



**2017/2143(DEC)**

2.3.2018

# **AMENDMENTS**

## **1 - 31**

**Draft report**

**Marco Valli**

2016 discharge: EU general budget - European Ombudsman  
(2017/2143(DEC))



## **Amendment 1**

**José Ignacio Salafranca Sánchez-Neyra**

### **Proposal for a decision 1**

#### **Paragraph 1**

##### *Proposal for a decision*

1. Grants the European Ombudsman discharge in respect of the implementation of the budget for the financial year 2016; / *Postpones its decision on granting the European Ombudsman discharge in respect of the implementation of the budget for the financial year 2016;*

##### *Amendment*

1. Grants the European Ombudsman discharge in respect of the implementation of the budget for the financial year 2016;

Or. en

## **Amendment 2**

**Arndt Kohn**

### **Proposal for a decision 1**

#### **Paragraph 1**

##### *Proposal for a decision*

1. Grants the European Ombudsman discharge in respect of the implementation of the budget for the financial year 2016; / *Postpones its decision on granting the European Ombudsman discharge in respect of the implementation of the budget for the financial year 2016;*

##### *Amendment*

1. Grants the European Ombudsman discharge in respect of the implementation of the budget for the financial year 2016;

Or. en

## **Amendment 3**

**Ryszard Czarnecki, Raffaele Fitto, Notis Marias, Beata Gosiewska, Richard Sulík**

### **Proposal for a decision 1**

#### **Paragraph 1**

##### *Proposal for a decision*

1. *Grants the European Ombudsman discharge in respect of the*

##### *Amendment*

1. Postpones its decision on granting the European Ombudsman discharge in

*implementation of the budget for the financial year 2016; / Postpones its decision on granting the European Ombudsman discharge in respect of the implementation of the budget for the financial year 2016;*

respect of the implementation of the budget for the financial year 2016;

Or. en

#### **Amendment 4**

**Marco Valli**

#### **Proposal for a decision 1**

##### **Paragraph 1**

###### *Proposal for a decision*

1. Grants the European Ombudsman discharge in respect of the implementation of the budget for the financial year 2016; / *Postpones its decision on granting the European Ombudsman discharge in respect of the implementation of the budget for the financial year 2016;*

###### *Amendment*

1. Grants the European Ombudsman discharge in respect of the implementation of the budget for the financial year 2016;

Or. it

#### **Amendment 5**

**Wolf Klinz, Martina Dlabajová, Nedzhmi Ali**

#### **Motion for a resolution**

##### **Paragraph 3 a (new)**

###### *Motion for a resolution*

###### *Amendment*

**3 a. Welcomes the overall prudent and sound financial management of the Ombudsman in the 2016 budget period; expresses support for the successful paradigm shift towards performance-based budgeting in the Commission's budget planning introduced by Vice-President Kristalina Georgieva in September 2015 as part of the "EU Budget Focused on Results" initiative; encourages the Ombudsman to apply the method to its own budget-planning**

*procedure;*

Or. en

**Amendment 6**

**Wolf Klinz, Martina Dlabajová, Nedzhmi Ali**

**Motion for a resolution**

**Paragraph 3 b (new)**

*Motion for a resolution*

*Amendment*

**3 b.** *Welcomes that the Ombudsman submitted the Annual Activity report to the Court of Auditors on in March; notes that the Court of Auditors submitted its report to the European Parliament in October and that the discharge will be voted on in plenary by May; notes that by the time discharge is closed, if not postponed, at least 17 months have passed since the closing of annual accounts; points out that auditing in the private sector follows a much stricter timeline; stresses that the discharge procedure needs to be streamlined and sped up; welcomes that the Ombudsman follows the good example set by the private sector and proposes to set a deadline for the submission of Annual Activity reports on 31 March of the following year, a deadline for the submission for the Court of Auditor's reports on the 1st of July and subsequently vote on the discharge in the plenary session of November, thereby closing the discharge procedure within the year following the accounting year in question;*

Or. en

**Amendment 7**

**Arndt Kohn**

**Motion for a resolution**

**Paragraph 4**

*Motion for a resolution*

4. Notes that of the total appropriations, 95,40% were committed (92,32% in 2015) and 85,89% paid (86,19% in 2015), with a utilisation rate of 95,40% (92,32% in 2015); **notes** the increase in the utilisation rate;

*Amendment*

4. Notes that of the total appropriations, 95,40% were committed (92,32% in 2015) and 85,89% paid (86,19% in 2015), with a utilisation rate of 95,40% (92,32% in 2015); **welcomes** the increase in the utilisation rate;

