

# European Court of Auditors

Anniversary

# 35

Anniversaire

# Cour des comptes européenne



SINCE 1977

## REFLECTIONS RÉFLEXIONS

DEPUIS 1977



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This publication has been produced to mark the European Court of Auditors' 35<sup>th</sup> anniversary year celebrations which ran from October 2012 to October 2013. It has been published for information purposes only and must not be taken as an official interpretation of the role assigned to the European Court of Auditors.

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Photos cover:

- The ECA buildings, K1, K2, K3
- Jean-Claude Juncker, Prime Minister of Luxembourg, Vítor Caldeira, President of the European Court of Auditors, John Perry TD, Minister of State for Small Business, Irish Presidency of the Council of the EU on 8 May 2013
- Official visit by His Royal Highness Grand Duke Henri of Luxembourg to the European Court of Auditors at its headquarters in Luxembourg, 28 May 2002
- Ms Mary McAleese, President of Ireland, on an official visit to the European Court of Auditors on 18 November 2003
- Her Royal Highness Beatrix, Queen of the Netherlands and Mr. André J. Middlehoek, President of the Court on 29 November 1995

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# PRESIDENT'S FOREWORD

**Vítor Caldeira**  
President of the ECA



As President of the European Court of Auditors, it is with great satisfaction that we celebrated the 35<sup>th</sup> anniversary year of our Institution during my mandate. This special publication provides testimonies from those closely involved in its establishment and subsequent development.

This retrospective provides lessons from history which should encourage us to keep looking forward and reflect anew on how our institution can best contribute in the future – as it has in the past – to promoting effective transparency, public accountability and public audit of EU finances.

At the present time, as the EU and the Member States respond to the financial and economic situation, strengthening accountability has been identified as one of Europe's top priorities. In this context, the ECA believes public audit has a crucial role to play in contributing to restoring the confidence and trust of EU citizens.

Europe's citizens need an effective European Court of Auditors. Our institution, acts as an independent guardian of their financial interests. The ECA is the EU institution that carries out the audit of EU finances. In this way, the ECA contributes to improving EU financial management and accountability. In particular, the ECA's work assists the European Parliament and Council in their oversight of the implementation of the EU budget.

Today the EU has a budget of over € 130 billion, around 1% of the gross national income (GNI) of its 28 Member States. Although the EU budget accounts for a relatively

small proportion of overall public spending in Europe, the EU budget is larger than the national budgets of some Member States. EU funds play an important catalytic role in financing public activities and investments in all Member States.

The ECA helps improve financial management and promote accountability by carrying out financial, compliance and performance audits. Our audits assess how EU funds have been used, whether its financial rules have been respected and whether financial management has been economic, efficient and effective. Our work also provides a sound basis on which to offer guidance to EU policy makers on how to strengthen EU financial management and accountability. In auditing the EU budget, the ECA and the Supreme Audit Institutions of the Member States cooperate in a spirit of trust while respecting each other's independence.

Over the last 35 years, the EU and the ECA have faced many challenges. As I hope these pages show, our role and work has evolved to meet those challenges. The EU is passing through very testing times at present. It has responded by taking important steps to develop its governance, policies and financial management arrangements. These developments imply important new public accountability and audit challenges.

As at every point in the past, we are looking forward to meeting the challenges ahead. The celebration of the 35<sup>th</sup> anniversary year of the ECA included several events where the focus was on the future of our institution. This publication tries to capture their essence.



The ceremony of the official inauguration of the new K3 building of the ECA took place on 8 May 2013. This modern building brings current Members and staff together on one site for the first time in many years. The event itself brought together representatives of the EU institutions and the Member States authorities, including high representatives of the Luxembourg government and of the Irish Presidency of the Council of the EU. Their presence symbolised the Court's on-going commitment to work with its stakeholders for the benefit of EU citizens. The Prime Minister Juncker of Luxembourg and Irish Minister Perry dignified the occasion by speaking at the event.

The Court is also committed to being at the forefront of developments in public financial management and audit. The award ceremony of the second edition of the 2012 ECA Award for research into public sector auditing was held on 25 June 2013 celebrated this aspect of our work. The Award paid tribute to the memory of Juan Manuel Fabra Vallés who contributed through his work and his example to the reputation of the ECA as a Member (2000-2006) and in particular during his Presidency of this institution (2002-2005).

The closing event of the celebration of the 35<sup>th</sup> anniversary year of the ECA was the conference on European governance and accountability, on 12 September 2013. The event brought together high level EU policy makers and eminent academics to discuss developments and their potential implications for accountability and audit. The ECA was particularly honoured to welcome European Council President Herman Van Rompuy to its premises for the first time as the keynote speaker for this event.

After 35 years, Europe's citizens can keep counting on their Court of Auditors to do its utmost to help build an accountable Union capable of showing how Europe works to achieve its aim to promote peace, its values and the well-being of its peoples.



Vítor Caldeira  
President of the ECA



# REFLECTIONS ON 35 YEARS OF THE ECA

The view of former Presidents  
La perspective d'anciens Présidents

RÉFLEXIONS SUR  
LES 35 ANS DE LA CdCE



# SOUVENIRS D'UN ANCIEN PRÉSIDENT

## Pierre Lelong

Président de la CdCE 1981-1984

Membre de 1977 à 1989

France



En 1977, la CECA et l'Euratom existent depuis 1952, le marché commun depuis 1957. Les politiques européennes se sont jusqu'alors développées sans qu'aucune institution, aucune équipe, n'aient été chargées de constater, rassembler, analyser et évaluer les résultats obtenus. Cette carence se loge à l'origine même de l'Union Européenne, créée sous l'impulsion d'une volonté politique. Ses bâtisseurs avaient porté leur regard vers l'avenir, tenant de facto les considérations financières pour secondaires. Vingt-cinq ans plus tard, il était temps de se demander si le contribuable en avait pour son argent. L'Allemagne avait longtemps payé sans rechigner. Ce temps était terminé. Les Britanniques étaient entrés dans la Communauté. Leur tradition d'audit des comptes publics et leur goût de l'efficacité les conduisaient à s'étonner de l'absence de contrôle parlementaire, et du mépris des contingences financières qui leur semblaient caractériser alors le processus d'unification européenne. Le traité de 1975 stipulait donc que l'élection du Parlement se ferait au suffrage universel, et créait une Cour des Comptes Européenne.

Ainsi, c'est au cœur d'une institution nouvellement créée, à construire *ex nihilo*, qu'il s'agissait, non plus de contribuer à la mise en place de politiques communautaires tournées vers l'avenir mais d'évaluer *a posteriori* les retombées de ce qui avait déjà été décidé et appliqué. Cette évaluation novatrice devait se faire du seul point de vue de l'intérêt général européen. Le titre d'Office d'Audit Européen aurait mieux convenu à la nouvelle institution, que celui de Cour des Comptes. Sa mission était – et demeure toujours – d'évaluer la gestion des finances de la Communauté, dans le cadre d'une organisation financière assez sommaire, tracée dès les années 50 au démarrage de la CECA. Les diplomates qui en avaient défini les lignes n'étaient pas des praticiens de l'audit, ni même de la gestion budgétaire. Ils avaient produit quelque chose dont l'apparence était

plus ou moins « française » (ordonnateurs, comptables, réquisition, annualité...) mais dont la réalité, au fil des ans, était allée dans le sens de la facilité et de compromis baptisés « pragmatiques ».

## Neuf personnages en quête de rôles

Nommés les uns et les autres en septembre 1977, nous ne nous connaissions pas. Chacun a son histoire et sa personnalité. Paul Gaudy, le Wallon, est proche de moi par l'accent et les tics de langage que je tiens de mes ascendants picards, ainsi que par sa passion de la langue française. Il est un habitué des méandres de l'administration communautaire, à laquelle il a consacré sa carrière. Marcel Mart, luxembourgeois, conserve sur place l'influence politique du ministre qu'il a été. Intelligent et bon chef d'équipe, c'est un européen convaincu, dans la mesure où cela ne va pas à l'encontre des intérêts de son petit pays. Aldo Angioi, l'Italien, dont le français parfait s'exprime dans les rauques tonalités sardes de sa région d'origine, est le plus cultivé de nous ; parfait honnête homme, excellent juriste, il est peu intéressé par les techniques modernes de l'audit que nous allons essayer de mettre en œuvre. Albert Leicht, l'Allemand, ancien secrétaire d'Etat aux Finances dans la République Fédérale, issu d'une petite ville du Palatinat proche de l'Alsace, est déjà atteint du cancer qui l'emportera sept ans plus tard.

André Middelhoek, Néerlandais, quadragénaire, est le benjamin de ce collège en majorité sexagénaire. Souriant et toujours maître de lui, précédemment directeur général du budget dans son pays, il a la pratique des affaires et n'a pas l'esprit étriqué. Nous nous retrouverons en 1999 pour piloter le Comité des « Sages » qui fut l'occasion de la démission de la commission Santer. Sir Norman Price, le Britannique, est un gallois plein d'esprit, parfois





imprévisible, intelligent, mobile, rigoureux et impartial dans son appréciation des réalisations communautaires, déterminé malgré cela à suspecter d'emblée ce qui a été mis en place avant l'entrée de la Grande-Bretagne. L'Irlandais, Michael Murphy, le suit généralement. Le Danois, Johannsen, assez discret, démissionnera pour raisons de santé avant la fin de son mandat.

Les trois « nouveaux » s'expriment en anglais, quoique comprenant le français. Les six « anciens » parlent français et comprennent l'anglais, à l'exception du membre Allemand, ancien ministre fédéral peu familier des langues étrangères ; sa compréhension passive du français ne va pas jusqu'à lui permettre de s'exprimer dans cette langue. La vie courante, dans nos couloirs, se déroulera principalement en français et la plupart des cycles de formation professionnelle que nous instituerons pour les nouveaux collaborateurs feront appel à des intervenants francophones, venant de Paris ou de Bruxelles.

Les profils de chaque membre découlent de la diversité de leurs nationalités, et des arrière-plans culturels, mais aussi d'origines professionnelles dissemblables. Trois d'entre eux proviennent de corps de contrôle nationaux; quatre de fonctions importantes dans leurs administrations financières respectives ; deux ont parcouru de longues carrières politiques, couronnées par l'exercice de fonctions ministérielles. Ancien parlementaire et ministre français, mais aussi ancien directeur de l'organisme qui, en France, a précédé le FEOGA-Garantie dans sa mission de régularisation des marchés agricoles, et de surcroît membre en exercice de la Cour des Comptes française, je participe de chacune de ces trois catégories.

Il faut d'abord choisir un président, alors que nous ne nous connaissons pas encore. Le collège elit Michael Murphy, qui propose rapidement une répartition des responsabilités, entre les neuf membres, que je trouve pour ma part bien

compliquée. Neuf secteurs de contrôle (Fonds Européen d'Orientation et de Garantie Agricole. Fonds Régional, Ressources propres, etc.) étaient en effet croisés avec neuf compétences horizontales (programme de travail, méthodes de travail, relations avec la Commission, relations avec les Institutions Nationales de Contrôle (INC), gestion du personnel, budget de la Cour, bâtiments et matériel, archives, etc.). Chacun des membres du collège exerçait à la fois une responsabilité de contrôle et une fonction horizontale. Le Président était traité comme les huit autres membres. Sa fonction horizontale consistait exclusivement à préparer les ordres du jour des séances, à les présider, et à en rédiger les projets de comptes rendus. Les relations extérieures incombaient à Johannsen, le personnel était entre les mains de Norman Price, le budget dans celles d'Albert Leicht. J'étais pour ma part chargé du programme de travail, ce qui n'avait aucun sens, les méthodes d'audit étant hétérogènes, ou inexistantes, ce qui rendait impossible de mesurer la fiabilité des contrôles et de prévoir leurs délais de réalisation. En revanche, avec le FEOGA-Garantie, je devenais l'auditeur de 50% des dépenses communautaires, de surcroits politiquement très sensibles.

En 1981, je fus à mon tour élu président et fis immédiatement supprimer, par une décision de la Cour, cet organigramme baroque qui la rendait difficilement gouvernable. Sept des neuf compétences « horizontales » me furent confiées, en tant que Président. Les deux autres (méthodes et programme de travail) furent attribuées à André Middelhoek, dépourvu de secteur de contrôle, comme le président, et décoré du titre de « rapporteur général ». Le domaine à contrôler fut alors découpé en sept secteurs, confiés aux sept autres membres. Le président sortant hérita du contrôle du FEOGA-Garantie.

La Cour ne disposait au départ que d'une vingtaine d'agents et devait rapidement porter cet effectif à cinq

cent. Le système des concours « internes », portant le cas échéant sur un seul poste à pourvoir, dont le profil pouvait être taillé sur mesure en fonction de celui d'un candidat déterminé, était le plus rapide à mettre en œuvre. Mais il permettait le favoritisme, au bénéfice d'agents temporaires déjà en place, notamment par le biais du cabinet de l'un des membres. Il fallut quatre années pour qu'un concours général externe, que Sir Norman Price présida avec efficacité, fournisse à la Cour l'amorce d'un recrutement plus objectif.

André Middelhoek parvint de son côté à élaborer des méthodes de travail suffisamment homogènes, quoiqu'adaptées à la diversité des matières à contrôler, et à faire approuver par la Cour un manuel d'audit qui fit bonne figure. L'analyse des systèmes, le repérage des points faibles, la concentration sur ceux-ci de sondages représentatifs, l'examen attentif des transactions ainsi sélectionnées, en furent les principes. Un programme de formation professionnelle permanente fut mis en application.

A la fin de mon mandat de président et à l'occasion de l'élection de mon successeur, Marcel Mart, le poste de rapporteur général fut supprimé, ce que je regrettai pour ma part. Heureusement, dans un souci d'améliorer l'examen des projets de rapports et m'inspirant de l'exemple de la Cour des Comptes française, j'avais réussi quelques mois auparavant à répartir entre trois « groupes d'audit » les membres du collège. L'un de ces groupes était centré sur les dépenses agricoles, le second sur les fonds structurels et les aides aux pays en voie de développement, le troisième sur le reste des opérations de la Commission et de ses satellites. Les groupes n'avaient aucun pouvoir de décision, le texte d'un rapport pouvant toujours, à la demande d'un membre, être réexaminé par la Cour en séance plénière, ce qui fut malheureusement fréquent. La durée de nos discussions en fut cependant raccourcie.



## Mon équipe rapprochée

Autour de moi, j'avais rapidement recruté à Paris l'un de mes collègues de la Cour des Comptes française : Jacques Belle. Sa contribution au démarrage de la Cour fut déterminante. En peu de mois, il en devint un rouage central, une sorte de dixième membre. Avec l'équipe allemande, notamment, il sut créer le climat de confiance et d'amitié que je souhaitais. Je recrutai ensuite Bernadette Malgorn, alors jeune sous-préfet, promise à une brillante carrière de préfet de région, puis de secrétaire générale du ministère de l'Intérieur. Elle allait pendant trois ans faire auprès de moi office de chef de cabinet. Le reste de mon équipe était, comme il se doit, multinationale. Le tout comprenait moins de vingt personnes.

L'un de ses membres, Riemer Haagsma, néerlandais, a pris sa retraite en décembre 2008. A cette occasion, il a rédigé, en français, pour le bulletin mensuel de la Cour des Comptes Européenne, le récit de ses premières années, passées auprès de moi à Luxembourg. Je ne saurais mieux faire que d'en reproduire quelques passages. « *Dès le début, j'ai été conquis. Bien sûr, on ne parlait que le français, langue que je ne maîtrisais pas, et je ne connaissais strictement rien au FEOGA. Mais il y avait une énergie dans cette équipe qui me semblait étrange à l'époque et hors du temps encore maintenant. Chaque semaine se tenait, le mardi ou le mercredi, une réunion de travail, souvent en présence de Monsieur Lelong. Tout pouvait être discuté [...] Chaque jeudi, la diffusion du compte rendu reflétait plus ou moins fidèlement, ce dont nous avons parlé, car en fait il contenait souvent un supplément de consignes de travaux à exécuter sur lesquels on devait rendre compte lors de la réunion suivante. Parfois le rythme de travail était intense, par moment épuisant, mais extrêmement motivant et productif [...] Lorsque je relis les rapports de cette époque, je suis frappé par leur clarté et leur pertinence... »*

## Au travail

Quels étaient la nature et le climat de nos travaux ? Il ne s'agissait pas, comme à Bruxelles, de parvenir entre Etats membres et avec la Commission à des compromis sur des politiques définies abstraitement avant qu'elles ne commencent à être mises en œuvre. Nous devions au contraire analyser *a posteriori*, ce qui avait été réalisé, l'évaluer et éventuellement proposer des remèdes. Vérifier la régularité de la dépense ne suffisait pas. Il fallait apprécier son efficacité et sa conformité avec les objectifs politiques antérieurement définis, garantir au contribuable, selon la formule des anglais, qu'il en avait pour son argent. Cela supposait des méthodes d'investigation, des clés communes d'interprétation, que nous n'avions pas au départ.

L'exercice était difficile. Les institutions de contrôle des comptes publics, dans le monde actuel, ne le réussissent qu'imparfaitement. Nous le constatâmes rapidement, en établissant des relations étroites, à partir de Luxembourg, avec chacune des Cours des Comptes nationales des pays que nous représentions. Je consacrai moi-même plusieurs journées au General Accounting Office, à Washington, accompagné de Bernadette Malgorn. Elle logeait dans l'immeuble Watergate, pendant que j'étais hébergé par mes amis Larosière, Jacques étant alors directeur général du F.M.I.

## L'éloignement de Bruxelles

L'implantation à Luxembourg avait été décidée par les Etats Membres pour des raisons politiques qui n'avaient rien à voir avec les nécessités pratiques du fonctionnement des institutions européennes. On ne dira jamais assez combien leur dispersion entre trois sièges (Bruxelles, Luxembourg, Strasbourg) est préjudiciable à l'émergence d'une

mentalité et d'un sentiment européens. L'isolement à Luxembourg a marqué l'existence de la Cour des Comptes Européenne, et notamment son démarrage. A une demi-journée de chemin de fer ou de route (l'autoroute des Ardennes n'a été terminée qu'en 1988) de Bruxelles, le suivi sérieux des affaires était difficile. Une demi-heure d'entretien, sollicitée auprès d'un commissaire auquel il n'était pas question de demander qu'il consente à se déplacer, nécessitait une journée entière de voyage. La familiarité et la confiance qui auraient dû s'instaurer entre chaque commissaire et le membre de la Cour correspondant n'étaient pas possibles.

Les rapports collégiaux entre les deux institutions se limitaient à un déjeuner annuel, à Bruxelles. Les fonctionnaires de la Commission eux-mêmes n'envisageaient que rarement de venir à Luxembourg. C'était aux enquêteurs de la Cour de quémander des rendez-vous à Bruxelles. Quant aux documents, il était souvent malaisé de les obtenir, même de les consulter sur place, et plus difficile encore d'en effectuer l'inventaire exhaustif. La Cour était censée se contenter des comptes annuels qui lui étaient adressés de Bruxelles, le plus souvent inutilisables, du fait de leur structure, et de leur niveau d'agrégation, notamment pour analyser les relations financières entre la Commission et les Etats membres dans le domaine agricole.

L'absence d'osmose entre les personnels de la Cour et ceux de la Commission était quasi totale. Il faudra attendre bien des années avant qu'un Brian Gray, brillant auditeur à la Cour, avec lequel j'eus le plaisir de travailler une fois chargé des aides au développement, devienne Directeur Général des Budgets à la Commission! Les directeurs de la Commission, et plus encore les commissaires, n'acceptaient que difficilement le contrôle externe de la Cour des Comptes. Chaque fois qu'ils le pouvaient, ils



reportaient sur les Etats membres la responsabilité des dépenses communautaires effectuées sur place. Ils se défaussaient ainsi de leur propre incapacité à contrôler celles-ci, en dépit des moyens mis à leur disposition, par exemple les « agents mandatés » prévus par le règlement 720 du Conseil pour aller sur le terrain. La situation ne me semble guère avoir évolué depuis, d'autant que le périmètre de ces gestions, dites partagées, n'a cessé de s'élargir au détriment des paiements directs effectués par la Commission. Il déborde maintenant le secteur agricole, et même l'ensemble des fonds structurels.

En compensation, la Cour des Comptes se résigna à multiplier de coûteux contrôles sur place dans les Etats membres, en concurrence avec ceux de la Commission. De cette situation malsaine naquit la fausse bonne idée d'un « système de contrôle intégré », assignant aux Institutions Nationales de Contrôle (INC), sous la tutelle de la Cour des Comptes Européenne, la mission de certifier la régularité, et même d'évaluer l'efficacité, des dépenses de l'Union Européenne dans les Etats Membres. Vouloir faire travailler de la sorte ces Cours des Comptes (ou offices d'audit nationaux) est un leurre, à mon sens. La loyauté de chacune vis à vis de son Etat Membre s'y oppose, sans compter d'autres motifs : insuffisance des moyens, difficultés de programmation, incompatibilité des méthodes de travail, défaut d'harmonisation des compétences juridiques. Je sais que ce que j'affirme ici ne correspond pas à l'opinion de tous...

Le contrôle financier interne de la Commission était assuré par une seule entité, la Direction Générale XX. Empire dans l'empire, celle-ci refusait obstinément d'ouvrir ses dossiers à la Cour des Comptes, au mépris des textes en vigueur. Son rôle consistait non seulement à assurer au coup par coup le contrôle de l'engagement des dépenses mais aussi à fournir à la Commission des

études ou des avis sur telle ou telle mesure encore en gestation. Ces deux missions étaient antinomiques. Avoir conseillé l'organe décisionnel rendait ensuite difficiles des refus de visa, mêmes ponctuels, alors que la DG XX avait été « compromise » dans l'élaboration de l'ensemble de la mesure. De plus, l'énormité de ce service (trois cent cinquante agents) le rendait ingérable et perméable aux influences extérieures. Sur proposition du Comité des « Sages » dont je fis partie en 1999, la DG XX fut supprimée en 2000. Chaque directeur général a été rendu responsable du contrôle financier interne de sa direction, et un service d'audit a posteriori, rattaché au Président, fut créé.

### **Relations directes avec les Etats membres**

Les meilleurs clients des observations et critiques de la Cour des Comptes à l'égard de la gestion financière de la Communauté auraient dû être les Etats membres. A l'époque, eux seuls exerçaient le pouvoir budgétaire, qu'ils partagent à présent avec le Parlement. Nos relations avec leurs gouvernements et leurs administrations furent plutôt décevantes.

A Paris, je sentais peu d'intérêt pour les questions européennes. J'étais membre du « Siècle », club qui réunissait chaque mois pour dîner l'essentiel de ce qu'il est convenu d'appeler l'élite de la politique, de l'administration, des media et des affaires. Les échanges y étaient libres ; aucun compte rendu n'en faisait mention. J'y constatais chaque fois que l'Europe n'intéressait pas grand monde. A l'époque déjà, les dirigeants d'entreprises avaient un horizon mondial. Ce qui les intéressait c'était ce qui se passait en Asie ou outre-Atlantique. Les autres convives échangeaient des propos sur la situation politique et sociale française ou les derniers potins du microcosme. Après 1981 et l'arrivée de la gauche au pouvoir, je fis un

effort pour sensibiliser les nouveaux gouvernants aux questions européennes, notamment agricoles. C'est ainsi que je rendis visite au Premier Ministre Pierre Mauroy, à Edith Cresson, Elisabeth Guigou, et André Chandernagor. Je fus reçu avec beaucoup de courtoisie mais sans être véritablement compris lorsque j'essayai d'expliquer les chances et les risques de la construction européenne.

Dans les autres Etats membres, j'effectuai un voyage à Bonn, piloté par Albert Leicht, pour y rencontrer le ministre des Affaires Européennes. Je reçus à Luxembourg, deux ans plus tard, une délégation de parlementaires allemands. Les échanges furent superficiels. Il en fut de même à Londres, où le comité européen de la Chambre des Lords me convoqua courtoisement mais fermement, comme si j'avais été l'un des sujets de sa majesté britannique, censé parler l'anglais couramment, aucun interprète n'étant proposé. Je m'y rendis néanmoins, pour répondre à un feu roulant de questions qui traduisaient des soucis insulaires, du niveau de ce qu'évoquaient les tabloïds, sans effort pour se hisser à une problématique européenne. Aux Pays-Bas seulement, où je fus emmené par André Middelhoek, j'eus des entretiens intéressants avec trois membres du gouvernement (finances, affaires étrangères, et agriculture) auxquels la Cour des Comptes pouvait fournir des observations de première main. Mais la plupart des gouvernements nationaux se reposaient exclusivement sur leurs propres représentants à Bruxelles auprès de la Commission, pour les renseigner sur le fonctionnement financier de la Communauté.

### **Comité des Représentants Permanents et Conseil des Ministres**

Le Conseil des Ministres de l'Union Européenne (« le Conseil ») réunissait les Ministres des Affaires Etrangères. Le Comité des Représentants Permanents (COREPER),



composé d'éminents ambassadeurs, en était l'émanation directe. Les conseils de ministres spécialisés (agriculture, budgets, etc.) leur étaient en quelque sorte subordonnés. La Cour des Comptes Européenne devait fournir un avis sur les comptes de la Commission, en vue d'une décision de décharge donnée conjointement chaque année par le Conseil et le Parlement. La Cour était également tenue de produire un rapport annuel sur la gestion de l'ensemble des finances communautaires. Elle pouvait enfin appeler l'attention, par le biais d'un rapport spécial, sur telle ou telle politique européenne. Les diplomates, notamment les français, n'avaient que méfiance et souvent dédain pour les gens qui, disaient-ils, « vérifient les comptes ». Seuls les Néerlandais et les Britanniques échappaient à cette psychologie.

A trois heures de Bruxelles par route ou chemin de fer, la Cour des Comptes n'avait aucune chance de renverser ces préjugés. La familiarité si nécessaire avec le COREPER, tant au niveau des représentants permanents qu'à celui de leurs adjoints, ne put jamais réellement s'instaurer. Les relations individuelles, entre tel Membre de la Cour et son compatriote, ambassadeur ou conseiller financier, ne furent que des palliatifs insuffisants. A l'occasion de la parution de son rapport annuel, le président de la Cour, au bout de quelques années, fut convié par le COREPER à lui en présenter un commentaire. Mais rien ne fut organisé pour les rapports spéciaux, pourtant souvent plus incisifs. Transparaissait ainsi la volonté d'écarter la Cour des Comptes de toute évaluation de l'efficacité des politiques. Comme me le dit une fois Claude Cheysson, alors commissaire au développement, « une Cour des Comptes doit se borner à vérifier la régularité des recettes et des dépenses, sans apprécier leur efficacité, à plus forte raison leur opportunité ». Il retardait d'une bonne cinquantaine d'années par rapport à la pratique française, pourtant en retard sur celle de certains Etats Membres. Si les membres

de la Cour et leurs familles avaient résidé à Bruxelles en permanence, les attitudes auraient été différentes. Les dîners en ville, quoiqu'on dise, ont leur utilité...

### Le Parlement

Pendant ces années de démarrage, le Parlement fut un meilleur point d'appui pour la Cour des Comptes. Cela tint largement à la personnalité du président de la commission de contrôle budgétaire, le bavarois Heinrich Aigner, qui sut ne jamais marchander son aide, tout en respectant l'indépendance de la Cour, notamment pour son programme de travail. Malheureusement, les parlementaires se trouvaient le plus souvent à Bruxelles, où se tenaient la plupart des séances des commissions. Les contacts personnels entre eux et les membres de la Cour furent de ce fait assez rares. En revanche, les services administratifs du Parlement, y compris les secrétariats des commissions, étaient pour l'essentiel installés à Luxembourg.

### La presse

N'étaient publiés à Luxembourg que le *Letzebuenger Wort* et une édition locale du *Républicain lorrain*... A Bruxelles seulement se trouvaient les correspondants européens des grands journaux jouissant d'une audience internationale. Il m'est arrivé, président de la Cour, de les inviter à Luxembourg. Bien peu faisaient le déplacement. Je me rendis donc moi-même à Bruxelles afin de les recevoir dans la petite antenne que la Cour y entretenait. Cela marchait pour un événement précis comme la publication du rapport annuel. Cela ne suffisait pas à amorcer les habitudes de contacts fréquents et officieux qu'il aurait fallu instaurer. Cette absence de résonance médiatique a grandement affaibli la Cour, tant vis-à-vis de la Commission que du Parlement et des Etats Membres.

### Baisser le prix des céréales

Au cours des quatre années qui précèdent mon élection à la présidence, je me consacrai à l'examen des dépenses consacrées au soutien des prix agricoles. Nous multiplîâmes les investigations sur les points sensibles. Il s'agissait surtout de mesures visant à favoriser, souvent de façon artificielle, l'écoulement de produits agricoles excédentaires. La seule mesure efficace aurait été d'abaisser les prix de soutien, mais il n'en était pas question. Vers la quatrième année, la phase d'analyse étant assez avancée, nous fûmes en mesure de tenter une synthèse, prouvant que des économies considérables pouvaient être réalisées en abaissant le niveau de tous les prix, mais en modifiant considérablement leur hiérarchie, à l'avantage des éleveurs et au détriment des producteurs de céréales. Cela n'affectait que peu le revenu agricole global, permettait de conserver un système de régularisation des marchés, préférable aux versements compensatoires aux producteurs, que l'on connaît actuellement.

