



**2017/2138(DEC)**

1.3.2018

# **AMENDMENTS**

## **1 - 18**

### **Draft report**

**Marco Valli**

2016 discharge: EU general budget - Council and European Council  
(2017/2138(DEC))

AM\_Com\_NonLegReport

## **Amendment 1**

**Ryszard Czarnecki, Raffaele Fitto, Notis Marias, Beata Gosiewska, Richard Sulík**

### **Proposal for a decision 1**

#### **Paragraph 1**

##### *Proposal for a decision*

1. ***Grants the Secretary-General of the Council discharge in respect of the implementation of the budget of the European Council and of the Council for the financial year 2016*** / Postpones its decision on granting the Secretary-General of the Council discharge in respect of the implementation of the budget of the European Council and of the Council for the financial year 2016;

##### *Amendment*

1. Postpones its decision on granting the Secretary-General of the Council discharge in respect of the implementation of the budget of the European Council and of the Council for the financial year 2016;

Or. en

## **Amendment 2**

**Benedek Jávor**

on behalf of the Verts/ALE Group

### **Proposal for a decision 1**

#### **Paragraph 1**

##### *Proposal for a decision*

1. ***Grants the Secretary-General of the Council discharge in respect of the implementation of the budget of the European Council and of the Council for the financial year 2016*** / Postpones its decision on granting the Secretary-General of the Council discharge in respect of the implementation of the budget of the European Council and of the Council for the financial year 2016;

##### *Amendment*

1. Postpones its decision on granting the Secretary-General of the Council discharge in respect of the implementation of the budget of the European Council and of the Council for the financial year 2016;

Or. en

## **Amendment 3**

**José Ignacio Salafranca Sánchez-Neyra**

**Proposal for a decision 1**

**Paragraph 1**

*Proposal for a decision*

1. ***Grants the Secretary-General of the Council discharge in respect of the implementation of the budget of the European Council and of the Council for the financial year 2016*** / Postpones its decision on granting the Secretary-General of the Council discharge in respect of the implementation of the budget of the European Council and of the Council for the financial year 2016;

*Amendment*

1. Postpones its decision on granting the Secretary-General of the Council discharge in respect of the implementation of the budget of the European Council and of the Council for the financial year 2016;

Or. en

**Amendment 4**

**Marco Valli**

**Proposal for a decision 1**

**Paragraph 1**

*Proposal for a decision*

1. ***Grants the Secretary-General of the Council discharge in respect of the implementation of the budget of the European Council and of the Council for the financial year 2016*** / ***Postpones*** its decision on granting the Secretary-General of the Council discharge in respect of the implementation of the budget of the European Council and of the Council for the financial year 2016;

*Amendment*

1. ***Postpones*** its decision on granting the Secretary-General of the Council discharge in respect of the implementation of the budget of the European Council and of the Council for the financial year 2016;

Or. it

**Amendment 5**

**Benedek Jávor**

on behalf of the Verts/ALE Group

**Motion for a resolution**  
**Recital A (new)**

*Motion for a resolution*

*Amendment*

**A.     *whereas in the context of the discharge procedure, Parliament wishes to stress the special importance of further strengthening of the democratic legitimacy of the EU institutions through improving on transparency and accountability, implementing the concept of the Performance-Based Budgeting (PBB) and good governance of human resources;***

Or. en

**Amendment 6**  
**Wolf Klinz, Martina Dlabajová, Nedzhmi Ali**

**Motion for a resolution**  
**Paragraph 3 a (new)**

*Motion for a resolution*

*Amendment*

**3a.     *Expresses its support for the successful paradigm shift towards performance-based budgeting in the Commission's budget planning introduced by Vice-President Kristalina Georgieva in September 2015 as part of the "EU Budget Focused on Results" initiative; encourages the European Council and the Council to apply the method to their own budget-planning procedure;***

