2022 discharge: European Border and Coast Guard Agency (FRONTEX)

2023/2172(DEC) - 11/04/2024 - Text adopted by Parliament, single reading

The European Parliament decided by 432 votes to 146, with 21 abstentions, to **grant discharge** to the Executive Director of the European Border and Coast Guard Agency in regard to the implementation of the agency's budget for the 2022 financial year and to approve the closure of the accounts for the financial year in question.

Noting that the Court of Auditors has stated that it has obtained reasonable assurances that the agency's annual accounts for the financial year 2022 are reliable and that the underlying transactions are legal and regular, Parliament adopted by 387 votes to 104 with 107 abstentions, a resolution containing a series of recommendations, which form an integral part of the decision on discharge and which add to the general recommendations set out in the resolution on performance, financial management and control of EU agencies.

Agency's financial statements

The Agency's final budget for the financial year 2022 was **EUR 693 122 859**, representing an increase of 29.50 % compared to 2021.

Budget and financial management

After two budget amendments reducing the Agency's budget for 2022 by approximately EUR 47 million, the budget-monitoring efforts during that year resulted in a budget implementation rate of commitment appropriations of 99.40 %, representing an increase of 4.70 % compared to 2021.

In spite of the Agency's sustained efforts, reported in 2021, to improve its budget execution, the payment appropriations execution rate (50.25 %) continued to be low in 2022, representing a decrease of 0.17 % compared to 2021.

The resolution expressed its great concern about an increasing level of the Agency's automatic carry-overs in the last years, with EUR 240.4 million in 2022, while in the previous two years it was EUR 159.4 million (in 2021) and EUR 102 million (in 2020).

Other observations

Parliament also made a series of observations concerning performance, staff policy, procurement and internal controls.

In particular, it noted that:

- the Agency reported an implementation rate of its Annul Work Programme for 2022 of 85.20 %;

- swift action was taken by the Agency in the wake of the illegal and unprovoked Russian invasion of Ukraine that led millions of Ukrainians to flee their country and arrive in the Union;

- operational activities conducted on land borders in 2022 resulted in approximately 49 000 incidents reported, involving more than 26 000 apprehended irregular migrants and 700 smugglers arrested;

- the Agency’s efforts led to the return by air of 24 850 non-EU nationals (increase of 35 % compared to 2021), of which 9 919 persons on 291 operations by charter flights to 32 countries of return and 14 931 persons (increase of 84 % compared to 2021) by 8 789 scheduled flights to 116 countries of return;

- the Agency’s efforts under all maritime joint operations in 2022 led to the detection of 1 105 facilitators and 11 traffickers of human beings, the seizure of tens of tons of smuggled drugs and the rescue of thousands of migrants;

- according to the European Ombudsman’s inquiry into the Agency’s role in search and rescue operations which was launched after the Adriana tragedy of June 2023, the Agency is unable to fulfil its fundamental rights obligations and too reliant on Member States to act when migrants are in distress, because the Agency lacks internal guidelines on issuing emergency signals and the Agency’s fundamental rights monitors are not always sufficiently involved in decisions on emergencies,

- in 2022, the Fundamental Rights Officer received a total of 69 complaints (an increase from 27 in 2021);

- on 31 December 2022, the establishment plan was 88.46 % executed (82 % in 2021), with 1 150 temporary agents appointed out of 1 300 temporary agents authorised under the Union budget;

- over the course of the last two years the Agency went through significant managerial changes, including a new deputy Fundamental Rights Officer, a new chair of its Management Board, two new deputy executive directors and the appointment of a new executive director;

- gender balance should be taken into consideration in future recruitments of staff and appointments within its senior and middle management;

- the Agency launched 53 open tenders, of which 20 resulting in signed contracts for a total value of EUR 140.5 million, and 25 still ongoing, with an estimated value of EUR 486.51 million;

- weaknesses were found in the Agency’s management and internal control systems in the areas of procurement and contract management, recruitment procedures and delegation of powers to authorising officers by delegation. For a second year in a row, the Court issued observations in the area of procurement of travel related services, whereas the amounts at stake are very important.