En effet, la baisse massive du prix des céréales devait provoquer une diminution de leur production dans les terroirs les plus marginaux, et la suppression des coûteuses exportations vers les pays du tiers monde, dont elles désorganisaient l'agriculture. 50% des céréales produites étant consommées par l'élevage et représentant une fraction considérable de ses coûts de production, la baisse de leurs prix autorisait, en conséquence une diminution des prix du lait et de la viande, mais dans de moindres proportions. En outre, l'affaiblissement du modèle de production « soja-maïs » permettait d'encourager les cultures de luzerne et de protéagineux, et de réorienter vers l'élevage bovin une partie de la production « industrielle » de lait, destructrice de l'environnement. L'intérêt de ce schéma était aussi de



conserver en activité, dans des conditions viables, le plus grand nombre de petits et moyens agriculteurs, tout en diminuant la charge financière globale pour le budget communautaire. Mais de puissants intérêts commerciaux, industriels et financiers, notamment en France, en Allemagne, et aux Pays Bas ne pouvaient que s'y opposer.

Il se trouva qu'à cette époque un Conseil Européen, réuni à Stuttgart, demanda à la Cour des Comptes de lui fournir une étude sur les causes des dépenses agricoles excessives et les moyens d'y remédier. Michael Murphy et moi sautâmes sur l'occasion, et présentâmes au collège le texte qui fut publié officiellement, au nom de la Cour des Comptes Européenne, et qui fut appelé le « rapport Stuttgart ».

A Bruxelles, la division des tâches entre les différents Conseils de Ministres (affaires générales, questions budgétaires, agriculture) rendait impossible, sauf impulsion politique considérable, l'examen d'un rapport qui touchait à chacun de ces domaines. La circulation des idées, dans une communauté multilingue et surtout multiculturelle, n'était pas assez fluide pour permettre ce genre d'échanges. Le COREPER seul, peut-être, aurait pu procéder à un tour de table exploratoire. Mais il considérait les travaux de la Cour comme du seul ressort du comité budgétaire. Il n'y eut pas d'exception pour le rapport « Stuttgart ». Murphy et moi ne fûmes pas invités à venir expliquer devant les ambassadeurs (et pourquoi pas devant les ministres des Affaires Etrangères ou des Finances ?) les propositions de la Cour des Comptes. Ainsi fut perdue la dernière occasion de sauver la véritable politique agricole commune, celle qui, par le soutien intelligent et modéré de marchés européens, aurait permis de protéger les paysans des variations erratiques des cours mondiaux. La distribution directe de sommes d'argent supprima cette protection, mais ne diminua pas

les dépenses, car les prix de référence pour le calcul des subsides furent insuffisamment abaissés.

### Les pays en voie de développement

Après trois années de présidence de la Cour, je me consacrai à nouveau à la direction d'une équipe d'audit, dans le domaine des interventions au bénéfice des pays en voie de développement. La méthode de travail, mise au point par mon prédécesseur Marcel Mart, qui me remplaça à la présidence, consistait à étudier à fond, à Luxembourg et à Bruxelles, les dossiers administratifs et comptables relatifs à une zone déterminée, à organiser ensuite minutieusement une mission sur place d'une durée de dix jours à cinq semaines, et à effectuer celle-ci en équipe de trois ou quatre auditeurs, en compagnie d'un représentant de la Commission. Je la trouvai excellente.

En cinq ans, je parcourus la planète, en compagnie notamment de Terence James et d'Emmanuel Gabolde : Inde (cinq semaines), Pakistan, Thaïlande, Indonésie, Pérou, Bolivie, Equateur, Afrique francophone subsaharienne, Egypte, et Jordanie. Nous y connûmes parfois des palaces et des ambassades, le plus souvent des gîtes de campagne sommaires. Au Gujarat, dans la banlieue d'Ahmedabad, je bus le lait cru offert, sachant qu'il provenait d'une étable infectée de tuberculose, mais soucieux de ne pas manquer aux lois de l'hospitalité. Au Tamil Naidu, assis par terre autour de feuilles de lataniers, nous prenions avec les doigts les délicieux morceaux de pain et de fromage qui nous étaient offerts. Je conduisis une nuit la fourgonnette qui nous ramenait de Surabaya à Djakarta, toute la longueur de l'île de Java. Le chauffeur nous avait conduit en sens inverse, du petit matin jusqu'à l'heure de midi. Après le dîner, au moment du retour, il était épuisé. Sa tête dodelinait sur le volant et la voiture faisait sur la route étroite des embardées qu'il ne maîtrisait

plus. A chaque instant il pouvait s'endormir pour de bon. Il n'y avait pas d'autre solution que de le remplacer... sans permis de conduire.

En Inde, nous observâmes que le crédit rural fonctionnait correctement. Une classe de petits cultivateurs responsables, rassurés par la stabilité des prix et la permanence des débouchés garantis par le gouvernement, était en formation. Autour d'elle se développait un réseau d'artisans et de petites entreprises industrielles. Les cinq mille kilomètres effectués en six semaines dans cet immense pays me remplirent de confiance dans la façon dont il était organisé, et finalement dirigé, dans un système de pouvoirs complexe, tant par les autorités locales que par le pouvoir central à New-Delhi. J'y constatai une bonne ouverture au monde, le sens des responsabilités et nulle trace de ce complexe d'infériorité et de ressentiment que l'on note souvent chez les anciens colonisés. Les Britanniques étaient passés ; malgré quelques erreurs, ils avaient apporté de grands progrès. C'était bien ainsi : une péripétie parmi d'autres dans le parcours de l'Inde éternelle. A Pondichéry, les comptes de la coopérative agricole que nous venions examiner nous furent remis en français. Sur le front de mer, je visitai le monument aux morts (« *Gloire à notre France éternelle, gloire à ceux qui sont morts pour elle* »), puis le cercle des anciens combattants, l'église Sainte Jeanne d'Arc et le lycée français. Ce territoire d'un demi million d'habitants, tout en conservant la mémoire de son passé, se diluait doucement dans l'immensité du sous-continent.

Changement d'atmosphère l'année suivante, au Pakistan. Le programme de panneaux solaires installé dans la haute région du Cachemire, cette vallée de la Swat qu'infestent maintenant les talibans, n'était guère efficace : on avait oublié qu'au fond de ces vallées encaissées le soleil ne pénétrait que quelques heures par jour ! Le ministre de



L'Industrie, auquel j'essayai à mon retour à Islamabad d'expliquer cette anomalie, en fut vexé et tenta de le prendre de haut. L'alcool était interdit au bar de l'hôtel mais nous pouvions boire dans les chambres. Un souvenir sympathique, cependant, me fit pardonner cela. Parti au volant de ma voiture, au début d'une matinée de congé, je m'avançai seul dans la campagne, à une dizaine de kilomètres de Rawalpindi, la grande ville du nord. Je me perdis dans les petits chemins. J'arrivai devant un ensemble de bâtiments, un ermitage soufi, où l'on accueillit l'étranger inconnu avec gentillesse. Une heure après, restauré de thé et de friandises, gratifié d'une visite complète des lieux, salué par toute la communauté rassemblée, et lesté de quelques pieuses brochures en anglais basique, je repartis pour Islamabad, désormais conscient de la diversité de l'Islam.

En Indonésie, à trente kilomètres de Kendari, petite sous-préfecture du Sulawesi (Célèbes), à plusieurs heures d'avion de Djakarta, un immense chantier de plusieurs dizaines de millions de dollars était géré par la Banque Asiatique de Développement pour le compte de la Communauté Européenne. Il s'agissait de « transporter » (c'était le terme officiel) plusieurs milliers de paysans javanais à l'étroit dans leur île, et de les installer dans cette région déshéritée, en défrichant la forêt vierge. C'était une idée du Président Soekarno. A notre arrivée, il n'y avait rien, hormis quelques bulldozers abandonnés. Aucun document comptable, l'argent du contribuable européen s'était évaporé. De retour à Bruxelles, les services de la Commission firent ce qu'il fallait pour étouffer un scandale dont ils n'étaient pas innocents. Nous ne réussîmes pas à élucider les responsabilités. Certes, elles se situaient surtout en aval de la Commission, encore que celle-ci ait commis l'erreur, fréquente de sa part, de faire confiance à la Banque Asiatique. Celle-ci avait ensuite négligé de surveiller les généraux indonésiens qui dirigeaient le

pays. Les observations publiées par la Cour furent sévères mais imprécises, et n'eurent guère d'impact.

En Afrique subsaharienne francophone, les conditions de gestion de l'aide alimentaire retinrent notre attention. Le louable souci de la Commission était de distinguer les aides d'urgence, en cas de famine provoquée par un conflit ou une catastrophe naturelle, et l'aide « normale », quasi permanente. Pour les aides d'urgence, il fallait vérifier l'étanchéité du système de distribution : en clair, s'assurer que les sacs de farine parvenaient effectivement aux populations affamées et leur étaient distribués en bon état de conservation, dans les conditions prévues, en général gratuitement. La logique de l'aide « normale » était différente. Il s'agissait, en accord avec la doctrine du PAM (programme alimentaire mondial) de veiller à ce que les denrées distribuées ne perturbent pas les marchés locaux. Pour cela, les autorités locales s'engageaient à mettre en vente les produits donnés par la Communauté, à des prix suffisamment élevés pour ne pas décourager les agriculteurs locaux, mais assez bas pourtant pour être achetés par les consommateurs. La contrepartie de ces ventes, en monnaie locale, servait alors à acheter des instruments ou des matériels agricoles, ou à financer de petits investissements ruraux. On imagine sans peine la complexité de ce genre d'action et les risques de dérapage. Dans l'ensemble cependant, nos appréciations furent positives.

Un regret majeur, difficile à souligner dans nos rapports d'audit financier, concernait les pressions américaines, appuyées par le FMI et la Banque Mondiale. Les Etats-Unis poussaient les petits pays africains à supprimer les restrictions quantitatives aux importations alimentaires, riz et soja notamment, et à abaisser les droits de douane. A mesure que les africains cédaient, les productions locales régressaient. Cela allait à l'encontre de la politique

européenne de monétisation de l'aide alimentaire, respectueuse des équilibres agro-alimentaires locaux. Était en train de disparaître, par exemple, la production de riz initiée par la France avant 1960 dans la boucle du Niger. J'ai souvenir d'une réunion tenue à Bamako avec les conseillers commerciaux des pays de la Communauté, et leurs collègues américain et canadien. Deux visions opposées du développement africain s'y opposèrent. On retrouve ici la problématique qui avait précédé, vingt ans auparavant, la construction de l'association des pays d'outremer au marché commun. En 1985 cette association, fondée sur la volonté de maîtriser les fluctuations des marchés, subsistait encore, vaille que vaille. En 2010 le rouleau compresseur de l'OMC (organisation mondiale du commerce) est passé.

### **Jacques Delors, l'union monétaire, et les fonds structurels**

Le 16 mai 1989, je me rendis à Bruxelles pour y rencontrer Jacques Delors, alors Président de la Commission et animateur d'un Comité qui venait de publier un rapport sur l'union économique et monétaire. Je lui remis une note d'observations sur ce texte. J'y pointais les défauts des politiques structurelles d'aide aux pays les moins avancés de la Communauté, Grèce, Irlande, Espagne et Portugal, telles que la Cour des Comptes les avait examinées. Le style trop édulcoré de nos rapports, résultat d'une collégialité au sein de laquelle les pays bénéficiaires de ces politiques exerçaient une influence, ne permettait pas toujours au lecteur d'en percevoir la sévère critique de fond. Ma note était plus incisive. La réalité était que ces politiques, faute de profondes modifications dans leurs conditions de gestion, étaient de nature à mettre en danger, à terme, l'union monétaire que l'on cherchait à construire.



J'affirmais que « les dépenses structurelles ne pourraient pas indéfiniment augmenter, et surtout qu'elles « *ne devaient pas financer n'importe quoi* ». Je regrettais la part prédominante prise par les dépenses d'infrastructure, au détriment de celles consacrées à la création d'emplois productifs. Au demeurant celles-ci consistaient en « *primes à la création d'emplois, qui n'étaient le plus souvent que des allocations de revenus...et ne concernaient que de façon marginale le financement d'emplois industriels.* » Je notais aussi que « *les procédures de gestion selon lesquelles s'exercent les interventions structurelles sont si largement définies que toute évaluation de leur efficacité est extrêmement difficile, pour ne pas dire impossible... Les interventions communautaires s'intègrent dans des financements nationaux.* » La réussite d'une union monétaire « *impliquait à la fois une certaine réorientation des dépenses et une réforme radicale des procédures de gestion* » des fonds structurels.

J'insistais sur le fait que les politiques structurelles se caractérisaient par une gestion partagée entre la Communauté et chaque Etat membre bénéficiaire. En gros, chaque fois que la Communauté proposait de dépenser 50% d'un programme, l'Etat bénéficiaire devait s'engager à financer sur ses propres ressources les 50% restants. Cette règle dite de « l'additionnalité » se justifiait, dans l'esprit de ses promoteurs, par la volonté de ne financer que des dépenses utiles. Ajouter un financement à un programme que les autorités nationales avaient jugé suffisamment valable pour le financer elles-mêmes était considéré comme une garantie de bon emploi des subsides européens. En fait, ce système de cofinancement comportait de graves inconvénients. S'appliquant à des programmes globaux et non plus à des projets individualisables, comme dans les premiers temps de la Communauté, il poussait à remettre sans précautions aux Etats membres bénéficiaires des sommes

dont ils n'avaient pas forcément tendance à faire bon usage. Seuls des financements communautaires à 100%, appliqués à des projets ponctuels gérés directement par la Commission, auraient permis une sélection et une évaluation efficaces. De surcroît, l'additionnalité incitait au gonflement des budgets nationaux, sollicités pour les 50% complémentaires à l'apport communautaire. Ainsi des pays aux finances déjà fragiles étaient-ils poussés vers des déficits budgétaires excessifs, incompatibles à terme avec une union monétaire.

Jacques Delors m'écouta commenter ces différents points, sans marquer de désaccord ni d'approbation. Je compris que mon propos le poussait à entrer dans des considérations pratiques qui n'avaient pas cours sur les hauteurs politiques dans lesquelles il se mouvait. Mon avertissement prémonitoire ne servit à rien.

### En dépit des handicaps

Durant ces douze premières années, la Cour des Comptes a cependant fonctionné. On peut même dire qu'elle a réussi dans sa tâche, ayant défini des méthodes de travail, effectué des enquêtes, produit et publié des rapports, en s'efforçant d'opérer la synthèse entre les traditions de tous les Etats membres. Les résultats de ses travaux ont rarement été contestés. Leurs utilisateurs (Parlement et Conseil des Ministres, ainsi que les Etats Membres) ont bien voulu en reconnaître les qualités.

Mais la Cour a-t-elle réussi à infléchir, là où il le fallait, la gestion financière de l'Union Européenne ? La réponse ne peut être entièrement positive. La crise de 1999 a vu la Commission Santer démissionner à la suite du travail du comité des cinq Experts indépendants. Cette démission n'aurait pas eu lieu, si certaines dérives, touchant bien davantage à tout un ensemble de pratiques, qu'au

comportement de tel ou tel commissaire, ne s'étaient pas produites. Ces dérives, la Cour des Comptes les avait signalées, mais partiellement et timidement. Elle n'avait pas été en mesure de se faire écouter. Eût-elle été installée à Bruxelles et composée de telle sorte que les particularismes nationaux aient été découragés, qu'il en aurait peut-être été autrement.

Peut-on espérer que la situation évolue favorablement dans l'avenir? Le handicap de l'implantation à Luxembourg subsistera tant que les Etats Membres concernés, le Grand-duché mais aussi la France, qui craint la remise en cause de la localisation pourtant largement fictive du Parlement européen à Strasbourg, n'auront pas pris conscience du dommage profond ainsi causé au fonctionnement des institutions européennes, au rapprochement des hommes et des mentalités. Au contraire, les élargissements successifs semblent actuellement contribuer à les faire diverger. Vingt-sept membres de la Cour se partagent le commandement opérationnel de près d'un millier d'agents. C'est pour l'institution un défi à prendre en compte. Aussi, depuis quelques années, une évolution est-elle amorcée. Il s'agit de distinguer, d'une part la participation de chacun sur un pied d'égalité aux discussions et aux votes collégiaux, et d'autre part la fonction de direction d'un secteur d'audit particulier. Au niveau collégial, l'égalité demeure la règle. Au niveau opérationnel, une certaine hiérarchisation des fonctions, fondée davantage sur les capacités personnelles que sur l'ancienneté, devrait progressivement s'imposer.



# MEMORIES AND EXPERIENCES OF THE EUROPEAN COURT OF AUDITORS

**Professor Bernhard Friedmann**  
President of the ECA 1995-1998  
Member from 1989 to 2001  
Germany



**L'Europe se fera par la monnaie ou ne se fera pas  
(Europe will be built on its currency or not at all)**

(Jacques Rueff, French currency expert, 1950)

You can only shape your future if you know your past. This maxim applies not only to individual people, but also to every community of people – including the EU. "The EU is like a bicycle," said the long-serving and highly respected former EC President Jacques Delors. "It has to keep moving, or else it'll fall over."

I remember from my time at the European Court of Auditors between 1990 and 2001 – and especially from my term of office as President from 1996 to 1999 – just how difficult it was to ensure that the European Court of Auditors achieved adequate recognition amongst all of the EU's institutions. To gain this recognition, it was (and is) necessary for highly qualified experts on all levels to work conscientiously for Europe, with the motivation which such a mission entails. I am always impressed at how the situation at the Court reflects this, and I would like to offer my warmest thanks to all those responsible.

Many changes have been made at the European Court of Auditors since I left it in 2001. The organisation of the Court has changed somewhat; the number of Members has increased, as has the size of the Court's staff, not least because of the eastward expansion of the EU. And the imposing architectural presence of the new building speaks for itself. New audit areas and audit methods have been introduced in some cases.

After twelve years away from the European Court of Auditors, I am able to observe some things from a more neutral perspective. This does not mean, though, that I no longer take an interest in European affairs. Far from it! During these twelve years, I have often taken part in public discussions on the subject of the European integration process – at universities, at banks, and in the media. In my capacity as President of the European

Economic Senate, whose members include around 300 leading businesses in several Member States, and in my capacity as president of a study centre, I have taken part in several podium discussions – at the ECB and the German Bundesbank, among others – and explained my opinions on current issues. I have been asked for advice by various governments. If a few critical remarks turn out to be mixed in with the comments which follow, I ask you to humour me and remember this aphorism:

**You will never see eye to eye  
with two groups of people:  
your predecessors and your successors!**

When my term as Member of the European Court of Auditors began in 1990, I was given responsibility for auditing the European Coal and Steel Community, as well as the EU's borrowing and lending activities. This was certainly an interesting task, especially since I was able to attend meetings of audit groups and of the Court itself – like any other Member of the Court. Attending these meetings gave me plenty of insight, and allowed me to play a role in the decision-making process. However, I did not find it easy to leave behind the parliamentary work which I had been carrying out as a Member of the German Bundestag for the previous 15 years and to adapt to the working environment of an audit institution. Politics deals with the present and the future, whereas audit institutions tend to focus more on the past. Politics is more dynamic than auditing. It was thus inevitable that I would occasionally be drawn into confrontations, in Court meetings as well as at the European Parliament.





One day, I was approached in my capacity as the Member responsible for the European Coal and Steel Community by the Chairman of the Parliament's environment committee and asked whether I would be prepared to investigate the consequences of deforestation in the Amazon basin. Several large companies, most of them European, as well as individual speculators, had acquired large areas of land in the area. They were about to begin the process of clearing these areas, creating profitable grazing land and using the wood as fuel for a nearby steelworks, thereby saving money on buying and transporting coal. On another occasion, MEPs approached me to ask whether I was prepared to campaign for the disposal of mothballed Soviet atomic submarines in the North Sea near Murmansk, slowly rusting ticking time-bombs. In both cases, we did discuss the situation which was unfolding. However, the situation served only to prove that an audit institution can indeed recognise and highlight cases where action is required, but that that action itself is the preserve of politics.

This became especially plain in the context of the eastward expansion of the EU. As a Member of the German Parliament, I had been a tireless advocate for the reunification of Germany. Unlike Helmut Kohl, the Chancellor at the time, I had decided as early as 1986 that this was a conceivable prospect. An explanation of the individual reasons which formed the basis for this substantiated conclusion would be beyond the scope of this article. Simply put, I was able to establish, on the basis of my experience, knowledge and suggestions, that the reunification of Germany should be put forward as an active political proposal aimed at promoting security. The Soviets needed to be convinced that it was in their interests for Germany to be reunified. From my own

perspective, the peaceful eastward expansion of the EU was also contingent upon the reunification of Germany. This assessment of the situation led to disagreements with MEPs – in particular, those from Germany – when I had already taken on the role of Member of the European Court of Auditors. These MEPs believed that a united Europe must first be created, and that the reunification of Germany would automatically follow. In the end, events proved me right. Nevertheless, MEPs continued to ask questions: who decides Europe's foreign policy? The European Parliament, or Bernhard Friedmann?

As the first substantial steps towards rapprochement between western Europe and central and eastern European countries began to take shape, I pushed for the European Court of Auditors to focus on development in central and eastern Europe. My pleas, however, fell on deaf ears. Nevertheless, on my own initiative, I created a small unit of existing staff which dealt with central and eastern Europe. We were able to secure the services of one retired official in Poland, and another in Hungary, as a source of information. The results of this included a number of small jointly-produced special reports, which I presented to the Hungarian and Polish parliaments together with audit officials from each country. These reports often had practical consequences. I was often invited to Hungary to speak in front of auditors; these invitations were frequently returned. Gradually, the audit authorities of other central and eastern European countries began to send audit officials to the European Court of Auditors to learn from the Court's methods in carrying out financial audits. This ever-increasing level of contact eventually led to the creation of an audit sector within the European Court of Auditors dedicated to central and eastern Europe.

I was particularly active in making visits to the audit authorities of most central and eastern European countries during my term of office as President of the Court. On these occasions, I also called on politically important representatives of these countries: presidents, heads of government, important ministers and parliamentarians, sometimes even presidents of central banks. It was inevitable that the discussion would, on occasion, turn to topics which reached far beyond the confines of public finances. Starting with budgetary policy, the conversation might move on to financial and economic policy, and then to external and security policy. This was also the time, of course, at which discussions of monetary policy had begun to extend beyond the ECU, focusing more and more on the euro. Nearly every one of the countries which I visited was the source of experiences which will remain with me for the rest of my life. For example, when participating in a debate in the Russian Parliament in Moscow, I told the Russian politicians who were in attendance about how I had been refused entry into Russia the previous year because I was considered to be a "hardliner". I had also served as the chairman of the defence spending appropriation committee at the German parliament. However, I continued, now I was there, engaging in a friendly debate with them – not as a German, mind you, but rather as a European. They laughed loudly and embraced me; the ice was broken, and the capacity of the European integration process to spread peace was demonstrated very clearly to me!

Sadly, my notes from this turbulent period, when the process of reform in central and eastern Europe was beginning, have been lost. I am therefore forced to rely to a large extent on my memory. I remember, for example, that in Tirana, the capital of impoverished



Albania, discussions with the country's president had led to an invitation being extended to spend the night as an honoured guest in the "villa", as it was known – the official government guest house. As I entered the house, I was presented with two bottles of water: these would have to do for drinking, washing, and the toilet. A rather macabre piece of information was shared with me instead of a bedtime story: the recent murder of long-standing dictator Enver Hoxha, they told me, had taken place in the bed I was about to sleep in. Sleep well, then!

I had a similar experience in Romania. Erich Haenelt, then the head of my private office, accompanied me on every official trip. He and I were allowed to stay the night in the huge presidential palace in Bucharest. There, again, the tale of how Nicolae Ceauşescu and his wife had met their end was recounted with a certain degree of pride. We had hardly had time to digest the story before our Romanian escorts said their goodbyes, leaving us alone in the massive building. Wishing to take a tour of the building, we discovered that the steel entrance doors were locked, and that we were the only people inside the palace. We proceeded to undertake a nocturnal exploration of the palace, and we came across the private apartment of the former ruling couple. In the bathroom, we found a wave machine which the President's wife, we assumed, had used extensively to experience the healing power of water. The use of this contraption involved shutting two gilded folding lids, from which only the head of the bather protruded. As a memento of Erich Haenelt's visit, I took a photograph of him testing the device. As a reserve marines officer, this was a welcome experience for him!

In Bulgaria, I even witnessed a religious conflict. During an official discussion of the country's health policy, I suddenly heard loud shouting coming from the street outside. As I looked out of the window to see what it was – it was an afternoon in late summer – I saw a group of

young men hitting each other with a big crucifix. When I enquired as to the young men's grounds for indulging in such behaviour, I was informed by the government officials in attendance that the young men belonged to two groups of students who shared differing views on the role played by the Orthodox Patriarch under the communist system. One group held the opinion that he had been too loyal to the party line; the second group, by contrast, were of the firm conviction that he had correctly exercised the functions pertaining to his office.

My memories of a number of meetings in Warsaw with the then President of Poland, and with officials from the Polish National Audit Office, have also stayed with me. I was solemnly touched when, one afternoon, these officials invited me to a concert including works by Frederic Chopin which was given in my honour in wonderful surroundings. I also have pleasant memories of a conversation with Aleksander Kwaśniewski, then the President of Poland, in his office. It was an animated conversation which lasted for longer than planned, and when I tried to leave the building through a side door, contrary to protocol, I noticed a line of soldiers who had formed an honour guard in front of the main entrance. I was unsure as to whether the soldiers were there because of me, or because of the President's next appointment, the Secretary-General of NATO. As a precaution, I greeted the saluting soldiers as I walked past them before getting into my car, which was waiting.

I could add many more anecdotes to these. But the point of sharing them is primarily to demonstrate that the European Court of Auditors has played a role in the European integration process from the very beginning. With that in mind, I hope that you will permit me to put forward a few comments, and to offer a little constructive criticism.

- Is it really necessary for the Court to have one Member from each Member State? Weighed against the size of the EU budget, this is too high a number compared with the situation in the Member States. I believe that five to seven Members would be ample. A rota system could be used to ensure that each Member State was eventually asked to nominate a Member. This could significantly increase the efficiency of the European Court of Auditors, as well as contributing to scaling back its bureaucracy. It is clear that such a suggestion could only be implemented in the context of a total reorganisation of the Court.
- Sweeping accusations are often made to the effect that EU subsidies are abused. The Commission does occasionally attempt to rebut these accusations, claiming that they should be directed at Member States, who are responsible for implementing the budget. The Commission's arguments, though, seldom get through to the public. The Commission and the European Court of Auditors should therefore do more to make it clear that the EU budget is principally a budget of subsidies, and that subsidies are always susceptible to fraud. Member States' budgets are equally susceptible to this risk. The human capacity for innovation increases dramatically in situations where money is being given away. It would be sensible and helpful if the European Commission were to provide aid in the form of loans, especially in the case of profitable projects. It is common knowledge that loans have the unattractive characteristic of needing to be paid back; this would lead to lower levels of abuse.
- During my term as Dean for Agriculture, Infrastructure Policy and Development Aid, I noticed that the EU often made rather generous advance payments in



respect of infrastructure measures, sometimes even before any significant work had been carried out. During the preparatory phase of the euro, these payments were deemed to constitute a reduction in the levels of countries' debts; sometimes, this flew in the face of the actual purpose of the payments. I was deeply perturbed by the fact that this was happening with the knowledge of Eurostat. The practice made it easier for some Member States to meet the targets required for the introduction of the euro. After its introduction, the Member States' debt burden consequently became larger.

- In the preliminary discussions concerning the Treaty of Maastricht, one of the issues which was discussed was the question of whether, and if so how, the European Court of Auditors should respond to the idea of introducing a Statement of Assurance (DAS). Most of my colleagues at the time, who had been working at the Court for longer than I had, were minded to reject the idea. From the outset, I supported the idea of introducing it. My position had been shaped by my long experience as a member of the audit committee, and as the chairman of the budget committee, of the German parliament. My main argument during the discussions within the European Court of Auditors was that a meaningful statement of assurance would increase the European Court of Auditors' significance, and help to make the results of its audits more difficult to ignore. The discussions led to a stalemate. It is well known how the story continued, and what became of the DAS: it is now an important tool used by the Court in its auditing role.
- Because of the nature of their work, the Members of the European Court of Auditors, as well as many of its auditors, possess in-depth knowledge of

connections within European politics which the public is not at all, or barely, aware of. It would without a doubt be sensible and helpful if this knowledge could be used to achieve a more precise understanding of the discussions held by politicians and other decision-makers, and possibly even to contribute to them.

- During the current economic and financial crisis, I have repeatedly been asked, sometimes in public discussions, why the European Court of Auditors does not make a more vocal contribution to the debate. When answering, I naturally always explain how tasks and responsibilities are distributed at European level. For some questioners, though, this is not enough. After all, some national audit institutions carry out more in-depth examinations than the European Court Auditors. I have seen instances where national audit institutions have held their governments to account in the manner of opposition parties, holding regular press conferences and not being afraid to voice their criticisms.
- In monetary and fiscal policy-making, more and more decisions are being made at European level which contradict the provisions which are clearly laid down in the treaties. Examples of this include the unlawful monetary financing of national budgets by the ECB, an example which clearly shows that audit institutions need to be able to recognise new audit areas, and have the courage to start working with them. Joint audits by the European Court of Auditors and national audit institutions might, in some circumstances, provide a means of moving into this area. For example, it is clearly imaginable that the financial crisis would have been recognised sooner in heavily indebted Member States if the convergence criteria laid down in the Growth and

Stability Pact had at least been correctly calculated in all Member States, and the necessary action had been taken. Some of the "bail-outs" which have been necessary up to now might conceivably have been avoided, or would at least have been required only on a smaller scale.

