Basic information

2009/2113(DEC) DEC - Discharge procedure	Procedure completed
2008 discharge: European Union Agency for Fundamental Rights FRA **Subject** 8.70.03.07 Previous discharges	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
CONT Budgetary Control	MATHIEU HOUILLON Véronique (PPE)	01/10/2009
	Shadow rapporteur STAVRAKAKIS Georgios (S&D) GERBRANDY Gerben-Jan (ALDE) STAES Bart (Verts/ALE)	

Committee for opinion	Rapporteur for opinion	Appointed
LIBE Civil Liberties, Justice and Home Affairs	LÓPEZ AGUILAR Juan Fernando (S&D)	22/07/2009

Council of the European Union

Council configuration	Meetings	Date
Economic and Financial Affairs ECOFIN	2994	2010-02-16

European Commission

Commission DG	Commissioner
Budget	ŠEMETA Algirdas

Key events

Date	Event	Reference	Summary
23/07/2009	Non-legislative basic document published	SEC(2009)1089	Summary
07/10/2009	Committee referral announced in Parliament		

23/03/2010	Vote in committee		Summary
26/03/2010	Committee report tabled for plenary	A7-0090/2010	
21/04/2010	Debate in Parliament		
05/05/2010	Decision by Parliament	T7-0117/2010	Summary
05/05/2010	Results of vote in Parliament		
05/05/2010	End of procedure in Parliament		
25/09/2010	Final act published in Official Journal		

Technical information

Procedure reference	2009/2113(DEC)
Procedure type	DEC - Discharge procedure
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	CONT/7/01093

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee opinion	LIBE	PE430.719	13/01/2010	
Committee draft report		PE430.470	03/02/2010	
Committee report tabled for plenary, single reading		A7-0090/2010	26/03/2010	
Text adopted by Parliament, single reading		T7-0117/2010	05/05/2010	Summary

Council of the EU

Document type	Reference	Date	Summary
Document attached to the procedure	05827/2010	01/02/2010	Summary

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	SEC(2009)1089	23/07/2009	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
		N7-0012/2010		

CofA	Court of Auditors: opinion, report	OJ C 304 15.12.2009, p. 0001	08/10/2009	Summary
CofA	Document attached to the procedure	N7-0036/2009 OJ C 269 10.11.2009, p. 0001	10/11/2009	

Additional information		
Source	Document	Date
European Commission	EUR-Lex	

Final act	
Decision 2010/0546 OJ L 252 25.09.2010, p. 0207	Summary

2008 discharge: European Union Agency for Fundamental Rights FRA

2009/2113(DEC) - 23/07/2009 - Non-legislative basic document

PURPOSE: to present the final accounts of the European Union Fundamental Rights Agency (FRA) for the financial year 2008.

CONTENT: this document sets out a detailed account of the implementation of the 2008 budget, including the revenue and expenditure and the balance sheet for the year concerned. According to this document, the final budget amounted to EUR 15 million (compared to EUR 14.2 million in 2007).

As regards staffing policy, the Centre, whose head office is based in Vienna (Austria), officially set out 49 posts in its establishment plan. 35 of these are currently occupied and there are 23 other members of staff (contract agents, seconded national experts and employment agency staff), totalling 72 members of staff assigned to administrative, operational and mixed tasks.

During 2008, the Agency's activities concentrated on the following:

RAXEN network

- Number of contributions by the 27 national focal points: 219
- Number of meetings: 1

FRALEX (new network)

- Number of contributions by legal experts 201;
- Number of meetings 2

Research Reports

- Number of reports: 6
- Number of meetings: 21
- Annual Reports: 2

Non-Research materials

- Various publications: 13

Cooperation with Member States and other Institutions

- Member States: 9
- European Commission: 17

- European Parliament: 6
- Committee of the Regions: 2
- Council of Europe: 25
- OSCE: 7
- United Nations: 6
- Other meetings and round tables: 18.

The complete version of the final accounts may be found at the following address: http://www.fra.europa.eu/fraWebsite/home/home_en.htm

2008 discharge: European Union Agency for Fundamental Rights FRA

2009/2113(DEC) - 05/05/2010 - Text adopted by Parliament, single reading

The European Parliament adopted by 550 votes to 39, with 50 abstentions, a decision on discharge to be granted to the Director of the European Union Agency for Fundamental Rights in respect of the implementation of its budget for the financial year 2008. The decision to grant discharge is also an approval of the closure of the accounts of this EU agency. Furthermore, Parliament adopted a resolution with observations which are an integral part of the decision to grant discharge to this Agency.

