2008 discharge: The European Union's Judicial Cooperation Unit EUROJUST

2009/2119(DEC) - 08/10/2009

PURPOSE: to present the report by the Court of Auditors on the 2008 annual accounts of EUROJUST.

CONTENT: In the Court's opinion, the Eurojust's Annual Accounts present fairly, in all material respects, its financial position as of 31 December 2008 and the results of its operations and its cash flows for the year then ended. The transactions underlying the Eurojust's annual accounts for the financial year ended are, in all material respects, legal and regular.

The Court of Auditor's report includes a detailed section on EUROJUST's expenditure and an analysis of the expenditure, as well as the EUROJUST's replies.

- **The Court's analysis of the accounts**: in its report, the Court makes a series of comments as regards the budgetary and financial management. It states that the level of appropriations carried forward to the following year, EUR 3.5 million, was much lower than in 2007 (from 25% to 13% of final budget appropriations), but the level of cancellations of the appropriations carried over from the previous financial year, EUR 1 million (25% of the appropriations carried over) was high. This situation was at odds with the principle of annuality. As in the past, the high rate of vacant posts (26%) although less significant than in 2007 (33%), still indicates shortcomings in the planning and implementation of recruitment procedures. It also notes that this had implications on the use of Title I appropriations, where an amount of EUR 1.8 million was transferred from appropriations for the salaries of temporary and contract staff, mostly to increase (by 238%) the appropriations for interim staff. With regard to procurement, in most cases no prior estimation of the market value was done before the procedure was launched. In addition, an analysis of the register of exceptions (i.e. deviations from established policies, procedures or controls) showed recurrent and severe weaknesses at the level of the monitoring of contracts and the programming of procurements. This situation already commented on in the 2005, 2006 and 2007 Annual Reports, seriously calls into question the capacity of the various services involved to liaise properly and indicates a lack of guidance and control by the authorising officer. Lastly, the Court still highlights problems with regard to staff selection procedures. In one case, an internal candidate was appointed on a Head of Unit post although the minimum requirements in terms of professional experience were not respected. These situations did not ensure the transparent and non-discriminatory treatment of external and internal candidates.

- **The Agency's replies**: Eurojust states that half of the EUR 1 million cancelled was due to external factors relating to host state obligations and casework coordination. It will endeavour to have a clearer picture from external parties in 2009, thus reducing cancellations of appropriations. As regards the recruitment procedures, Eurojust states that the number of interim staff has been drastically reduced and therefore the need for transfer of appropriations greatly decreased as a result. Such a high transfer will therefore not be necessary in 2009. In addition, the recruitment situation addressed by the Court has since been regularised and a new recruitment procedure will be launched in 2009.