

# Procedure file

Basic information		
DEC - Discharge procedure	<a href="#">2008/2272(DEC)</a>	Procedure completed
2007 discharge: European Agency for the Management of Operational Cooperation at the External Borders Frontex		
Subject 8.70.03.07 Previous discharges		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>CONT</b> Budgetary Control		26/03/2008
		PPE-DE <a href="#">FJELLNER Christofer</a>	
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>LIBE</b> Civil Liberties, Justice and Home Affairs		20/02/2008
		PSE <a href="#">DÜHRKOP DÜHRKOP Bárbara</a>	
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Economic and Financial Affairs ECOFIN</a>	<a href="#">2922</a>	10/02/2009
European Commission	Commission DG	Commissioner	
	<a href="#">Budget</a>	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	<a href="#">A6-0166/2009</a>	
21/04/2009	Debate in Parliament		
23/04/2009	Results of vote in Parliament		
23/04/2009	Decision by Parliament	<a href="#">T6-0268/2009</a>	Summary
23/04/2009	End of procedure in Parliament		
26/09/2009	Final act published in Official Journal		

Technical information
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Procedure reference	2008/2272(DEC)
Procedure type	DEC - Discharge procedure
Legal basis	Rules of Procedure EP 100
Stage reached in procedure	Procedure completed
Committee dossier	CONT/6/67293

### Documentation gateway

Non-legislative basic document		SEC(2008)2359	23/07/2008	EC	Summary
Court of Auditors: opinion, report		N6-0004/2009 <a href="#">OJ C 311 05.12.2008, p. 0001</a>	05/12/2008	CofA	Summary
Document attached to the procedure		<a href="#">05588/2009</a>	23/01/2009	CSL	Summary
Committee draft report		<a href="#">PE416.331</a>	30/01/2009	EP	
Committee opinion	LIBE	<a href="#">PE416.416</a>	02/02/2009	EP	
Amendments tabled in committee		<a href="#">PE421.124</a>	23/02/2009	EP	
Committee report tabled for plenary, single reading		<a href="#">A6-0166/2009</a>	20/03/2009	EP	
Text adopted by Parliament, single reading		<a href="#">T6-0268/2009</a>	23/04/2009	EP	Summary

### Final act

[Budget 2009/649](#)  
[OJ L 255 26.09.2009, p. 0126](#) Summary

## 2007 discharge: European Agency for the Management of Operational Cooperation at the External Borders Frontex

**PURPOSE:** presentation of the final accounts of the European Agency for the Management of Operational Cooperation at the External Borders ? Frontex for the 2007 financial year.

**CONTENT:** this document sets out a detailed account of the implementation of Frontex?s budget for 2007. It indicates that the Agency?s final budget amounted to Frontex?s 2007 budget amounted to EUR 42.2 million, compared to EUR 19.2 million for the previous year. This represents a Community contribution of 97.2 %, a 1.9% contribution from the United Kingdom and Ireland and 2.1% contribution from the Schengen Area.

In terms of personnel, the Agency, whose headquarters are in Warsaw (Poland) officially had 49 posts provided for in the establishment plan, of which there are 48 temporary agents and 84 further posts (seconded national experts, contract agents and auxiliaries) amounting to 132 effective posts assigned to operational, administrative and mixed tasks.

In 2007, the Agency focused on the following activities:

#### Risk analysis

- 2 General/Annual Assessments were produced;
- 21 Tailored Assessments were finalised or are due to be finalised by end Q1 2008;
- 40 Analytical ex-ante assessments of Frontex Joint Operations were issued;
- 2 Law Enforcement and 3 public bulletins were produced.

The system for regular exchange of information (Incident Reporting System-IRS, Monthly Analytical Reports and Monthly Statistical reports) within Frontex Risk Analysis Network was launched.

Operational cooperation: 25 Frontex coordinated joint operations were held and 7 pilot projects were launched.

Assistance to the Member States: Frontex assisted Member States in 10 of their return operations on their request and coordinated and co-financed 9 return operations of Member States.

Assistance return operations: Frontex coordinated and co-financed 9 return operations of Member States.

Training: within the framework of 13 projects 39 meetings were held or co-financed. During 38 training sessions of different durations, 600

border guards of different level were trained.

#### Research and development

- 8 reports and bulletins were published;
- 5 workshops on R&D issues were held;
- 9 projects were initiated; some of them are still ongoing;
- 18 meeting, conferences, or seminars were attended.

Cooperation with non-EU partner countries: the Management Board mandated Frontex to negotiate working arrangements with 5 countries (the former Yugoslav Republic of Macedonia, Cape Verde, Egypt, Moldavia, Georgia); working arrangement with Ukraine was signed; involvement of Russia and Ukraine in 2 IBM seminars; Ukraine was involved in 5 Frontex pilot projects.

Cooperation with Europol's and other relevant organisations: Frontex contributed to Europol's 'Organised Crime Threat Assessment' (OCTA?). The established working level cooperation with numerous organisations (e.g. IOM, UNHCR, OLAF, Eurojust) was further maintained and utilized.

The Agency's full accounts are available at the following address : <http://www.frontex.europa.eu/finance/>

## 2007 discharge: European Agency for the Management of Operational Cooperation at the External Borders Frontex

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The Committee on Budgetary Control adopted the report drawn up by Christofer FJELLNER (EPP-ED, SE) on discharge to be granted to the European Agency for the Management of Operational Cooperation at the External Borders (FRONTEX Agency), calling on the European Parliament to grant the Executive Director of the Agency discharge in respect of the implementation of its budget for the financial year 2007.