When I first began working at the European Court Auditors in 1990, I noticed that some auditors were firmly against the idea of politicians being appointed as Members of the Court. These auditors believed that most politicians did not have the necessary expertise to evaluate the work of auditors correctly, let alone to carry out such work themselves. People who subscribe to this should think again. Before taking on a political mandate, nearly every politician has pursued a career, after receiving a programme of training whose status is no way inferior to that of an auditor. And every auditor needs to be able to recognise the political significance of his or her work. Auditors who see their responsibilities as being limited to audit will eventually be judged in the manner described by Goethe in his master work Faust:

***Rechnung für Rechnung ist besichtigt,  
die Wucherklauen sind beschwichtigt,  
los bin ich solcher Höllen Pein.  
Im Himmel kann's nicht heiterer sein.***

**("For debt after debt I've accounted,  
The usurer's claws now are blunted,  
I'm free of hell's pain, and then,  
It can't be any brighter in heaven.")**



Elsewhere, Goethe says this:

***Man behauptet, die Welt werde durch Zahlen regiert;  
Das aber weiß ich, dass die Zahlen uns belehren,  
ob sie gut oder schlecht regiert werde.***

**("It's said that the world is ruled by numbers;  
There's one thing, though, that I know for sure.  
Numbers will tell us whether it's ruled well or  
badly.")**

The implementation of EU policies is the politics of peace in the highest degree. The recent awarding of the Nobel Peace Prize to the European Union is a testament to this. Every European official who aims to do the best work possible in his or her area because of a real belief in Europe is making a real contribution to society, towards peace, and can hold his or head up high. With their knowledge and ability, the European Court of Auditors and its staff are making a significant contribution to the success of the European idea.

***Geld ist etwas sehr Böses, wenn es uns beherrscht,  
aber etwas sehr Gutes, wenn es uns dient.***

(Papst Johannes Paul I)

***Money is a very bad thing if it rules over us,  
but a very good thing if it serves us.***

(Pope John Paul I)



# REFLECTIONS ON 35 YEARS OF THE ECA

The view of former Members  
La perspective d'anciens Membres

RÉFLEXIONS SUR  
LES 35 ANS DE LA CdCE



## REFLECTIONS

### Josep Subirats

First Spanish Member and  
Dean of the ECA 1986-1994



In January 1986 I had to wait for the start of the new European Parliament session for the Committee on Budgetary Control (CBC) – before which I had been summoned to appear alongside Carlos Moreno from Portugal – to adopt its position on whether or not we were suitable for the role.

During the CBC session, I answered all the MEPs' questions, the last of which – from a British MEP – took me by surprise. I was taken aback. The British MEP knew about my personal background as an opponent of Franco (which he described as a “private matter”). I said that my intervention had simply outlined my professional activities (at first I thought that he was accusing me of hiding something). Fortunately he added: “He hasn't told us anything about his fight for democracy or the repression suffered under Franco”. In response I said that, on second thoughts, I should have mentioned it, because the fight against dictatorship is the fight for control over audits of the public authorities and accounts; it was certainly appropriate to say so at that time, because independent audit bodies are found only in democratic countries.

Spain's delayed entry into the EC made things tougher. Certainly I was familiar – as I had to be – with the EC's gestation and institutional framework, but straight away I realised that there are aspects which can never be gleaned from any book and which you simply have to experience. Most of the remaining founder members of the EC Court of Auditors whom I met in Luxembourg gave me a head start not only within the Court, but for the thirty years I spent living in the midst of this Community framework. I thought at first that I had to work three times harder than them each day in order to bridge the gap and thus be able to defend the EC's audit positions more effectively. There were even times when I worked through the night.

I was given the task of auditing the EC's own resources from value added tax – VAT – in the Member States, accounting for 75% of EC revenue. I had always been passionate about tax matters and these continued to hold my interest. I remembered vividly the origins of VAT in France, where it had been devised by Pierre Uri and developed by Maurice Lauré! Later, it was adopted by Germany and the other EC countries. In the Spanish Senate, I had tabled the initial draft law introducing VAT in Spain. Long before that, while a professor of fiscal policy at the *Universidad Autónoma de Barcelona*, I had already been outlining the consequences of replacing the then general corporation tax (*impuesto general sobre el tráfico de empresas – IGTE*) with VAT. Perhaps this grounding is why I was still more passionate about taxation issues in Luxembourg.

I was met by an audit sector stuck in first gear, as it had been in fact since 1983. The Court, in order to examine countries' actual VAT collection rates, had to verify State revenues from this tax and do so on the basis of documents, registers and records, as is normal when conducting an audit. However, Italy, Germany, France and Luxembourg did not allow Court audits in the area of VAT. The Court was obliged to report this fact to the European Parliament and did so in its 1985 annual report. That was how things were in those days.

In early 1989 a series of various Russian authorities visited the European institutions. At the Court of Auditors, we received two such visits. The first involved a delegation led by the USSR's justice minister, whose members were interested in information about the European Community's sovereignty formula, which allowed nation states to retain their independence. The second delegation, made up of university professors in economics and law, wanted to find out about experiences with political transition in



European Community countries. The members of it also sought substantive information about how the European Court of Auditors and the Member States operated. In view of the content of the topics of interest to the Russian academics, the Court's President asked me to arrange the necessary briefing sessions. He introduced me as someone who had been involved in Spain's political transition and as Senate rapporteur on the law enabling the Spanish State – which was already a democracy – to endow itself with a Court of Auditors independent from the executive authority. Many of the problems presented by the Russians carried echoes of the post-Franco measures taken between his death and the elections of 15 June 1977. The visitors asked an unending stream of questions. I highlighted the danger of keeping the dictatorship's *de facto* powers intact. "Did Spain keep them?" they asked. Almost all of them, I had to admit, with resignation. In passing, I should point out that when I supplied them with documents relating to the Spanish legal framework accompanying the transition and apologised for the fact that most were in Spanish, they told me that this was not a problem, because there were academics at Russian universities originally from Spain who had arrived as children during the Spanish Civil War. The translation of the documents was assured.

For those of us in Luxembourg during the first six months of 1989, the news regarding the progressive abandonment of communism by Eastern countries was encouraging. The people of those countries knew that the ideals of freedom (which they, as Europeans, also cherished) not only were very much alive, but had also been deeply entrenched and widely developed in the EC.

In 1989, the EC was a Community with supranational sovereignty whose remits included the administration of a common market and customs union. It also had an agricultural policy – the CAP – which was already firmly consolidated. So when Spain joined the EC in 1986 it was greeted by an established framework. From then on, under the guidance of Kohl, Mitterrand, Felipe González and Delors, the EC progressed along the path of solidarity, resulting in the multiplication of resources earmarked for regional and social actions under the Structural (and, later, Cohesion) Funds. These Funds have been of huge benefit – and still are – to the EC's peripheral countries. I believe that the policy of solidarity also dazzled the countries of Eastern Europe.

The Court was accustomed to expressing its opinion on reports which revolved around discrepancies between the accounting principles applied by the administrators of public funds and those which the Court regarded as the correct application. My vision of auditing went further: I wanted to know if the social or economic objectives for which the assistance had been awarded had been achieved. As I saw it, this was what interested – and still interests – the European Parliament and citizens. Of course, such interest also extended to ascertaining whether the accounting criteria had been applied correctly. In my opinion, however, checking whether or not the objectives had been achieved was the priority issue.



# THE EUROPEAN COURT OF AUDITORS TWENTY YEARS ON

## John Wiggins

Member of the ECA 1993-2001 from the United Kingdom



### A former British Member's perspective

The European Court of Auditors is now 35 years old. I first became seriously aware of it in the mid 1980s when a colleague from the UK Treasury, with whom I had been on several climbing expeditions, became the UK Member of the Court. Over the next few years I was an occasional visitor, and learned something of the challenges the Court was facing. So I was not altogether ignorant of its activities when I was asked to take Jo Carey's place at the beginning of 1993. Since my mandate came to an end in December 2001 I have tried to follow the progress of the Court's work. What follows are some personal reflections: they certainly do not pretend to be a considered history of the Court's work during the last 20 years.

### The place of audit in Government

Public audit of course has a long history, in the United Kingdom as in other parts of Western Europe. But it has only really come into its own since the 1960s. When I became an official of the UK Treasury (i.e. Ministry of Finance) we still had files marked "Not for E&AD eyes": the Exchequer and Audit Department was the forerunner of today's National Audit Office (NAO). I am not proud of this: that is how it was. Neither the Treasury nor E&AD really understood then the possible contributions of professional accountants and auditors to efficient and accountable government. E&AD's work mostly concerned checking the figures in the accounts, and seeing that procedures had been correctly followed, and commanded little public visibility. By the 1970s this was changing, as was shown by the agreement in the 1975 Treaty of Brussels to establish the European Court of Auditors, by the 1977 Lima Declaration at the first meeting of INTOSAI, and by the transformation of E&AD into NAO at the beginning of the 1980s. Now everyone could begin to appreciate the importance of public external audit, and its possible contribution to government accountability and to the efficient delivery of public services. And as external audit became more effective and important, so administrations began to appreciate the need for internal audit: it is better if the managers can identify and correct problems before they attract the attention of the external auditor.

### The development of audit

Both the impact and the content of audit have been changing and developing. The original remit of the Court was "to examine whether all revenue has been received and all expenditure incurred in a lawful and regular

manner and whether the financial management has been sound". At that stage the Treaty said nothing about the form and content of its annual report, and it was up to the Court to decide what constitutes sound financial management. The main elements of the Commission's expenditure programmes on agriculture and the structural funds in a sense pre-date the development of audit and accountability cultures. Noone asked back in the 1960s what specific results were to be obtained from expenditure under the Common Agricultural Policy, or in the 1970s about the efficiency and value for money of structural fund projects. Our Court predecessors of the 1980s asked all the right questions, as well as pointing out numerous problems with the information in the annual accounts and the way in which it was presented. But it was only after ratification of the 1992 Maastricht Treaty that the Court was asked each year to "provide the European Parliament and the Council with a statement of assurance (SoA) as to the reliability of the accounts and the legality and regularity of the underlying transactions". Thus for the first time the Court was called on to present an overall report on the accounts of the European Institutions for 1994, which also covered the legality and regularity of the underlying transactions.

When I arrived at the Court, the discussion was beginning about what the SoA should consist of, and what audit had to be undertaken to provide a basis for the report. The Court's general approach to the audit of an expenditure programme, then as now, was to gain an understanding of the system through which the expenditure was managed, and review its operation, before undertaking any substantive testing of the transactions. But this could not be done across the whole range of programmes in the European Budget. Instead the Court had to rely on testing a sufficiently large sample of transactions (using





the monetary unit sample technique) to determine whether or not expenditure was subject to a material incidence of error in the underlying transactions.

I think the results of the first SoA were rather a shock to the Commission. Action had already begun to tighten the administration of the CAP through the mechanism of financial corrections applied in the clearance of accounts and the institution of better controls over area-related payments. Previously the Commission could always argue, when the Court found problems and errors, that these were isolated instances, and not representative of the whole. The SoA audit removed this defence, and thus gave further impetus to initiatives to improve financial management and accountability. This then became the theme of much effort in the later 1990s, including recognition of the need to reform the Financial Regulation.

### **Reform of Financial Management in the Commission**

The Court's Opinion No 4/97 written in response to the Commission's proposed piecemeal amendments to the 1977 Financial Regulation represented an important element in the process of reforming financial management in the Commission. In this Opinion the Court summarised the case for a new structure of responsibilities in the Commission, for the rigorous respect for simplified budgetary principles, and for the presentation of financial statements in accordance with international accounting standards. The Financial Controller would become the Internal Auditor, and Authorising Officers would take full responsibility for the content and management of expenditure programmes. Meanwhile the dissatisfaction of the European Parliament with aspects of the Commission's financial management led to the appointment of a Committee of Experts to

review the situation. It was their conclusion that no one in the Commission could be identified as ultimately responsible for specific management failures which led to the resignation of the Commission, and thus opened the way to the reorganisation of the Commission and the reformulation of the Financial Regulation very much on the lines the Court had indicated in its 1997 Opinion.

A review of the Court's most recent reports shows clearly that many aspects of financial management have improved. The Court gave an unqualified Opinion on the 2011 Financial Statements, thereby confirming the effectiveness of the work done by the successive professionals who have served as Accountant to the Commission since the new structure was implemented. Much progress has been made in securing balanced statements from each Authorising Officer of the strengths and weaknesses of the programmes for which they are responsible. The checks the managements are now required to make of some of the transactions in each programme, and the declarations by the Authorising Officers, provide a good deal of supporting evidence for the Court's work which was not available when the SoA was initiated. There has been some reduction in the rate of substantive error as measured through the Court's audit. But the error rate on the structural funds remains obstinately high, and as the concluding chapter of the Court's most recent annual report explains, it is still not clear enough what each programme is intended to achieve, and whether or not it is succeeding.

### **The challenges met by the Court**

Since its establishment the Court has faced a series of challenges. The first was to establish its own procedures and standards and get them uniformly applied by auditors from a variety of different national traditions.

This was well understood from the outset to be essential, and the Court's manuals have shown steady progress ever since. Then the Court needed to establish effective working relationships with the national audit institutions with whom it has to cooperate in carrying out audits in the Member States. While I was a Member of the Court some of these relationships remained a bit prickly, with the national audit institutions inclined to look down on the Court as relatively inexperienced, and lacking the authority that comes with auditing a sovereign state. Now that the Court is a full member of the International Organisation of Supreme Audit Institutions, and can be seen to be playing a full part in the work of that body, these problems should have diminished, although differences of interest can never be entirely eliminated. And all the while the Court has faced the difficulty of managing itself despite the increasing number of Members resulting from the progressive enlargement of the European Union, and deploying its resources to best advantage. Paradoxically perhaps, the increasing number of Members has brought to an end the situation that each Member managed a division responsible for the audit of a particular element of expenditure, and resisted any suggestion that any of "his" resources could be better used on another audit judged to have higher priority. I wonder, however, whether the Audit Chambers may not have some of the same behavioural characteristics as the former Member-led divisions. The main challenge now is probably that resulting from the problems of managing the Euro: what role could auditors play in ensuring the validity of macro-economic and financial statistics, in assessing the risks faced by governments and European Institutions (including the European Central Bank) from private sector rather than government transactions, and in ensuring that financial assistance is used in the way intended, and transparently accounted for?



# THE FIRST TEN YEARS OF THE DAS

## Giorgio Clemente

Member of the ECA 1993-2006 from Italy



The Treaty of Maastricht, which was signed on 7 February 1992 and entered into force on 1 November 1993, introduced a completely new responsibility for the European Court of Auditors: the requirement that it should deliver a statement of assurance (commonly known by the acronym DAS, from the French "*déclaration d'assurance*") on the accounts and the legality and regularity of the underlying transactions. The Treaties had not specifically excluded a statement of assurance on the accounts, but the Court decided not to explore this avenue until it was specifically mentioned in the Treaty, except in respect of the financial statements for the ECSC's operating expenses after the ECSC had become increasingly active on the financial markets.

When the Court was faced with this new requirement, not only to deliver a public sector statement of assurance (a procedure known, in Europe, only in the English-speaking

countries), but, also (and this was certainly an innovation, presumably for the world as a whole) to certify the legality and regularity of the underlying transactions, it decided to set up a special committee to study the question.

This committee consisted of myself, the Danish Member, Ole Warberg and the UK Member, John Wiggins, thus taking into account the various institutional approaches throughout Europe; it had the task of drawing up of initial guidelines to enable the Court to deliver the first DAS in November 1995, for the 1994 financial year.

This statement of assurance was an opinion on the accuracy of the recording of accounting transactions (accuracy of entries), similar to the sort issued by independent auditors in the private sector. It did not provide certainty, since this could only be achieved by analysing all transactions (which would not have been desirable because of the unfavourable cost/benefit ratio), but an opinion based on the audit of a sample of transactions held to be representative of the whole and identified within the mass of the institution's transactions through a statistical method.

The Court's DAS audits complied with the auditing principles applied by the audit firms operating in the sector (IFAC and INTOSAI standards etc.) - completeness (all transactions must be entered in the accounts), the reality of transactions and assets (all accounting entries must relate to an event which took place during the period in question), the correct determination of value (revenue and expenditure transactions, assets and liabilities are recorded at the correct value, taking into account the prudence principle), the transparent presentation of information, etc. Generally speaking, the Court took into consideration the fact that certification also provides information on the auditee's financial situation, assets and

liabilities, the due dates and volumes of its financial flows and its actual ability to maintain its political commitments both in the short and long term. It therefore also took into account not only elements relating to the regularity of the accounts, but also factors that might prevent them from reflecting faithfully and completely (the English '*true and fair view*') the situation at the end of the financial year.

The certification of the legality of the individual transactions underlying the accounts is a conceptually different operation. It also consists of a *compliance audit* (audit of compliance with the rules). In this connection, we must assess whether individual transactions comply with the regulatory parameters on which they are based - both the substantive provisions (sector regulations, conventions, agreements and contracts) and the accounting provisions (budget nomenclature, Financial Regulation and internal management standards). Consequently, for expenditure, the audit reached down to the level of the final beneficiaries of EU funds, with the possibility of verifying the physical aspects of the operations funded. For revenue, where there are limits to the checks that can be carried out on debtors, for traditional own resources, the audit looked at supporting documents relating to the establishment of the amounts owed by debtors rather than material operations. Finally, the Court interpreted the treaty to mean that it required a statement of assurance every year.

Since, as we have seen, the Court's statement of assurance audit covers all the accounts and transactions for a given year, the Court has adopted a method which complies with generally accepted standards for the audit of public accounts, which implies, in particular, the implementation of tests to ensure that the results of its audit are statistically representative of the whole and have a solid basis that is strictly linked to the facts.



As stated by the Court itself in its first report accompanying the DAS (OJ C 352 of 30 December 1995), for an audit of this type, which must cover the entire budget each year, even more than for traditional audits based on multiannual planning, it is impossible to carry out in-depth assessments of all the large number of systems and subsystems governing the management and control of EU operations. We therefore used a statistical sampling method to make a selection of transactions in the central accounts of the Community institutions (mainly in the Commission's central computerized 'SINCOM' accounting system). The method applied was Monetary Unit Sampling (MUS), which, in financial matters, is a statistical sampling technique designed in such a way that the probability of selection is proportional to the size of the transaction.

As regards expenditure, a separate sample was selected, on the one hand from committed expenditure, including outstanding expenditure from previous financial years and, on the other hand, from paid expenditure. On the revenue side, the sample was selected from income from traditional own resources. The VAT and GNP resources, because of their nature, were subject to checks involving the evaluation of procedures and analytical tests.

As a minimum objective, the Court set out to achieve a 95% level of confidence that any errors that affected the reliability of the accounts or the legality and regularity of the transactions underlying them, did not, overall, exceed 2% of the overall reference value taken set by the Court (materiality).

Any errors or operations that were not performed in accordance with the provisions of applicable laws and regulations were treated as errors. Since, in the Community sphere, it is difficult to draw a clear boundary

between the concepts of legality and regularity, and given that the consequences of failing to comply with both are identical in terms of the DAS, it was decided not to distinguish between these two concepts and to organize the work in such a way as to ensure that the operations were both "legal and regular." The concepts of legality/regularity considered refer to compliance with all the applicable regulations, including certain national provisions in Member States, which ensure compliance with Community regulations.

In processing the results of the audit, errors were classified according to whether they affected the legality/regularity of the transactions or the reliability of the accounts - or both at the same time. In addition, a distinction was made between 'substantial errors', which have direct implications either on the reliability of the accounts or on the value of the underlying transactions, and 'formal errors', which do not have a direct and measurable impact on the Community budget. Finally, there is a distinction between errors that originate at the level of central Commission management and those deriving from third parties, in particular the Member States.

Since 1998, the statement of assurance has also contained a special assessment for the major operational areas of expenditure (after specific analyses for the two major fields of expenditure, agricultural and structural funds, had been already been added to the overall DAS for the 1996 and 1997 financial years). This provision was included in the text of Article 248, as amended by the Nice Treaty (now Article 287 of the Treaty of Lisbon). On the other hand, there is no provision for specific assessments for geographical areas.

In addition, starting from the White Paper on the administrative reform of the Commission (April 2000), the

Commission has started modernizing its structure and procedures, including the organization of its accounting and internal control systems, a fact which has, so to speak, altered, the environment of the Court's audit - hence the need for the DAS to take the new system into account. This has confirmed the principle that the evidence used for the DAS should be sought beyond the results of validation tests (transaction audit). Each "individual assessment", in addition to being based on the usual verification of transactions, now relies on three other sources:

- 1) the evaluation of monitoring and control systems both at the Commission and in the Member States (based on specific risk analyses);
- 2) the evaluation of the results of any checks carried out by other auditors;
- 3) the examination of the declarations and annual reports of the Commission's Directors-General (pursuant to Article 82 of the White Paper).

In conclusion, it should be noted that the context in which the European Court of Auditors operates is constantly changing, so its "auditing standards" need to be continually updated.

This is how we should understand the "Practical guidelines for DAS audit work after 2005", which the Court adopted in early 2006 and which, in addition to overcoming the often misleading distinction between material and formal errors, also takes into account the changes and developments that have occurred in the various audit areas, especially the introduction of accruals-based accounting in 2005, which made it possible to improve the quality and relevance of financial information. But this goes beyond the ten-year limit of this paper.



# THE EUROPEAN COURT OF AUDITORS AS AN EU INSTITUTION: Reflections based on experience

## Antoni Castells

Member of the ECA 1994-2000 from Spain



These reflections respond to a particularly remarkable event itself: The celebration of the 35th anniversary of the European Court of Auditors, which is one of the EU institutions, together with the Parliament, the Council, the Commission and the Court of Justice which is due this year. I would like to highlight the event for two reasons. Firstly, I wish to emphasise the importance of the European project. At a time when the economic crisis and the EU's insufficient ability to respond to it adequately have fuelled dismay and a lack of confidence in the European project everywhere, now more than ever we need to make it known that Europe is not the

problem, but the solution. And that, to a great extent, the citizens' disappointment with the European project is because they would like more Europe, not less. The celebration of the 35th anniversary of the European Court of Auditors must be taken as an opportunity to reassert our will to make resolute progress in European political construction, which is the only real way of addressing the challenges we face.

The second reason is to remember the importance of institutional continuity. The institutions are the pillars supporting any joint undertaking. And continuity shows the strength of the institutions. People and political parties come and go, but the institutions remain. That is why it is so important to be able to look back and witness the great project that is the European Union (formerly the European Community) after more than half a century (almost 60 years if we include the ECSC) and the Court of Auditors after 35 years.

I felt it appropriate to begin my thoughts with these two comments. For me personally, my greatest source of pride as a Member of the ECA was the chance to contribute to the growth, improvement and proper functioning of the institution. During my time as a Member of the Court, I was able to take part in the 20th anniversary celebrations and it is extremely gratifying to be able to witness the growth, enlargement and consolidation of the institution over the past 15 years.

I would like to contribute to the commemoration of this anniversary with three comments which, although inspired by my memories, aim to look ahead.

First of all, I must begin with my own personal appraisal. My time at the European Court of Auditors (1994-2000) was extremely rewarding, both on a personal level and

in professional and institutional terms. On a strictly personal level, the institutional relationship stemming from membership of the College enabled the Members to cultivate true friendship. And the same could be said of the human value of officials and experts of the Court, and naturally my direct colleagues in the Private Office.

I remember very clearly each and every one of my colleagues, and friends, during the various stages of the Court. Those who formed part of the same Audit Group, with whom the relationship was of course closer, and all my College fellow Members. And naturally the presidents, André Middelhoek, Bernhard Friedmann and Jan Karlsson. When I joined the Court, in February 1994, there were still twelve Member States. Approximately one year later, Austria, Finland and Sweden joined. I have fond memories of the Members from the different countries, Daniel Strasser and Jean-François Bernicot (France), Giorgio Clemente (Italy), André Middelhoek and Maarten Engwirda (Netherlands), Patrick Everard (Belgium), Maurice Thoss and François Colling (Luxembourg), Bernhard Friedmann (Germany), Johan Wiggins (United Kingdom), Armando de Sousa Ribeiro (Portugal), Barry Desmond (Ireland), Constantinos Androutopoulos and Kalliopi Nikolaou (Greece), Ole Warberg and Jorgen Möhr (Denmark), Jan Karlsson (Sweden), Aunus Salmi (Finland), and Hubert Weber (Austria).

Secondly, my time at the European Court of Auditors was, without a doubt, an extremely worthwhile professional learning experience, which proved invaluable in terms of understanding the importance of the purpose of the institutions, serving the ECA and, ultimately, the European Union. The institutions are the lynchpin of societies and political communities. And for Europe, this project under construction, the continuity and consolidation of the institutions is vital. The Europe we



dream of will only be possible if the institutions enjoy the trust and respect of the citizens of Europe: In other words, if the citizens see the institutions as their own.

My time at the ECA was also extremely useful as a benchmark for constant compromise and tolerance. In a certain sense, the ECA is a microcosm of the European situation itself. As I said earlier, when I joined the Court in 1994, the European Community (subsequently, the European Union) had 12 member countries, increasing to 15 after a year. Well, the ECA is a scale model of the situation in the EU: both the Court as a whole and all its staff, and in particular the *College*, comprising first 12, then 15 Members plus the Secretary-General. Each with their own personality, their own background, their own ideas, their own “national culture”. The task of the ECA is therefore a constant exercise in negotiation and compromise. A task to which each individual can contribute their own knowledge and the best of a particular “school” while at the same time having to act and think for the greater good. Because it should never be forgotten that the institution, the ECA, is one body, and only one, and when it speaks, it does so with one voice, not with 15 different opinions or decisions.

This is an extraordinarily enriching combination and, in substance, should be a good model (on a small scale, of course) for the political institutions which should be making up the EU, which we are missing today. A good model, in two senses in particular: first, as regards to living together in Europe, which will only be possible on the basis of this positive combination of the best of each individual Member State together with the goal of jointly serving the same objective, namely a European project which unites us; second, as an exercise in compromise and tolerance. The ECA reports were discussed in depth because there can always be differing views, opinions,

mismatching interpretations of the same information, different schools of thought. And this is enriching when there is the possibility of dialogue and compromise, to give way on certain aspects with a view to being able to adopt the essential. To understand, and this is the meaning of tolerance, that the opinions of others can always be enriching and that other people’s points of view should be taken into account. This is a Europe that is tolerant, not fanatical, dogmatic, intransigent or demanding, the only Europe that will enable us to achieve the “European dream”.

This reflection leads me to the third comment I would like to make. The ECA has made a significant contribution to establishing a certain model for external audit institutions to emulate, a cornerstone of the proper functioning of the democratic institutions. And it has done so by both absorbing and somehow making a synthesis the different traditions from the various EU countries (both in terms of its institutional design and the duties it carries out), and by innovating and proposing new solutions which have contributed to progress in all the external audit institutions.

I would like to refer to three aspects in particular: Firstly, the conception of the ECA as an institution, with full autonomy and freedom, assisting the legislative authority with its task of auditing and controlling the executive. The function of the ECA is important and highly technical (which is why it must employ highly qualified staff), but its tasks do not include merit rating, political initiatives or decisions, which are, in any case, the responsibility of the Parliament. And on this point, the task of the ECA is intrinsically linked to a key political act: the process of budget discharge by the legislature, once it has been settled by the executive. This point, which is of great importance in the budgetary cycle,

often attracts far less political attention than it deserves (and, of course, always less than the approval of the budget).

The second aspect, which is closely linked to the first, is the ECA’s role in making the governments accountable to the citizens via their elected representatives. The economic results of budgetary management are not evaluated by the market or by shareholders. Therefore, if we want to ensure that the public sector is managed efficiently and effectively, we need maximum information and maximum transparency, so that the people representing the citizens as a whole (parliamentarians) have the necessary means to do just that. And it is up to the external audit bodies to establish the necessary means and make them available to Parliament.

Thirdly, the ECA has played, and must continue to play an ever more active role in disseminating mechanisms for the evaluation of effectiveness and efficiency in the management of public resources (‘performance audit’ or ‘value for money audit’). In many EU countries, external audit is still excessively focused on monitoring legality and regularity, whereas the evaluation of management and results is insufficient. The ECA incorporates extremely diverse traditions, since there is great variety in the different EU countries. For this very reason, however, it can create, and has in fact created a very good laboratory of synthesis of these different “schools” and disseminating their best practices.



# WITHOUT THE OBLIGATION OF NATIONAL DECLARATIONS THERE WILL NEVER BE A CLEAN OPINION OF THE COURT

## Maarten B. Engwirda

Member of the ECA 1996-2010 from The Netherlands



Happy birthday to the Court and many happy returns! 35 years is a very nice age and in many respects the Court in its present form is now a grown-up institution. It has developed strategic planning, it has much improved its external communication and it has developed a sound critical view of its functioning by regular self-assessments and external peer reviews.

However there is always room for further improvement. By far the most important area for such improvement seems to me to find a solution for the discrepancy, which still exists between the final responsibility of the European Commission for the execution of the budget of the European Union and the fact, that around 80% of the EU-funds are spent in and by the Member states. In the Court's last Annual Report I read another striking example of this discrepancy when the Court noted that national authorities had sufficient information to take action in two-thirds of the transactions affected by errors in regional spending!

