Basic information

2013/2245(DEC) DEC - Discharge procedure	Procedure completed
2012 discharge: European Asylum Support Office (EASO) **Subject** 8.70.03.07 Previous discharges	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
CONT Budgetary Control	SARVAMAA Petri (PPE)	10/10/2013
	Shadow rapporteur KADENBACH Karin (S&D) GERBRANDY Gerben-Jan (ALDE) STAES Bart (Verts/ALE) ANDREASEN Marta (ECR) DE JONG Dennis (GUE/NGL) VANHECKE Frank (EFD) EHRENHAUSER Martin (NI)	

Committee for opinion	Rapporteur for opinion	Appointed
LIBE Civil Liberties, Justice and Home Affairs	MATHIEU HOUILLON Véronique (PPE)	04/11/2013

European Commission

Commission DG	Commissioner
Budget	ŠEMETA Algirdas

Key events

Date	Event	Reference	Summary
26/07/2013	Non-legislative basic document published	COM(2013)0570	Summary
22/10/2013	Committee referral announced in Parliament		

17/03/2014	Vote in committee		
20/03/2014	Committee report tabled for plenary	A7-0187/2014	Summary
02/04/2014	Debate in Parliament		
03/04/2014	Decision by Parliament	T7-0306/2014	Summary
03/04/2014	Results of vote in Parliament		
03/04/2014	End of procedure in Parliament		
05/09/2014	Final act published in Official Journal		

Technical information

Procedure reference	2013/2245(DEC)
Procedure type	DEC - Discharge procedure
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	CONT/7/14170

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE521.656	23/01/2014	
Committee opinion	LIBE	PE524.744	24/02/2014	
Amendments tabled in committee		PE521.819	25/02/2014	
Committee report tabled for plenary, single reading		A7-0187/2014	20/03/2014	Summary
Text adopted by Parliament, single reading		T7-0306/2014	03/04/2014	Summary

Council of the EU

Document type	Reference	Date	Summary
Document attached to the procedure	05849/2014	05/02/2014	Summary

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	COM(2013)0570	26/07/2013	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary

CofA	Court of Auditors: opinion, report	N7-0017/2014 OJ C 365 13.12.2013, p. 0073	10/09/2013	Summary

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

Final act	
Budget 2014/0571 OJ L 266 05.09.2014, p. 0187	Summary

2012 discharge: European Asylum Support Office (EASO)

2013/2245(DEC) - 03/04/2014 - Text adopted by Parliament, single reading

The European Parliament adopted a decision concerning the discharge to be granted to the Executive Director of the European Asylum Support Office discharge in respect of the implementation of the Office's budget for the financial year 2012. The vote on the discharge decision approved the closure of the accounts (in accordance with Annex VI, Article 5(1) of the Rules of Procedure of the European Parliament.

Noting that the Court of Auditors stated that it has obtained reasonable assurances that the annual accounts of the Agency for the financial year 2012 are reliable, and that the underlying transactions are legal and regular, Parliament adopted by 509 votes to 72, with 16 abstentions, a resolution containing a series of recommendations that form an integral part of the discharge decision and as well as the general recommendations that appear in the draft resolution on performance, financial management and control of EU agencies.

These recommendations are summarised as follows:

- **Financing, budget and financial management**: Parliament noted that the Office was granted financial autonomy on 20 September 2012, its budget having been implemented by the Commission until that date. Furthermore, the Office's budget for the financial year 2012 was EUR 10 million, and budget monitoring efforts during the financial year 2012 resulted in a budget implementation rate of 69%.
- **Carryovers**: Parliament noted that the budgetary needs for 2012 were considerably overestimated as only EUR 4.8 million out of EUR 7 million transferred upon receiving financial autonomy were committed. It expressed concern that the committed appropriations of EUR 3.2 had been carried over, representing 65.13 % of the total committed appropriations for the period of financial autonomy. Parliament reminded the Office that a **high level of carry-overs was at odds with the budgetary principle of annuality** and invited the Office to improve its performance in this regard. It acknowledged, however, that the carry-overs were mostly related to invoices not yet received or paid at the end of the year and to pending reimbursements for costs relating to experts. It also acknowledged that approximately EUR 800 000 concerned refurbishment work carried out at the Office’s premises in 2012. Parliament went onto note with concern that a carry-over of EUR 2 000 00 was not covered by a legal commitment (contract) and was therefore irregular. It called on the Office to inform the discharge authority on the steps taken to prevent similar situations in the future.
- **Performance**: Parliament requested that the Office communicate the results and impact its work has on European citizens in an accessible way, mainly through its website. It took the view that at the very minimum, the Office’s annual activity report should be published in all official languages of the Union, and not only in English as it is at present.

Parliament also made a series of observations on transfers, procurement and recruitment procedures as well as comments on internal controls.

Lastly, it acknowledged from the Office that it had adopted a policy on the prevention and management of conflicts of interest, which aimed at setting out a number of principles, procedures and tools intended to prevent, identify and manage situations of conflicts of interest. However, they called on the Office to make publicly available the Declarations of Interests of certain members.

