Basic information

2012/2205(DEC) DEC - Discharge procedure	Procedure completed
2011 discharge: European Police Office (EUROPOL) **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		
21/03/2013	Committee report tabled for plenary	A7-0083/2013	Summary
16/04/2013	Debate in Parliament		
17/04/2013	Decision by Parliament	T7-0161/2013	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	2012/2205(DEC)
Procedure type	DEC - Discharge procedure
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	CONT/7/10553

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE497.847	25/01/2013	
Amendments tabled in committee		PE497.848	27/02/2013	
Committee opinion	LIBE	PE500.644	01/03/2013	
Committee report tabled for plenary, single reading		A7-0083/2013	21/03/2013	Summary
Text adopted by Parliament, single reading		T7-0161/2013	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	N7-0032/2013 OJ C 388 15.12.2012, p. 0187	18/09/2012	Summary

Additional information		
Source	Document	Date
European Commission	EUR-Lex	

Final act	
Decision 2013/0606 OJ L 308 16.11.2013, p. 0313	Summary

2011 discharge: European Police Office (EUROPOL)

2012/2205(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 Police Office (EUROPOL).**

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 Police Office (EUROPOL).

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

- **description of EUROPOL's tasks**: the European Police Office (the Office), which is located in The Hague, was established by Council Decision 2009/371/JHA. The objective of the Office is to support and strengthen action by the competent authorities of the Member States and their mutual cooperation in preventing and combating organised crime, terrorism and other forms of serious crime affecting two or more Member States;
- **EUROPOL's budget for the 2011 financial year**: EUROPOL’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 85 million;
    - entitlements established: EUR 85 million;
    - amounts received: EUR 85 million;
    - outstanding: EUR 0 million.

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

https://www.europol.europa.eu/content/page/annual-accounts-1337

2011 discharge: European Police Office (EUROPOL)

2012/2205(DEC) - 18/09/2012 - Court of Auditors: opinion, report

PURPOSE: presentation of the EU Court of Auditors’ report on the annual accounts of the European Police Office (Europol) for the financial year 2011, together with the Office’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 Joint Undertaking for the European Police Office (Europol).

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

The report confirms that Europol's 2011 budget amounted to EUR 84.8 million and that the number of staff employed by Europol at the end of the year was 555.

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

Court's comments:

- carry-overs and cancellations: the high carry-over and cancellation rates and also the high number of 11 budget transfers made in 2011 indicate difficulties in the planning and/or implementation of the Office's activities. The level of payments against commitments was low and is at odds with the budgetary principle of annuality;
- assets: weaknesses were found as regards the physical verification and recording of assets before and after the move to the new headquarters. In addition, insurance contracts do not reflect the value of the Office's assets;
- public procurement: the Court notes that there is considerable room for improving the preparation, execution and documentation of procurement procedures;
- building policy: the general conditions of the contract between the Office and the host country on the use of the new headquarters do not include any provision for dilapidation costs;
- recruitment: there is considerable room for improving the transparency of recruitment procedures.

Europol's replies:

- Europol notes that its carry-overs have been reduced. Special circumstances during 2011 held up budget implementation, such as the delayed move (3 months) to the new building;
- exceptions in the area of recruitment, procurement activities and all financial transactions are recorded. Europol states that it has developed an own Process Framework (PF) which is based on and recognises applicable standards and norms. Considerable efforts were undertaken to confirm the physical location of the concerned assets for the final accounts;
- dilapidation costs for the new building of Europol and the external disaster recovery site were reflected as contingent liabilities in the final annual accounts 2011. Europol will seek independent reassurance concerning the estimated costs, taking into account the costs such a review will imply.

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

- operational products and services: the Office supported competent authorities in EU Member States in 13 697 cross–border cases, an increase of 17% over 2010. 21% of these cross border cases were related to drugs; Europol initiated or actively supported 694 investigations in the Member States with in-depth analytical and operational support, most of which are still ongoing; it supported 17 Joint Investigation Teams in 2011 as a full member;
- special actions: Europol intensively supported the establishment and implementation of the EU Policy Cycle 2011-2013 which is based on the Organised Crime Threat Assessment (OCTA) 2011. A dedicated unit within Europol continued to fulfil Europol's role in the Terrorist Finance Tracking Programme (TFTP) and processed all related US requests and information leads;
- strategic analysis capability: strategic analysis reports;
- internal reorganisation: Europol liaison officers ensure a live link between Europol headquarters in The Hague and 27 Europol National Units in the national capitals of the Member States. It also hosts liaison officers from 10 non-EU countries and organisations who work together with Europol on the basis of cooperation agreements;
- capacity building expertise in key areas: ex. : online crimes, including hacking and identity theft, sexual exploitation of children, mass marketing fraud, credit card fraud and theft of intellectual property;
- external relations: Europol cooperates with a number of EU partners, and with third countries and organisations. The exchange of information with these partners takes place on the basis of cooperation agreements. Europol currently cooperates with 18 non-EU countries, 9 EU bodies and agencies and 3 other international organisations, including Interpol,

