



2015/2181(DEC)

4.3.2016

AMENDMENTS

1 - 15

Draft report
Derek Vaughan
(PE569.768v01-00)

on discharge in respect of the implementation of the budget of the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union for the financial year 2014
(2015/2181(DEC))

AM_Com_NonLegReport

Amendment 1
Anders Primdahl Vistisen

Proposal for a decision 1
Paragraph 1

Proposal for a decision

1. ***Grants*** the Executive Director of the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union discharge in respect of the implementation of the Agency's budget for the financial year 2014;

Amendment

1. ***Postpones its decision on granting*** the Executive Director of the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union discharge in respect of the implementation of the Agency's budget for the financial year 2014;

Or. en

Amendment 2
Ryszard Czarnecki, Beata Gosiewska, Richard Sulík

Proposal for a decision 1
Paragraph 1

Proposal for a decision

1. ***Grants*** the Executive Director of the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union discharge in respect of the implementation of the Agency's budget for the financial year 2014;

Amendment

1. ***Postpones its decision on granting*** the Executive Director of the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union discharge in respect of the implementation of the Agency's budget for the financial year 2014;

Or. en

Amendment 3
Anders Primdahl Vistisen

Proposal for a decision 2
Paragraph 2

Proposal for a decision

2. ***Approves*** the closure of the accounts of the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union for the financial year 2014;

Amendment

2. ***Postpones*** the closure of the accounts of the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union for the financial year 2014;

Or. en

Amendment 4

Ryszard Czarnecki, Beata Gosiewska, Richard Sulík

Proposal for a decision 2

Paragraph 2

Proposal for a decision

2. ***Approves*** the closure of the accounts of the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union for the financial year 2014;

Amendment

2. ***Postpones*** the closure of the accounts of the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union for the financial year 2014;

Or. en

Amendment 5

Benedek Jávor

on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 2

Motion for a resolution

2. Observes that Court finds the documentation supporting the expenditure claimed by those countries to be not always sufficient; takes note from the Court's report that the audit certificates, which would add further assurance on the legality and regularity of grant transactions, were

Amendment

2. Observes that Court finds the documentation supporting the expenditure claimed by those countries to be not always sufficient; takes note from the Court's report that the audit certificates, which would add further assurance on the legality and regularity of grant transactions, were

not requested by the Agency;
acknowledges from the Agency that such
certificates were already made in 2010;
takes note that, despite a briefing organised
for the Agency's beneficiaries, the audit
certificates were not issued by independent
audit bodies and the delay in receiving the
final claim was significantly extended;
acknowledges that the Agency **will** explore
the possibility of cooperation with the audit
authorities set up under the External
Border Fund and the Internal Security
Fund; **calls on the Agency to** report to the
discharge authority on the evaluation of
such cooperation;

not requested by the Agency;
acknowledges from the Agency that such
certificates were already made in 2010;
regrets that, despite a briefing organised
for the Agency's beneficiaries, the audit
certificates were not issued by independent
audit bodies and the delay in receiving the
final claim was significantly extended;
calls on the Agency **to fully** explore the
possibility of cooperation with the audit
authorities set up under the External
Border Fund and the Internal Security
Fund **and to** report **back** to the discharge
authority on the evaluation of such
cooperation;

Or. en

Amendment 6 **Tamás Deutsch**

Motion for a resolution **Paragraph 6 a (new)**

Motion for a resolution

Amendment

6 a. Encourages the EU institutions and agencies to better raise awareness of the conflict-of-interest policy among their officials, alongside ongoing awareness-raising activities and the inclusion of integrity and transparency as an obligatory item to be discussed during recruitment procedures and performance reviews; considers that a distinction should be made between elected representatives and public officials in the legislation on conflicts of interest; believes that there should also be such regulations in the Member States for public officials and civil servants involved in the administration and monitoring of EU subsidies; calls on the Commission to submit a draft legal basis on this matter;

Or. en

Amendment 7

Benedek Jávor

on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 7

Motion for a resolution

7. Notes that the annual public statements of commitment were published on the Agency's website for the majority of members of its Management Board; takes note that the CVs of the Agency's Executive Director and Deputy Executive Director have been published on the Agency's website; urges the Agency and its Management Board members to make the remaining unpublished statements available as soon as possible;

Amendment

7. Notes that the annual public statements of commitment were published on the Agency's website for the majority of members of its Management Board; takes note that the CVs of the Agency's Executive Director and Deputy Executive Director have been published on the Agency's website; ***calls for the publication of the declarations of interest of the Executive Director, the Deputy Executive Director and members of the Management Board***; urges the Agency and its Management Board members to make the remaining unpublished statements available as soon as possible;

Or. en

Amendment 8

Tamás Deutsch

Motion for a resolution

Paragraph 7 a (new)

Motion for a resolution

Amendment

7 a. Calls for an overall improvement in the prevention of, and the fight against, corruption in the public sector, and especially within the EU institutions and agencies, through a holistic approach, commencing with better public access to documents and more stringent rules on conflicts of interest, the introduction or strengthening of transparency registers and the provision of sufficient resources

for law enforcement measures, and also through improved cooperation among Member States and with relevant third countries;

Or. en

Amendment 9

Benedek Jávor

on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 8

Motion for a resolution

8. Takes note that the Agency created a draft set of whistleblowing rules which is expected to be adopted by the end of the first half of 2016; calls on the Agency to report to the discharge authority on the final adoption of those rules;

