



2018/2114(INI)

22.11.2018

AMENDMENTS

1 - 31

Draft opinion

Ivo Belet

(PE628.575v01-00)

Implementation of the legal provisions and the Joint Statement ensuring the parliamentary scrutiny over decentralised agencies
(2018/2114(INI))

Amendment 1
Ivo Belet

Draft opinion
Recital A (new)

Draft opinion

Amendment

A. *whereas the Joint Statement and Common Approach are legally non-binding, and were agreed without prejudice to the legislative powers of the Institutions;*

Or. en

Amendment 2
Nicola Caputo

Draft opinion
Paragraph 1

Draft opinion

Amendment

1. Believes that representatives appointed by Parliament have an important role to play in Management Board meetings as they reinforce Parliament's scrutiny role; is of the opinion that the Joint Statement should not indicate how many members Parliament should be able to appoint;

1. Believes that representatives appointed by Parliament have an important role to play in Management Board meetings as they reinforce Parliament's scrutiny role; is of the opinion that the Joint Statement should not indicate how many members Parliament should be able to appoint; ***believes that ensuring the best value for money for the European citizen, represented by the European Parliament, should be an important factor in this decision making process;***

Or. en

Amendment 3
Frédérique Ries

Draft opinion
Paragraph 1

Draft opinion

1. Believes that representatives appointed by Parliament have an important role to play in Management Board meetings as they reinforce Parliament's *scrutiny role*; is of the opinion that the Joint Statement should not indicate how many members Parliament should be able to appoint;

Amendment

1. Believes that representatives appointed by Parliament have an important role to play in Management Board meetings as they reinforce Parliament's *legitimate role of democratic scrutiny on behalf of the Union's citizens, as well as making for more transparent governance*; is of the opinion that the Joint Statement should not indicate how many members Parliament should be able to appoint;

Or. fr

Amendment 4
Ivo Belet

Draft opinion
Paragraph 1

Draft opinion

1. Believes that representatives appointed by Parliament have an important role to play in Management Board meetings as they reinforce Parliament's scrutiny role; is of the opinion that the Joint Statement should not indicate how many members Parliament should be able to appoint;

Amendment

1. Believes that representatives appointed by Parliament have an important role to play in Management Board meetings as they reinforce Parliament's scrutiny role; is of the opinion that the Joint Statement should not indicate how many members Parliament should be able to appoint; *believes that Parliament should also appoint representatives in the Management Board of EFSA.*

Or. en

Amendment 5
Mireille D'Ornano

Draft opinion
Paragraph 1

Draft opinion

1. Believes that representatives appointed by Parliament have an important role to play in Management Board meetings as they reinforce Parliament's scrutiny role; is of the opinion that the Joint Statement should not indicate how many members Parliament should be able to appoint;

Amendment

1. Believes that representatives appointed by Parliament, ***given that they represent the citizens of the various Member States***, have an important role to play in Management Board meetings as they reinforce Parliament's scrutiny role; is of the opinion that the Joint Statement should not indicate how many members Parliament should be able to appoint;

Or. fr

Amendment 6
Luke Ming Flanagan

Draft opinion
Paragraph 1

Draft opinion

1. Believes that representatives appointed by Parliament have an important role to play in Management Board meetings as they reinforce Parliament's scrutiny ***role***; is of the opinion that the Joint Statement ***should*** not indicate how many members Parliament should be able to appoint;

Amendment

1. Believes that representatives appointed by Parliament have an important role to play in Management Board meetings, ***on financial matters especially*** as they reinforce Parliament's scrutiny; is of the opinion that the Joint Statement ***must*** not indicate how many members Parliament should be able to appoint;

Or. en

Amendment 7
Stanislav Polčák

Draft opinion
Paragraph 1

Draft opinion

1. Believes that representatives appointed by Parliament have an important role to play in Management Board

Amendment

1. Believes that representatives appointed by Parliament have an important role to play in Management Board

meetings as they reinforce Parliament's scrutiny role; is of the opinion that the Joint Statement should not indicate how many members Parliament should be able to appoint;

meetings as they reinforce Parliament's scrutiny role; is of the opinion that the Joint Statement should not *have to* indicate how many members Parliament should be able to appoint;

