



2023/2165(DEC)

12.2.2024

AMENDMENTS

1 - 7

Draft report

Petri Sarvamaa

(PE753.534v01-00)

2022 discharge: European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA)
((2023/2165(DEC))

Amendment 1

Ramona Strugariu, Olivier Chastel, Michal Wiezik, Jozef Mihál, Alin Mituța, Katalin Cseh

Motion for a resolution

Paragraph 9

Motion for a resolution

9. Notes that the Agency continued to deliver several other closely related statutory objectives, such as training for Member States on the use of JHA information systems, preparing statutory reports on their technical performance, annual statistics and lists of designated authorities; commends in this context that in 2022 the Agency delivered 48 trainings activities that reached over 3 000 participants, upgraded its e-learning platform and finalised its Member States Training Roadmap and the associated action plan; notes further that the Agency continued to expand its role in the EU's justice domain by starting preparations for the takeover of the e-CODEX system (a platform facilitating cross-border judicial proceedings through secure transmission of information), published a report on how the digitalisation of international travel will affect travellers headed to the Union, and co-authored a report with Eurojust on using artificial intelligence solutions to support cross-border cooperation in criminal justice;

Amendment

9. Notes **with satisfaction** that the Agency continued to deliver several other closely related statutory objectives, such as training for Member States on the use of JHA information systems, preparing statutory reports on their technical performance, annual statistics and lists of designated authorities; commends in this context that in 2022 the Agency delivered 48 trainings activities that reached over 3 000 participants, upgraded its e-learning platform and finalised its Member States Training Roadmap and the associated action plan; notes further that the Agency continued to expand its role in the EU's justice domain by starting preparations for the takeover of the e-CODEX system (a platform facilitating cross-border judicial proceedings through secure transmission of information), published a report on how the digitalisation of international travel will affect travellers headed to the Union, and co-authored a report with Eurojust on using artificial intelligence solutions to support cross-border cooperation in criminal justice;

Or. en

Amendment 2

Sándor Rónai, Hannes Heide

Motion for a resolution

Paragraph 15

Motion for a resolution

15. Notes with concern the composition

Amendment

15. Notes with concern the composition

of the Agency's senior and middle management with respect to gender, with 12 men (86 %) and 2 women (14 %), of the management board with 50 men (82 %) and 11 women (18 %), and within the staff overall with 209 men (67 %) and 101 women (33 %); notes from the Agency's follow-up report that the Agency continues the efforts to improve its overall gender balance focusing on communication and on the recruitment procedures to attract a higher number of female applicants; welcomes the Agency's participation in 2022 in the online global career fair 'Women in Tech'; welcomes further the appointment of the new Executive Director, thus reaching gender balance in senior management positions; calls on the Agency to continue its efforts towards gender balance at all levels through concrete actions that attract applications from women for posts offered by the Agency;

of the Agency's senior and middle management with respect to gender, with 12 men (86 %) and 2 women (14 %), of the management board with 50 men (82 %) and 11 women (18 %), and within the staff overall with 209 men (67 %) and 101 women (33 %); notes from the Agency's follow-up report that the Agency continues the efforts to improve its overall gender balance focusing on communication and on the recruitment procedures to attract a higher number of female applicants; welcomes the Agency's participation in 2022 in the online global career fair 'Women in Tech'; welcomes further the appointment of the new Executive Director, thus reaching gender balance in senior management positions; ***recalls the importance to ensure gender balance and*** calls on the Agency to continue its efforts towards gender balance at all levels through concrete actions that attract applications from women for posts offered by the Agency; ***asks the Commission and the Member States to take into account the importance of ensuring gender balance when nominating their members to the Agency's management board;***

Or. en

Amendment 3

Ramona Strugariu, Olivier Chastel, Michal Wiezik, Jozef Mihál, Alin Mituța, Katalin Cseh

Motion for a resolution

Paragraph 19

Motion for a resolution

19. Highlights from the Court's report the observations that led to a qualified opinion due to the irregularity of several payments made in 2022 for a total of EUR 17,8 million in connection with seven specific contracts, representing 4,8 % of the total payment appropriations available in 2022; notes that the irregularity of those

Amendment

19. Highlights from the Court's report the observations that led to a qualified opinion due to the irregularity of several payments made in 2022 for a total of EUR 17,8 million in connection with seven specific contracts, representing 4,8 % of the total payment appropriations available in 2022; notes that the irregularity of those

payments is mainly linked to deviations from the corresponding framework contracts; notes from the Agency's replies to Parliament's written questions that the irregularities with regard to payments made in 2022 can be grouped under three categories, namely: - amendment of fixed term contracts (EUR 6,5 million); - extension of specific contracts beyond the maximum allowed time period (EUR 3,7 million); - and lack of details on requirements in specific contracts (EUR 7,5 million); notes that some of those irregular payments, totalling EUR 10,5 million, relate to three specific contracts based on which payments were also made in 2021 and found irregular by the Court in its annual report on Union agencies for that year; notes from the statements made by the executive director of the Agency during the meeting of the Committee on Budgetary Control of 29 November 2023 (hereinafter 'the statements of the executive director') that six of the seven specific contracts identified in the Court's report have expired without outstanding payments; notes from the Agency's replies to the Court's observations the measures it has taken to address them;