Amendment

8. Takes note that the Agency created a draft set of whistleblowing rules which is expected to be adopted by the end of the first half of 2016; calls on the Agency to *also take due account of the Ombudsman's recommendations on this matter; calls on the Agency not to further delay the adoption and to* report to the discharge authority on the final adoption of those rules;

Or. en

Amendment 10

Tamás Deutsch

Motion for a resolution

Paragraph 8 a (new)

Motion for a resolution

Amendment

8 a. Calls for those EU institutions and agencies which have introduced codes of conduct, including Parliament, to step up their implementation measures, such as checks of declarations of financial interests;

Or. en

Amendment 11

Tamás Deutsch

Motion for a resolution

Paragraph 8 b (new)

Motion for a resolution

Amendment

8 b. Asks the EU institutions and bodies to apply strictly the measures pertaining to discretion and exclusion in respect of public procurement, with proper background checks being carried out in every instance, and to apply the exclusion criteria in order to debar companies in the event of any conflict of interest, this being essential to protect the EU's financial interests;

Or. en

Amendment 12

Petri Sarvamaa, Tamás Deutsch

Motion for a resolution

Paragraph 12

Motion for a resolution

Amendment

12. Notes with concern from the Court's report that the high and constantly increasing number of grant agreements, as well as the magnitude of related expenditure to be verified and reimbursed by the Agency, ***raises the question whether*** a more efficient and cost-effective alternative funding mechanism could be used to finance Agency's operational activities; acknowledges from the Agency that one of the recommendations made by its Management Board following the external evaluation of the Agency relates to the facilitation of financial management and calls for the limitation introduced by the Agency's founding regulation to be

12. Notes with concern from the Court's report that the high and constantly increasing number of grant agreements, as well as the magnitude of related expenditure to be verified and reimbursed by the Agency, ***indicates that*** a more efficient and cost-effective alternative funding mechanism could be used to finance Agency's operational activities; acknowledges from the Agency that one of the recommendations made by its Management Board following the external evaluation of the Agency relates to the facilitation of financial management and calls for the limitation introduced by the Agency's founding regulation to be

abandoned by mentioning grants; notes that contractual relationships between the Agency and the Member States' authorities could pave the way for more efficient and transparent financial management;

abandoned by mentioning grants; notes that contractual relationships between the Agency and the Member States' authorities could pave the way for more efficient and transparent financial management;

Or. en

Amendment 13

Benedek Jávor

on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 12 a (new)

Motion for a resolution

Amendment

12 a. Recalls, that the Court noted in 2014 that "The high and constantly increasing number of grant agreements and the magnitude of related expenditure to be verified and reimbursed by FRONTEX raise the question whether more efficient and cost-effective alternative funding mechanisms could be used"; notes furthermore that in the past years the complexity and administrative burden of the current mechanisms has led to the Court not being able to assure the legality and regularity of the transactions; further notes that in 2015 there has been a further increase in the magnitude of operations undertaken by the Agency and a new and specific tasks that it was mandated within the EU Regional Task Force; calls on the Agency to take into account during review and reform its financing mechanisms the concerns expressed above;

Or. en

Amendment 14

Tamás Deutsch

Motion for a resolution
Paragraph 12 b (new)

Motion for a resolution

Amendment

12 b. States that the annual reports of the EU institutions and agencies could play an important role in compliance regarding transparency, accountability and integrity; calls for the EU institutions and agencies to include a standard chapter on these components in their annual reports;

Or. en

Amendment 15
Petri Sarvamaa, Tamás Deutsch

Motion for a resolution
Paragraph 14

Motion for a resolution

Amendment

14. Notes that, although the Agency became operational as long ago as 2005 and has pursued its operations since then, it has only worked on the basis of correspondence and exchanges with the host Member State rather than on the basis of a comprehensive headquarters agreement between the Agency and the host Member State, which has never been signed; observes that such an agreement would further promote transparency in respect of the conditions under which the Agency and its staff operate; recalls that the requirement to establish a headquarters agreement was introduced in the Agency's amended regulation in 2011¹⁵; notes that the negotiations are still ongoing with the Government of the host Member State; urges the Agency and the Government of the host Member State to conclude a headquarters agreement as soon as possible; requests that the Agency inform the discharge authority of the progress and

14. Notes that, although the Agency became operational as long ago as 2005 and has pursued its operations since then, it has only worked on the basis of correspondence and exchanges with the host Member State rather than on the basis of a comprehensive headquarters agreement between the Agency and the host Member State, which has never been signed; observes that such an agreement would further promote transparency in respect of the conditions under which the Agency and its staff operate; recalls that the requirement to establish a headquarters agreement was introduced in the Agency's amended regulation in 2011¹⁵; notes **with concern** that the negotiations are still ongoing with the Government of the host Member State; urges the Agency and the Government of the host Member State to conclude a headquarters agreement as soon as possible; requests that the Agency inform the discharge authority of the

outcome of these negotiations;

¹⁵ Article 15a introduced by Regulation (EU) No 1168/2011 of the European Parliament and of the Council of 25 October 2011 amending Council Regulation (EC) No 2007/2004 establishing a European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (OJ L 304, 22.11.2011, p. 1).

progress and outcome of these negotiations;

¹⁵ Article 15a introduced by Regulation (EU) No 1168/2011 of the European Parliament and of the Council of 25 October 2011 amending Council Regulation (EC) No 2007/2004 establishing a European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (OJ L 304, 22.11.2011, p. 1).

Or. en