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MOTION OF CENSURE

on the Commission

pursuant to Rule 34(1) of the Rules of Procedure

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Motion of censure on the Commission

The European Parliament,

- having regard to the EC Treaty and particularly Article 201 thereof,
 - having regard to Rule 34(1) of its Rules of Procedure,
- A. whereas the Commission has not assigned responsibility for the Eurostat affair,
- B. whereas the granting of the discharge for 2002 cannot overshadow the fact that it is 'only because Parliament had not been made aware of important information relating to the Eurostat affair' that the discharge was not refused in respect of the 2001 financial year and whereas the Commission cannot ignore the work done since March 2003 in the framework of the 2001 financial year by the European Parliament's Committee on Budgetary Control,
- C. whereas the very serious criticisms of the behaviour of the Commission and Commissioner Solbes over the Eurostat affair expressed by the discharge authority in its resolution of 29 January 2004 cannot be adequately answered merely by Commissioner Solbes's informing the press that he has always acted correctly,
- D. whereas it is even more serious that, despite the experience of the previous Commission and the numerous requests of the European Parliament, there is still no culture of accountability or only a few elements thereof exist, and even those thanks only to maximum external pressure, and whereas it is therefore necessary to resort to the legal instrument of a motion of censure,
- E. whereas, in view of the confidence which the Commission has forfeited, it must assume collective responsibility for not acting on a number of requests deemed to be of paramount importance by Parliament in its resolutions of 13 March 2003 on the protection of the Communities' financial interests and the fight against fraud - annual report 2001, of 8 April 2003 containing the comments accompanying the decision concerning discharge in respect of the implementation of the general budget of the European Union for the 2001 financial year, of 4 December 2003 on the Commission report on the evaluation of the activities of the European Anti-Fraud Office (OLAF) and of 29 January 2004 on the action taken by the Commission on the observations contained in the resolution accompanying the decision giving discharge in respect of the implementation of the general budget of the European Union for the 2001 financial year,
- F. whereas the Commission must give real (as regards content) and clear (to the point) answers to all questions put in the above-mentioned resolutions or by individual Members, in connection with the Commission's sole remaining obligation to continue with current business after having failed to fulfil its obligations pursuant to Article 276 of the EC Treaty and its own commitments to 'zero tolerance' and achieving 'the best administration in the world',
1. Censures the Commission for these reasons;

2. Instructs its President to forward this motion of censure to the Commission and notify the President of the Council and the President of the Commission of the result of the vote.

Reasons

The reasons for censure are set out in the motion itself.