Basic information

2006/2168(DEC) DEC - Discharge procedure	Procedure completed
2005 discharge: European Agency for Networks and Information Security **Subject** 8.70.03.07 Previous discharges	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
CONT Budgetary Control	HERCZOG Edit (PSE)	20/04/2006

Committee for opinion	Rapporteur for opinion	Appointed
ITRE Industry, Research and Energy	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
Economic and Financial Affairs ECOFIN	2787	2007-02-27

European Commission

Commission DG	Commissioner
Budget	KALLAS Siim

Key events

Date	Event	Reference	Summary
31/10/2006	Non-legislative basic document published	N6-0036/2006	Summary
29/11/2006	Committee referral announced in Parliament		
26/03/2007	Vote in committee		Summary
30/03/2007	Committee report tabled for plenary	A6-0102/2007	
24/04/2007	Decision by Parliament	T6-0127/2007	Summary
24/04/2007	Results of vote in Parliament		
24/04/2007	Debate in Parliament		
24/04/2007	End of procedure in Parliament		

15/07/2008	Final act published in Official Journal		

Technical information

Procedure reference	2006/2168(DEC)
Procedure type	DEC - Discharge procedure
Legal basis	Rules of Procedure EP 102
Stage reached in procedure	Procedure completed
Committee dossier	CONT/6/42427

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE384.447	08/02/2007	
Amendments tabled in committee		PE386.362	08/03/2007	
Committee report tabled for plenary, single reading		A6-0102/2007	30/03/2007	
Text adopted by Parliament, single reading		T6-0127/2007	24/04/2007	Summary

Council of the EU

Document type	Reference	Date	Summary
Supplementary non-legislative basic document	05711/2007	07/02/2007	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
OS	Non-legislative basic document	N6-0036/2006 OJ C 266 31.10.2006, p. 0016	31/10/2006	Summary
CofA	Court of Auditors: opinion, report	N6-0001/2007 OJ C 312 19.12.2006, p. 0001	19/12/2006	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Budget 2008/0535
OJ L 187 15.07.2008, p. 0176 Summary

2005 discharge: European Agency for Networks and Information Security

2006/2168(DEC) - 24/04/2007 - Text adopted by Parliament, single reading

The European Parliament adopted a resolution drafted by Edit **HERCZOG** (PSE, HU), and granted the director of the European Network and Information Security Agency discharge for the implementation of the Agency's budget for the financial year 2005. It then approved the closing of the accounts of the Agency for the financial year 2005.

The Parliamentary resolution is divided into two parts. The first contained general points, and concerned the majority of EU Agencies requiring individual discharge. The second part contained specific points relating to the Agency.

General points: Parliament considers that the ever-growing number of Community Agencies and the activities of certain of them do not seem to form part of an overall policy framework, and that the remits of some Agencies do not always reflect the real needs of the Union. Accordingly, it invites the Commission to define an overall policy framework for the setting up of new Community Agencies and to present a cost-benefit study before the setting up of any new agency, while being careful to avoid any overlap of activities between Agencies or with the remits of other European organisations. Parliament calls on the Court of Auditors to give its opinion on this cost-benefit study before Parliament takes its decision, and it asks the Commission to present every five years a study on the added value of every existing Agency. ; invites all relevant institutions In the case of a negative evaluation of the added value of an Agency, all relevant institutions are asked to take the necessary steps by reformulating the mandate of that Agency or by closing it.

In view of the constantly increasing number of Agencies, Parliament feels that the Directorates-General of the Commission charged with the setting up and monitoring of Agencies must develop a common approach to the Agencies. It also asks the Commission to improve administrative and technical support to the Agencies. Parliament regretted that the negotiations on the draft interinstitutional agreement on the operating framework for the European regulatory agencies have not yet been concluded, and calls on the Commission, in consultation with the Court of Auditors, to do their utmost to ensure that the agreement is brought to a rapid conclusion. Noting that the Commission's budgetary responsibility calls for closer linking of the Agencies to the Commission, Parliament calls on the Commission and the Council to take all necessary steps to give the Commission a blocking minority in the supervisory bodies of the regulatory Agencies by 31 December 2007 and to provide for such a minority from the outset when new Agencies are set up. It invites the Court of Auditors to create an additional chapter in its Annual Report, devoted to all Agencies to be discharged under the Commission's accounts in order to have a much clearer picture of the use of EU funds by Agencies.

Parliament goes on to ask the Commission to come up with a proposal to harmonise the format of the annual reporting by the Agencies and to develop performance indicators which would allow a comparison of their efficiency. The Commission is urged to monitor and direct the management of the Agencies, especially in relation to the proper application of tender procedures, transparency of recruitment procedures, sound financial management and, most importantly, the proper application of the rules concerning the internal control framework.

