

Procedure file

Basic information		
DEC - Discharge procedure	2008/2271(DEC)	Procedure completed
2007 discharge: European Police College CEPOL		
Subject 8.70.03.07 Previous discharges		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	CONT Budgetary Control		26/03/2008
		PPE-DE FJELLNER Christofer	
	Committee for opinion	Rapporteur for opinion	Appointed
	LIBE Civil Liberties, Justice and Home Affairs		20/02/2008
		PSE DÜHRKOP DÜHRKOP Barbara	
Council of the European Union	Council configuration	Meeting	Date
	Economic and Financial Affairs ECOFIN	2922	10/02/2009
European Commission	Commission DG	Commissioner	
	Budget	KALLAS Siim	

Key events			
23/07/2008	Non-legislative basic document published	SEC(2008)2359	Summary
20/11/2008	Committee referral announced in Parliament		
16/03/2009	Vote in committee		Summary
20/03/2009	Committee report tabled for plenary	A6-0160/2009	
21/04/2009	Debate in Parliament		
23/04/2009	Results of vote in Parliament		
23/04/2009	Decision by Parliament	T6-0295/2009	Summary
23/04/2009	End of procedure in Parliament		
26/09/2009	Final act published in Official Journal		

Technical information

Procedure reference	2008/2271(DEC)
Procedure type	DEC - Discharge procedure
Legal basis	Rules of Procedure EP 100
Stage reached in procedure	Procedure completed
Committee dossier	CONT/6/67291

Documentation gateway

Non-legislative basic document		SEC(2008)2359	23/07/2008	EC	Summary
Court of Auditors: opinion, report		N6-0004/2009 OJ C 311 05.12.2008, p. 0001	05/12/2008	CofA	Summary
Document attached to the procedure		05588/2009	23/01/2009	CSL	Summary
Committee draft report		PE416.332	30/01/2009	EP	
Committee opinion	LIBE	PE416.415	02/02/2009	EP	
Amendments tabled in committee		PE421.113	23/02/2009	EP	
Committee report tabled for plenary, single reading		A6-0160/2009	20/03/2009	EP	
Text adopted by Parliament, single reading		T6-0295/2009	23/04/2009	EP	Summary

Final act

[Budget 2009/663](#)
[OJ L 255 26.09.2009, p. 0157](#) Summary

2007 discharge: European Police College CEPOL

PURPOSE: presentation of the final accounts of the European Police College for the 2007 financial year.

CONTENT: this document sets out a detailed account of the implementation of the College's budget for 2007. It indicates that the College's final budget amounted to 7.5 million in 2007 (compared to EUR 5 million in 2006) ? 100% of which is derived from a Community subsidy.

As regards the staffing policy, the College, whose headquarters are in Bramshill (UK) officially had 22.5 posts provided for in the establishment plan, of which only 12 were occupied in 2007 and 9 further posts (seconded national experts and contract staff, etc) amounting to 21 effective posts.

In 2007, CEPOL's main activities consisted of:

Courses, seminars and conferences: 85 conferences.

Training and research

- 2 working groups for training involving 49 tutors from all the Member States;
- recommendation on trainers and course standards has been adopted;
- European approach for police science adopted;
- reference groups for the e-Network and for E-learning have been established;
- e-doc database and CEPOL's glossary have continued to be developed.

External relations

- agreements signed with Eurojust, Frontex and Europol;
- organisation of two specific activities for candidate countries;
- launch of the Euromed II project;
- preliminary contacts initiated for cooperation with international (OSCE, Interpol) and national organisations (Russia, European Neighbourhood Policy countries).

Full details of the College's accounts are available from the following address:

<http://www.cepol.europa.eu/index.php?id=final-accounts>

2007 discharge: European Police College CEPOL

The Committee on Budgetary Control adopted the report by Christofer FJELLNER (EPP-ED, SE) on discharge to be granted to the European Police College. The committee calls on the European Parliament to postpone its decision concerning granting the Director of the College discharge for implementation of College's budget for the financial year 2007.

Noting that, in its report on the annual accounts of the College for the financial year 2007, the Court of Auditor's statement of assurance for 2006 was unqualified with regard to the accounts and qualified with regard to the underlying transactions, MEPs postpone the closing of the accounts.

In addition to the general recommendations appearing in the draft resolution on financial management and control of EU agencies (see [2008/2207\(INI\)](#)), MEPs stress that the College must comply strictly with the Financial Regulation and Community public procurement legislation and must improve its financial management. They call on the Commission to closely supervise the implementation of the College's budget.

Members are deeply concerned that the Court of Auditors identified cases where appropriations were used to finance the private expenditure of the College's staff. In their view, this private use of public funds is material in nature. Steps should be taken, therefore, to ensure complete reimbursement of these funds.

Members provide the following justification for the postponement of the discharge decision:

- incomplete information provided on the private use of public money,
- failure to meet the deadline of June 2008 set in the 2006 discharge resolution to bring its financial management in line with the Financial Regulation, and
- recurrent breaches of basic financial rules.

It also appears that the College violated the principle of unity and accuracy of the budget by not recording EUR 1.5 million received from the Commission in 2007 to implement MEDA properly. MEPs are also concerned about the weaknesses in the College's budget management (20 % of the appropriations carried over from previous years were cancelled).