Or. en

**Amendment 8**  
**Arndt Kohn**

**Motion for a resolution**  
**Paragraph 4 a (new)**

*Motion for a resolution*

*Amendment*

***4 a. Acknowledges the pivotal role of the Ombudsman in promoting good governance and ensuring the participation of civil society in the EU; notes that the Ombudsman closed 5 strategic inquiries and opened 4 new ones in 2016 on issues related, among others, to transparency and conflict of interests; encourages the Ombudsman to pursue its strategic work with the aim of promoting the good governance of Union institutions;***

Or. en

**Amendment 9**  
**Miguel Viegas**

**Motion for a resolution**  
**Paragraph 5**

*Motion for a resolution*

5. **Welcomes** the decision to reduce communication and translation costs linked to the production of publications without undermining their quality; notes that the length of the documents was reduced, and

*Amendment*

5. **Voices reservations about** the decision to reduce communication and translation costs linked to the production of publications without, **supposedly**, undermining their quality; notes that the

is therefore interested to know if the information now excluded from the publications is nevertheless accessible on demand;

length of the documents was reduced, and is therefore interested to know if the information now excluded from the publications is nevertheless accessible on demand;

Or. pt

**Amendment 10**  
**Benedek Jávor**

**Motion for a resolution**  
**Paragraph 6**

*Motion for a resolution*

6. Notes that the organisation chart of the Ombudsman has been clarified and is available in its website;

*Amendment*

6. Notes ***with satisfaction*** that the organisation chart of the Ombudsman has been clarified and is available in its website; ***asks the Ombudsman to ensure that an updated version of its organisation chart is always available on its website;***

Or. en

**Amendment 11**  
**Arndt Kohn**

**Motion for a resolution**  
**Paragraph 6**

*Motion for a resolution*

6. ***Notes*** that the organisation chart of the Ombudsman has been clarified and is available in its website;

*Amendment*

6. ***Welcomes the fact*** that the organisation chart of the Ombudsman has been clarified and is available in its website;

Or. en

**Amendment 12**  
**Benedek Jávor**

**Motion for a resolution**  
**Paragraph 6 a (new)**

*Motion for a resolution*

*Amendment*

**6 a.** *Notes the results achieved in the complaints handling in 2016 and welcomes the fact that the Union institutions complied with the Ombudsman's proposals at a rate of 85 %; reiterate its call on the Ombudsman to provide a breakdown of compliance of the Union institutions with its proposals and asks the Union institutions to improve their compliance rate further;*

Or. en

### **Amendment 13**

**Arndt Kohn**

**Motion for a resolution**

**Paragraph 7**

*Motion for a resolution*

**7.** *Stresses the fact that critical remarks the Ombudsman addressed to the different institutions in 2015 had a quite low rate of satisfactory follow-up (41%); recommends that, after identifying the reasons for that low rate, the Ombudsman analyse possible solutions to overcome the institutions' resistance to acting on those remarks;*

*Amendment*

**7.** *Notes the results achieved in the complaints handling in 2016 and welcomes the fact that the Union institutions complied with the Ombudsman's decisions at a rate of 84% (83% in 2015); notes that this has been the second highest rate of compliance with its decisions and/or recommendations so far; takes note that the rate of follow-up to critical remarks was of 63% in 2016 (41% in 2015); takes note and welcomes the Ombudsman's report 'Putting it Right', which provides an analysis of how institutions complied with the Ombudsman's recommendation and a breakdown per institution;*

Or. en

### **Amendment 14**

**José Ignacio Salafranca Sánchez-Neyra, Petri Sarvamaa**

**Motion for a resolution**

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## Paragraph 7

### *Motion for a resolution*

7. Stresses the fact that critical remarks the Ombudsman addressed to the different institutions in 2015 ***had a quite low rate of satisfactory follow-up*** (41%); recommends that, ***after identifying the reasons for that low rate***, the Ombudsman ***analyse*** possible solutions to ***overcome the institutions' resistance to acting on those remarks***;

### *Amendment*

7. Stresses the fact that ***the rate of satisfactory follow-up to the*** critical remarks the Ombudsman addressed to the different institutions in ***2016 was 63 % and ,therefore, higher than in*** 2015 (41%); recommends that the Ombudsman ***keep on working and analysing*** possible solutions to ***reach at least the 88 % that was achieved in 2014***;

Or. en

## Amendment 15

Benedek Jávor

### Motion for a resolution

#### Paragraph 7 a (new)

### *Motion for a resolution*

### *Amendment*

***7 a. Welcomes the introduction of the new fast track procedure for access to document cases as a clear sign that the ombudsman does its utmost to reach a high level of transparency of Union documents; is of the opinion that there is still a room for improvement by almost every other Union institution;***

Or. en

## Amendment 16

Arndt Kohn

### Motion for a resolution

#### Paragraph 8

### *Motion for a resolution*

### *Amendment*

8. Underlines the importance of making Union citizens aware of the possibility to turn to the Ombudsman in case of maladministration; ***reiterates its***

