2011 discharge: European Medicines Agency (EMA)

2012/2190(DEC) - 01/02/2013

Having examined the revenue and expenditure accounts for the financial year 2011 and the balance sheet at 31 December 2011 of the European Medicines Agency, as well as the Court of Auditors' report on the annual accounts of the Agency for the financial year 2011, accompanied by the Agency's replies to the Court's observations, the Council recommends the European Parliament to give a discharge to the Executive Director of the Agency in respect of the implementation of the budget for the financial year 2011.

The observations in the Court of Auditors' report in relation to the financial year 2011 call for some comments by the Council, which may be summarised as follows:

- the Council welcomes the Court's opinion that, in all material respects, the Agency's annual accounts present fairly its financial position as at 31 December 2011 and the results of its operations and its cash flows for the year then ended, in accordance with the provisions of the Agency's Financial Regulation, and that the underlying transactions for that financial year are legal and regular;
- the Council, nevertheless, urges the Agency to improve its financial programming and its monitoring of the budget implementation in order to reduce the amounts carried over to the next financial year, in line with the budgetary principle of annuality;
- it notes the Court's findings in relation to the Agency's decision to increase the financial envelope of a framework contract where the Court had found irregularities, and which had given
- rise to the Court's qualified opinion in 2009. It notes that the Agency started preparing in 2011 a new framework contract. Moreover, the Council **calls on the Agency to take actions to remedy the weaknesses found by the Court in the transparency of its procurement procedures**;
- the Council regrets the shortcomings detected by the Court in the transparency of the recruitment procedures, including the irregularities found regarding the conflict of interest declarations of the Selection Board members, and expects this to be fully remedied by the Agency.