Specific points concerning the ENISA: Parliament noted that the implementation of the budget for the financial year 2005 was marked by a low rate of commitment (70 %) and a substantial rate of carry-over (more than 40 % overall and up to almost 80 % for operating expenditure). This situation was in part due to problems inherent in the Agency's start-up period and to the fact that it did not start becoming operational until the second half of 2005. It also noted that no activity-based management has been brought in, despite the Agency's financial regulation making provision for its introduction, on the lines of that applied to the general budget, with a view to improving the monitoring of performance.

2005 discharge: European Agency for Networks and Information Security

2006/2168(DEC) - 07/02/2007 - Supplementary non-legislative basic document

Having examined the revenue and expenditure account for the financial year 2005, the balance sheet of revenue and expenditure at 31 December 2005 of the European Network and Information Security Agency, 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 2005.

In doing so, it confirms that EUR 2.1 million in appropriations have been carried forward from the financial year 2005 to the financial year 2006 and EUR 2.1 million have been cancelled.

In parallel, the Council makes accompanying comments on the discharge which should be followed up. In particular, it:

- acknowledges that the difficulties encountered were due to the fact that the year 2005 was the start-up period for the Agency. It also notes the **low rate of commitment** and the **substantial rate of carry-over**; therefore, it calls on the Agency to take the appropriate measures to improve the implementation of the budget;
- encourages the Agency to put in place an **Activity Based Management System**, in compliance with the relevant provisions contained in the Agency's financial regulation, without delay. This would provide a clearer picture of the Agency's achievement in pursuing its fundamental objectives.

2005 discharge: European Agency for Networks and Information Security

2006/2168(DEC) - 27/02/2007

The Council, on the basis of intensive preparatory work, approved a recommendation on the discharge to be given to the Directors of the 16 European Union agencies for implementation of their budget for 2005. The recommendation will be submitted to the European Parliament, in accordance with the budgetary discharge procedure.

The Council makes reference to the **Court of Auditors report on translation expenditure** (see summary of the document annexed to the Commission's discharge procedure DEC/2006/2070 dated 8 February 2007 06162/2007). It adopted the following conclusions:

Firstly, it states that it welcomes the Court's special report on translation expenditure - which amounted to EUR 511 million in 2005 - incurred by three institutions in particular as it covers the period of the accession of 10 new Member States, increasing the number of official and working languages to 21. In this context, it underlines the importance of the translation of documents in a European Union **multilingual environment** with equal treatment of the languages of its Member States.

It emphasises that translation demands are to be met in time and in adequate quality, as an essential part of the legislative process keeping the cost under control as well as having adequate procedures to give priority to essential translations which implies efficient and effective management of translation resources. It regrets, however, that in some cases politically important information which should be translated has been included in non translated annexes of documents.

The Council notes with satisfaction that the Court of Auditors stated that the institutions have generally met translation needs in the EU-15 languages in required quality inter alia by recourse to freelance translators. It regrets that all three institutions have faced structural difficulties in providing a sufficient volume and acceptable quality into the EU-10 languages. It expects the institutions to further enhance the degree of multilingualism as regards the information provided on their websites.

Moreover, the Council regrets the fact that the institutions, with the exception of the Commission for 2002, have not calculated their total costs or the average cost per page translated and invites them to do so from now on and inform the budgetary authority on a regular basis.

It notes with concern the fact that the productivity of the EU translation services is much lower than in the private sector, partly due to more effective use of IT tools in the private sector, although the quality of internal translation is recognised to be higher. It notes the long term action plan by the Council General Secretariat to increase its productivity by reducing the number of "full-time equivalent" in the EU-15 language units.

Inter-institutional cooperation: the Council advocates inter-institutional cooperation being reinforced to all institutions in order to improve the efficiency and the procedures and to reduce the costs in the field of translations. It urges the institutions to set up proper forecasting system and improve the system of workload balancing in order to make better use of spare capacity and to avoid unnecessary outsourcing. In 2005, according to the Court, EUR 11 million of freelance translation costs could have been saved by the Commission and by the Parliament by giving the non-urgent documents to be translated for other institutions. It regrets that it was not possible for the institutions to recruit enough translators in EU-10 languages which has resulted in quality and deadline problems in the EU-10 translations and it recommends that sufficient EU-10 translator resources should be ensured by measures increasing awareness and fostering interest in the Community's translation activity in the EU-10 Member States and other Candidate Countries. It recommends that similar measures be taken for Bulgaria and Romania.

The Council emphasises that future measures are to be taken by the institutions to contain the volume translated including control of the size of documents, without prejudice of equal treatment of EU official and working languages taking into account the operational effectiveness, and adoption of a fit-for-purpose approach for authorised texts for translation and encourages the institutions to improve their work planning and comply with the deadlines for requesting translations.

