



20.6.2018

# **OPINION**

of the Committee on Budgets

for the Committee on Civil Liberties, Justice and Home Affairs

on the proposal for a regulation of the European Parliament and of the Council  
on establishing a framework for interoperability between EU information  
systems (police and judicial cooperation, asylum and migration)  
(COM(2017)0794 – C8-0003/2018 – 2017/0352(COD))

Rapporteur for opinion: Bernd Kölmel

PA\_Legam

## SHORT JUSTIFICATION

The rapporteur welcomes the two Commission proposals for a regulation for establishing a framework for interoperability between EU information systems adopted on 12 December 2017. Both proposals aim at overcoming structural shortcomings in the present EU information management architecture by making information systems interoperable, i.e. able to exchange data and share information. The rapporteur fully subscribes to their purpose, which is to ensure fast access to information, including by law enforcement authorities, to detect multiple identities and combat identity fraud, to facilitate identity checks of third-country nationals and to facilitate the prevention, investigation or prosecution of serious crime and terrorism.

The present opinion concerns the proposal on **police and judicial cooperation, asylum and migration**, which aims to regulate access to the Schengen Information System as currently regulated by Council Decision 2007/533/JHA, as well as Eurodac and ECRIS-TCN (European Criminal Records Information System for third-country nationals).

The rapporteur agrees with the proposal to establish the following four interoperability components: a European search portal capable of querying simultaneously all relevant EU systems in the areas of security, border and migration management, a shared biometric matching service, a common identity repository and a multiple-identity detector. In addition, he welcomes the proposal to establish a central repository for reporting and statistics for the extraction of anonymous statistical data for policy, operational and data quality purposes. The total budget required to finance both proposals over nine years (2019-2027) is estimated at EUR 461 million, including:

- EUR 261.3 million for eu-LISA for the development and maintenance of the interoperability components (of which EUR 23 million in 2019-2020);
- EUR 136.3 million for Member States to cover the changes to their national systems (from 2021);
- EUR 48.9 million for Europol to cover the upgrade of Europol's IT systems (of which EUR 9,1 million in 2019-2020);
- EUR 4.8 million for Frontex for the set-up phase of the multiple-identity detector (from 2021);
- EUR 2.0 million for CEPOL to deliver training to operational staff (of which EUR 100 000 in 2020);
- EUR 7.7 million for DG HOME for a limited increase of staff and related costs during the development period (of which EUR 2 million in 2019-2020), to be covered under heading 5.

The total cost of EUR 32.1 million for the years 2019 and 2020 to be borne by heading 3 is to be covered under the current ISF-Borders Regulation, where sufficient appropriations are still available. The proposed budget beyond 2020 is illustrative and does not prejudice the negotiations on the next MFF, for which the Commission adopted its proposal on 2 May 2018. The rapporteur notes with satisfaction that there are no overlaps with the budget requests

under other recent legislative proposals in this area, notably ECRIS-TCN (European Criminal Records Information System for third-country nationals), the revision of SIS II, EES, ETIAS, the Eurodac recast and the revision of the founding regulation of eu-LISA.

The rapporteur notes that the one-off set-up costs to Member States are estimated at EUR 85,5 million and that the Commission proposes to reimburse all integration costs incurred by Member States, in order to be able to monitor their advancement in implementing these regulations.

The rapporteur considers the estimated cost to the EU budget to be justified and proportionate, and underlines that enhanced interoperability at EU level is expected to generate cost savings of around EUR 77,5 million per year, mainly for Member States' IT departments and administrations for border management, migration and law enforcement. Nonetheless, the rapporteur urges the Commission, eu-LISA, Frontex, Europol, CEPOL and the Member States to ensure the highest degree of cost efficiency possible throughout the development and operation phases. In particular eu-LISA is urged to make every effort to avoid cost overruns and delays when defining and implementing the preferred technical solution, and to ensure optimal project staffing by reassigning staff to new tasks as earlier projects come to completion.

