



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 19 June 2013

10750/13

**INST 292
CMPT 6**

“I” ITEM NOTE

from: General Secretariat
to: Permanent Representatives Committee (Part 2)

Subject: COUNCIL DECISION appointing a member of the Court of Auditors
- Use of the written procedure*

1. Pursuant to Article 285, second paragraph, TFEU, the Court of Auditors shall consist of one national of each Member State. Accordingly, with the Accession of the Republic of Croatia to the European Union, a Croatian member of the Court of Auditors shall be appointed.
2. Pursuant to Article 286(2) TFEU, Members of the Court of Auditors are appointed by the Council, after consulting the European Parliament, in accordance with the proposals made by each Member State, for a term of six years.
3. The government of the Republic of Croatia notified the Council of the name of its candidate, Mr Neven MATES, on 10 April 2013.
4. The European Parliament was consulted on 19 April 2013 and gave a negative opinion on 12 June 2013.

* Item on which a procedural decision may be taken by Coreper, in accordance with Article 19(7)(e) of the Council's Rules of Procedure.

5. The Decision appointing the Croatian member of the Court of Auditors is not included in the measures referred to in Article 3(4) of the Treaty of Accession¹ that may be adopted prior to the accession. In order to ensure such appointment as of the date of accession and since there is no Council meeting foreseen on 1 July 2013, such appointment decision would need to be taken by written procedure to be completed on **1 July 2013**.
6. Coreper is accordingly requested to:
- (a) recommend that the Council adopt the Decision appointing Mr MATES as a Member of the Court of Auditors, as set out in 10109/13 INST 261 CMPT 5 (as finalised by the legal/linguistic experts);
 - (b) decide, in accordance with Article 19(7)(e) of the Council's Rules of Procedure, to use the written procedure referred to in Article 12(1) thereof to adopt the Decision referred to in (a).

¹ OJ L 112, 24.4.2012, p. 14.