Basic information

2012/2197(DEC) DEC - Discharge procedure	Procedure completed
2011 discharge: European Network and Information Security Agency (ENISA) **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
ITRE Industry, Research and Energy	The committee decided not to give an opinion.	

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	A7-0100/2013	Summary
16/04/2013	Debate in Parliament		
17/04/2013	Decision by Parliament	T7-0153/2013	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	2012/2197(DEC)
Procedure type	DEC - Discharge procedure
Stage reached in procedure	Procedure completed
Committee dossier	CONT/7/10535

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE497.834	18/01/2013	
Amendments tabled in committee		PE497.882	27/02/2013	
Committee report tabled for plenary, single reading		A7-0100/2013	22/03/2013	Summary
Text adopted by Parliament, single reading		T7-0153/2013	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
CofA	Court of Auditors: opinion, report	N7-0025/2013 OJ C 388 15.12.2012, p. 0135	11/09/2012	Summary

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

Final act	
Decision 2013/0590 OJ L 308 16.11.2013, p. 0272	Summary

2011 discharge: European Network and Information Security Agency (ENISA)

2012/2197(DEC) - 11/09/2012 - Court of Auditors: opinion, report

PURPOSE: presentation of the EU Court of Auditors' report on the annual accounts of the European Network and Information Security Agency (ENISA) for the financial year 2011, together with the Agency's.

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 Network and Information Security Agency (ENISA).

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.

It considers that the **transactions underlying the annual accounts** of the Agency are, in all material respects, **legal and regular**.

The report confirms that the Agency's final 2011 budget was EUR 8.1 million and that the number of staff employed by the Agency at the end of the year was 51.

The report also makes a series of observations on the budgetary and financial management of the Agency, accompanied by the latter's response. The main observations may be summarised as follows:

Court's comments:

- carry-overs: a significant number of appropriations were carried over to 2012 were substantial. This high level of carry over is at odds with the budgetary principle of annuality;
- assets: the Court identified the need to improve the documentation of fixed assets. Purchases of fixed assets are recorded at invoice and not at item level;
- recruitment: the Agency needs to improve the transparency of recruitment procedures.

Agency's replies:

- to further reduce the carry overs, the Agency started its procurement planning for 2012 and managed to launch respective procurement procedures related to activities provided for in the Work Programme 2012 in the last quarter of 2011. This practice should show results at the end of 2012;
- the Agency has streamlined its asset management with the introduction of ABAC Assets, the asset management module introduced by the Commission and used by Institutions and Agencies;
- the Agency has adopted relevant guidelines on the recruitment of staff on 2 March 2012.

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

- improving cooperation: the principal goal of the first Work Stream was to support the European Commission and the Member States in building on current cooperation schemes to intensify the exchange of information and cooperation between Member States. This includes providing data and opinions to the Commission in order to assist them in drafting new regulation as well as the identification and promotion of

good practice in support of such legislation. This work fed into and takes into account the discussions at the European Forum for Member States (EFMS) and the European Public Private Partnership for Resilience (EP3R);

- improving Pan-European Critical Information Infrastructure Protection (CIIP) and Resilience: the objective of work stream 2 is to assist Member States in implementing secure and resilient ICT systems and to increase the level of protection of critical information infrastructures and services in Europe. This Work Stream is closely aligned with the CIIP Action Plan described in the Commission's communication of March 2009 and of March 2011. Much of this work also directly supports objectives laid down in the Internal Security Strategy document as well as the Digital Agenda. Work packages in the area of CIIP are, for the most part, a natural continuation of work carried out as part of the work programme of 2010. More specifically, the objectives of this work stream are: to enhance the operational capabilities of Member States by helping relevant stakeholders to increase their level of efficiency and effectiveness; to support and promote exercises on a pan-European level; to identify and address the information security challenges in CIIP; to identify and address information security issues in ICT and Interconnected Networks; to support to the EU-U.S. Working Group on Cyber-security and Cyber-crime established in the context of the EU-U. S. summit;
- promoting privacy and trust: this part comprised of four work packages (WPK): (i) understanding and analysing economic incentives and barriers to information security ; (ii) ensuring that privacy, identity and trust are correctly integrated into new services; (iii) supporting the implementation of article 4 of the ePrivacy Directive (2002/58/EC); (iv) promoting the establishment of a European Cyber Security month.

The Agency also collaborated with Member States on the organisation of a European Cybersecurity month.

2011 discharge: European Network and Information Security Agency (ENISA)

2012/2197(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 Network and Information Security Agency, 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 Executive Director of the Agency in respect of the implementation of the budget for the financial year 2011.

