



Procedure file

Basic information		
DEC - Discharge procedure	2010/2168(DEC)	Procedure completed
2009 discharge: European Union Agency for Fundamental Rights FRA		
Subject 8.70.03.07 Previous discharges		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	CONT Budgetary Control		23/03/2010
		S&D STAVRAKAKIS Georgios	
		Shadow rapporteur	
		PPE MACOVEI Monica	
		ALDE GERBRANDY Gerben-Jan	
		Verts/ALE STAES Bart	
	Committee for opinion	Rapporteur for opinion	Appointed
	LIBE Civil Liberties, Justice and Home Affairs		30/11/2010
		PPE BUSUTTIL Simon	
European Commission	Commission DG Budget	Commissioner ŠEMETA Algirdas	

Key events			
20/07/2010	Non-legislative basic document published	SEC(2010)0963	Summary
07/10/2010	Committee referral announced in Parliament		
21/03/2011	Vote in committee		Summary
06/04/2011	Committee report tabled for plenary	A7-0130/2011	
10/05/2011	Results of vote in Parliament		
10/05/2011	Debate in Parliament		
10/05/2011	Decision by Parliament	T7-0203/2011	Summary
10/05/2011	End of procedure in Parliament		
27/09/2011	Final act published in Official Journal		

Technical information	
Procedure reference	2010/2168(DEC)
Procedure type	DEC - Discharge procedure
Stage reached in procedure	Procedure completed
Committee dossier	CONT/7/04036

Documentation gateway					
Non-legislative basic document		SEC(2010)0963	20/07/2010	EC	Summary
Court of Auditors: opinion, report		N7-0009/2011 OJ C 338 14.12.2010, p. 0010	05/10/2010	CofA	Summary
Committee draft report		PE450.717	01/02/2011	EP	
Document attached to the procedure		05892/2011	03/02/2011	CSL	Summary
Committee opinion	LIBE	PE454.528	01/03/2011	EP	
Committee report tabled for plenary, single reading		A7-0130/2011	06/04/2011	EP	
Text adopted by Parliament, single reading		T7-0203/2011	10/05/2011	EP	Summary

Final act	
Decision 2011/602 OJ L 250 27.09.2011, p. 0220	Summary

2009 discharge: European Union Agency for Fundamental Rights FRA

PURPOSE: presentation by the Commission of the consolidated annual accounts of the European Union for the financial year 2009, as part of the 2009 discharge procedure.

Analysis of the accounts of the European Fundamental Rights Agency (FRA).

CONTENT: this Commission document sets out the consolidated annual accounts of the European Union for the financial year 2009 as prepared on the basis of the information presented by the institutions, organisations and bodies of the EU, in accordance with Article 129 (2) of the Financial Regulation applicable to the EU's General Budget, including the European Fundamental Rights Agency (FRA).

In 2009, the tasks and budget of this agency were as follows:

- description of FRA's tasks: the Agency, which is located in Vienna, was established by [Council Regulation \(EC\) No 168/2007](#). Its main objective is to provide the relevant authorities of the Union and its Member States with assistance and expertise when implementing Union law relating to fundamental rights.
- FRA's budget for the 2009 financial year: the Agency's 2009 budget amounted to EUR 17 million, compared with EUR 15 million the previous year. The number of staff employed by the Agency at the end of the year was 64, as compared to 47 in the previous year.

The complete version of FRA's final accounts may be found at the following address: www.fra.europa.eu/fraWebsite/home/home_en.htm

2009 discharge: European Union Agency for Fundamental Rights FRA

PURPOSE: presentation by the Court of Auditors of its report on the annual accounts of the European Fundamental Rights Agency (FRA) for the financial year 2009, together with the Agency's replies.

CONTENT: in accordance with the tasks and objectives conferred on it by the Treaty on the Functioning of the European Union (TFEU), the Court of Auditors, in the context of the discharge procedure, addresses to the European Parliament and the Council a Statement of Assurance on the reliability of the annual accounts, as well as of the legality and regularity of the transactions underlying them of each EU institution, body or agency, on the basis of an external, independent audit.

This audit also covered the annual accounts of the European Fundamental Rights Agency (FRA).

In the Court's opinion, the Agency's annual accounts presented 'fairly, in all material respects', its financial position as of 31 December 2009 and the results of its operations and its cash flows for the year then ended, in accordance with the provisions of its Financial Regulation.

The Court also stated that the transactions underlying the annual accounts of the Agency for the financial year ended 31 December 2009 were, in all material respects, legal and regular.

