



**2016/2193(DEC)**

7.3.2017

# **AMENDMENTS**

## **1 - 16**

**Draft report**

**Inés Ayala Sender**

(PE593.860v01-00)

2015 discharge: European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (eu-LISA)  
(2016/2193(DEC))



**Amendment 1**  
**Inés Ayala Sender**

**Proposal for a decision 1 1**  
**Paragraph 1**

*Proposal for a decision*

1. Grants the Executive Director of the European Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice discharge in respect of the implementation of the Agency's budget for the financial year 2015 / ***Postpones its decision on granting the Executive Director of the European Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice discharge in respect of the implementation of the Agency's budget for the financial year 2015;***

*Amendment*

1. Grants the Executive Director of the European Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice discharge in respect of the implementation of the Agency's budget for the financial year 2015;

Or. es

**Amendment 2**  
**Ryszard Czarnecki, Raffaele Fitto, Notis Marias**

**Proposal for a decision 1**  
**Paragraph 1**

*Proposal for a decision*

1. ***Grants the Executive Director of the European Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice discharge in respect of the implementation of the Agency's budget for the financial year 2015 /*** Postpones its decision on granting the Executive Director of the European Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice discharge in respect of the implementation of the Agency's budget for the financial year 2015;

*Amendment*

1. Postpones its decision on granting the Executive Director of the European Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice discharge in respect of the implementation of the Agency's budget for the financial year 2015;

**Amendment 3**  
**Inés Ayala Sender**

**Proposal for a decision 2 2**  
**Paragraph 1**

*Proposal for a decision*

1. Approves the closure of the accounts of the European Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice for the financial year 2015 / *Postpones the closure of the accounts of the European Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice for the financial year 2015;*

*Amendment*

1. Approves the closure of the accounts of the European Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice for the financial year 2015;

**Amendment 4**  
**Ryszard Czarnecki, Raffaele Fitto, Notis Marias**

**Proposal for a decision 2**  
**Paragraph 1**

*Proposal for a decision*

1. *Approves the closure of the accounts of the European Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice for the financial year 2015 /* Postpones the closure of the accounts of the European Agency for the *Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice* for the financial year 2015;

*Amendment*

1. Postpones the closure of the accounts of the European Agency for the *operational* management of *large-scale* IT Systems in the area of freedom, security and justice for the financial year 2015;

## **Amendment 5**

**Benedek Jávor**

on behalf of the Verts/ALE Group

### **Motion for a resolution**

#### **Recital B a (new)**

*Motion for a resolution*

*Amendment*

***B a. whereas in the context of the discharge procedure, Parliament stresses the special importance of further strengthening the democratic legitimacy of the institutions of the Union by improving transparency and accountability, implementing the concept of performance based budgeting (PBB) and good governance of human resources;***

Or. en

## **Amendment 6**

**Benedek Jávor**

on behalf of the Verts/ALE Group

### **Motion for a resolution**

#### **Paragraph 6**

*Motion for a resolution*

*Amendment*

6. Notes that, further to its audit of the Agency's procurement procedures, the Court concluded that the Agency engaged in contractual agreements or negotiations with a single contractor, without precisely defining the services requested; observes that such agreements could limit competition and increase dependence upon the contractor; acknowledges that, in particular for the systems under management, factors outside the control of the Agency limit the possibility to systematically re-open competitions; encourages the Agency to conclude agreements with multiple suppliers or define the services required more precisely, whenever possible;

6. Notes that, further to its audit of the Agency's procurement procedures, the Court concluded that the Agency engaged in contractual agreements or negotiations with a single contractor, without precisely defining the services requested; ***is deeply concerned as such agreements involve a high risk of acting contrary to the principle of "economy", damaging the "cost-effectiveness" of such procurements and are much more exposed to the risk of corruption;*** observes that such agreements could ***also further*** limit competition and increase dependence upon the contractor; acknowledges that, in particular for the systems under management, factors outside the control of the Agency limit the possibility to systematically re-open

competitions; encourages the Agency to conclude agreements with multiple suppliers or *to* define the services required more precisely, whenever possible;

