



2016/2155(DEC)

7.3.2017

AMENDMENTS

1 - 31

Draft report
Benedek Jávor
(PE593.841v01-00)

Discharge 2015: EU general budget - European Court of Auditors
(2016/2155(DEC))

Amendment 1
Cătălin Sorin Ivan

Proposal for a decision 1
Paragraph 1

Proposal for a decision

1. Grants the Secretary-General of the Court of Auditors discharge in respect of the implementation of the budget of the Court of Auditors for the financial year 2015 / *Postpones its decision on granting the Secretary-General of the Court of Auditors discharge in respect of the implementation of the budget of the Court of Auditors for the financial year 2015;*

Amendment

1. Grants the Secretary-General of the Court of Auditors discharge in respect of the implementation of the budget of the Court of Auditors for the financial year 2015;

Or. en

Amendment 2
Ryszard Czarnecki, Notis Marias, Raffaele Fitto, Monica Macovei, Richard Sulík, Beata Gosiewska

Proposal for a decision 1
Paragraph 1

Proposal for a decision

1. *Grants the Secretary-General of the Court of Auditors discharge in respect of the implementation of the budget of the Court of Auditors for the financial year 2015 / Postpones its decision on granting the Secretary-General of the Court of Auditors discharge in respect of the implementation of the budget of the Court of Auditors for the financial year 2015;*

Amendment

1. Postpones its decision on granting the Secretary-General of the Court of Auditors discharge in respect of the implementation of the budget of the Court of Auditors for the financial year 2015;

Or. en

Amendment 3
Monica Macovei

Proposal for a decision 1
Paragraph 1

Proposal for a decision

1. ***Grants the Secretary-General of the Court of Auditors discharge in respect of the implementation of the budget of the Court of Auditors for the financial year 2015*** / Postpones its decision on granting the Secretary-General of the Court of Auditors discharge in respect of the implementation of the budget of the Court of Auditors for the financial year 2015;

Amendment

1. Postpones its decision on granting the Secretary-General of the Court of Auditors discharge in respect of the implementation of the budget of the Court of Auditors for the financial year 2015;

Or. en

Amendment 4
Monica Macovei

Motion for a resolution
Citation 3 a (new)

Motion for a resolution

Amendment

- ***having regard the ECA special Report No 15/2012 "Management of conflict of interest in selected EU Agencies"***;

Or. en

Amendment 5
Monica Macovei

Motion for a resolution
Citation 3 b (new)

Motion for a resolution

Amendment

- ***having regard that the Court failed to thoroughly asses the accounts of the Agency for the Cooperation of Energy Regulators (ACER) where the discharge***

authority found a number of conflicts of interests and mismanagement of human resources;

Or. en

Amendment 6
Monica Macovei

Motion for a resolution
Paragraph 1

Motion for a resolution

1. *Appreciates* the cooperation between the Court of Auditors (the “Court”) and Parliament’s Committee on Budgetary Control *and welcomes regular feedback based on Parliament’s demands; welcomes the recent practice that allows Parliament to present its suggestions to the Court for the / its ??? annual work programme*; calls for *an even* more structured annual debate between the Court’s president and Parliament’s Conference of Committee Chairs;

Amendment

1. *Welcomes* the cooperation between the Court of Auditors (the “Court”) and Parliament’s Committee on Budgetary Control; calls for *a* more structured annual debate between the Court’s president and Parliament’s Conference of Committee Chairs;

Or. en

Amendment 7
Monica Macovei

Motion for a resolution
Paragraph 3

Motion for a resolution

3. *Emphasises* that in 2015, the Court’s final appropriations amounted to a total of EUR 132 906 000 (EUR 133 498 000 in 2014) and that the overall rate of implementation for the budget was 98,68 %; *welcomes that high* implementation rate;

Amendment

3. *Notes* that in 2015, the Court’s final appropriations amounted to a total of EUR **132 906 000 (EUR 133 498 000** in 2014) and that the overall rate of implementation for the budget was 98,68 %; *emphasizes that the* implementation rate *was less than in 2014 (98,8%)*;

Amendment 8
Dennis de Jong

Motion for a resolution
Paragraph 5

Motion for a resolution

5. Reminds the Court that the audit of the decentralised agencies remains “under the full responsibility of the Court, which manages all administrative and procurement procedures required”⁶; encourages the Court to put forward proposals to resolve the audit of the agencies issue within the context of the ongoing revision of the Financial Regulation, and the subsequent revision of the Framework Financial Regulation; is of the opinion that this matter should be clarified so as to *significantly* reduce *the* excessive administrative burden on the decentralised agencies;

⁶ Agreement of the Parliament, the Council and the Commission, paragraph 54 of the Common Approach.

