



**2015/2205(DEC)**

4.3.2016

# **AMENDMENTS**

## **1 - 26**

**Draft report**  
**Derek Vaughan**  
(PE569.770v01-00)

on discharge in respect of the implementation of the budget of the European Union agencies for the financial year 2014: performance, financial management and control  
(2015/2205(DEC))



## Amendment 1

Petri Sarvamaa, Tamás Deutsch

### Motion for a resolution

#### Paragraph 6

##### *Motion for a resolution*

6. Recalls that the principle of annuality is one of the three basic accounting principles, together with unity and balance, which are indispensable to ensuring the efficient implementation of the Union budget; takes note from the Court's summary that an elevated level of carry-overs of committed appropriations remains the most frequent issue of the budgetary and financial management affecting 28 agencies; points out, however, that carry-overs are often **unavoidable due to** the multiannual nature of the agencies' 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; **welcomes** the fact that the carry-overs resulting from these operational programmes are **largely** planned in advance by the agencies and communicated to the Court of Auditors, which facilitates the explicit distinction between planned and unplanned carry-overs;

##### *Amendment*

6. Recalls that the principle of annuality is one of the three basic accounting principles, together with unity and balance, which are indispensable to ensuring the efficient implementation of the Union budget; takes note from the Court's summary that an elevated level of carry-overs of committed appropriations remains the most frequent issue of the budgetary and financial management affecting 28 agencies; points out, however, that carry-overs are often **partly or fully justified by** the multiannual nature of the agencies' 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; **acknowledges** the fact that the carry-overs resulting from these operational programmes are **in many cases** planned in advance by the agencies and communicated to the Court of Auditors, which facilitates the explicit distinction between planned and unplanned carry-overs;

Or. en

## Amendment 2

Dennis de Jong, Rina Ronja Kari, Benedek Jávor

### Motion for a resolution

#### Paragraph 7

##### *Motion for a resolution*

7. Takes note that a high level of

##### *Amendment*

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cancellations of carry-overs from previous years was noted by the Court of Auditors **only** in eight cases; observes that such carry-overs indicate that the appropriations carried over were made on the basis of over-estimated needs or were otherwise not justified; urges these agencies to take action to avoid this issue in future; acknowledges from the Network that the level of cancellation is indicative of the extent to which the agencies have correctly anticipated their financial needs and is a better indicator of good budgetary planning than the level of carryovers; acknowledges from the Network that the agencies concerned have implemented various measures to improve their budgetary monitoring systems and address this issue;

cancellations of carry-overs from previous years was noted by the Court of Auditors in eight cases; observes that such carry-overs indicate that the appropriations carried over were made on the basis of over-estimated needs or were otherwise not justified; urges these agencies to take action to avoid this issue in future; acknowledges from the Network that the level of cancellation is indicative of the extent to which the agencies have correctly anticipated their financial needs and is a better indicator of good budgetary planning than the level of carryovers; acknowledges from the Network that the agencies concerned have implemented various measures to improve their budgetary monitoring systems and address this issue;

Or. en

**Amendment 3**  
**Marco Valli, Marco Zanni**

**Motion for a resolution**  
**Paragraph 11 a (new)**

*Motion for a resolution*

*Amendment*

***11a. Notes with concern that some agencies have dual seats, and regards it as essential that all dual seats which do not offer any operational added value should be done away with at the earliest opportunity;***

Or. it

**Amendment 4**  
**Dennis de Jong, Rina Ronja Kari, Benedek Jávor**

**Motion for a resolution**  
**Paragraph 11 b (new)**

*Motion for a resolution*

*Amendment*

***11b. Expresses its concern towards those Agencies which are partly financed by fees paid by industry, whereas these financial ties may affect their independency; calls upon all Agencies to install measures that safeguard the independency of their internal and external policies;***

Or. en

**Amendment 5**

**Jens Geier**

**Motion for a resolution**

**Subheading 3**

*Motion for a resolution*

Cooperation among agencies - shared services and synergies

*Amendment*

Cooperation among agencies ***and with other institutions*** - shared services and synergies

