DRAFT OPINION

of the Committee on Civil Liberties, Justice and Home Affairs

for the Committee on Budgetary Control

on discharge in respect of the implementation of the budget of the European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA) for the financial year 2018 (2019/2097(DEC))

Rapporteur for opinion: Roberta Metsola
PA_NonLeg
SUGGESTIONS

The Committee on Civil Liberties, Justice and Home Affairs calls on the Committee on Budgetary Control, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

1. Stresses that the European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA) (the 'Agency') offers an important contribution to a safer Europe by providing high-quality services and helping to align Member States’ technological capabilities with their needs; reminds that the Agency’s capacity to both improve existing and develop new information systems was enhanced by its new mandate which entered into force in December 2018;

2. Welcomes the fact that the Court of Auditors (the 'Court') has declared the transactions underlying the annual accounts of the Agency for the financial year 2018 to be legal and regular in all material respects and that its financial position on 31 December 2018 is fairly represented; highlights that in 2018 the Agency's budget increased from EUR 79 million to EUR 97 million (an increase of 22 %) and its staff from 152 to 162 (an increase of 6 %);

3. Notes the Agency's very low budget implementation in 2018, with close to 25 % (EUR 49 million) of commitment appropriations carried forward and 76 % (EUR 74 million) of payment appropriations unused; acknowledges that this was due to reasons beyond the control of the Agency, namely the late adoption or entry into force of certain legislative acts; believes, however, that the lower absorption capacity should have been anticipated and therefore calls on the Agency and the Commission to improve the budgetary planning in the future;

4 Stresses that the current practice according to which the Agency may only recruit the necessary staff for the implementation of a legal act once that act is in force stretches the Agency’s core team capabilities and therefore carries the risk of preventing the Agency from sustaining a good performance in its daily activities; notes that the Court has identified a horizontal trend across agencies in the use of external staff hired in IT consultancy roles; calls for the Agency's dependence, as the agency responsible for large-scale IT systems in the Union, on external recruitment in this area to be addressed; calls, therefore, on the Commission to allow for the front-loading of some of the staff foreseen in a proposal for a legal act to allow the Agency to prepare the work required for the implementation of that legal act;

5. Takes note of several flaws detected by the Court in relation to compliance with public procurement rules; regrets that the flaws related to a framework contract for provision of ‘corrective maintenance in working order of the Schengen Information System’ led to irregular payments totalling EUR 759 000; deprecates that the Court detected further shortcomings in the quality, completeness and consistency of information related to that contract; takes note of the Agency’s reply that the irregular payment was necessary to comply with its legal obligation to continuously maintain the Schengen Information System as the procedure for the successor framework contract was launched too late; welcomes the new organisational structure put in place by the Agency to reinforce the capabilities needed for operational planning and the underlying procurement, including
the provision of legal and technical input, but calls for further efforts to ensure compliance with procurement rules and more accurate reporting;

6. Welcomes the progress made regarding the Court’s recommendations from previous years; notes, however that the Agency still does not publish vacancy notices on the website of the European Personnel Selection Office (EPSO); calls, therefore, on the Agency to take steps to ensure publication of vacancies through the EPSO website; notes that the construction of the new building on the Strasbourg site has been completed; highlights that the continuity of operations is no longer threatened by a small number of staff in key operational units.