Basic information

2003/2043(DEC) DEC - Discharge procedure	Procedure completed
2001 discharge: European Monitoring Centre for drugs and drug addiction **Subject** 8.70.03.07 Previous discharges	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
CONT Budgetary Control	BLAK Freddy (GUE/NGL)	10/09/2002

Former committee for opinion	Former rapporteur for opinion	Appointed
LIBE Citizens' Freedoms and Rights, Justice and Home Affairs	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
Economic and Financial Affairs ECOFIN	2493	2003-03-07

Key events

Date	Event	Reference	Summary
25/09/2002	Non-legislative basic document published	N5-0005/2003	Summary
13/03/2003	Committee referral announced in Parliament		
19/03/2003	Vote in committee		
19/03/2003	Committee report tabled for plenary	A5-0074/2003	
08/04/2003	Decision by Parliament	T5-0140/2003	
08/04/2003	Committee referral announced in Parliament		
08/04/2003	Debate in Parliament		
20/10/2003	Vote in committee		
20/10/2003	Committee report tabled for plenary	A5-0360/2003	
05/11/2003	Debate in Parliament		
06/11/2003	Decision by Parliament	T5-0480/2003	Summary

06/11/2003	End of procedure in Parliament		
20/12/2003	Final act published in Official Journal		

Technical information

Procedure reference	2003/2043(DEC)
Procedure type	DEC - Discharge procedure
Legal basis	Rules of Procedure EP 102
Stage reached in procedure	Procedure completed

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, single reading		A5-0074/2003	19/03/2003	
Text adopted by Parliament, single reading		T5-0140/2003 OJ C 064 12.03.2004, p. 0023-0124 E	08/04/2003	Summary
Committee report tabled for plenary, single reading		A5-0360/2003	20/10/2003	
Text adopted by Parliament, single reading		T5-0480/2003 OJ C 083 02.04.2004, p. 0018-0167 E	06/11/2003	Summary

Council of the EU

Document type	Reference	Date	Summary
Supplementary non-legislative basic document	06007/2003	07/03/2003	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
CofA	Non-legislative basic document	N5-0005/2003 OJ C 326 27.12.2002, p. 0064-0071	25/09/2002	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Budget 2003/0889
OJ L 333 20.12.2003, p. 0059-0059 Summary

2001 discharge: European Monitoring Centre for drugs and drug addiction

2003/2043(DEC) - 08/04/2003

COMMUNITY MEASURE : European Parliament Decision 2003/407/EC on the postponement of the decision concerning discharge to the Director of the European Agency for Safety and Health at Work, the Director of the European Environment Agency, the Director of the Translation Centre for the bodies of the European Union, the Director of the European Monitoring Centre for Drugs and Drug Addiction, the Director of the European Monitoring Centre on Racism and Xenophobia, in respect of the implementation of each Agency's budget for the financial year 2001. CONTENT : with the present Decision, the European Parliament has decided to postpone the decision concerning discharge to the Directors of : - the European Agency for Safety and Health at Work; - the European Environment Agency; - the Translation Centre for the bodies of the European Union; - the European Monitoring Centre for Drugs and Drug Addiction, and - the European Monitoring Centre on Racism and Xenophobia; in respect of the implementation of each Agency's budget for the financial year 2001. Parliament also presents a resolution which contains the comments accompanying the decision on the postponement of the decisions (please refer to the summary of the European Parliament's opinion dated 8 April 2003).

