



Procedure file

Basic information		
DEC - Discharge procedure	2009/2128(DEC)	Procedure completed
2008 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
	CONT Budgetary Control		01/10/2009
		PPE MATHIEU HOUILLON Véronique	
		Shadow rapporteur S&D STAVRAKAKIS Georgios ALDE GERBRANDY Gerben-Jan Verts/ALE STAES Bart	
	Committee for opinion	Rapporteur for opinion	Appointed
	LIBE Civil Liberties, Justice and Home Affairs		22/07/2009
		S&D LÓPEZ AGUILAR Juan Fernando	
Council of the European Union	Council configuration	Meeting	Date
	Economic and Financial Affairs ECOFIN	2994	16/02/2010
European Commission	Commission DG	Commissioner	
	Budget	ŠEMETA Algirdas	

Key events			
23/07/2009	Non-legislative basic document published	SEC(2009)1089	Summary
07/10/2009	Committee referral announced in Parliament		
23/03/2010	Vote in committee		Summary
26/03/2010	Committee report tabled for plenary	A7-0085/2010	
21/04/2010	Debate in Parliament		
05/05/2010	Results of vote in Parliament		
05/05/2010	Decision by Parliament	T7-0118/2010	Summary
05/05/2010	End of procedure in Parliament		
25/09/2010	Final act published in Official Journal		

Technical information	
Procedure reference	2009/2128(DEC)
Procedure type	DEC - Discharge procedure
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	CONT/7/01131

Documentation gateway					
Non-legislative basic document		SEC(2009)1089	23/07/2009	EC	Summary
Court of Auditors: opinion, report		N7-0012/2010 OJ C 304 15.12.2009, p. 0001	08/10/2009	CofA	Summary
Document attached to the procedure		N7-0036/2009 OJ C 269 10.11.2009, p. 0001	10/11/2009	CofA	
Committee opinion	LIBE	PE430.723	13/01/2010	EP	
Document attached to the procedure		05827/2010	01/02/2010	CSL	Summary
Committee draft report		PE430.453	03/02/2010	EP	
Amendments tabled in committee		PE439.271	03/03/2010	EP	
Committee report tabled for plenary, single reading		A7-0085/2010	26/03/2010	EP	
Text adopted by Parliament, single reading		T7-0118/2010	05/05/2010	EP	Summary

Final act
Decision 2010/548 OJ L 252 25.09.2010, p. 0211 Summary

2008 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 2008 financial year.

CONTENT: this document sets out a detailed account of the implementation of Frontex's budget for 2008. It indicates that the Agency's final budget amounted to EUR 71.2 million, compared to EUR 42.2 million for the previous year. This represents a EUR 68 million Community contribution.

In terms of personnel, the Agency, whose headquarters are in Warsaw (Poland) officially had 94 posts provided for in the establishment plan. 75 of these posts are currently occupied. 44 temporary agents and 66 further posts (seconded national experts) amounting to 185 effective posts assigned to operational, administrative and mixed tasks.

In 2008, the Agency focused on the following activities:

- Risk Analysis has produced assessments, quarterly reports, weekly evaluations, briefings, notes and other information papers.
- Operational Cooperation: 30 joint operations and 10 return operations were organised. Seven pilot projects were launched.
- Training has continued with 192 activities involving 3 200 border guards.
- Research & Development activities produced reports, bulletins, studies, 48 conferences and 6 projects were initiated.
- Cooperation with Non-EU countries included the conclusion of working arrangements with Albania, Serbia, Montenegro, Bosnia and Herzegovina, the USA, Brazil, Croatia, Moldova, Georgia and the former Yugoslav Republic of Macedonia. A cooperation Plan with the Russian Federation was signed. Cooperation with EUROPOL and other relevant organisations and the European Commission has continued and has been strengthened.

Full details of the Agency's accounts are available from the following address: <http://www.frontex.europa.eu/finance/>

2008 discharge: European Agency for the Management of Operational Cooperation at the External Borders FRONTEX

The Committee on Budgetary Control adopted the report by Véronique MATHIEU (EPP, FR) calling on the European Parliament to grant 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 (FRONTEX) discharge in respect of the implementation of the Agency's budget for the financial year 2008.