With regard to revenue, the rapporteur requests that the Commission provide as soon as possible detailed information on the contributions expected from Schengen-associated countries, which are to be treated as miscellaneous assigned revenue to the eu-LISA budget line (18 02 07).

Finally, the rapporteur strengthens a number of provisions on reporting and evaluation, in order to enable the budgetary authority to follow closely the development and early functioning of the new interoperability components in view of future budgetary decisions, in particular under the post-2020 MFF.

## AMENDMENTS

The Committee on Budgets calls on the Committee on Civil Liberties, Justice and Home Affairs, as the committee responsible, to take into account the following amendments:

### Amendment 1

#### Proposal for a regulation

#### Article 60 – paragraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

***1 a. The cost incurred in connection with the establishment and operation of a central EU backup solution for each system indicated in paragraph 1, where necessary, shall be borne by the general***

*budget of the Union.*

## **Amendment 2**

### **Proposal for a regulation**

#### **Article 60 – paragraph 2 – subparagraph 1**

*Text proposed by the Commission*

Costs incurred in connection with the integration of the existing national infrastructures and their connection to the national uniform interfaces as well as in connection with hosting the national uniform interfaces shall be borne by the general budget of the Union.

*Amendment*

Costs incurred in connection with the integration of the existing national infrastructures and their connection to the national uniform interfaces as well as in connection with hosting ***and future developments of*** the national uniform interfaces shall be borne by the general budget of the Union.

## **Amendment 3**

### **Proposal for a regulation**

#### **Article 60 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***2 a. The annual appropriations shall be authorised by the European Parliament and the Council within the limits of the multiannual financial framework and within the framework of the annual budgetary procedure.***

## **Amendment 4**

### **Proposal for a regulation**

#### **Article 68 – paragraph 2**

*Text proposed by the Commission*

2. By [Six months after the entry into force of this Regulation — OPOCE, please replace with the actual date] and every six months thereafter during the development phase of the interoperability components, eu-LISA shall submit a report to the

*Amendment*

2. By [Six months after the entry into force of this Regulation — OPOCE, please replace with the actual date] and every six months thereafter during the development phase of the interoperability components, eu-LISA shall submit a report to the

European Parliament and the Council on the state of play of the development of the interoperability components. ***Once the development is finalised, a report shall be submitted to the European Parliament and the Council explaining in detail how the objectives, in particular relating to planning and costs, were achieved as well as justifying any divergences.***

European Parliament and the Council on the state of play of the development of the interoperability components. ***That report shall include an overview of the current development of costs and progress of the project, a financial impact assessment, and information on any technical problems and risks that may impact the overall costs of the system to be borne by the general budget of the Union in accordance with Article 60.***

## Amendment 5

### Proposal for a regulation Article 68 – paragraph 2 a (new)

*Text proposed by the Commission*

*Amendment*

***2 a. In the event of delays in the development process, the European Parliament and the Council shall be informed by eu-LISA as soon as possible of the reasons for the delays and of their impact in terms of time and finances.***

## Amendment 6

### Proposal for a regulation Article 68 – paragraph 4

*Text proposed by the Commission*

*Amendment*

4. ***Four*** years after the start of operations of each interoperability component and every ***four*** years thereafter, eu-LISA shall submit to the European Parliament, the Council and the Commission a report on the technical functioning of the interoperability components, including ***the*** security ***thereof***.

4. ***Two*** years after the start of operations of each interoperability component and every ***two*** years thereafter, eu-LISA shall submit to the European Parliament, the Council and the Commission a report on the technical functioning of the interoperability components, including ***their*** security ***and costs***.

