



EUROPEAN PARLIAMENT

2014 - 2019

Committee on Civil Liberties, Justice and Home Affairs

2014/0185(COD)

18.3.2015

AMENDMENTS

7 - 25

Draft opinion
Jeroen Lenaers
(PE544.268v01-00)

on the proposal for a decision of the European Parliament and of the Council establishing a programme on interoperability solution for European public administrations, businesses and citizens (ISA2) Interoperability as a means for modernising the public sector

Proposal for a decision
(COM(2014)0367 – C8-0037/2014 – 2014/0185(COD))

(*) Associated committee – Rule 54 of the Rules of Procedure

AM_Com_LegOpinion

Amendment 7

Marie-Christine Vergiat, Paloma López Bermejo

Proposal for a decision

Recital 2

Text proposed by the Commission

(2) In its Communication of 19 May 2010 to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on A Digital Agenda for Europe (DAE)³⁵, one of the flagship initiatives of its Europe 2020³⁶ Strategy, the Commission stressed that interoperability is essential to maximise the social and economic potential of ICT and that, consequently, the Digital Agenda can take off only if interoperability is ensured.

³⁵ COM(2010) 245.

³⁶ COM(2010) 2020.

Amendment

(2) In its Communication of 19 May 2010 to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on A Digital Agenda for Europe (DAE)³⁵, one of the flagship initiatives of its Europe 2020³⁶ Strategy, the Commission stressed that interoperability is essential to maximise the social and economic potential of ICT and that, consequently, the Digital Agenda can take off only if interoperability is ensured ***in such a way as to comply with the principles and provisions relating to data protection and the protection of privacy.***

³⁵ COM(2010) 245.

³⁶ COM(2010) 2020.

Or. fr

Amendment 8

Milan Zver

Proposal for a decision

Recital 3 a (new)

Text proposed by the Commission

Amendment

(3a) Interoperability as regards data protection and stronger cross-border cooperation should reveal a substantial potential for better efficiency of Member States' public services, which, if used to its full capacity, could help achieving the

Amendment 9
Angelika Mlinar

Proposal for a decision
Recital 19

Text proposed by the Commission

(19) A single sector interoperability perspective is associated with the risk that the adoption of different or incompatible solutions at national or sectoral levels will throw up new e-barriers that impede the proper functioning of the internal market and the associated freedoms of movement, and undermine the openness and competitiveness of markets and the delivery of services of general interest to citizens and enterprises. In order to mitigate this risk, Member States and the Union should step up joint efforts to avoid market fragmentation and ensure cross-border or cross-sector interoperability in the implementation of legislation, while reducing administrative burdens and costs, and promote commonly agreed ICT solutions, while ensuring appropriate governance.

Amendment

(19) A single sector interoperability perspective is associated with the risk that the adoption of different or incompatible solutions at national or sectoral levels will throw up new e-barriers that impede the proper functioning of the internal market and the associated freedoms of movement, and undermine the openness and competitiveness of markets and the delivery of services of general interest to citizens and enterprises. In order to mitigate this risk, Member States and the Union should step up joint efforts to avoid market fragmentation and ensure cross-border or cross-sector interoperability in the implementation of legislation, while reducing administrative burdens and costs, and promote commonly agreed ICT solutions, while ensuring appropriate governance. ***Security of data use and cloud storage should also be covered by ISA² Programme.***

Amendment 10
Aldo Patriciello

Proposal for a decision
Recital 20 – indent 3 a (new)

Text proposed by the Commission

Amendment

– the ISA² Programme should be based on the experience acquired in those programmes.

Or. it

Amendment 11
Aldo Patriciello

Proposal for a decision
Recital 23

Text proposed by the Commission

Amendment

(23) Solutions established or operated under the present ISA² Programme should, ***as far as*** possible, form part of a consistent environment of services facilitating interaction between European public administrations, enterprises and citizens, and ensuring, facilitating and enabling cross-border or cross-sector interoperability.

(23) Solutions established or operated under the present ISA² Programme should, ***to the greatest extent*** possible, form part of a consistent environment of services facilitating interaction between European public administrations, enterprises and citizens, and ensuring, facilitating and enabling cross-border or cross-sector interoperability.

Or. it

Amendment 12
Marie-Christine Vergiat, Paloma López Bermejo, Marisa Matias

Proposal for a decision
Recital 24 a (new)

Text proposed by the Commission

Amendment

(24a) The ISA² Programme should comply with the principles and provisions relating to data protection and the protection of privacy.

Or. fr

Amendment 13
Angelika Mlinar

Proposal for a decision
Article 3 – paragraph 1 – point g

Text proposed by the Commission

(g) the assessment, update and promotion of existing common specifications and standards and the development, establishment and promotion of new common specifications and standards through the Union's standardisation platforms and in cooperation with European or international standardisation organisations as appropriate; and

Amendment

(g) the assessment, update and promotion of existing common specifications and standards and the development, establishment and promotion of new common specifications and standards through the Union's standardisation platforms and in cooperation with European or international standardisation organisations as appropriate, ***including with regard to the security of data transmission, processing and storage***; and

Or. en

Amendment 14
Michal Boni, Barbara Kudrycka

Proposal for a decision
Article 3 – paragraph 1 – point h a (new)

Text proposed by the Commission

Amendment

(ha) facilitation of the re-use of data by enterprises and citizens in a beneficial and practical manner, in accordance with the applicable law on, inter alia, data protection.