The observations in the Court of Auditors' report in relation to the financial year 2011 call for some comments by the Council, which may be summarised as follows:

- the Council welcomes the Court's opinion that, in all material respects, the Agency's annual accounts present fairly its financial position as at 31 December 2011 and the results of its operations and its cash flows for the year then ended, in accordance with the provisions of the Agency's Financial Regulation, and that the underlying transactions for that financial year are legal and regular;
- nevertheless, the Council urges the Agency to improve its **financial programming** and its monitoring of the budget implementation in order to reduce the amounts carried over to the next financial year, in line with the budgetary principle of annuality;
- the Council takes note of the weaknesses identified by the Court in the **Agency's assets management** and the corrective action taken by the Agency;
- lastly, as in previous years, the Council is concerned about the weaknesses identified by the Court in the Agency's selection procedures and urges the Agency to take the necessary measures to ensure transparency in the recruitment process.

2011 discharge: European Network and Information Security Agency (ENISA)

2012/2197(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 Executive Director of the European Network and Information Security Agency (ENISA) 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 the Agency for the financial year 2011 are reliable and that the underlying transactions are legal and regular, Members approve the closure of Agency'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 overall budget of the Agency for the year 2011 was EUR 8.1 million, which is slightly less than its budget for 2010. The initial contribution of the Union to the budget of the Agency amounted to EUR 7.9 million.
- **Implementation rate of appropriations and carryovers**: Members state that appropriations were committed at a rate of 100%, while payments reached 85.82% of the total appropriations managed. They are concerned that, once again, the Court of Auditors reported 33% of carryovers from the Agency's operational budget. This situation may cause delays in the implementation of the Agency's activities.

Lastly, Members made a series of observations as regards the Agency's procurement and recruitment procedures.

It should also be noted that Members are concerned that the work of the Agency would be **fragmented through a division of its headquarters between Athens and Heraklion**, which would significantly increase the Agency's operational costs and contradict the principle of sound financial management by adding financial and administrative burdens. To recall, the construction of the Agency's brand new high-tech building in Heraklion was completed in

2011 with a cost of EUR 6 million. Members call for a cost-benefit analysis to be undertaken of the division of the Agency's headquarters and of the resulting parallel functioning in two cities.

2011 discharge: European Network and Information Security Agency (ENISA)

2012/2197(DEC) - 17/04/2013 - Text adopted by Parliament, single reading

The European Parliament adopted a decision on discharge to be granted to the Executive Director of the European Network and Information Security Agency (ENISA) 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 the Agency 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 overall budget of the Agency for the year 2011 was EUR 8.1 million, which is slightly less than its budget for 2010. The initial contribution of the Union to the budget of the Agency amounted to EUR 7.9 million.
- **Implementation rate of appropriations and carryovers**: it also states that appropriations were committed at a rate of 100%, while payments reached 85.82% of the total appropriations managed. It is concerned that, once again, the Court of Auditors reported 33% of carryovers from the Agency's operational budget. This situation may cause delays in the implementation of the Agency's activities.
- **Seat**: by 344 votes to 324, with 6 abstentions, Plenary did not accept the paragraph relating to the division of the Agency's headquarters between Athens and Heraklion. It expressed concerns are regards the financial impact of the eventual move.

Lastly, Parliament made a series of observations as regards the Agency's procurement and recruitment procedures.

2011 discharge: European Network and Information Security Agency (ENISA)

2012/2197(DEC) - 17/04/2013 - Final act

PURPOSE: to grant discharge to the European Network and Information Security Agency for the financial year 2011.

NON-LEGISLATIVE ACT: Decision 2013/590/EU of the European Parliament on discharge in respect of the implementation of the budget of the European Network and Information Security Agency 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 Executive Director of ENISA 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, 2013/591/EU, adopted on the same day, approves the closure of this Agency's accounts for the 2011 financial year.

2011 discharge: European Network and Information Security Agency (ENISA)

2012/2197(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 Network and Information Security Agency (ENISA).**

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 Network and Information Security Agency (ENISA).

In 2011, the tasks and budget of this agency were as follows:

- **description of the Agency's tasks**: ENISA, which is located in Heraklion, Greece, was established under Regulation 460/2004/EC of the European Parliament and of the Council and its main task is to enhance the Community's capability to prevent and respond to network and information security problems by building on national and Community efforts.

- **ENISA'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 8 million;
    - entitlements established: EUR 8 million;
    - amounts received: EUR 8 million;
    - outstanding: EUR 0 million.

The complete version of the Agency's final accounts may be found at the following address: http://www.enisa.europa.eu/about-enisa/accounting-finance