



*Committee on Constitutional Affairs
The Chair*

7.12.2023

Ms Monika Hohlmeier
Chair
Committee on Budgetary Control
BRUSSELS

Subject: Opinion on 2022 discharge: General budget of the EU - European Council and Council – 2023/2131(DEC))

Dear Madam Chair,

Under the procedure referred to above, the Committee on Constitutional Affairs has been asked to submit an opinion to your committee. At its meeting of 7 September 2023, the committee decided to send the opinion in the form of a letter.

The Committee on Constitutional Affairs considered the matter at its meeting of 7 December 2023. At that meeting¹, it decided to call on the Committee on Budgetary Control, as the committee responsible, to incorporate the following suggestions into its motion for a resolution.

Yours sincerely,

Salvatore De Meo

¹ The following were present for the final vote: Salvatore De Meo (Chair and rapporteur for opinion).

SUGGESTIONS

The Committee on Constitutional Affairs:

1. Calls for full respect of Parliament's prerogatives and regrets the Council's continuing refusal to engage in loyal cooperation in the framework of the discharge procedure for more than a decade, which prevents Parliament from taking informed decisions;
2. Considers that the lack of cooperation from the European Council and from the Council with the discharge authority sends a negative signal to citizens of the Union;
3. Calls on the Council to implement the recommendations adopted by the European Parliament on the budget discharge procedure and to resume negotiations on the memorandum of understanding on the interinstitutional cooperation on that matter;
4. Recalls its powers and prerogatives in the annual budgetary procedure; insists on the full application of article 14 (1) TEU and calls on the revision of Article 319 TFEU to empower the European Parliament explicitly to grant discharge to all institutions and bodies individually, as reflected in its resolution of 22 November 2023 on proposals for the amendment of the Treaties;
5. Reiterates that the budget of the European Council and of the Council should be divided into two separate budgets, as recommended by Parliament in its recent discharge resolutions, in order to improve transparency, expenditure efficiency and accountability of each institution;
6. Reiterates that the Council decision (EU) 2023/2061 of 22 September 2023 on the composition of the European Parliament is without prejudice to the prerogatives of the European Parliament and the Council in the annual budgetary procedure and Recital 5 of that decision concerns matters that do not fall within the scope of the European Council's competences under Article 15(1) TEU and the legal basis for the establishment of the composition of the European Parliament according to Article 14(2) TEU; insists that it is for the European Parliament and the Council alone to decide on the content of the Union's budget in accordance with the procedure laid down in Article 314 TFEU.
7. Stresses that, while the current situation could be improved through better interinstitutional cooperation within the framework of the Treaties, the next revision of the Treaties should render the discharge procedure clearer and more transparent.

**ANNEX: ENTITIES OR PERSONS
FROM WHOM THE RAPPORTEUR HAS RECEIVED INPUT**

The Chair in his capacity as rapporteur for the opinion declares under his exclusive responsibility that he did not receive input from any entity or person to be mentioned in this Annex pursuant to Article 8 of Annex I to the Rules of Procedure.