Or. cs

Amendment 8
Nicola Caputo

Draft opinion
Paragraph 1 a (new)

Draft opinion

Amendment

Ia. Asks that, in order to improve their level of accountability, Union agencies should reply to questions addressed to it by the European Parliament or by the Council not later than five weeks after their receipt; also suggests that, upon request, the Chairperson of an Union agency shall hold confidential oral discussions behind closed doors with the Chair, Vice-Chairs and Coordinators of the competent committee of the European Parliament;

Or. en

Amendment 9
Biljana Borzan, Nicola Caputo, Monika Beňová, Carlos Zorrinho, Nessa Childers

Draft opinion
Paragraph 1 a (new)

Draft opinion

Amendment

Ia. Notes that the Joint Statement and the Common Approach are of a legally non-binding character;

Or. en

Amendment 10
Frédérique Ries

Draft opinion
Paragraph 2

Draft opinion

2. Regrets that the Parliament was not fully involved in the procedure to select the new seat of EMA **and** that the procedure followed for the selection of the new location for EMA **is not used anymore in this form in the future**;

Amendment

2. Regrets that the Parliament, **as the Union's only directly elected institution representative of its citizens, and thus as the lead guarantor of respect for the principle of democracy in the EU**, was not fully involved in the procedure to select the new seat of EMA, **a matter ultimately settled, despite the importance of the decision, by drawing lots; notes that decisions in relation to the location of the decentralised Agencies need to be taken, and legally must be taken, subject to full observance of the European Parliament's prerogatives, under the ordinary legislative procedure, whereby Parliament and the Council are equal co-legislators; insists that, in line with the Council's commitment in this regard^{1a}, the procedure that was followed for the selection of the new location for EMA must not be used again in this way in the future**;

^{1a} **Council Declaration annexed to the legislative resolution accompanying the adoption of Regulation EU 2018/... of the European Parliament and of the Council amending Regulation (EC) No 726/2004 as regards the location of the seat of the European Medicines Agency.**

Or. fr

Amendment 11
Biljana Borzan, Nicola Caputo, Monika Beňová, Carlos Zorrinho, Nessa Childers

Draft opinion
Paragraph 2

Draft opinion

2. Regrets that the Parliament was not fully involved in the procedure to select the new seat of EMA *and* that the *procedure* followed for the *selection* of the *new location for* EMA *is not* used *anymore in this form* in the future;

Amendment

2. Regrets that the Parliament was not fully involved in the procedure to select the new seat of EMA; *Points out* that the *process* followed for the *relocation* of the EMA, *which was specific to the situation and did not constitute a precedent, must not be* used in the future;

Or. en

Amendment 12
Jørn Dohrmann

Draft opinion
Paragraph 2

Draft opinion

2. *Regrets* that the Parliament was not fully involved in the procedure to select the new seat of EMA and that the procedure followed for the selection of the new location for EMA is not used anymore in this form in the future;

Amendment

2. *Notes* that the Parliament was not fully involved in the procedure to select the new seat of EMA and that the procedure followed for the selection of the new location for EMA is not used anymore in this form in the future;

Or. en

Amendment 13
Luke Ming Flanagan

Draft opinion
Paragraph 2

Draft opinion

2. Regrets that the Parliament was not fully involved in the procedure to select the new seat of EMA *and* that the procedure followed for the selection of the new location for EMA is not used *anymore* in

Amendment

2. Regrets that the Parliament was not fully involved in the procedure to select the new seat of EMA, *a critical agency in which disruption should have been kept to a minimum but which is now faced with*

this form in the future;

two moves in a very short space of time; asks that the procedure followed for the selection of the new location for EMA is not used *again* in this form in the future;

