2004 discharge: EC general budget, Court of Justice

2005/2093(DEC) - 27/04/2006 - Text adopted by Parliament, single reading

The European Parliament adopted a resolution drafted by Nils **LUNDGREN** (IND/DEM, SE) and granted the Registrar of the Court of Justice discharge in respect of the implementation of the budget for the financial year 2004. (Please see the summary of 21/03/2006.) In 2004 the European Court of Justice (ECJ) administered a budget of EUR 235 041 565, with a utilisation rate of 94 %. Parliament noted that as a consequence of enlargement the number of staff at the ECJ increased in 2004 by some 40 %. It noted with disapproval that in 2004 the ECJ again failed to implement several internal control standards. The ECJ's internal auditor exercises the function of head of the "verification unit", which performs ex-ante controls on the authorising officer's operations. Parliament agreed with the Court of Auditors that such involvement in the carrying out of financial operations is not compatible with the tasks of an independent internal auditor. It criticised the fact that since his appointment in 2003 the internal auditor has not completed any of the audits in his work programme.

Parliament also noted that the ECJ, unlike most of the institutions, does not attach to its annual activity report a declaration of assurance signed by its authorising officer by delegation. The Registrar nonetheless drew up and signed a memorandum dated 21 June 2005 assuring the ECJ's President of the regularity of its 2004 accounts. Parliament asked the ECJ to draw up such a declaration in future years and hoped that this matter will be regulated in the current review of the Financial Regulation.

It congratulated the ECJ on the design, content and legibility of its annual activity report and, in particular, the analysis at the end of each chapter of the type and degree of risk attaching to the operations. It welcomed the reduction in the average duration of cases before the ECJ from 25 months in 2003 to 20 months in 2004 against the background of a steadily rising number of cases brought. However, 20 months per case is still too long, and Parliament called on the ECJ to reduce the duration of cases further.

Parliament noted that the ECJ currently imposes no obligation on judges to declare financial interests, such as share holdings, directorships and consultancy contracts. It pointed out that both Commissioners and Members of the European Parliament are required to declare such interests in a public register and that Members of the Court of Auditors deposit a declaration of their financial interests with the Court's President. In the interests of transparency, Parliament recommended that, even in the absence of a legal requirement at present, the ECJ should ask for binding rules of this kind to be drawn up.

Finally, Parliament called on the ECJ to amend by 1 November 2005 its administrative decision of 31 March 2004 in such a way as to rule out the private use of official cars.