

RESOLUTION (EU) 2018/2074 OF THE EUROPEAN PARLIAMENT**of 24 October 2018****with observations forming an integral part of the decision on discharge in respect of the implementation of the budget of the European Asylum Support Office for the financial year 2016**

THE EUROPEAN PARLIAMENT,

- having regard to its decision on discharge in respect of the implementation of the budget of the European Asylum Support Office for the financial year 2016,
 - having regard to Rule 94 of and Annex IV to its Rules of Procedure,
 - having regard to the second report of the Committee on Budgetary Control (A8-0299/2018),
- A. whereas all Union decentralised agencies ought to be transparent and fully accountable to the citizens of the Union for the funds entrusted to them as Union bodies;
- B. whereas Parliament's role in respect of the discharge is specified in the Treaty on the Functioning of the European Union, in the Financial Regulation and in the Framework Financial Regulation;
1. Underlines the importance of acting responsibly, in an accountable and transparent manner, and in accordance with all relevant rules and regulations, in the implementation of the Union budget;
 2. Recalls the role of Parliament within the discharge procedure, as governed by the Treaty on the Functioning of the European Union, the Financial Regulation and its rules of procedure;
 3. Welcomes the fact that the initial decision of 18 April 2018 postponing the discharge decision for the financial year 2016 led to the strong corrective measures taken by the Commission's Directorate-General for Migration and Home Affairs, the management board of the European Asylum Support Office (the 'Office') and the Office's new ad interim executive director;
 4. Recognises that, apart from the completion of the European Anti-Fraud Office's (OLAF) investigation against the previous leadership of the Office, the corrective measures taken to date have partially responded to the reservations presented by Parliament in its decision of 18 April 2018 postponing the discharge;

The ongoing investigation of OLAF

5. Recalls the fact that an OLAF investigation is currently ongoing concerning several former and current members of the Office occupying middle or senior management positions;
6. Notes with appreciation the decision of the management board on 6 June 2018 to release the executive director from his duties with immediate effect; welcomes the designation of an ad interim executive director, not subject to the OLAF investigation; regrets, however, that the management board did not take this action on its own initiative much earlier in the process which would have avoided the delay in the discharge procedure;
7. Welcomes the action already undertaken by the ad interim executive director in order to improve the governance structure of the Office, restore transparency and build trust; underlines the importance of counteracting the previously detected deficiencies in the legality and regularity of transactions; calls on the Office to prepare a comprehensive and detailed roadmap presenting the way forward; furthermore, calls on the Office in this respect to include in the roadmap a clear plan for restoring trust in management, especially bearing in mind that competent and effective management is key in view of the challenges the Office is facing in general, and, in particular, to make sure that the recruitment and training of the significant number of new staff foreseen for 2018 and 2019 is of such a level that the Office will have well-motivated and high quality personnel at its disposal and that there will be less turn-over of staff and its knowledge and experience are retained;
8. Calls on OLAF to inform the discharge authority of the outcome of the investigation as soon as it is closed;
9. Calls on Parliament's Committee on Budgetary Control to integrate the findings from the OLAF report in the Office's 2017 discharge report and, by doing so, to ensure that possible new recommendations to the Office are fully implemented;

Basis for the qualified opinion on the legality and regularity of the underlying transactions

10. Recalls the material findings made by the Court of Auditors (the 'Court') in relation to two out of five significant procurement procedures from 2016 for which payments were incurred during that year, which demonstrate a lack of rigour in the Office's procurement procedures;
11. Expects all possible actions to be taken to recover irregular payments from the 2016 budget year: EUR 920 561 (procurement procedure for the provision of travel services) and EUR 592 273 (framework contract for interim services to support it in its response to the migration crisis);
12. Remains concerned by the development of travel reimbursement costs; notes that reimbursements amounted to EUR 997 506 in 2014, EUR 987 515 in 2015 and EUR 1 012 147 in 2016; notes that attendees that fall into category A have specific tasks to fulfil during meetings; notes the decrease of category-A reimbursements, which dropped from 69 % in 2014 to 52 % in 2015 and 37 % in 2016; is concerned by the apparent discrepancy between an increased workload for the Office and less category-A attendees; underlines that the increase of travel cost reimbursements and the decrease of category-A attendees may indicate an arbitrary reimbursement scheme;
13. Notes, again, that the Office's work programme includes its operational support activities in 'hotspots' in some Member States; underlines the importance of this activity and stresses the wider consequences for the entire Union if tasks are not duly planned, managed and executed; strongly urges the staff of the Office to properly assume their responsibilities regarding administrative matters and on-the-ground work;
14. Regrets the harm caused to the Office's image by the errors found in the aforementioned procurement procedures; reiterates that effective control can only be assured when there is full transparency in these procedures;
15. Welcomes the action plans drawn up by the Office to remedy the issues identified by the Court, namely:
 - the procurement procedure for the provision of travel services (FCM Travel Agency) was replaced by an open tender procedure which was finalised and led to the conclusion of a new contract;
 - the framework contract for interim services in Greece (Randstad) was replaced by an open tender procedure which was finalised and led to the conclusion of a new contract;
16. Welcomes the measures taken by the Office to strengthen procurement procedures, in particular the addition of senior staff and additional support staff to the procurement sector;
17. Refers, for other observations of a cross-cutting nature accompanying its decision on discharge, to its resolution of 18 April 2018 ⁽¹⁾ on the performance, financial management and control of the agencies.

⁽¹⁾ OJ L 248, 3.10.2018, p. 393.