



EUROPEAN PARLIAMENT

2009 - 2014

Committee on Civil Liberties, Justice and Home Affairs

2010/2181(DEC)

1.3.2011

OPINION

of the Committee on Civil Liberties, Justice and Home Affairs

for the Committee on Budgetary Control

on discharge in respect of the implementation of the budget of the European
Police College for the financial year 2009
(C7-0241/2010 – 2010/2181(DEC))

Rapporteur: Simon Busuttil

PA_NonLeg

SUGGESTIONS

The Committee on Civil Liberties, Justice and Home Affairs calls on the Committee on Budgetary Control, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

1. Is highly concerned that the Court of Auditors issued a qualified opinion concerning the legality and regularity of the transactions underlying the College's annual accounts, in particular, the Court of Auditors' audit showed that some procurement procedures were irregular: in four cases the College purchased goods and services in the absence of a contract or a tendering procedure, for a total of EUR 344 111, and in one case, the procedure was handled by a member of staff not qualified in procurement and as a result no terms of reference were specified, no financial offer was requested or received and no financial evaluation was carried out (for a total amount of EUR 11 000);
2. Deplores the fact that because the College's revised Financial Regulation was never submitted to the Commission and therefore never entered into force, engagement contracts signed with some advisers and experts were illegal (the total amount involved being estimated at EUR 200 000, including EUR 34 800 for the financial year 2009);
3. Deplores the fact that in certain instances no investigations were ever carried out, such as in those cases where the procurement procedures were not properly followed and where the engagement contracts signed were illegal;
4. Calls for the improvements in budgetary programming, which should be fully implemented and completed by the end of 2011, to be followed up by the Commission and the Court of Auditors in order that the new procedures may be in force as soon as possible;
5. Notes that the backlog of unprocessed invoices at the end of 2009 has now been fully analysed and resolved and that there is no longer any backlog and that no financial damage was sustained;
6. Deplores the fact that a recruitment contract which was carried out in the wrong manner is still operative; calls on the College to remedy the irregularity without further delay;
7. Strongly deplores the fact that there were cases where appropriations were used to finance private expenditure; notes that an external audit has been completed and calls for the completion of the process of recovery of this expenditure as soon as possible; acknowledges that in its replies the College stated that a recovery order has been made against the former Director;
8. Notes that even though there is a new management of the College, mistakes were made in the past which are still unaccounted for; voices concern at the College's shortcomings in the areas of programming and monitoring of the implementation of its 2009 budget; notes in particular that appropriations representing 43 % of the College's overall budget had to be carried over in 2009 and that 46 % of the appropriations allocated to the College which had been carried over from the previous financial year were cancelled;

9. Regards it as unacceptable that the Governing Board has decided not to take any disciplinary action; notes the reply of the College that if, after an internal investigation, it can be concluded that personal accountability can be established, it will definitely take the necessary measures in accordance with the applicable regulations;
10. Considers that in view of the considerable number of inconsistencies and mistakes which occurred in 2009, the discharge for 2009 should not be granted;
11. Notes that the discharge for the implementation of the budget for the College should be further based on its performance throughout the year.

RESULT OF FINAL VOTE IN COMMITTEE

Date adopted	28.2.2011
Result of final vote	+: 38 -: 0 0: 0
Members present for the final vote	Sonia Alfano, Alexander Alvaro, Rita Borsellino, Emine Bozkurt, Simon Busuttil, Carlos Coelho, Cornelis de Jong, Agustín Díaz de Mera García Consuegra, Kinga Gál, Kinga Göncz, Nathalie Griesbeck, Sylvie Guillaume, Ágnes Hankiss, Salvatore Iacolino, Sophia in 't Veld, Lívia Járóka, Teresa Jiménez-Becerril Barrio, Juan Fernando López Aguilar, Monica Luisa Macovei, Véronique Mathieu, Louis Michel, Claude Moraes, Georgios Papanikolaou, Judith Sargentini, Birgit Sippel, Renate Sommer, Rui Tavares, Wim van de Camp, Daniël van der Stoep, Axel Voss, Renate Weber, Tatjana Ždanoka
Substitute(s) present for the final vote	Edit Bauer, Leonidas Donskis, Monika Hohlmeier, Stanimir Ilchev, Franziska Keller
Substitute(s) under Rule 187(2) present for the final vote	Marina Yannakoudakis