

Gender equality in the college of the European Court of Auditors (October 2022)

Gender equality in the legal framework of the EU

Equality between women and men is enshrined as one of the core values common to the Member States in Article 2 of the Treaty on European Union (TEU), and Article 3(3) TEU tasks the EU with promoting equality between the sexes. Article 8 of the Treaty on the Functioning of the European Union (TFEU) stipulates that “[I]n all its activities, the Union shall aim to eliminate inequalities, and promote equality, between men and women.” Consequently, gender equality should be a consideration for all of the EU’s actions. In the Charter of Fundamental Rights of the European Union, Article 21 prohibits any discrimination on any ground, including sex; Article 23 of the Charter maintains that “Equality between women and men must be ensured in all areas, including employment, work and pay.”

The EU has given itself a clear legal framework as regards the equality between women and men. As a consequence, equality of women and men should not only play a role in all its policies, but also in the internal organisation of its institutions. Recruitment for managerial positions and general staffing procedures constitute prime examples. For gender equality to be achieved, women and men are expected to participate proportionally to their share of the population in all areas of work, projects or programmes (as defined by the European Institute for Gender Equality).¹

This briefing aims to give an overview of gender balance in the college of the European Court of Auditors (ECA), which has a reputation of being a historically male-dominated institution. It first sets out the nomination procedure and the challenges it presents for the achievement of gender balance in the college of ECA members. Then, the actual number of female and male ECA members over time is analysed.

¹ <https://eige.europa.eu/thesaurus/terms/1148>. Accessed 12/10/2022.



The European Court of Auditors: Treaty provisions and appointment procedure

Nomination procedure

As set out in Article 285 TFEU, the European Court of Auditors (ECA) shall consist of one national of each Member State. Article 286 (2) TFEU further specifies that each Member State has the right to propose its candidate. The Council then adopts the list of Members as proposed by the Member States. Often, this is a partial renewal of the Court - only one or a few Members are appointed, as the mandates of the Members may expire at different points in time. The Council can only act after consulting the European Parliament; in practice, the Committee on Budgetary Control (CONT) is responsible and the Member-designate of the ECA answers a written questionnaire, makes a statement before the committee and has to answer its questions in a public hearing. CONT then votes on the nomination and thus issues a recommendation to plenary, which votes within two (in practice sometimes three) months of receipt of the nomination. In case of an unfavourable opinion, the President shall ask the Council to withdraw its nomination and to submit a new nomination (Rule 129 of the EP's Rules of Procedure).

According to Article 286 (1) TFEU, the potential Members of the ECA "shall be chosen from among persons who belong or have belonged in their respective States to external audit bodies or who are especially qualified for this office." In addition, their independence must be beyond doubt. The procedure according to which the Member States nominate varies widely. Some Member States have purely executive procedures in place while others involve their national parliaments in the process or use application procedures. It is entirely at the discretion of the Member States whom they nominate as ECA members.

Gender balance and the nomination procedure

The nomination procedure for the ECA members is a complex framework and constitutes a challenge for achieving gender balance. First, the national nomination is solely under the responsibility of the Member State in question, and only one candidate can be nominated at a time. Secondly, the mandates of the ECA members of different Member States may start and end at different points in time. As a consequence, the overall composition of the college of ECA members is not (necessarily) a consideration when a nominee is presented. Therefore, the aim of achieving gender balance is to a large extent in the hands of the Member States and can only be achieved over time, e.g. by alternating between male and female candidates at the national level.

Gender balance in the ECA

In the table below, the first column shows how many ECA members in total a Member State has sent to the ECA so far. The second column states the number of males and the third shows the number of females. The fourth column states during which period female members had their mandate. The final column shows when the current mandate ends.

The gender of ECA members

Country	ECA members in total	Male	Female	Female when?	End of current mandate
Belgium	7	6	1	Since 01/05/2018	30/04/2024
Bulgaria	2	0	2	2007-2012 Since 2013	31/12/2024
Czech Republic	2	2	0	n/a	06/05/2028
Denmark	7	6	1	Since 01/09/2015	29/02/2024
Germany	6	5	1	2002-2007	28/02/2026
Estonia	2	1	1	2004-2016	31/12/2022
Ireland	7	6	1	2000-2010	29/02/2024
Greece	6	5	1	1996-2001	31/12/2025
Spain	5	5	0	n/a	29/02/2024
France	6	5	1	2014-2019	31/12/2025
Croatia	2	1	1	Since 15/07/2019	14/07/2025
Italy	4	4	0	n/a	29/02/2024
Cyprus ¹	3	3	0	n/a	01/11/2028
Latvia	2	2	0	n/a	06/05/2028
Lithuania ²	3	1	2	2004-2010 2010-2016	15/06/2022
Luxembourg	5	4	1	Since 01/01/2020	31/12/2025
Hungary	3	2	1	Since 01/09/2017	31/08/2023
Malta	4	4	0	n/a	30/09/2028
Netherlands	5	5	0	n/a	31/12/2025
Austria	4	3	1	Since 01/08/2020	31/07/2026
Poland	4	4	0	n/a	06/05/2028
Portugal	4	4	0	n/a	29/02/2024 († 30/06/21)
Romania	3	3	0	n/a	30/06/2025
Slovenia	4	4	0	n/a	06/05/2028
Slovakia	2	2	0	n/a	06/05/2022
Finland	4	4	0	n/a	29/02/2024
Sweden	5	4	1	Since 01/03/2018	29/02/2024
UK	5	5	0	n/a	n/a
SUM TOTAL	116	100	16	Currently 8/27 female members	

Notes: ¹ Cyprus has nominated Mr Lefteris Christoforou as new ECA member after the expiry of the current mandate; he received a positive opinion from the EP. He will take office as of 2 November 2022 to 1 November 2028, replacing Mr Lazaros Lazarou.

² Lithuania has nominated Ms Laima Andrikienė as new ECA member after the expiry of the current mandate; she received a positive opinion from the CONT committee on 5 October 2022. At the time of writing, the vote in plenary has not yet taken place, and as a consequence, she has not yet been formally appointed by the Council. Ms Andrikienė is therefore not yet counted in.

Analysis

Out of a total of 116 ECA members since 1977, 100 were male and 16 female (86.2% male, 13.8% female). In the current college, 8 out of 27 members are female, which translates to 29.6% of members being female. Moreover, this means that half of all women to ever serve as members of the ECA are members at present.

The ECA presidents have been exclusively male so far.

The following 13 Member States have never sent a woman to the Court of Auditors (withdrawn candidacies not considered):

Czech Republic, Spain, Italy, Cyprus, Latvia, Malta, the Netherlands, Poland, Portugal, Romania, Slovenia, Slovakia, Finland, and - as a former Member State - the UK.

The following 12 Member States have sent one woman to the ECA so far: Belgium, Denmark, Germany, Estonia, Ireland, Greece, France, Croatia, Luxembourg, Hungary, Austria, and Sweden.

Bulgaria and Lithuania have sent each two women, with Bulgaria never having nominated a man so far.

The only Member States to achieve gender balance in their past and present ECA members are Estonia and Croatia: out of two candidates, there was one male and one female for each country.

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