Or. en

**Amendment 7**  
**Barbara Kappel**

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

*Motion for a resolution*

6. Notes that, further to its audit of the Agency's procurement procedures, the Court concluded that the Agency engaged in contractual agreements or negotiations with a single contractor, without precisely defining the services requested; observes that such agreements could limit competition and increase dependence upon the contractor; acknowledges that, in particular for the systems under management, factors outside the control of the Agency limit the possibility to systematically re-open competitions; encourages the Agency to conclude agreements with multiple suppliers or define the services required more precisely, whenever possible;

*Amendment*

6. Notes that, further to its audit of the Agency's procurement procedures, the Court concluded that the Agency engaged in contractual agreements or negotiations with a single contractor, without precisely defining the services requested; observes that such agreements could limit competition and increase dependence upon the contractor; acknowledges that, in particular for the systems under management, factors outside the control of the Agency limit the possibility to systematically re-open competitions; encourages the Agency to conclude agreements with multiple suppliers or define the services required more precisely, whenever possible *in the interests of greater transparency and accountability*;

Or. de

**Amendment 8**  
**Petri Sarvamaa**

**Motion for a resolution**  
**Paragraph 7**

*Motion for a resolution*

7. Notes that in 2015 the total staff of the Agency consisted of 135 members (117 temporary agents, 12 contract agents and 6

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*Amendment*

7. Notes that in 2015 the total staff of the Agency consisted of 135 members (117 temporary agents, 12 contract agents and 6

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seconded national experts); notes furthermore that the *staff consisted of 33 % female members and 67 % male members*;

seconded national experts); notes furthermore that the *overall gender balance of the staff was 33 % / 67 %*;

Or. en

**Amendment 9**  
**Petri Sarvamaa**

**Motion for a resolution**  
**Paragraph 9**

*Motion for a resolution*

9. *Points out* that carry-overs *are* often partly or fully justified by the multiannual nature of an agency's operational programmes and do not necessarily indicate weaknesses in budget planning and implementation nor are they always at odds with the budgetary principle of annuality, in particular if they are planned in advance and communicated to the Court;

*Amendment*

9. *Notes* that carry-overs *may* often *be* partly or fully justified by the multiannual nature of an agency's operational programmes and do not necessarily indicate weaknesses in budget planning and implementation nor are they always at odds with the budgetary principle of annuality, in particular if they are planned in advance and communicated to the Court;

Or. en

**Amendment 10**  
**Barbara Kappel**

**Motion for a resolution**  
**Paragraph 9**

*Motion for a resolution*

9. Points out that carry-overs are often partly or fully justified by the multiannual nature of an agency's operational programmes and do not necessarily indicate weaknesses in budget planning and implementation nor are they always at odds with the budgetary principle of annuality, in particular if they are planned in advance and communicated to the Court;

*Amendment*

9. Points out that carry-overs are often partly or fully justified by the multiannual nature of an agency's operational programmes and do not necessarily indicate weaknesses in budget planning and implementation nor are they always at odds with the budgetary principle of annuality, in particular if they are planned in advance and communicated to the Court; *asks the Agency to keep the volume to be carried over to the next year as low as*

*possible;*

Or. en

## **Amendment 11**

**Benedek Jávör**

on behalf of the Verts/ALE Group

### **Motion for a resolution**

#### **Paragraph 14**

##### *Motion for a resolution*

14. Notes that the Agency *is awaiting further guidance from the Commission before formulating* its internal whistleblowing *rules*; notes also that the Agency intends to adopt those rules during 2017; asks the Commission to provide *this* further guidance *as soon as possible* and calls on the Agency to report to the discharge authority on the establishment and implementation of its whistleblowing rules;

##### *Amendment*

14. Notes that the Agency *has not yet adopted* its internal whistleblowing *policy*; notes also that the Agency intends to adopt those rules during 2017; *calls on the agency to effectively adopt and implement its internal whistleblowing policy in order to foster a culture of transparency and accountability in the workplace, to regularly inform and train employees on their duties and rights, ensure protection of the whistleblower from reprisal, to follow up on the substance of whistleblowers' alerts in a timely manner and to put into place a channel for anonymous internal reporting. Annual reports on the number of whistleblower cases and the follow-up they received should also be published and provided to the discharge authority*; asks the Commission to provide further guidance *to the Agency* and calls on the Agency to report to the discharge authority on the establishment and implementation of its whistleblowing rules;

