Basic information

2010/2168(DEC) DEC - Discharge procedure	Procedure completed
2009 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	STAVRAKAKIS Georgios (S&D)	23/03/2010
	Shadow rapporteur MACOVEI Monica (PPE) GERBRANDY Gerben-Jan (ALDE) STAES Bart (Verts/ALE) SØNDERGAARD Søren Bo (GUE/NGL)	

Committee for opinion	Rapporteur for opinion	Appointed
LIBE Civil Liberties, Justice and Home Affairs		

European Commission

Commission DG	Commissioner
Budget	ŠEMETA Algirdas

Key events

Date	Event	Reference	Summary
20/07/2010	Non-legislative basic document published	SEC(2010)0963	Summary
07/10/2010	Committee referral announced in Parliament		
21/03/2011	Vote in committee		Summary
06/04/2011	Committee report tabled for plenary	A7-0130/2011	
10/05/2011	Decision by Parliament	T7-0203/2011	Summary

10/05/2011	Results of vote in Parliament		
10/05/2011	Debate in Parliament		
10/05/2011	End of procedure in Parliament		
27/09/2011	Final act published in Official Journal		

Technical information

Procedure reference	2010/2168(DEC)
Procedure type	DEC - Discharge procedure
Stage reached in procedure	Procedure completed
Committee dossier	CONT/7/04036

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE450.717	01/02/2011	
Committee opinion	LIBE	PE454.528	01/03/2011	
Committee report tabled for plenary, single reading		A7-0130/2011	06/04/2011	
Text adopted by Parliament, single reading		T7-0203/2011	10/05/2011	Summary

Council of the EU

Document type	Reference	Date	Summary
Document attached to the procedure	05892/2011	03/02/2011	Summary

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	SEC(2010)0963	20/07/2010	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
CofA	Court of Auditors: opinion, report	N7-0009/2011 OJ C 338 14.12.2010, p. 0010	05/10/2010	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act	
Decision 2011/0602 OJ L 250 27.09.2011, p. 0220	Summary

2009 discharge: European Union Agency for Fundamental Rights FRA

2010/2168(DEC) - 05/10/2010 - Court of Auditors: opinion, report

PURPOSE: presentation by the Court of Auditors of its report on the annual accounts of the European Fundamental Rights Agency (FRA) for the financial year 2009, together with the Agency's replies.

CONTENT: in accordance with the tasks and objectives conferred on it by the Treaty on the Functioning of the European Union (TFEU), the Court of Auditors, in the context of the discharge procedure, addresses to the European Parliament and the Council a Statement of Assurance on the reliability of the annual accounts, as well as of the legality and regularity of the transactions underlying them of each EU institution, body or agency, on the basis of an external, independent audit.

This audit also covered the annual accounts of the European Fundamental Rights Agency (FRA).

In the Court's opinion, **the Agency's annual accounts presented "fairly, in all material respects", its financial position as of 31 December 2009** and the results of its operations and its cash flows for the year then ended, in accordance with the provisions of its Financial Regulation.

The Court also stated that the **transactions underlying the annual accounts** of the Agency for the financial year ended 31 December 2009 were, "in all material respects, **legal and regular**".

The report again confirmed that the Agency's 2009 final budget amounted to EUR 17 million and that it employed 64 agents during the financial year.

The report also included comments on the Agency's budgetary and financial management, together with the Agency's replies. The main comments are as follows:

The Court's comments:

- there is significant room for the Agency to improve its budgetary and recruitment planning;
- for the award of certain framework contracts, the evaluation of financial offers were based on scenarios insufficiently representative of the requested services or abnormally low;
- unsatisfactory planning and follow-up of procurement.

The Agency's replies:

- measures are being taken to reduce the rate of the carry forward of the Agency's appropriations;
- measures to ensure that the scenarios used to assess bids are realistic (particular attention paid to the clarity and the documentation of the evaluation methods applied by the Evaluation Committee);
- measures taken to improve the programming and monitoring of the Agency's contracts.

Lastly, the Court of Auditor's report contained a summary of the **Agency's activities in 2009** in the following areas:

- cooperation in the framework of the Agency's RAXEN network (European Network on racism, xenophobia and related intolerances);
- publication of reports and studies;
- conference on fundamental rights and other awareness events;
- cooperation with the Member States and other European and international institutions.