Combined with the fact that for the second time in a row the last Annual Report concludes, that the error rate estimated by the European Court of Auditors for EU spending rose to 3.9%, this further strengthens my belief, that the Court will never be able to issue a clean opinion so long as there is no obligation for the Member states to issue a National Declaration on the collection and spending of EU-funds. By the way, bravo to the Court that it now does give such error figures!

And therefore I would like to conclude this birthday message by paraphrasing the famous words of the Roman Senator Cato Maior: 'Ceterum censeo nationalibus constitutionem exigeretur'.



# LE DANUBE N'EST PAS TOUJOURS BLEU

## Eclats de mémoires sur le temps passé à la Cour des comptes européenne...

### Julius Molnar

Membre de la CdCE 2004-2010, Slovaquie



Je me rappelle de mon départ de Slovaquie le 6 mai 2004 - il pleuvait. De l'avion je regardais le fleuve Danube : il lui manquait cette couleur magique promise par Johann Strauss. L'eau était boueuse et sale, chargée de tous les alluvions et débris rassemblés pendant son long et fatigant flux à travers l'Europe. J'avais réfléchi à ce qui m'attendait dans les années à venir à la Cour des Comptes européenne.

Je connaissais le travail de la Cour, ainsi que plusieurs membres du personnel, et certains de mes nouveaux Collègues. J'avais déjà eu l'honneur de coopérer avec eux auparavant, comme responsable au sein de la Cour des comptes slovaque. J'étais aussi familiarisé avec le système et les tâches de l'INTOSAI, de l'EUROSAI, ainsi qu'avec les activités de coopération multilatérale et bilatérales organisées dans ces enceintes.

A la Cour je fus désigné comme membre du Groupe I – le Groupe responsable pour l'audit de l'agriculture. L'audit de différents domaines de la politique agricole commune me donna l'occasion d'approfondir mes connaissances en biologie et en chimie, découvrant la richesse de la botanique et la variété des maladies phytosanitaires ! J'étais fier de pouvoir travailler avec un personnel si compétent et passionné pour son travail.

Je me remémore les tâches dont j'étais rapporteur, depuis leur planification jusqu'à la présentation des rapports finaux devant les Collègues du Groupe I, le Collège de la Cour, puis devant le Comité responsable du Parlement Européen, et enfin devant la presse...

Pendant six ans, comme Membre de la Cour je participais aussi aux travaux du Collège sur de nombreux thèmes qui ont marqué la vie de l'Institution : la modernisation des règles financières ressortissant de la réforme des outils budgétaires et comptables, inspirée par le « Single

Audit » ; la complexification des règles et des normes dans le cas de la réforme des systèmes de gestion et de contrôle pour l'agriculture – IACS ; la mise en œuvre des résultats de l'« auto-évaluation » et de la « revue par les pairs » ; la révision des « Politiques et Normes d'Audit de la Cour » ; ou encore l'élaboration et la mise en œuvre d'un nouveau règlement intérieur, nouvelle charte pour son organisation et son fonctionnement...

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J'ai quitté la Cour en mai 2010. Comme pensionné je me promène souvent au bord de Danube en me demandant pourquoi Monsieur Strauss a intitulé sa valse célèbre « Le Beau Danube Bleu »...alors que ses eaux coulent toujours sales et de couleur brune...

Je pense souvent à mes anciens collègues et au travail à la Cour de Comptes. Bien sûr, je suis de loin leur travail et j'entretiens des contacts avec quelques un d'entre eux. Bien sûr, je m'intéresse aux succès obtenus dans l'UE pour mieux protéger les intérêts financiers de nos citoyens, à quels résultats on a abouti sur la fiabilité des comptes, sur la légalité et la régularité des opérations sous-jacentes... Je m'intéresse, comme nos députés au Parlement, à la fameuse « DAS », autrement dit aux constatations de la Cour présentée dans sa déclaration d'assurance, qui ouvre chacun de ses Rapports annuels sur l'exécution du budget de l'UE...

Cette année, comme souvent par le passé, je lis que - pour l'année 2011 aussi - la DAS comporte une appréciation défavorable sur la légalité et la régularité des paiements sous-jacents aux comptes pour de nombreux domaines politiques : Agriculture, soutien du marché et aides directes ; Développement rural, environnement, pêche et santé ; Politique régionale, énergie et transports ; Emploi et affaires sociales, ainsi



que Recherche et autres politiques internes, qui sont affectés par un niveau significatif d'erreur de 3,9 %. Je me pose toujours la même question : « Pourquoi ça ? Pourquoi ce résultat du rapport annuel 2011 s'inscrit-il dans la continuité de celui des années précédentes ?! » Est-ce que ce sont seulement les institutions de l'Union ou les États membres qui doivent mieux gérer les dépenses des fonds, et beaucoup mieux garantir que les finances publiques soient saines et que les objectifs escomptés soient formulés de manière optimale... ou bien est-ce aussi nous, les propres citoyens de l'UE... ?!

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La crise financière qui a frappé l'Europe en 2008, a placé l'UE devant un nouveau grave problème – agir face à cette crise, qui menaçait l'investissement, la consommation, le crédit et l'emploi, sans tarder. Les priorités de la Commission européenne consistent à accroître la transparence des marchés financiers, à renforcer la surveillance financière, et à veiller à ce que tous ceux qui commettent des abus soient effectivement sanctionnés.

Des modifications majeures doivent être apportées à la législation bancaire de l'UE, au système européen des banques centrales nationales, avec en tête la Banque centrale européenne. Cette situation offre d'après moi à la Cour des Comptes Européenne une opportunité historique d' y jouer le rôle qui lui est confié par le Traité - assurer, en sa qualité d'auditeur externe de l'UE, le contrôle des finances de l'Union, et agir comme le gardien indépendant des intérêts financiers des citoyens de l'Union.

L'objectif d'aider les décideurs politiques de l'UE à mesurer les implications des développements dans le domaine de la gouvernance, des politiques et de la gestion financière, dans le cadre des mesures prises contre la crise financière, figure parmi les priorités de la Cour pour la période 2013-2017. Cela pourrait satisfaire nos citoyens de savoir que le système de surveillance élaboré par la Commission en réponse à la crise dans le secteur bancaire est suivi de très près et contrôlé par la Cour. Dans ce contexte on peut pleinement partager la constatation du Président de la Cour, M. Caldeira, selon laquelle «Le rôle de la Cour en tant qu'auditeur externe de l'UE n'a jamais été aussi important tout au long de ses 35 ans d'existence».

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Et que souhaiter à La Cour des Comptes Européenne à l'occasion de son 35ème anniversaire ?

- Qu'elle dispose : D'un personnel compétent et passionné pour ce difficile travail,
- De membres avisés, appréciés et travaillant dans un esprit collégial,
- D'un président sage, honorable et estimé à l'intérieur ainsi qu'à l'extérieur ;

Et que la Cour des comptes européenne, comme l'auditeur externe de l'UE, apporte constamment, pendant les années à venir, toujours plus de valeur ajoutée à la gestion financière de l'Union, et agisse comme un instrument permettant de garantir l'obligation de rendre compte de l'utilisation de l'argent du contribuable européen.





# THE COURT AS I REMEMBER IT, THE COURT AS I SEE IT

## Jacek Uczkiewicz

Member of the ECA 2004 -2010 from Poland



### Introduction

My experience of the workings of the Supreme Audit Institutions is pretty wide. As a Member of the Polish Parliament from 1993 to 1995 I acquired experience in legislative matters when I chaired the sub-committee drawing up the new law on the Polish Supreme Audit Office (NIK) and acted as the *rapporteur* for this law. For six years I was the Vice-President of the Supreme Audit Office, responsible for auditing in fields such as the economy, privatisation, public administration and computerisation. I was the NIK's representative on the INTOSAI Electronic Data Performance Committee and the INTOSAI Working Group on the Audit of Privatisation. As part of the NIK's management I was also responsible for cooperation with the European Court of Auditors and for the NIK's implementation of international audit standards as part of Poland's accession to the European Union. For me, the crowning glory of my auditing career was when I became a Member of the European Court of Auditors. I also have particularly fond memories of my time as Deputy Minister of Finance when I was regularly on the receiving end of the NIK's meticulous audits and checks.

The reason why I am listing all my experience is that it entitles me to make the following point:

**Show me your country's SAI, and I will tell you how strong and efficient your country is.**

It is not difficult to see that there is a very strong correlation between a State's efficiency and the institutional role, professionalism and effectiveness of its supreme audit body. This correlation also applies in every respect to the European Court of Auditors and the European Union. At the

same time it is worth pointing out that the influence that the ECA can bring to bear on each of these three aspects seems to be quite limited. Relatively speaking, the most the ECA can do is constantly raise the level of professionalism of its work. Even here it is severely restricted by the EU's budget policy and staff management policy. In my view, there is not much scope for the ECA to act effectively to further improve the EU's financial management and the achievement of its tasks. Having highly professional auditors and applying the best international standards are of little use so long as there is not a strong enough will on the part of the European Parliament to require the Commission to implement the European Court of Auditors' recommendations. The situation is further exacerbated by the real lack of effective cooperation at auditor level between the Court and the SAIs of the Member States. The failure of the pilot scheme for a joint budget audit in 2010 is irrefutable proof of this. And yet it is in these countries that most of the EU projects have been carried out and most of the EU funds spent. The Court also does not have the power to audit the Member States nor, therefore, to address appropriate conclusions and recommendations to them. The Court's scope for exercising any influence on its institutional position is already completely vestigial. It is enough here to quote the story of the European Court of Auditors' inclusion in the group of institutions forming the "institutional framework" of the EU (the Treaty of Maastricht), and then the attempts (the Constitution of the European Union) to remove the ECA from that group. At the same time the Court's involvement as an institution in two key stages, preparing the draft Constitution and drawing up the Lisbon Treaty, was zero. It was probably only thanks to the individual last-minute endeavours of Court Members just before the signing of the Lisbon Treaty, based up until then on the Constitution, that the ECA was again included in the institutional framework of the EU.



All this has led to a curious contradiction in terms. On the one hand, the Supreme Audit Institution should be totally non-political in performing its audit work and free from any political influence. On the other hand, its effectiveness is essentially decided by bodies that are wholly political.

**The main factors driving growth in the ECA's effectiveness and efficiency lie outside Luxembourg.**

Obviously, the key to resolving this contradiction in terms lies in the minds of the political class, especially the top political management. It is precisely the political leaders of the State (the European Union) who should perceive the benefits that a professional, impartial auditor could offer the State and society. Unfortunately, during my term of office I do not recall any debate amongst the politicians responsible for the European Union about the need to strengthen the ECA and the direction this should take. The fact that there was the intention, in the Constitution of the European Union, to leave the ECA out of the Union's institutional framework may reflect an inclination to move in quite the opposite direction.

### **The Court as I remember it**

My three most striking impressions once I started working at the Court were as follows:

Firstly, the Court seemed to me to be like an institution in an ivory tower, like a kind of club for intellectuals who debate big and important issues but do not really seek to have contact with the outside world and do not enjoy undue attention from their associates.

Secondly, I was hugely impressed by the professionalism of the auditors, by their knowledge and integrity, as well as by the high standard of the Court's administration.

Thirdly, there was no way one could fail to notice the general expectation or simply hope amongst the Court staff that the major enlargement of the EU in 2004 would bring change, far-reaching reforms in the way the Court operated.

In fact, the period from 2004 to 2010 was a time of intensive work on a number of fronts to reform the ECA and perfect the way it operated. My involvement in these reform measures - alongside my normal auditing work, of course - was, and still is, a source of great satisfaction to me. It is therefore salutary to highlight the Court's most important achievements in this respect. They include drawing up a statement of the Court's mission, vision and basic values, with a reference in the mission statement to the Court's role as the guardian of the EU citizens' economic interests. The Court carried out a review of its audit policy and standards. It made tremendous efforts to perfect its financial audit methodology (DAS) and also embarked on work on its performance audit methodology. A radical change was made in the Court's contacts with the media, involving laying down a suitable policy and rules, and improving the editorial side of published documents, especially for the Court's Annual Report and its Annual Activity Report. The Court drew up a human resource management policy which contained many innovative solutions, such as a regular staff satisfaction survey concerning work at the Court. For the first time in its history, the Court laid down an IT Development Strategy by way of a response to the opportunities and challenges inherent in the IT revolution. A system was introduced for evaluating the internal functioning of the Court, based on key performance indicators. New rules

were drawn up for monitoring the long-term impact of the ECA's recommendations (the follow-up procedure). This is just a brief list of the milestones that marked the ECA's development in the years 2004 - 2010. From that follows what to my mind is a very important conclusion.

**Whilst there "is still room for further improvement", the ECA's internal reform work is slowly reaching saturation point.**

It goes without saying that this work could and should be continued, but major changes in the status and effectiveness of the Court will not be achieved at Rue de Gasperi. For that to happen it is crucial to have the political will and cooperation of the Council and the European Parliament.

### **The Court as I see it in the future.**

1. To my mind, the greatest challenge facing the Court was brought to light by the spectacular defeat of the mission of the Bonnici Working Group, which, despite the initial assumptions, did not succeed in drawing up standards for auditing the execution of the EU budget that were common to the ECA and the SAIs of the EU Member States. This being so, the only answer is to find a political solution and:

**It should be required and expected of the EU political leaders that they break the deadlock on this issue, which is effectively holding up progress on the proper financial auditing of the EU.**

The objective should be to achieve a situation in which the SAIs of all the Member States will be involved in auditing the implementation of the Commission's budget, using



a single methodology, with the work being coordinated by the ECA. The Court should at the same time also make use of the audit work of the Member State institutions responsible for managing EU funding.

2. Secondly, an important issue that requires radical change is the principle of the Court's cooperation with the Parliament. A situation where one single Parliament committee (COCOBU) is the Court's partner is highly detrimental to the EU. It is a very outdated model whose main "contribution" has been to create the image of the ECA as an "ivory tower".

**The Court's effectiveness is *de facto* the European Parliament's effectiveness. That is why the Court should constantly be cooperating with all the responsible Parliament committees that are relevant to the scope of a specific audit.**

COCOBU's tasks in the Parliament should be considerably modified. This committee should not be playing the role of a kind of firewall between the Parliament and the Court. Working together with the relevant committees would also be useful for the Court, which would be better able to plan its special audits, particularly the performance audits.

3. One of the most important methodological issues is the tolerable level of irregularity. The Court has determined this level as 2 % for all the areas examined. It cannot be denied, however, that those who argue that the tolerable level of irregularity should be differentiated, especially as regards areas such as scientific research or culture, do have a point. However, that is a dangerous road to go down, as it may lead to the importance of the Court's opinions and recommendations being watered down.

It is a road that may only be taken on - to my mind - two conditions. Firstly, that it is the ECA that specifies the differentiated levels of confidence, and secondly, that the European Parliament committees will duly check the way the European Commission functions. Differentiating the levels of confidence may not be interpreted as permission to lower the level of financial discipline.

4. One of the problems which we did not manage to overcome in the period from 2004 to 2010 was the question of rationalising the contradictory procedure. It is of great significance not only for the efficiency of the whole audit process but also for fostering a healthy relationship between the auditor and the auditee. I hope that in future, in seeking to settle this matter, my fellow Members of the Court will never be faced with the argument, "Mind what your say! After all, our budget depends on them (the Commission)!!!!".

5. In discussions about the ECA an issue that often comes up is the number of Court Members. This question is asked far more frequently than the question of whether its recommendations are put into practice. In my view, according to the Treaty on European Union:

**The European Court of Auditors consists of 28 Members, selected by the Parliament and the Council, who are supported in their work by the whole institution.**

It is curious that, even though this was unequivocally stated in the Treaty, not all the Court Members shared my point of view. If the European Court of Auditors does not work out a common position on this matter, the question of the number of Court Members will always be brought up, even as a substitute for a debate on implementing the recommendations made by the European Union's external

auditor. Having 27 or 28 Members already allows the Court to dispense with the traditional formula of establishing an opinion by consensus and instead to adopt the voting method as the basic procedural rule. This will make sense, however, only once the Court becomes a forum for substantive, professional debate amongst auditors, not politicians. From this point of view it is worth considering changing the system of appointing Court Members, so that it consists solely of people who have sound experience in managing Member States' Supreme Audit Institutions or private-sector audit firms. In this respect, the role of the national SAIs in nominating candidates to become Court Members should be considerably expanded and formalised.

The European Court of Auditors is an audit institution that is unique in the world – every bit as unique and inimitable as the European Union itself. Succeeding in carrying out the ECA's mission should not just be an internal challenge facing the Court. It should be the wish of every EU citizen that the ECA carry out its mission *par excellence*.



# REFLECTIONS ON 35 YEARS OF THE ECA

The view of former directors  
La perspective d'anciens directeurs

RÉFLEXIONS SUR  
LES 35 ANS DE LA CdCE



# 35 YEARS OF COURT OF AUDITORS: A KALEIDOSCOPE OF MEMORIES

## Harrie Rozema

Worked at the ECA 1978 - 2008

Director from 2005 to 2008



“Have you heard of the Court of Auditors of the European Communities?” was the question asked to me over the telephone by the assistant of the Dutch cabinet, early 1978. He had contacted me in the context of a large recruitment operation after the Court had started its operations in October 1977 with a limited number of staff consisting of a number of officials from the Court’s predecessor, the Audit Board of the European Communities, and some of the cabinets’ staff. Administrative staff and translators had already been recruited from other Institutions but auditors were heavily underrepresented so that the Members took up the recruitment of audit staff according to a certain distribution of nationalities.

As a matter of fact I was at that time not aware of the existence of that new, noble, organisation but it sounded very interesting to me after having worked for a large audit firm for some 10 years: I decided to join the Court with effect of the 1st of September 1978. There I was: in front of a massive building: 29 rue

Aldringen. A large building around a court-yard with nine service cars: stretched Citroëns CX for eight of the Members and one Mercedes for the German Member. Really impressive... So, from one day to another I changed my working situation: from a reasonably structured environment into what appeared to be a kind of pioneer organisation for which many structures and procedures were to be developed.

The organisational structure was set up in a very original way: each of the Members was given a “vertical” task, i.e. the responsibility for an audit sector, and most of them also had a so called “horizontal” task, consisting of e.g. “Personnel”, “Operational expenditure”, “Administration”, “Documentation”, “Training”, “Methodology”.

The split of “horizontal” tasks made coordination between these domains complicated and was gradually changed into more efficient solutions.

The Court had at that time one director and two heads of departments for each of the larger Member States ( France, Germany, Italy and the UK) and one head of department for each of the five other Member States. This “system” existed till the end of the 1980’s when it was realised that its rigidity caused problems in finding suitable candidates of the “right” nationality at the right time and that it did not really stimulate motivation of staff of the non- favoured nationalities.

Yes, staff! Recruited during a short period and with completely different backgrounds: lawyers, economists, auditors, engineers, coming from private industry, audit and consultancy firms, public services like finance, national audit bodies and some officials from other EC bodies. And, by far most of them came from a national environment without any international experience. Everybody spoke about “audit” or “contrôle” (Anglophone respectively Francophone background)

but it took a while before it was realised that the content of either of these words was pretty different, depending mainly on the national professional background. Of course everybody believed that the own national professional package was the best and, again , it took some time and training before common professional standards could be developed and accepted.

Given the urgency for obtaining staff all new staff had received temporary contracts. So by the end of 1979, of the Court’s 190 staff two third was temporary.

At least implicitly it had been indicated to the newly recruited staff that regularisation into permanent contracts would soon follow after recruitment and that the procedure for becoming an official should be comparatively easy. The Court’s Members and the Staff Committee agreed that procedures should be started for the regularisation. As the Staff Regulations should be respected, the first step was to appoint juries. However, once these juries started their work, it was agreed that it should at least look serious, with written tests and interviews.

To keep a long story short: the competitions were serious enough to have one third of the candidates failed and in some grades even fifty percent!

There was then a moral and a practical problem: moral because certain promises had been made and practical because a huge proportion of audit staff and their work was at risk .

Therefore a second wave of competitions was organised and for some grades even a third wave. Finally, at the end of 1980 by far most of the staff were permanent officials, even when some colleagues had, frustrated, left the Court in the meantime.

While procedures on working methods, planning, setting of priorities were hardly in place, the creativity



of management and auditors was high in defining audit assignments.

In practice audit initiatives for each of the audit domains came from the responsible member, the head of department and staff. Objectives, scope, methods and duration of the audits were often not formally defined and therefore to a large extent left to the judgement of the head of department and the auditors. In fact, procedures for obtaining small office materials were more precise and stricter than procedures for the use of (expensive) staff. Perhaps it was not always the most efficient way of managing staff and audit assignments but it gave an enormous job satisfaction to many staff and contributed enormously to motivate the auditors.

Planning was a difficult item, anyway. To an extent it was due to the structure by which each of the members was specifically responsible for a certain audit domain with a minimum of intervention by the other members, apart from the collegial approval of the audit results as presented in annual or special reports.

Even when the annual programmes were to be approved by the collegium of members, the mutual pressure to modify the audit proposals was minimal. In the corridor it was often stated that there were as many independent “sub”- Courts as there were members...

This did not only make planning difficult but it also limited effective control on working methods and professional quality despite the growing influence of ADAR, the Court’s methodology think tank and control unit.

Financial audits were also defined and executed at the level of the audit sectors. For some areas financial audits were carried out using statistical sample techniques and methods according to international standards. For other areas the financial audit was limited to global

financial analyses and for most of the audit areas it consisted of ad hoc financial examination of selected sub-domains.

This changed fundamentally when in 1994 the Court became obliged to give its opinion on the reliability of the EU accounts and on the legality and regularity of the underlying transactions (DAS). This forced the Court to develop an overall methodology and planning for its financial audits. The planning for the so called “sound financial management” audits (performance audits) remained weak till 2004 when 10 new Member States joined the EU and therefore 10 new Members made their entry to the Court.

Previously, when new Members arrived (Greece in 1981, Spain, Portugal in 1986 and Austria, Finland and Sweden in 1995), new sectors were created and/or existing sectors were split to accommodate the new Members, thus maintaining the structure of “one Member, one sector”.

This was rightly not felt to be possible anymore when in 2004 the number of members was increased from 15 to 25. It was then decided that Members should be collectively responsible for the whole of the audit activity of the Audit Group to which they belonged. This structure has led to a more critical approach towards working methods, planning and quality control.

The Court was very much welcomed by the European Parliament in which in particular Mr. Heinrich Aigner had pushed for having an independent audit body established. Discussions in Parliament between Mr. Aigner and the Commission on the Court’s findings were often that fierce and sharp that I sometimes pitied the heavily attacked Commission.

The Commission had initially a waiting attitude, often somewhat arrogant to the newcomers (“you are

not a fonctionnaire, are you?”) and in the case of the Structural Funds simply obstructive.

Gradually the Commission became more constructive and respectful towards the Court and its auditors when it was realised that the Court’s observations could have serious political implications and also that valid observations were made on the basis of which improvements could be made.

For the Council the Court was at the beginning a “non-item” perhaps because the Council’s influence on structure and staffing of the Court was minimal, unlike its influence on the Court’s predecessor for which the Council appointed members and staff. But gradually the Council became more interested, most likely because it was realised that in many cases the Member States were implied in the observations made by the Court.

Now, more than 35 years after it started its work, the Court is a well established, recognised Institute of the European Union, working according the highest professional standards. It still works on its structure, procedures and working methods as a living organisation should do. The situation of the pioneer organisation ended many years ago. That is a normal and sound development.

But some of that pioneer spirit should be maintained in order to avoid becoming a heavy, bureaucratic body with strict and inflexible procedures and controls. In the complex audit environment in which the Court operates not everything can or should be put in strict rules on scopes, duration, approach and implementation of audits.

Therefore: leave room to the auditors for initiatives at all stages of the audit for better results, more motivation and a sound further development of the Court for the next 35 years.



# RECOLLECTIONS OF 30 YEARS IN THE EUROPEAN COURT OF AUDITORS

John Speed  
Worked at the ECA 1981 - 2011  
Director from 2003 to 2011



I arrived with my family in Luxembourg in May 1981 to start working in the Court on what was planned to be a 3-year secondment from my employer in London. But plans are only made for changing and I finally retired at the end of 2011 after more than 30 years in the Court: 30 years of a wide-ranging, varied and interesting career. And we are still here in Luxembourg after retirement.

I came initially to work in the “private office” of Sir Norman Price, the first Member of the Court from the United Kingdom. Sir Norman selected me as an economist to help him with his responsibility for the audit of Own Resources, but by the time I arrived Sod’s Law had intervened, he had switched portfolios and was in charge of the Court’s administration. So, in addition to helping Sir Norman in his role as a member of the college, for example reviewing draft reports, and helping prepare the Court’s proposal to the budgetary authority for the funding of the Court’s new building on the Kirchberg, I immediately had to get to grips with what to me were the somewhat Byzantine details of the Financial Regulation (1977 version) and the delights of budgetary management in the Court. Although budget operations in the Court were on a small scale, there was no shortage of problems to be sorted out, including a fair number of inter-personal ones, and I learned a great deal in a short time, much of which stood me in good stead when I started work as an auditor.

The Court in 1981 was still in its early days, with only 9 Members when I arrived, and was in the process of defining its identity as an audit institution blending the practices and traditions of the different audit institutions of the Member States. It had initially recruited staff from a wide range of different backgrounds, only some of which were from the private as well as the public audit sectors, so a key challenge facing the Court was to agree

on a common audit approach. It was stimulating, albeit at times frustrating, taking part in this. The provision that the Court should examine whether the financial management was sound was interpreted from an early stage as meaning what was then known as “value-for-money” audit and now as performance audit. As an economist who had been involved previously in evaluation work, I found developing the methodological framework gave much job satisfaction, and it was a key factor influencing my decision to stay in the Court when I passed a competition. I remember working with Harrie Rozema for several months at the Joint Research Centre (JRC) in Ispra, Italy developing an audit approach for the performance audit of large applied research projects: this used the PAHR (Post-Accident Heat Removal) project as a model. PAHR had been started by the JRC to investigate how to remove the intense heat from a reactor core following a nuclear incident such as had occurred at Three Mile Island in the United States, and thus prevent a catastrophic accident. We had the cooperation of JRC and Ispra management in doing this intellectually challenging work.

During the 1980s the Court did a lot of good performance audit work together with compliance audit components, in what were known as mixed audits. The resulting reports were published frequently in chapters of the Annual Report rather than in special reports, which were relatively few in number at that time. The straight financial audit work, although performed generally adequately, somewhat lacked focus and a clear common audit approach until the Court was required by the Maastricht Treaty to produce the Statement of Assurance (the DAS) with effect from the 1994 accounts. The Court’s methodological focus had to shift to determine how to meet these new responsibilities, it was by no means evident at the outset what we had to do. We had a very



interesting seminar over several days at a hotel in the historic town of Bouillon in the Ardennes to thrash out the first DAS audit approach. The Court's previous audit work had found that Commission and Member State systems for managing revenue and expenditure were weak, so it was decided that we should base our work on substantive testing of items in a monetary unit sample (MUS) applied to the transactions in the accounts drawn in a single sample across all budget headings. Since then the approach has developed significantly. The debate on what is the appropriate audit approach for the DAS has continued over the years, and will doubtless continue in the future. But those initial decisions still underly the Court's DAS approach. It is fair to say that the Court has been in the forefront of public audit in developing a rigorous approach to the audit of the legality of transactions that is compliant with international auditing standards. This is evidenced by the important contribution of the Court to the work of the Financial and Compliance Audit Sub-committees of INTOSAI's Professional Standards Committee.

For a number of years while the Court focused on the DAS, in my opinion somewhat inevitably the performance audit work of the Court suffered: it became increasingly compliance- rather than performance-oriented. But in recent years with the development of a new performance audit manual and ensuring a greater focus on a limited number of well-specified performance audit objectives with clearly specified audit criteria, the Court's output of good quality performance audits has improved.

Looking back on my 30 years in the Court, as a front-line auditor, in ADAR, as HR Director, and even for a few months as Acting Secretary General, there are so many things that come to mind that it is not easy to select those which I should put down here. I audited

agricultural spending in the days when there were all the market management schemes, which old auditors look back to with more than hint of nostalgia. Travelling to the four corners of the Community before it became the Union, visiting farms, processing plants, customs posts, etc. One amusing episode occurred when I was auditing the scheme subsidising the incorporation of skimmed milk powder (SMP) into animal feed. We were at a German customs post auditing the procedures they used for checking the SMP being transported to animal feed companies in Italy. The market regulation required the customs officers to take samples of the powder for analysis to check that it met certain quality requirements – and that it was indeed SMP and not entirely or in part something else. The SMP was transported on lorries in so-called "Big Bags" of 1000kg, and the rules provided that the officials use a special tool so that they could drill down through the product in the bags and obtain a good representative sample core of its contents. So we asked to see the equipment they used to take the samples. After a few moments muttering to each other under their breath one of the customs officers went out of the room and returned carrying the tool they used – a simple kitchen ladle! "Ah", I said, "I see, you use that, do you? OK. And how do you sample the SMP in the middle and at the bottom of the bag?" A short hesitation from the officer, then he rolled up his sleeve and said "Like this" with an exaggerated downward movement of the arm holding the ladle. The official from the German intervention agency who was with us put his head on the table and groaned!