The main points are as follows:

- **performance:** Parliament encourages the Agency to set objectives and indicators in its programming so as to improve assessment of its achievements. It notes that, in the coming years, the discharge for the implementation of the budget for the Agency should be further based on the Agency's performance throughout the year;
- **OLAF investigation:** Parliament notes that, in 2009, OLAF finished its investigation concerning the Agency which it had opened in 2008 and has now closed it with no further action.

Noting that the Agency’s annual accounts for the financial year 2008 are reliable, and the underlying transactions are legal and regular, Parliament approves the closure of its accounts and refers to the general recommendations that appear in the draft resolution on financial management and control of EU agencies (see 2010/2007(INI) adopted in parallel).

2008 discharge: European Union Agency for Fundamental Rights FRA

2009/2113(DEC) - 05/05/2010 - Final act

PURPOSE: to grant discharge to the European Union Agency for Fundamental Rights for the financial year 2008.

LEGISLATIVE ACT: Decision 2010/546/EU of the European Parliament on the discharge for the implementation of the budget of the European Union Agency for Fundamental Rights for the financial year 2008.

CONTENT: with the present decision, the European Parliament grants discharge to the Director of the European Union Agency for Fundamental Rights in respect of the implementation of the Agency's budget for the financial year 2008.

This decision is in line with the European Parliament’s resolution adopted on 5 May 2010 and comprises a series of observations that form an integral part of the discharge decision (please refer to the summary of the opinion of 5 May 2010).

A parallel Decision, adopted on the same day, approves the closure of the accounts of this EU agency.

2008 discharge: European Union Agency for Fundamental Rights FRA

2009/2113(DEC) - 01/02/2010

Based on the observations contained in the revenue and expenditure account and the balance sheet of the European Union Fundamental Rights Agency for the financial year 2008, as well as on the Court of Auditor’s report and the Agency’s replies to the Court’s observations, the Council recommends that the Parliament grant the Director of the Agency discharge in respect of the implementation of the budget for the financial year 2008.

The Council welcomes the Court's opinion that, on the one hand, the Agency's annual accounts present fairly, in all material aspects, the financial position as at 31 December 2008 and the results of operations and cash-flows for the year then ended, in accordance with the provisions of the Agency's Financial Regulation, and that, on the other hand, the underlying transactions for the financial year ended on 31 December 2008 are, in all material respects, legal and regular.

However, the Council considers that observations made in the Court of Auditor’s report call for a certain number of observations to be taken into account when granting discharge, particularly on the following points:

- **work programme and performance indicators**: the Council regrets the shortcomings identified by the Court in the specification of objectives in the Agency's work programme and the lack of specific and measurable performance indicators. It is concerned about the limited possibilities of assessing achievements and identifying deficiencies resulting from such shortfalls;
- **activity based management**: the Council calls on the Agency to implement an activity based management approach which provides clear indicators linked to objectives set out at activity level.

2008 discharge: European Union Agency for Fundamental Rights FRA

2009/2113(DEC) - 08/10/2009

PURPOSE: to present the Court of Auditor’s report on the annual accounts of the European Union Fundamental Rights Agency (FRA) for the financial year 2008.

CONTENT: in the Court’s opinion, the Agency’s Annual Accounts present fairly, in all material respects, its financial position as of 31 December 2008 and the results of its operations and its cash flows for the year then ended. The transactions underlying the annual accounts of the Agency for the financial year ended are, in all material respects, legal and regular.

The Court of Auditors report includes a detailed section on the Agency’s expenditure as well as an analysis of the expenditure in the accounts and the Agency’s replies.

- **The Court's analysis of the accounts**: the Court makes no comments on the budgetary and financial management. It does however make one remark about the Agency’s 2008 work programme. The objectives and indicators are not specific and measurable, which makes difficult to identify shortfalls and to assess achievements. In order to establish a genuinely activity based budget, the Agency should define precise objectives and establish relevant and measurable performance indicators.

- **The Agency's reply**: the Agency states that the 2009 Annual Work Programme defines S.M.A.R.T. objectives per activity and therefore the Activity Based Management approach has been improved. Moreover, mid-2009, the Agency started the implementation of an Activity Based Budget software that will provide clear indicators on the financial and human resources allocated.