Amendment

5. Reminds the Court that the audit of the decentralised agencies remains “under the full responsibility of the Court, which manages all administrative and procurement procedures required”⁶; encourages the Court to put forward proposals to resolve the audit of the agencies issue within the context of the ongoing revision of the Financial Regulation, and the subsequent revision of the Framework Financial Regulation; is of the opinion that this matter should be clarified so as to reduce *any* excessive administrative burden on the decentralised agencies, *without impairing the necessity and effectiveness of the Court’s work*;

⁶ Agreement of the Parliament, the Council and the Commission, paragraph 54 of the Common Approach.

Amendment 9
Monica Macovei

Motion for a resolution
Paragraph 1 a (new)

Motion for a resolution

Amendment

1a. Takes note of Court’s failure to identify the conflict of interest situations in the Board of Regulators of Agency for

cooperation of Energy Regulators (ACER) and the failure to criticise in the Court's report the lack of CVs and declarations of interest in a number of Agencies and Joint Undertakings (Bio-based industries (BBI) Joint Undertaking, Office of the Body of the European Regulators for Electronic Communications (BEREC), Safety of air navigation Joint Undertaking (SESAR), European Railway Agency (ERA) etc);

Or. en

Amendment 10
Monica Macovei

Motion for a resolution
Paragraph 5 a (new)

Motion for a resolution

Amendment

5a. Notes with concern that the Court was not able to find out that the Agency for the Cooperation of Energy Regulators (ACER) published in 2016 a vacancy notice to recruit a budget officer as an AD8, breaching the establishment plan providing for the availability of the AD5 position only; calls therefore on the European Court of Auditors to thoroughly verify this case and possible similar others and to inform the discharge authority by June 2017; notes with dissatisfaction that the Court did not mention in its report regarding ACER that the 2013-2016 reclassifications on positions and grades by ACER were not introduced into to the establishment plan submitted to the European Commission; also in the case of ACER the Administrative Board was informed that the extra contract agents would be employed for a few months to respond to the immediate shortage of staff, but instead, the Agency had employed in the next period more extra

staff for longer terms although it benefitted with 15 extra staff to whom other agencies contributed; in the same Agency the director failed to follow the DG BUDG and DG HR which had strongly expressed against the Director's decision to mitigate issues related to the establishment plan and the contract agents as resulting from an 2016 ACER Administrative Board meeting; moreover, apparently, all the reclassified staff members receive their salaries based on a 2016 decision of the Director, contrary to the DG BUDG and EC decisions; notes with concern that the 2015 ACER Staff Engagement Survey, although stating some progress, shows that the results of the Administration Department are below the average and decreasing from 2013, contrary to the rest of the Agency; Is concerned that the decision making in the ACER is not perceived as objective and transparent and the senior management does not have a clear vision on leading the Agency and setting up its goals, as resulting from the 2015 ACER Staff Engagement Survey; in addition, the Agency's leadership took decisions contrary to the European Commission and failed to consult and take into account the staff opinions, creating a split contrary to a team work, which does not fall into good leadership and management. Notes with concern that the mandatory mobility is not enforced in the Agency and therefore some decisions could lead to arbitrary management; calls on the Agency to apply the mandatory mobility of the staff performing sensitive functions, such as administration, human and financial resources in order to eliminate the risks associated to sensitive management tasks, which should be object to mitigating controls and specific ex post controls; notes that some of ACER's staff members who received undue payments, allowances included, have not returned them; regrets that the

European Court of Auditors failed to find this matter and protect the tax payers; calls on the European Court of Auditors to look into these matters and inform the Parliament by June 2017 and also explain by the same date the failure to refer to these problems in its report on the 2015 ACER activity;

Or. en

Amendment 11
Monica Macovei

Motion for a resolution
Paragraph 6

Motion for a resolution

6. Takes note that the Court's reform was implemented in 2015 ***and considered as a success by the Court***; looks forward to receiving a mid-term assessment of the Court's 2013-2017 strategy, ***including an analysis of the achievements of the main objectives of the reform***;

Amendment

6. Takes note that the Court's reform was implemented in 2015; looks forward to receiving a mid-term assessment of the Court's 2013-2017 strategy; ***assessments must look at both good and bad results of a reform***;

Or. en

Amendment 12
Cătălin Sorin Ivan

Motion for a resolution
Paragraph 6 a (new)

Motion for a resolution

6a. Welcomes the new money for EU added value approach of the Court in its Reports; calls for further work with the other EU institutions to develop the performance indicators and priorities for the good financial governance;

Amendment

Amendment 13
Monica Macovei

Motion for a resolution
Paragraph 7

Motion for a resolution

7. Notes that the revision of article 163 of the Financial Regulation foresees that “special reports are drawn up and adopted within [...] 13 months”; **observes** that this time frame target was not met in 2015; urges the Court to respect this time line without compromising the quality of the reports; in this regard, **encourages** the Court to improve its special reports’ recommendations to be even more targeted;

