2009 discharge: EU general budget, Council

2010/2144(DEC) - 22/03/2011

The Committee on Budgetary Control unanimously adopted the report by Crescenzio RIVELLINI (EPP, IT) recommending the European Parliament to postpone its decision to grant the Secretary-General of the Council discharge for the implementation of the Council's budget for the financial year 2009.

The committee recalled that, in 2009, the Council had commitment appropriations available amounting to a total of **EUR 642 million** (2008: EUR 743 million), with a utilisation rate of 92.33 %, almost on par with 2007 (93.31 %), and still below the average of the other institutions (97.69 %).

Towards greater cooperation between Parliament and the Council as regards the discharge procedure: Members regret the difficulties encountered in the 2007 and 2008 discharge procedures and reiterate the invitation to the Council to establish, together with Parliament, an annual procedure within the discharge procedure with a view to **providing all the information needed as regards the execution of the Council's budget**. They reiterate that **the expenditure of the Council ought to be scrutinised in the same way as that of the other Union institutions**. Strongly believing that it is necessary to set up a reliable, long-term system of cooperation between the Parliament and the Council on the discharge procedure on a mutually acceptable basis, Members support the idea of **replacing the "gentlemen's agreement"** by a formal agreement which takes into account the fact that, within the Union, "decisions are taken as openly as possible and as closely as possible to the citizen" (Article 1 of the Treaty on European Union).

Members regret that the Council Presidency declined the invitations to attend the meeting of the Committee responsible for the discharge procedure, where it was planned to discuss Council Presidency's standing on the proposed procedure and the possible modalities of cooperation as regards the discharge. While they note the proposal on the organisation of relations between the Parliament and the Council regarding their respective budgets, as annexed to the letter of Secretary-General of the Council of 30 September 2010, they do not share the standpoint of that proposal, and believe that **a distinction should be maintained with regard to the different roles of the Parliament and the Council in the discharge procedure and in the budgetary procedure** given that they are two independent procedures.

In Members' view, **the Council cannot, in any circumstances and under any pretext, be discharged of the full responsibility that it has to provide citizens with an account of how the resources placed at its disposition are spent**.

Members propose, with a view to improving the exchange of information in the context of the discharge procedure, to follow the same approach as for the other institutions, as follows:

- the organisation of a formal meeting between representatives of the Council and Parliament's Committee responsible for the discharge procedure (comprising the Secretary-General of the Council and the Presidency in office, the bureau of the Committee responsible for the discharge procedure, the rapporteur and the Members representing political groups (coordinators/shadow rapporteurs) with a view to providing the necessary information on the implementation of the Council's budget,
- the Secretary-General of the Council should comment on questions submitted by the Committee responsible for the discharge procedure to the Council,
- a calendar shall be established so as to streamline and stabilise this temporary solution.

They therefore consider unnecessary the idea of concluding an interinstitutional agreement with the Council concerning the latter's discharge.

In parallel, Members call on the Court of Auditors to carry out a **detailed assessment of the Council's supervisory and control systems** along the same lines as those undertaken in regard to the Court of Justice, the European Ombudsman and the European Data Protection Supervisor.

Reasons for the postponement of the decision concerning the discharge: to justify the postponement of the Council's discharge, Members point out that:

- the Council did not accept any of the invitations to meet formally with the Parliament's committee responsible for the discharge or its rapporteur with a view to examining the questions regarding the execution of the Council's 2009 budget;
- the Council refused to provide the Parliament with a response in writing giving the information and documents that it requested;
- Parliament has not received basic documents from the Council, such as the complete list of budgetary transfers.

Lastly, Members ask the Secretary-General of the Council to provide, by no later than 15 June 2011, to Parliament's committee responsible for the discharge the answers in writing to a series of questions that are found at the end of its draft resolution.