



2016/2179(DEC)

23.1.2017

AMENDMENTS

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Draft opinion

Petr Ježek

(PE595.380v01-00)

2015 discharge: European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (FRONTEX)
(2016/2179(DEC))

Amendment 1
Eleftherios Synadinos

Draft opinion
Paragraph 1

Draft opinion

1. **Welcomes the fact** that the annual accounts of Frontex (“the Agency”) present fairly, in all material respects, its financial position on 31 December 2015 and that its transactions are legal and regular; notes that costs incurred for pre-financed services related to maritime surveillance were underestimated by EUR 1 723 336; **regrets** that this underestimation resulted in a material misstatement in the Agency’s balance sheet; welcomes the Agency’s commitment to improving its procedure for estimating costs to be accrued;

Amendment

1. **Acknowledges** that the annual accounts of Frontex (“the Agency”) present fairly, in all material respects, its financial position on 31 December 2015 and that its transactions are legal and regular; notes that costs incurred for pre-financed services related to maritime surveillance were underestimated by EUR 1 723 336; **is concerned** that this underestimation resulted in a material misstatement in the Agency’s balance sheet; welcomes the Agency’s commitment to improving its procedure for estimating costs to be accrued;

Or. el

Amendment 2
Barbara Spinelli

Draft opinion
Paragraph 1

Draft opinion

1. **Welcomes** the fact that the annual accounts of Frontex (“the Agency”) present fairly, in all material respects, its financial position on 31 December 2015 and that its transactions are legal and regular; notes that costs incurred for pre-financed services related to maritime surveillance were underestimated by EUR 1 723 336; **regrets** that this underestimation resulted in a material misstatement in the Agency’s balance sheet; welcomes the Agency’s commitment to improving its procedure for estimating costs to be accrued;

Amendment

1. **Notes** the fact that the annual accounts of Frontex (“the Agency”) present fairly, in all material respects, its financial position on 31 December 2015 and that its transactions are legal and regular; notes that costs incurred for pre-financed services related to maritime surveillance were underestimated by EUR **1 723 336**; **regrets** that this underestimation resulted in a material misstatement in the Agency’s balance sheet; welcomes the Agency’s commitment to improving its procedure for estimating costs to be accrued;

Or. en

Amendment 3
Monica Macovei

Draft opinion
Paragraph 2

Draft opinion

2. Notes the high level of carry-overs for committed appropriations for administrative (38 %) and operational expenditure (35 %); **welcomes** the commitment of the Agency to continue to improve its financial and budgetary management procedures;

Amendment

2. Notes the high level of carry-overs for committed appropriations for administrative (***Title II***, 38 %) and operational expenditure (***Title III***, 35 %); ***acknowledges*** the commitment of the Agency to continue to improve its financial and budgetary management procedures; ***notes that for Title II, the main reason for high carry-overs is the IT contracts extending beyond the year-end whereas for Title III, it is the multiannual nature of the Agency's operations;***

Or. en

Amendment 4
Monica Macovei

Draft opinion
Paragraph 2 – point 1 (new)

Draft opinion

Amendment

(1) Regrets that not all members of the Management Board published their statements of commitment to the Agency; calls the Management Board members from Bulgaria, Belgium, France, Norway, Sweden and the Commission to complete and publish their statements of commitment to the Agency; regrets the lack of separate and full declarations of interest by all Management Board members; regrets that the Executive Director did not publish his declaration of interests; urges the Executive Director to publish his declarations of interest and to ensure its independent verification for preventing and managing conflicts of

interest; reiterates that transparency is key to the public trust; calls upon the Agency to establish clear rules regarding the protection of whistle-blowers and "revolving doors";

Or. en

Amendment 5
Eva Joly

Draft opinion
Paragraph 2 a (new)

Draft opinion

Amendment

2 a. Recalls that Frontex should provide its Fundamental Rights Officer with adequate resources and staff for setting up the complaint mechanism and for further developing and implementing the Agency's strategy to monitor and ensure the protection of fundamental rights;

Or. en

Amendment 6
Caterina Chinnici, Maria Grapini

Draft opinion
Paragraph 3

Draft opinion

Amendment

3. Regrets that the Agency reimbursed depreciation charges for a vessel that had exceeded its useful life; notes that the Agency recovered only the payments from 2015; notes the Agency's statement that this cost recovery was made in line with the principle of proportionality; highlights the risk of double funding for the reimbursement of vessels and fuel consumption under "Commission ISF Borders" and "Frontex joint operations"; notes that rules for reimbursing costs are

3. Regrets that the Agency reimbursed depreciation charges for a vessel that had exceeded its useful life; notes that the Agency recovered only the payments from 2015; notes the Agency's statement that this cost recovery was made in line with the principle of proportionality; highlights the risk of double funding for the reimbursement of vessels and fuel consumption under "Commission ISF Borders" and "Frontex joint operations"; notes that rules for reimbursing costs are

complex and calculated differently for every Member State; *encourages the Agency to obtain rights to use simplified cost options and other funding mechanisms in addition to grants;*

complex and calculated differently for every Member State;

