



EUROPEAN
COURT
OF AUDITORS

Annual Accounts of the European Court of Auditors for the financial year 2023

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Luxembourg, 26 April 2024

CERTIFICATION OF THE ACCOUNTS

I acknowledge my responsibility for the preparation and presentation of the annual accounts of the European Court of Auditors in accordance with Article 246 of the Financial Regulation ('FR')¹ and I hereby certify that the annual accounts of the European Court of Auditors for the year 2023 have been prepared in accordance with Title XIII of the FR and the accounting rules adopted by the Commission's Accounting Officer, as are to be applied by all the institutions and union bodies.

I have obtained from the Authorising Officer, who certified its reliability, all the information necessary for the production of the accounts that show the European Court of Auditors' assets and liabilities and the budgetary implementation. Based on this information and on such checks, as I deemed necessary to sign off the accounts, I have a reasonable assurance that the accounts present fairly, in all material aspects, the financial position, the results of the operations and the cash flow of the European Court of Auditors.

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Cyril MESSEIN

Accounting Officer of the European Court of Auditors

¹ REGULATION (EU, Euratom) 2018/1046 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012.

INDEPENDENT AUDITOR'S REPORT

To the Management of the European Court of Auditors

Report on the Audit of the Financial Statements

Opinion

We have audited the financial statements of the European Court of Auditors (hereafter the “Court”), which comprise of the balance sheet as at December 31, 2023, and the statement of financial performance, statement of changes in net assets and statement of cash flows for the year then ended, as well as the notes to the financial statements, including a summary of significant accounting policies.

In our opinion, the financial statements give a true and fair view of the financial position of the Court as at December 31, 2023, and of the results of its operations, its cash flows and the changes in net assets for the year then ended, in accordance with Regulations (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulations (EU, Euratom) No 966/2012, (OJ L 193, 30.07.2018, p. 1).

Basis for Opinion

We conducted our audit in accordance with the International Standards on Auditing (ISAs).

Our responsibilities under ISAs are further described in the *Auditor's Responsibilities for the Audit of the Financial Statements* section of our report. We are independent of the Court in accordance with the International Code of Ethics for Professional Accountants, including International Independence Standards, issued by the International Ethics Standards Board for Accountants (IESBA Code) together with the ethical requirements that are relevant to our audit of the financial statements. We have fulfilled our other ethical responsibilities under those ethical requirements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Other Information

The Management is responsible for the Other Information, which comprises the information included in the *Budget Information Financial Year 2023*.

Our opinion on the financial statements does not cover the Other Information and we do not express any form of assurance conclusion thereon.

In connection with our audit of the financial statements, our responsibility is to read the other information identified above and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the audit, or otherwise appears to be materially misstated. If, based on the work we have performed, we conclude that there is a material misstatement of this Other Information, we are required to report that fact. We have nothing to report in this regard.

Responsibilities of the Management and those charged with governance for financial statements

The Management is responsible for the preparation of the financial statements that give a true and fair view in accordance with Regulations (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulations (EU, Euratom) No 966/2012, (OJ L 193, 30.07.2018, p. 1), and for such internal control as Management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

The Management is responsible for assessing the Court's ability to continue as a going concern and, in the preparation of the financial statements, for the appropriateness of using the going concern basis of accounting, as well as for adequate information on the subject. The Court's financial statements have been prepared using the going concern basis of accounting. The use of this basis of accounting is appropriate unless the management of a company either intends to liquidate the company or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Court's financial reporting process.

Auditor's responsibilities for the Audit of the Financial Statements

The objectives of our audit are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with ISAs, we exercise professional judgment and maintain professional scepticism throughout the audit.

We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Court's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by Management.
- Conclude on the appropriateness of Management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Court's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our

conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Court to cease to continue as a going concern.

- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Rome, 26.04.2024

ACG Auditing & Consulting Group S.r.l.
Statutory Auditor Partner
Massimiliano Rosignoli



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MASSIMILIANO ROSIGNOLI
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Financial statements and explanatory notes¹

Balance Sheet

		(euros)	
	Note	31 December 2023	31 December 2022
Non - Current Assets			
Intangible assets	3.1.	1 483 223	1 779 393
Property, plant and equipment	3.2.	54 279 460	57 626 722
		55 762 683	59 406 115
Current Assets			
Receivables	3.3.	746 153	877 188
Cash and cash equivalents	3.4.	3 562 483	1 885 736
		4 308 636	2 762 924
Total Assets		60 071 319	62 169 039
Current Liabilities			
Provisions	3.5.	-	-
Payables	3.6.	5 400 371	6 338 279
		5 400 371	6 338 279
Total Liabilities		5 400 371	6 338 279
Net Assets		54 670 948	55 830 760
Accumulated surplus / deficit		55 830 760	62 645 594
Economic result for the year		(1 159 812)	(6 814 834)
Net Assets		54 670 948	55 830 760

¹ The accompanying notes form an integral part of these financial statements.

Statement of Financial Performance

		(euros)	
	Note	2023	2022
Funds transferred from the Commission to other institutions	4.1.	143 500 000	133 300 000
Revenue from administrative operations	4.2.	27 207 255	25 242 235
Other operating revenue	4.3.	7 555	5 496
Total operating revenue	4.4.	170 714 810	158 547 731
Staff expenses	4.5.	(145 442 127)	(137 553 923)
Assets related expenses	4.6.	(5 918 736)	(7 034 816)
Other administrative expenses	4.7.	(20 651 705)	(20 774 766)
Operational expenses	4.8.	(1 555)	(3 026)
Total operating expenses		(172 014 123)	(165 366 531)
Surplus/(deficit) from operating activities		(1 299 313)	(6 818 800)
Financial revenue	4.9.	146 415	10 820
Financial expenses	4.10.	(6 914)	(6 854)
Surplus/(deficit) from non operating activities		139 501	3 966
Economic result of the year		(1 159 812)	(6 814 834)

Cash Flow Statement

	(euros)	
	2023	2022
Economic result of the year	(1 159 812)	(6 814 834)
Operating activities – Adjustments		
Amortisation	748 691	703 856
Depreciation	5 118 882	5 717 284
Increase / (decrease) in Provisions	-	-
(Increase) / decrease in Receivables	131 035	580 903
Increase / (decrease) in Payables	(937 908)	129 868
Net cash flow from operating activities	3 900 888	317 077
Cash flows from investing activities		
Purchase of property, plant and equipment and intangible assets (-)	(2 275 304)	(4 090 461)
Proceeds from property, plant and equipment and intangible assets (+)	51 163	613 984
Net cash flow from investing activities	(2 224 141)	(3 476 477)
Net increase/(decrease) in cash and cash equivalents	1 676 747	(3 159 400)
<i>Cash and cash equivalents at the beginning of the year</i>	1 885 736	5 045 136
<i>Cash and cash equivalents at the end of the year</i>	3 562 483	1 885 736

Statement of changes in Net Assets

(euros)			
Net assets	Accumulated Surplus / (Deficit)	Economic result of the year	Total
Balance as at 31.12.2022	62 645 594	(6 814 834)	55 830 760
Allocation of the prior year economic result	(6 814 834)	6 814 834	-
Economic result of the year	-	(1 159 812)	(1 159 812)
Balance as at 31.12.2023	55 830 760	(1 159 812)	54 670 948

Accounting policies and notes to the financial statements

1. General

The European Court of Auditors (hereafter the ECA) was established by the Treaty of Brussels of 22 July 1975 and started operating in October 1977, with its headquarters in Luxembourg.

Our Mission

Through our independent, professional and impactful audit work, assess the economy, effectiveness, efficiency, legality and regularity of EU action to improve accountability, transparency and financial management, thereby enhance citizens' trust and respond effectively to current and future challenges facing the EU.

The financial year of the ECA runs from 1 January to 31 December.

2. Legal basis and accounting rules

2.1. Basis of presentation

The financial statements of the ECA are drawn up in accordance with Regulation (EU, Euratom) No 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulation (EU) N°1296/2013, (EU) N°1301/2013, (EU) N°1303/2013, (EU) N°1304/2013, (EU) N°1309/2013, (EU) N°1316/2013, (EU) N°223/2014, (EU) N°283/2014, and Decision N°541/2014/EU and repealing Regulation (EU, Euratom) N°966/2012, (OJ L 193 of 30.07.2018, p1).

