1) **State of play *de jure* and in practice**

The Framework Financial Regulation applicable to agencies foresees an obligation concerning multiannual programming only for staff. The agency's multiannual staff policy plan shall be sent to the Commission before 31 March each year (Article 27 (4) (b)).

As far as operational multiannual programming is concerned, the situation differs greatly among agencies.

At present the founding regulations of six agencies\(^1\) require the adoption by the agency of a multi-annual work programme. In five cases\(^2\) a multi-annual work programme is adopted by the Management Board, whereas in the case of FRA, the Council adopts the Multiannual Framework on a proposal from the Commission and after consulting the European Parliament.

The constituent acts of five agencies\(^3\) require them to undertake a rolling planning\(^4\) covering between three and five years, depending on the case. In case of ECDC the founding regulation does not determine the period of time. In practice ECDC's multi-annual programming is aligned to the EU financial framework thus covering 7 years.

A recent report of the Court of Auditors\(^5\) showed that agencies carried out multiannual planning if this was explicitly required by their basic act. Six agencies\(^6\) carry out multi-annual planning on their own initiative without having a requirement in their basic legal act. EMSA is preparing a multiannual strategy following the recommendation from its external evaluation. Since two years now, EASA adopts a Multiannual Business Plan. ENISA prepares a multi-annual programming on its own initiative since 2008. Lately CEDEFOP adopted Medium-term priorities 2009-2011.

Among the agencies which have opted for a multiannual approach, several have considered it necessary to adopt a specific strategy that dovetails with the Community’s sector strategy. In its Special Report "European Union's Agencies: getting results"\(^7\), the Court of Auditors recommends that agencies produce a document converting their strategy into a multiannual work programme that has clear objectives and performance indicators.

In the case of EUROPOL, while there is no multi-annual operational planning in place, the agency's Management Board used to adopt a five-year financing plan – an obligation

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\(^1\) ECHA, EEA, EIGE, EMCDDA, ETF, FRA  
\(^2\) ECHA, EEA, EIGE, EMCDDA, ETF  
\(^3\) EU-OSHA, EUROFOUND, EFSA, ECDC, ETF  
\(^4\) Rolling planning is multiannual planning done annually including one additional year after the current one has elapsed, while the multi-annual work programme is a static programme for a fixed period of time.  
\(^6\) FRONTEX, EMA, EASA, ENISA, EMSA, CEDEFOP.  
\(^7\) Special Report No 5/2008 of the Court of Auditors "The European Union's Agencies: getting results", June 2008
stipulated in EUROPOL Convention\textsuperscript{8}. The new Council Decision 2009/371/JHA\textsuperscript{9} in force since January 2010 does not foresee such a multi-annual financial plan, now that EUROPOL is financed by the Union budget.

An attempt to combine a multi-annual work programme with a rolling multi-annual financial framework is currently being made by the European Defence Agency (EDA). Contrary to the constituent acts of former first and third pillar agencies, the Joint Action establishing EDA\textsuperscript{10} foresees multi-annual financial framework but no multi-annual programming. The agency seeks an amendment in the Joint Action to make the financial framework a rolling one.

No multi-annual programming or budgeting is foreseen for ISS and EUSC.

2) Critical analysis of the issue at hand

Benefits of multi-annual programming

The advantage of having multi-annual programming is that it enables an agency to set medium-term result and impact objectives together with performance indicators.\textsuperscript{11} However, even in cases where multiannual programming exists, the objectives pursued are often vaguely worded and not properly coordinated with the Union’s sectoral policy priorities. The expected results are not stated sufficiently clearly to serve as a good basis for the subsequent evaluation of the actual progress made.

Sound planning needs to be undertaken at regular intervals, including identifying clear objectives specifying the actions to be taken and the timetable to be followed.\textsuperscript{12} This goes for both multiannual and annual programming.

Finally, the added value of multi-annual programming can vary depending on agencies' tasks and it may not be relevant for all agencies.