2012 discharge: European Asylum Support Office (EASO)

2013/2245(DEC) - 26/07/2013 - Non-legislative basic document

PURPOSE: presentation by the Commission of the consolidated annual accounts of the European Union for the financial year 2012, as part of the 2012 discharge procedure.

Analysis of the accounts of the European Asylum Support Office (EASO) – new Agency.

CONTENT: this Commission document sets out the consolidated annual accounts of the European Union for the financial year 2012 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 Asylum Support Office (EASO).

In 2012, the tasks and budget of the Office were as follows:

- **description of the tasks of the Office**: the Office was set up under Regulation 439/2010 of the European Parliament and of the Council. Its main aim is to help to improve the implementation of the Common European Asylum System (the CEAS), to strengthen practical cooperation among Member States and to provide and/or coordinate the provision of operational support to Member States subject to particular pressure on their asylum and reception systems;

- **commitment and payment appropriations for the year 2012** : the accounts of the Office for the year 2012 as presented by the Commission in its document on the consolidated annual accounts of the European Union are as follows:

  § **Commitment appropriations** :

  - **committed** : EUR 7 million;

  - **paid** : EUR 5 million;

  - **carried-over** : 0.

  § **Payment appropriations** :

  - **committed** : EUR 6 million;

  - **paid** : EUR 2 million;

  - **carried-over** : EUR 2 million.

Please refer also to the Final Accounts of the European Asylum Support Office.

2012 discharge: European Asylum Support Office (EASO)

2013/2245(DEC) - 05/02/2014 - Document attached to the procedure

Having examined the revenue and expenditure accounts for the financial year 2012 and the balance sheet at 31 December 2012 of the European Asylum Support Office (EASO, as well as the Court of Auditors' report on the annual accounts of the Institute for the financial year 2012, accompanied by the Institute's replies to the Court's observations, the Council recommends the European Parliament to give a discharge to the Director of the Office in respect of the implementation of the budget for the financial year 2012.

The observations in the Court of Auditors' report in relation to the financial year 2012 call for some comments by the Council, which may be summarised as follows:

- in general, the Council welcomes the Court's opinion that, in all material respects, the Office's annual accounts present fairly its financial position as at 31 December 2012 and the results of its operations and its cash flows for the year then ended, in accordance with the provisions of the Office's Financial Regulation and the accounting rules adopted by the Commission's accounting officer, and that the underlying transactions for that financial year are legal and regular.
- **Carry-overs**: the Council regrets that the Office's accounting system has not yet been validated by the Accounting Officer and that certain appropriations carried over to the next year are not covered by a legal commitment. It calls on the Office to remedy the situation in compliance with the Financial Regulation.
- **Inventory**: the Council also calls on the Office to set up a physical inventory, to fully implement the internal control standards and to respect the deadlines of payments as set in the Financial Regulation.
- **Budget transfers**: furthermore, the Council urges the Office to improve its financial programming and monitoring of the budget implementation, with the aim to improve budget execution and to reduce budgetary transfers and amounts carried over to the next financial year, in line with the budgetary principles of specification and annuality.
- **Justification of expenses**: the Council also invites the Office to monitor the expenses paid to external experts and to verify whether the flat-rate reimbursements correspond to the costs incurred. It also invites the Office in cooperation with the Commission and the host Member State to clarify the situation relating to the financing of the renovation of the building offered to the Office.
- **Recruitment**: lastly, the Council encourages the Office to pursue efforts in order to address the shortcomings detected by the Court regarding its staff recruitment procedures.

2012 discharge: European Asylum Support Office (EASO)

2013/2245(DEC) - 20/03/2014 - Committee report tabled for plenary, single reading

The Committee on Budgetary Control adopted the report by Petri SARVAMAA (EPP, FI) on discharge in respect of the implementation of the budget of the European Asylum Support Office for the financial year 2012 and called on the European Parliament to grant the Executive Director of the European Asylum Support Office discharge in respect of the implementation of the Office's budget for the financial year 2012.

Noting that the Court of Auditors stated that it has obtained reasonable assurances that the annual accounts of the Authority for the financial year 2012 are reliable and that the underlying transactions are legal and regular, Members approve the closure of the Office's accounts. However, they made 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 noted that the Office was granted financial autonomy on 20 September 2012, its budget having been implemented by the Commission until that date. Furthermore, the Office's budget for the financial year 2012 was EUR 10million, and budget monitoring efforts during the financial year 2012 resulted in a budget implementation rate of 69%.