2.2. Accounting principles

In accordance with article 80 of the Financial Regulation, the EU prepares its financial statements on the basis of accrual-based accounting rules that are based on International Public Sector Accounting Standards (IPSAS). These EU Accounting Rules are adopted by the Accounting Officer of the Commission after a consultation of the other institutions.

The overall considerations (or accounting principles) to be followed when preparing the financial statements are laid down in EU Accounting Rule 1 'Financial Statements' and are the same as those described in IPSAS 1: fair presentation, accrual basis, going concern, consistency of presentation, materiality, aggregation, offsetting and comparative information. The qualitative characteristics of financial reporting are

relevance, faithful representation (reliability), understandability, timeliness, comparability and verifiability.

2.3. Currency and basis for conversion

The financial statements are presented in euro, the euro being the EU's functional and reporting currency.

Foreign currency transactions are translated into euro using the exchange rate prevailing at the date of the transaction.

Foreign exchange gains and losses resulting from the settlement of foreign currency transactions and from the translation at year-end exchange rates of monetary assets and liabilities denominated in foreign currencies are recognised in the statement of financial performance. Different conversion methods apply to property, plant and equipment and intangible assets, which retain their value in euros at the date when they were purchased.

Year-end balances of monetary assets and liabilities denominated in foreign currencies are converted into euro on the basis of the European Central Bank (ECB) exchange rates applying on 31 December.

2.4. Intangible assets

Acquired computer software licences are stated at historical cost less accumulated amortisation and impairment losses. The assets are amortised on a straight-line basis over four years. Internally developed intangible assets are capitalised when the relevant criteria of the EU accounting rules are met. The costs that can be capitalised include all directly attributable costs necessary to create, produce, and prepare the asset to be capable of operating in the manner intended by the ECA management. Costs associated with research activities, not capitalised development costs and maintenance costs are recognised as expenses as incurred.

2.5. Property, plant and equipment

All property, plant and equipment are stated at historical cost less accumulated depreciation and impairment losses. Historical cost includes expenditure that is directly attributable to the acquisition or construction of the asset.

Subsequent costs are included in the asset's carrying amount or recognised as a separate asset, as appropriate, only when it is probable that future economic benefits or service potential associated with the item will flow to the ECA and its cost can be measured reliably. Repairs and maintenance costs are charged to the statement of financial performance during the financial period in which they are incurred. As the

ECA does not borrow money to fund the acquisition of property, plant and equipment, there are no borrowing costs related to such purchases.

Assets that are subject to depreciation are reviewed for impairment whenever events or changes in circumstances indicate that the carrying amount may not be recoverable. An impairment loss is recognised for the amount by which the asset's carrying amount exceeds its recoverable amount.

Land and works of art are not depreciated as they are deemed to have an indefinite useful life. Assets under construction are not depreciated, as these assets are not yet available for use. Depreciation on other assets is calculated using the straight-line method to allocate their cost to their residual values over their estimated useful lives, as follows:

Buildings	4 %
Plant, machinery and tools	12,5 % to 25 %
Furniture and vehicle fleet	10 % to 25 %
Computer hardware	25 %
Other fixtures and fittings	12,5 % to 25 %

2.6. Provisions

Provisions are recognised when the ECA has a present legal or constructive obligation towards third parties as a result of past events, it is more likely than not that an outflow of resources will be required to settle the obligation, and the amount can be reliably estimated. Provisions are not recognised for future operating losses. The amount of the provision is the best estimate of the expenditures expected to be required to settle the present obligation at the reporting date.

2.7. Recognition of expenses

According to the EU accounting rules, transactions and events are recognised in the financial statements in the period to which they relate. At the end of the accounting period, accrued expenses are recognised based on an estimated amount of the transfer obligation of the period. The calculation of accrued expenses is done in accordance with detailed operational and practical guidelines issued by the Accounting Officer, which aim at ensuring that the financial statements reflect a true and fair view.