Or. en

Amendment 14
Stanislav Polčák

Draft opinion
Paragraph 2

Draft opinion

2. Regrets that the Parliament was not *fully* involved in the procedure to select the new seat of EMA and that the procedure followed for the selection of the new location for EMA *is* not used anymore in this form in the future;

Amendment

2. Regrets that the Parliament was not *properly* involved in the procedure to select the new seat of EMA and *requests* that the procedure followed for the selection of the new location for EMA *should* not *be* used anymore in this form in the future;

Or. cs

Amendment 15
Frédérique Ries

Draft opinion
Paragraph 3

Draft opinion

3. Expects the prerogatives of Parliament as co-legislator to be fully respected in future decisions on the location or relocation of agencies; considers that Parliament should be systematically involved, and on equal terms with the Council and the Commission;

Amendment

3. Expects the prerogatives of Parliament as co-legislator to be fully respected in future decisions on the location or relocation of agencies; considers that Parliament should be systematically involved, and on equal terms with the Council and the Commission; *points out that Parliament, the Council and the Commission had made a commitment, in the Interinstitutional Agreement on Better Law-Making, of 13 April 2016^{1a}, to*

sincere and transparent cooperation, and that the agreement highlighted the principle of equality between the two co-legislators, as enshrined in the Treaties;

^{1a} OJ L 123, 12.5.2016, p. 1.

Or. fr

Amendment 16
Ivo Belet

Draft opinion
Paragraph 3

Draft opinion

3. Expects the prerogatives of Parliament *as co-legislator* to be fully respected in future decisions on the location or relocation of agencies; considers that Parliament should be systematically involved, and on equal terms with the Council and the Commission;

Amendment

3. Expects the prerogatives of *both* Parliament *and Council as co-legislators* to be fully respected in future decisions on the location or relocation of agencies; considers that Parliament should be systematically involved, and on equal terms with the Council and the Commission, *in defining and weighting the criteria for the location of all Union bodies and agencies, in a transparent manner;*

Or. en

Amendment 17
Stanislav Polčák

Draft opinion
Paragraph 3

Draft opinion

3. Expects the *prerogatives* of Parliament as co-legislator to be fully *respected* in future decisions on the location or relocation of agencies; considers that Parliament should be

Amendment

3. Expects the *status* of Parliament as co-legislator to be fully *taken into account* in future decisions on the location or relocation of agencies; considers that Parliament should be systematically

systematically involved, and on equal terms with the Council and the Commission;

involved, and on equal terms with the Council and the Commission, **and calls on the Commission to come up with suitable measures to this effect;**

Or. cs

Amendment 18

Biljana Borzan, Nicola Caputo, Monika Beňová, Carlos Zorrinho, Nessa Childers

Draft opinion

Paragraph 3

Draft opinion

3. Expects the prerogatives of Parliament as co-legislator to be fully respected in future decisions on the location or relocation of agencies; considers that Parliament should be systematically involved, and on equal terms with the Council and the Commission;

Amendment

3. Expects the prerogatives of Parliament as co-legislator to be fully respected in future decisions on the location or relocation of agencies; considers that Parliament should be systematically involved **from the initial stages of the future processes**, and on equal terms with the Council and the Commission;

Or. en

Amendment 19

Luke Ming Flanagan

Draft opinion

Paragraph 3

Draft opinion

3. **Expects** the prerogatives of Parliament as co-legislator **to** be fully respected in future decisions on the location or relocation of agencies; considers that Parliament **should** be systematically involved, and on equal terms with the Council and the Commission;

Amendment

3. **Demands that in line with European Union legislation**, the prerogatives of Parliament as co-legislator **shall** be fully respected in future decisions on the location or relocation of agencies; considers that Parliament **must** be systematically involved, and on equal terms with the Council and the Commission;

Amendment 20
Mireille D'Ornano

Draft opinion
Paragraph 3

Draft opinion

3. Expects the prerogatives of Parliament as co-legislator to be fully respected in future decisions on the location or relocation of agencies; considers that Parliament should be systematically involved, and on equal terms with the Council and the Commission;