Or. en

**Amendment 6**

**Ryszard Czarnecki**

**Motion for a resolution**

**Paragraph 12**

*Motion for a resolution*

12. Acknowledges from the Network that 93 % of the agencies stated that they share services with other agencies and institutions; notes that 75 % of the agencies have cooperation agreements, working arrangements and memorandums of understanding for cooperation with other agencies, institutions and Member States; takes note that general agreements are

*Amendment*

12. Acknowledges from the Network that 93 % of the agencies stated that they share services with other agencies and institutions; notes that 75 % of the agencies have cooperation agreements, working arrangements and memorandums of understanding for cooperation with other agencies, institutions and Member States; takes note that general agreements are

being implemented on an annual basis and with more concrete individual actions in the areas of administrative services and specific operational services; encourages agencies to pursue further shared services where this results in cost savings and increased efficiency; stresses that where services are shared, costs should be divided ***equally*** between participating agencies or institutions in order to prevent one party being burdened by the entire service cost;

being implemented on an annual basis and with more concrete individual actions in the areas of administrative services and specific operational services; encourages agencies to pursue further shared services where this results in cost savings and increased efficiency; stresses that where services are shared, costs should be divided ***fairly*** between participating agencies or institutions in order to prevent one party being burdened by the entire service cost;

Or. en

**Amendment 7**  
**Ryszard Czarnecki**

**Motion for a resolution**  
**Paragraph 12 a (new)**

*Motion for a resolution*

*Amendment*

***12a. Suggests that the Commission, Council and Parliament consider locating any new agencies that may become necessary in the future in close proximity to other agencies so that they may share services easier;***

Or. en

**Amendment 8**  
**Dennis de Jong, Rina Ronja Kari**

**Motion for a resolution**  
**Paragraph 12 a (new)**

*Motion for a resolution*

*Amendment*

***12a. Takes note of the Network's opinion regarding the merging of Agencies; recalls the remit of the Inter-Institutional Working Group on decentralized agencies to consider efficiencies in this regard; encourages the Network to initiate a long***

*term impact analysis on the merging of EU decentralized Agencies that operate in the same broad policy domain or perform similar tasks;*

Or. en

**Amendment 9**  
**Jens Geier, Derek Vaughan**

**Motion for a resolution**  
**Paragraph 12 a (new)**

*Motion for a resolution*

*Amendment*

*12a. Welcomes the guidelines for inter-agency procurement procedures and for agencies' participation in Commission-led procurement procedures; acknowledges the benefits not only for agencies but also for the Commission to create synergies and pool procurement procedures within the framework of the Common Approach; regrets in this context that the Commission has plans to introduce administrative fees to the agencies for its services; reminds the Commission that the agencies are paid from the same Union budget and that these fees could result in lower participation in joint procurement procedures; calls on the Commission to reconsider the introduction of fees to agencies for procurement procedures led by the Commission;*

Or. en

**Amendment 10**  
**Dennis de Jong, Rina Ronja Kari, Benedek Jávor**

**Motion for a resolution**  
**Paragraph 13**

### *Motion for a resolution*

13. Recalls that paragraph 27 of the interinstitutional agreement<sup>6</sup> calls for a progressive reduction of staff by 5 % in all institutions, bodies and agencies to be effected between 2013 and 2017; welcomes the fact that most agencies have already met or exceeded the 5 % reduction based on their respective 2012 establishment plans; recalls that the Commission started to implement the 5 % reduction in its 2013 establishment plan, basing the calculation on the level of posts in 2012; ***deeply regrets*** that the Commission applied an additional levy of 5 % of staff to the agencies in order to create a redeployment pool from which it would allocate the posts to the agencies with new tasks entrusted to them or in a start-up phase; ***acknowledges from the Network that with the additional levy, fulfilment of the agencies' mandates and annual work programmes is proving increasingly difficult; calls on the Commission to look into other options to make these posts available, in order not to hinder the agencies' ability to fulfil their mandate;***

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<sup>6</sup> Interinstitutional agreement of 2 December 2013 between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management (OJ C 373, 20.12.2013, p. 1).

