

2010 discharge: European Union's Judicial Cooperation Unit (EUROJUST)

2011/2221(DEC) - 11/04/2012 - Committee report tabled for plenary, single reading

The Committee on Budgetary Control adopted the report by Monica Luisa MACOVEI (EPP, RO) on discharge to be granted to the Administrative Director of Eurojust discharge in respect of the implementation of Eurojust's budget for the financial year 2010.

Noting that the Court of Auditors stated that it has obtained reasonable assurances that the annual accounts of Eurojust for the financial year 2010 are reliable and that the underlying transactions are legal and regular, Members approve the closure of Eurojust's accounts for the financial year 2010.

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 performance, financial management and control of EU agencies:

- **Carry-overs:** Members ascertain that automatic carryovers of the commitment appropriations (excluding grants) increased from 16% in 2009 to 20% in 2010 with a total of EUR 6.1 million in 2010. They call on the Agency to inform the discharge authority of the steps taken to avoid carrying forward appropriations. They are also concerned, in particular, by the excessive carryovers, which amounted to 38% of the Title III (operational expenditure) total budget. Members regret the high level of operational expenditure carried forward to 2011 and call on the Agency to implement those measures without further delay;
- **Procurement procedures:** Members acknowledge the observations from the Court of Auditors that in one case the evaluation committee failed to apply the weightings published in the tender specifications. They therefore call on the Agency to prevent further similar mistakes and to ensure that the quality standards of procedure used in the tender are respected;
- **Human Resources (HR):** Members express concern about the fact that the Court of Auditors has once again observed shortcomings in the implementation of recruitment procedures. Accordingly, they call on the Agency to set up a comprehensive recruitment action plan to significantly reduce the vacancy rate and to inform the discharge authority about this. They state that recruitment cannot be made from expired reserve lists. They call on the Agency to monitor closely the validity of all reserve lists for recruitment and to respect recruitment rules;
- **Responsibilities of the Administrative Director:** Members recall that the Administrative Director of the Agency is accountable to the discharge authority for the implementation of the revenue and expenditure of the budget and is responsible for putting in place the organisational structure, the internal management and control systems and procedures relevant for drawing up final accounts that are free from material misstatement. They acknowledge, however, the Court of Auditors' observation that the Administrative Director is not de facto responsible for the majority of the daily management decisions, which are taken by the College of the Agency on the basis of the relevant provisions of its founding Decision. Members call on the Agency to address and review this anomaly as soon as possible;
- **Annual Work Programme (AWP):** Members consider that the Agency's internal process supporting the establishment of its AWP has a significant impact on the reliability of information that the Agency provides to its stakeholders and to the discharge authority. They urge the Agency, therefore, to ensure consistency in its planning, adequate procedures and guidelines, and to furnish sufficient documentation supporting the AWP in order to provide information on all activities

carried out and on the resources planned per activity. They urge the Agency to take action to ensure that the legal basis for executing its budget is not put in question and that its AWP is complete and contains all the information required;

- **Internal Audit:** Members acknowledge that 12 “very important” recommendations from the Internal Audit Service (IAS) are still open and urge the Agency to properly address the recommendations issued by the IAS.