Or. en

Amendment 15
Michal Boni, Barbara Kudrycka

Proposal for a decision
Article 4 – point b – indent 4

Text proposed by the Commission

– security and privacy;

Amendment

– *minimum* security and *high-level* privacy;

Or. en

Amendment 16
Aldo Patriciello

Proposal for a decision
Article 4 – point b – indent 4

Text proposed by the Commission

– security and privacy;

Amendment

– security and *respect for* privacy;

Or. it

Amendment 17
Miriam Dalli, Jan Philipp Albrecht

Proposal for a decision
Article 4 – point b – indent 4

Text proposed by the Commission

– security and privacy;

Amendment

– security and *respect for* privacy *by default and design, in accordance with data protection law*;

Or. en

Amendment 18
Ivan Jakovčić

Proposal for a decision
Article 6 – paragraph 2

Text proposed by the Commission

2. Involvement of the largest possible number of Member States in a project shall be encouraged. **Member States** shall be able, **and encouraged**, to join a project at any stage.

Amendment

2. Involvement of the largest possible number of Member States **and their local and regional authorities** in a project shall be encouraged **and they** shall be able to join a project at any stage.

Or. en

Amendment 19

Miriam Dalli, Jan Philipp Albrecht

Proposal for a decision

Article 6 – paragraph 10

Text proposed by the Commission

10. **All** actions and interoperability solutions **funded under the ISA² Programme shall be encouraged**, where appropriate, **to re-use available interoperability solutions**.

Amendment

10. Actions and Interoperability solutions **that require processing of personal data, shall**, where appropriate **and possible, be preceded by a data protection impact assessment in accordance with Article 33^{1a} of Regulation .../...^{1b}**.

^{1a} **Or such amended article once Regulation .../... is adopted.**

^{1b} **Proposal for a Regulation of the European Parliament and of the Council on the protection of individuals with regard to the processing of personal data and on the free movement of such data (COM(2012)0011).**

Or. en

Amendment 20

Aldo Patriciello

Proposal for a decision

Article 7 – paragraph 1 – subparagraph 1

Text proposed by the Commission

At the start of the ISA² Programme, the Commission shall adopt implementing acts establishing a rolling work programme and amending it at least once a year, for the implementation of actions for the entire period of application of this Decision. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 10(2).

Amendment

At the start of the ISA² Programme, the Commission shall adopt implementing acts establishing a rolling work programme and amending it at least once a year, **where necessary**, for the implementation of actions for the entire period of application of this Decision. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 10(2).

Or. it

Amendment 21

Miriam Dalli, Damian Drăghici, Jan Philipp Albrecht, Marju Lauristin, Birgit Sippel

Proposal for a decision

Article 11 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. The interim evaluation and final evaluation of the ISA² Programme shall include a separate analysis of compliance with data protection rules in all actions and interoperability solutions that require the processing of personal data.

Or. en

Amendment 22

Miriam Dalli, Jan Philipp Albrecht

Proposal for a decision

Article 11 – paragraph 4

Text proposed by the Commission

Amendment

4. The evaluations shall examine issues such as the relevance, effectiveness, efficiency, utility, sustainability **and coherence** of Programme actions. The final

4. The evaluations shall examine issues such as the relevance, effectiveness, efficiency, utility, sustainability, **coherence and regard for citizens' data protection** of

evaluation shall, in addition, examine the extent to which the Programme has achieved its objective.

Programme actions. The final evaluation shall, in addition, examine the extent to which the Programme has achieved its objective.

Or. en

Amendment 23

Marie-Christine Vergiat, Paloma López Bermejo, Marisa Matias

Proposal for a decision

Article 11 – paragraph 4

Text proposed by the Commission

4. The evaluations shall examine issues such as the relevance, effectiveness, efficiency, utility, sustainability and coherence of Programme actions. The final evaluation shall, in addition, examine the extent to which the Programme has achieved its objective.

Amendment

4. The evaluations shall examine issues such as ***compliance with the provisions and principles relating to data protection and the protection of privacy***, and the relevance, effectiveness, efficiency, utility, sustainability, data protection compliance and coherence of Programme actions. The final evaluation shall, in addition, examine the extent to which the Programme has achieved its objective.

Or. fr

Amendment 24

Miriam Dalli, Jan Philipp Albrecht

Proposal for a decision

Article 12 – paragraph 2

Text proposed by the Commission

2. Cooperation with other third countries and international organisations or bodies shall be encouraged, notably in the framework of the Euro-Mediterranean and Eastern Partnerships and with neighbouring countries, in particular those of the Western Balkans and Black Sea regions. Related costs shall not be covered

Amendment

2. Cooperation with other third countries and international organisations or bodies shall be encouraged, notably in the framework of the Euro-Mediterranean and Eastern Partnerships and with neighbouring countries, in particular those of the Western Balkans and Black Sea regions ***in accordance with Data***

by the *ISA*² Programme.

Protection rules. Related costs shall not be covered by the *ISA*² Programme.

Or. en

Amendment 25

Marie-Christine Vergiat, Paloma López Bermejo, Marisa Matias

Proposal for a decision

Article 12 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Any form of international cooperation implemented under the *ISA*² Programme shall comply with Union principles and provisions relating to data protection and the protection of privacy.

Or. fr