2.8. Contingent Liabilities

A contingent liability is a possible obligation that arises from past events and of which the existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of the EU; or a present obligation that arises from past events but is not recognised because: it is not probable

that an outflow of resources embodying economic benefits or service potential will be required to settle the obligation or in the rare circumstances where the amount of the obligation cannot be measured with sufficient reliability. A contingent liability is disclosed unless the possibility of an outflow of resources embodying economic benefits or service potential is remote.

3. Notes to the Balance Sheet

Non-Current Assets

3.1. Intangible assets

The movements in intangible assets during the year 2023 were:

	(euros)
Gross carrying amounts at 31.12.2022	11 525 180
Additions	452 521
Disposals	-
Transfer between asset categories	-
Other changes	-
Gross carrying amounts 31.12.2023	11 977 701
Accumulated amortisation at 31.12.2022	(9 745 787)
Amortisation charge for the year	(748 691)
Amortisation written back	-
Disposals	-
Transfer between asset categories	-
Accumulated amortisation at 31.12.2023	(10 494 478)
Net carrying amounts 31.12.2023	1 483 223
Net carrying amounts 31.12.2022	1 779 393

The above amounts relate primarily to computer software. In 2023, additions mainly include:

- 423 467 euro related to the new internet project. The project was completed during the year and amortised from 1st of May 2023.
- 17 935 euro of internally generated assets under construction (Stakeholders Management System – SMS).

An amount of 79 232 euro associated with research activities for the SMS project was not capitalised and was recognised as expenses.

3.2. Property, Plant and Equipment

The movements in Property, plant and equipment during the year 2023 were:

	Land and Buildings	Plant and equipments	Furniture and vehicle	Computer hardware	Other fixtures and fittings	Land and Buildings under construction	Total
Gross carrying amounts at 31.12.2022	129 535 319	2 493 257	6 920 182	6 350 246	2 513 872	182 375	147 995 251
Additions	117 409	466 153	290 507	580 641	148 799	219 274	1 822 783
Disposals	(166 532)	(13 800)	(65 840)	(328 388)	(33 083)	-	(607 643)
Transfer between asset categories	270 191	91 465	18 549	-	14 044	(394 249)	-
Other changes	-	-	-	-	-	-	-
Gross carrying amounts 31.12.2023	129 756 387	3 037 075	7 163 398	6 602 499	2 643 632	7 400	149 210 391
Accumulated amortisation at 31.12.2022	(76 789 312)	(1 313 328)	(5 107 623)	(4 924 022)	(2 234 244)	-	(90 368 529)
Depreciation charge for the year	(3 704 993)	(331 189)	(343 204)	(638 179)	(101 317)	-	(5 118 882)
Depreciation written back	-	-	-	-	-	-	-
Disposals	127 675	13 800	59 546	325 205	30 254	-	556 480
Transfer between asset categories	-	-	-	-	-	-	-
Accumulated amortisation at 31.12.2023	(80 366 630)	(1 630 717)	(5 391 281)	(5 236 996)	(2 305 307)	-	(94 930 931)
Net carrying amounts 31.12.2023	49 389 757	1 406 358	1 772 117	1 365 503	338 325	7 400	54 279 460
Net carrying amounts 31.12.2022	52 746 007	1 179 929	1 812 559	1 426 224	279 628	182 375	57 626 722

K2 building

Additions under the category Buildings under construction relate to the renovation works of the K2 project (see note [3.4. Cash and cash equivalents](#)). Following the reception of the first and ground floors during the year 2023, the related assets were transferred to the relevant asset categories and depreciated accordingly. The remaining carrying amount of 7 400 euro as at 31 December 2023 relates to the works in progress in the floor -1.

In accordance with EU accounting rule 7 and following the works carried out, the carrying amount of the replaced parts on the initial K2 asset for the first and ground floors has been determined and derecognised accordingly, leading to disposals amounting to 166 532 euro on K2 initial gross carrying amount and to 127 675 euro on K2 accumulated amortisation. The corresponding loss arising from the derecognition of the replaced parts amounts to 38 857 euro, recorded in the 2023 Statement of Financial Performance under “Assets related expenses”.

Physical inventory

A complete physical inventory of furniture has been launched at the end of the financial year 2023. The exercise will last several months and is expected to be finalised in 2024. It will lead to the disposals of items of property and the related derecognition of gross carrying amounts and accumulated depreciation that will be recorded in the financial year 2024. At the end of the financial year 2023 and based on the available information, the potential loss arising from the derecognition of items of property is expected to be not material. Indeed, a vast majority of items of property that will be derecognised shall be fully depreciated, considering their useful life.