2009 discharge: European Union Agency for Fundamental Rights FRA

2010/2168(DEC) - 10/05/2011 - Final act

PURPOSE: to grant discharge to the European Union Agency for Fundamental Rights in respect of the implementation of the Agency's budget for the financial year 2009.

NON-LEGISLATIVE ACT: Decision 2011/602/EU of the European Parliament on discharge in respect of the implementation of the budget of the European Union Agency for Fundamental Rights for the financial year 2009.

CONTENT: with the present decision, the European Parliament grants discharge to the Director of the European Union Agency for Fundamental Rights for the implementation of its budget for the financial year 2009.

This decision is in line with the European Parliament's resolution adopted on 10 May 2011 and comprises a series of observations that form an integral part of the discharge decision (please refer to the summary of the opinion of 10/05/2011).

A parallel decision, adopted on the same day, approves the closure of this Agency's accounts.

2009 discharge: European Union Agency for Fundamental Rights FRA

2010/2168(DEC) - 20/07/2010 - Non-legislative basic document

PURPOSE: presentation by the Commission of the consolidated annual accounts of the European Union for the financial year 2009, as part of the 2009 discharge procedure.

Analysis of the accounts of the **European Fundamental Rights Agency (FRA).**

CONTENT: this Commission document sets out the consolidated annual accounts of the European Union for the financial year 2009 as prepared on the basis of the information presented by the institutions, organisations and bodies of the EU, in accordance with Article 129 (2) of the Financial Regulation applicable to the EU's General Budget, including the European Fundamental Rights Agency (FRA).

In 2009, the tasks and budget of this agency were as follows:

- **description of FRA's tasks:** the Agency, which is located in Vienna, was established by Council Regulation (EC) No 168/2007. Its main objective is to provide the relevant authorities of the Union and its Member States with assistance and expertise when implementing Union law relating to fundamental rights.
- **FRA's budget for the 2009 financial year:** the Agency's 2009 budget amounted to EUR 17 million, compared with EUR 15 million the previous year. The number of staff employed by the Agency at the end of the year was 64, as compared to 47 in the previous year.

The complete version of FRA's final accounts may be found at the following address: www.fra.europa.eu/fraWebsite/home/home_ en.htm

2009 discharge: European Union Agency for Fundamental Rights FRA

2010/2168(DEC) - 10/05/2011 - Text adopted by Parliament, single reading

The European Parliament adopted by 523 votes to 81, with 29 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 the Agency's budget for the financial year 2009. The decision to grant discharge is also an approval of the closure of the accounts of this EU agency.

Noting that the Court of Auditors stated that it has obtained reasonable assurances that the annual accounts for the financial year 2009 are reliable and that the underlying transactions are legal and regular, Parliament adopted a resolution by 546 votes to 70, with 17 abstentions in which it makes 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 resolution on financial management and control of EU agencies (see DEC/2010/2271):

Budgetary and financial management: Parliament urges the Agency to improve its budgetary and recruitment planning in order to redress the lack of consistency between its budgetary and staff forecasting. According to the Court of Auditors, the Agency increased its operating budget by 38%, transferring EUR 1.9 million from Title I (staff) to Title III (operational activities). Parliament also calls on the Agency to make progress in ensuring, as far as possible, a realistic evaluation of tenders (given that the Court of Auditors reported on this issue in respect of the award of three framework contracts of a total amount of EUR 2.575 million where the financial offers differed considerably in both unit prices and the tenderers' estimates). It welcomes the Agency's resolution to improve the situation.

2009 discharge: European Union Agency for Fundamental Rights FRA

2010/2168(DEC) - 03/02/2011

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 2009, 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 2009.

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 2009 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 2009 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:

- **carry-over appropriations**: the Council is concerned about the high amount of appropriations carried over by the Agency to the next financial year. It calls upon the Agency to improve its budgetary and recruitment planning with a view to reducing carry-overs;
- **procurement procedures**: the Council also calls on the Agency to ensure that its procurement procedures are properly planned and implemented in order to ensure transparency, equal treatment and efficient use of financial resources.