2021 discharge: General budget of the EU - European Council and Council

2022/2083(DEC) - 27/03/2023 - Committee report tabled for plenary, single reading

The Committee on Budgetary Control adopted the report by Mikuláš PEKSA (Greens/EFA, CZ) on the discharge for implementation of the European Union general budget for the financial year 2021, section II - European Council and Council.

The committee responsible recommends that Parliament **postpone its decision** on the discharge to the Secretary-General of the Council in respect of the implementation of the budget of the European Council and the Council for the financial year 2021.

The report stressed that the current situation, where Parliament is only able to check the reports of the Court and of the Ombudsman and the information on the Council's website, but does not receive written or oral answers from the Council during the annual discharge procedure, i.e. the Council refuses to collaborate with Parliament in the context of the annual discharge procedure, makes it impossible for Parliament to carry out its duties properly and for it to make an informed decision on granting discharge.

Members deplored the fact that the Council has shown for more than ten years that it has **no political will to cooperate with Parliament** in the annual discharge procedure and deplore the Council's persistent refusal to engage in fair cooperation in the procedure. They call on the Council to resume negotiations with the Parliament as soon as possible to find a solution within the current framework of the discharge procedure.

Members deplored that the Council, for more than a decade, has shown that it does not have any political willingness to collaborate with Parliament in the context of the annual discharge procedure and deplored the Council's continual refusal to engage in loyal cooperation in the procedure.

This report highlighted certain political priorities and made observations concerning the Council's budgetary and financial management as well as other observations related to the discharge procedure.

Political priorities

Members deplored that Council has failed repeatedly to take into consideration the recommendations of Parliament in Parliament's consultative role regarding the **appointment of members of the Court** but, rather, continues to appoint members of the Court that have been rejected by Parliament. They also reiterated their call on the Council to reconsider the nomination procedure with the aim of tackling this problem with concrete actions, such as making it compulsory for Member States to present at least two candidates of different genders.

Regretting that the **decision-making process in the Council** is still far from being fully transparent, the report urged the Council to take all necessary measures to implement the Ombudsman's recommendations and the relevant rulings of the Court of Justice of the European Union as soon as possible.

Members believe that the use of **unanimous voting in the Council** in certain policy areas is paralysing the Union's decision-making process, making it prone to blackmailing by governments of Member States for domestic political purposes, especially those who fail to respect the rule of law. They called on the Council to apply the qualified majority voting procedures whenever provided by the Treaties and to consider the review of the Treaties with respect to voting procedures.

They also expressed concern regarding the increasing role of the European Council in legislative files.

Members regretted the Council's position on the **transparency register**, refusing to consider any strengthening of the measures and rejecting any recommendations for improvement. They reiterated their concern about the confirmed **conflict of interest** of a number of Member States' representatives involved in political and budgetary decision-making processes. Lastly, they reiterated their call on the rotating Council presidencies to decline any **corporate sponsorship** to contribute to covering their expenses.

Budgetary and financial management

Members noted that the Council's budget for 2021 amounted to **EUR 594 386 954**, a slight increase of 0.6% compared to 2020, which is less than the increase between 2019 and 2020 (1.5%). They regretted that the budget of the European Council and the Council **has not been divided into two clearly separated budgets** as recommended by Parliament in previous discharge resolutions in order to improve transparency and accountability, not least concerning the European Council where it is currently impossible to get reliable information about its costs.

The report welcomed the fact that the annual activity reports contain declarations of assurance from the Council's authorising officers by delegation stating that resources have been used for their intended purposes and in accordance with the principles of sound financial management, and that the control procedures put in place provide the necessary guarantees concerning the legality and regularity of the underlying transactions. Members welcomed the fact that the General Secretariat of the Council was able to ensure that decision making could continue in the European Council and the Council despite the continuing exceptional situation caused by the COVID-19 pandemic.

With regard to human resources, equality and staff welfare, the report notes that the number of posts in the Council's establishment plan for 2021 has been set at 3029. However, it regretted that the Council publishes very little data about the composition of its staff and deplored the gender imbalance in the senior management positions within the General Secretariat of the Council. The Council is invited to provide the budgetary authority with information on the geographical and gender balance of its staff.

Lastly, Members regretted that, despite several requests by Parliament, the code of conduct for the President of the European Council has not been brought into line with those of Parliament and the Commission, in particular in terms of activities to be approved after the President leaves the post.