During my period as an auditor of agricultural spending I also had the pleasure of auditing the now almost forgotten agrimonetary system, with its "green" currencies, "switchover mechanism" and other delights. I do not intend to describe here how this worked, suffice

it to say that over the years as the system developed it became fiendishly complicated, and was understood only by a very limited number of experts in the Commission, and I suppose the Member States. And for a short time by me. The Court produced a special report on it in 1989. The objective of the audit was to evaluate the extent to which the agrimonetary system interfered with the sound management of the common market organisations, and to evaluate its budgetary impact and the way in which that impact was presented in the budget and accounts of the Community. Although I did my best to explain how the system worked in a way that could be understood by non-specialists, I must admit that it was still rather difficult. When the draft report went to the full Court, Members needed some help. Officials did not participate in Court meetings, but it was decided that I would be present at a certain time in the Court meeting room to make a presentation of the agrimonetary system, and any Member who was interested was invited to wander along to the meeting room and listen! There was a pretty full attendance, and at the next meeting of the Court the report was adopted.

I spent the 1990s auditing development cooperation and humanitarian aid. I had a particular interest in this area as my first job after university was as a rural development planner in Botswana for 5 years, and I had done consultancy work with the African Development Band and USAID just before joining the Court. In the early 1990s EU development cooperation was largely project-oriented, and the audit approach was usually geographic, with 4-5 week missions: I did 4 weeks in the Philippines (twice), Central America and Sudan, 5 weeks in Pakistan and Nepal, and so on. Later we adopted a thematic approach. These missions were tiring, but we really got into the projects that we audited and were able to make detailed observations and recommendations for





improvement of the individual projects, as well as for the project management systems. Indeed, the Commission's desk officers in Brussels asked us to give them full debriefings on our return, we knew the projects better than they did. The audits were serious and thorough, but at more than 20 years' distance my recollections are principally of the amazing experiences we had on the missions: together with Paco Osete swimming from the beach in Aurora province in the Philippines which had been the location for the helicopter gunship attack in the film "Apocalypse Now", trekking with Gérald Locatelli from dawn to dusk in the foothills of the Himalayas to visit a series of small sub-projects in a large integrated rural development project in Western Nepal, listening with Carlo Degli Abbati to a detailed and fascinating explanation from a small entrepreneur in Guatemala of the physics involved in the design and manufacture of plastic mouldings for high heels to ensure perfect balance when a woman put on the shoes and started walking. Get that wrong and there is a good chance of toppling over!

But I also recall profoundly distressing things we saw when auditing humanitarian assistance, such as seriously malnourished babies in a feeding centre in Sudan. In Mostar it was shocking to see the effects of the shelling of the Bosnian side of the city, with the population living in the cellars of their flattened dwellings in freezing conditions in December, with no electricity, UNHCR desperately trying to maintain soup kitchens to support them. It was like something from the worst period of the Second World War. That this should be happening in Europe in the 1990s was dreadful.

I look back on this period of my field audit work with great warmth. We were a marvellous team, with great camaraderie developed over the weeks that we

were away on mission together. And I believe that we had a positive impact on the financial management of the Commission's development cooperation and humanitarian aid programmes. For example, in the 1997 Annual Report the Court published a synthesis of the key management shortcomings affecting development cooperation which it had reported in previous years' annual and special reports: this included over-centralisation of decision-making in Brussels, inadequate financial and management responsibility devolved to delegations, weak monitoring and evaluation with an excessive focus on formalistic administrative monitoring rather than real implementation progress and impact, over-bureaucratic accounting and reporting requirements. We also highlighted the problem of inappropriate financial control which was strangling project implementation while not enhancing proper internal control systems for the projects. All of this contributed to the Commission's substantial reform of the management of its development cooperation programmes during the first decade of the new century.

During the whole of my audit career I was a firm believer in - and promoter of - the "no surprises" approach to audit. Sir Norman Price always encouraged us to keep the auditees informed of what we were doing, what were our findings and what conclusions we were drawing from those findings. I carried this through in all the audit reports for which I was responsible, and I think that the final audit reports were much the better and more useful as a result. This was not always easy, the Commission's managers do not always play fair: one case that sticks in my mind was the first special report the Court carried out on the Commission's humanitarian aid programme, just after the establishment of ECHO. Despite a day-long discussion with the Director of ECHO and his senior

colleagues of the draft report which we thought had enabled us to deal with the main contentious points before it was sent officially to the Commission for the contradictory procedure, we received in return a draft reply from the Commission that was several times longer than the Court's text and which contested virtually every sentence, including the introduction, and which contained numerous unacceptable and plainly incorrect statements. The Director did not like any criticism. The contradictory meeting itself went on for three days, with the head of the private office of the Member responsible and the two heads of unit who had led the audit pitched against the Director of ECHO. It was an extraordinary affair, but eventually by sheer persistence on our side we succeeded in getting the Commission to draft a different reply without significantly modifying Court's text. But in my experience that was an exception, usually the procedure went much better. I firmly believe that the contradictory process and the meeting itself enables the Court to obtain better reports that are more useful for the budgetary authority and the public, and that if there has been good, constructive contact between the auditor and the auditee during the audit, the benefits of that come through in the final product.

In my view, the Court's standing as an institution has been enhanced significantly following the collapse of the Santer Commission. Before that, the Commission took polite note of what the Court wrote in its reports, but did not always take action. The fact of the matter is that many of the matters which caused the downfall of the Commission had already been identified and reported on by the Court, but neither the Commission nor the budgetary authorities had recognised what the Court was saying. It took the report of the "Wise Men" - including former Presidents of the Court - with its



devastating conclusions about the lack of responsibility at all levels in the Commission to deliver a necessary shock to the system. Since then, the Commission has put in place systems and procedures to ensure that the Commission and its staff take on board systematically what the Court says and to monitor action taken. The Court has also improved the way that it gets its message across. A good example is the “Single Audit Opinion” of 2004, produced by the Court in response to a request from the European Parliament, in which the Court set out its views about how the Commission should develop a Community internal control framework. This was explicitly used by the Commission as the basis for its development of such a framework which is a central part of its strategy to improve the management of EU funds and, it hopes, to move towards obtaining a “positive DAS” from the Court. I was pleased to have been involved in the preparation of the opinion.

The Court has also matured as an institution. A key step in this was the decision to open itself to outside scrutiny by having its first peer review in 2008, preceded by self-assessment exercise. I think that one of the most important tasks that I undertook during my 30 years in the Court, and certainly one of the most satisfying, was that of project manager for the self-assessment using the Common Assessment Framework (CAF) total quality management model. This exercise involved 39 members of staff broadly representative of the various services, types and grades of staff, nationalities, etc. in the Court carrying out a quick but well-structured and holistic assessment of the Court, its organisation and performance. The substantial and detailed findings of the CAF assessment report made uncomfortable reading in some parts for the Members of the Court, but it was nonetheless used as a key input in the development of

an action plan to bring about improvements in many areas of the institution. The peer review which followed was successful, and has set in motion a continuing process of strategic improvement. For me perhaps the most satisfying aspect of the exercise was to see the commitment, intelligence, and responsibility shown by the members of the self-assessment groups towards their institution: the staff indeed are the greatest resource of the Court.

Perhaps the most arduous period of my work in the Court was the 6 years that I was the Director of Human Resources (and for most of that time also responsible for the Court’s IT services). I had no particular qualifications or experience for this, other than as a middle-manager head of an audit unit, but I recognised that as the Court had expanded it needed to develop from simply administering the Staff Regulations to establishing and implementing staff development policies that would both enable the institution to get the best out of its staff and at the same time enable individual staff members to develop their careers and enjoy working for the Court. Taking on the job in late 2003 meant that I, together with the HR services of the Court, was immediately faced with managing the staff consequences of the enlargement of the EU with ten new Member States, and the introduction of the new Staff Regulations, both of which occurred in May 2004. That was a huge challenge, and I must pay tribute to the excellent hard work of my staff in the services in meeting it so successfully. But there was not the time that I wanted to develop sufficiently the new staff development policies that I considered that the Court needed. In my role as Chairman of the interinstitutional Board of Management of the European Personnel Selection Office (EPSO) I was able to influence the much-needed reform of the institutions’ staff

selection procedures to replace the old-fashioned purely knowledge-based competitions with competency-based selection. But I became more and more concerned by the increasing difficulty of attracting good quality candidates – or any candidates at all – to EPSO selection procedures from some Member States. This does not augur well for the future of the European civil service.

I feel very fortunate and privileged to have worked in the Court for most of my career. To work in a European institution was an aspiration that I had once the UK had joined the EEC back in 1973. I had always been strongly in favour of the European project, and at that time a career in Europe was very attractive among my contemporaries in Britain, and not just because of the salaries: the current somewhat euphemistically called “euroscepticism” , which I find profoundly ill-informed and depressing, to the considerable shame of the politicians and the press in the UK, did not exist other than in minority fringes of political life. I have enjoyed immensely working in a multicultural and multinational environment, working in a variety of languages. It has been immensely enriching culturally, in the widest sense, not just for me but also, I believe, for my family. It was good for me back in my early years here to find that the British way of thinking and doing things, which I had tended to assume was the best - perhaps the only - way , was indeed not always the best, and certainly was not the only one. Would that a larger proportion of my fellow countrymen were exposed to the same things as me.



FROM THE ARCHIVES

Interviews  
Entretiens

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# REFLECTIONS ON 25 YEARS' SERVICE AS AN MEP

## Interview given in 1986 by Heinrich AIGNER

Chairman of the European Parliament's Budgetary Control Committee, who since 1973 had strongly argued the case for a Community-level external audit body



By Rosmarie Carotti  
Editor-in-Chief of the ECA Journal

**R.C.: Are you happy with what you have achieved in the last 25 years?**

**Aigner:** No, that would be claiming too much. But I recognise that Europe has been developing in different directions for centuries, and that it is not possible to weld it together into a unified whole in the space of a few years. It's important not to forget that as a member of my generation, during the Second World War, I had to take up arms and fight against people who are now colleagues sitting in the same parliamentary group as me. I had to do this to protect my own life, and those of my comrades – just like the others did. I was also taught in school that France was the arch-enemy of Germany. That's something which shouldn't be forgotten either. For their own part, the French were brought up to learn that Germany was the hereditary enemy of France. But today, according to the latest survey carried out for Le Monde, the French and the Germans both place Germany and France respectively at the top of the nations they think most highly of. And that is a marvel. It's a process of reconciliation which, 10 or 15 years ago, I could never have dreamed of myself.

**R.C.: Isn't this just a case of two countries seeking strong partners, and indicative of a two-speed Europe?**

**Aigner:** Not at all. Just look at town twinning schemes. Do you know how many town twinning agreements exist in France and Germany alone? It's uncanny. My home town, Amberg in der Oberpfalz, has a town twinning agreement with Perrieux, in France. You wouldn't believe how many marriages have already resulted from this partnership. It's the sign of a completely new European structure in the making.

**R.C.: Don't you think that this Europe is rather fragmented? First you talk about the Paneuropean Union, and then Europe and the European Community, and then NATO. This is all quite confusing for citizens, and means that this singular vision of Europe never fully comes to fruition.**

**Aigner:** A look at the results of our Eurobarometer surveys shows that the desire for Europe is actually increasing. We have just one problem: namely, that the people's desire for Europe does not equate to warm feelings towards the Brussels bureaucracy, and that presents us with difficulties. That's our problem. But I have to say that in all the discussions I've had with youngsters and groups of older people on this subject, I keep hearing people say, "Thank God we've finally overcome the world war!" That's the real marvel here. But even now, if you look at the other Europe a few kilometres away, you can see that there, too, they had to cope with two world wars, a Stalin and a Hitler. They've also got a military union; they've also got an economic union. And over there, hatred thrives and manifests itself in confrontations between peoples, the borders are made impassable by mines, while our Europe is undergoing the greatest process of reconciliation which has ever taken place. And that's the real adventure of Europe: that great process of reconciliation and the fading of our borders.

**R.C.: Do you imagine that that will happen with or without the help of the United States?**

**Aigner:** Of course it's only possible with help. Do you know what I think is sad? The lack of contact between both governments – on both continents, I mean. I belong to the Delegation for relations with the United States, and I have to say that our discussions with the



senators and my colleagues in Congress are very tough. And everybody says that we need more information from each other.

**R.C.: Can you tell me why the President of NATO told me that he is attempting to expand the article in the North Atlantic Treaty which promotes economic co-operation? For all practical purposes, this would take over the role of the European Community.**

**Aigner:** No. I can give you one very simple example: the boycott by Europe and America which took place when the Red Army invaded Afghanistan. That saved billions for the European Community. I could tell you the whole story, but I don't want to digress. The point is that when Europe and America work together, we're not just seen as the allies of repressed peoples: we are seen as a hope for freedom. And then there are cases when we don't work together – agricultural surpluses, for example. We could sit down and discuss this, saying “Why don't we - we don't have a free market with the communist states – why don't we form a cartel and they'll still have to buy them.” But instead, we argue with each other, ruin the prices, and the communists laugh at us. And so we squander our agricultural products, and the Soviets sell them on to their consumers at three or four times the price they paid for them, and it'll drive us mad if we don't find a way to work with each other. And if that does happen, it won't be a confrontation, or a case of NATO working against the European Community. Instead, it will just be an addition to the wide range of positions which exist.

**R.C.: Of course, you also scrutinise the budget as a member of the Budgetary Control Committee. And the checks which you carry out in that capacity are**

**supported by documents which are supplied to you by the European Court of Auditors. Are you happy with them?**

**Aigner:** You need to know that in the past, there was no Court of Auditors. We're seen as the blackmailers who created the Court of Auditors in the first place. And I have to say that the Court of Auditors has developed at a really phenomenal rate in this short space of time. It's clear that it's not yet everything which we hoped it would be – that's obvious. But the Parliament's scrutinising role still isn't everything I would like it to be, either. And getting it to that stage will be a laborious process. But I can say one thing: the Parliament's scrutiny, supported closely by the work of the Court of Auditors – and we do work very productively together – has already saved the European taxpayer millions, if not billions. And that also counts as a success. But the most important thing, and the main reason for providing this scrutiny in the first place, I think, is to apply Community law in the same way everywhere. That is an important problem.

**R.C.: But the Court of Auditors' reports don't usually name names: it's rare for the names of the persons responsible or Member States to appear. It's all so vague. Is this intentional?**

**Aigner:** Yes, but don't forget that we've forced the Commission to initiate legal proceedings against Member States on plenty of occasions. That makes their name public immediately. And in our view, the disapproval of the general public is one of the most effective tools which we can use to justify our position.



# JE CROIS EN UNE COLLABORATION PLUS EFFICACE ENTRE LE CONTRÔLE INTERNE ET LE CONTRÔLE EXTERNE

Interview avec **M. Paul GAUDY**,  
Membre de la CdCE 1977-1987  
Belgique



Par Rosmarie Carotti  
Rédacteur en chef du Journal de la CdCE

**R. C.: M. Gaudy, merci d'être venu pour nous parler des débuts de notre Cour. Nous aimerions mieux connaître ses origines car, si nous avons une histoire, nous pouvons mieux nous identifier avec notre institution. Vous avez été commissaire aux comptes de la CECA et membre de la commission de contrôle des Communautés européenne.**

**M. Paul Gaudy:** En effet, nous sommes fin 1971. Ces deux fonctions sont exercées telles qu'elles sont prévues dans les textes des traités de Paris et de Rome sans qu'une précision fut jamais apportée.

Le Conseil a simplement prévu le nombre et la durée des mandats respectifs de deux ans pour la CECA et de cinq ans pour la Commission de contrôle.

Les obligations de ces contrôleurs se limitent à la rédaction d'un rapport annuel contenant leurs observations sans qu'une suite ne soit prévue: ces observations sont destinées aux Institutions contrôlées.

La fusion des Exécutifs en a modifié les compétences: le fonctionnement de l'ensemble des Institutions est confié à la Commission de contrôle, le Commissaire aux comptes de la CECA restant en charge du contrôle opérationnel de l'Institution.

Le renouvellement des deux mandats confiés à un Belge se heurta au changement d'activité professionnelle du titulaire qui du être remplacé.

C'est l'époque où, au sein du Conseil et de l'Assemblée parlementaire il est question du renforcement du

contrôle externe et déjà un schéma de Cour des comptes est envisagé à terme.

La Belgique profita de l'occasion pour manifester dans les faits ce qu'elle défendait avec d'autres pays dans les projets de textes. Un accord sur la permanence du contrôle était pratiquement acquis.

En présentant ma candidature, la Belgique m'avait obligé à me consacrer full time au cumul de ces deux activités.

Du côté du Conseil, ma candidature a été jugée d'autant plus favorable du fait que depuis une douzaine d'années j'avais exercé exclusivement des fonctions dans les groupes financiers du Conseil chargés de rédiger ab initio les réglementations financières non seulement administratives mais afférentes à toutes les politiques communes progressivement mises sur pied.

**R. C.: Pourtant je crois que l'élément essentiel du changement voulu était la nouvelle indépendance de cet organe qui allait se former et qui était notre Cour des comptes.**

**M. Paul Gaudy:** Certainement en matière d'indépendance le Conseil s'est limité à prendre en compte la nature de l'activité professionnelle principale des candidats, activité qui a généralement présenté des garanties suffisantes, ce qui a été confirmé dans les faits.

**R. C.: Au début il était important de créer une Cour des comptes européenne aussi pour renforcer le rôle du Parlement européen.**

**M. Paul Gaudy:** C'est précisément cet élément-là qui a été décisif dans le long cheminement politique de cette époque.



On se trouve devant la volonté de l'Assemblée parlementaire de dépasser son rôle d'avis pour pouvoir participer, à l'égal des autres Institutions, au système décisionnel des politiques communes et de la politique budgétaire.

Les acquis des politiques communes et la récente mise sur pied du système des ressources propres donnent à l'Assemblée un argument supplémentaire d'intervention, d'autant que de ce côté la transformation de l'Assemblée en Parlement était une revendication du même ordre.

Mais du côté du Conseil, les réticences se firent jour quant à une passation de pouvoir trop importante et c'est finalement dans le domaine du contrôle que se dirigèrent les solutions envisagées. C'est ainsi qu'un système plus développé de contrôle externe surtout permanent fut envisagé et qu'il fut déjà à l'époque question de Cour des comptes.

**R. C.:** Vous parlez de financement direct des Communautés, c'est à dire à travers les ressources propres traditionnelles, TVA incluse. Aujourd'hui on revient en arrière, à un système de contribution des États membres.

**M. Paul Gaudy:** Cette décision de financement direct constitue un acquis politique important dans l'intégration européenne puisqu'il s'agit d'un dépouillement des attributions des États membres.

Ce système, déjà en vigueur à la CECA, a aussi évité des discussions byzantines connues pendant la période antérieure chaque fois qu'il s'agissait de répartir les charges entre les États membres. On peut donc dire qu'on l'abandonnant il s'agit d'un net recul du point de vue politique.

**R. C.:** Aujourd'hui l'on parle beaucoup d'audit de la performance et à l'époque?

**M. Paul Gaudy:** Comme indiqué plus haut, les traités ont été fort laconiques sur la mission réelle du contrôle externe. Ils ont malgré tout envisagé la notion de "bonne gestion financière".

C'est la Cour des comptes qui a essayé d'interpréter de la façon la plus large possible cette notion tout en se heurtant à la prétention de la Commission de se réserver les décisions d'opportunité comme non discutables.

Avant la Cour, ce problème ne fut pas réellement discuté ainsi qu'on peut le voir dans l'état du contrôle avant la création de la Cour, état décrit dans un ouvrage intéressant du Directeur Général Hehlerman, jugeant la façon dont était exercé le contrôle dans la Communauté.

**R. C.:** Quelle est la valeur ajoutée de notre Cour des comptes? Quel est son futur?

**M. Paul Gaudy:** Personnellement, ainsi que je le disais au Président de la Cour, je crois en une collaboration plus efficace entre contrôle interne et contrôle externe.

Les circonstances ont fait et font encore que le domaine du contrôle externe ne cesse de s'agrandir tant dans le champ d'application de ce contrôle que dans l'aire géographique où il s'exerce.

D'autre part, la gestion des politiques communes est généralement initiée dans les États membres par les administrations nationales qui financièrement appliquent en premier lieu les décisions de financement communautaire.

L'accession aux faits devient ainsi extrêmement compliquée si aucun relais ne se trouve entre le

début d'exécution et l'arrivée dans les comptes communautaires.

C'est la raison pour laquelle, personnellement, je crois à l'importance des relations entre contrôles internes et externes nationaux et contrôles internes et externes communautaires.

**R. C.:** Vous êtes donc favorable à un modèle de contrôle unique.

**M. Paul Gaudy:** C'est nécessaire, si l'on veut avoir une vue globale du coût des activités et même des politiques elles-mêmes puisque l'aspect financier est généralement déterminant.

Les collaborations dans une aire géographique agrandie sont donc essentielles pour que la Cour puisse avoir un jugement global des activités communautaires.

**R. C.:** La Cour des comptes européenne déjà participe à des réunions avec les Institutions supérieures de contrôle des États membres.

**M. Paul Gaudy:** Comme je l'ai montré, non seulement les contacts doivent exister entre contrôle externe des divers pays et la Cour, mais le contrôle lui-même doit être organisé en tenant compte des différentes interventions qui mettent en jeu le contrôle interne national avec justifications vis-à-vis de son contrôle externe pour que, compte tenu des compétences complémentaires, un jugement final intéressant puisse être donné.

Du côté de la Communauté, j'estime que la Cour devrait pouvoir, dans un futur aussi proche que possible, avoir un droit de regard plus direct sur le contrôle interne exercé dans la Communauté.



Cette responsabilité de contrôle interne devrait être directe vis-à-vis d'une Cour, véritable Institution de contrôle externe.

**R. C.: Envers le Parlement européen, notre fonction est l'information, mais vous venez de dire qu'elle n'est pas complète.**

**M. Paul Gaudy:** Certes, l'information du Parlement européen est essentielle et c'est là une justification supplémentaire de ce que je viens d'exposer. Comment est-il possible du côté de la Cour d'informer totalement si un système global n'est pas établi?

**R. C.: Que pensez-vous de l'augmentation du nombre des pays dans l'EU**

M. Paul Gaudy: L'augmentation du nombre de pays, problème politique qui s'impose à nous, pose pour la Cour comme pour toutes les autres Institutions, le problème d'organisation interne dans la gestion quotidienne. Je crois qu'au début nous avons déjà constitué des groupes partiels de membres chargés d'un même domaine de contrôle.

**R. C.: Quels sont vos souhaits pour la Constitution européenne?**

**M. Paul Gaudy:** Bien sûr, je souhaite qu'il y en ait une mais ceci est un problème strictement politique et même si l'on considère que, le nombre de pays augmentant, une constitution devient de plus en plus difficile à réaliser. De surcroît des problèmes nouveaux sont généralement soulevés par tel ou tel État profitant de l'occasion pour remettre en cause certains acquis. Cette forme de remise en cause n'est pas seulement le fait de pays arrivés

récemment mais est également coutumière de pays fondateurs comme on l'a connu à certaines occasions antérieurement (chaise vide, adhésion manquée....).

**R. C.: N'avons nous pas tiré des leçons du passé?**

**M. Paul Gaudy:** D'une façon générale, ce que je viens de dire pour la Constitution s'est présenté plusieurs fois dans le passé et on n'en a pas tiré vraiment les conséquences. Cette remise en cause des abandons nationaux tend à se reproduire au contraire dans les grands événements de la Communauté.

Actuellement, les medias se soucient beaucoup plus des problèmes européens, ce qu'ils n'ont pas fait au départ. Dès lors, l'opinion publique joue un rôle aujourd'hui qu'elle n'a jamais eu au début.

De plus, l'organisation de la gestion des affaires en collaboration entre administrations nationales et communautaires fait qu'une catégorie plus importante de citoyens sont confrontés aux obligations communes et donc à la politique commune.

**R. C.: Ce n'était pas si longtemps après la guerre, il y avait le souvenir de la guerre, des idéaux...**

**M. Paul Gaudy:** L'après-guerre a résolu rapidement les tensions entre les peuples qui s'étaient opposés. La CECA a été, pour sa part, un exemple complet de ce que la réconciliation entre ex-ennemis d'hier a été réalisée dignement et rapidement. Du côté des Institutions, aux différents niveaux, les problèmes étaient pratiquement résolus dans les esprits de chacun. On peut dire que ce fut une réussite qui n'a jamais handicapé ni le

fonctionnement des administrations ni les négociations communautaires. Cette ambiance communautaire a réalisé un climat d'unité et de collaboration remarquable.

**R. C.: Pourtant, les pères fondateurs voulaient garder la diversité.**

**M. Paul Gaudy:** En observant l'idée première des pères fondateurs, on doit conclure à ce que dès le départ ils ont eu cette vision d'unité. Cela se retrouve essentiellement dans le traité de Paris où tous les pouvoirs étaient aux mains de la Haute Autorité Du côté des autres institutions qui ont suivi, l'objectif a été conservé et la diversité des domaines et des intérêts n'a pas permis une aussi grande unité.

**R. C.: Que pouvez-vous proposer afin qu'on puisse retrouver cette union dans la diversité?**

**M. Paul Gaudy:** Ceci est une donnée politique dans le cheminement vers l'intégration plus complète, chacun agissant dans une direction aussi proche que possible de l'objectif.

En ce qui concerne la Cour, elle est sollicitée pour fournir aux instances politiques et surtout au Parlement une vue d'ensemble des réalisations financières de la Communauté.

C'est sous cet angle qu'elle peut agir en coordonnant les interventions des instances de contrôle nationales.

**R. C.: Que pensez-vous de la DAS, déclaration d'assurance de la Cour des comptes, qui jusqu'à présent a toujours été accompagnée de réserves?**





**M. Paul Gaudy:** Il est tout à fait normal que la Cour assortisse ses certifications des réserves qui apparaissent dans les observations relevées lors des contrôles. La rédaction de la certification doit être laissée à la Cour car il s'agit de faire ressortir l'importance relative des aspects positifs ou négatifs de la gestion communautaire.

**R. C.: Avez-vous un message pour les Membres que vous avez connus aujourd'hui?**

**M. Paul Gaudy:** je me rends compte de la difficulté de la tâche d'aujourd'hui de plus en plus complexe compte tenu de l'augmentation du volume des affaires et de l'étendue de l'aire géographique concernée.

Depuis sa création, la Cour s'est trouvée devant une gestion financière morcelée qui ne cesse de s'aggraver.

Les administrations nationales agissant suivant leurs procédures sous le contrôle de leurs organes tant internes qu'externes restent les premiers gestionnaires responsables.

Leurs comptes rendus à la Commission et la première appréciation de celle-ci reflètent la réalisation de l'ensemble des politiques communes dont le financement reste la pierre angulaire.

C'est à ce résultat que tant le législatif (le Conseil) que le Parlement attachent l'importance de leurs conclusions politiques confortées par les garanties trouvées dans les rapports de la Cour.

Son contrôle explique donc l'appréciation sur les rôles respectifs du système mis en place.

Il me paraît donc indispensable qu'existe une collaboration permanente avec les organes de contrôle intervenant aux divers stades la gestion.

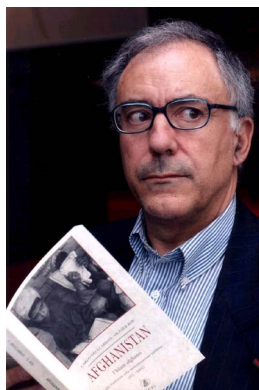
Jusqu'où pourra-t-elle s'exercer, et quels sont les nouveaux moyens dotant la Cour? Telle est la question se posant aux politiques demandeurs d'une véritable Institution de contrôle.



# JE VOUDRAIS QUE LA COUR EXPRIME L'ÂME BUDGÉTAIRE D'UNE EUROPE POLITIQUEMENT RÉALISÉE

## Interview avec notre ancien collègue, Carlo degli ABBATI

Réalisé en 2007



By Rosmarie Carotti

**R. C.:** Professeur, vous avez été fonctionnaire de la première heure à la Cour des comptes. Comment avez-vous vécu les débuts de notre institution et étiez-vous dès les débuts convaincu que notre institution allait réussir?

**Carlo degli Abbati:** Tout d'abord j'expliquerai les raisons qui m'ont amené à devenir fonctionnaire de la Cour des comptes. J'étais un ancien de la Commission ayant travaillé pendant trois ans à la direction des impôts. J'étais ensuite rentré en Italie dans la carrière universitaire. J'avais pourtant gardé d'excellents contacts, ce qui fit qu'on me demanda, en tant qu'universitaire, de faire une étude sur les effets économiques de l'application de la TVA dans les États membres. L'assiette de la TVA n'étant pas encore appliquée d'une façon uniforme dans les États membres, cela entraînait d'importantes conséquences économiques: en France, par exemple, le pétrole jouissait d'une exonération d'impôt jusqu'à la phase du raffinage, en Italie, par contre, la TVA était déjà imposée sur le pétrole brut.

Un jour, à Bruxelles au Berlaymont, on me demanda si je voulais revenir dans le courant communautaire. La Cour des comptes allait être créée et la TVA allait devenir une ressource principale du budget. Ayant toujours gardé un bon souvenir de ma période de service auprès de la Commission, j'ai accepté. Cela m'a amené d'abord à rencontrer Sir Norman Price à Luxembourg, et ensuite le Membre italien, Aldo Angioi. Vu que mon curriculum répondait aux besoins du secteur des ressources propres de la Cour, j'ai posé ma candidature, début 1978, quelques mois seulement après le serment des premiers Membres de la Cour. J'ai pris mes fonctions dès la fin de l'année académique.