Or. en

Amendment 7

Monika Hohlmeier, Patricija Šulin, Tomáš Zdechovský

Draft opinion Paragraph 3

Draft opinion

3. Regrets that the Agency reimbursed depreciation charges for a vessel that had exceeded its useful life; notes that the Agency recovered only the payments from 2015; notes the Agency's statement that this cost recovery was made in line with the principle of proportionality; highlights the risk of double funding for the reimbursement of vessels and fuel consumption under "Commission ISF Borders" and "Frontex joint operations"; notes that rules for reimbursing costs are complex and calculated differently for every Member State; encourages the Agency to *obtain rights to use* simplified cost options and other funding mechanisms in addition to grants;

Amendment

3. Regrets that the Agency reimbursed depreciation charges for a vessel that had exceeded its useful life; notes that the Agency recovered only the payments from 2015; notes the Agency's statement that this cost recovery was made in line with the principle of proportionality; highlights the risk of double funding for the reimbursement of vessels and fuel consumption under "Commission ISF Borders" and "Frontex joint operations"; notes that rules for reimbursing costs are complex and calculated differently for every Member State; encourages the Agency to *make use of* simplified cost options and other funding mechanisms in addition to grants *where possible to increase the cost-effectiveness;*

Or. en

Amendment 8

Eleftherios Synadinos

Draft opinion Paragraph 3

Draft opinion

3. *Regrets* that the Agency reimbursed depreciation charges for a vessel that had

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Amendment

3. *Notes* that the Agency reimbursed depreciation charges for a vessel that had

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exceeded its useful life; notes that the Agency recovered only the payments from 2015; **notes** the Agency's statement that this cost recovery was made in line with the principle of proportionality; highlights the risk of double funding for the reimbursement of vessels and fuel consumption under "Commission ISF Borders" and "Frontex joint operations"; notes that rules for reimbursing costs are complex and calculated differently for every Member State; encourages the Agency to obtain rights to use simplified cost options and other funding mechanisms in addition to grants;

exceeded its useful life; notes that the Agency recovered only the payments from 2015; **accepts** the Agency's statement that this cost recovery was made in line with the principle of proportionality; highlights the risk of double funding for the reimbursement of vessels and fuel consumption under "Commission ISF Borders" and "Frontex joint operations"; notes that rules for reimbursing costs are complex and calculated differently for every Member State; encourages the Agency to obtain rights to use simplified cost options and other funding mechanisms in addition to grants;

Or. el

Amendment 9
Eva Joly

Draft opinion
Paragraph 3 a (new)

Draft opinion

Amendment

3 a. Notes with concern the high number of ongoing corrective measures in answer to the Court of Auditors' comments in 2012, 2013 and 2014 related to recruitment procedures, headquarters agreement, expenditures claimed by cooperating countries and contributions from Schengen associated countries; calls on the Agency to complete as many corrective actions as possible during the year 2017;

Or. en

Amendment 10
Eva Joly

Draft opinion
Paragraph 3 b (new)

3 b. Regrets the conclusions of the European Court of Auditors in its Special Report No 12/2016^{1a} that the Agency does not have quantitative objectives and targets for its joint operations, which hampers the measurement of the joint operations' effectiveness in the long term; notes the Agency's reply that quantification of objectives may not be possible in the field of irregular migration; calls on the Agency to develop and implement quantitative objectives with specific target values as soon as possible and where applicable;

^{1a} *European Court of Auditors, Special Report No 12/2016: Agencies' use of grants: not always appropriate or demonstrably effective, p. 26.*

Or. en

Amendment 11

Eva Joly

Draft opinion

Paragraph 3 c (new)

3 c. Regrets the conclusions of the European Court of Auditors in its Special Report No 12/2016^{1a} that the Agency has not established an appropriate conflict of interest policy for the staff members of the bilateral negotiation teams; calls on the Agency to establish formal conflict of interest policies for external experts, internal staff and governing board members involved in the selection and award process of grants, taking into account the accumulated effect of several minor conflict of interest and defining effective mitigating measures;

Or. en

Amendment 12
Caterina Chinnici, Maria Grapini

Draft opinion
Paragraph 4

Draft opinion

4. Welcomes the contribution of the Agency to saving more than 250 000 people at sea in 2015; welcomes the increase of the Agency's search and rescue capacity following the tragic events of spring 2015; welcomes the signature of an important agreement with CSDP Mission EUNAVFOR Med regarding maritime surveillance;

Amendment

4. Welcomes the contribution of the Agency to saving more than 250 000 people at sea in 2015; welcomes the increase of the Agency's search and rescue capacity following the tragic events of spring 2015; ***looks forward to those capacities being strengthened further following the adoption of the new mandate in mid-2016 which includes search and rescue as a stand along component of European integrated border management and assigns it as a specific task of the Agency***; welcomes the signature of an important agreement with CSDP Mission EUNAVFOR Med regarding maritime surveillance;