Consistency between multiannual programmes and the EU sector strategies

Another aspect that needs to be enhanced is the consistency of a multiannual programme with the EU sector strategy. For the large majority of agencies, there is a high degree of coherence and complementarity between the activities of the agencies and EU policies.\textsuperscript{13} However, a problem might arise if the time-span of a multiannual work programme happens to coincide with a period of transition between two successive EU strategies. In this case, in order to avoid inconsistencies with new political priorities, the multiannual work programme needs to be adapted. This, on the other hand, takes away some of the purpose of the multiannual planning and curtails its potential benefits.\textsuperscript{14}

\textsuperscript{8} Convention based on Article K.3 of the Treaty on European Union, on the establishment of a European Police Office (Europol Convention), OJ C 316, 27.11.1995, p. 0002-0032
\textsuperscript{9} Council Decision of 6 April 2009 establishing the European Police Office (Europol), OJ L 121, 15.05.2009, p. 37
\textsuperscript{10} Council Joint Action 2004/551/CFSP of 12 July 2004 on the establishment of the European Defence Agency
\textsuperscript{11} CoA, Executive summary, point IV, p. 5
\textsuperscript{12} CoA Special Report
\textsuperscript{13} Evaluation 2009, Volume II, points 2.4.3, p. 72
\textsuperscript{14} CoA, points 9-11, p. 15
Ex-ante evaluation of a multi-annual work programme

The ex-ante evaluation of a multiannual programme allows testing and justifying the priorities that are to be set in it. The ex-ante evaluation suggests developing indicators for measuring the success of an objective. Therefore, conducting an ex-ante evaluation of the agency's potential multi-annual strategy, would ensure that objectives are accompanied by indicators which could act as benchmarks over time for the results obtained and for their impact in terms of EU sectoral strategies.\(^{15}\) (See also *fiche* 29)

Establishing a clear link between multiannual and annual programming

The link between the agency's multiannual and annual programme has some weak aspects. Often the structure of the multiannual programme is barely reflected in the agency’s annual programme. See also *fiche* 13.

Reporting on achieving objectives

Reporting on achieving the objectives set in the multiannual programmes, where those exist, is still weak. The management boards had not asked for reporting in order to obtain an overview in terms of the results obtained. In general, where the agencies’ management boards base themselves solely on the reports submitted to them, they are not able to precisely identify either the outcome or the impact of the agencies’ work, despite obtaining a reasonably reliable measure of the level of activity.\(^{16}\)

Correlation between multiannual programming and agency's overall evaluation

Another weakness that remains to be addressed is the lack of correlation between multiannual programming and the overall evaluations, thus restricting the effect of these exercises. While evaluation reports are generally examined by the management boards, action plans for follow-up are not always established, and thus the evaluation conclusions are not always properly reflected in the multiannual programming. About half of the agencies only follow up in a structured way on evaluations, in many cases in the form of a formal action plan.\(^{17}\) Another common way of following up on evaluations is to address the key recommendations, to the extent possible, in the next annual work plan or multi-annual strategy/work plan. See also *fiche* 29.

Linking multiannual planning with multiannual budgeting and staffing

Finally, agencies have on several occasions reiterated the need to link operational multiannual planning with multiannual budgeting. Effective implementation of agencies' long-term missions and tasks is most challenged by the absence of stable and programmable scenarios in terms of budget and human resources, as some constraints exist for multi-annual budget in the agencies. However; the current overall (2007-2013) multi-annual programming includes an indicative financial programming for agencies which is constant in real terms for cruising speed agencies, growing for new agencies, and changing in case of amended mandates. As such, the indicative financial programming provides a reference for the years to come, whereas the actual Community contribution for a given year is assessed during the annual

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\(^{15}\) CoA, points 46-47, p. 28

\(^{16}\) CoA, point 33, p. 25

\(^{17}\) Evaluation 2009, Volume II, point 2.7.1, p. 123
budgetary procedure. As for the Annual work programme, a systematic link should also be made with the Multiannual Staff Policy Plans provided each year by the Agency to the Budgetary Authority.