Pour revenir à la question, sans aucun doute il y avait un grand enthousiasme parmi les premiers fonctionnaires et agents. L'ancienne commission de contrôle, qui était encadrée par le Conseil, avait été remplacée par un organe de contrôle tout à fait autonome. C'était la première fois dans l'histoire de l'Europe qu'il y avait un organe de contrôle externe, un organe avec des fonctions institutionnelles, qui devait plus tard devenir une véritable institution indépendante. Il y avait un grand enthousiasme dans les couloirs parce qu'on organisait pour la première fois l'activité de contrôle externe sur toutes les activités communautaires.

**R. C.:** Quelles étaient les positions des États membres? Y avait-il des pays plus enthousiastes que d'autres?

**Carlo degli Abbati:** L'entente régnait entre tous les États membres. Il faut aussi dire que les États étaient seulement neuf à l'époque. Il n'y avait pas de divergences sur la nécessité de fixer de grandes lignes de contrôle externe sur les activités communautaires. Les États membres s'étaient d'ailleurs déjà rangés à l'idée qu'on appellerait « Cour des comptes » cette institution qui avait pourtant toutes les caractéristiques d'un Auditor and Comptroller General et n'était pas organisée comme un tribunal des comptes d'après le modèle napoléonien.

**R. C.:** Pourtant les pouvoirs de notre Cour étaient encore assez limités.

**Carlo degli Abbati:** On avait le Traité de 1975 qui définissait certaines caractéristiques, mais je dirais qu'il n'y avait pas de limitation initiale de notre activité. Bien sûr, nous étions limités par le fait que nous ne pouvions



pas rentrer dans le secret des procédures judiciaires en matière criminelle. Mais c'était simplement parce qu'il n'existait pas un espace juridique pénal européen, qui d'ailleurs n'existe non plus aujourd'hui. Nous n'avions donc pas accès à certains dossiers parce qu'ils étaient couverts par le secret de l'instruction.

**R. C.: Quelle était la différence principale entre la nouvelle Cour et le "commissaire aux comptes de la CECA" ou la "commission de contrôle des Communautés européennes"?**

**Carlo degli Abbati:** Le commissaire aux comptes de la CECA était responsable du quitus à donner ou pas sur la gestion du budget de la CECA. C'était donc une tâche très spécifique. Avec le traité de 1975, la Cour des comptes se substitue à cet organe de contrôle externe ainsi qu'à la commission de contrôle des Communautés européennes. Le traité reconnaît à la Cour des comptes un droit certain et autonome de vérification sur pièces et sur place. D'après les dispositions prévues dans le Traité, la Cour des comptes devait établir un contrôle sur la légalité et la régularité des opérations des institutions auditées et agir aussi sur le front très important du contrôle de la bonne gestion financière. Cela se faisait directement sur pièces ou à travers des missions in loco, souvent organisées dans les États membres avec la collaboration des institutions nationales. La Cour des comptes effectuait un contrôle ex post en choisissant les thématiques de contrôle. Le nombre des auditeurs étant très modeste, la seule possibilité d'effectuer un travail efficace était celle de choisir les thèmes et de définir les grands axes prioritaires d'intervention. Un des premiers rapports de la Cour, par exemple, concernait la situation immobilière des institutions. Ce rapport indiquait de

façon très claire l'intérêt pour les institutions d'acquiescer les bâtiments au lieu de verser des loyers aux États membres. Cette analyse a été traduite avec beaucoup de cohérence dans la pratique par la Cour.

**R. C.: Quels étaient les rapports avec le Parlement européen? Je crois que la création de notre Cour a consolidé les pouvoirs du Parlement européen.**

**Carlo degli Abbati:** Absolument. Mais il faut dire aussi que c'était un parlementaire, M. Heinrich Aigner, qui dans "The Case for the Constitution of the Court of Auditors" avait fait un plaidoyer pour la création d'une institution de contrôle externe indépendante.

La Cour des comptes était, si l'on veut utiliser un langage marxiste, un allié objectif du Parlement européen. Dans cette logique donc le PE devenait une référence importante. Les règles budgétaires ont tout de suite amené le Parlement européen à devenir le véritable protagoniste de la procédure de décharge. Il ne faut pas oublier que le PE qui était confiné par le Traité de Rome dans un rôle de simple appui consultatif aux décisions du Conseil des ministres, était rapidement devenu après le Traité de 1975 le protagoniste de la procédure de décharge.

De plus, quelque temps après la création de la Cour des comptes, s'est déclenchée la première crise budgétaire dans l'histoire de l'Europe. La Cour était là pour garantir avec sa présence le dépassement de cette énorme crise. En effet, même si ce n'est qu'un effet indirect de la présence de la Cour des comptes, nous n'avons jamais connu la répétition d'une crise de telle envergure.

**R. C.: Y a-t-il d'autres exemples de l'impact de l'existence de notre Cour?**

**Carlo degli Abbati:** J'ai servi de 1978 à 1999. Au cours de ces 22 ans, je me suis occupé pendant plus de dix ans de politique de coopération et développement, mon domaine préféré et pour lequel j'ai gardé un grand intérêt. Aujourd'hui, je suis «Professeur Jean Monnet» d'économie du développement ainsi que de droit et politique d'intégration européenne. L'accueil des indications données par la Cour des Comptes a été une réussite. J'ai pu le constater récemment dans mon activité dans le secteur de la coopération au développement au Laos, Cambodge et Venezuela. Je me rends compte que la Commission a parfaitement suivi nos indications en ce qui concerne par exemple l'octroi d'une autonomie plus poussée aux délégations. Tout cela est le résultat de la grande pression que nous avons exercée sur la Commission.

À mon avis aussi le nouveau règlement financier 2000, qui a en quelque sorte éliminé les contrôles financiers à l'intérieur de la Commission pour les concentrer au niveau de l'ordonnateur de la dépense, et qui donc a éliminé un peu cette charge du visa préalable qui provoquait des difficultés dans le timing de la prise de décision de la Commission, est aussi le résultat des critiques toujours exprimées par la Cour sur l'existence de cette procédure.

**R. C.: Avez-vous des regrets pour quelque chose que la Cour n'a pas pu réaliser pendant votre séjour à la Cour?**



**Carlo degli Abbati:** Je dirais que non. S'il y a quelque chose que j'aurais pu regretter, c'était plutôt au niveau de la coopération internationale, le manque d'un plus grand courage à critiquer l'alignement de la Commission sur la logique des grands bailleurs de fonds internationaux.

Je me réfère à une logique humaniste que l'Europe avait exprimée, d'aider les États moins développés et sous ajustement structurel. Il s'agissait de les soulager du poids structurel qui était imposé par les grands bailleurs de fonds sur la base de ce qui est aujourd'hui clairement connu et critiqué comme le "Washington consensus". Je renvoie à Joseph E. Stiglitz, prix Nobel de l'économie, déjà vice-président de la Banque Mondiale que j'ai eu d'ailleurs le plaisir de rencontrer récemment à l'Université de Gênes. Dans une politique d'une grande austérité, en même temps qu'ils poursuivaient cette politique d'ajustement très drastique, ces pays devaient rembourser la dette dans le court terme en monnaie forte et avec des taux d'intérêt bien plus élevés des taux habituels pour garantir les bailleurs de fonds du risque-pays. Cela comportait pratiquement toujours pour ces pays l'exigence de s'écarter du social, d'abandonner en particulier les volets santé et éducation. La Commission s'était saisie du problème et avait, à travers le FAS (fonds d'ajustement structurel) accordé un appui financier aux secteurs sociaux. On offrait des fonds aux États sous programme d'ajustement structurel (PAS) assujettis aux dures conditions financières imposées dans la phase dite de stabilisation court terme (jusqu'à 36 mois) par le FMI, afin qu'ils ne s'éloignent pas du social. J'aurais voulu que la Cour contribue à mettre en discussion la logique stratégique des programmes d'ajustement structurel conçus par le FMI et à prêter plus d'écoute aux plans

autonomes de ces États, avant l'ajustement. Aujourd'hui il n'y a pas d'économiste ni d'agence internationale de développement qui n'ait pas fait plus ou moins tardivement une sorte de mea culpa sur les effets sociaux très négatifs de cette politique. Il ne faut pas oublier non plus les effets de déstabilisation politique qui en ont découlé en de nombreux pays et qui ont provoqué d'importantes modifications de leurs structures politiques. Je me faisais alors interprète de ce que à présent écrit Stiglitz dans "How globalisation works" et qui rejoint les analyses des plus grands économistes mondiaux. L'approche critique aux programmes proposés aurait été parfaitement compréhensible, non seulement loisible mais aussi louable, tandis qu'on s'est limité à l'époque au simple examen des conséquences de notre appui social aux pays sous ajustement structurel.

**R. C.: Monsieur le Professeur, avez-vous encore un message pour les vieux collègues?**

**Carlo degli Abbati:** Je voudrais rappeler à mes collègues, qui aujourd'hui sont encore à la Cour, la personnalité d'un grand Membre du début de la Cour, qui était Sir Norman Price. Sir Norman Price m'a donné beaucoup au niveau de l'amélioration de mes capacités et de mes techniques de travail. Sir Norman était un Monsieur extraordinaire qui avait parcouru toutes les échelles de la carrière dans l'Inland Revenue, la partie du Ministère des Finances britannique qui s'occupe de l'imposition directe, pour en devenir le Chairman. Ce Monsieur avait le respect du rôle et des problèmes de chaque fonctionnaire. C'était un énorme privilège de côtoyer chaque jour avec son humanisme, sa profonde compréhension humaine, son énorme capacité de travail, sa capacité d'analyse et de

définition immédiate de l'action à entreprendre, son talent de tirer le meilleur de chacun de ses collaborateurs avec grande sérénité et sagesse.

**R. C.: Monsieur le Professeur, avez vous des souhaits pour notre Cour?**

**Carlo degli Abbati:** Oui, pour la Cour mais aussi pour les nouveaux collègues qui progressivement reprennent le flambeau des anciens. De contrôler, comme elle a toujours fait, d'être la conscience budgétaire de l'Europe. Je voudrais une Europe politiquement présente sur l'échiquier international. Je suis à présent particulièrement l'Asie, l'Amérique Latine, les Caraïbes dans le cadre de la coopération et j'y sens un grand besoin d'Europe. Et l'Europe n'arrive pas à l'horizon. Il y a bien sûr des forums, mais les sujets politiques manquent. Certes, on peut se confiner à n'être que des objets d'histoire, aujourd'hui encadrés de facto dans une stratégie unipolaire et demain assujettis aux effets inévitables de la bipolarisation sino-américaine à venir. Mais ce n'est pas cela que, quand j'étais avec Altiero Spinelli à 15 ans, je voulais vérifier à 60 ans. Moi, je suis un européen déçu du point de vue politique tout en étant conscient de l'impact que ce grand marché a sur les affaires économiques du monde. Mais je voudrais une Europe sujet d'histoire, sujet politique. Je voudrais avant tout que la Cour exprime l'âme budgétaire d'une Europe politiquement réalisée et non progressivement hantée par le danger renaissant de l'opposition entre nationalismes sans lendemain .



## 35 YEAR ANNIVERSARY EVENTS

Inauguration ceremony for  
the K3 building, 8 May 2013



Cérémonie inaugurale du  
Bâtiment K3, 8 Mai 2013

CÉLÉBRATIONS DU  
35ème ANNIVERSAIRE



# SPEECH BY VÍTOR CALDEIRA, PRESIDENT OF THE EUROPEAN COURT OF AUDITORS ON THE OCCASION OF THE INAUGURATION OF THE COURT'S NEW BUILDING

LUXEMBOURG, 08 MAY 2013

**Vítor Caldeira**  
President of the ECA



On behalf of the Court, I would like to extend a warm welcome to everyone attending this occasion. I would like to thank Prime Minister Juncker, representing our host country, and Minister Perry, representing the Irish Presidency of the Council of the European Union, for dignifying today's event by kindly agreeing to address us.

It is an honour for the Court to welcome so many distinguished guests. Between you, you represent:

- The Member States, whose citizens we serve;
- Our sister European institutions, alongside whom we work; and
- The National audit institutions, with whom we cooperate in fulfilling our mission.

In different ways, the authorities and institutions you represent have all contributed to the founding of the Court and its successful operation over 35 years. But more importantly you are all vital to what it can achieve in the future.

The Court is the EU's audit institution established in Luxembourg but serving the citizens of all the Member States.

## **The Court's new building**

Today, on the eve of Europe day and during the 35th anniversary year of the Court, we celebrate the opening of a new building. It gives me great pleasure to see former

colleagues of the Court, who contributed so much to the Court's development, whether as President, Member, Secretary General or as long-serving staff.

The building represents an important investment in the future of our organisation. It testifies to our belief in the future development of the European Union and the important contribution that the Court will make to it. With this building, the current Members and staff are brought together on one site for the first time in many years. I am very glad so many of you are here to mark the beginning of this important new chapter in the history of our institution.

I would like to congratulate the architect, Jim Clemes, the project team, the steering committee and the contractors. You brought this much needed building in on time and on budget. That is a great achievement and the Court greatly appreciates all your efforts.

I would also like to express the Court's gratitude to the authorities of the Grand Duchy and city of Luxembourg as well as other European institutions for all the support provided and contributions made to the overall success of this building project. I am very glad some of you could be here today to see it up and working.

## **Luxembourg's support of the Court**

Monsieur le Premier ministre, Monsieur le Maréchal de la Cour, Monsieur le Bourgmestre de la ville de Luxembourg,

On behalf of the Court, I would like to thank the Grand-Duché of Luxembourg and the Ville de Luxembourg for



their contribution to the development of the European Court of Auditors.

You have hosted our institution for 35 years. During that time, we have been privileged to benefit from an ideal environment in which to work and to raise our families. Vital bonds have been established between the Court and Luxembourg society. Your support has been and remains for us invaluable.

Villmols merci !

### **The challenges ahead for the European Union**

We all know that the European Union has passed through very testing times in recent years. But for our public institutions, at EU and national level, further challenges still lie ahead.

Europe is in its worst economic recession since its founding and citizens' trust in the Union has reached an all-time low. National and EU budgets are also under unprecedented pressure. To put it bluntly, we are all going to have to do more with less.

The EU has to improve its performance. It needs to deliver more growth, jobs and sustainable public finances.

It is clear that this requires more coordinated action between EU institutions and national authorities. Europe's leaders have already taken important steps to develop appropriate financial, fiscal and economic governance frameworks.

But as the Presidents of the European Council, the Commission, the European Central Bank, and the Eurogroup have warned, more Europe should not mean

less accountability to citizens. Nevertheless, there is a danger of that happening, not by design but by default.

From the perspective of the Court of Auditors, it appears that although more and more decisions on spending are being taken at European Union level, they are not always being matched with the necessary level of public accountability.

The Court and the national audit institutions have warned of the need for EU policy makers to give due regard to the principles of transparency, accountability and public audit. Only this morning, at our meeting, we adopted a common position statement on recent developments in economic and financial governance in view of the June European summit.

Furthermore, if a convincing claim is to be made that a given outcome can best be achieved only with a greater degree of EU involvement, then there needs to be proof - at some point - that it is working.

However, the Court finds that many existing EU schemes still need clearer objectives at the outset, better monitoring along the way and more convincing analysis at the end.

### **The contribution of the ECA**

You may ask: what can the European Court of Auditors do?

We are certainly not the best known European institution. And unlike our sister European institutions and neighbours on the Kirchberg, we do not possess the power to decide which direction Europe will take, we cannot sanction those who do not respect its rules, and we do not command the funds the Union needs to meet its objectives.

But we do have the mandate to audit. It is a soft power that helps the other European institutions to take those hard decisions. And it helps citizens to see what is going on.

Our mandate enables us to play an important role - alongside national audit institutions - in building a more accountable Union.

We warn of risks. We provide assurance. And we offer guidance. In this way, we act as a financial guardian, serving to protect citizens' financial interests and to build their trust in the Union.

In fact, I believe our role is more important now than at any time in our 35 year history. So, we must play it better than ever. That is why the Court has identified as its objective for the next five years to maximise our contribution to improving EU accountability.

The times have changed and we have set priorities to reflect those changes. This modern building is only one important part of modernising our organisation to deal with the challenges ahead.

We recognise also that our institution must work even more effectively with our partners and counterparts at EU and national level.

We must guarantee our professionalism by applying the most up-to-date standards and good practices in audit.

We must make best use of our collective knowledge, skills and experience built up over 35 years by taking advantage of new developments in information and communications technologies.



Finally, we must demonstrate our own performance and accountability. After all, if we don't model it, others won't wear it.

The key will be to create a rewarding and motivating working environment for our staff in spite of the changes that will take place across the EU civil service.

Our staff gather evidence about EU financial management from the thousands of on-the-spot checks they carry out each year across Europe and throughout the world.

They perform the analysis, draw the conclusions and make the recommendations that underlie the ninety reports and opinions the Court produces each year.

They translate those reports and opinions and publish them in 22 languages.

They present and discuss them with national authorities of 27 Member States and with all the EU institutions and bodies.

And they provide the necessary support to one another behind the scenes to make this all possible.

It is important to remember that each day we bring together men and women from all Member States to work towards common objectives. They work together in a spirit which reflects the values that unite Europeans: pluralism, non-discrimination, tolerance, justice, solidarity and equality.

We are all European citizens.

In these testing times, the Union needs us to work together to restore the trust of many of our fellow citizens in our institutions and authorities.

To do that, we must build a more accountable Union than the one we have today - a Union capable of showing that Europe works and that it achieves its aim to promote peace, its values and the well-being of its peoples.

European citizens can count on their Court of Auditors to do its utmost – united on this site – to work towards that goal.





# DISCOURS TENU PAR MONSIEUR JEAN-CLAUDE JUNCKER, ANCIEN PREMIER MINISTRE DU GRAND-DUCHÉ DE LUXEMBOURG LORS DE L'INAUGURATION DU NOUVEAU BÂTIMENT DE LA COUR DES COMPTES EUROPÉENNE LUXEMBOURG, 8 MAI 2013

## Jean-Claude Juncker

Ancien Premier ministre du Grand-Duché de Luxembourg



On dit souvent, qu'à la différence des hommes les institutions sont éternelles. Or, nous savons qu'elles ne sont pas nécessairement éternelles. À la différence des hommes, les institutions peuvent aisément se déplacer pour chercher leur bonheur ailleurs et sous d'autres cieux alors que les hommes, eux, nouent des liens d'attachement chaque jour renouvelés avec leur pays, avec leur ville, avec leur région. Les institutions, elles, n'ont ni âme ni sentiment. Elles se déplacent lorsqu'elles ont envie de se déplacer ou lorsque les traités les y obligent.

Vous avez choisi d'opter pour un enclavement local non pas parce que vous l'auriez souhaité mais, parce que les traités vous y obligent. Et sur ce point d'ailleurs, les traités ne seront pas amendés ni revus.

Vous vous sentez à l'aise. J'en prends pour exemple la façon dont les Membres de la Cour, les nombreux collaborateurs et amis de la Cour participent à la vie locale et à la vie nationale, savent s'insérer dans le tissu de ce pays et partager la vie de notre communauté.

On ne construit pas là où on ne se sent pas à l'aise et si on construit quelque part c'est qu'on veut y rester, donc nous avons une raison de construire cet immeuble. Vous n'êtes, votre institution, la Cour, parce qu'européenne par essence, pas obligés d'exercer votre magistrature à partir d'un endroit précis. Vous pourriez exercer à partir de n'importe quel endroit en Europe mais grâce à la sagesse des pères du traité vous êtes à Luxembourg. Restez où vous êtes parce que vous êtes bien installés à Luxembourg.

Vous inaugurez Monsieur le Président, cher Vítor, aujourd'hui votre nouvel immeuble. Votre nouveau bâtiment, l'allure raffinée, fonctionnelle de son architecture qui souligne une fois de plus le génie innovateur de Jim Clames, les formes, les volumes de cet immeuble, ces nombreux clin d'œil faits de pierre et de verre permettent à la capitale, Monsieur le Bourgmestre, d'échapper à l'ordinaire des villes. Et le Bourgmestre, chef de la capitale, et moi, Premier Ministre, nous sommes contents de voir à quel point l'œuvre est réussie.

Nous sommes fiers de votre présence tout comme d'ailleurs tous les Européens doivent être fiers de ce que vous faites, de votre infatigable travail, du rôle que vous assumez, des exigences que vous vous imposez et que malheureusement vous imposez aussi à ceux qui vous accompagnent en les observant de près.

Il est vrai que les destinataires de vos remarques, de vos commentaires et de vos rapports ne partagent pas le degré de satisfaction de ces auteurs. J'en sais quelque chose puisque j'étais ministre du budget pendant cinq années et pendant vingt années ministre des finances. Je suis donc une de vos victimes qui vous a échappée.

Mais vous n'êtes pas là pour plaire. Vous n'êtes pas là pour être populaires. Vous ne devez pas chercher les applaudissements. Le charme facile, la complicité généreuse ne peuvent pas faire partie de votre arsenal d'action. Vous êtes là pour rappeler à l'ordre, vous êtes là pour imposer la bonne voie à tous les États, à toutes les régions, à toutes les entités locales, à tous les destinataires des fonds européens.

En le faisant avec l'acribie qui caractérise vos travaux, vous êtes des architectes de la crédibilité communautaire qui sera d'autant plus grande que vous serez plus exigeants. Soyez donc exigeants. Restez ce que vous êtes, comme disent les Luxembourgeois.

Vous contribuez ensemble avec d'autres, en joignant vos efforts aux efforts nombreux de ceux qui participent à la construction européenne. Vous contribuez à



la construction de l'édifice européen, cette union européenne qui est en fait une grande cathédrale continentale dont il faut prendre soin parce que l'édifice très souvent est menacé. Il n'est pas menacé parce que ses performances européennes seraient insuffisantes, parce que les performances de l'Europe sont grandes, regardez le passé européen depuis la fin de la deuxième guerre. Souvenez-vous, pour ceux qui ont l'âge de pouvoir se souvenir, de l'état de l'Europe qui était celui de l'an '45, soyons fiers de ce que nous avons pu construire ensemble. Soyons fiers d'avoir fait de ce continent martyrisé un continent de paix et très souvent de prospérité. Soyons fiers que nous ayons été à même d'inventer et de mettre en place le plus grand marché intérieur au monde. Soyons fiers de l'euro qui nous protège, qui nous protège mieux que n'auraient pu le faire les 17 monnaies nationales. Soyons fiers de ce grand élan continental qui fut l'élargissement de l'Union européenne vers les pays de l'Europe centrale et de l'Europe orientale, élargissements et adhésions qui nous ont permis de mettre fin à ce funeste décret d'après-guerre qui voulait que l'Europe soit toujours partagée en deux parties. Nous avons réussi de réconcilier l'histoire et la géographie européenne, donc nous avons de bonnes raisons pour être fiers de l'Europe. Mais le prophète Isaïe, je cite rarement les prophètes, ni les Évangiles d'ailleurs, le prophète Isaïe, après avoir revisité tout ce qui constituait son passé, disait à ceux qui l'observaient, ne t'arrête pas à ce qui fut, continue. Il faudra que nous continuions et qu'on réexplique tout, l'Europe, à ceux qui doutent, et ils sont nombreux aujourd'hui à douter de l'Europe. Et donc il faut expliquer l'Europe à partir de son passé, à partir de cette énorme réussite historique qui a permis d'apporter une réponse, que j'espère définitive à l'éternel dilemme européen qui doit toujours choisir entre la guerre et la paix.

Il faut aussi expliquer l'Europe à partir de son avenir que nous pouvons entrevoir, si nous regardons de près. Que sera l'Europe à la fin du siècle ? Et quelle Europe aujourd'hui ? L'Europe aujourd'hui, alors que nous pensons tous être les maîtres du monde, de quel droit ? L'Europe d'aujourd'hui occupe une superficie de cinq millions de km carrés. Nous sommes le plus petit continent. Nous sommes moins grands que le Brésil, nous sommes moins grands que la Chine. Nous sommes moins grands que les États-Unis. La seule Russie, pas l'Union soviétique, la seule Russie, celle de Putin, occupe une superficie de 17 millions de km carrés. Nous sommes donc un très petit continent. Nous sommes un continent en perte de vitesse puisque la part relative de notre PIB à la richesse mondiale va se corriger dramatiquement vers le bas. Nous sommes un continent qui, du point de vue démographique, n'a aucune leçon à donner aux autres. Au début du XXème siècle, les Européens représentaient 20% de la population mondiale. Au début de ce siècle, le XXIème siècle, 11% ; vers le milieu du siècle, 5% et à la fin du siècle, les Européens représenteront 4% de la population sur une population mondiale de dix milliards.

Alors, mes chers amis, je me pose la question, est-ce qu'on peut vraiment plaider la cause d'un retour à ce que nous fûmes avant d'être devenus quelque chose ? Nous sommes le plus petit continent en perte de vitesse économique, en perte de vitesse démographique. D'ici quinze années, aucun État européen ne sera plus membre du G7. Aucun. Les grandes nations, ça n'existe plus. Je m'excuse auprès de ceux qui pensent pouvoir les représenter ici, l'Allemagne, la France, l'Italie, le Royaume-Uni, ne sont grands que parce qu'ils parlent à travers le mégaphone de l'Union européenne. Sans Union européenne ce sont des petits États. Et donc, il faudra tout faire pour approfondir davantage l'intégration

européenne. Il ne peut être question de se diviser en catégories nationales parce que ce n'est qu'ensemble que nous sommes forts et que nous pouvons, avec de bonnes chances de réussir, entrer en compétition avec les grands ensembles qui sont en train de se composer et dont on voit déjà aux horizons les contours définitifs qui, de toute façon, dépasseront ceux de notre continent. Alors, sur cette voie, vers plus d'Europe, c'est-à-dire vers une meilleure Europe, nous avons besoin de toutes vos institutions et surtout de la Cour des comptes qui occupe dans cette cathédrale européenne, dans cette cathédrale continentale, une place centrale. Pour réussir, il faut cette détermination et cette patience dont on a besoin lorsqu'on nourrit de grandes ambitions et lorsqu'on est au milieu d'un long trajet.

Je sais que vous avez cette détermination et je voudrais, moi, avoir votre patience. Alors rassemblons les meilleures énergies, notre détermination et notre patience pour conquérir l'avenir et pour rester fidèles à l'héritage qui nous a été légué par les générations qui nous ont précédés.

Vous avez en fait un travail facile puisque vous occupez un immeuble merveilleux. Je voudrais que dans cet immeuble vous trouveriez dans votre travail toute la satisfaction que le travail peut y procurer. Je voudrais vous souhaiter, Monsieur le Président, Mesdames et Messieurs les Membres de la Cour, chers amis de la Cour, beaucoup de chance et beaucoup de succès et, si possible, beaucoup de bonheur dans cet endroit. Merci beaucoup.



# ADDRESS BY JOHN PERRY, T.D. MINISTER FOR SMALL BUSINESS, REPUBLIC OF IRELAND AT THE OFFICIAL INAUGURATION OF THE NEW BUILDING OF THE EUROPEAN COURT OF AUDITORS, MAY 8th, 2013

## John Perry

T.D. Minister for Small Business,  
Republic of Ireland



It is a great pleasure for me to speak here today on behalf of the Irish Presidency of the Council of the EU.

Today's event is a good opportunity to look back and to reflect on the significant institutional evolution of the EU in the last 35 years and also to consider where we stand as the EU now. In his address at the swearing in of the first Members of the Court of Auditors on the 25th of October, 1977, Mr Hans Kutscher, President of the Court of Justice, spoke of a European Community above Member States, with its own sovereign powers called upon to act independently to lay the foundations of an ever closer union among the peoples of Europe. In that context, the European Court of Auditors can be described as the guardian of sound financial management of EU funds, aiming, as it does, to improve the financial management of EU spending and targeting of EU funds.

The first elected President of the European Court of Auditors back in November 1977 was also the first Irish Member, Mr Michael Murphy. Presiding over the formative years of the Court, he put in place robust and carefully designed structures that stood the test of time, and upon which the Court built its tasks and developed over the past 35 years.

Europe today is confronting challenges which were not necessarily those foreseen by its founders nor many of those who have contributed to its development. The key challenge facing our Union today is the scourge of unemployment, especially youth unemployment, with all the attendant loss of human potential. It brings with it also, risk of a sense of hopelessness among some, and

with that of course a loss of confidence in the institutions of government, including the EU institutions.

The Court of Auditors of course, plays a key role in relation to the confidence of citizens in the EU institutions in more normal times, and perhaps that is even more important at this time of economic crisis. Most EU citizens have long understood that, in our collective interests, some decisions are made in Brussels, Luxembourg or Strasbourg, and that sovereignty is shared between us. They rightly demand accountability for those decisions as they do for decisions made closer to home, and that requires accountability for the expenditure of public monies in pursuit of the Unions programmes and policies.

For this reason, I think it worth-while today acknowledging and applauding the work of the Court to improve EU accountability, an essential if not sufficient element for increasing public confidence in our Union.

It has been widely noted, including by the President of the Court, that the role which our institutions play, including in supporting coordinated action of Member States, is becoming more complex. Our Union is one of twenty seven, soon to be twenty eight, and Ireland has a strong preference for us to move forward together rather than in increasingly variable formats. However, that desire has to be balanced against different needs and circumstances: in the end, the Union has generally been able to find pragmatic solutions to situations where Member States goals, or their readiness to integrate, differ.



But there is little doubt that this extra complexity makes understanding, for public and practitioner alike harder. Without understanding, suspicion thrives.

So the Courts work has therefore never been more pertinent to public confidence.

And I think this importance is heightened at a time of scarce public funds as a result of the economic and financial crisis, which necessitates a greater focus on high quality spending.