payments is mainly linked to deviations from the corresponding framework contracts; notes from the Agency's replies to Parliament's written questions that the irregularities with regard to payments made in 2022 can be grouped under three categories, namely: - amendment of fixed term contracts (EUR 6,5 million); - extension of specific contracts beyond the maximum allowed time period (EUR 3,7 million); - and lack of details on requirements in specific contracts (EUR 7,5 million); notes that some of those irregular payments, totalling EUR 10,5 million, relate to three specific contracts based on which payments were also made in 2021 and found irregular by the Court in its annual report on Union agencies for that year; notes from the statements made by the executive director of the Agency during the meeting of the Committee on Budgetary Control of 29 November 2023 (hereinafter 'the statements of the executive director') that six of the seven specific contracts identified in the Court's report have expired without outstanding payments; ***highlights that this has been a recurring issue for the Agency***; notes from the Agency's replies to the Court's observations the measures it has taken to address them; ***calls on the Agency to continue to address this issue fully and report back to the discharge authority on the progress achieved***;

Or. en

Amendment 4

Ramona Strugariu, Olivier Chastel, Michal Wiezik, Jozef Mihál, Alin Mituța, Katalin Cseh

Motion for a resolution

Paragraph 20

Motion for a resolution

20. Notes with grave concern that 2022 was the third year in a row for which the

Amendment

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Court issued a qualified opinion regarding the Agency's procurement and contract management area; notes from the Agency's replies to Parliament's written questions, from the Agency's follow-up report and from the statements of the executive director, the Agency's action plan for an in-depth review of its processes in order to identify and remove the root causes of the recurrent observations of the Court in that area; expects therefore a lasting improvement as a result of implementing that action plan, in particular given that six of the seven specific contracts deemed by the Court irregular have expired without outstanding payments;

Court issued a qualified opinion regarding the Agency's procurement and contract management area; notes from the Agency's replies to Parliament's written questions, from the Agency's follow-up report and from the statements of the executive director, the Agency's action plan for an in-depth review of its processes in order to identify and remove the root causes of the recurrent observations of the Court in that area; expects therefore a lasting improvement as a result of implementing that action plan, in particular given that six of the seven specific contracts deemed by the Court irregular have expired without outstanding payments; ***calls on the Agency to periodically report to the discharge authority on the progress achieved in the implementation of the action plan;***

Or. en

Amendment 5

Bas Eickhout

on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 20 a (new)

Motion for a resolution

Amendment

20 a. Is concerned about the number of issues of irregularities, delayed and inadequate tender procedures and lack of diligence displayed by the Authority with regard to the procurement rules, which resulted in elevated costs borne by the Authority; calls on the Agency to improve the identified shortcomings and report to the discharge authority about any undertaken corrective actions;

Or. en

Amendment 6

Ramona Strugariu, Olivier Chastel, Michal Wiezik, Jozef Mihál, Alin Mituța, Katalin

Cseh

Motion for a resolution
Paragraph 22

Motion for a resolution

22. Notes from the Court's report that the Agency used a negotiated procedure to award a contract, without prior publication of a contract notice; notes that the Agency justified this decision on grounds of extreme urgency, against the advice of the Agency's procurement and legal services; notes the reasons of the Court as to why the use of that procedure was not justified; notes nevertheless the Agency's reply that a risk of maintenance gap of several months would have materialised because the timelines for implementing the EES programme formally changed at a later stage and the overall time necessary for the contract award and for transition to a new contractor was estimated to be of at least eight months; considers in this context that the Agency's approach was a sensible one; notes from the Agency's reply that the awarded contract has meanwhile expired;

Amendment

22. Notes **with concern** from the Court's report that the Agency used a negotiated procedure to award a contract, without prior publication of a contract notice; notes that the Agency justified this decision on grounds of extreme urgency, against the advice of the Agency's procurement and legal services; notes the reasons of the Court as to why the use of that procedure was not justified; notes nevertheless the Agency's reply that a risk of maintenance gap of several months would have materialised because the timelines for implementing the EES programme formally changed at a later stage and the overall time necessary for the contract award and for transition to a new contractor was estimated to be of at least eight months; considers in this context that the Agency's approach was a sensible one; notes from the Agency's reply that the awarded contract has meanwhile expired;

Or. en

Amendment 7

Ramona Strugariu, Olivier Chastel, Michal Wiezik, Jozef Mihál, Alin Mituța, Katalin Cseh

Motion for a resolution
Paragraph 26

Motion for a resolution

26. **Notes** that in March 2022, the Agency adopted the revised guidelines on whistleblowing; takes note of the Agency's statement that in 2022 it has increased the clarity and visibility of the separate communication channels available to the staff, such as confidential counsellors or

Amendment

26. **Welcomes** that in March 2022, the Agency adopted the revised guidelines on whistleblowing; takes note of the Agency's statement that in 2022 it has increased the clarity and visibility of the separate communication channels available to the staff, such as confidential counsellors or

for whistleblowing; welcomes further the adoption of the guidelines on public access to documents; welcomes the entering into force as of September 2022 of the Agency's decision 09/08/2022 establishing a transparency register whereby meetings between the Agency's senior management and economic operators are published on the Agency's website;

for whistleblowing; welcomes further the adoption of the guidelines on public access to documents; welcomes the entering into force as of September 2022 of the Agency's decision 09/08/2022 establishing a transparency register whereby meetings between the Agency's senior management and economic operators are published on the Agency's website;

Or. en