Amendment

3. Expects the prerogatives of Parliament as co-legislator to be fully respected in future decisions on the location or relocation of agencies; considers that Parliament, *given its democratic legitimacy*, should be systematically involved, and on equal terms with the Council and the Commission;

Or. fr

Amendment 21
Biljana Borzan, Nicola Caputo, Monika Beňová, Carlos Zorrinho, Nessa Childers

Draft opinion
Paragraph 3 a (new)

Draft opinion

Amendment

3a. *Underlines the value of enhanced exchange of information from the initial stages of future processes for the location of agencies. Such early exchange of information would make it easier for the three Institutions to exercise their rights and prerogatives;*

Or. en

Amendment 22
Biljana Borzan, Nicola Caputo, Monika Beňová, Carlos Zorrinho, Nessa Childers

Draft opinion
Paragraph 4

Draft opinion

4. Calls on the Commission to provide, by April 2019, an in-depth analysis of the implementation of the Joint Statement and Common Approach as regards the location of the decentralised Agencies in order to launch a revision;

Amendment

4. Calls on the Commission to provide, by April 2019, an in-depth analysis of the implementation of the Joint Statement and Common Approach as regards the location of the decentralised Agencies in order to launch a revision; ***In the case that the in-depth analysis identifies shortcomings, calls on the Council to engage, together with the Parliament and the Commission, in a revision of the Joint Statement and Common Approach in a timely manner;***

Or. en

Amendment 23
Frédérique Ries

Draft opinion
Paragraph 4

Draft opinion

4. Calls on the Commission to provide, by April 2019, an in-depth analysis of the implementation of the Joint Statement and Common Approach as regards the location of the decentralised Agencies in order to ***launch a revision;***

Amendment

4. Calls on the Commission to provide, by April 2019, an in-depth analysis of the implementation of the Joint Statement and Common Approach – ***particularly*** as regards the location of the decentralised Agencies ***and increased transparency in their governance*** – in order to ***initiate the revision of these texts once the Members of the next Parliament have taken their seats;***

Or. fr

Amendment 24
Nicola Caputo

Draft opinion
Paragraph 5

Draft opinion

5. Notes that the Joint Statement can act as a useful tool to strengthen and streamline mechanisms on dealing with conflict of interests, in particular for fee-financed agencies;

Amendment

5. Notes that the Joint Statement can act as a useful tool to strengthen and streamline mechanisms on dealing with conflict of interests, in particular for fee-financed agencies; ***stresses that, while making sure that all assignments resulting from the regulatory framework are carried out in full and within deadline, Union agencies should carefully adhere to their tasks and should not go beyond the mandates assigned to them by Parliament and the Council;***

Or. en

Amendment 25
Stanislav Polčák

Draft opinion
Paragraph 5

Draft opinion

5. Notes that the Joint Statement can act as a useful tool to strengthen and streamline mechanisms on ***dealing with*** conflict of interests, in particular for fee-financed agencies;

Amendment

5. Notes that the Joint Statement can act as a useful tool to strengthen and streamline mechanisms on ***preventing*** conflict of interests, in particular for fee-financed agencies;

Or. cs

Amendment 26
Biljana Borzan, Nicola Caputo, Monika Beňová, Carlos Zorrinho, Nessa Childers

Draft opinion
Paragraph 6

Draft opinion

6. Stresses that in case of budgetary decisions regarding decentralised agencies the specificity and workload of the agency

Amendment

6. Stresses that in case of budgetary decisions regarding decentralised agencies the specificity and workload of the agency

has to be taken into account and that possible budgetary cuts cannot be taken on a one size fits all-basis; furthermore stresses the need to take into account the new climate and sustainability priorities within the next MFF and the tasks attributed to particular agencies for the implementation of the MFF.

has to be taken into account and that possible budgetary cuts cannot be taken on a one size fits all-basis; ***considers that, in this context, priority should be given to the needs of agencies that are undergoing potentially business-disrupting events and processes such as relocation***; furthermore stresses the need to take into account the new climate and sustainability priorities within the next MFF and the tasks attributed to particular agencies for the implementation of the MFF.

