Basic information

2020/2142(DEC) DEC - Discharge procedure	Procedure completed
2019 discharge: General budget of the EU - European Council and Council **Subject** 8.70.03.09 2019 discharge	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
CONT Budgetary Control	DURAND Pascal (Renew)	23/06/2021
	Shadow rapporteur LENAERS Jeroen (EPP) GARCÍA MUÑOZ Isabel (S&D) PEKSA Mikuláš (Greens /EFA) CZARNECKI Ryszard (ECR) FLANAGAN Luke Ming (The Left)	

European Commission

Commission DG	Commissioner
Budget	HAHN Johannes

Key events

Date	Event	Reference	Summary
29/07/2020	Non-legislative basic document published	COM(2020)0288	
15/09/2020	Committee referral announced in Parliament		
01/03/2021	Vote in committee		
14/04/2021	Committee report tabled for plenary	A9-0056/2021	Summary
27/04/2021	Debate in Parliament		
28/04/2021	Decision by Parliament	T9-0166/2021	Summary
28/04/2021	Report referred back to committee		

27/09/2021	Vote in committee		
04/10/2021	Committee report tabled for plenary	A9-0276/2021	
19/10/2021	Decision by Parliament	T9-0423/2021	Summary
25/02/2022	Final act published in Official Journal		

Technical information

Procedure reference	2020/2142(DEC)
Procedure type	DEC - Discharge procedure
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	CONT/9/06140 CONT/9/03729

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE655.987	16/12/2020	
Committee opinion	AFCO	PE660.215	28/01/2021	
Amendments tabled in committee		PE680.750	08/02/2021	
Committee report tabled for plenary, single reading		A9-0056/2021	14/04/2021	Summary
Text adopted by Parliament, single reading		T9-0166/2021	28/04/2021	Summary
Committee draft report		PE695.074	19/07/2021	
Amendments tabled in committee		PE696.474	07/09/2021	
Committee report tabled for plenary, single reading		A9-0276/2021	04/10/2021	
Text adopted by Parliament, single reading		T9-0423/2021	19/10/2021	Summary

Council of the EU

Document type	Reference	Date	Summary
Supplementary non-legislative basic document	05792/2021	05/02/2021	

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	COM(2020)0288	29/07/2020	

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act
Budget 2022/0294 OJ L 047 25.02.2022, p. 0001

2019 discharge: General budget of the EU - European Council and Council

2020/2142(DEC) - 14/04/2021 - Committee report tabled for plenary, single reading

The Committee on Budgetary Control adopted the report by Pascal DURAND (Renew Europe, FR) on discharge in respect of the implementation of the general budget of the European Union for the financial year 2019, Section II – European Council and Council.

Members proposed postponing the decision on granting the Secretary-General of the Council discharge in respect of the implementation of the budget of the European Council and of the Council for the financial year 2019.

State of play in the refusal of discharge

Members recalled the difficulties repeatedly encountered in the discharge procedures to date due to a lack of cooperation from the Council and recalled that Parliament refused to grant discharge to the secretary-general of the Council in relation to the financial years 2009 to 2019.

They underlined the need to re-start negotiations with the Council with a view to reaching a mutually satisfactory agreement to finally overcome this situation of deadlock.

Separate budgets

Members regretted that the longstanding request to divide the budget of the European Council and the Council into a separate budget for each of the two institutions for transparency reasons and to improve accountability for both institutions has not been considered. They urged the Council, as it has done repeatedly in previous discharge resolutions, to prepare separate budgets for the European Council and the Council for reasons of transparency and to improve accountability and expenditure efficiency for both institutions.

Budgetary and financial management

The report observed that the Council's budget is mostly administrative with a large part of it being used for expenditure in relation to persons, buildings, furniture, equipment and miscellaneous running costs.

The report noted that in 2019 the Council had an overall budget of EUR 581 895 459 (compared to EUR 572 854 377 in 2018), with a global implementation rate of 92.3 % (compared to 91.9 % in 2018).

The appropriations carried over from 2018 to 2019 amounted to a total of EUR 56 599 584, equivalent to a carry-over rate of 10.7 %, coming mainly from categories such as computer systems (EUR 19.5 million), buildings (EUR 16 million) and interpretation (EUR 11.9 million).

The implementation of carry-overs in 2019 amounted to payments in total of EUR 49 240 654 or 87.7 %.

Human resources

The number of posts in the establishment plan for 2019 was fixed at 3 033 (compared to 3 031 posts in 2018). Members called on the Council to tackle gender and geographical imbalances in order to establish a proper representation of nationals from all Member States, including at management level.

Transparency

The report noted that the Member States are expected to finance their own Council presidencies and regretted that they resort to corporate sponsorship to cover some of their expenses. Members are highly concerned about the possible reputational damage that this practice might cause to the Council and the EU. They urged that presidencies should avoid resorting to corporate sponsorship to cover expenses.

2019 discharge: General budget of the EU - European Council and Council

2020/2142(DEC) - 28/04/2021 - Text adopted by Parliament, single reading

The European Parliament decided by 627 votes to 60, with 11 abstentions, to postpone its decision to grant the Secretary-General of the Council discharge in respect of the implementation of the budget of the European Council and of the Council for the financial year 2019.

State of play in the refusal of discharge

Recalling that over the course of almost twenty years, Parliament has developed the practice of granting discharge to all Union institutions, bodies, offices and agencies, Members reiterated that both openness and transparency in Union administration and the protection of the financial interests of the Union require an open and transparent discharge procedure where every EU institution is accountable for the budget it executes.

