Basic information

2012/2185(DEC) DEC - Discharge procedure	Procedure completed
2011 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	GERBRANDY Gerben-Jan (ALDE)	29/02/2012
	Shadow rapporteur SARVAMAA Petri (PPE) AYALA SENDER Inés (S&D) STAES Bart (Verts/ALE) BRADBOURN Philip (ECR) SØNDERGAARD Søren Bo (GUE/NGL) ANDREASEN Marta (EFD) EHRENHAUSER Martin (NI)	

Committee for opinion	Rapporteur for opinion	Appointed
LIBE Civil Liberties, Justice and Home Affairs	PAPANIKOLAOU Georgios (PPE)	05/11/2012

European Commission

Commission DG	Commissioner
Budget	ŠEMETA Algirdas

Key events

Date	Event	Reference	Summary
25/07/2012	Non-legislative basic document published	COM(2012)0436	Summary
13/09/2012	Committee referral announced in Parliament		

19/03/2013	Vote in committee		
22/03/2013	Committee report tabled for plenary	A7-0102/2013	Summary
16/04/2013	Debate in Parliament		
17/04/2013	Decision by Parliament	T7-0162/2013	Summary
17/04/2013	Results of vote in Parliament		
17/04/2013	End of procedure in Parliament		
16/11/2013	Final act published in Official Journal		

Technical information

Procedure reference	2012/2185(DEC)
Procedure type	DEC - Discharge procedure
Stage reached in procedure	Procedure completed
Committee dossier	CONT/7/10511

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE497.849	30/01/2013	
Amendments tabled in committee		PE497.850	27/02/2013	
Committee opinion	LIBE	PE500.654	01/03/2013	
Committee report tabled for plenary, single reading		A7-0102/2013	22/03/2013	Summary
Text adopted by Parliament, single reading		T7-0162/2013	17/04/2013	Summary

Council of the EU

Document type	Reference	Date	Summary
Document attached to the procedure	05753/2013	01/02/2013	Summary

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	COM(2012)0436	25/07/2012	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
		N7-0033/2013		

CofA	Court of Auditors: opinion, report	OJ C 388 15.12.2012, p. 0196	05/09/2012	Summary

Additional information		
Source	**Document**	**Date**
European Commission	EUR-Lex	

Final act	
Decision 2013/0608 OJ L 308 16.11.2013, p. 0319	Summary

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

2012/2185(DEC) - 25/07/2012 - Non-legislative basic document

PURPOSE: presentation by the Commission of the consolidated annual accounts of the European Union for the financial year 2011, as part of the 2011 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 2011 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 2011, 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 2011 financial year**: the Agency's budget for 2011**,** as presented in the Commission document on the consolidated annual accounts of the European Union**,** gives the following figures:
  - forecasted income budget: EUR 22 million;
  - entitlements established: EUR 22 million;
  - amounts received: EUR 22 million;
  - outstanding: EUR 0 million.

The complete version of FRA's final accounts may be found at the following address: http://fra.europa.eu/fraWebsite/about_fra/what_we_do/finance/finance_en.htm

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

2012/2185(DEC) - 05/09/2012 - Court of Auditors: opinion, report

PURPOSE: presentation of the EU Court of Auditors' report on the annual accounts of the European Fundamental Rights Agency (FRA), together with the Agency's reply.

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

This audit concerned, amongst others, the annual accounts of the European Fundamental Rights Agency (FRA).

In the Court's opinion, **the Agency's Annual Accounts fairly present, in all material respects, its financial position as of 31 December 2011** 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 report confirms that the Agency's 2011 budget amounted to EUR 20.18 million and that the number of staff employed by the Agency at the end of the year was 94.

The Court also considers that the **transactions underlying the annual accounts** of the Agency for the financial year ended 31 December 2011 are, in all material respects, **legal and regular**.

The Court's report makes no specific observation on the financial and budgetary management of the Agency.

Lastly, the Court of Auditors' report contains a summary of the **Agency's activities in 2011**. This is focused on the following:

- various activities in the framework of the RAXEN network (European Information Network on Racism and Xenophobia and FRALEX (legal experts network);
- publication of reports and research;
- meetings with Member States and European and international institutions.

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

2012/2185(DEC) - 01/02/2013

Having examined the revenue and expenditure accounts for the financial year 2011 and the balance sheet at 31 December 2011 of the European Union Agency for Fundamental Rights, as well as the Court of Auditors' report on the annual accounts of the Agency for the financial year 2011, accompanied by the Agency's replies to the Court's observations, the Council recommends the European Parliament to give a discharge to the Director of the Agency in respect of the implementation of the budget for the financial year 2011.

No comments were made in the recommendation.

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

2012/2185(DEC) - 22/03/2013 - Committee report tabled for plenary, single reading

The Committee on Budgetary Control adopted the report by Gerben-Jan GERBRANDY (ADLE, NL) 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.

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, Members approve the closure of FRA's accounts. However, they make 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**: Members recall 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**: Members acknowledge that in 2011, the Agency committed 100% of the appropriations received. They observe, however, that in terms of paid appropriations, the Agency's execution rate stands at only 27% for operational expenditure. They 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.

Lastly, Members made a series of observations as regards FRA's recruitment policies and internal audit procedures. Members also highlight that there were cases of alleged **psychological harassment** within the Agency.

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.
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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.

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

2012/2185(DEC) - 17/04/2013 - Final act

PURPOSE: to grant discharge to the European Union Agency for Fundamental Rights (FRA) for the financial year 2011.

NON-LEGISLATIVE ACT: Decision 2013/608/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 2011.

CONTENT: with the present decision, and in accordance with Article 319 of the Treaty on the Functioning of the European Union (TFEU), 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 2011.

This decision is in line with the European Parliament's resolution adopted on 17 April 2013 and comprises a series of observations that form an integral part of the discharge decision (please refer to the summary of the opinion of 17 April 2013).

A parallel decision, 2013/609/EU, adopted on the same day, approves the closure of this Agency's accounts for the 2011 financial year.