



2019/2097(DEC)

21.1.2020

OPINION

of the Committee on Civil Liberties, Justice and Home Affairs

for the Committee on Budgetary Control

on discharge in respect of the implementation of the budget of the European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA) for the financial year 2018
(2019/2097(DEC))

Rapporteur for opinion: Roberta Metsola

PA_NonLeg

SUGGESTIONS

The Committee on Civil Liberties, Justice and Home Affairs calls on the Committee on Budgetary Control, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

1. Stresses that the European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA) (the 'Agency') offers an important contribution to a safer Europe by providing high-quality services and helping to align the technological capabilities of Member States with their needs;
2. Welcomes the fact that the Court of Auditors (the 'Court') has declared the transactions underlying the annual accounts of the Agency for the financial year 2018 to be legal and regular in all material respects and that its financial position on 31 December 2018 is fairly represented; highlights that in 2018 the Agency's budget increased from EUR 79 million to EUR 97 million (an increase of 22 %) and its staff from 152 to 162 (an increase of 6 %);
3. Notes the very low implementation of the Agency's budget in 2018 with close to 25 % (EUR 49 million) of commitment appropriations being carried forward and 76 % (EUR 74 million) of payment appropriations being unused; acknowledges that this situation arose due to reasons beyond the control of the Agency, namely the late adoption or entry into force of certain legal acts; believes, however, that the lower absorption capacity should have been anticipated, and therefore calls on the Agency and the Commission to improve budgetary planning in the future including by consulting closely with the Agency during the preparation of new legal acts;
4. Stresses that the current practice whereby the Agency may only recruit the necessary staff for the implementation of a legal act once that act is in force stretches the capabilities of the Agency's core team and therefore carries the risk of preventing the Agency from maintaining a good performance in its daily activities; notes that the Court has identified a horizontal trend across agencies in the use of external staff being hired in IT consultancy roles; calls for the Agency's dependence on external recruitment in this area to be addressed in view of the responsibility it has for large-scale IT systems in the Union; calls, therefore, on the Commission to enable the front-loading of some of the staff foreseen in a proposal for a legal act in order to allow the Agency to prepare the work required for the implementation of that legal act;
5. Recalls, particularly in view of the fact that this Agency deals with the interoperability of sensitive data, the importance of data management and processing services and the need to internalise these services; highlights in this regard the importance of the protection and confidentiality of such data and the potential risks that the current external IT services management system involves;
6. Takes note of several flaws detected by the Court in relation to compliance with public procurement rules; regrets the fact that flaws related to a framework contract for provision of 'corrective maintenance in working order of the Schengen Information System' led to irregular payments totalling EUR 759 000; deplores the fact that the Court detected further shortcomings in the quality, completeness and consistency of

information related to that contract; takes note of the Agency's reply that the irregular payments were necessary to comply with its legal obligation to continue to maintain the Schengen Information System in view of the fact that the launch of the procedure for the successor framework contract was delayed; welcomes the new organisational structure put in place by the Agency to reinforce the capabilities needed for operational planning and the associated procurement, including the provision of legal and technical input, but calls for further efforts to be made to ensure compliance with procurement rules and for more accurate reporting; takes note of the Court's observation that the Agency may consider using the methodology of the International Function Point Users Group (IFPUG), a standard methodology for determining the price for development activities;

7. Welcomes the progress made regarding the Court's recommendations from previous years; notes, however that the Agency still does not publish vacancy notices on the website of the European Personnel Selection Office (EPSO); calls, therefore, on the Agency to take steps to ensure the publication of vacancies through the EPSO website; notes that the construction of the new building on the Strasbourg site has been completed; highlights the fact that continuity of operations is no longer threatened by the small number of staff in key operational units.
8. Notes that, in relation to e-procurement procedures, the Agency has introduced e-invoicing and e-tendering for certain procedures, but notes, however, that the introduction of e-submission is still ongoing;
9. Stresses the importance of providing gender-based data in order to be able to analyse the evolution of the gender balance within the staff of the Agency and in its governing bodies.

INFORMATION ON ADOPTION IN COMMITTEE ASKED FOR OPINION

Date adopted	13.1.2020
Result of final vote	+: 50 -: 5 0: 0
Members present for the final vote	Konstantinos Arvanitis, Malik Azmani, Pietro Bartolo, Nicolas Bay, Vladimír Bilčík, Vasile Blaga, Saskia Bricmont, Damien Carême, Caterina Chinnici, Tudor Ciuhodaru, Clare Daly, Lena Düpont, Cornelia Ernst, Sylvie Guillaume, Evin Incir, Sophia in 't Veld, Patryk Jaki, Assita Kanko, Fabienne Keller, Alice Kuhnke, Jeroen Lenaers, Juan Fernando López Aguilar, Roberta Metsola, Javier Moreno Sánchez, Maite Pagazaurtundúa, Kostas Papadakis, Nicola Procaccini, Emil Radev, Paulo Rangel, Terry Reintke, Ralf Seekatz, Michal Šimečka, Birgit Sippel, Sylwia Spurek, Tineke Strik, Tom Vandendriessche, Bettina Vollath, Ann Widdecombe, Elena Yonchev, Javier Zarzalejos
Substitutes present for the final vote	Damian Boeselager, Patrick Breyer, Delara Burkhardt, Lucia Ďuriš Nicholsonová, Beata Kempa, Ondřej Kovařík, Kris Peeters, Robert Roos, Miguel Urbán Crespo, Loránt Vincze, Petar Vitanov, Axel Voss, Maria Walsh, Tomáš Zdechovský
Substitutes under Rule 209(7) present for the final vote	Lukas Mandl

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

50	+
PPE	Vladimír Bilčík, Vasile Blaga, Lena Düpont, Jeroen Lenaers, Lukas Mandl, Roberta Metsola, Kris Peeters, Emil Radev, Paulo Rangel, Ralf Seekatz, Loránt Vincze, Axel Voss, Maria Walsh, Javier Zarzalejos, Tomáš Zdechovský
S&D	Pietro Bartolo, Delara Burkhardt, Caterina Chinnici, Tudor Ciuhodaru, Sylvie Guillaume, Evin Incir, Juan Fernando López Aguilar, Javier Moreno Sánchez, Birgit Sippel, Sylwia Spurek, Petar Vitanov, Bettina Vollath, Elena Yoncheva
RENEW	Malik Azmani, Sophia in 't Veld, Fabienne Keller, Ondřej Kovařík, Maite Pagazaurtundúa, Michal Šimečka
VERTS/ALE	Damian Boeselager, Patrick Breyer, Saskia Bricmont, Damien Carême, Alice Kuhnke, Terry Reintke, Tineke Strik
ECR	Lucia Ďuriš Nicholsonová, Patryk Jaki, Assita Kanko, Beata Kempa, Nicola Procaccini
GUE/NGL	Konstantinos Arvanitis, Clare Daly, Cornelia Ernst, Miguel Urbán Crespo

5	-
ID	Nicolas Bay, Tom Vandendriessche
ECR	Robert Roos
NI	Kostas Papadakis, Ann Widdecombe

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Key to symbols:

+ : in favour

- : against

0 : abstention