As far as the question of misuse of public funds is concerned, the Court of Auditor's report showed that these expenditures related to the financing of mobile telephone calls, use of pool cars by staff, purchase of furniture for staff accommodation and fee shuttle service of staff to airports and train stations.

Although MEPs accept that steps have been taken to recover these expenditures, they are not prepared to accept the submission by the College of incomplete information.

In addition to this, MEPs are concerned that, although this was already highlighted in the Court of Auditors annual report and the discharge resolution 2006, the College adopted implementing rules for the financial regulation only in February 2008, i. e. more than two years after it became an agency.

In this regard, Members call for urgent action to be taken and documents to be presented to Parliament by 15 June 2009 at the latest. In particular, MEPs call for:

- a complete report on the amounts and types of private use of public funds, from 1 January 2006 onwards, differentiating between staff who were legally entitled to specific advantages under "old CEPOL" contracts and those who were not, indicating the precise types and amounts, detailing the state of play of recovery, the amounts recovered, and the reasons why certain amounts have not been recovered,
- a report on budgetary and financial management for 2007,
- a report drawn up by its Director summarising the number and type of internal audits conducted by the internal auditor concerning the financial year 2007, the recommendations made and the actions taken on these recommendations,
- the internal procurement guidelines adopted by the Director in 2008.

Lastly, MEPs note that OLAF has opened an internal enquiry into the College and call on the College to cooperate fully with the Anti-Fraud Office. They also ask the College, OLAF and the Commission to inform the discharge authority of the results of the OLAF investigation without delay as soon as they are available.

2007 discharge: European Police College CEPOL

Against the opinion of the committee responsible, the plenary finally decided by 226 in favour, 230 against and 9 abstentions, to reject the proposal to postpone its decision concerning granting the Director of the European Police College discharge and decided to grant the Director of the College discharge in respect of the implementation of its budget for the financial year 2007. The decision to grant discharge is also an approval of the closure of the accounts of this EU agency.

Moreover, the Parliament adopted by 403 votes to 37, with 11 abstentions, a resolution with observations which form an integral part of the decision to grant discharge.

Noting that the European Court of Auditors (ECA), in its report on the annual accounts of the College for the financial year 2007, qualified its opinion with regard to the legality and regularity of the underlying transactions on the basis that the system of procurement did not comply with the provisions of the Financial Regulation, the Parliament calls on the College to strictly comply with the Financial Regulation and EC public procurement legislation and to improve its financial management, as it is the second consecutive year in which the ECA raises similar/identical concerns.

The Parliament is also deeply concerned that the Court of Auditors identified cases where appropriations were used to finance the private expenditure of the College's staff. According to the Parliament, this private use of public funds is material in nature. Steps should be taken, therefore, to ensure complete reimbursement of these funds. In the light of several amendments adopted in plenary, the Parliament is concerned by a situation where its responsible committee received incomplete information provided on the private use of public money

detected by the ECA, by the College's failure to meet the deadline of June 2008 (set in the 2006 discharge resolution) to bring its financial management into line with the Financial Regulation, and by recurrent breaches of basic financial rules.

It also appears that the College violated the principle of unity and accuracy of the budget by not recording EUR 1.5 million received from the Commission in 2007 to implement MEDA properly. The Parliament is also concerned about the weaknesses in the College's budget management (20% of the appropriations carried over from previous years were cancelled).

As far as the question of misuse of public funds is concerned, the Court of Auditor's report showed that these expenditures related to the financing of mobile telephone calls, use of pool cars by staff, purchase of furniture for staff accommodation and fee shuttle service of staff to airports and train stations. Although the Parliament notes that measures have been taken to recover all the amounts due, it also points out that it is not prepared to accept the submission by the College of incomplete information.

In addition to this, the Parliament is concerned that, although this was already highlighted in the Court of Auditors annual report and the discharge resolution 2006, the College adopted implementing rules for the financial regulation only in February 2008, i. e. more than two years after it became an agency.

Contrary to its committee responsible, the plenary no longer requires the College to present documents and reports on its financial management by 15 June 2009. However, the Parliament calls on the College to fully cooperate with OLAF as part of the internal investigation concerning the College to enable OLAF's agents to carry out their duties. The Parliament also asks the College, OLAF and the Commission to inform the discharge authority of the results of the OLAF investigation without delay as soon as they are available.

In addition to these recommendations, the Parliament refers to the recommendations that appear in its resolution on financial management and control of EU agencies - see [2008/2207\(INI\)](#) - adopted in parallel.

2007 discharge: European Police College CEPOL

PURPOSE: to grant discharge to the European Police College (CEPOL) for the financial year 2007.

LEGISLATIVE ACT: Decision 2009/663/EC of the European Parliament on the discharge for the implementation of the budget of the European Police College for the financial year 2007.

CONTENT: with the present decision, the European Parliament grants discharge to the Director of the European Police College for the implementation of the Authority's budget for the financial year 2007.

This decision is in line with the European Parliament's resolution adopted on 23 April 2009 and comprises a series of observations that form an integral part of the discharge decision (please refer to the summary of the opinion of 23/04/2009). The decision to grant discharge is also an approval of the closure of the accounts of this EU agency.