

**RESOLUTION OF THE EUROPEAN PARLIAMENT****of 29 April 2015****with observations forming an integral part of the decision on discharge in respect of the implementation of the general budget of the European Union for the financial year 2013, Section IX — European Data Protection Supervisor**

THE EUROPEAN PARLIAMENT,

- having regard to its decision on discharge in respect of the implementation of the general budget of the European Union for the financial year 2013, Section IX — European Data Protection Supervisor,
  - having regard to the Decision of the European Ombudsman of 26 February 2015 closing her own-initiative inquiry OI/1/2014/PMC concerning whistleblowing,
  - having regard to Rule 94 of and Annex V to its Rules of Procedure,
  - having regard to the report of the Committee on Budgetary Control and the opinion of the Committee on Civil Liberties, Justice and Home Affairs (A8-0118/2015),
1. Welcomes the conclusion of the Court of Auditors that the payments as a whole for the year ended on 31 December 2013 for administrative and other expenditure of the European Data Protection Supervisor (‘the Supervisor’) were free from material error and that the examined supervisory and control systems for administrative and other expenditure were effective;
  2. Notes that in its 2013 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 procurement for the Supervisor;
  3. Notes that in 2013, the Supervisor had a total allocated budget of EUR 7 661 409 (EUR 7 624 090 in 2012) and that the implementation rate was 84,7 % (83,2 % in 2012); finds this a positive development and calls for further efforts to improve the implementation rate;
  4. Stresses that the Supervisor’s budget is purely administrative; notes that the implementation rate of expenditure on persons working with the institution is 93,41 % (Title 1) and that the expenditure on buildings, equipment and expenditure in connection with the operation of the institution is 99,14 % (Title 2);
  5. Takes note of the Supervisor’s commitment to continue to improve its system for the timely monitoring and control of the recruitment and procurement procedures; supports the Supervisor in continuing to monitor the management of allowances and to improve its performance levels;
  6. Notes with satisfaction that the follow-up audit carried out in June 2013 by the Supervisor’s internal audit service showed that work on implementing most of the measures proposed and recommendations made concerning administrative procedures had been completed, prompting the conclusion that no specific recommendations needed to be made as of 31 December 2013;
  7. Notes that work on implementing the recommendation concerning the securitisation of the data contained in complaints had not been completed when the follow-up audit was carried out in June 2013, as a result of a delay in setting up the Case Management System (CMS); notes that this recommendation was likely to be implemented in full in 2014, given that the CMS has been operational since October 2013;
  8. Notes that the authorising officer by delegation takes the view that the level of management and control is appropriate and is being improved, that no significant errors had occurred when the 2013 annual activity report was drawn up and that no reservation should therefore be entered concerning *ex ante* checks;

9. Reiterates that the Treaty of Lisbon enhanced the Supervisor's competences by extending data protection to all Union policy domains; notes that the discussions in the Council about the new data protection legal framework (proposed by the Commission on 25 January 2012) are still on-going;
10. Takes note that a new Title III was added to the Supervisor's budget in order to envisage the establishment of an independent secretariat for a new European Data Protection Board; acknowledges that this Title has no appropriations until the legal framework is adopted;
11. Takes note that a new tool, Activity-based Costing, has been recently approved, which aims to increase efficiency in the allocation of resources and will be implemented in 2015;
12. Requests to be informed about the budgetary impact of the reorganisation of the Supervisor's secretariat;
13. Points out that the Internal Audit Service (IAS) concluded that substantial improvements were made since the last risk assessment in 2011; urges the Supervisor to continue in these efforts to address the remaining opened recommendations;
14. Notes the installation of a video-conference system at the Supervisor's new premises; asks to be informed about how many times the system was used in meetings in 2013;
15. Fully endorses the creation of the key performance indicators to assess the efficient use of resources; calls upon the Supervisor to continue to provide the scoreboard in the annual activity report;
16. Demands that the Supervisor's building policy be attached to the annual activity report, especially given that it is important that the costs of such a policy are properly rationalised and that such costs are not excessive;
17. Reiterates last year's request to have an exhaustive table of all the human resources at the Supervisor's disposal, with a break-down according to grade, sex and nationality; notes that this table should be automatically included in the annual activity report of the institution;
18. Expresses concern at the shortage of women holding senior posts; calls for an equal opportunities plan to be set in motion, particularly as regards management positions, with the aim of correcting this imbalance as quickly as possible;
19. Considers that at a time of crisis and budget cuts in general, the cost of staff 'away days' at the Union institutions has to be lowered and that these events should take place, wherever possible, on the institutions' own premises, as the resulting added value does not justify such high spending;
20. Notes with concern the enormous disparities in translation costs among the various Union institutions; calls, therefore, on the Interinstitutional Working Group on Translation to identify the causes of those disparities and put forward solutions that will put an end to the imbalance and harmonise translation costs while ensuring full respect for quality and linguistic diversity; notes, with this in mind, that the working group should relaunch cooperation among the institutions in order to share best practices and outcomes and to identify areas in which cooperation or agreements between the institutions can be strengthened; notes that the working group should also aim to establish a unified methodology of presenting the translation costs which all the institutions can use, in order to simplify the analysis and comparison of the costs; notes that the working group should present those findings before the end of 2015; calls on all the institutions to play an active role in the work of the Interinstitutional Working Group; recalls in this regard the fundamental importance of respect for multilingualism in the Union institutions in order to guarantee equal treatment and equal opportunities for all Union citizens;
21. Agrees wholeheartedly with the transparency policy advocated by the European Ombudsman's office, and calls for the introduction of a procedure to assess the possible impact of certain publications in advance, with a view to publishing them along with an explanatory report so as to avoid them being used in a biased way; points out that this procedure should be launched by the Ombudsman in cooperation with the Supervisor, the Commission and the institution that the publication concerns;

22. Is concerned by the delayed adoption of the internal whistleblowing rules; calls on the Supervisor to implement these without further delay;
  23. Welcomes the fact that the Supervisor took note of the observations made by Parliament in its 2010 and 2012 discharge resolutions when drawing up his strategy for 2013-2014 and that the implementation of the strategy has brought about positive results;
  24. Considers, in general, that the Supervisor should pay greater attention to the principle of sound financial management in respect of the budgetary principle of annuality, i.e. to using appropriations economically, efficiently and effectively in carrying out his remit.
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