2009 discharge: Euratom Supply Agency ESA

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The Committee on Budgetary Control adopted the report by Georgios STAVRAKAKIS (S&D, EL) on discharge to be granted to the Director-General of the Euratom Supply Agency for 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):

- **status of the Agency:** Members note that in 2009 the Agency did not receive any subsidy to cover its operations and that the Commission bore all expenses incurred by the Agency for the implementation of the 2009 budget; notes that this situation has persisted since the creation of the Agency in 2008. In the absence of an autonomous budget, the Agency is de facto integrated into the Commission. Members point out, nevertheless, that this situation is at odds with the Agency's Statutes and that it raises the issue of the **need to maintain the Agency in its current form and organisation**. They note, however, the Agency's reply explainingthat the present situation reflects the balance between, on the one hand, a clear relationship with the Commission (for example the Commission may issue directives and it appoints the Director-General of the Agency) and, on the other hand, a degree of legal and financial autonomy (for example, the Agency co-signs all commercial contracts related to the procurement of nuclear materials, which allows it to ensure that the policy on diversification of the sources of supply is applied) and that, furthermore, this balance is in accordance with the Euratom Treaty;
- **internal audit**: Members note that the Agency has selected its own internal auditor, who took up his duties only on 1 July 2009. They also note the letter from the Director-General which acknowledges the problem and details the initial actions taken as requested by the discharge authority. They call on the Director-General to keep the discharge authority informed on further steps taken and progress made.