### *Amendment*

13. Recalls that paragraph 27 of the interinstitutional agreement<sup>6</sup> calls for a progressive reduction of staff by 5 % in all institutions, bodies and agencies to be effected between 2013 and 2017; welcomes the fact that most agencies have already met or exceeded the 5 % reduction based on their respective 2012 establishment plans; recalls that the Commission started to implement the 5 % reduction in its 2013 establishment plan, basing the calculation on the level of posts in 2012; ***states*** that the Commission applied an additional levy of 5 % of staff to the agencies in order to create a redeployment pool from which it would allocate the posts to the agencies with new tasks entrusted to them or in a start-up phase; ***calls upon the Commission to run a SWOT analysis on the Agencies, taking into account their mandates and annual work programmes, in order to come to an informed decision which Agencies need more staff and which do not;***

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<sup>6</sup> Interinstitutional agreement of 2 December 2013 between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management (OJ C 373, 20.12.2013, p. 1).

Or. en

**Amendment 11**  
**C t lin Sorin Ivan**

**Motion for a resolution**  
**Paragraph 17**



*Motion for a resolution*

17. Acknowledges the agencies' view that the trust of Union citizens in the European institutions, agencies and bodies is of the highest importance; notes that the agencies have introduced a number of concrete measures and tools to address adequately the risks of actual and perceived conflicts of interest; notes that all agencies have already adopted policies for the prevention and management of conflicts of interest, and that those policies are aligned with the Commission's Guidelines on the prevention and management of conflicts of interest in EU decentralised agencies; notes that those policies include, inter alia, measures for detecting potential risks at an early stage, identification of best practice in other entities such as the Commission, other agencies and the European Anti-Fraud Office as well as conflicts of interest policies for staff and collaborators not covered by the Staff Regulations; invites the agencies to consider the advantages and disadvantages of having common regulations regarding conflicts of interest;

*Amendment*

17. Acknowledges the agencies' view that the trust of Union citizens in the European institutions, agencies and bodies is of the highest importance; notes that the agencies have introduced a number of concrete measures and tools to address adequately the risks of actual and perceived conflicts of interest; ***calls on the agencies to consider a strategy on how to get closer to the Union citizens***; notes that all agencies have already adopted policies for the prevention and management of conflicts of interest, and that those policies are aligned with the Commission's Guidelines on the prevention and management of conflicts of interest in EU decentralised agencies; notes that those policies include, inter alia, measures for detecting potential risks at an early stage, identification of best practice in other entities such as the Commission, other agencies and the European Anti-Fraud Office as well as conflicts of interest policies for staff and collaborators not covered by the Staff Regulations; invites the agencies to consider the advantages and disadvantages of having common regulations regarding conflicts of interest;

Or. en

**Amendment 12**

**Tamás Deutsch**

**Motion for a resolution**

**Paragraph 17 a (new)**

*Motion for a resolution*

*Amendment*

***17a. 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 13**  
**Tamás Deutsch**

**Motion for a resolution**  
**Paragraph 17 b (new)**

*Motion for a resolution*

*Amendment*

*17b. Demands that all those EU institutions and agencies that have not yet done so urgently adopt internal rules on whistleblowing and take a common approach to their obligations, focusing on the protection of whistleblowers; requests special attention for the protection of whistleblowers in the context of the Directive on the Protection of Trade Secrets; calls on the Commission to promote legislation on a minimum level of protection for whistleblowers in the EU; calls on the institutions and agencies to amend the Staff Regulations to ensure that they not only formally oblige officials to report irregularities of all kinds but also lay down adequate protection for whistleblowers; calls on the institutions and agencies to implement Article 22(c) of the Staff Regulations without delay;*