Amendment

7. Notes that the revision of article 163 of the Financial Regulation foresees that “special reports are drawn up and adopted within [...] 13 months”; **notes with concern** that this time frame target was not met in 2015; urges the Court to respect this time line without compromising the quality of the reports; in this regard, **urges** the Court to improve its special reports’ recommendations to be even more targeted; **failure to respect deadlines for special reports and targeted recommendations requires "urges" rather than "encourages"**;

Amendment 14
Dennis de Jong

Motion for a resolution
Paragraph 8

Motion for a resolution

8. Takes the view that the special reports of the Court should be given more prominence by the recipient institutions and should have yearly dedicated reports;

Amendment

8. Takes the view that the special reports of the Court should be given more prominence by the recipient institutions and should have yearly dedicated reports; **emphasizes that the effectiveness of the separate special reports could be enlarged if they were grouped together in time in relation to specific policy areas, thus making it possible for Parliament to devote ad hoc reports to these special**

reports of the Court outside the discharge cycle;

Or. en

Amendment 15
Monica Macovei

Motion for a resolution
Paragraph 7 a (new)

Motion for a resolution

Amendment

7a. *Deplores that the Court failed to present since 2012 a special report on the conflict of interest in all Agencies, in particular in those related to industries contrary to the requests made in the previous discharge reports adopted by the Parliament; urges the Court to produce and publish such special reports on conflict of interests by the end of June 2017 and to publish such reports annually; annual reports on conflicts of interest are vital for the integrity of the EU institutions as the relationships between the European Agencies in the industry field, industries and lobbying companies are of outmost importance;*

Or. en

Amendment 16
Monica Macovei

Motion for a resolution
Paragraph 9

Motion for a resolution

Amendment

9. Observes that the Court complies with the inter-institutional agreement to reduce staff by 5 % over a period of five years; asks to be informed *as to* how this

9. Observes that the Court complies with the inter-institutional agreement to reduce staff by 5 % over a period of five years; asks to be informed *by June*

reduction matches the new recruitments made by the Court in 2015;

2017 on how this reduction matches the new recruitments made by the Court in 2015 **and the percentage of the 2015 new recruitments**;

Or. en

Amendment 17
Barbara Kappel

Motion for a resolution
Paragraph 10

Motion for a resolution

Amendment

10. *Notes with concern that the Court had only five female members out of 28 in 2015 and that that number went down to three in 2016; notes with concern, furthermore, that the Court has a continued shortage of women holding senior and middle management posts (only 30,4 %); urges the Court to take supplementary measures to promote gender balance, in particular in management posts, and to communicate the results to Parliament as quickly as possible and without undermining the Court's mission;*

deleted

Or. en

Amendment 18
Petri Sarvamaa

Motion for a resolution
Paragraph 10

Motion for a resolution

Amendment

10. *Notes with concern that the Court had only five female members out of 28 in 2015 and that that number went down to three in 2016; notes with concern,*

10. *Regrets that within the members of the Court there was a gender imbalance of five compared to 23 in 2015 and that the number of the underrepresented gender*

furthermore, that the Court has a continued **shortage of women holding** senior and middle management posts (**only 30,4 %**); **urges the Court to take supplementary measures** to promote gender balance, in particular in management posts, and **to communicate the results to Parliament as quickly as possible and without undermining the Court's mission**;

went down to three in 2016; notes, furthermore, that the Court has a continued **gender imbalance in** senior and middle management posts (**30,4 % / 69,6 %**); **calls on the Court** to promote gender balance, in particular in management posts, and **without undermining the Court's mission, to report back to the discharge authority on the measures taken, and furthermore on the results achieved**;

Or. en

Amendment 19
Tamás Deutsch

Motion for a resolution
Paragraph 11 a (new)

Motion for a resolution

Amendment

11a. Emphasises that geographical balance, namely the relationship between staff nationality and the size of Member States, should still remain an important element of resources management particularly with respect to the Member States that have acceded to the Union since 2004, welcomes the fact that the European Court of Auditors has reached an overall balanced composition of officials from the Member States which joined the European Union before and since 2004; but points out that these Member States are still underrepresented at the higher level of administration and in managerial posts for which progress is still awaited;

Or. en

Amendment 20
Barbara Kappel

Motion for a resolution
Paragraph 11

Motion for a resolution

11. Is concerned with the high number of days of sick leave among the staff; calls on the Court to target its well-being activities to ensure the well-being of its staff in order to better perform its core mission;

Amendment

11. Is concerned with the high number of days of sick leave among the staff; calls on the Court to target its well-being activities to ensure the well-being of its staff in order to better perform its core mission; ***calls on the Court to investigate the possibility of abuse of sick leave by staff, and to report its findings to the discharging authority;***

