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Speech

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Speech by Klaus-Heiner Lehne, President of the European Court of Auditors

Meeting of the Budgetary Control Committee of the European Parliament

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Madam Chair,

Members of the European Parliament,

Allow me to begin by thanking you for agreeing to the ECA's request that I be given an opportunity to react to the charges and allegations made in the *Libération* article. I am joined here today by Joëlle Elvinger, who chairs our Ethics Committee, and by ECA Secretary-General Zacharias Kolias. Both will also gladly take your questions later.

The ECA responded in full and in detail to the questions we received from *Libération* in advance of the publication of this article. It is therefore all the more regrettable that, when it appeared, the article no longer had much to do with reality. It is essentially based on **unsubstantiated and inaccurate statements and a flawed interpretation of the rules.**

I do not intend now to go into each unfactual statement or other inaccuracy in the article. The ECA has provided you with a detailed factsheet in that regard.

However, I would like to express myself on a few key points.

The article contains the claim that both I and a number of other Members do not actually live in Luxembourg and are virtually never here. That is simply untrue.

No facts or conclusive evidence is produced to support this statement. One "proof" given for the claim about my absence is that, because the Court meets on a Thursday, **the Administrative Committee also now often meets on Thursdays rather than Mondays.** This statement is incorrect. In the whole of 2021, the Administrative Committee has met just once on a Thursday. This was done at the Secretary-General's request because he was here, attending a CONT discharge hearing. Likewise, in 2020 only one Administrative Committee meeting was rescheduled.

I am criticised for **sharing a flat with two long-serving members of my staff.** I really don't see why this should be a problem, and it has absolutely nothing to do with the matter of my presence in Luxembourg. Anyway, contrary to what is alleged, the flat is large and extends over more than one storey. It is my business alone where I live in Luxembourg and with whom I share my home.

As for **the other Members whose names appear,** the article gives no evidence at all to support the claim that they do not actually live here. The same goes for the allegation that certain Members are seldom present at the ECA. I can assure you that our Members' diaries are full of Court meetings, chamber meetings, working group meetings, committee meetings and much more. I do not of course need to explain why, just like in the other institutions, a number of meetings have been held remotely or in hybrid form during the pandemic.

Moreover, in the period during which only hybrid meetings took place, I was myself in Luxembourg for every Court meeting. And for a while now all Members have again been required to attend Court meetings where these are held physically.

The ECA **rejects the claims of non-residence**. We also reject the accompanying allegation that residence allowances have been paid illegally. The residence allowance is an element of remuneration and is not subject to any further requirements.

The criticism regarding the use of **representation allowances** is also untrue. Every one of the cases described in the article is based on information which the ECA provided in response to a request. And every one is in fully in line with the rules. Contrary to what is claimed in the article, spending on team-building events can be reimbursed – subject to strict conditions and only up to a certain annual ceiling. Events of this kind also cover celebrations to mark a Member State’s national day, and in any case external guests are generally invited to these. There are strict ex-ante and ex-post checks of all expenditure, and these events account for just a small part of all representation costs.

The article contains a completely unsubstantiated claim to the effect that ECA Members are unduly **active in politics**. This too is untrue. The Members of the ECA are bound by the rules in our ethical Code of Conduct. These state that, like all citizens, Members may belong to a party, but they may not exercise any political office.

Madam Chair, Ladies and gentlemen,

The criticisms made of the rules on missions and representation are also unfounded. **Much is made of the case of Karel Pinxten, a former Member of the ECA**, whom the ECA brought before the Court of Justice and whose pension rights were recently reduced by two thirds. The article claims that Mr Pinxten was simply made a scapegoat for a dysfunctional system, and that the other Members have acted in exactly the same way. What is not mentioned is that both OLAF and the Court of Justice threw this argument out. With good reason, since the allegation was untrue at the time and is certainly untrue today. While the proceedings against Mr Pinxten were still ongoing, the ECA began to review its rules. As a result, though you won’t find this in the article, since 2017 the person authorising mission and representation spending has been not the President but the Secretary-General.

The article contains **not one element of proof** for the charges it makes. Everything is supposedly based on anonymous sources or on conclusions which – to put it mildly – come out of thin air. Where concrete claims are made, these are either incorrect or are unproblematic. What did months and months of exhaustive investigation reveal? Well, there are the photos of my home, or the mistake made in bringing the start of my Polish colleague’s term of office forward two years. And the information about the Parliament’s vote on my Hungarian colleague is also inaccurate.

Despite the fact that these **allegations are entirely unsubstantiated**, the ECA wishes to act as transparently as possible and is naturally prepared to answer all questions and provide you with any information you may deem to be necessary. This is the reason for our offer to show you, Madam Chair, or any duly appointed committee member appropriate proof of our Members’ places of residence.

Madam Chair, Ladies and gentlemen,

The ECA is constantly reviewing its rules and is obviously open to all suggestions for improving them. In this case, however, an attack has been made, without substance, on an EU institution, and the author has stated that this will be just the first in a series of attacks which will also call the other institutions into question.

Thank you very much for your attention. I will of course be delighted to take any questions.