This year Ireland is celebrating 40 years of membership of the EU and this coincides with our seventh of the Presidency of the Council of the European Union. Ireland has benefitted enormously from our membership of the Union and, despite any current difficulties, the last four decades have seen a real transformation in our standards of living and quality of life.

At the same time, the European Economic Community of nine Member States of 1973 is today a Union of 27 and we have been privileged to be part of the transformation of Europe that has occurred in that time.

During our first Presidency in 1975 the inaugural meeting of the European Council, at that time still an unofficial EU Institution, was held in Dublin. Ireland oversaw the creation of the European Regional Development Fund and the first Lomé convention. In 1979 the first direct elections to the European Parliament took place and the European Monetary System was established. In 1990 the European Council meetings during the Irish Presidency agreed a common approach to German reunification and to relations with Central and Eastern European countries after the collapse of the Iron Curtain. Ten new Member States joined the EU when Ireland last held the Presidency in 2004.

Our approach to the Presidency this year is, of necessity, different to our previous terms in office. This is partly because of changes to the institutional framework of the Union following the introduction of the Lisbon Treaty.

One of the major changes is the significant reinforcement of the role of the European Parliament and it is clear that in the post-Lisbon environment, the rotating Presidency plays a key role in managing the relationship between the Council and Parliament. As in the past, however, the Irish Presidency remains committed to working pragmatically and constructively with all partners to advance the Unions agenda. As with its previous Presidencies, Ireland is working to manage effectively the complex and busy agenda of the Council and to serve as a fair and impartial office-holder.

Our approach to the Presidency has also been determined in no small measure by the need to respond effectively to the continuing economic and financial crisis. The crisis has proved that our economies are far more interdependent than we previously imagined. Common problems require joint solutions. No European state can isolate itself from the effects of the crisis no more than a state can manage its way out of the crisis alone.

That is also why we chose Stability, Jobs and Growth as our key Presidency themes and we built our Programme around them. We are sparing no effort in delivering our objectives in those key areas.

We are broadly satisfied with the progress that Ireland is making as Presidency, but we do not underestimate the challenges that remain over the next seven weeks. We are intensifying our efforts now and remain firmly committed to ensuring that our seventh Presidency leaves a positive, strong and lasting legacy both for the EU and for Ireland.

One of our main priorities has been decisive action on unemployment, in particular on youth unemployment. I am glad we have managed to reach political agreement on the new Youth Guarantee. With the financial assistance of the Youth Employment Initiative it should contribute to solving the youth unemployment problem in Europe.

The Single Market has been the engine driving growth in the EU economy over the last two decades and its full potential is still not yet realised.

The agreements we reached on the Accounting Directive and the Unified Patent Court will reduce the administrative burden on business and on small and medium-sized enterprises, in particular. One of our big challenges is to progress the Digital Agenda. We remain hopeful of reaching agreement on the main elements of the data protection package before the end of June, and of making solid progress on e-identification.

External trade is another major focus of our Presidency and we are working to advance trade agreements with key EU partners. Transatlantic Trade and Investment Partnership with the US is a major priority in this area. Our ambition remains to conclude a mandate for the start of EU-US trade negotiations by the end of June.

Since January we have been working intensively to drive the Banking Union legislation forward.

The Presidency has secured agreement on its two key elements: the Capital Requirements Directive and the Single Supervisory Mechanism. We are now making efforts to advance the Banking Resolution and Recovery proposals. We are committed to making strong progress on these and other financial regulation files over the coming two months. I am glad that we reached agreement with the



European parliament on new Mortgage Credit Directive that will help avoid the sort of housing bubble which has proved so damaging to our economies.

Overall, we remain on track with most of our policy and legislative objectives. But we have a lot work to do and a lot more to deliver. The focus across all formations remains on delivering results that contribute to our core Presidency objective of delivering stability, employment and economic growth across the EU.

I can assure you that we remain both ambitious and optimistic that working closely with partners, we can deliver real results for Europe's citizens.

I referred earlier to one of the challenges that the EU continues face, that is to say, to explain to citizens what it is doing, and how they can have a stronger say in the affairs of the Union. During 2013, the European Year of Citizens, we are seeking ways to ensure that our citizens across the Union are genuinely engaged and involved in the debate about the future of the European Union. In Ireland we are organizing a series of dialogues with our citizens and encouraging a wider public debate about our membership of the Union and how it affects our lives.

If we talk about the EU in broader terms we have to address decisively public confidence in EU institutions and the risks this poses at both an EU and national level. The challenge of promoting public engagement in European issues is of particular importance as we look forward to the European Parliament elections next year.

Tomorrow we will mark the 63rd anniversary of Robert Schumans Declaration in Paris. It is important not to lose sight of how much Europe has invested in our Union, and

how much we have achieved and gained together as a result. The award of the Nobel Peace Prize last year was a fitting reminder to us of the context in which our progress has been made, and how our Union has been one of peace, reconciliation and democracy.

No less tomorrow than today, the Court of Auditors has a distinct and essential role in bolstering public confidence in the institutions that Europe has built over those 63 years. That confidence is central to our Unions functioning, and not least because of that, I wish the Court all the best as you take forward your important work in this new building.



# CONFERENCE ON EUROPEAN GOVERNANCE AND ACCOUNTABILITY

12 SEPTEMBER 2013

Herman Van Rompuy, President of the European Council



M. Herman Van Rompuy, Président du Conseil européen

CONFERENCE SUR LA  
GOUVERNANCE ET LA  
TRANSPARENCE EUROPÉENNES

12 SEPTEMBRE 2013



# THE CLOSING EVENT OF THE ECA'S 35TH ANNIVERSARY YEAR, 12 SEPTEMBER 2013

## CONFERENCE ON EUROPEAN GOVERNANCE AND ACCOUNTABILITY



From left to right: Michael Theurer, Chair of the Committee on Budgetary Control of the European Parliament, Gijs de Vries, Member of the ECA, Vítor Caldeira, President of the ECA, Patrick Dunleavy, Professor of Political Science and Public Policy Chair at the London School of Economics and Political Science, Pablo Zalba Bidegain, Vice-Chair of the Committee on Economic and Monetary Affairs of the European Parliament, Mark Bovens, Professor of Public Administration at the Utrecht University School of Governance

### Opening address and Closing remarks

Vítor Caldeira, President of the European Court of Auditors

### Keynote speech

Herman Van Rompuy, President of the European Council

### Round table

Moderator: *Patrick Dunleavy, Professor of Political Science and Public Policy Chair at the London School of Economics and Political Science*

*Michael Theurer, Chair of the Committee on Budgetary Control of the European Parliament*

*Pablo Zalba Bidegain, Vice-Chair of the Committee on Economic and Monetary Affairs of the European Parliament*

*Mark Bovens, Professor of Public Administration at the Utrecht University School of Governance*

*Gijs de Vries, Member of the European Court of Auditors*

### Speech by Vítor CALDEIRA, President of the European Court of Auditors

I am very pleased to welcome you to this conference. It is the closing event of the celebration of the 35th anniversary year of the European Court of Auditors. Other events over the year have looked back on how this institution has developed and what it has achieved.

Now it is time to look forwards.

Our topic is European governance and accountability. We could not hope for better company in which to consider developments in this important area.

To start with, it is a great honour to welcome the President of the European Council, Herman Van Rompuy, to our institution for the first time.

Formerly Prime Minister of Belgium, President Van Rompuy took office when the Lisbon Treaty came into force on 1 December 2009. Last year, he was re-elected for a second term.

As you know, the European Council defines the general political direction and priorities of the European Union.

EU governance issues have featured high on its agenda as Europe has sought to respond to the toughest economic and financial situation for decades.

He spoke very inspiringly last year, in his Nobel peace prize lecture, of the need for our generation to work hard in these tough times to preserve the promise of Europe.



More than ever the European peoples need to be reassured the EU can keep its promise.

This reflects the fact that restoring the confidence and trust of citizens in the EU has become a top priority.

President Van Rompuy has been hard at work with the Presidents of other EU institutions on putting in place a roadmap towards a genuine economic and monetary union.

That roadmap is based around four building blocks. The fourth is "strengthening democratic legitimacy and accountability".

But what does "democratic legitimacy and accountability" mean in the EU context? How can they be strengthened? And what should be the role of the public auditor?

These are some of the questions I hope we will be able to explore today drawing on the inspiration and insights of President Van Rompuy and with the help of the distinguished members of our roundtable.

We are very fortunate – and very honoured – to have around our table four distinguished guests, two leading EU politicians and two eminent academics.

- Michael Theurer is Chair of the Committee on Budgetary Control of the European Parliament
- Pablo Zabla Bidegain is Vice-Chair of the Committee on Economic and Monetary Affairs of the European Parliament
- Mark Bovens is Professor of Public Administration at Utrecht University, and
- Patrick Dunleavy is Professor of Political Science and

Public Policy Chair at the London School of Economics, who has kindly agreed to act as the moderator for our round table discussion.

They are well placed to help us consider the major political and theoretical issues connected with developments in EU governance and accountability.

To help us consider the implications for public audit, they will be joined by Gijs De Vries, Member of the Court. Mr De Vries is the reporting Member leading a landscape review of the EU's public accountability and audit challenges.

This is an important task for the Court which is designed to contribute to the current public debate on EU governance and accountability.

In that sense, it builds on the position paper the Court has already issued on the implication of the financial and economic crisis and recent statements of the Contact Committee of the Heads of the SAIs of the Member States and the European Court of Auditors.

An essential element of democratic legitimacy is achieving results for citizens. That corresponds to the "for-the-people" part of Lincoln's famous definition of democracy. It is sometimes referred to as "legitimacy by results".

It is perhaps no accident that proposals have been made to focus the EU budget on results during the next financial framework from 2014 to 2020. However, this implies the need for more effective public accountability for results achieved by EU spending.

That will in turn have implications for public management, audit and oversight arrangements.

It means that the "focus on results" should be reflected in:

- management roles and responsibilities,
  - the objectives and targets to be achieved,
  - the payments conditions for receiving funds,
  - requirements for recording, checking and reporting on results,
  - external audit mandates, and
  - arrangements for political oversight.
- All these components need to be in place and working.

Up to now:

- political attention has centred on the allocation of budgeted resources;
- management has targeted the utilisation rate;
- control activities have been directed at checking compliance with the rules; and
- the main function of the Court has been to provide assurance on the regularity of financial operations.

If we need effective accountability for results, some or all of these things may need to change.

Overall, that would represent a major change of mindset for public policy-makers, financial managers and auditors.

In the Court's view, although there have already been moves in this direction, effective accountability for the results achieved with the EU budget still looks a long way off.





For example, since the Lisbon Treaty came into force the Commission is required to produce an evaluation report in terms of results achieved as part of the discharge procedure for the implementation of the EU budget. However, the first two editions of the evaluation report demonstrated that the building blocks are not yet in place for this to be an effective tool for scrutinising EU spending.

The proposals for programmes and schemes after 2013 contain a number of elements designed to bring more focus on results. However, in the Court view, a number of opportunities have already been missed at the highest level of legislation to further clarify objectives, simplify programmes and schemes, link payments more closely to results, enhance monitoring and evaluation arrangements, and make internal control systems more output oriented.

Nevertheless, many opportunities for positive change remain at lower levels of legislation and when programmes and schemes are implemented.

I think it is also important to consider developments regarding the EU budget in the context of the wider-ranging developments that are taking place in EU economic and fiscal governance.

The new EU arrangements for fiscal and economic coordination cover the totality of public spending in the EU. The EU budget represents only about 1/50th of that total.

But the importance of the EU budget should not be underestimated. It has an important catalytic effect. It is also an important source of inspiration in developing harmonised public finance management arrangements in the Member States.

The Commission has drawn on its own experience with the EU budget to launch an initiative for developing accruals-based European Public Sector Accounting Standards applicable to all public sector bodies.

Similarly, the integrated internal control framework for the EU budget has served as a basis for the Commission to promote a harmonised Public Internal Financial Control Framework for countries preparing to join the EU as well as for its existing Member States.

In order to strengthen accountability, developments in public financial management arrangements will need to be matched by developments in public audit and oversight.

In considering the implications of developments in response to the crisis, the Court and Member States SAIs, have advocated building a coherent public sector audit framework.

In parallel, there have been calls for greater coordination between the European and national parliaments in the processes of financial and economic surveillance, as a means also to strengthen democratic legitimacy.

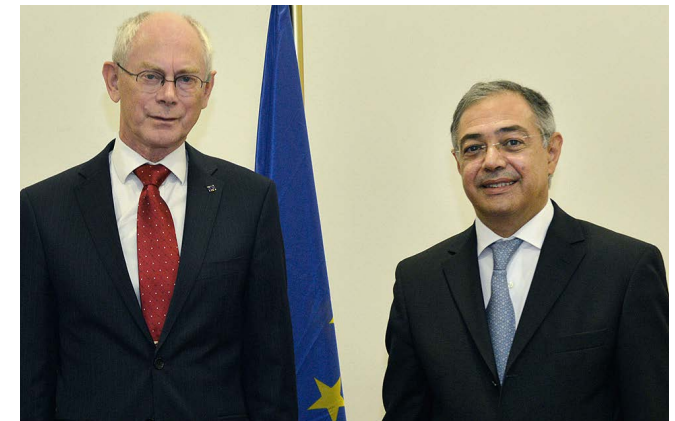
But what form could or should coherent and coordinated public audit and oversight arrangements take? That is not an easy question to answer.

I believe improving EU governance and accountability for the public funds that are put at stake to meet EU objectives is a necessary condition for strengthening EU democratic legitimacy and fostering citizens' trust.

I hope today's conference will provide inspiration on how this could best be done. The Court is prepared to

work hard to be part of that "solution", by playing fully its role under the Treaty as the guardian of the EU's public finances.

I look forward to hearing the contributions of the speakers, and I would like to thank them once again for taking time out of their busy schedules to be with us today.



Herman Van Rompuy, President of the European Council and Vítor Caldeira, President of the European Court of Auditors

## Speech by President of the European Council Herman VAN ROMPUY

Herman Van Rompuy  
President of the European Council



Je suis heureux d'être parmi vous cet après-midi, à l'occasion de cette conférence qui marque le trente-cinquième anniversaire de la Cour des comptes européenne. C'est pour moi toujours un plaisir de revenir au Luxembourg. En tant que citoyens du Bénélux, on se comprend!

Mais c'est avec une émotion particulière que je viens ici en tant que Président du Conseil européen, dans cette ville qui a vu naître, et grandir, les premières institutions de notre Union. *"L'ébauche d'un nouveau monde sur le vieux continent"*, comme le disait Jean Monnet... C'est ici, dans cette première citadelle de l'Europe, que s'est forgé l'esprit de nos institutions – au point que Monnet d'ailleurs appelait cette approche pionnière "l'esprit de Luxembourg", bien avant que les institutions européennes ne s'étendent vers Bruxelles. Cet esprit de Luxembourg persiste, ici aussi, à la Cour.

35 ans, ce n'est pas rien. En ce mois de septembre, ce sont aussi quatre décennies que l'on commémore depuis le rapport Aigner – devrais-je dire le manifeste? – appelant à sa création: *"Pour Une Cour des Comptes Européenne"*. Non sans raison, le souci de doter l'Union d'une capacité réflexive – celle de contrôler, d'authentifier, d'évaluer – était présent dès les origines; déjà, la CECA de 1952 disposait de la Commission de contrôle, dont votre Cour a pris le relai, et approfondi le travail.

Je dis "non sans raison" car cette responsabilité, celle de rendre des comptes, est à mes yeux une condition essentielle de la crédibilité, c'est le socle de la confiance. Car sans évaluation, le sens de l'action publique nous échappe. Sans comptes crédibles, sans comptes vérifiés, pas de discussion valable, ni de progrès possible dans l'action.

Cet éclairage est essentiel pour la légitimité de l'action publique, je dirais au moins depuis le lien établi entre taxation et représentation au XVIIIème siècle. Et cet éclairage est tout aussi essentiel pour la qualité du débat public. Le travail méticuleux de vérification et d'évaluation de l'action publique est garant de la solidité des fondations de l'édifice démocratique. Déjà en 1789, la "Déclaration universelle des droits de l'homme et du citoyen" proclamait dans son article XV: "La Société a le droit de demander compte à tout Agent public de son administration."

Il en est bien sûr de même pour l'Europe. Avec la naissance de la Cour des comptes européenne, il s'agissait d'ailleurs bien, pour reprendre cette belle expression de l'époque de Hans Kutcher, alors président de la Cour de justice, d'incarner institutionnellement la "conscience financière" de la jeune Europe d'alors.

Ce rôle de conscience financière que vous jouez, vos interlocuteurs dans les Etats membres, l'occupent de même auprès de leurs gouvernements et parlements. Et je salue d'ailleurs le dialogue constant que vous entretenez entre homologues à travers l'ensemble de nos pays.

S'il est une leçon que, comme Union, nous nous devons de tirer des grandes difficultés économiques et financières de ces dernières années, c'est bien celle-ci: la nécessité de renouer avec notre conscience financière collective, au sens le plus large. Renouer consciemment: en tant que décideurs, en tant que citoyens. Revenir sur les excès et erreurs du passé, rétablir des bases saines, pour mieux anticiper l'avenir. C'est une responsabilité politique, citoyenne.



Mais cette prise de conscience, à tous les niveaux, ne peut se traduire en actions efficaces qu'en s'appuyant sur des comptes sincères et des évaluations impartiales, en s'appuyant sur les travaux d'institutions telle que la vôtre. Cour des comptes européenne au niveau européen, autorités suprêmes de contrôle au niveau des Etats membres.

Cette leçon dont je parle, c'est aussi elle qui guide, depuis quatre ans déjà, les actions lancées en réponse à la crise. Et au fil de ces actions, c'est une Union plus responsable et plus solidaire qui se dessine. Mieux armée d'instruments de surveillance économique et budgétaire – un vrai arsenal! –, pour mieux prévenir et corriger si nécessaire. Protégée par des mécanismes de stabilité efficaces, et une solidarité qui a fait ses preuves. Lucide sur les défis de l'avenir et les efforts nécessaires pour les surmonter.

C'est aussi une Europe plus consciente des liens forts qui l'animent: cette interdépendance dont la pleine – et parfois douloureuse – réalisation ne s'est faite qu'avec les épreuves que nous avons eu à surmonter ensemble, ces dernières années.

Pour les chefs d'Etat et de gouvernement qui siègent au Conseil européen, cela ne fait aucun doute. Cette interdépendance est la réalité de l'Europe d'aujourd'hui – et elle est encore plus au sein de l'eurozone. Cette interdépendance accrue, tant économique que politique, dont la crise a révélé l'ampleur est aussi la rançon du succès du processus d'intégration européenne. Il nous faut agir en conséquence, et travailler à parfaire l'Union économique et monétaire.

C'est pourquoi ensemble nous nous sommes engagés, sur la base des rapports que j'ai préparés sur l'avenir

de l'Union économique et monétaire, à doter la zone euro de cadres appropriés de gouvernance financière, économique et budgétaire.

Nous sommes à l'oeuvre sur chacun de ces chapitres, et bien avancés sur certains. Pour assurer la gouvernance financière, nous bâtissons l'union bancaire, qui s'appliquera pour l'ensemble des banques de la zone euro, avec des mécanismes de supervision et de résolution bancaire uniques.

Sur la gouvernance économique et budgétaire, plusieurs outils sont déjà en place pour permettre une meilleure coordination des politiques nationales. Au Conseil européen, il est clair pour chacun que les décisions prises dans un Etat membre peuvent influencer la situation dans d'autres pays, voire dans toute l'Union.

C'est pourquoi notamment, dans le cadre du Semestre européen, nous adoptons ensemble des lignes directrices communes pour les politiques économiques et budgétaires nationales, ainsi que des recommandations spécifiques par pays.

Et nous poursuivons nos travaux en explorant de nouvelles pistes pour renforcer l'Union Economique et Monétaire dans son ensemble, et plus particulièrement dans sa dimension économique. Par exemple des engagements plus formels de la part des Etats, en quelque sorte des contrats, portant sur la poursuite de réformes structurelles essentielles pour la croissance et l'emploi.

A plus court terme, ce renforcement économique passe aussi par les ressources communes que nous avons réunies pour faire face à l'urgence. L'urgence financière, en particulier par les fonds d'urgences et de stabilisation

pour l'eurozone. Et l'urgence économique et sociale, grâce à des financements européens ciblés contre le chômage (notamment des jeunes) et pour les petites et moyennes entreprises dans les régions sinistrées.

Qui dit gouvernance, pose en filigrane la question du cadre des responsabilités: qui rend compte de ces nouvelles actions, de ces nouvelles structures, et auprès de qui? Si cette question appelle des réponses au cas par cas, souvent il me semble que seule une double légitimité, à la fois nationale et européenne, pourra satisfaire aux exigences de situations complexes.

Pour cela un réel dialogue entre les différents niveaux assurant la pleine légitimité de l'action me paraît indispensable, par exemple entre le parlement européen et les parlements nationaux. Les Cours des comptes européenne et nationales auront aussi à trouver leur juste place dans ces nouveaux cadres de la zone euro, dont l'évolution est encore en cours.

C'est un aspect important de la légitimité.

Pour ne prendre que deux exemples qui concernent la Cour des comptes européenne:

- Tout d'abord pour l'Union bancaire: la Banque centrale européenne se voit confier de nouvelles responsabilités en matière de supervision bancaire. La Cour des comptes européenne, cela a été précisé explicitement dans le règlement par le Conseil à la demande de la Cour, évaluera également les nouvelles activités de supervision de la Banque.

- Toujours sur la zone euro, prenons cette fois notre fonds d'urgence commun, le Mécanisme européen de stabilité. Ici il s'agit de fonds intergouvernementaux, donc en marge des structures institutionnelles classiques, et



donc avec un mécanisme de contrôle qui lui est propre. Toutefois, la Cour des comptes européenne nomme un des membres de ce Conseil de contrôle (il en est d'ailleurs le Président), et deux autres sont nommés par les autorités supérieures de contrôle nationales.

Plus généralement, une coordination renforcée des politiques économiques et des politiques budgétaires appelle à une meilleure harmonisation des systèmes de comptabilité publique nationaux. Comme j'ai eu l'occasion de le souligner en mai dernier lors d'une Conférence qui s'est tenue à Bruxelles sur le sujet, c'est une condition nécessaire pour permettre une réelle discussion au niveau européen. Pour pouvoir comparer les budgets, comparer les dépenses, et obtenir ainsi une véritable vue d'ensemble, encore faut-il parler des mêmes chiffres. Cette harmonisation est aussi importante pour la coopération entre les autorités suprêmes de contrôle et en définitive pour l'évaluation des politiques publiques dans notre Union.

Allow me to continue my remarks in English. The harder the times, the higher people's expectations, when it comes to how their taxes are spent. And rightly so. Especially when they themselves are striving to do more with less money at home, they naturally expect the same from public spending. Every euro has to go where it can make the most impact.

It's the case in every one of our countries, and it's the case for Europe too. Which is why the Union's budget for the rest of the decade, which leaders designed earlier this year, had to be a modernised, realistic budget, focused on the most pressing concerns, and on making Europe fit for the future.

For the Court of Auditors' perspective, the 2014-2020 multiannual financial framework will bring new

challenges. Funding in important areas like youth employment or research & development will be frontloaded, to get a wave of projects going that should help kickstart growth and employment throughout the European Union. But for the Court, I understand that this will also translate into a spike of audits in areas where results are not easily measurable.

Another challenge may stem from the June European Council decision to expand joint Commission and European Investment Bank risk-sharing financial instruments in order to leverage more private sector and capital market investments for SMEs. That means the Court of Auditors will need to take account of the wider range of use of European budget.

As we look to the actual execution of the 2014-2020 budget, to where and how the funds will be spent, the focus has to be above all on results. We need to show how this money is making a difference for citizens across Europe.

That's why the growing emphasis in the Court's work on performance auditing is to be encouraged and developed. Because it helps politicians and policy makers answer the two key questions they continually ask themselves: first, is the money allowing us to achieve our agreed objectives and second, could we do it more efficiently? At the end of the day, I'm convinced it's above all through results that we will convince citizens. By making a difference for employment, for living standards.

As European institutions, we share the responsibility to make these results known, and to work hard to overcome shortcomings. In doing so, we share another responsibility: that of being as didactic as we possibly can.

You know this well at the Court: your reports are not released into a void but into the rough and tumble of political life and media reporting. Every year, they generate headlines that "yet again the EU's accounts have not been signed off", with deceptive allegations of fraud and mismanagement. You and I know that such headlines can be misleading.

Normally the Court finds that the accounts are overall correct but that some decisions have been taken without fully following correct procedures or other faults have occurred. Crucially, amounts paid out in error are usually retrieved subsequently.

But given this media handling of information, and its impact on public opinion in some countries, the Court might want to give some further thought as to how it can encourage more nuanced media reporting. It's important that citizens can have the whole picture, with all its nuances.

Au final, nous sommes tous responsables de l'Europe et de son image. Nous avons tous à rendre compte de l'Union. En période de crise, il est plus vital que jamais de nourrir la confiance par un contrôle impartial et une évaluation méticuleuse de l'action publique. Car c'est ainsi seulement que nous parviendrons à établir les résultats de nos actions et à les orienter pour les rendre les plus efficaces possibles. Il nous faut aussi être didactique pour convaincre les Européens, et démontrer clairement que l'Europe n'est pas la source des problèmes, mais bien la solution.

La Cour joue pleinement son rôle de "socle de la confiance" pour nos institutions, j'en suis convaincu. Nous continuons à compter sur vous!



## A VIEW OF THE CONFERENCE

By Rosmarie Carotti

Editor-in-chief of the ECA Journal



Introducing the conference as the closing event of the ECA's 35<sup>th</sup> anniversary year, Vítor Caldeira, President of the ECA, welcomed the President of the European Council with the words: *"Now it is time to look forwards"*.

To that the President of the European Council Herman Van Rompuy answered in his key-note speech: *"For the Court of Auditors' perspective, the 2014 – 2020 multiannual financial framework will bring new challenges"*.

Accountability is an essential element of the democratic process. But what does democratic legitimacy and accountability mean in the EU context?

Institutions and bodies, at national and EU level, are required to render account of their actions and, in the case of EU institutions and agencies, are given discharge for the management of their annual budgets. The purpose of accountability and audit is to provide legitimacy in the use of EU funds and to create confidence and trust in the political and institutional set-up and its instruments. There is also an element of learning and improvement from the results of audits and their recommendations.

The concept of accountability is not static. There is currently a move towards accountability for results and impact at EU level. This change, as well as other major political and theoretical issues, were discussed.

The institutional landscape has changed, too, and with the responses to the financial crisis the European Union framework has been supplemented with new bilateral and international instruments which can put public independent audit at risk. Public scrutiny, either by European Parliament or another body with democratic legitimacy, is nevertheless essential.

Prof. Mark Bovens, focused in particular on the European Council. It is a central political player in the EU and it has become even more prominent in EU policymaking following the Lisbon Treaty and the eurozone crisis. Because of its intergovernmental nature, the political accountability for the European Council is at the level of the member states, primarily the national parliaments. Prof Bovens reflected on how the collective political accountability of the European Council and its President could be organised in the future.

Michael Theurer, Chair of the Committee on Budgetary Control of the European Parliament and Zalba Bidegain, Vice-Chair of the Committee on Economic and Monetary Affairs of the European Parliament, both underlined European governance and accountability as very important concepts. The findings of the European Court of Auditors are an important basis for their work, particularly in the context of the annual discharge procedure, and are crucial to a functioning democracy. The European Parliament asks the Commission to focus its performance on the achievement of the EU 2020 strategy objectives. The question is no longer solely about compliance with the rules and determining error rates, but also whether Member States have put in place the organisational structures needed to achieve the EU's main political objectives.

The conference further explored and debated these issues. Gijs De Vries, Member of the ECA spoke about possible gaps the accountability and audit arrangements arising from recent changes. The ECA is undertaking a comprehensive review in this area which is designed to contribute to the current public debate on EU governance and accountability.



To summarise, European auditors have a role to play in assisting both the European and national parliaments in improving the effectiveness of their policies and in strengthening mechanisms of democratic accountability. The present accountability landscape of the EU, as well as related arrangements such as the Euro area, is excessively complex, lacks transparency and contains some audit gaps. Increased co-operation between auditors is essential for addressing some of these questions.

Finally, it is also important to consider developments regarding the EU budget in the context of the wider-ranging developments that are taking place in EU economic and fiscal governance. The new EU arrangements for fiscal and economic coordination cover the totality of public spending in the EU. The EU budget, itself, represents only about 1/50<sup>th</sup> of that total, but its catalytic effect should not be underestimated.

As President Caldeira said: *“The Court is prepared to work hard to be part of that solution, by playing fully its role as the guardian of the EU’s public finances.”*

### Council President **VAN ROMPUY** signs the Golden Book of the ECA



From left to right: Mr Karel Pinxten, Member of the ECA from Belgium, Mr Herman Van Rompuy, President of the EU Council and Mr Vítor Caldeira, President of the ECA



# BUILDING A EUROPEAN INSTITUTION



FONDER UNE  
INSTITUTION EUROPÉENNE



Libero Carotti  
Fonctionnaire de la CECA  
de la première heure, 1986



Au crépuscule du 13 février 1945 les hurlements de la sirène d'alarme retentit dans la Florence de l'Elbe.

La nox atra de la destruction s'abat sur Dresde.

