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<Commission>{LIBE}Committee on Civil Liberties, Justice and Home Affairs</Commission>

<RefProc>2020/2181</RefProc><RefTypeProc>(DEC)</RefTypeProc>

<Date>{20/01/2021}20.1.2021</Date>

<TypeAM>AMENDMENTS</TypeAM>

<RangeAM>1 - 17</RangeAM>

<TitreType>Draft opinion</TitreType>

<Rapporteur>Caterina Chinnici</Rapporteur>

<DocRefPE>(PE661.923v01-00)</DocRefPE>

<Titre>2019 discharge: European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (eu-LISA)</Titre>

<DocRef>(2020/2181(DEC))</DocRef>

AM\_Com\_NonLegOpinion

<RepeatBlock-Amend><Amend>Amendment <NumAm>1</NumAm>

<RepeatBlock-By><Members>Clare Daly</Members>

</RepeatBlock-By>

<DocAmend>Draft opinion</DocAmend>

<Article>Paragraph 1</Article>

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| Draft opinion | Amendment |
| 1. Stresses that the European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (the 'Agency') ***offers an important contribution to a safer Europe by providing*** high-quality services and ***helping*** to align Member States’ technological capabilities with their needs; ***reminds that the Agency’s capacity to both improve existing and develop new information systems was enhanced by its new mandate which entered into force in December 2018;*** | 1. Stresses that the European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (the 'Agency') ***provides*** high-quality services and ***helps*** to align Member States’ technological capabilities with their needs; |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>2</NumAm>

<RepeatBlock-By><Members>Roberta Metsola, Paulo Rangel, Elissavet Vozemberg-Vrionidi, Lena Düpont, Tomas Tobé, Axel Voss, Tomáš Zdechovský</Members>

</RepeatBlock-By>

<DocAmend>Draft opinion</DocAmend>

<Article>Paragraph 1</Article>

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| Draft opinion | Amendment |
| 1. Stresses that the European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (the 'Agency') offers an important contribution to a safer Europe by providing high-quality services and helping to align Member States’ technological capabilities with their needs; reminds that the Agency’s capacity to both improve existing and develop new information systems ***was enhanced by its new mandate which entered into force in December 2018***; | 1. Stresses that the European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (the 'Agency') offers an important contribution to a safer Europe by ***applying the highest levels of information security and data protection to the information entrusted to it,*** providing high-quality services and helping to align Member States’ technological capabilities with their needs; reminds that the Agency’s ***new mandate that entered into force in December 2018 enhanced its*** capacity to both improve existing and develop new information systems ***and tasked the Agency to ensure their interoperability***; |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>3</NumAm>

<RepeatBlock-By><Members>Caterina Chinnici</Members>

</RepeatBlock-By>

<DocAmend>Draft opinion</DocAmend>

<Article>Paragraph 2 a (new)</Article>

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| Draft opinion | Amendment |
|  | ***2 a.*** ***Recalls that 2019 was the first year after the entry into force of regulation(EU)2018/17261a; welcomes the efforts made by the Agency to adapt to these new rules which have expanded the mandate of the Agency;*** |
|  | ***1a Regulation (EU) 2018/1726 of the European Parliament and of the Council of 14 November 2018 on the European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA), and amending Regulation (EC) No 1987/2006 and Council Decision 2007/533/JHA and repealing Regulation (EU) No 1077/2011 (OJ L 295, 21.11.2018, p. 99).*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>4</NumAm>

<RepeatBlock-By><Members>Roberta Metsola, Paulo Rangel, Elissavet Vozemberg-Vrionidi, Lena Düpont, Tomas Tobé, Axel Voss, Tomáš Zdechovský</Members>

</RepeatBlock-By>

<DocAmend>Draft opinion</DocAmend>

<Article>Paragraph 3</Article>

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| Draft opinion | Amendment |
| 3. Reiterates the Agency's very low budget implementation in 2019, with close to 55.2 % (EUR 159 million) of commitment appropriations carried forward and ***47.8*** % (EUR ***66*** million) of payment appropriations ***unused***; acknowledges that this was due to the late adoption or entry into force of certain legislative acts***; calls on the Agency and*** the Commission to improve the ***budgetary*** planning ***in the future and to*** improve alignment of budgetary planning with the timing of the related legal acts; | 3. Reiterates the Agency's very low budget implementation in 2019, with close to 55.2 % (EUR 159 million) of commitment appropriations carried forward and ***32*** % (EUR ***43*** million) of payment appropriations ***returned to the general budget***; acknowledges that this was due to the late adoption or entry into force of certain legislative acts***, which created a significant difference between the actual timeline for their implementation compared with the timeline set by the Commission in the respective Legislative Financial Statements; recommends, therefore,*** the Commission to ***involve and consult the Agency at the earliest stage of preparation of relevant legislative proposals in order to*** improve the ***assumptions underpinning the financial*** planning ***and thereby*** improve alignment of budgetary planning with the timing of the related legal acts***, also to avoid making it necessary for the Agency to turn to private contractors and outsource tasks that may in turn lead to the Agency becoming dependent on external entities for operations that are of a sensitive and critical nature***; |
|  | (The Payment Appropriations were nearly entirely returned to the General Budget via the global transfer exercise. At the start of 2019, eu-LISA had €204 in Payment Appropriations inscribed, out of which it returned €43 million to the General Budget (32%). Finally, the Legislative Financial Statements accompanying each legislative proposal are decided by the Commission. A recommendation for it to involve eu-LISA at the earliest planning stages to improve budgetary planning alignment is justified.) |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>5</NumAm>