Or. en

## **Amendment 12**

**Petri Sarvamaa**

### **Motion for a resolution**

#### **Paragraph 15**



*Motion for a resolution*

15. Notes with concern that the curriculum vitae (CVs) of the Agency's management board members and the CVs and the declarations of interest of the members of its advisory groups are not published on the Agency's website; *notes* that the Agency did not *foresee checking* the factual correctness of the declarations of interest *or* a process for updating them;

*Amendment*

15. Notes with concern that the curriculum vitae (CVs) of the Agency's management board members and the CVs and the declarations of interest of the members of its advisory groups are not published on the Agency's website; *regrets* that the Agency did not *check* the factual correctness of the declarations of interest, *nor did it provide* a process for updating them;

Or. en

**Amendment 13**

**Benedek Jávor**

on behalf of the Verts/ALE Group

**Motion for a resolution**

**Paragraph 15**

*Motion for a resolution*

15. Notes with concern that the curriculum vitae (CVs) of the Agency's management board members and the CVs and the declarations of interest of the members of its advisory groups are not published on the Agency's website; notes that the Agency did not *foresee checking* the factual correctness of the declarations of interest *or* a process for updating them;

*Amendment*

15. Notes with concern that the curriculum vitae (CVs) of the Agency's management board members and the CVs and the declarations of interest of the members of its advisory groups are not published on the Agency's website; notes that the Agency did not *check* the factual correctness of the declarations of interest, *nor did it provide* a process for updating them; *urges the Agency to adopt guidelines for a coherent policy on the prevention and management of conflicts of interest for members of the management board and directors, experts in scientific committees, and members of boards of appeal and to adopt and implement a clear policy on conflicts of interest, in accordance with the Roadmap on the follow-up to the Common Approach on EU decentralised agencies and to publish such documents without exceptions and to grant the public any necessary overview on its senior management;*

**Amendment 14**  
**Barbara Kappel**

**Motion for a resolution**  
**Paragraph 15**

*Motion for a resolution*

15. Notes with concern that the curriculum vitae (CVs) of the Agency's management board members and the CVs and the declarations of interest of the members of its advisory groups are not published on the Agency's website; notes that the Agency did not *forsee* checking the factual correctness of the declarations of interest or a process for updating them;

*Amendment*

15. Notes with concern that the curriculum vitae (CVs) of the Agency's management board members and the CVs and the declarations of interest of the members of its advisory groups are not published on the Agency's website; notes that the Agency did not *foresee* checking the factual correctness of the declarations of interest or a process for updating them; ***deplores the fact that the CVs and declarations of conflicts of interests of several members have yet to be received; notes that this practice does not further transparency and the remaining declarations should therefore be published without delay;***

Or. de

**Amendment 15**  
**Benedek Jávor**  
on behalf of the Verts/ALE Group

**Motion for a resolution**  
**Paragraph 21**

*Motion for a resolution*

21. Notes with concern a significant gender imbalance in the composition of the Agency's management board;

*Amendment*

21. Notes with concern a significant gender imbalance in the composition of the Agency's management board; ***urges the Agency to correct this imbalance and to communicate the results to the Parliament promptly;***

Or. en

**Amendment 16**  
**Petri Sarvamaa**

**Motion for a resolution**  
**Paragraph 22**

*Motion for a resolution*

22. Takes note of the fact that the Agency's available office space is occupied to the maximum level, which has consequently minimised the unit cost per workstation; *hopes*, nevertheless, that the legal requirements for a healthy and safe workplace for its employees are fully respected;

*Amendment*

22. Takes note of the fact that the Agency's available office space is occupied to the maximum level, which has consequently minimised the unit cost per workstation; *expects*, nevertheless, that the legal requirements for a healthy and safe workplace for its employees are fully respected;

Or. en