Amending budget 5/2011: establishment plans of the European Data Protection Supervisor and the European External Action Service

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The Committee on Budgets adopted the report drafted by Helga TRÜPEL (Greens/EFA, DE) in which it recommends that the European Parliament to amend the Council's position on Draft amending budget No 5 /2011.

The committee recalls that this Draft Amending Budget (DAB) No 5 for the year 2011 covers the modification to the establishment plan of the European Data Protection Supervisor (EDPS) as well as the establishment plan of the European External Action Service (EEAS).

EDPS: Members recall that, according to the Commissions proposal, the EDPS Budget shall be amended by deleting an AD 14 post and **creating an AD 15 post** in the establishment plan of section IX.

Article 37(1) of the EU Financial Regulation provides that the Commission may present Draft amending budgets if there are "unavoidable, exceptional or unforeseen circumstances". For the Members, the mobilisation of an amending budget procedure with involvement of the two branches of the budgetary authority is in proportion to the need to adapt the EDPS's establishment plan to the new situation.

It seems that the newly created AD 15 post would be equivalent to a Director in the European Commission. The EDPS as a number of 41 staff. Is it good administrative practise and sound financial management to have a person with an AD 15 grade to head an institution with a relatively small number of staff. Members recommend rejecting the Council's position as regards the EDPS establishment plan as the appointment did not represented "an exceptional circumstance" for the EDPS, as requested for in the Financial Regulation. **Therefore, Members call for the Council's position to be amended by restoring the 2011 establishment plan of the EDPS.**

EEAS: Members recall that the establishment of the EEAS in 2010 was guided by the principle of budget neutrality and sound and efficient management while fully taking into account the impact of the economic crisis in public finances and the need for budgetary stringency. Members state, however, that it has been clear from the start that a gradual build-up of the service will be called for and that

resources should be made available according to the progress of the Institution's set-up and current absorption capacity. Therefore, Members recommend approving the Council's position as regards the EEAS establishment plan but call at the same time on the EEAS to show restraint for possible future plans of creating additional high-ranking posts.