Noting that the Agency's annual accounts for the financial year 2007 are reliable, and the underlying transactions are legal and regular, MEPs approve the closure of the Agency's accounts.

However, they make a number of recommendations as part of the decision on discharge. In addition to the general recommendations appearing in the draft resolution on financial management and control of EU agencies (see [2008/2207\(INI\)](#)), MEPs make the following observations:

- that the Agency's 2007 budget (EUR 42.1 million) more than doubled compared with the 2006 budget (EUR 19.2 million);
- commitments carried over to 2008 pertaining to grant agreements linked to operational activities amounted to EUR 18.4 million, and a substantial part of these commitments were based on excessive cost estimates;
- the high amount of cash retained by the Agency stays unused on excessively low interest bearing bank accounts (the Agency held EUR 32.6 million in cash and cash equivalents at 31 December 2007). In this context, MEPs call on the Agency to adopt a treasury policy and to report on the action taken and the results achieved in its general report 2008.

In terms of follow up to the 2006 discharge exercise, MEPs regret that the ECA, in its 2007 annual report, found several weaknesses which it had already highlighted in its 2006 annual report, in particular: (i) high level of carry-overs and cancellations; (ii) legal commitments made before budgetary commitments; (iii) recruitment procedures which, were not in line with the rules.

Noting the Agency's replies on these points, MEPs call on the Agency to seriously address the problem of carry-overs as well as the recurrent problems in its commitment system and to report on the results achieved in its general report 2008.

MEPs also call on the Agency to improve its financial management by strengthening cooperation between the Agency and Member States whereby the Agency relies on equipment provided by Member States for its operations, as this has a serious impact on the management of its budget. Moreover, they are determined to closely monitor the impact of the Agency's cooperation with Member States on its financial management in the future.

On the issue of recruitment, MEPs regret that the Agency had to implement recruitment procedures which were not fully in line with the general provisions for implementing the Staff Regulations in order to attract highly qualified specialists. Noting that the Agency does not accept the ECA's criticism that it did not respect the principle of equal treatment, MEPs note that the Commission has drafted model decisions for this type of provision. MEPs also call on the Agency, in agreement with the Council recommendation, to strictly respect the recruitment criteria.

Lastly, MEPs call on the Agency to improve its financial management, especially as regards the increase in its 2008 and 2009 budgets.

## 2007 discharge: European Agency for the Management of Operational Cooperation at the External Borders Frontex

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**PURPOSE:** to grant discharge to the FRONTEX Agency for the financial year 2007.

**LEGISLATIVE ACT:** Decision 2009/649/EC of the European Parliament on the discharge for the implementation of the budget of European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union for the financial year 2007.

**CONTENT:** with the present decision, the European Parliament grants discharge to the Executive Director of the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union 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.

## 2007 discharge: European Agency for the Management of Operational Cooperation at the External Borders Frontex

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The European Parliament adopted by 568 votes to 20, with 41 abstentions, a decision on discharge in respect of the implementation of the budget of the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (FRONTEX) 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 a resolution with observations which form an integral part of the decision to grant discharge.

The Parliament stresses that:

- the Agency's 2007 budget (EUR 42.1 million) more than doubled compared with the 2006 budget (EUR 19.2 million);
- commitments carried over to 2008 pertaining to grant agreements linked to operational activities amounted to EUR 18.4 million, and a substantial part of these commitments were based on excessive cost estimates;
- the high amount of cash retained by the Agency stays unused on excessively low interest bearing bank accounts (the Agency held EUR 32.6 million in cash and cash equivalents at 31 December 2007). In this context, the Parliament calls on the Agency to adopt a treasury policy and to report on the action taken and the results achieved in its general report 2008.

In terms of follow up to the 2006 discharge exercise, the Parliament regrets that the ECA, in its 2007 annual report, found several weaknesses which it had already highlighted in its 2006 annual report, in particular: (i) high level of carry-overs and cancellations; (ii) legal commitments made before budgetary commitments; (iii) recruitment procedures which, were not in line with the rules.

Noting the Agency's replies on these points, the Parliament calls on the Agency to seriously address the problem of carry-overs as well as the recurrent problems in its commitment system and to report on the results achieved in its general report 2008. It also calls on the Agency to improve its financial management by strengthening cooperation between the Agency and Member States whereby the Agency relies on equipment provided by Member States for its operations, as this has a serious impact on the management of its budget. Moreover, it is determined to closely monitor the impact of the Agency's cooperation with Member States on its financial management in the future.

On the issue of recruitment, the Parliament regrets that the Agency had to implement recruitment procedures which were not fully in line with the general provisions for implementing the Staff Regulations in order to attract highly qualified specialists. Noting that the Agency does not accept the ECA's criticism that it did not respect the principle of equal treatment, the Parliament notes that the Commission has drafted model decisions for this type of provision. The Parliament also calls on the Agency, in agreement with the Council recommendation, to strictly respect the recruitment criteria.

Lastly, noting that the Agency's annual accounts for the financial year 2007 are reliable, and the underlying transactions are legal and regular, the Parliament approves the closure of the Agency's accounts and refers, for other observations accompanying its decision on discharge, to its resolution on financial management and control of EU agencies - see [2008/2207\(INI\)](#) - adopted in parallel.