



Procedure file

Basic information		
DEC - Discharge procedure	2004/2059(DEC)	Procedure completed
2003 discharge: European Monitoring Centre on Racism and Xenophobia		
Subject 8.70.03.07 Previous discharges		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	CONT Budgetary Control		26/07/2004
		PSE AYALA SENDER Inés	22/09/2004
			22/09/2004
		PSE AYALA SENDER Inés	
		Verts/ALE SCHLYTER Carl	
	Committee for opinion	Rapporteur for opinion	Appointed
	LIBE Civil Liberties, Justice and Home Affairs		25/10/2004
		ALDE DEPREZ Gérard	
Council of the European Union	Council configuration	Meeting	Date
	Economic and Financial Affairs ECOFIN	2646	08/03/2005

Key events			
26/02/2004	Non-legislative basic document published	N6-0215/2004	Summary
10/01/2005	Committee referral announced in Parliament		
16/03/2005	Vote in committee		
16/03/2005	Additional information		Summary
23/03/2005	Committee report tabled for plenary	A6-0074/2005	
12/04/2005	Results of vote in Parliament		
12/04/2005	Debate in Parliament		
12/04/2005	Decision by Parliament	T6-0110/2005	Summary
12/04/2005	End of procedure in Parliament		

27/07/2005	Final act published in Official Journal		
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Technical information	
Procedure reference	2004/2059(DEC)
Procedure type	DEC - Discharge procedure
Legal basis	Rules of Procedure EP 100
Stage reached in procedure	Procedure completed

Documentation gateway					
Non-legislative basic document		N6-0215/2004	26/02/2004	OS	Summary
Court of Auditors: opinion, report		C324/2004 OJ C 324 30.12.2004, p. 0001	30/12/2004	CofA	Summary
Committee opinion	LIBE	PE353.261	07/02/2005	EP	
Supplementary non-legislative basic document		06861/2005	08/03/2005	CSL	Summary
Committee report tabled for plenary, single reading		A6-0074/2005	23/03/2005	EP	
Text adopted by Parliament, single reading		T6-0110/2005 OJ C 033 09.02.2006, p. 0029-0280 E	12/04/2005	EP	Summary
Commission response to text adopted in plenary		SP(2005)2124	19/05/2005	EC	

Final act
Budget 2005/548 OJ L 196 27.07.2005, p. 0126-0126 Summary

2003 discharge: European Monitoring Centre on Racism and Xenophobia

PURPOSE : to present the accounts and balance sheets of the European Monitoring Centre on Racism and Xenophobia for the financial year 2003.

CONTENT : the resources made available to the Centre in 2003 amount to EUR 6.575 million of which the Community subsidized 98.8%.

As regards the staffing policy, 30 posts were initially created in the establishment plan. 26 are occupied with + 4 other staff (auxiliary contracts, seconded national experts, local and agency staff) making a total of 30 staff. 17 carry out operational, administrative and mixed duties.

The European Monitoring Centre on Racism and Xenophobia, whose headquarters are based in Vienna, aims to provide the Community with objective, reliable and comparable data on the phenomena of racism, xenophobia and anti-Semitism.

Concerning the products and services supplied in 2003, the Monitoring Centre highlights that the number of contributions through 15 national focal points amounted to 165. 22 reports in the PHARE programme framework were drafted. 12 research reports were drafted. Concerning the cooperation with the Member States and the other institutions (number of events organised jointly): Member States: 19; Commission: 2; European Parliament: 2; Council of Europe: 4.

2003 discharge: European Monitoring Centre on Racism and Xenophobia

Having examined the revenue and expenditure account for the financial year 2003 and the balance sheet of revenue and expenditure at 31 December 2003 of the European Monitoring Centre on Racism and Xenophobia and the Court of Auditors' report on the annual accounts of the Monitoring Centre, the Council recommends that the European Parliament give a discharge to the Director of the Monitoring Centre in respect of the implementation of the budget for the financial year 2003.

To recall, EUR 1.2 million (80%) of the EUR 1.5 million in appropriations carried over from the financial year 2002 to the financial year 2003, have been used. EUR 1.3 million in appropriations have been carried forward from the financial year 2003 to the financial year 2004 and EUR 0.9 million have been cancelled.

Observations in the Court of Auditors' report in relation to the financial year 2003 call for certain comments by the Council, which are annexed to this Recommendation.

The Council notes that the Court has been able to issue a statement of reasonable assurance on the reliability of the Monitoring Centre's annual accounts for the financial year 2003. However, it regrets that in respect of the reasonable assurance as to the legality and regularity of the underlying transactions, taken as a whole, the Court has excluded a specific situation concerning the criteria of choice of contractors.

The Council shares the Court's view on the need to improve the Monitoring Centre's procurement procedures and asks it to pursue the reinforcement of the implementing rules on the award of contracts in line with the provisions of the general Financial Regulation and its implementing rules.

As the Court and the Council have already pointed out for the financial year 2002, the Monitoring Centre must take appropriate measures to improve the implementation of the budget, in respect of the principle of annuality. Carry-overs of appropriations should be strictly limited to obligations duly contracted at the close of the financial year.

Moreover, the Monitoring Centre should establish an efficient system for managing and monitoring revenue to be collected. This would allow a more reliable system for recovering VAT.

2003 discharge: European Monitoring Centre on Racism and Xenophobia

EP: decision of committee responsible, 1st reading/single reading

The committee adopted the report by Inés AYALA SENDER (PES, ES) and Carl SCHLYTER (Greens/EFA, SE) giving discharge to the Director of the European Monitoring Centre on Racism and Xenophobia for the 2003 financial year.