Or. en

**Amendment 7**  
**Benedek Jávor**  
on behalf of the Verts/ALE Group

**Motion for a resolution**  
**Paragraph 3 a (new)**

*Motion for a resolution*

*Amendment*

**3a. Stresses the paramount importance of further strengthening of the democratic legitimacy of the EU institutions through improving on transparency and accountability; notes the Ombudsman's findings on Council's systematic failure to record what each Member State proposes; notes the European Ombudsman's finding on Council's overuse of "LIMITE" status on their documents restricting access to documents; calls on the Council to systematically record Member State positions in Council working parties and in COREPER ambassador meetings and, in principle, to make these documents proactively available to the public in a timely manner; calls on the Council to also publish clear criteria for using the 'LIMITE' status and that the status be reviewed before a law is adopted;**

Or. en

**Amendment 8**  
**Arndt Kohn**

**Motion for a resolution**  
**Paragraph 3 a (new)**

*Motion for a resolution*

*Amendment*

**3a. Regrets that the European Ombudsman found in its strategic inquiry on the 'Transparency of the Council legislative process' (OI/2/2017/TE), concluded on 9 February 2018, that the current practice of the Council which inhibits the scrutiny of draft EU legislation constitutes maladministration;**

*urges the Council to comply with the Ombudsman's recommendations and suggestions for improvement to facilitate the public's access to documents; underlines the importance of transparency for the Council to be accountable to EU citizens in its role as an EU legislator; asks to be informed about the Council's reply and the progress of the procedure;*

Or. en

#### **Amendment 9**

**Benedek Jávor**

on behalf of the Verts/ALE Group

#### **Motion for a resolution**

##### **Paragraph 8**

###### *Motion for a resolution*

8. Notes the existence of a gender balance policy in the General Secretariat of the Council (GSC); welcomes the positive trend of women's representation in management posts reaching 31% by the end of 2016;

###### *Amendment*

8. Notes the existence of a gender balance policy in the General Secretariat of the Council (GSC); welcomes the positive trend of women's representation in management posts reaching 31% by the end of 2016; ***calls on the Council to continue with the gender balance policy toward the truly balanced presentation of both genders in management posts;***

Or. en

#### **Amendment 10**

**Petri Sarvamaa, José Ignacio Salafranca Sánchez-Neyra**

#### **Motion for a resolution**

##### **Paragraph 10**

###### *Motion for a resolution*

10. Notes that in 2016 the Secretary-General of the Council published his

###### *Amendment*

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Decision 3/2016 adopting internal rules for reporting serious irregularities - Procedures for the implementation of Articles 22a, 22b and 22c of the Staff Regulations ('Whistleblowing'); recalls that the protection of whistleblowers is *one of the main issues* within the public administration;

Decision 3/2016 adopting internal rules for reporting serious irregularities - Procedures for the implementation of Articles 22a, 22b and 22c of the Staff Regulations ('Whistleblowing'); recalls that the protection of whistleblowers is *an issue taken seriously* within the public administration *of the Union and shall always be considered carefully*;

Or. en

#### **Amendment 11**

**Benedek Jávor, Bart Staes**

on behalf of the Verts/ALE Group

#### **Motion for a resolution**

##### **Paragraph 10 a (new)**

*Motion for a resolution*

*Amendment*

**10a.** *Expresses the need to establish an independent disclosure, advice and referral body with sufficient budgetary resources, in order to help whistle-blowers use the right channels to disclose information on possible irregularities affecting the financial interests of the Union, while protecting their confidentiality and offering needed support and advice;*

Or. en

#### **Amendment 12**

**Wolf Klinz, Martina Dlabajová, Nedzhmi Ali**

#### **Motion for a resolution**

##### **Paragraph 11 a (new)**

*Motion for a resolution*

*Amendment*

**11a.** *Observes that the 5% staff reduction agreement has led to*

*institutions increasingly hiring staff with temporary contracts; regrets that internal competitions are organised with the aim and result of retaining staff that have previously held the same position under previous temporary contracts; considers it more cost and time efficient as well as transparent and fair if well-performing staff with temporary contracts would be switched to permanent contracts without the added financial and administrative burden of organising competitions with pre-determined outcomes at the expense of disappointing outside applicants;*

Or. en

#### **Amendment 13**

**José Ignacio Salafranca Sánchez-Neyra, Petri Sarvamaa**

#### **Motion for a resolution**

##### **Paragraph 12**

##### *Motion for a resolution*

12. Notes with concern that the late delivery of the Europa building had a significant impact on the 2016 budget of the European Council and of the Council; asks to be informed of the overall financial impact of the delay; ***asks for full public access to the*** information on buildings policy and related expenditures;