Les survivants de l'alarme aérien – je me souviens – devant les amas des corps humains mutilés et carbonisés, jonchant les rues adjacentes à la gare centrale, réclamaient à l'unanimité « die geistige und politische Umkehr des Menschen ».

Cette demande instante, exprimée en d'autres langues sous d'autres cieux, représentait la ferme volonté également des tous les peuples engagés dans l'épouvantable conflit : la reconversion spirituelle et politique de l'homme.

La seconde guerre mondiale était l'épilogue tragique de la séculaire désintégration spirituelle et culturelle de l'Europe.

Le vase contenant la civilisation européenne – pour reprendre une image célèbre – décomposée par les guerres fratricides aurait-il encore été capable de verser la liqueur dans un autre vase, ou le vase même était-il brisé ?

Quelle aurait été la place de l'Europe dans le processus naissant de planétarisation de l'histoire humaine ?

Telles étaient les problèmes fondamentaux que conjointement avec la reconstruction matérielle du continent les européens devaient désormais affronter.

La mémoire des horreurs et ruines du passé fondait le devoir d'un sursaut de la conscience européenne. Malheureusement dans aucun pays d'Europe se leva dans cet après-guerre une voix qui, interprétant la gravité de l'heure historique et la tragédie de la pensée européenne,

appelât à un mouvement politico-culturel profond, afin de rétablir un nouvel ordre politique sur le vieux continent.

Les forces politiques et sociales traditionnelles arboraient les étendards du passé.

Les nombreux mouvements pour la construction des États-unis d'Europe, voire de l'Occident, furent des ectoplasmes. Ils restèrent des « endlose Kalkulationen ».

L'action des mouvements fédéralistes même les plus méritoires ne surent pas se lever au « climax » de la passion ético-politique des « Pilgrims » du « Maryflower compact ».

En refaisant le chemin parcouru depuis 1945 à aujourd'hui, nous voyons que – écrit un observateur perspicace de la culture contemporaine – nous vivons un théâtre de l'apparence magique, mais en réalité seulement plein d'illusions et de mensonges.

La société famélique de consommations – nous le savons aujourd'hui n'a pas rendu l'homme plus humain. De même, l'opulence n'a pas épargné aux européens le calice amer d'une longue impuissance politique. « The world was not renewed ».

L'année zéro de l'après-guerre donnait l'occasion à l'Europe de réfléchir sérieusement sur la validité de ses propres valeurs et d'imaginer un dessin à la hauteur des nouvelles réalités planétaires.

Les fondateurs des Communautés européennes, désespérant de parvenir à cet objectif, ont privilégié une démarche que certains n'ont pas hésité de qualifier de marxiste, mais qu'il est exacte d'appeler téléologique : les facteurs économiques auraient déterminé en aval les effets politiques souhaités.





Un lieu commun courant revint alors à la mode : le grand « Preussisch-deutscher Zollverein » n'avait-il pas conduit à l'unification des états germaniques ?

On continuait donc d'ignorer que l'unité de l'Allemagne fut, comme dans le cas de l'Italie, aboutissement heureux du travail spirituel et culturel séculaire des esprits les plus illuminés et des cœurs les plus généreux de leurs peuples.

Ainsi l'Europe renonça à la voie royale de son amour politique, à collaborer à la formulation d'une grande nouvelle stratégie politique de l'Occident.

L'identification de l'Europe à l'économie est en train de transformer aujourd'hui nos pays en autant de champs catalauniques. Elle met en danger le destin même de marché unique ou « binnenmarkähnlich » (para-unique), dans l'absence d'un idéal spirituel-culturel commun il ne sera pas possible en effet de parvenir à « l'espace d'assurance » c'est-à-dire la certitude intérieure de chaque citoyen européen d'être membre non discriminé d'une communauté de destin.

Il est grand temps d'appeler les peuples d'Europe à définir leur nouveau regard sur le monde. Il s'agit d'un soulèvement ético-culturel capable de fournir les éléments d'une vue nouvelle de la société terrestres des hommes, en donnant espace à la notion de l'universalité de l'histoire comme guide essentiel pour la compréhension des phénomènes historiques.

L'approche pour répondre à cet impératif est dans notre esprit la convocation par le Parlement européen et la Commission de la Communauté des assises ayant le but de proposer aux peuples le repositionnement de l'Europe

dans la planète et l'ambition de traduire à nouveau un mouvement de l'univers.

Ce n'est qu'ainsi que l'esprit d'une communauté des fins gagnera les structures nationales, les systèmes des partis et l'opinion publique des différents pays.

Un « manifeste de l'Europe pour le siècle XXI » sera une étape importante de l'intégration politique du continent. Les débats de Strassbourg, de Luxembourg et de Bruxelles, ne seront plus des métalangages mais la commune voix des Européens.



## THE BEGINNINGS OF THE ECA



First ECA building, 29 rue Aldringen, Luxembourg

The European project is the greatest reconciliation process that the world has ever seen. In place of centuries-old rivalries, there was to be an economic Community that would unite the peoples of Europe.

The first step in the creation of our modern-day European Union was the creation of the European Coal and Steel Community in 1951 by the Treaty of Paris, which was then followed by the 1957 Treaty of Rome that established the European Economic Community and the European Atomic Energy Community. These treaties formed the basis for the European Community Treaty and, finally the Treaty on European Union.

The ECA was established under the Treaty of Brussels of 22 July 1975 which also gave the Parliament discharge powers in regards to the Commission's implementation of the budget. The previous audit bodies (the Audit Board and the office of the ECSC Auditor) were replaced by the ECA. Mr Heinrich Aigner, Chairman of the European Parliament's Budgetary Control Committee was instrumental in establishing the ECA. Since 1973 he had strongly argued the case for a Community-level external audit body.

The European Court of Auditors was established by the Treaty of Brussels, which was signed on 22 July 1975 and - because of the need to be ratified by each Member State - entered into force in October 1977. The ECA officially came into being in Luxembourg on 25 October 1977.

Newly constituted, the ECA began work at its office at 29, rue Aldringen, in Luxembourg. The building was rented from the Luxembourg authorities. At that time it was not yet certain whether all its activities would be conducted from Luxembourg.

Agreement was reached as to how the ECA was to operate: it would act as a collegiate body, taking decisions jointly. In its corporate capacity, the ECA represented a new Community institution, and it was important to emphasise this in relations with other institutions.



# THE ECA'S HISTORY AND EVOLUTION OF ITS INSTITUTIONAL RESPONSIBILITIES AND POWERS

## History and Function

The ECA officially came into being in Luxembourg on October 25<sup>th</sup> 1977 with nine Members, one from each original Member State. From the start the primary aims of the ECA had to be set, including defining the nature of its audits. This required answering fundamental questions such as defining “*sound financial management*”, a phrase used in the Treaty of 1957.

*“The Court would expect to offer views on alternative methods of carrying out a given policy and on the most economical way of operating the chosen method. This could involve questions of cost-benefit analysis” (Minutes of the ECA’s first meeting in October 1977).*

The minutes went on to say: *“It was generally agreed that, at the working level, the most satisfactory method of conducting audits was by the formation of teams, each dealing with a particular topic – e.g. within the CAP, with beef or skimmed milk, or outside the CAP, with the Social Fund. Each of these teams would be headed by a Court Member and it would be his responsibility to present a report to the full Court on the results of his investigation”.*

Two types of publication were foreseen:

- a) an annual report, to be drawn up after the closure of each budgetary procedure;
- b) observations on specific issues, to be submitted at the ECA’s initiative, and opinions, to be delivered at the request of other Community institutions.

## Evolution of the ECA’s institutional responsibilities and powers

As an EU body, and latterly institution, the ECA’s role and mandate are governed by European Treaty, starting with the Treaty of Brussels in 1975 and most recently the Treaty of Lisbon in 2007.

### The Treaty of Brussels (1975)

The Treaty of 1975, and the General Financial Regulation of the Communities, laid down the responsibilities and powers of the ECA. The principal distinctions between the ECA and its predecessors were that:

- it enjoyed quasi-institutional status;
- its Members were full-time;
- it had increased powers, and responsibility: all Community income, expenditure and accounts (whether budgetised or not);
- it could start its work immediately once expenditure had been committed, i.e. it did not need to wait until the accounts were closed;
- it was entitled to carry out on-the-spot audits in Member States on its own initiative;
- it could make observations at any time on specific questions of its own choosing;
- it could give opinions on legislation with an impact on financial management at the request of any of the institutions, to be published in the Official Journal.

Although the ECA’s responsibility in assessing the financial management was not yet defined by the Treaty, the ECA understood that it should not only assess the regularity of the operations carried out to implement Community policy, but also whether the funds were used economically and efficiently.

### The Maastricht Treaty (1992)

The ECA’s role was expanded with the ratification of the Maastricht Treaty in 1992. The ECA was given the task of delivering to the budgetary authority an annual statement of assurance (sometimes known by its French acronym DAS) on the reliability of the accounts and transactions underlying them. At the same time the ECA was promoted to the rank of an institution from 1 November 1993. This enhanced the ECA’s independence and authority, as well as its relations with the other EU’s institutions.

### The Treaty of Amsterdam (1997)

The ECA’s institutional position was confirmed and strengthened with the entry into force of the Treaty of Amsterdam on 1 May 1999. This Treaty emphasised the ECA’s role in the fight against fraud, and extended the possibilities for it to have recourse to the Court of Justice in order to protect its prerogatives regarding the other EU institutions.

The Treaty of Amsterdam also established the ECA’s right to audit the European Investment Bank’s activity in managing Community funds.



### **The changes of 1999 and 2001**

1999 was a turning point for EU budgetary management, following the built up of a crisis of confidence in the Commission's leadership. Following the presentation of two reports by a Committee of Independent Experts, the Commission was compelled to resign.

A new Commission took office in September 1999 and immediately introduced a new reform programme, including the introduction of activity based management together with activity based budgeting. This provided a framework for resource allocation and an increased focus on the measurement of results and performance against predetermined priorities and clearly defined and measurable objectives. The ECA adopted its annual report to reflect the new budgetary structure.

### **The Treaty of Nice (2001)**

Article 247(1) of the EC Treaty explicitly stated that the Court of Auditors would consist of one Member from each Member State, they would be appointed by a qualified majority of the Council after consulting the European Parliament.

### **The opinion on the "single audit" model**

On 18 March 2004, the ECA adopted the Opinion No 2/2004 on the 'single audit' model. This opinion outlined characteristics of an effective and efficient supervisory and control framework for the EU. It provided a model of an integrated control framework and promoted a system

with a chain of control procedures built on common standards and an appropriate balance between the cost and benefit of controls.

### **The 2004 enlargement**

The 2004 enlargement to 25 Member States introduced many challenges for the ECA. Internally, the main change was to adapt the ECA's rules of procedure for a 25-Member Court. This adjustment was necessary in order to maintain the ECA's effectiveness. A greater sense of responsibility centred on audit tasks replaced the ECA's previous spirit of "ownership" (one Member in charge of each sector) as the ECA was reorganized to a system of chambers.

### **The Treaty of Lisbon (2007)**

The Lisbon Treaty made a number of important changes regarding the implementation and discharge of the EU budget. The responsibility of Member States for implementing the EU budget under shared management was recognised. The Commission was required to submit, alongside the annual accounts, an evaluation report on the Union's finances based on the results achieved. Another noteworthy change could be found in the Protocol on the role of national parliaments in the European Union notably in respect of the oversight of the use of the EU budget. It introduced a new obligation for the ECA to forward its annual reports to national parliaments for information, at the same time as to the European Parliament and the Council.

The Lisbon Treaty reaffirmed the Court as one of the EU institutions and maintained the principle of one

ECA Member per Member State. It came into force in December 2009.

### **The Peer Review of 2008**

In 2008, the Court subjected itself to a peer review. As part of the preparation for the peer review, the Court first carried out a self-assessment exercise, which gave the organisation the opportunity to identify its strengths and areas of improvement, and prepare an action plan.

### **The 2009 – 2012 strategy and key developments of the ECA**

In July 2008, the ECA adopted a Strategy for the period 2009 to 2012. The self assessment and peer review had been a key part of its preparation. It aimed at maximising the impact from audits, and increasing efficiency by making best use of resources.

The focus of the strategy was on governance arrangements; strengthening audit processes; audit standards and practices; relations with auditees; human and financial resources; knowledge management and internal communication; and information technology.

Another key objective of the ECA's strategy was to increase the number and improve the timeliness and the overall quality of its special reports, while responding effectively to stakeholders' needs, notably those of the European Parliament.

The Court's latest Rules of Procedure and their Implementing Rules (IR) entered into force on 1 June 2010. In addition, to establishing Chambers to streamline decision making, the new rules included a number of provisions to address key conclusions and



recommendations of the 2008 peer review and the internal review of governance arrangements. The most significant of these was the change to the composition and role for the Court's Administrative Committee.

### LANDMARK European Court of Justice decision (2011)

On 15 November 2011, the Court of Justice delivered its judgment in *Case C-539/09 Commission v Federal Republic of Germany*, concerning the audit powers of the Court of Auditors in the field of own resources accruing from VAT.

The judgment of the Court of Justice was a watershed moment for the ECA because it clarified and corroborated the audit power of the institution vis-à-vis the Member States in the field of VAT own resources.

The Court had strengthened its governance framework in 2011 by producing new ethical guidelines for all Members and staff of the Court. It also adopted a specific code of conduct for its Members. Amongst other things, the code requires declarations of interests by the Court's Members to be published on our website.

### The Financial Crisis

In recent years the EU has had to address global challenges including climate change and sustainable development whilst dealing with the ongoing effects of the economic and financial crisis which threatened some of its most important achievements such as the euro.

In 2012, much of the ECA's work focused on helping the EU prepare for the important financial management challenges after 2013. Through a number of its opinions and reports published in 2012, the ECA contributed to

strengthening the new rules which governed EU revenue and spending over the 2014-2020 spending period.

In 2012, the ECA also continued to follow closely the implications for public accountability and audit of developments in EU governance. During the year, the Treaty establishing the European Stability Mechanism entered into force and the new body's audit board, which includes a nominee from the ECA, met for the first time. Proposals for establishing a Single Supervisory Mechanism covering the prudential supervision in credit institutions in the Euro Area were also adopted by the European Council in December 2012 and the ECA made known to EU policy makers its view of the public accountability and audit arrangements.

Within its mandate the ECA will carry out audits in relation to new supervisory authorities, assistance mechanisms with EU budget guarantee and – to the extent possible – the Commission's activities in the European Semester.

### The 2013 - 2017 strategy

As its first strategic period came to an end, the ECA considered what aspects of its operation needed to adapt to new developments within the EU, as well as to respond to new opportunities, in order to maximise its relevance and impact.

This process led to a new strategy for the 2013 to 2017 period. The overall aim is to maximise the value of the ECA's contribution to EU public accountability. The priorities are to:

- focus the ECA's products on improving EU accountability;

- work with others to leverage the ECA's contribution to EU accountability;
- develop the ECA further as a professional audit institution;
- make best use of the ECA's knowledge, skills and expertise;
- demonstrate the ECA's performance and accountability.

For the ECA, improving EU accountability not only means trying to use its work to improve accountability to the European Parliament, it also means working together with SAIs to make its work useful to national parliaments. That is a key priority of the Court's 2013-2017 strategy.

As regards sound financial management, effective accountability for results achieved with the EU budget still looks a long way off. A key priority for the ECA will be to use its work to assist the Commission, Parliament and the Council to put in place an effective tool for scrutinising EU spending over the course of the next financial framework. The ECA will, therefore, continue to carry out its compliance and performance audits with this objective in mind. In particular, it will continue to use its results to make recommendations which help improve the design and implementation of policies.

In 2013, the ECA underwent its second peer review. An international team examined the ECA's performance audit practice and followed up the results of the previous peer review in 2008.

The financial and economic situation has led the EU and Member States to take measures to defend the euro and strengthen public finances. The pressure on



public finances and public administrations at EU and national level has grown. And trust and confidence in EU and national institutions has fallen. It is important to consider developments regarding the EU budget in this context. In particular, it is important to recognise that the EU budget represents only about 1/50th of total EU public expenditure. The new EU arrangements for fiscal and economic coordination cover the totality of public spending in the EU and they include the Europe 2020 targets for the whole EU that are to be met mainly by the collective actions of the governments of the Member States.

Over the 2013-17 period, the ECA will ensure that its selected audit tasks and special reports reflect financial management risks, public interest and the ECA's capacity to add value through audit; and focus on performance issues, including those related to specific topics of current public interest, high-level EU objectives, and crosscutting policies.

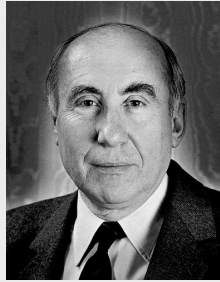
In this changing context, the ECA will use its unique powers and perspective and the knowledge, expertise and partnerships it has built up over 35 years of EU public audit.



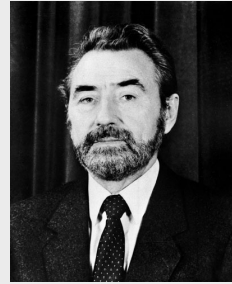
# PRESIDENTS OF THE EUROPEAN COURT OF AUDITORS



**Michael N. Murphy,**  
Ireland  
(11.11.1977 - 17.10.1981)



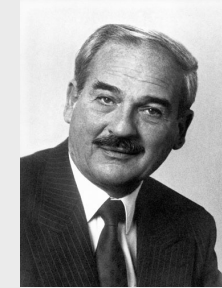
**Pierre Lelong,**  
France  
(18.10.1981 - 17.10.1984)



**Marcel Mart,**  
Luxemburg  
(18.10.1984 - 20.12.1989)



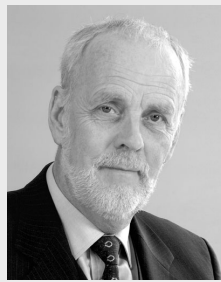
**Aldo Angioi,**  
Italy  
(21.12.1989 - 31.12.1992)



**André J. Middelhoek,**  
Netherlands  
(1.1.1993 - 31.12.1995)



**Bernhard Friedmann,**  
Germany  
(1.1.1996 - 17.1.1999)



**Jan O. Karlsson,**  
Sweden  
(18.1.1999 - 31.12.2001)



**Juan Manuel Fabra Vallés,**  
Spain  
(1.1.2002 - 16.1.2005)



**Hubert Weber,**  
Austria  
(17.1.2005 - 15.1.2008)



**Vítor Manuel Caldeira,**  
Portugal  
(2008 - date)



# THE DIFFERENT ENLARGEMENTS AND THE ECA

## The first «Collège» of the European Court of Auditors with nine Members:

Mr Norman PRICE (United Kingdom, Senior Member)  
Mr Michael N. MURPHY (Ireland)  
Mr Paul GAUDY (Belgium)  
Mr Albert LEICHT (Germany)  
Mr Arne K. JOHANSEN (Denmark)  
Mr Aldo ANGIOI (Italy)  
Mr Marcel MART (Luxembourg)  
Mr Pierre LELONG (France)  
Mr André J. MIDDELHOEK (Netherlands)



18 octobre 1977 : 9 Members

## In 1981, Greece becomes the 10th member of the EU:

Mr Michael N. MURPHY (Ireland, President till 17.10.1981)  
Sir Norman PRICE (United Kingdom)  
Mr Paul GAUDY (Belgium)  
Mr Albert LEICHT (Germany)  
Mr Arne K. JOHANSEN (Denmark)  
Mr Aldo ANGIOI (Italy)  
Mr Marcel MART (Luxembourg)  
Mr Pierre LELONG (France)  
Mr André J. MIDDELHOEK (Netherlands)  
Mr Georges VITALIS (Greece)



1 January 1981: 10 Members

## Spain and Portugal follow five years later, in 1986:

Mr Marcel MART (Luxembourg, President)  
Mr Michael N. MURPHY (Ireland)  
Mr Paul GAUDY (Belgium)  
Mr Aldo ANGIOI (Italy)  
Mr Pierre LELONG (France)  
Mr André J. MIDDELHOEK (Netherlands)  
Mr Keld BRIXTOFTE (Denmark)  
Mr Lothar HAASE (Germany)  
Mr Stergios VALLAS (Greece)  
Mr Charles J. CAREY (United Kingdom)  
Mr Josep SUBIRATS (Spain)  
Mr Carlos MORENO (Portugal)



27 January 1986: 12 Members

## In 1995 the EU gains three more new members, Austria, Finland and Sweden:

Mr André J. MIDDELHOEK (Netherlands, President)  
Mr Ole WARBERG (Denmark)  
Mr Constantinos ANDROUSOPOULOS (Greece)  
Mr Daniel STRASSER (France)  
Mr Bernhard FRIEDMANN (Germany)  
Mr Maurice THOSS (Luxembourg)  
Mr John WIGGINS (United Kingdom)  
Mr Giorgio CLEMENTE (Italy)  
Mr Barry DESMOND (Ireland)  
Mr Patrick EVERARD (Belgium)  
Mr Armindo de Jesus de SOUSA RIBEIRO (Portugal)  
Mr Antoni CASTELLS (Spain)  
Mr Jan O. KARLSSON (Sweden)  
Mr Hubert WEBER (Austria)  
Mr Aunus SALMI (Finland)

## 10 new member States join in 2004 : Poland (PL), Czech Republic (CZ), Cyprus (CY), Latvia (LV), Lithuania (LT), Slovenia (SI), Estonia (EE), Slovakia (SK), Hungary (HU), Malta (MT) :

Mr Juan Manuel FABRA VALLÉS (Spain, President)  
Mr Giorgio CLEMENTE (Italy)  
Mr Hubert WEBER (Austria)  
Mr Aunus SALMI (Finland)  
Mr François COLLING (Luxembourg)  
Mr Maarten ENGWIRDA (Netherlands)  
Mr Jean-François BERNICOT (France)  
Mr Robert REYNDERS (Belgium)  
Ms Máire GEOGHEGAN-QUINN (Ireland)  
Mr Vítor Manuel da SILVA CALDEIRA (Portugal)  
Mr Lars TOBISSON (Sweden)  
Ms Hedda von WEDEL (Germany)  
Mr David BOSTOCK (United Kingdom)  
Mr Morten Louis LEVYSOHN (Denmark)  
Mr Ioannis SARMAS (Greece)  
Mr Július MOLNÁR (Slovak Republic)  
Mr Vojko Anton ANTONČIČ (Slovenia)  
Mr Gejza HALÁSZ (Hungary)  
Mr Jacek UCZKIEWICZ (Poland)  
Mr Josef BONNICI (Malta)  
Ms Irena PETRUŠKEVIČIENĖ (Lithuania)  
Mr Igors LUDBORŽS (Latvia)  
Mr Jan KINŠT (Czech Republic)  
Ms Kersti KALJULAID (Estonia)  
Mr Kikis KAZAMIAS (Cyprus)







1 March 1995: 15 Members



7 May 2004: 25 Members

Mr Kikis KAZAMIAS (Cyprus) joins the ECA on 2 November 2004



**Bulgaria (BG), Romania (RO) join on 1 January 2007**

- Mr Hubert WEBER (Austria, President)
- Mr François COLLING (Luxembourg)
- Mr Maarten ENGWIRDA (Netherlands)
- Mr Jean-François BERNICOT (France)
- Ms Máire GEÓGHEGAN-QUINN (Ireland)
- Mr Vítor Manuel da SILVA CALDEIRA (Portugal)
- Ms Hedda von WEDEL (Germany)
- Mr David BOSTOCK (United Kingdom)
- Mr Morten Louis LEVYSOHN (Denmark)
- Mr Ioannis SARMAS (Greece)
- Mr Július MOLNÁR (Slovak Republic)
- Mr Vojko Anton ANTONČIČ (Slovenia)
- Mr Gejza HALÁSZ (Hungary)
- Mr Jacek UCZKIEWICZ (Poland)
- Mr Josef BONNICI (Malta)
- Ms Irena PETRUŠKEVIČIENĖ (Lithuania)
- Mr Igors LUDBORŽS (Latvia)
- Mr Jan KINŠT (Czech Republic)
- Ms Kersti KALJULAIK (Estonia)
- Mr Kikis KAZAMIAS (Cyprus)
- Mr Massimo VARI (Italy)
- Mr Juan RAMALLO MASSANET (Spain)
- Mr Olavi ALA-NISSILÄ (Finland)
- Mr Lars HEIKENSTEN (Sweden)
- Mr Karel PINXTEN (Belgium)
- Mr Ovidiu ISPIR (Romania)
- Ms Nadejda SANDOLOVA (Bulgaria)



1 January 2007: 27 Members

**Croatia, the new member state from July 2013:**

- Mr Vítor Manuel da SILVA CALDEIRA (Portugal, President)
- Mr David BOSTOCK (United Kingdom)
- Mr Ioannis SARMAS (Greece)
- Mr Igors LUDBORŽS (Latvia)
- Mr Jan KINŠT (Czech Republic)
- Ms Kersti KALJULAIK (Estonia)
- Mr Karel PINXTEN (Belgium)
- Mr Michel CRETIN (France)
- Mr Harald NOACK (Germany)
- Mr Henri GRETHEN (Luxembourg)
- Mr Szabolcs FAZAKAS (Hungary)
- Mr Louis GALEA (Malta)
- Mr Ladislav BALKO (Slovak Republic)
- Mr Augustyn KUBIK (Poland)
- Mr Milan Martin CVIKL (Slovenia)
- Ms Rasa BUDBERGYTĖ (Lithuania)
- Mr Lazaros S. LAZAROU (Cyprus)
- Mr Gijs M. DE VRIES (Netherlands)
- Mr Harald WÖGERBAUER (Austria)
- Mr H.G. WESSBERG (Sweden)
- Mr Henrik OTBO (Denmark)
- Mr Pietro RUSSO (Italy)
- Mr Ville ITÄLÄ (Finland)
- Mr Kevin CARDIFF (Ireland)
- Mr Baudilio TOMÉ MUGURUZA (Spain)
- Ms Iliana IVANOVA (Bulgaria)
- Mr George PUFAN (Romania)
- Mr Neven MATES (Croatia) (since 15 July 2013)



15 July 2013: 28 Members



# THE MEMBERS OF THE EUROPEAN COURT OF AUDITORS SINCE 1977

	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
<b>Belgium</b> <i>Belgique/België</i>	Paul GAUDY 18/10/77 - 17/10/87											Fernand HEBETTE 18/10/87 - 18/03/92 (died 15/03/92)				R. CAMUS 21/12/82 - 09/02/84		Patrick EVERARD 10/02/84 - 29/02/00			Robert REYNERS 01/03/00 - 28/02/06			Karel PINXTEN 01/03/06 - 28/02/18																			
<b>Bulgaria</b> <i>България</i>												Nadejda SANDOLOVA 01/01/07 - 31/12/12											Iliana IVANOVA 01/01/13 - 31/12/18																				
<b>Czech Republic</b> <i>Česká republika</i>												Jan KINŠT 07/05/04 - 06/05/16																															
<b>Denmark</b> <i>Danmark</i>	Arne JOHANSEN 18/10/77 - 17/04/83				Keld BRIXTOFTE 18/04/83 - 17/04/89				Ole WARBERG 18/04/89 - 30/06/95				Jørgen MOHR 01/07/95 - 31/12/01				Morten Louis LEVYSOHN 01/01/02 - 29/02/12				Henrik OTBO 01/03/12 - 28/02/18																						
<b>Germany</b> <i>Deutschland</i>	Albert LEICHT 18/10/77 - 17/10/83				Lothar HAASE 18/10/83 - 20/12/89				Bernhard FRIEDMANN 21/12/89 - 31/12/01				President		Hedda von WEDEL 01/01/02 - 31/12/07				Harald NOACK 01/01/08 - 31/12/13																								
<b>Estonia</b> <i>Eesti</i>												Kersti KALJULAID 07/05/04 - 06/05/16																															
<b>Ireland</b> <i>Éire/Ireland</i>	Michael MURPHY 18/10/77 - 17/05/86				Richie RYAN 18/05/86 - 09/02/94				Barry DESMOND 10/02/94 - 29/02/00				Máire GEOGHEGAN-QUINN 01/03/00 - 09/02/10				Eoin O'SHEA 31/03/10 - 28/02/12		Kevin CARDIFF 01/03/12 - 28/02/18																								
<b>Greece</b> <i>Ελλάδα</i>	G. VITALIS 01/01/81 - 17/10/83				Stergios VALLAS 18/10/83 - 20/12/89				C. ANDROUSOPOULOS 21/12/89 - 31/12/95				Kalopi NIKOLAOU 01/01/96 - 31/12/01				Ioannis SARMAS 01/01/02 - 31/12/13				Nikolaos MILIONIS 01/01/14 - 31/12/19																						
<b>Spain</b> <i>España</i>												Josep SUBIRATS 27/01/86 - 09/02/94				Antoni CASTELLS 10/02/94 - 29/02/00				J.M. FABRA VALLÉS 01/03/00 - 28/02/06		President		J. RAMALLO MASSANET 01/03/06 - 29/02/12				Baudilio TOMÉ MUGURUZA 01/03/12 - 28/02/18															
<b>France</b> <i>France</i>	Pierre LELONG 18/10/77 - 20/12/89				Daniel STRASSER 21/12/89 - 20/12/95 (died 16/12/95)				Jean-Francois BERNICOT 01/01/96 - 31/12/07				Michel CRETIN 01/01/08 - 31/12/13				Danièle LAMARQUE 01/01/14 - 31/12/19																										
<b>Croatia</b> <i>Hrvatska</i>												Neven MATES 15/07/13 - 14/07/19																															
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