8. Underlines the importance of making Union citizens aware of the possibility to turn to the Ombudsman in case of maladministration; ***welcomes the***

*call for closer cooperation between* the Ombudsman *and* the Parliament's Committee on Budgetary Control *in* its strategic work concerning its inquiries and initiatives;

*Ombudsman's efforts to step up her communication activities and increase cooperation among ombudsmen to increase public awareness about her work; acknowledges that* the Ombudsman *has addressed* the Parliament's Committee on Budgetary Control *repeatedly and encourages further cooperation on* its strategic work concerning its inquiries and initiatives;

Or. en

**Amendment 17**  
**Benedek Jávor**

**Motion for a resolution**  
**Paragraph 8**

*Motion for a resolution*

8. Underlines the importance of making Union citizens aware of the possibility to turn to the Ombudsman in case of maladministration; reiterates its call for closer cooperation between the Ombudsman and the Parliament's Committee on Budgetary Control in its strategic work concerning its inquiries and initiatives;

*Amendment*

8. Underlines the importance of making Union citizens aware of the possibility to turn to the Ombudsman in case of maladministration; *asks the Ombudsman to interpret maladministration as widely as possible when performing its duties*; reiterates its call for closer cooperation between the Ombudsman and the Parliament's Committee on Budgetary Control in its strategic work concerning its inquiries and initiatives;

Or. en

**Amendment 18**  
**Benedek Jávor**

**Motion for a resolution**  
**Paragraph 8 a (new)**

*Motion for a resolution*

*Amendment*

**8 a. 7. Reiterates its concern on the “internal revolving door” between the Ombudsman and other institutions,**

*particularly the Directorates of  
Commission which might be under the  
scrutiny of the Ombudsman;*

Or. en

#### **Amendment 19**

**Arndt Kohn**

#### **Motion for a resolution**

##### **Paragraph 10**

###### *Motion for a resolution*

10. Welcomes the gender balance at management level and within the administrators; encourages the Ombudsman to maintain this trend *and to do the necessary to improve the still considerable geographic imbalance;*

###### *Amendment*

10. Welcomes the gender balance at management level and within the administrators; encourages the Ombudsman to maintain this trend;

Or. en

#### **Amendment 20**

**Benedek Jávor**

#### **Motion for a resolution**

##### **Paragraph 10**

###### *Motion for a resolution*

10. Welcomes the gender balance at management level and within the administrators; encourages the Ombudsman to maintain this trend and to do the necessary to improve the still considerable geographic imbalance;

###### *Amendment*

10. Welcomes the gender balance at management level and within the administrators; encourages the Ombudsman to maintain this trend and to do the necessary to improve the still considerable geographic imbalance, *particularly in managerial positions;*

Or. en

#### **Amendment 21**

**Arndt Kohn**

#### **Motion for a resolution**

**Paragraph 10 a (new)**

*Motion for a resolution*

*Amendment*

***10 a. Notes the persisting geographical imbalance; notes that two of three managers from the Ombudsman's Member State occupied managerial positions in the Office for many years before the election of the present Ombudsman and are officials, whereas the third joined as a head of Cabinet at the beginning of the present's Ombudsman's office; acknowledges that it is therefore difficult to change the situation in the short-term, but encourages the Ombudsman to strive for geographical balance in management positions in the long-term;***

Or. en

**Amendment 22**

**Arndt Kohn**

**Motion for a resolution**

**Paragraph 11**

*Motion for a resolution*

*Amendment*

11. Observes the Ombudsman's plan to comply with the interinstitutional agreement to reduce staff by 5% over the period of five years; ***asks to be informed how this reduction can be reconciled with the recruitment of new staff in 2016;***

11. Observes the Ombudsman's plan to comply with the interinstitutional agreement to reduce staff by 5% over the period of five years; ***takes note from the follow-up report to the discharge 2015 that the initial 2016 estimates to create five new posts were amended and the final version resulted in the net decrease of one member of staff;***

Or. en

**Amendment 23**

**Arndt Kohn**

**Motion for a resolution**

**Paragraph 11 a (new)**

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***11 a. Acknowledges that the Ombudsman is experiencing a significant increase in complaints and takes note of the intent to request a moderate budget increase to hire extra multi-lingual staff which the Ombudsman has expressed in its address to the European Parliament on its Annual Report 2016; is concerned that, as a result of the staff reduction, the remaining resources available in each service don't allow for absorption of the increasing workload; calls on the budgetary authorities to be mindful of the long-term impact of staff cuts, in particular regarding the institution's ability to improve gender and geographical imbalances as well as the need for building on capacity of experienced officials to take over management posts, when planning the future allocation of financial resources for personnel;***