Carryovers: the committee noted that the budgetary needs for 2012 were considerably overestimated as only EUR 4.8 million out of EUR 7 million transferred upon receiving financial autonomy were committed. It expressed concern that the committed appropriations of EUR 3.2 had been carried over, representing 65.13 % of the total committed appropriations for the period of financial autonomy. Members reminded the Office that a **high level of carry-overs was at odds with the budgetary principle of annuality** and invited the Office to improve its performance in this regard. They acknowledged, however, that the carry-overs were mostly related to invoices not yet received or paid at the end of the year and to pending reimbursements for costs relating to experts. They also acknowledged that approximately EUR 800 000 concerned refurbishment work carried out at the Office's premises in 2012. Members went onto note with concern that a carry-over of EUR 2 000 00 was not covered by a legal commitment (contract) and was therefore irregular. They called on the Office to inform the discharge authority on the steps taken to prevent similar situations in the future.

Members also made a series of observations on transfers, procurement and recruitment procedures as well as comments on internal controls.

Lastly, they acknowledged from the Office that it had adopted a policy on the prevention and management of conflicts of interest, which aimed at setting out a number of principles, procedures and tools intended to prevent, identify and manage situations of conflicts of interest. However, they called on the Office to make publicly available the Declarations of Interests of certain members.

2012 discharge: European Asylum Support Office (EASO)

2013/2245(DEC) - 10/09/2013 - Court of Auditors: opinion, report

PURPOSE: presentation of the EU Court of Auditors' report on the annual accounts of the European Asylum Support Office for the year 2012, 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 Asylum Support Office (EASO).

In the Court's opinion, the European Asylum Support Office's **Annual Accounts fairly present, in all material respects, its financial position as of 31 December 2012** and the results of its operations and its cash flows for the year then ended, in accordance with the provisions of its Financial Regulation and the accounting rules adopted by the Commission's accounting officer.

The Court also considers that the **transactions underlying the annual accounts** of the Office for the financial year ended 31 December 2012 are, in all material respects, **legal and regular.**

The report confirms that EASO's 2012 budget amounted to EUR 10 million.

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

The Court's observations:

- irregularities: a carry-over of EUR 200 000 was not covered by a legal commitment and was therefore irregular. Furthermore, fifty payments, representing about 20 % of the total amount of payments, were made after the deadlines set by the Financial Regulation;
- financial management: the budgetary needs for 2012 were considerably over-estimated: only EUR 4.8 million out of the EUR 7 million transferred upon receiving financial autonomy were committed;
- EASO's seat: to host EASO, the Maltese Government offered the building and the lease agreement stipulates that the premises are being transferred in a finished state with essential service points being provided. For the building to become functional, however, it needed to be adapted at an estimated cost of EUR 4.3 million, of which EUR 3.8 million was to be covered by the Commission. Furthermore EASO will pay rent amounting to some EUR 3.7 million over a nine-year period. The Commission had informed the European Parliament and Council about the host arrangements and the fact that the building required some adaptation to be financed by the Maltese Government and the Commission. Although the budgetary authorities were informed about the project, there is no evidence that they were aware of the expected costs and the EU's share thereof.

EASO's reply:

- financial management: during the start-up phase of EASO and prior to financial independence, several provisional commitments were established to cover different type of expenditures. Before financial independence, it was decided not to de-commit them. At the end of 2012, it was decided to carry forward the commitments to 2013, in order to ensure that (possible outstanding) 2012 related payment requests were covered by a budgetary commitment. Currently, EASO continuously monitors the consumption of budgetary commitments. This will ensure a regular carrying forward to 2014 ;

- seat: the Commission awarded a de facto grant to the Maltese Ministry of Justice and Home Affairs on the basis of the annual financing decision of DG JLS/HOME for agencies, where the aim was to carry out the necessary fitting-out and installation of security equipment in the EASO building provided by the Maltese Government.

Lastly, the Court of Auditors' report contains **a summary of the Institute's activities in 2012**. This is focused on the following:

- permanent support: EASO developed a quality assessment methodology, organised 16 COI meetings with Working parties and the Task Force, published two COI reports on Afghanistan, organised three workshops for practical cooperation and arranged four expert meetings on unaccompanied minors ;
- special support: EASO launched special support for Sweden and presented its evaluation report on relocation projects to the Commission, the Council and the European Parliament ;
- Emergency support: EASO gave emergency support to Greece for a full year, and to Luxembourg in February 2012 ;
- information and analysis support: EASO published its annual report on the state of asylum in the EU in 2011.

2012 discharge: European Asylum Support Office (EASO)

2013/2245(DEC) - 03/04/2014 - Final act

PURPOSE: to grant discharge to the European Asylum Support Office (EASO) for the financial year 2012.

NON-LEGISLATIVE ACT: Decision 2014/571/EU of the European Parliament on discharge in respect of the implementation of the budget of the European Asylum Support Office for the financial year 2012.

CONTENT: with the present decision, the European Parliament grants discharge to the Executive Director of the European Asylum Support Office in respect of its budget for the financial year 2012.

This decision is in line with the European Parliament's resolution adopted on 3 April 2014 and comprises a series of observations that form an integral part of the discharge decision (please refer to the summary of the opinion of 3 April 2014).

Amongst the main observations made, Parliament regretted the comments made by the Court of Auditors on the **legality and regularity of the transactions** of the Office and called on it to improve the situation brought to light by the Court.