Or. en

Amendment 13
Eva Joly

Draft opinion
Paragraph 4

Draft opinion

4. Welcomes the contribution of the Agency to saving more than 250 000 people at sea in 2015; welcomes the increase of the Agency's search and rescue capacity following the tragic events of

Amendment

4. Welcomes the contribution of the Agency to saving more than 250 000 people at sea in 2015; welcomes the increase of the Agency's search and rescue capacity following the tragic events of

spring 2015; *welcomes the signature of an important agreement with CSDP Mission EUNAVFOR Med regarding maritime surveillance;*

spring 2015; *believes nevertheless that a coherent Union response to search and rescue operations in the Mediterranean must be independent from border management and control missions, and designed as a stand-alone mission;*

Or. en

Amendment 14 **Barbara Spinelli**

Draft opinion **Paragraph 4**

Draft opinion

4. Welcomes the contribution of the Agency to saving more than 250 000 people at sea in 2015; welcomes the increase of the Agency's search and rescue capacity following the tragic events of spring 2015; *welcomes the signature of an important agreement with CSDP Mission EUNAVFOR Med regarding maritime surveillance;*

Amendment

4. Welcomes the contribution of the Agency to saving more than 250 000 people at sea in 2015; welcomes the increase of the Agency's search and rescue capacity following the tragic events of spring 2015; *believes nevertheless that a coherent Union response to search and rescue operations in the Mediterranean must be independent from border management and control missions, and designed as a stand-alone mission;*

Or. en

Amendment 15 **Eleftherios Synadinos**

Draft opinion **Paragraph 4**

Draft opinion

4. *Welcomes* the contribution of the Agency to saving more than 250 000 people at sea in 2015; *welcomes* the increase of the Agency's search and rescue capacity following the *tragic* events of spring 2015; *welcomes* the signature of an important agreement with CSDP Mission EUNAVFOR Med regarding maritime

Amendment

4. *Notes* the contribution of the Agency to *recovering and* saving more than 250 000 people at sea in 2015; *acknowledges* the increase of the Agency's search and rescue capacity following the events of spring 2015; *recalls* the signature of an important agreement with CSDP Mission EUNAVFOR Med

surveillance;

regarding maritime surveillance;

Or. el

Amendment 16

Eva Joly

Draft opinion

Paragraph 5

Draft opinion

Amendment

5. Welcomes the support provided to national authorities in hotspot areas in relation to identification and registration of migrants, return-related activities and Union internal security; welcomes the signature of an operational cooperation agreement with Europol to deter cross-border crime and migrant smuggling.

deleted

Or. en

Amendment 17

Barbara Spinelli

Draft opinion

Paragraph 5

Draft opinion

Amendment

5. Welcomes the support provided to national authorities in hotspot areas in relation to identification and registration of migrants, return-related activities and Union internal security; welcomes the signature of an operational cooperation agreement with Europol to deter cross-border crime and migrant smuggling.

deleted

Or. en

Amendment 18

Patricija Šulin, Monika Hohlmeier, Tomáš Zdechovský

Draft opinion
Paragraph 5

Draft opinion

5. Welcomes the support provided to national authorities in hotspot areas in relation to identification and registration of migrants, return-related activities and Union internal security; welcomes the signature of an operational cooperation agreement with Europol to deter cross-border crime and migrant smuggling.

Amendment

5. Welcomes the support provided to national authorities in hotspot areas in relation to identification and registration of migrants, return-related activities and Union internal security; welcomes the signature of an operational cooperation agreement with Europol to deter cross-border crime and migrant smuggling; ***calls for further and more effective cooperation with Europol and other agencies in the area of justice and home affairs.***

Or. en

Amendment 19
Eleftherios Synadinos

Draft opinion
Paragraph 5

Draft opinion

5. ***Welcomes the*** support provided to national authorities in hotspot areas in relation to identification and registration of migrants, return-related activities and Union internal security; ***welcomes*** the signature of an operational cooperation agreement with Europol to deter cross-border crime and migrant smuggling.

Amendment

5. ***Is concerned at the lack of*** support provided to national authorities in hotspot areas in relation to identification and registration of migrants, return-related activities and Union internal security; ***expresses restrained satisfaction at*** the signature of an operational cooperation agreement with Europol to deter cross-border crime and migrant smuggling.

Or. el

Amendment 20
Monika Hohlmeier, Patricija Šulin, Tomáš Zdechovský

Draft opinion
Paragraph 5 a (new)

Draft opinion

Amendment

5 a. Regrets that the Agency continues to operate on the basis of correspondence and exchanges with its host Member State Poland; calls on both parties to conclude a comprehensive headquarters agreement as soon as possible to enhance transparency regarding the conditions under which the Agency and its staff operate;

Or. en

**Amendment 21
Barbara Spinelli**

**Draft opinion
Paragraph 5 a (new)**

Draft opinion

Amendment

5 a. Believes that there is insufficient assurance of the legality of grant transactions in the area of joint land/sea/air operations and in joint return operations.

Or. en