<RepeatBlock-By><Members>Olivier Chastel, Fabienne Keller, Abir Al-Sahlani, Sophia in 't Veld, Moritz Körner, Hilde Vautmans, Michal Šimečka, Jan-Christoph Oetjen, Malik Azmani, Ramona Strugariu</Members>

</RepeatBlock-By>

<DocAmend>Draft opinion</DocAmend>

<Article>Paragraph 3</Article>

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| Draft opinion | Amendment |
| 3. Reiterates the Agency's very low budget implementation in 2019, with close to 55.2 % (EUR 159 million) of commitment appropriations carried forward and ***47.8*** % (EUR 66 million) of payment appropriations unused; acknowledges that this was due to the late adoption or entry into force of certain legislative acts; ***calls on the Agency and*** the Commission to improve ***the*** budgetary planning in the future and ***to improve*** alignment ***of budgetary planning*** with the timing of the related legal acts; | 3. Reiterates the Agency's very low budget implementation in 2019, with close to 55.2 % (EUR 159 million) of commitment appropriations carried forward and ***32*** % (EUR 66 million) of payment appropriations unused; acknowledges that this was due to the late adoption or entry into force of certain legislative acts; ***recommends to*** the Commission ***and the Agency to start their dialogue at the earliest stage of preparation of new legal proposals in order*** to improve budgetary planning in the future and ***their*** alignment with the timing of the related legal acts; |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>6</NumAm>

<RepeatBlock-By><Members>Caterina Chinnici</Members>

</RepeatBlock-By>

<DocAmend>Draft opinion</DocAmend>

<Article>Paragraph 4</Article>

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| Draft opinion | Amendment |
| 4. Takes note that the audit showed that a payment of 284 000 euros for the provision of “corrective maintenance in working order of the Schengen Information System” was not in compliance with the contractual provisions; notes that this was due to unavoidable operational reasons; | 4. Takes note that the audit showed that a payment of 284 000 euros for the provision of “corrective maintenance in working order of the Schengen Information System” was not in compliance with the contractual provisions; notes that this was due to unavoidable operational reasons; ***Welcomes the progress made regarding the Court’s recommendations from previous years; deplores 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 payment was necessary to comply with its legal obligation to continuously maintain the Schengen Information System as the procedure for the successor framework contract was launched too late;*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>7</NumAm>

<RepeatBlock-By><Members>Saskia Bricmont, Gwendoline Delbos-Corfield, Patrick Breyer</Members>

</RepeatBlock-By>

<DocAmend>Draft opinion</DocAmend>

<Article>Paragraph 4</Article>

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| Draft opinion | Amendment |
| 4. ***Takes note*** that the audit showed that a payment of 284 000 euros for the provision of “corrective maintenance in working order of the Schengen Information System” was not in compliance with the contractual provisions; ***notes that this was due to unavoidable operational reasons***; | 4. ***Regrets*** that the audit showed that a payment of 284 000 euros for the provision of “corrective maintenance in working order of the Schengen Information System” was not in compliance with the contractual provisions; ***further regrets that the audit also showed that the assessment of the applications against the eligibility criteria concerning recruitment procedures was not always rigorous enough***; |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>8</NumAm>

<RepeatBlock-By><Members>Caterina Chinnici</Members>

</RepeatBlock-By>

<DocAmend>Draft opinion</DocAmend>

<Article>Paragraph 4 a (new)</Article>

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| Draft opinion | Amendment |
|  | ***4 a.*** ***Welcomes the new organisational structure put in place by the Agency to reinforce the capabilities needed for operational planning and the underlying procurement, including the provision of legal and technical input, but calls for further efforts to ensure compliance with procurement rules and more accurate reporting;*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>9</NumAm>

<RepeatBlock-By><Members>Ioan-Rareş Bogdan</Members>

</RepeatBlock-By>

<DocAmend>Draft opinion</DocAmend>

<Article>Paragraph 4 a (new)</Article>

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| Draft opinion | Amendment |
|  | ***4 a.*** ***Points out the remark of the Court according to which the Agency should strengthen procurement-related internal controls; Calls on the Agency to follow this recommendation and to address this issue properly;*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>10</NumAm>