##### *Amendment*

12. Notes with concern that the late delivery of the Europa building had a significant impact on the 2016 budget of the European Council and of the Council; asks to be informed of the overall financial impact of the delay; ***regrets that there is still a lack of*** information on buildings policy and related expenditures, ***which should be public as a sign of transparency for the European citizens;***

Or. en

#### **Amendment 14**

**José Ignacio Salafranca Sánchez-Neyra, Petri Sarvamaa**

#### **Motion for a resolution**

##### **Paragraph 13 a (new)**

*Motion for a resolution*

*Amendment*

***13a. Regrets that the Council has still not joined the EU transparency register despite being one of the most important institutions involved in the EU's decision-making process; therefore calls for a successful outcome on the interinstitutional negotiations between the Council presidency and representatives of the Parliament and the Commission, leading the Council to finally join the transparency register;***

Or. en

**Amendment 15**

**Wolf Klinz, Martina Dlabajová, Nedzhmi Ali**

**Motion for a resolution**

**Paragraph 13 a (new)**

*Motion for a resolution*

*Amendment*

***13a. Regrets the decision by the UK to withdraw from the European Union; observes that at this point no predictions can be made about the financial, administrative, human and other consequences related to the withdrawal, asks the European Council and the Council to perform impact assessments and inform the European Parliament on the results by the end of the year 2018;***

Or. en

**Amendment 16**

**Petri Sarvamaa, José Ignacio Salafranca Sánchez-Neyra**

**Motion for a resolution**

**Paragraph 18**

*Motion for a resolution*

18. Notes that in the meantime the Secretary-General of the Council was invited by CONT to attend the exchange of views with the secretaries-general of the other institutions, which took place on 4 December 2017, and that a written questionnaire was sent to the Secretary-General of the Council on 26 November 2017; **observes** that the Council reiterates its position of non-attendance to the exchange of views and that the questionnaire sent to the Council services with questions from the Members **remaining** unanswered;

*Amendment*

18. Notes that in the meantime the Secretary-General of the Council was invited by CONT to attend the exchange of views with the secretaries-general of the other institutions, which took place on 4 December 2017, and that a written questionnaire was sent to the Secretary-General of the Council on 26 November 2017; **deeply regrets** that the Council reiterates its position of non-attendance to the exchange of views and that the questionnaire sent to the Council services with questions from the Members **remains** unanswered;

Or. en

**Amendment 17**  
**Ingeborg Gräßle**

**Motion for a resolution**  
**Paragraph 23 a (new)**

*Motion for a resolution*

**23a. Notes that the nomination of the Members of the Court of Justice of the European Union (CJEU) is the responsibility of the Member States under Article 253 TFEU; highlights the importance of the timely nomination and appointment of judges for the performance of the CJEU; asks for a new rule setting a specific deadline for the (re)nomination of a judge well before the end of a judge's mandate and calls on the Council to respect the cost-benefit-ratio when appointing new judges to the CJEU; criticises the irregular nomination, without a call for applications, of two judges for the Tribunal of First Instance for a mandate which moreover lasted only from 14 April 2016 until the 31 August 2016; notes with regret the costs of the**

*Amendment*

*taking up and the ending of one of the "4 month mandates" to the amount of 69 498,25 EUR in addition to the salary the judge received; condemns such a waste of EU taxpayers money;*

Or. en

**Amendment 18**  
**Ingeborg Gräßle**

**Motion for a resolution**  
**Paragraph 23 b (new)**

*Motion for a resolution*

*Amendment*

**23b.** *Notes furthermore that the General Court (Appeal Chamber, judgment of 23 January 2018 in Case T-639/16 P )<sup>1a</sup> considers the Second Chamber of the Civil Service Tribunal of the European Union with one of the "4 month mandate" judges as an irregular one, which makes void this and all further legal acts of the Second Chamber in that composition; asks the CJEU which legal acts of the Second Chamber in that composition are affected by the General Court ruling; demands that the Council comments on this failure and clarifies who takes responsibility for this;*

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<sup>1a</sup> **ECLI:EU:T:2018:22.**

Or. en