⁽¹⁾, the final budget of the European Union Agency for Law Enforcement Training (the 'Agency') for the financial year 2017 was EUR 10 524 359 representing an increase of 2,26 % compared to 2016; whereas the entire budget of the Agency derives from the Union budget;
- B. whereas the Court of Auditors (the 'Court'), in its report on the annual accounts of the Agency for the financial year 2017 (the 'Court's report'), states that it has obtained reasonable assurances that the Agency's annual accounts are reliable and that the underlying transactions are legal and regular;

Budget and financial management

1. Notes that the budget monitoring efforts during the financial year 2017 resulted in a budget implementation rate of 97,09 %, representing an increase of 1,14 % compared to 2016; notes that the payment appropriations execution rate was 84,02 %, representing an increase of 5,17 % compared to the previous year;

Cancellation of carry-overs

2. Regrets the high level of cancellations of carry-overs from 2016 to 2017, amounting to EUR 189 154, representing 12,81 % of the total amount carried forward, showing a slight decrease of 1,44 % in comparison with 2016;

Performance

3. Notes with satisfaction that the Agency uses key performance indicators to measure its training activities and their impact, in particular the satisfaction level of the participants, in order to assess the added value provided by them, and performance indicators to improve its budget management;
4. Observes that the change management plan of the Agency concerning the necessary preparations for operating under its new extended mandate was implemented at a rate of 83 %; notes that 93 % of participants of the Agency's training activities stated that they were at least satisfied with the trainings, and that the Agency finalised the implementation of the EU/MENA Counter-Terrorism Training Partnership programme;
5. Notes with satisfaction that the Agency cooperates closely with the Justice and Home Affairs agencies' network and the nine agencies that comprise it; notes that they share trainings and organise courses together;
6. Welcomes the commitment of the Agency to follow-up on the Commission's Internal Audit Service report on 'Needs assessment, Planning and Budgeting of Training activities'; stresses the importance of the Agency to deliver on its commitment;
7. Observes that the five-year periodical external evaluation concluded in January 2016 issued 17 recommendations, for which the Agency plans to implement all corrective actions by the end of 2018; calls on the Agency to report to the discharge authority on the actions taken to address these recommendations;

⁽¹⁾ OJ C 258, 8.8.2017, p. 4

8. Regrets the fact that the Agency is geographically located far from Europol, which undermines the possibility of finding synergies with this other agency specialised in police matters; calls upon the Agency to provide the discharge authority with a report outlining the possible obstacles in its interactions with Europol and the measures taken and to be taken to overcome these challenges;

Staff policy

9. Notes that, on 31 December 2017, the establishment plan was 96,77 % executed, with 30 temporary agents appointed out of 31 temporary agents authorised under the Union budget (compared with 28 authorised posts in 2016); notes that in addition, 16 contract agents and 6 seconded national experts worked for the Agency in 2017;
10. Welcomes that the Agency continued organising webinars to provide law enforcement officers with information and best practice on identifying and investigating hate crimes and different forms of gender-based violence, and that it offered training to raise awareness of the challenges experienced by Roma communities and LGBTI persons (such as over- and under-policing and the lack of trust towards members of the police force), and how these can be addressed at the level of law enforcement; calls for the continuation of the provision of trainings in the field of fundamental rights and the related sensitisation of the police force.
11. Calls upon the Agency to further incorporate in its curriculum and its training activities a significant element of anti-radicalisation, anti-racism and anti-discrimination training, wherever possible; requests the Agency to as well develop specific training on the procedural safeguards for children who are suspects or accused in criminal proceedings;
12. Notes that the Agency has adopted a policy on protecting the dignity of the person and preventing harassment; notes that it enables information sharing and training as well as confidential counselling;
13. Observes that, as a consequence of its relocation from the United Kingdom to Hungary and the resulting lower correction coefficient applied to staff salaries, the staff turnover was high and geographical balance is not always ensured as applications from other Member States than the host country has decreased; notes with concern that some members of staff have an outstanding legal dispute regarding the relocation; notes that a number of mitigating actions have been implemented; points out with concern that this may impact business continuity and the Agency's ability to implement activities; calls on the Agency to report to the discharge authority of any developments in this matter;
14. Agrees with the Court that publishing vacancy notices on the website of the European Personnel Selection Office (EPSO) would be relevant and useful as EPSO publications increase transparency and publicity and allow citizens to identify vacancies published by the different European institutions and agencies collectively; requests therefore that the Agency also publishes all of its vacancy notices on the EPSO website; invites the European Commission to consider measures aimed at reducing the financial burden for the translation of vacancy notices upon the agencies, including by establishing an ad hoc framework agreement with the Translation Centre for the Bodies of the European Union (CdT);
15. Welcomes the suggestion of the Court to publish vacancy notices on EPSO's website in order to increase publicity; understands the Agency's reply concerning the high translation costs triggered by such publication; furthermore, notes the Agency's intention to publish all its vacancies on the interagency job board developed by the EU Agencies Network;

Procurement

16. Notes that, according to the Court's report, by the end of 2017 the Agency had not yet implemented all the tools launched by the Commission aiming 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 Agency's reply, preparatory actions to implement e-submission are ongoing; calls on the Agency to report to the discharge authority on the progress made in that field;
17. Notes with concern that in December 2016 the Agency signed a four-year framework contract worth EUR 1,6 million for the provision of temporary staff with one economic operator only on grounds of price, without taking into account quality criteria; notes the Agency's reply that it considered that quality was embedded in the technical specifications and the choice to award a single contract was made on basis of prior experience and national specificities;

Prevention and management of conflicts of interest and transparency

18. Welcomes the fact that the Agency adopted a revised anti-fraud strategy during 2017; regrets that the Agency had not set up and implemented internal rules on whistleblowing by 31 December 2017; notes however that agency-specific internal rules are expected to be adopted by the end of 2018; calls on the Agency to report to the discharge authority on their implementation;

Other comments

19. Stresses that the relocation of the Agency to Budapest in 2014 and the revision of its mandate in 2016 triggered modifications to the Agency's accounting procedures that have not been revalidated since 2013; notes the Agency's response that the re-validation is currently subject to discussions and planning within the Directorate-General for Budget (DG BUDG);
20. Notes that in February 2017 the Agency successfully completed the ISO 9001:2015 certification of the Agency's Management System in order to improve and better demonstrate its commitment to quality;
21. Notes with concern that, unlike most of the other agencies, the Agency 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; notes from the Agency's reply that the corresponding risks have been informally evaluated as low; calls on the Agency to report to the discharge authority on the measures taken in order to conclude a more formal analysis preparing to mitigate any potential risks involved;
22. Notes the Agency's efforts to ensure a cost-effective and environment-friendly work-place; points out that the Agency does not have a carbon off-setting scheme in place but acknowledges that it is considering introducing such a scheme, and that the Agency encourages its staff to make use of public transportation to reduce emissions;
23. 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.

⁽²⁾ Texts adopted, P8_TA(2019)0254 (see page 361 of this Official Journal).