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„THERE IS A SERIOUS FLAW OF GOVERNANCE STRUCTURE AND CONTROL OF THE MANAGEMENT IN AGENCIES“

On 6 June 2018, Jose Carreira, the executive director of the European Asylum Support Office (EASO) has been released from his duties with immediate effect by the Management Board of the agency amid allegations of misconduct in procurement procedures, irregularities in human resources management, possible breaches of data protection, bullying and psychological violence.

This happens after a long screening by diverse bodies on the management of EASO, including the USF, after the dismissal of a senior Commission Official (who was employed by EASO as Temporary Agent) who had voiced concern over possible widespread irregularities in procurement.

Should this surprise us? Could this be qualified as an isolated case and proof that control mechanisms do work? Do all other agencies display high level of professionalism and a healthy work culture? Nothing is less certain!

Indeed there are many cases of abuse of power reported across agencies, unfair dismissals and a culture of harassment and bullying in many of them. The problem is

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unfortunately a systemic one and has to do with the structures under which agencies are functioning.

Agencies were created as a solution to expand the duties of the EU without expanding the bureaucracy. They do function as independent legal entities, not depending from the EU Commission administration and governance except for the budget and the rules applicable. Agencies are in principle supervised by representatives from Member States, sometimes called governing or management board. But, **too often the accountability and the respect of overall rules are concentrated in the hand of one single actor: The Agency Director.**

This in combination with a **relative impunity for maladministration and a very slow follow up by the European Court of Justice** have created a **work environment where all the ills of organizations can proliferate** without much restraint or effective checks and balances concerning staff matters or other issues.

Staff in agencies, mostly on fixed-term contracts and anxious to be renewed, have not many ways to defend themselves against abuse of power from their hierarchy or to flag inappropriate behaviour when it occurs. The commission does or cannot take up its role of 'Guardian of the Treaties' while the vested interests of members of the supervisory organs are often complemented by a total disinterest about the working conditions of staff.

This situation is not sustainable while the reputation of the EU and its agencies are suffering and those collective actors that are supposed to supervise the agencies will have to address this deplorable situation and improve the working conditions and the application of Statutory Rules in agencies and supervise closer the way they are managed.

There is a serious flaw in the governance structure and control of the management in agencies. Europe cannot tolerate that heads of agencies are acting like kings in their castle, systematically abusing their powers.

The USF will raise these issues with the EU Commission and ask the College of Commissioners to find solutions to these problems.