Or. en

**Amendment 14**  
**Tamás Deutsch**

**Motion for a resolution**  
**Paragraph 17 c (new)**

*Motion for a resolution*

*Amendment*

***17c. 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 15**  
**Tamás Deutsch**

**Motion for a resolution**  
**Paragraph 18 a (new)**

*Motion for a resolution*

*Amendment*

***18a. Requests that all EU institutions and agencies implement Article 16 of the Staff Regulations by publishing, on an annual basis, information about senior officials who have left the EU administration, as well as a list of conflicts of interest; requests that the aforementioned independent structure assess the compatibility of post-EU employment or the situation whereby civil servants and former Members of the European Parliament move from the public to the private sector (the 'revolving door' issue) and the possibility of a conflict of interest, and define clear cooling-off periods, which should cover at least the period for which transitional allowances are granted;***

Or. en

**Amendment 16**  
**Tamás Deutsch**

**Motion for a resolution**  
**Paragraph 19 a (new)**

*Motion for a resolution*

*Amendment*

***19a. Underlines the need to enhance integrity and improve the ethical framework through better implementation of codes of conduct and ethical principles, so as to reinforce a common and effective culture of integrity for all EU institutions and agencies;***

Or. en

**Amendment 17**  
**Marco Valli, Marco Zanni**

**Motion for a resolution**  
**Paragraph 20**

*Motion for a resolution*

*Amendment*

20. Notes with concern that some agencies are yet to adopt whistle-blowing guidelines; urges those agencies that have not to do so without further delay;

20. Notes with concern that some agencies are yet to adopt whistle-blowing guidelines; urges those agencies that have not to do so without further delay; ***calls, further, on all the agencies to lay down rules to protect whistleblowers;***

Or. it

**Amendment 18**  
**Dennis de Jong, Rina Ronja Kari, Benedek Jávor**

**Motion for a resolution**  
**Paragraph 20 a (new)**

*Motion for a resolution*

*Amendment*

***20a. Calls upon all European Agencies to use the framework to be created by the new Inter Institutional Agreement on a Mandatory Transparency Register and***

*use it as a guiding instrument for their interaction with organisations and self-employed individuals engaged in EU policy-making and policy implementation in order to create more transparency on lobby activities;*

Or. en

## **Amendment 19**

**Dennis de Jong, Rina Ronja Kari, Benedek Jávor**

### **Motion for a resolution**

#### **Paragraph 21**

##### *Motion for a resolution*

21. Notes that the principle of “value for money” and “EU added value” also holds for agencies while ensuring that citizens are well informed of the results of the agencies’ activities; notes that achieving results is important; reiterates that it is important for the Network to become a member of the new Inter-institutional Working Group on Performance in order to reach a common understanding of performance-based and results-oriented budgeting principles, as well as to identify possible improvements to the performance models currently applied in the agencies; requests that the Court of Auditors provide an evaluation of the agencies' performance and results in time for the review of the 2016 Multiannual Financial Framework;

##### *Amendment*

21. Notes that the principle of “value for money” and “EU added value” also holds for agencies while ensuring that citizens are well informed of the results of the agencies’ activities; notes that achieving results is important; ***emphasizes that many Agencies do not explicitly include in their annual reports information on the effectiveness and efficiency of their activities in an accountable manner;*** reiterates that it is important for the Network to become a member of the new Inter-institutional Working Group on Performance in order to reach a common understanding of performance-based and results-oriented budgeting principles, as well as to identify possible improvements to the performance models currently applied in the agencies; requests that the Court of Auditors provide an evaluation of the agencies' performance and results in time for the review of the 2016 Multiannual Financial Framework;

Or. en

## **Amendment 20**

**C t lin Sorin Ivan**

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

*Motion for a resolution*

22. Takes note from the Network that nearly all agencies have included on their websites the statement that they are agencies of the Union, with the exception of the European Insurance and Occupational Pensions Authority, which states that it is an independent advisory body to the Parliament, the Council and the Commission; notes furthermore that 50 % of the agencies have published information on their website in all the Union languages, four agencies have offered information in 23 languages of the Union, 22 % offer information in at least two languages and 9 % of the agencies have websites available only in English, with some having plans to expand the availability to German; acknowledges furthermore that a full multilingual approach for all agencies is not currently feasible due to the need for additional resources; invites the agencies to consider using *tools such as* surveys and focus groups to measure public awareness and assess ways to improve their communications strategy in future;