In its accompanying comments, the committee made a number of general points addressed to the Commission, the Agencies and the Court of Auditors (ECA):

- before the Commission defines the framework conditions for the use of regulatory agencies, an interinstitutional agreement should spell out common guidelines;
- the Commission should carry out a cross-cutting analysis, on a standard three-year cycle, of the coherence of agency activity with EU policy in general. It should also assess "the broader European added value" of the Agencies' work in their respective fields. Before any decision is taken to propose the creation of a new agency, the need for such an agency should be carefully evaluated, bearing in mind existing structures and the principles of subsidiarity, budgetary austerity and simplification of procedures;
- the Agencies were urged to comply fully with the budgetary principles set out in the Financial Regulation, further strengthen their internal management and control procedures and pay "special attention" to procedures for the award and management of contracts. They should also step up cooperation with each other, avoid duplication of work and develop a comprehensive strategy for making the results of their work available to the general public;
- the ECA and the Agencies were urged to strengthen their cooperation and establish a methodology "that prepares the ground for a positive budget discharge from the start of the process".

2003 discharge: European Monitoring Centre on Racism and Xenophobia

OBJECTIVE: granting of discharge for implementing the EU's general budget for 2003 - European Monitoring Centre on Racism and Xenophobia.

LEGISLATIVE ACT: Decision 2005/548/EC of the European Parliament concerning the discharge for implementing the general budget of the EU for the 2003 financial year ? European Monitoring Centre on Racism and Xenophobia.

CONTENT: With this Decision, the European Parliament grants discharge to the Director of the European Monitoring Centre for Racism and Xenophobia for the implementation of the budget for the 2003 financial year.

This decision is in line with the European Parliament's resolution adopted on 12 April 2005 and comprises a series of observations that form an integral part of the discharge decision (please refer to the summary of the opinion of 12/04/2005).

2003 discharge: European Monitoring Centre on Racism and Xenophobia

The European Parliament adopted the report by Inés AYALA SENDER (PES, ES) and Carl SCHLYTER (Greens/EFA, SE) by 556 votes for, 55 against and 26 abstentions giving discharge to the Director of the European Monitoring Centre on Racism and Xenophobia for the 2003 financial year.

Parliament welcomes the Centre's results in reducing carry-overs of operating appropriations; invites the Centre to continue its efforts further to reduce carry-overs. It expects the Centre to indicate which among its activities could be financed by differentiated appropriations thus allowing for a further reduction in carry-overs. In line with the ECA's observation, the Centre is expected to correctly present in its general budget any Community subsidies it received and managed in relation to external programmes (Phare subsidies) as well as other sources of income in order to present a truly general budget.

It equally welcomes the solution given to the general request to make public the 2003 report on racism, and encourages the Centre to improve the preparatory works for this kind of report for the future. The absence of an equality plan is regretted and the Parliament expects the Agency

to develop a plan shortly in order to become an equal opportunities employer; expects the Agency not only to consider equality issues at the stage of recruitment but also to work proactively and on a long-term basis to promote gender equality. Parliament welcomes the plan for a diversity audit and welcomes the fact that the Centre has integrated staff from minorities at all levels.

In its accompanying comments, the committee made a number of general points addressed to the Commission, the Agencies and the Court of Auditors (ECA):

General points addressed to the Commission and the Agencies: Parliament notes the Commission's position with regard to delegating responsibility for the execution of tasks to bodies, including agencies, other than the Commission's core administration and it takes the view that this does not answer Parliament's call for in-depth consideration at inter-institutional level of the structure of existing agencies. It therefore invites the Commission to provide clarification on this point and on the future overall inter-institutional agreement related to the new arrangements to be set up within or in parallel with the Financial Perspective and invites the Commission to organise and perform in the medium term, e.g. on a standard three-year cycle, a cross-cutting analysis of the evaluations carried out on individual Agencies in order to:

- reach conclusions with regard to the coherence of Agency activity with EU policies in general and as regards the synergies existing or to be developed between the agencies and Commission departments and the avoidance of overlapping between them;
- make an assessment of the broader European added value of the Agencies' outputs in their respective area of activity and of the relevance, efficiency and effectiveness of the Agency model in implementing or contributing to EU policies;
- determine and enhance the impact of the Agencies' actions in terms of the proximity, accessibility and visibility of the EU to its citizens.

In addition, Parliament calls on the Commission, in parallel with this exercise, to present by the end of 2005 at the latest, proposals for changes to be made in the existing Agencies' Constituent Acts with a view, inter alia, to optimising its relationship with the Agencies.

General points addressed to the Agencies: Parliament expects to receive from now on, from each of the Agencies, the report summarising information on the audits carried out by the Internal Auditor. It invites the Agencies to make further efforts to apply correctly the staff regulations and rules applicable to other civil servants with regard to their staff (recruitment procedures and relevant decisions taken, personal files, calculation of remuneration and other entitlements, promotions policy, percentage of vacant posts, quotas for respecting gender equality, etc.). Moreover, the Parliament expects the Agencies, in response to the relevant observations of the ECA, to comply fully with the budgetary principles as set out in the Financial Regulation, in particular those of unity and budgetary accuracy.

Parliament invites the Agencies to develop a comprehensive strategy of communication addressing the need to make available, in the appropriate form, the results of their work to the general public beyond the presentation of such results to the Institutions, Member States' competent services, specialists, partners or specific beneficiaries.

General points addressed to the ECA and the Agencies: Parliament welcomes the ECA's initiative to add a table to its specific reports on the Agencies presenting summary information on the competences, governance, resources available and products/output of the particular agency.