Or. en

Amendment 21
Barbara Kappel

Motion for a resolution
Paragraph 13

Motion for a resolution

13. Takes note that the Court organised five away days, mainly in preparation of the reform of the Court, with a low proportion of staff members participating (*only 107*); ***calls on the Court to better target its well-being activities in order to include proactive and positive human resources' development, with the participation of as many staff members as possible;***

Amendment

13. Takes note that the Court organised five away days, mainly in preparation of the reform of the Court, with a low proportion of staff members participating (107);

Or. en

Amendment 22
Monica Macovei

Motion for a resolution
Paragraph 3 a (new)

Motion for a resolution

Amendment

3a. *Is concerned that the assigned revenue consists of missions, energy consumption and VAT recoveries on private telephone calls; asks the court to provide details regarding the VAT recoveries in private telephone calls and the usefulness of these private telephone calls to the Court's activity; also asks the Court to provide a list with the missions and the dates when they were undertaken and details on the cost-efficiency of each mission.*

Or. en

Amendment 23
Monica Macovei

Motion for a resolution
Paragraph 3 b (new)

Motion for a resolution

Amendment

3b. *Asks the Court whether it has checked the use of EU funds by MEPs; asks the Court to provide to the discharge authority the list of the checked MEPs and the result of this investigation;*

Or. en

Amendment 24
Monica Macovei

Motion for a resolution
Paragraph 14 a (new)

Motion for a resolution

Amendment

14a. *Urges however the Court to enact the submission of declaration of interest and instead of declaration of the absence*

of conflict of interests as self-evaluation of conflicts of interest is a conflict of interest in itself, living the evaluation of these statements to a third independent party; evaluation of a situation of conflict of interest must be done by a third party; asks the Court to report by June 2017 these changes and to indicate who is checking the situations of conflicts of interest; reiterates only integrity and transparency uphold the public trust; calls upon the Court to establish clear rules regarding the "revolving doors"; urges the Court to put in place measures to prevent "revolving doors" establishing dissuasive sanctions such as the reduction of pensions or prohibition to work at least 3 years in similar bodies;

Or. en

Amendment 25
Monica Macovei

Motion for a resolution
Paragraph 14 b (new)

Motion for a resolution

Amendment

14b. Reminds the Court that the Union Agencies have to adopt Codes of Good Administrative Behaviour and are encouraged to use the Transparency Register as a reference instrument for their interaction with the interested representatives;

Or. en

Amendment 26
Dennis de Jong, Benedek Jávor

Motion for a resolution
Paragraph 18

Motion for a resolution

18. *Welcomes the creation of the transparency portal on the Court's website;*

Amendment

18. *Calls on the Court to join the future Inter-Institutional Agreement on a Mandatory Transparency Register;*

Or. en

Amendment 27

Monica Macovei

Motion for a resolution

Paragraph 18

Motion for a resolution

18. *Welcomes the creation of the transparency portal on the Court's website;*

Amendment

18. *Notes the creation of the transparency portal on the Court's website as well as the fact that the Court has in place rules on whistle-blowing; recommends the Court to disseminate these rules among its staff so that all employees to be aware of it; asks the Court to provide by June 2017 details on the whistle-blower cases in 2015 (if any) and how they were handled and finalized;*

Or. en

Amendment 28

Monica Macovei

Motion for a resolution

Paragraph 18 a (new)

Motion for a resolution

18a. Notes that the Court stated that in 2015 it had no meetings with lobbyist but with professional associations and civil society; draw however attention to the Court that the professional associations could represent the interests of industries and could act as lobbyists; asks the Court

*to present the minutes of these meetings
by June 2017;*

Or. en

Amendment 29
Barbara Kappel

Motion for a resolution
Paragraph 21

Motion for a resolution

21. *Notes* the internal auditor service recommendation to consider a more rational use of the Court's official vehicles; invites the Court to address this matter in cooperation with the Court of Justice and to inform Parliament of the actions taken to rationalise the management of the fleet;

Amendment

21. *Welcomes* the internal auditor service recommendation to consider a more rational use of the Court's official vehicles; invites the Court to address this matter in cooperation with the Court of Justice and to inform Parliament of the actions taken to rationalise the management of the fleet;

Or. en

Amendment 30
Inés Ayala Sender

Motion for a resolution
Paragraph 21 a (new)

Motion for a resolution

Amendment

21a. *Stresses the interest and importance of widening cooperation to other European universities for the creation of specialist courses in European auditing; calls on the Court to keep Parliament informed of the development and results of this cooperation;*

Or. es

Amendment 31

Cătălin Sorin Ivan

Motion for a resolution
Paragraph 22 a (new)

Motion for a resolution

Amendment

22a. Calls the Court to envisage recommendations on how to better communicate about the EU budget and how to explain better to citizens what the EU budget achieves

Or. en