Or. en

Amendment 27

Biljana Borzan, Nicola Caputo, Monika Beňová, Carlos Zorrinho, Nessa Childers

Draft opinion Paragraph 6

Draft opinion

6. Stresses that in case of budgetary decisions regarding decentralised agencies the specificity and workload of the agency has to be taken into account and that possible budgetary cuts cannot be taken on a one size fits all-basis; furthermore stresses the need to take into account the new climate and sustainability priorities within the next MFF and the tasks attributed to particular agencies for the implementation of the MFF.

Amendment

6. Stresses that in case of budgetary ***and staffing*** decisions regarding decentralised agencies the specificity and workload of the agency has to be taken into account and that possible budgetary ***and personnel*** cuts cannot be taken on a one size fits all-basis; furthermore stresses the need to take into account the new climate and sustainability priorities within the next MFF and the tasks attributed to particular agencies for the implementation of the MFF.

Or. en

Amendment 28

Stanislav Polčák

Draft opinion Paragraph 6

Draft opinion

6. Stresses that in case of budgetary decisions regarding decentralised agencies the specificity and workload of the agency has to be taken into account and that possible budgetary cuts cannot be taken on a one size fits all-basis; furthermore stresses the need to take into account the new *climate and sustainability* priorities within the next MFF and the tasks attributed to particular agencies for the implementation of the MFF.

Amendment

6. Stresses that in case of budgetary decisions regarding decentralised agencies the specificity and workload of the agency has to be taken into account and that possible budgetary cuts cannot be taken on a one size fits all-basis; furthermore stresses the need to take into account the new *environmental protection* priorities within the next MFF and the tasks attributed to particular agencies for the implementation of the MFF.

Or. cs

Amendment 29
Luke Ming Flanagan

Draft opinion
Paragraph 6

Draft opinion

6. Stresses that in case of budgetary decisions regarding decentralised agencies *the specificity* and workload of the agency *has to* be taken into account and that possible budgetary cuts cannot be taken on a *one size fits all-basis*; furthermore stresses the need to take into account the new climate and sustainability priorities within the next MFF and the tasks attributed to particular agencies for the implementation of the MFF.

Amendment

6. Stresses that in case of budgetary decisions regarding decentralised agencies, *the specifics* and workload of the agency *must* be taken into account, and that possible budgetary cuts cannot be taken on a *one-size-fits-all basis*; furthermore stresses the need to take into account the new climate and sustainability priorities within the next MFF and the tasks attributed to particular agencies for the implementation of the MFF.

Or. en

Amendment 30
Biljana Borzan, Nicola Caputo, Monika Beňová, Carlos Zorrinho, Nessa Childers

Draft opinion
Paragraph 6 a (new)

Draft opinion

Amendment

6a. *Notes that the principles of desirability of geographical spread of agencies' seats and of prioritising new Member States as hosts, as stated in the Joint Statement, were not respected in the case of new seats for EMA and EBA;*

Or. en

Amendment 31

Biljana Borzan, Nicola Caputo, Monika Beňová, Carlos Zorrinho, Nessa Childers

Draft opinion

Paragraph 6 b (new)

Draft opinion

Amendment

6b. *Points out that the Joint Statement advises that, when the legislative authority decides to assign additional tasks to agencies as compared to the initial Commission proposal, the repriorisation of their activities should always be considered as an alternative to granting additional resources ^{1a}; believes that the repriorisation of activities in the remit of the European Medicines Agency should be avoided as much as possible due to the fact that its core mission is safeguarding public health in the EU;*

^{1a} Joint Statement of the European Parliament, the Council of the EU and the European Commission on decentralised agencies, art. 43

Or. en