2001 discharge: European Monitoring Centre for drugs and drug addiction

2003/2043(DEC) - 07/03/2003 - Supplementary non-legislative basic document

PURPOSE : to present the Council recommendation on the on the discharge to be given to the Director of the European Monitoring Centre for Drugs and Drug Addiction in respect of the implementation of the budget of the European Monitoring Centre for Drugs and Drug Addiction for the financial year 2001. CONTENT : based on the observations contained in the Court of Auditor's report relating to the financial year 2001, the Council recommends that that Parliament give a discharge to the Director of the Centre in respect of the implementation of the budget for the financial year 2001. Recalling that the EUR 1,9 million (86%) of the EUR 2,2 million in appropriations carried forward from the financial year 2000 to the financial year 2001 have been used and bearing in mind that EUR 2,4 million in appropriations have been carried forward from the financial year 2001 to the financial year 2002 and whereas EUR 0,5 million have been cancelled, the Council believes that the observations in the Court of Auditors' report in relation to the financial year 2001 calls for certain comments to be made. These are as follows: The Council welcomes the fact that the Court of Auditors has been able to record a statement of assurance in respect of the reliability of the Centre's accounts for the financial year 2001, and in respect of the legality and regularity of the underlying transactions as a whole. The Council shares the Court's view on the need to improve the quality and the monitoring of the planning of the Centre's operational activities so as to respect the principle of budgetary annuality. The Council notes the Centre's willingness to follow the Court's recommendations on conducting checks on payments from imprest accounts and the documents to be supplied to substantiate proposals for the commitment of appropriations. The Centre should also incorporate the provisions on VAT in its financial regulation. Moreover, the Council considers that, in order to ensure rigorous monitoring of the different contracts, the managing departments should do their utmost to apply the rules on competition and to improve the procedures for evaluating tenders.

2001 discharge: European Monitoring Centre for drugs and drug addiction

2003/2043(DEC) - 06/11/2003 - Final act

PURPOSE : to grant discharge to the Director of the European Monitoring Centre for Drugs and Drug Addiction for the year 2001. LEGISLATIVE ACT : European Parliament Decision 2003/889/EC on the discharge to the Director of the European Monitoring Centre for Drugs and Drug Addiction in respect of the implementation of its budget for the financial year 2001. CONTENT : the European Parliament gives discharge to the Director of the European Monitoring Centre for Drugs and Drug Addiction in respect of the implementation of its budget for the financial year 2001. It records its comments in the accompanying resolution dated 6 November 2003 (please refer to the previous summary).

2001 discharge: European Monitoring Centre for drugs and drug addiction

2003/2043(DEC) - 06/11/2003 - Text adopted by Parliament, single reading

The European Parliament adopted a resolution drafted by Freddy BLAK (EUL/NGL, Denmark) giving discharge to the European Monitoring Centre for Drugs and Drug Addiction in respect of the implementation of its budget for the financial year 2001. (Please see the document dated 20/10/03.) Parliament encouraged the Centre to continue its efforts to follow its operational activities closely, especially as regards its relation with the Reitox focal points. The external evaluation on the financing of the Reitox network should be taken up with a view to clarifying and further adapting the contractual relationship of the Centre with such focal points. The problems are 'systemic' in nature, and there is scope for developing a harmonised approach between Agencies in dealing with such problems. As a general point with regard to the Agencies, Parliament expressed its concern that the Commission's Internal Audit Service (IAS) does not carry out any checks on the Agencies. This implies that Articles 71 and 72 of Regulation 2343/2002 /EC are not being adhered to and that, in practice, an outside control of the quality of management and control systems of the agencies is left to be carried out in the context of the Court of Auditors control. Parliament called on the Commission to ensure that the necessary resources are made available so that the IAS is in a position to fulfill its tasks with regard to the internal control systems in the Agencies. Finally, it asked the Commission to submit a proposal for an amendment to the constituent acts of the Agencies to ensure that their directors may in future be appointed only with the assent of Parliament.

