2011 discharge: European Union Agency for Fundamental Rights (FRA)

2012/2185(DEC) - 17/04/2013 - Text adopted by Parliament, single reading

The European Parliament adopted a decision on discharge to be granted to the Director of the European Union Agency for Fundamental Rights (FRA) in respect of the implementation of the Agency's budget for the financial year 2011. The vote on the decision to grant discharge covers the closure of the accounts (in accordance with Annex VI, Article 5(1) of the European Parliament's Rules of Procedure).

Noting that the Court of Auditors stated that it has obtained reasonable assurances that the annual accounts of FRA for the financial year 2011 are reliable and that the underlying transactions are legal and regular, Parliament adopted a resolution containing 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:

- **Financing, budget and financial management**: Parliament recalls that the Foundation's budget was EUR 20.18 million, and that the initial contribution of the Union to the Agency's budget for 2011 was EUR 19.978 million.
- **Implementation rate of appropriations and carryovers**: it acknowledges that in 2011, the Agency committed 100% of the appropriations received. It observes, however, that in terms of paid appropriations, the Agency's execution rate stands at only 27% for operational expenditure. Members call on the Agency to implement specific measures to improve its budgeting process and execution rate of payment in the case of administrative and operational expenditure.
- **Harassment**: Parliament notes that in 2012, there were three cases dealt with by the Court of Justice of the European Union regarding an allegation of psychological harassment. It states that the Agency did not bring disciplinary proceedings against two members of staff for alleged psychological harassment due to the lack of impartiality on the part of the investigator and his refusal to guarantee the anonymity of the witnesses and ordered it to pay damages to the applicant and the costs. It urges the Agency, given the risks at stake, as far as its reputation is concerned, to inform the discharge authority in detail on the rules of procedure, legal framework and hearing modalities established for the launch and conduction of internal investigations and the protection of witnesses' anonymity in the occurrence of such internal investigations.

Lastly, Parliament made a series of observations as regards FRA's recruitment policies and internal audit procedures.