The report again confirmed that the Agency's 2009 final budget amounted to EUR 17 million and that it employed 64 agents during the financial year.

The report also included comments on the Agency's budgetary and financial management, together with the Agency's replies. The main comments are as follows:

The Court's comments:

- there is significant room for the Agency to improve its budgetary and recruitment planning;
- for the award of certain framework contracts, the evaluation of financial offers were based on scenarios insufficiently representative of the requested services or abnormally low;
- unsatisfactory planning and follow-up of procurement.

The Agency's replies:

- measures are being taken to reduce the rate of the carry forward of the Agency's appropriations;
- measures to ensure that the scenarios used to assess bids are realistic (particular attention paid to the clarity and the documentation of the evaluation methods applied by the Evaluation Committee);
- measures taken to improve the programming and monitoring of the Agency's contracts.

Lastly, the Court of Auditor's report contained a summary of the Agency's activities in 2009 in the following areas:

- cooperation in the framework of the Agency's RAXEN network (European Network on racism, xenophobia and related intolerances);
- publication of reports and studies;
- conference on fundamental rights and other awareness events;
- cooperation with the Member States and other European and international institutions.

2009 discharge: European Union Agency for Fundamental Rights FRA

The Committee on Budgetary Control adopted the report by Georgios STAVRAKAKIS (S&D, EL) on discharge to be granted to the Director of the European Union Agency for Fundamental Rights in respect of the implementation of the Agency's budget for the financial year 2009.

Noting that the Agency's annual accounts for the financial year 2009 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 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 [DEC/2010/2271](#)):

- Budgetary and financial management: Members urge the Agency to improve its budgetary and recruitment planning in order to redress the lack of consistency between its budgetary and staff forecasting. According to the Court of Auditors, the Agency increased its operating budget by 38%, transferring EUR 1 900 000 from Title I (staff) to Title III (operational activities). They also call on the Agency to make progress in ensuring, as far as possible, a realistic evaluation of tenders (given that the Court of Auditors reported on this issue in respect of the award of three framework contracts of a total amount of EUR 2 575 000 where the financial offers differed considerably in both unit prices and the tenderers' estimates). They welcome the Agency's resolution to improve the situation;
- Internal audit: Members note that out of nine recommendations of the Internal Audit Service (IAS), four are still to be implemented by the Agency. They call on the Agency to take the necessary measures to implement these recommendations.

2009 discharge: European Union Agency for Fundamental Rights FRA

PURPOSE: to grant discharge to the European Union Agency for Fundamental Rights in respect of the implementation of the Agency's budget for the financial year 2009.

NON-LEGISLATIVE ACT: Decision 2011/602/EU of the European Parliament on discharge in respect of the implementation of the budget of the European Union Agency for Fundamental Rights for the financial year 2009.

CONTENT: with the present decision, the European Parliament grants discharge to the Director of the European Union Agency for Fundamental Rights for the implementation of its budget for the financial year 2009.

This decision is in line with the European Parliament's resolution adopted on 10 May 2011 and comprises a series of observations that form an integral part of the discharge decision (please refer to the summary of the opinion of 10/05/2011).

A parallel decision, adopted on the same day, approves the closure of this Agency's accounts.

2009 discharge: European Union Agency for Fundamental Rights FRA

The European Parliament adopted by 523 votes to 81, with 29 abstentions, a decision on discharge to be granted to the Director of the European Union Agency for Fundamental Rights in respect of the implementation of the Agency's budget for the financial year 2009. The decision to grant discharge is also an approval of the closure of the accounts of this EU agency.

Noting that the Court of Auditors stated that it has obtained reasonable assurances that the annual accounts for the financial year 2009 are reliable and that the underlying transactions are legal and regular, Parliament adopted a resolution by 546 votes to 70, with 17 abstentions in which it makes 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 resolution on financial management and control of EU agencies (see [DEC/2010/2271](#)):

Budgetary and financial management: Parliament urges the Agency to improve its budgetary and recruitment planning in order to redress the lack of consistency between its budgetary and staff forecasting. According to the Court of Auditors, the Agency increased its operating budget by 38%, transferring EUR 1.9 million from Title I (staff) to Title III (operational activities). Parliament also calls on the Agency to make progress in ensuring, as far as possible, a realistic evaluation of tenders (given that the Court of Auditors reported on this issue in respect of the award of three framework contracts of a total amount of EUR 2.575 million where the financial offers differed considerably in both unit prices and the tenderers' estimates). It welcomes the Agency's resolution to improve the situation.