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REPORT

on the discharge for implementation of the European Union general budget for the financial year 2010, Section VIII – European Ombudsman
(COM(2011)0473 – C7-0263/2011 – 2011/2208(DEC))

Committee on Budgetary Control

Rapporteur: Inés Ayala Sender

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1. PROPOSAL FOR A EUROPEAN PARLIAMENT DECISION

on the discharge for implementation of the European Union general budget for the financial year 2010, Section VIII – European Ombudsman (COM(2011)0473 – C7-0263/2011 – 2011/2208(DEC))

The European Parliament,

- having regard to the European Union general budget for the financial year 2010¹,
 - having regard to the annual accounts of the European Union for the financial year 2010 (COM(2011)0473 – C7-0263/2011)²,
 - having regard to the European Ombudsman's annual report to the discharge authority on internal audits carried out in 2010,
 - having regard to the Annual Report of the Court of Auditors on implementation of the budget for the financial year 2010, together with the institutions' replies³,
 - having regard to the statement of assurance⁴ as to the reliability of the accounts and the legality and regularity of the underlying transactions provided by the Court of Auditors for the financial year 2010 pursuant to Article 287 of the Treaty on the Functioning of the European Union,
 - having regard to Article 314(10) and Articles 317, 318 and 319 of the Treaty on the Functioning of the European Union,
 - having regard to Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities⁵, and in particular Articles 50, 86, 145, 146 and 147 thereof,
 - having regard to Rule 77 of, and Annex VI to, its Rules of Procedure,
 - having regard to the report of the Committee on Budgetary Control (A7-0089/2012),
1. Grants the European Ombudsman discharge for budget implementation in the financial year 2010;
 2. Sets out its observations in the resolution below;

¹ OJ L 64, 12.3.2010.

² OJ C 332, 14.11.2011, p. 1.

³ OJ C 326, 10.11.2011, p. 1.

⁴ OJ C 332, 14.11.2011, p. 134.

⁵ OJ L 248, 16.9.2002, p. 1.

3. Instructs its President to forward this decision and the resolution that forms an integral part of it to the Council, the Commission, the Court of Justice, the Court of Auditors, the European Ombudsman and the European Data Protection Supervisor, and to arrange for their publication in the Official Journal of the European Union (L series).

2. MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

with observations forming an integral part of the decision on the discharge for implementation of the European Union general budget for the financial year 2010, Section VIII – European Ombudsman (COM(2011)0473 – C7-0263/2011 – 2011/2208(DEC))

The European Parliament,

- having regard to the European Union general budget for the financial year 2010¹,
 - having regard to the annual accounts of the European Union for the financial year 2010 (COM(2011)0473 – C7-0263/2011)²,
 - having regard to the European Ombudsman's annual report to the discharge authority on internal audits carried out in 2010,
 - having regard to the Annual Report of the Court of Auditors on implementation of the budget for the financial year 2010, together with the institutions' replies³,
 - having regard to the statement of assurance⁴ as to the reliability of the accounts and the legality and regularity of the underlying transactions provided by the Court of Auditors for the financial year 2010 pursuant to Article 287 of the Treaty on the Functioning of the European Union,
 - having regard to Article 314(10) and Articles 317, 318 and 319 of the Treaty on the Functioning of the European Union,
 - having regard to Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities⁵, and in particular Articles 50, 86, 145, 146 and 147 thereof,
 - having regard to Rule 77 of, and Annex VI to, its Rules of Procedure,
 - having regard to the report of the Committee on Budgetary Control (A7-0089/2012),
1. Stresses that in point 7.31 of its 2010 annual report the Court of Auditors states that it 'has no observation to make on the European Ombudsman'; points out, nonetheless, that the Court of Auditors had asked the European Ombudsman (the Ombudsman) to draft provisions on the procedures for recruitment of temporary staff; considers that the Court of Auditors should have notified it of the outcome;
 2. Notes that in 2010 the Ombudsman had available a total of EUR 9 332 275 in

¹ OJ L 64, 12.3.2010.

² OJ C 332, 14.11.2011, p. 1.

³ OJ C 326, 10.11.2011, p. 1.

⁴ OJ C 332, 14.11.2011, p. 134.

⁵ OJ L 248, 16.9.2002, p. 1.

commitment appropriations (as against EUR 9 000 000 in 2009) and that the utilisation rate for those appropriations was 89.65%, which was below the average for the other institutions and two percentage points lower than the utilisation rate for the previous year (91.98%); points out, however, that the lower outturn is due mainly to a fluctuation in staff numbers and stresses that the Ombudsman has a purely administrative budget, 79% of which is accounted for by expenditure relating to persons working with the institution, 15% by buildings, furniture, equipment and miscellaneous operating expenditure, and 6% by expenditure resulting from general functions carried out by the institution;

3. Calls for better financial planning ensuring more efficient budget implementation;
4. Welcomes the fact that the Ombudsman included key performance indicators in the 2010 action plan, together with a scoreboard, thus enabling performance to be measured using a benchmarking system; welcomes the progress made throughout the year;
5. Calls, however, for the number and proportion of cases in which admissibility decisions are taken within one month to be further increased; notes that the current proportion is 66%;
6. Calls also for the number and proportion of inquiries that are completed within less than 12 months to continue to increase; notes that the current proportion is 66%;
7. Welcomes the fact that a new procedure has been introduced for the recruitment of temporary staff and the calculation of individual entitlements;
8. Welcomes the audit carried out by the Internal Audit Service in 2010, which took account of observations made in 2009 and concluded that, subject to implementation of the agreed measures, the management and control system is effective;
9. Points out that Parliament adopted an own-initiative report on the annual report on the European Ombudsman's activities in 2010 only recently, on 27 October 2011¹, and therefore does not wish to add to the observations made therein;
10. Calls for the annual report on the European Ombudsman's activities in 2011 to contain a section on any action taken on Parliament's discharge resolution, together with a comprehensive table of all the human resources available to the Ombudsman, showing their category, grade and gender, participation in professional training and nationality.

¹ Texts adopted, P7_TA(2011)0467.

RESULT OF FINAL VOTE IN COMMITTEE

Date adopted	27.3.2012
Result of final vote	+: 24 -: 1 0: 0
Members present for the final vote	Marta Andreasen, Jean-Pierre Audy, Inés Ayala Sender, Andrea Češková, Ryszard Czarnecki, Tamás Deutsch, Martin Ehrenhauser, Jens Geier, Gerben-Jan Gerbrandy, Ingeborg Gräßle, Bogusław Liberadzki, Monica Luisa Macovei, Jan Mulder, Eva Ortiz Vilella, Aldo Patriciello, Crescenzo Rivellini, Petri Sarvamaa, Bogusław Sonik, Bart Staes, Georgios Stavrakakis, Søren Bo Søndergaard, Michael Theurer
Substitute(s) present for the final vote	Amelia Andersdotter, Zuzana Brzobohatá, Edit Herczog, Marian-Jean Marinescu, Véronique Mathieu, Olle Schmidt, Derek Vaughan