2001 discharge: European Monitoring Centre for drugs and drug addiction

2003/2043(DEC) - 25/09/2002 - Non-legislative basic document

PURPOSE : to present the Court of Auditor's report on the financial statements of the European Monitoring Centre for Drugs and Drug Addiction for the financial year 2001. CONTENT : the Court of Auditors has examined the financial statements of the European Monitoring Centre for Drugs and Drug Addiction for the financial year ended 31 December 2001. This examination has enabled the Court to obtain reasonable assurance that the annual accounts for the financial year ended 31 December 2001 are reliable and that the underlying transactions, taken as a whole are legal and regular. The Court states that the final appropriations for the financial year totalled EUR 9.2 million, 8.8 million of which were committed. Of the operating appropriations (Title III), which totalled EUR 3.3 million, 3.2 million were committed. Payments in respect of the appropriations for the financial year totalled EUR 6.5 million; 2.5 million were carried over to the following year and a total of EUR 0.3 million had to be cancelled. Only 59% of the operational appropriations committed were disbursed in the course of the financial year. Appropriations carried over to 2002 totalled EUR 2.4 million (27% of commitments). These were mainly operational appropriations, a total of EUR 1.4 million of which were carried over (44% of commitments). The significant extent of these carry-overs demonstrates the need for the Centre to improve the quality and the monitoring of its programming activities. In its report, the Court takes note of several elements relating to the financial management of the Monitoring Centre. For instance, it state that the Centre still has not incorporated in its financial regulation the amendments made to the Financial Regulation applicable to the general budget concerning VAT. The Centre signed a contract with the Commission for the purpose of preparing the countries which are candidates for accession for participation in the Centre's activities. A separate budget of EUR 1 056 139 was allocated to this project to provide for the recruitment of three auxiliary members of staff to implement the contract. For 6 months the costs of the salaries of these three members of staff, totalling EUR 81 439 were wrongly charged to the Centre's budget. This situation was not regularise until October 2001. In addition, the Court states that the proposal for commitments of the appropriations relating to this project are not always accompanied by supporting documents which would allow an assessment of the justification for committing these amounts. A contract for a duration of 2 years and involving an amount of EUR 20 000 was awarded to an expert who was to manage a website for the Centre. In fact, this was an extension of a previous contract and no steps were taken to launch an invitation to tender. The Court of Auditors states that the Centre should elaborate a monitoring system with a formal and well-documented structure, which would enable it to analyse the discrepancies between forecasts and actual requirements. Lastly, the Court notes that the Centre does not ensure systematic monitoring of the markets for the goods and services it intends to acquire. Fir its everyday purchases it turns to its usual suppliers. One argument put forward by the Centre to justify its recourse to direct agreements to renew or extendcontracts is the quality of the services rendered and its concern to ensure their continuity. This reasoning disregards the aim of the rules governing purchases, which is to stimulate competition by having recourse to the market. One restricted invitation to tender launched with a view to acquiring office computers for an amount of around EUR 80 000 included a condition that the tenderers should already have supplied the Centre with similar equipment. A restriction of this kind, which has no base whatsoever in law, is entirely unjustified. The Centre replies to the observations made by the Court of Auditors. It states in particular that : - as a general rule, the list of imprest payments is submitted on a monthly basis to the accounting officer and financial controller. Exceptionally, the lists for the months of July, August and September were presented together. The Centre will take steps to ensure that these presentations are carried out regularly on a monthly basis and takes note of the Court's suggestions relating to the carrying-out of unannounced checks in addition to the usual monthly checks; - as regards the payments made to the three auxiliary members of staff recruited under the Phare-European Monitoring Centre for Drugs and Drug Addiction programme were paid by means of the same administrative and accounting system as the rest of the staff and, therefore, their salaries were initially charged to the Centre's budget pending the implementation of an ad hoc administrative and financial structure; - the Centre does not always have the necessary resources to undertake the systematic monitoring of the markets. It is correct that in certain cases of contract renewal/extension, the Centre wished to give priority to ensuring the continuity and maintaining the quality of the service provided. In the future, the Centre will make an effort to stimulate competition while retaining these aspects which it deems to be important. Lastly, the Centre accepts the Court's comment and has already eliminated this condition for invitations to tender launched in 2002.