Members recalled the difficulties repeatedly encountered in the discharge procedures to date due to a lack of cooperation from the Council and recalled that Parliament refused to grant discharge to the secretary-general of the Council in relation to the financial years 2009 to 2019.

In the current situation, Parliament can only check the reports of the Court and of the European Ombudsman as well as the information on the Council' s website. The fact that Parliament does not receive written or oral answers from the Council during the annual discharge procedure, makes it impossible for Parliament to make an informed decision on granting discharge.

Members underlined the need to re-start negotiations with the Council with a view to reaching a mutually satisfactory agreement to finally overcome this situation of deadlock.

Separate budgets

Parliament regretted that the longstanding request to divide the budget of the European Council and the Council into a separate budget for each of the two institutions for transparency reasons and to improve accountability for both institutions has not been considered. It urged the Council, as it has done repeatedly in previous discharge resolutions, to prepare separate budgets for the European Council and the Council for reasons of transparency and to improve accountability and expenditure efficiency for both institutions.

Budgetary and financial management

The Council's budget is mostly administrative with a large part of it being used for expenditure in relation to persons, buildings, furniture, equipment and miscellaneous running costs.

In 2019, the Council had an overall budget of EUR 581 895 459 (compared to EUR 572 854 377 in 2018), with a global implementation rate of 92.3 % (compared to 91.9 % in 2018).

The appropriations carried over from 2018 to 2019 amounted to a total of EUR 56 599 584, equivalent to a carry-over rate of 10.7 %, coming mainly from categories such as computer systems (EUR 19.5 million), buildings (EUR 16 million) and interpretation (EUR 11.9 million).

The implementation of carry-overs in 2019 amounted to payments in total of EUR 49 240 654 or 87.7 %. Despite a slight decrease in the carry-over rate in 2019, Parliament called on the Council to redouble its efforts to avoid budgetary overestimates.

The resolution welcomed improvements in the Council's financial management and performance systems.

Human resources

The number of posts in the establishment plan for 2019 was fixed at 3 033 (compared to 3 031 posts in 2018). Members called on the Council to report on its action plan on gender equality, on the measures taken to ensure that people with disabilities have the same professional opportunities as others and on the corresponding procedures put in place. The Council is invited to correct geographical and gender imbalances to ensure a proper representation of nationals from all Member States, including in management positions.

Conflict of interest, harassment, whistleblowing

The Council plays a key role in the nomination and appointment procedures of the EU institutions and bodies. Parliament recommended that this role be reviewed on the basis of the Union's ethical principles, including integrity and dignity. It expressed concern at the repeated appointments by the Council of candidates to become members of the European Court of Auditors despite Parliament's adverse opinion of the candidate expressed in a rejection vote by the vast majority in Parliament's Plenary due to candidates' lack of sufficient competences and personal or political impartiality.

Members deplored the lack of a common EU ethical framework governing the work of Member States' representatives in the Council. They called on the Council to bring the code of conduct of the President of the European Council into line with those of the Parliament and the Commission. They also reiterated their concern about the conflict of interest situations in which a number of Member States' representatives are involved in political and budgetary decision-making processes.

Transparency

Parliament noted that the Member States are expected to finance their own Council presidencies and regretted that they resort to corporate sponsorship to cover some of their expenses. Members are highly concerned about the possible reputational damage that this practice might cause to the Council and the EU. They urged that presidencies should avoid resorting to corporate sponsorship to cover expenses and called on the Council to consider establishing a budget for each Presidency.

Members drew attention to the Ombudsman's request to the General Secretariat of the Council to keep a full record of all meetings between lobbyists and the President of the European Council, or members of his cabinet.

2019 discharge: General budget of the EU - European Council and Council

2020/2142(DEC) - 19/10/2021 - Text adopted by Parliament, single reading

The European Parliament adopted the decision **refusing to grant discharge** to the Secretary-General of the Council in respect of the implementation of the budget of the European Council and of the Council for the financial year 2019, Section II – European Council and Council.

Parliament regretted that for more than ten years the Council has refused to cooperate with Parliament in the framework of the discharge procedure. It considered that the lack of cooperation by the European Council and the Council with the discharge authority not only contravenes the principle of loyal cooperation among the institutions and sends a negative signal to the citizens of the Union.

Separate budget

Once again, Parliament regretted that the budget of the European Council and the Council has not been divided into two separate budgets, as recommended by Parliament in recent discharge resolutions for reasons of transparency and to improve both expenditure efficiency and accountability for each of the two institutions.

Financial management and performance system

While welcoming the Council’s improved financial management and performance system, Parliament regretted that no report currently provides a comprehensive summary of the major key performance indicators and results, thus preventing any measurement of achievements reached against objectives set.

General lack of information

Parliament regretted the lack of information on several issues such as:

- measures taken to improve **legislative transparency** and publish Council working documents, record and publish Member States’ positions, and **make available more trilogue documents**;

- measures taken to ensure **equal opportunities** for persons with disabilities at the Council;

- effective actions taken to tackle **gender and geographical imbalances**, including at management level;

- the need for an **ethical framework**, to transparency and to the prevention, identification and avoidance of conflicts of interest;

- records of meetings held between **lobbyists** and the President of the European Council or members of his cabinet;

- the appointment of the European Prosecutors.

The Council is criticised for **categorically rejecting Parliaments' proposals to increase digitalisation in the area of audit and control** and refuses to cooperate on increasing the interoperability of existing Union and national databases and reporting and monitoring systems.

Parliamentary questions

Lastly, Parliament regretted that the Council continues to fail to provide answers to Parliament's questions as well as to attend the hearings of the secretary-generals of the institutions.