Lastly, the Council requests the institutions to improve the efficiency of the translation process in particular by intensifying the recourse to IT tools, reduction of secretarial support, working methods based on best practices and teleworking. It also invites the Court to examine also the translation expenditure of the other institutions and bodies.

2005 discharge: European Agency for Networks and Information Security

2006/2168(DEC) - 19/12/2006 - Court of Auditors: opinion, report

This report from the Court of Auditors concerns the results of the audit carried out by the Court on the annual accounts of the European Network and Information Security Agency for the financial year ended 31 December 2005.

The European Network and Information Security Agency became fully autonomous in the second half of 2005. The Agency's main task is to enhance the capability of the Community to prevent and respond to network and information security problems by building on national and Community efforts. In principle its mandate expires in 2009.

The Court states that the audit was planned and performed to obtain reasonable assurance that the accounts are reliable and the underlying transactions are legal and regular. The Agency's accounts for the financial year ended 31 December 2005 are, in all material respects, reliable. Legality and regularity of the underlying transactions The transactions underlying the Agency's annual accounts, taken as a whole, are legal and regular. The observations which follow do not call the Court's statement into question.

The report shows that the appropriations entered in the final budget amount to EUR 6 346 000 with EUR 4 540 000 committed and EUR 2 139 000 paid. EUR 2 112 000 was carried over to 2006 and 2 095 000 cancelled.

The Court makes the following observations:

- the implementation of the budget for the financial year 2005 was marked by a low rate of commitment (70 %) and a substantial rate of carry-over (more than 40 % overall and up to almost 80 % for operating expenditure). This situation was in part due to problems inherent in the Agency's start-up period and to

the fact that it did not start becoming operational until the second half of 2005. In future, the Agency should be vigilant concerning this risk, in particular by ensuring strict programming of its activities.

- the Court noted that no activity-based management had been brought in, despite the Agency's financial regulation making provision for its introduction, on the lines of that applied to the general budget, with a view to improving the monitoring of performance. In this context, achieving the Agency's aims should not mean merely carrying out a series of tasks. It should rather be seen as contributing to the goals laid down in its basic Regulation. The Agency's work programme should, in principle, express this contribution in operational and measurable terms.

The Agency responds point by point to the Court's observations:

- giving that the Agency only became operational only in September 2005, it was understaffed, and had limited time available. It therefore proved very difficult to improve the budget implementation rates. The management will take necessary action and it is expected to have higher execution rates for the budget implementation of 2006. Having less than 12 months of operational activity, the Agency lacks the necessary resources in order to introduce and apply effectively an Activity Based Management system. It is true that Activity Based Management would improve dramatically the measurability of the Agency's work. The management will endeavour to have it in place as soon as the Agency is in a position to dedicate the necessary resources for an Activity Based Management system to be developed.

2005 discharge: European Agency for Networks and Information Security

2006/2168(DEC) - 24/04/2007 - Final act

PURPOSE: to grant discharge to the European Network and Information Security Agency for the financial year 2005.

LEGISLATIVE ACT: Decision 2008/535/EC of the European Parliament on the discharge for the implementation of the budget of the European Network and Information Security Agency for the financial year 2005.

CONTENT: with the present decision, the European Parliament grants discharge to the Director of the European Network and Information Security Agency for the implementation of the Authority's budget for the financial year 2005.

This decision is in line with the European Parliament's resolution adopted on 24 April 2007 and comprises a series of observations that form an integral part of the discharge decision (please refer to the summary of the opinion of 24/04/2007).

2005 discharge: European Agency for Networks and Information Security

2006/2168(DEC) - 31/10/2006 - Non-legislative basic document

PURPOSE: presentation of the final accounts of the European Network and Information Security Agency for the financial year ended 31 December 2005.

CONTENT: this document published in the Official Journal of the EU sets out a detailed account of the implementation of the 2005 budget, including the revenue and expenditure and the balance sheet for the year concerned.

According to this document, the final budget amounted to **EUR 6.3 million** consisting of a 100% Community contribution.

As regards the staffing policy, the Agency set out 38 posts in the establishment plan. 35 posts are currently occupied + 15 other posts (seconded national experts) totalling 50 posts assigned to operational, administrative and mixed tasks.

Staff expenditure amounted to EUR 1 040 000.

The main objectives of the Agency are to enhance the capability of the Community, the Member States and businesses to prevent network and information security problems. It shall collect appropriate information to analyse current and emerging risks. It shall cooperate with third countries and international organisations to promote a common global approach to network and information security issues.

In 2005, 3 working groups were set up and finished their work: Risk Management, Awareness Raising and CERTS. 1 annual report was completed and 3 issues of the ENISA Quarterly Newsletter were produced. 2 seminars were held and 7 events organised in the Member States.

The complete version of the final accounts may be found at the following address:

www.enisa.europa.eu