Or. en

**Amendment 24**

**Wolf Klinz, Martina Dlabajová, Nedzhmi Ali**

**Motion for a resolution  
Paragraph 11 a (new)**

***11 a. Observes that the 5% staff reduction agreement has led to institutions increasingly hiring staff with temporary contracts; regrets that internal competitions are organised with the aim and result of retaining staff that have previously held the same position under previous temporary contracts; considers it more cost and time efficient as well as transparent and fair if well-performing staff with temporary contracts would be switched to permanent contracts without the added financial and administrative***

*burden of organising competitions with pre-determined outcomes at the expense of disappointing outside applicants;*

Or. en

**Amendment 25**

**José Ignacio Salafranca Sánchez-Neyra, Petri Sarvamaa**

**Motion for a resolution**

**Paragraph 11 a (new)**

*Motion for a resolution*

*Amendment*

*11 a. Notes the Ombudsman's commitment on improving transparency in Union decision-making; notes that in 2016 transparency-related inquiries again accounted for the greatest proportion of cases;*

Or. en

**Amendment 26**

**Arndt Kohn**

**Motion for a resolution**

**Paragraph 12**

*Motion for a resolution*

*Amendment*

12. ***Regrets*** that there is still one ongoing complaint made to the European Data Protection Supervisor concerning the Ombudsman in 2016; ***asks for details of the complaints to be provided to the*** Parliament's Committee on Budgetary Control;

12. ***Acknowledges*** that there is still one ongoing complaint made to the European Data Protection Supervisor (***EDPS***) concerning the Ombudsman in 2016; ***notes that the Ombudsman's Office is, in close cooperation with the EDPS, reviewing the Office's procedure for handling personal data of third parties in complaints and inquiries; asks the Ombudsman's Office to keep*** Parliament's Committee on Budgetary Control ***informed about the outcome of the review;***

Or. en

**Amendment 27**  
**Benedek Jávor**

**Motion for a resolution**  
**Paragraph 13 a (new)**

*Motion for a resolution*

*Amendment*

**13 a. Expresses the need to establish an independent disclosure, advice and referral body with sufficient budgetary resources, in order to help whistleblowers use the right channels to disclose their information on possible irregularities affecting the financial interests of the Union, while protecting their confidentiality and offering needed support and advice;**

Or. en

**Amendment 28**  
**Arndt Kohn**

**Motion for a resolution**  
**Paragraph 14**

*Motion for a resolution*

*Amendment*

**14. Notes the lack of data from 2016 in different sections of the Ombudsman's annual activity report for 2016; urges the Ombudsman to provide** the follow up to the 2015 discharge, in compliance with Article 166 of the Financial Regulation.

**14. Takes note of** the follow up to the 2015 discharge **which was provided to the Committee on Budgetary Control** in compliance with Article 166 of the Financial Regulation;

Or. en

**Amendment 29**  
**Ryszard Czarnecki, Raffaele Fitto, Notis Marias, Beata Gosiewska, Richard Sulík**

**Motion for a resolution**  
**Paragraph 14**

*Motion for a resolution*

*Amendment*

14. Notes the lack of data from 2016 in

14. Notes the lack of data from 2016 in

different sections of the Ombudsman's annual activity report for 2016; urges the Ombudsman to provide the follow up to the 2015 discharge, in compliance with Article 166 of the Financial Regulation.

different sections of the Ombudsman's annual activity report for 2016; urges the Ombudsman to provide the follow up to the 2015 discharge ***before 30 June 2018***, in compliance with Article 166 of the Financial Regulation.

Or. en

### **Amendment 30**

**Petri Sarvamaa, José Ignacio Salafranca Sánchez-Neyra**

#### **Motion for a resolution**

##### **Paragraph 14**

###### *Motion for a resolution*

14. ***Notes*** the lack of data from 2016 in different sections of the Ombudsman's annual activity report for 2016; urges the Ombudsman to provide the follow up to the 2015 discharge, in compliance with Article 166 of the Financial Regulation.

###### *Amendment*

14. ***Regrets*** the lack of data from 2016 in different sections of the Ombudsman's annual activity report for 2016; urges the Ombudsman to provide the follow up to the 2015 discharge, in compliance with Article 166 of the Financial Regulation.

Or. en

### **Amendment 31**

**Wolf Klinz, Martina Dlabajová, Nedzhmi Ali**

#### **Motion for a resolution**

##### **Paragraph 14 a (new)**

###### *Motion for a resolution*

###### *Amendment*

***14 a. Regrets the decision of the United Kingdom to withdraw from the European Union; observes that at this point no predictions can be made about the financial, administrative, human and other consequences related to this withdrawal; asks the Ombudsman and the Court of Auditors to perform impact assessments and inform Parliament on the results by the end of the year 2018;***

Or. en



