



EUROPEAN PARLIAMENT

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*Committee on Budgetary Control*

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**2013/2203(DEC)**

27.1.2014

## **DRAFT REPORT**

on discharge in respect of the implementation of the general budget of the European Union for the financial year 2012, Section VIII – European Ombudsman  
(COM(2013)0570 – C7-0280/2013 – 2013/2203(DEC))

Committee on Budgetary Control

Rapporteur: Bogusław Sonik

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## 1. PROPOSAL FOR A EUROPEAN PARLIAMENT DECISION

### **on discharge in respect of the implementation of the general budget of the European Union for the financial year 2012, Section VIII – European Ombudsman (COM(2013)0570 – C7-0280/2013 – 2013/2203(DEC))**

*The European Parliament,*

- having regard to the general budget of the European Union for the financial year 2012<sup>1</sup>,
  - having regard to the consolidated annual accounts of the European Union for the financial year 2012 (COM(2013)0570 – C7-0280/2013)<sup>2</sup>,
  - having regard to the Annual Report of the Court of Auditors on implementation of the budget for the financial year 2012, together with the institutions' replies<sup>3</sup>,
  - having regard to the statement of assurance<sup>4</sup> 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 2012 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 Communities<sup>5</sup>, and in particular Articles 50, 86, 145, 146 and 147 thereof,
  - having regard to Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002<sup>6</sup>, and in particular Articles 164, 165 and 166 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 (A7-0000/2014),
1. Grants the European Ombudsman discharge in respect of the implementation of the European Ombudsman's budget for the financial year 2012 / Postpones its decision on granting the European Ombudsman discharge in respect of the implementation of the European Ombudsman's budget for the financial year 2012;
  2. Sets out its observations in the resolution below;

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<sup>1</sup> OJ L 56, 29.2.2012.

<sup>2</sup> OJ C 334, 15.11.2013, p. 1.

<sup>3</sup> OJ C 331, 14.11.2013, p. 1.

<sup>4</sup> OJ C 334, 15.11.2013, p. 122.

<sup>5</sup> OJ L 248, 16.9.2002, p. 1.

<sup>6</sup> OJ L 298, 26.10.2012, 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 of the European Union, 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 general budget of the European Union for the financial year 2012, Section VIII – European Ombudsman (COM(2013)0570 – C7-0280/2013 – 2013/2203(DEC))**

*The European Parliament,*

- having regard to the general budget of the European Union for the financial year 2012<sup>1</sup>,
  - having regard to the consolidated annual accounts of the European Union for the financial year 2012 (COM(2013)0570 – C7-0280/2013)<sup>2</sup>,
  - having regard to the Annual Report of the Court of Auditors on implementation of the budget for the financial year 2012, together with the institutions' replies<sup>3</sup>,
  - having regard to the statement of assurance<sup>4</sup> 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 2012 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 Communities<sup>5</sup>, and in particular Articles 50, 86, 145, 146 and 147 thereof,
  - having regard to Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002<sup>6</sup>, and in particular Articles 164, 165 and 166 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 (A7-0000/2014),
1. Notes with satisfaction that in its 2012 annual report, the Court of Auditors observed that no significant weaknesses had been identified in respect to the audited topics related to the human resources and the procurement for the European Ombudsman ("the Ombudsman");

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<sup>1</sup> OJ L 56, 29.2.2012.

<sup>2</sup> OJ C 334, 15.11.2013, p. 1.

<sup>3</sup> OJ C 331, 14.11.2013, p. 1.

<sup>4</sup> OJ C 334, 15.11.2013, p. 122.

<sup>5</sup> OJ L 248, 16.9.2002, p. 1.

<sup>6</sup> OJ L 298, 26.10.2012, p. 1.

2. Welcomes the fact that on the basis of its audit work, the Court of Auditors concluded that the payments as a whole for the year ended on 31 December 2012 for administrative and other expenditure of the institutions and bodies were free from material error;
3. Stresses that the Ombudsman's budget is purely administrative and amounted in 2012 to EUR 9 516 500, with EUR 7 275 000 being allocated to Title 1 (expenditure relating to persons working for the institution), EUR 1 656 500 attributed to Title 2 (buildings, equipment and miscellaneous operating expenditure) and EUR 585 000 for Title 3 (expenditure resulting from special functions carried out by the institution);
4. Takes note that of the total appropriations, 98,30 % were committed (92,54 % in 2011) and 88,69 % paid (85,62 % in 2011) with a utilisation rate of 95,88 % (compared to 92,54 % for 2011); welcomes the improvement of the utilisation rate;
5. Endorses the improvements on the financial planning so as to ensure a more efficient budget implementation; calls for this effort to continue in the next budgetary exercises;
6. Commends the Ombudsman's Annual Management Plan for 2012 where key performance indicators are included to measure the office's performance in achieving its objectives;
7. Invites the Ombudsman to put the unused rate of the interpretation services requested during that year in the next annual activity report;
8. Calls on the Ombudsman to cooperate with other institutions to come up with a unified methodology of presenting the translation costs in order to simplify the analysis and comparison of the costs;
9. Welcomes the internal auditor's conclusions on the open actions from internal audit reports; points out that two actions concerning the implementation of the minimum standards for internal control and the management of procurement procedures remain open; calls for the Ombudsman's internal auditor recommendations on these actions to be implemented without delay;
10. Considers positive the increase of the percentage of decisions on admissibility taken within one month of receiving a complaint, which was 85 % in 2012; believes that the restructuring of the Ombudsman's office, together with a more streamlined procedure in the Registry, contributed to a better performance of the Complaint Unit in 2012 and will continue to do so in the coming years;
11. Takes note that the average length of inquiries has decreased, even if for inquiries closed within 18 months, the results were lower than the target set and were lower than the figure of 80 % attained in 2011; calls on the Ombudsman to specify the number of cases involving more than one round of enquiry and when there is a need for a second round of enquiries;
12. Requests to be informed on the actions that have been put in place to overcome the Commission's decision to refuse the organisation of an independent external audit of the European Schools;

13. Welcomes the Ombudsman's engagement with the European Foundation for Quality Management in order to increase the quality of its work;
14. Congratulates the Ombudsman for the consistent quality of the annual activity report and for providing a comprehensive annual impact report that is an important tool for the assessment of its work;
15. Points out that the annual report on the activities of the Ombudsman in 2012 was adopted by the plenary in September 2013 and is satisfied with the observations made therein.