<RepeatBlock-By><Members>Caterina Chinnici</Members>

</RepeatBlock-By>

<DocAmend>Draft opinion</DocAmend>

<Article>Paragraph 4 b (new)</Article>

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| Draft opinion | Amendment |
|  | ***4 b.*** ***Notes that the assessment of applications against the eligibility criteria was not always sufficiently rigorous in the recruitment procedures, which led, in one case, to unequal treatment of candidates; acknowledges that the Agency has undertaken to ensure that all candidates receive equal treatment and that, to this end, it has introduced electronic recruitment tools to carry out automatic checks so as not to repeat the same mistakes;*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>11</NumAm>

<RepeatBlock-By><Members>Caterina Chinnici</Members>

</RepeatBlock-By>

<DocAmend>Draft opinion</DocAmend>

<Article>Paragraph 5</Article>

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| Draft opinion | Amendment |
| 5. Welcomes the progress made regarding the Court’s recommendations from previous years. | 5. 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 publication of vacancies through the EPSO website; notes that the construction of the new building on the Strasbourg site has been completed***. |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>12</NumAm>

<RepeatBlock-By><Members>Roberta Metsola, Paulo Rangel, Elissavet Vozemberg-Vrionidi, Lena Düpont, Tomas Tobé, Axel Voss, Tomáš Zdechovský</Members>

</RepeatBlock-By>

<DocAmend>Draft opinion</DocAmend>

<Article>Paragraph 5</Article>

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| Draft opinion | Amendment |
| 5. Welcomes the progress made regarding the Court’s recommendations from previous years. | 5. Welcomes the progress made regarding the Court’s ***observations and Parliament's ensuing*** recommendations from previous years***, specifically the Agency's publication of vacancy notices on the website of the European Personnel Selection Office (EPSO) in addition to on its website and on social media***. |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>13</NumAm>

<RepeatBlock-By><Members>Saskia Bricmont, Gwendoline Delbos-Corfield, Patrick Breyer</Members>

</RepeatBlock-By>

<DocAmend>Draft opinion</DocAmend>

<Article>Paragraph 5</Article>

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| Draft opinion | Amendment |
| 5. Welcomes the progress made regarding the Court’s recommendations from previous years***.*** | 5. Welcomes the progress made regarding the Court’s recommendations from previous years***; calls on the Agency to continue stepping up efforts to implement corrective measures regarding the Court’s ongoing observations;*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>14</NumAm>

<RepeatBlock-By><Members>Olivier Chastel, Abir Al-Sahlani, Sophia in 't Veld, Moritz Körner, Hilde Vautmans, Michal Šimečka, Fabienne Keller, Jan-Christoph Oetjen, Malik Azmani, Ramona Strugariu</Members>

</RepeatBlock-By>

<DocAmend>Draft opinion</DocAmend>

<Article>Paragraph 5 a (new)</Article>

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| Draft opinion | Amendment |
|  | ***5 a.*** ***Calls on the Agency to continue to develop its synergies, increase cooperation and exchange of good practices with other European agencies with a view to improving efficiency (human resources, building management, IT services and security).*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>15</NumAm>

<RepeatBlock-By><Members>Jadwiga Wiśniewska, Joachim Stanisław Brudziński</Members>

</RepeatBlock-By>

<DocAmend>Draft opinion</DocAmend>

<Article>Paragraph 5 a (new)</Article>

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| Draft opinion | Amendment |
|  | ***5 a.*** ***Reminds that all Union agencies must rigorously comply with the Financial Regulation and the high standards of management.*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>16</NumAm>

<RepeatBlock-By><Members>Olivier Chastel, Abir Al-Sahlani, Sophia in 't Veld, Moritz Körner, Hilde Vautmans, Michal Šimečka, Fabienne Keller, Jan-Christoph Oetjen, Malik Azmani, Ramona Strugariu</Members>

</RepeatBlock-By>

<DocAmend>Draft opinion</DocAmend>

<Article>Paragraph 5 b (new)</Article>

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| Draft opinion | Amendment |
|  | ***5 b.*** ***Stresses the importance to increase the digitalisation of the Agency in terms of internal operation and management but also in order to speed up the digitalisation of procedures; stresses the need for the Agency to continue to be proactive in this regard in order to avoid a digital gap between the agencies at all costs; draws attention, however, to the need to take all the necessary security measures to avoid any risk to the online security of the information processed;*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>17</NumAm>

<RepeatBlock-By><Members>Olivier Chastel, Abir Al-Sahlani, Sophia in 't Veld, Moritz Körner, Hilde Vautmans, Michal Šimečka, Fabienne Keller, Jan-Christoph Oetjen, Malik Azmani, Ramona Strugariu</Members>

</RepeatBlock-By>

<DocAmend>Draft opinion</DocAmend>

<Article>Paragraph 5 c (new)</Article>

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| Draft opinion | Amendment |
|  | ***5 c.*** ***Underlines the important effect of turnover within the staff of the agencies of the European Union; calls for the implementation of human and social policies to remedy it.*** |

Or. <Original>{EN}en</Original>

</Amend>

</RepeatBlock-Amend>