2011 discharge: European Police Office (EUROPOL)

2012/2205(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 Police Office, as well

as the Court of Auditors' report on the annual accounts of Europol for the financial year 2011, accompanied by Europol's replies to the Court's observations, the Council recommends the European Parliament to give a discharge to the Director of Europol 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, Europol'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 Europol's Financial Regulation, and that the underlying transactions for that financial year are legal and regular;

- nevertheless, the Council urges Europol to continue to improve its financial programming and monitoring of the budget implementation in order to **improve budget execution and to reduce the number of budgetary transfers and the amounts carried over to the next financial year**, in line with the budgetary principleof annuality;
- regarding Europol's supervisory and control systems, the Council is concerned about the weaknesses detected by the Court. It regrets that the procedures concerning the management of exceptions are not yet adopted and that the accounting system has not been fully validated by the Accounting Officer. Moreover, the Council recommends to further improve the preparation, execution and **documentation of procurement procedures**;
- it urges Europol to adopt Implementing Rules, as referred to in its Financial Regulation;
- lastly, the Council encourages Europol to pursue its efforts to address the shortcomings detected by the Court in its staff recruitment procedures.

2011 discharge: European Police Office (EUROPOL)

2012/2205(DEC) - 21/03/2013 - 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 Police Office (EUROPOL) 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 Office for the financial year 2011 are reliable and that the underlying transactions are legal and regular, Members approve the closure of EUROPOL'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**: the Office's overall budget for 2011 was EUR 84.8 million, which represents a decrease of 7.69% compared to 2010. The contribution of the Union to the Office's budget of for 2011 was EUR 83.46 million.
- **Implementation rate of appropriations and carryovers**: noting the good rate of overall implementation on the one hand, Members deplore that more than EUR 1.9 million had to be cancelled. They call on the Office to inform the discharge authority of the actions taken to address those deficiencies, as the high carry-over and cancellation rates indicate difficulties in the planning and/or implementation of the Office's activities.

Lastly, Members made a series of observations as regards the Office's recruitment procedures, assets, validation system, financial regulation as well as its internal audit systems. They also believe that **common elements between the Office and the European Police College should be explored further**. They reiterate their call on the Commission to prepare a comprehensive impact assessment regarding a **potential merger of those two Agencies** setting out the cost and benefits, considering the complementarities between the Office and the European Police College and the potential synergies, and to evaluate whether the merger could lead to economies of scale and optimisation of the performance in cross-border cooperation in the fight against crime.

2011 discharge: European Police Office (EUROPOL)

2012/2205(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 Police Office (EUROPOL) 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 EUROPOL 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:** the Office's overall budget for 2011 was EUR 84.8 million, which represents a decrease of 7.69% compared to 2010. The contribution of the Union to the Office's budget of for 2011 was EUR 83.46 million.
- **Implementation rate of appropriations and carryovers:** noting the good rate of overall implementation on the one hand, Parliament regrets that more than EUR 1.9 million had to be cancelled. It calls on the Office to inform the discharge authority of the actions taken to address those deficiencies, as the high carry-over and cancellation rates indicate difficulties in the planning and/or implementation of the Office's activities.
- **Assets:** Parliament also notes weaknesses were found as regards the physical verification and recording of assets before and after the move to the new headquarters and expects the Office to remedy the situation.

Parliament believes that **common elements between the Office and the European Police College should be explored further**. It reiterates its call on the Commission to prepare a comprehensive impact assessment regarding a **potential merger of those two Agencies** setting out the cost and benefits, considering the complementarities between the Office and the European Police College and the potential synergies.

Lastly, Parliament makes a series of observations as regards the Office's recruitment procedures, validation system, financial regulation, as well as its internal audit systems.

2011 discharge: European Police Office (EUROPOL)

2012/2205(DEC) - 17/04/2013 - Final act

PURPOSE: to grant discharge to the European Police Office (EUROPOL) for the financial year 2011.

NON-LEGISLATIVE ACT: Decision 2013/606/EU of the European Parliament on discharge in respect of the implementation of the budget of EUROPOL 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 EUROPOL 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, 2013/607/EU, adopted on the same day, approves the closure of this Agency's accounts for the 2011 financial year.