



2023/2165(DEC)

24.1.2024

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 2022
(2023/2165(DEC))

Rapporteur for opinion: Tomáš Zdechovský

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. Welcomes the fact that the Court of Auditors (the 'Court') has declared the transactions underlying the annual accounts 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 2022 to be legal and regular in all material respects;
2. Regrets that in 2022, an amount of € 17.8 million, representing 4,8 % of the total payment appropriations available, was non-compliant expenditure which exceeded the materiality threshold set for the audit, therefore resulted a qualified opinion on the legality and regularity of payments by the Court, following qualified opinions on the irregularity of eu-LISA's payments in 2020 and 2021; regrets that several observations from the Court from previous years are still ongoing; calls on eu-LISA to follow the observations from the Court and to step up efforts to implement corrective actions in all remaining cases of non-compliance and to report to the discharge authority on the progress achieved;
3. Notes with concern the observations of the Court on the legality and regularity of transactions, on management and control systems, and on budgetary management noting that the recurrent high rates of carry-overs, which represent €14,4 million of 2022 commitment appropriations carried over to 2023, contradict the budgetary principle of annularity and are indicative of structural issues in the budget process and implementation cycle;
4. Regrets that several 2022 payments were linked to three contracts including one specific contract of €40 million, which were found irregular in 2021 and 2022; notes the replies of the eu-LISA stipulating that number of irregular contracts were either revised and amended, or not extended into 2023;
5. Notes with regret that, out of the nine observations from the Court dated in 2017, 2018 and 2021, only one was closed; acknowledges that eu-LISA developed an action plan to address the six ongoing observations from 2021; calls for a full implementation of this action plan; calls on the eu-LISA to fully address the Court's observations and to report on the progress achieved;
6. Notes the cooperation of eu-LISA with EU agencies, especially with the European Border and Coast Guard Agency (FRONTEX) on development of ETIAS, with the European Union Agency for Law Enforcement Cooperation (Europol) on implementing the SIS Recast, EES, ETIAS, and Interoperability regulations, with the European Union Agency for Criminal Justice Cooperation (Eurojust) on the implementation of ECRIS-TCN and e-CODEX, the Interoperability regulations, and the coordination of activities related to the digitalisation of judicial cooperation, with the European Union Agency for Asylum (EUAA) on implementing the Commission regulation on the 'DubliNet' electronic communications network, with the European Union Agency for Law Enforcement Training (CEPOL) on organising joint training courses on the use of

Justice and Home Affairs (JHA) systems and with the European Union Agency for Fundamental Rights (FRA) on organising joint training courses highlighting the aspect of fundamental rights in the management of JHA information systems; encourages eu-LISA to continue its cooperation with the EU agencies;

7. Notes the continuing provision of hosting services for the backup systems of Frontex and the European Union Agency for Asylum; notes the development and implementation of the 'data-centre-as-a-service' for centralizing of the operational management, monitoring and capacity planning of the IT infrastructure used by JHA systems; welcomes the progress made on the preparations for the future modular data centre which will provide additional buffer capacity and 50% capacity increase for hosting new JHA systems; reminds the importance of compliance with EU legislation notably in terms of data protection;

INFORMATION ON ADOPTION IN COMMITTEE ASKED FOR OPINION

Date adopted	23.1.2024
Result of final vote	+: 55 -: 0 0: 2
Members present for the final vote	Magdalena Adamowicz, Abir Al-Sahlani, Katarina Barley, Pietro Bartolo, Theresa Bielowski, Patrick Breyer, Saskia Bricmont, Jorge Buxadé Villalba, Damien Carême, Patricia Chagnon, Lena Düpont, Lucia Ďuriš Nicholsonová, Cornelia Ernst, Laura Ferrara, Nicolaus Fest, Maria Grapini, Sylvie Guillaume, Andrzej Halicki, Evin Incir, Sophia in 't Veld, Patryk Jaki, Marina Kaljurand, Assita Kanko, Łukasz Kohut, Moritz Körner, Alice Kuhnke, Jeroen Lenaers, Juan Fernando López Aguilar, Erik Marquardt, Javier Moreno Sánchez, Maite Pagazaurtundúa, Diana Riba i Giner, Isabel Santos, Birgit Sippel, Vincenzo Sofo, Tineke Strik, Jana Toom, Milan Uhrík, Tom Vandendriessche, Elissavet Vozemberg-Vrionidi, Elena Yoncheva, Javier Zarzalejos
Substitutes present for the final vote	Cyrus Engerer, José Gusmão, Beata Kempa, Leopoldo López Gil, Janina Ochojska, Anne-Sophie Pelletier, Bergur Løkke Rasmussen, Róza Thun und Hohenstein, Maria Walsh, Tomáš Zdechovský
Substitutes under Rule 209(7) present for the final vote	Andrus Ansip, Hildegard Bentele, Maria da Graça Carvalho, Marisa Matias, Caroline Nagtegaal

**ANNEX: ENTITIES OR PERSONS
FROM WHOM THE RAPPORTEUR HAS RECEIVED INPUT**

The rapporteur declares under his exclusive responsibility that he did not receive input from any entity or person to be mentioned in this Annex pursuant to Article 8 of Annex I to the Rules of Procedure.

VOTE FINAL PAR APPEL NOMINAL EN COMMISSION SAISIE POUR AVIS

55	+
ECR	Jorge Buxadé Villalba, Patryk Jaki, Assita Kanko, Beata Kempa, Vincenzo Sofo
ID	Nicolaus Fest, Tom Vandendriessche
NI	Laura Ferrara
PPE	Magdalena Adamowicz, Hildegard Bentele, Maria da Graça Carvalho, Lena Düpont, Andrzej Halicki, Jeroen Lenaers, Leopoldo López Gil, Janina Ochojska, Elissavet Vozemberg-Vrionidi, Maria Walsh, Javier Zarzalejos, Tomáš Zdechovský
Renew	Abir Al-Sahlani, Andrus Ansip, Lucia Ďuriš Nicholsonová, Sophia in 't Veld, Moritz Körner, Caroline Nagtegaal, Maite Pagazaurtundúa, Bergur Løkke Rasmussen, Róza Thun und Hohenstein, Jana Toom
S&D	Katarina Barley, Pietro Bartolo, Theresa Bielowski, Cyrus Engerer, Maria Grapini, Sylvie Guillaume, Evin Incir, Marina Kaljurand, Łukasz Kohut, Juan Fernando López Aguilar, Javier Moreno Sánchez, Isabel Santos, Birgit Sippel, Elena Yoncheva
The Left	Cornelia Ernst, José Gusmão, Marisa Matias, Anne-Sophie Pelletier
Verts/ALE	Patrick Breyer, Saskia Bricmont, Damien Carême, Alice Kuhnke, Erik Marquardt, Diana Riba i Giner, Tineke Strik

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2	0
ID	Patricia Chagnon
NI	Milan Uhrík

Légende des signes utilisés:

+ : pour

- : contre

0 : abstention