## Amendment 7

### Proposal for a regulation

#### Article 68 – paragraph 5 – subparagraph 1 – introductory part

*Text proposed by the Commission*

In addition, **one year** after each report from eu-LISA, the Commission shall produce an overall evaluation of the components, including:

*Amendment*

In addition, **six months** after each report from eu-LISA, the Commission shall produce an overall evaluation of the components, including:

## Amendment 8

### Proposal for a regulation

#### Article 68 – paragraph 5 – subparagraph 1 – point b

*Text proposed by the Commission*

(b) an examination of the results achieved against objectives and the impact on fundamental rights;

*Amendment*

(b) an examination of the results achieved against objectives and the impact on fundamental rights, **as well as the associated costs**;

## Amendment 9

### Proposal for a regulation

#### Article 68 – paragraph 5 – subparagraph 1 – point e

*Text proposed by the Commission*

(e) an assessment of any implications, including **any disproportionate** impact on the flow of traffic at border crossing points and those with a budgetary impact on the Union budget.

*Amendment*

(e) an assessment of any implications including **those with an** impact on the flow of traffic at border crossing points and those with a budgetary impact on the Union budget.

## PROCEDURE – COMMITTEE ASKED FOR OPINION

|   |  |
|---|--|
| <b>Title</b>  | Interoperability between EU information systems (police and judicial cooperation, asylum and migration)  |
| <b>References</b>   | COM(2017)0794 – C8-0003/2018 – 2017/0352(COD)  |
| <b>Committee responsible</b><br>Date announced in plenary       | LIBE<br>28.2.2018  |
| <b>Opinion by</b><br>Date announced in plenary                  | BUDG<br>28.2.2018  |
| <b>Rapporteur</b><br>Date appointed                             | Bernd Kölmel<br>25.1.2018  |
| <b>Discussed in committee</b>                                   | 17.5.2018  |
| <b>Date adopted</b>   | 19.6.2018  |
| <b>Result of final vote</b>                                     | +: 30<br>–: 3<br>0: 3  |
| <b>Members present for the final vote</b>                       | Nedzhmi Ali, Jean Arthuis, Richard Ashworth, Gérard Deprez, Manuel dos Santos, José Manuel Fernandes, Eider Gardiazabal Rubial, Jens Geier, Iris Hoffmann, Monika Hohlmeier, John Howarth, Bernd Kölmel, Zbigniew Kuźmiuk, Vladimír Maňka, Siegfried Mureşan, Jan Olbrycht, Răzvan Popa, Petri Sarvamaa, Jordi Solé, Patricija Šulin, Isabelle Thomas, Inese Vaidere, Monika Vana, Tiemo Wölken, Marco Zanni |
| <b>Substitutes present for the final vote</b>                   | Anneli Jäätteenmäki, Alain Lamassoure, Janusz Lewandowski, Verónica Lope Fontagné, Andrey Novakov, Pavel Poc, Ivan Štefanec, Claudia Țapardel  |
| <b>Substitutes under Rule 200(2) present for the final vote</b> | John Stuart Agnew, Martina Anderson, Auke Zijlstra   |



## FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

| 30   | +   |
|------|---|
| ALDE | Nedzhmi Ali, Jean Arthuis, Gérard Deprez, Anneli Jäätteenmäki   |
| ECR  | Bernd Kölmel, Zbigniew Kuźmiuk  |
| PPE  | Richard Ashworth, José Manuel Fernandes, Monika Hohlmeier, Alain Lamassoure, Janusz Lewandowski, Verónica Lope Fontagné, Siegfried Mureşan, Andrey Novakov, Jan Olbrycht, Petri Sarvamaa, Ivan Štefanec, Patricija Šulin, Inese Vaidere |
| S&D  | Eider Gardiazabal Rubial, Jens Geier, Iris Hoffmann, John Howarth, Vladimír Maňka, Pavel Poc, Răzvan Popa, Manuel dos Santos, Claudia Țapardel, Isabelle Thomas, Tiemo Wölken   |

| 3       | -                 |
|---------|-------------------|
| EFDD    | John Stuart Agnew |
| ENF     | Auke Zijlstra     |
| GUE/NGL | Martina Anderson  |

| 3         | 0                       |
|-----------|-------------------------|
| ENF       | Marco Zanni             |
| VERTS/ALE | Jordi Solé, Monika Vana |

Key to symbols:

+ : in favour

- : against

0 : abstention