Noting that the Court of Auditors states that it has obtained reasonable assurance that the annual accounts for the financial year 2008 are reliable, and that the underlying transactions are legal and regular, MEPs approve the closure of the Agency's accounts. However, they make a number of recommendations that need to be taken into account when the discharge is granted, in addition to the general recommendations that appear in the draft resolution on financial management and control of EU agencies (see [2010/2007\(INI\)](#)):

- recurring problems since the financial year 2006: MEPs are concerned about the high level of carry-overs and cancellations of appropriation since 2006. In 2008, EUR 30 300 000 in appropriations for the year had to be carried over and EUR 13 000 000 in appropriations available had to be cancelled. According to Members, this is indicative of the inability of the Agency to manage so large an increase in its budget. In this regard, they wonder whether it would not be more responsible for the budgetary authorities, in future, to take greater care in deciding on increases in the Agency's budget in the light of the time needed to carry out the new activities. Members are also concerned that legal commitments were entered into before the corresponding budgetary commitments. Overall, Members call for a more rigorous application of financial rules and cashflow management, cash holdings in 2008 having amounted to EUR 28 604 623.67 (which is excessive);
- human resources: MEPs regret that recruitment procedures depart from the rules and that their transparency and the non-discrimination of applicants are not ensured;
- performance: although satisfied with the Agency's multiannual work plan, Members call on the Agency to establish a link promptly between the plan and its financial forecasts. They also call on the Agency to set out a comparison of operations carried out during the year for which discharge is to be granted and in the previous financial year so as to enable the discharge authority to assess more effectively its performance from one year to the next;
- transparency: noting that the Agency does not publish information about its governing boards on its website, Members recommend that a list of board members be placed on the Agency's website;
- cooperation with the Member States: Members encourage the Agency to step up its dialogue with Member States, as well as to improve its financial management with regard to the reimbursement of costs contracted by Member States (in the context of actions taken as part of joint operations);
- internal audit: Members call for the rigorous application by the Agency of the recommendations prepared by the Internal Audit Service.

2008 discharge: European Agency for the Management of Operational Cooperation at the External Borders FRONTEX

PURPOSE: to grant discharge to the FRONTEX Agency for the financial year 2008.

LEGISLATIVE ACT: Decision 2010/548/EU 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 2008.

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 2008.

This decision is in line with the European Parliament's resolution adopted on 5 May 2010 and comprises a series of observations that form an integral part of the discharge decision (please refer to the summary of the opinion of 5 May 2010).

A parallel Decision, adopted on the same day, approves the closure of the accounts of this EU agency.

2008 discharge: European Agency for the Management of Operational Cooperation at the External Borders FRONTEX

The European Parliament adopted by 548 votes to 36, with 58 abstentions, a decision on discharge to be granted 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 (FRONTEX) in respect of the implementation of its budget for the financial year 2008.

Furthermore, Parliament adopted a resolution with observations which are an integral part of the decision to grant discharge.

The main points are as follows:

- recurring problems since the financial year 2006: Parliament is concerned about the high level of carry-overs and cancellations of appropriations since 2006. In 2008, EUR 30 300 000 in appropriations for the year had to be carried over and EUR 13 000 000 in appropriations available had to be cancelled. According to Parliament, this is indicative of the inability of the Agency to manage so large an increase in its budget. In this regard, it wonders whether it would not be more responsible for the budgetary authorities, in future, to take greater care in deciding on increases in the Agency's budget in the light of the time needed to carry out the new activities. Parliament is also concerned that legal commitments were entered into before the corresponding budgetary commitments. Overall, Parliament calls for a more rigorous application of financial rules and cashflow management, cash holdings in 2008 having amounted to EUR 28 604 623.67 (which is excessive);
- human resources: Parliament regrets that recruitment procedures depart from the rules and that their transparency and the non-discrimination of applicants are not ensured;
- performance: although satisfied with the Agency's multiannual work plan, Parliament calls on the Agency to establish a link promptly

between the plan and its financial forecasts. It also calls on the Agency to set out a comparison of operations carried out during the year for which discharge is to be granted and in the previous financial year so as to enable the discharge authority to assess more effectively its performance from one year to the next;

- transparency: noting that the Agency does not publish information about its governing boards on its website, Parliament recommends that a list of board members be placed on the Agency's website;
- cooperation with the Member States: Parliament encourages the Agency to step up its dialogue with Member States, as well as to improve its financial management with regard to the reimbursement of costs contracted by Member States (in the context of actions taken as part of joint operations);
- internal audit: Parliament calls for the rigorous application by the Agency of the recommendations prepared by the Internal Audit Service.

Noting that the Agency's annual accounts for the financial year 2008 are reliable, and the underlying transactions are legal and regular, Parliament approves the closure of the Agency's accounts. However, it makes a number of recommendations that need to be taken into account when the discharge is granted, in addition to the general recommendations that appear in the draft resolution on financial management and control of EU agencies (see [2010/2007\(INI\)](#) adopted in parallel).