*Amendment*

22. Takes note from the Network that nearly all agencies have included on their websites the statement that they are agencies of the Union, with the exception of the European Insurance and Occupational Pensions Authority, which states that it is an independent advisory body to the Parliament, the Council and the Commission; notes furthermore that 50 % of the agencies have published information on their website in all the Union languages, four agencies have offered information in 23 languages of the Union, 22 % offer information in at least two languages and 9 % of the agencies have websites available only in English, with some having plans to expand the availability to German; acknowledges furthermore that a full multilingual approach for all agencies is not currently feasible due to the need for additional resources; invites the agencies to consider using *social media tools*, surveys and focus groups to measure public awareness and assess ways to improve their communications strategy in future;

Or. en

**Amendment 21**  
**Ryszard Czarnecki**

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

*Motion for a resolution*

*Amendment*

***23a. Requests an assessment by the Commission of the added value of communications by agencies; notes that agency staff numbers are limited; suggests therefore, that agencies should***

*prioritise their core tasks over communications;*

Or. en

**Amendment 22**  
**Tamás Deutsch**

**Motion for a resolution**  
**Paragraph 24 a (new)**

*Motion for a resolution*

*Amendment*

***24a. 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 23**  
**Derek Vaughan**

**Motion for a resolution**  
**Paragraph 25**

*Motion for a resolution*

*Amendment*

25. Reminds the Court of Auditors that the Parliament, the Council and the Commission agreed in paragraph 54 of the Common Approach that all aspects of outsourced external audits "remain under the full responsibility of the Court, which manages all administrative and procurement procedures required and finances these, as well as any other costs associated with outsourced external audits, from its own budget"; deeply regrets that

25. Reminds the Court of Auditors that the Parliament, the Council and the Commission agreed in paragraph 54 of the Common Approach that all aspects of outsourced external audits "remain under the full responsibility of the Court, which manages all administrative and procurement procedures required"; ***asks the Commission to clarify urgently whether or not this still applies;*** deeply regrets that the new audit approach

the new audit approach involving private sector auditors resulted in an 85% increase in administrative burden on the agencies, equating to more than 13 000 additional hours or an average of 3,5 full time equivalents (FTEs) compared with the previous audit managed by the Court of Auditors; regrets that the time spent on the procurement and administration of audit contracts created more than 1 400 man hours of additional work for the decentralised agencies, and that the total additional expenditure on external private sector audits in 2014 amounted to EUR 550 000; ***reiterates its call to the Court of Auditors to follow the agreed Common Approach and contract and pay for agencies' external auditors and*** to provide better guidance to private auditors so as significantly to reduce the augmented administrative burden;

involving private sector auditors resulted in an 85% increase in administrative burden on the agencies, equating to more than 13 000 additional hours or an average of 3,5 full time equivalents (FTEs) compared with the previous audit managed by the Court of Auditors; regrets that the time spent on the procurement and administration of audit contracts created more than 1 400 man hours of additional work for the decentralised agencies, and that the total additional expenditure on external private sector audits in 2014 amounted to EUR 550 000; ***calls on*** the Court of Auditors to provide better guidance to private auditors so as significantly to reduce the augmented administrative burden;

Or. en

**Amendment 24**  
**Tamás Deutsch**

**Motion for a resolution**  
**Paragraph 25 a (new)**

*Motion for a resolution*

*Amendment*

***25a. Calls on all the EU institutions and agencies to enhance their procedures and practices aimed at safeguarding the financial interests of the Union and to actively contribute to a results-oriented discharge process;***

Or. en

**Amendment 25**  
**Ryszard Czarnecki**



**Motion for a resolution**  
**Paragraph 25 a (new)**

*Motion for a resolution*

*Amendment*

***25a. Suggests that the Commission, Council and Parliament consider merging of smaller agencies who perform similar or interlinked tasks; argues that this would provide efficiency savings in the long term;***

Or. en

**Amendment 26**  
**Tamás Deutsch**

**Motion for a resolution**  
**Paragraph 25 b (new)**

*Motion for a resolution*

*Amendment*

***25b. 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