Current Assets

3.3. Receivables

	(euros)	
	31 December 2023	31 December 2022
Sundry receivables mainly related to payroll and mission advances	85 714	69 021
Deferred charges	647 813	737 717
Deferred charges with EU consolidated entities	12 626	70 450
Total	746 153	877 188

Deferred charges mainly relate to prepaid annual licence and maintenance costs of IT software.

Deferred charges with EU consolidated entities mainly relate to 2024 expenditure for publications.

3.4. Cash and cash equivalents

	(euros)	
	31 December 2023	31 December 2022
Petty cash	445	445
Bank current account	3 059 308	883 371
Fiduciary account	502 730	1 001 920
Total	3 562 483	1 885 736

A fiduciary account was opened on 27 January 2010 by the ECA with the Banque et Caisse d'Épargne de l'État, Luxembourg. This fiduciary account allowed the ECA to manage the budget granted by the budgetary authority in relation to the K3 building project (see Note [5.3. Land and buildings](#)). On 14 March 2014, the ECA requested the European Parliament and Council to allow the use of the estimated remaining budget of the K3 project (7 million euro) for the necessary and compulsory technical upgrade of the ECA's K2 building. This proposal was approved by the European Parliament and Council on 1st April 2014. On 23 March 2015, the ECA announced to the European Parliament and Council that the final remaining budget of the K3 project amounted to 9,4 million euro and, as the estimated cost for the K2 upgrade was 7 million euro. On 12 May 2015, 2,4 million euro were returned to the EU budget.

Current Liabilities

3.5. Provisions

This section relates to ongoing actions brought against ECA and the estimation of their possible financial impact. No provision was recognised at 31 December 2023.

3.6. Payables

	(euros)	
	31 December 2023	31 December 2022
Current payables	(10 668)	736
Sundry payables related to payroll and staff	(8 538)	(20 402)
Accrued charges	5 224 877	6 212 763
Accrued charges with EU consolidated entities	83 663	145 182
Accounts payable to EU consolidated entities	111 037	-
Total	5 400 371	6 338 279

Accrued charges relate to goods and services provided to the ECA in 2023 but not registered as invoices at year-end. It also includes a provision of 2 515 218 euro for untaken leave of staff members.

4. Notes to the Statement of Financial Performance

4.1. “Funds transferred from the Commission to other institutions”

The amount corresponds to the monthly calls for funds made by the ECA to the Commission to replenish its bank account.

4.2. “Revenue from administrative operations”

For the most part, this heading is made up of deductions from the salaries of members and staff in respect of tax and social contributions. It includes a revenue of 39 453 euro with EU consolidated entities.

4.3. “Other operating revenue”

Arises among others from exchange rate gains.

4.4. Revenues

Were generated from exchange and non-exchange transactions as follows:

	(euros)	
	2023	2022
Revenue from exchange transactions	193 423	16 316
Revenue from non-exchange transactions	170 667 802	158 542 235
Total revenue	170 861 225	158 558 551

4.5. “Staff expenses”

Include the salaries of Members, statutory staff, contractual agents and temporary staff.

4.6. “Assets related expenses”

Consist of the depreciation/amortisation of the tangible and intangible assets. It includes a loss of 38 857 euro arising from the derecognition of the replaced parts of the K2 asset, following the works carried out (see note [3.2. Property, Plant and Equipment](#)).

4.7. “Other administrative expenses”

The most significant items of the “other administrative expenses” were:

- IT and telecommunications;
- Cleaning, security and other building related expenses.

Other administrative expenses with EU consolidated entities amount to 2 001 068 euro and mainly relate to IT, HR and payroll, crèche and translation services.

4.8. “Operational expenses”

Arise among others from exchange rate losses.

4.9. “Financial revenue”

Are bank interests received on the ECA’s current and fiduciary accounts.

4.10. “Financial expenses”

Are bank charges levied on the ECA's current and fiduciary accounts.

5. Other significant disclosures

5.1. Contingent assets

The following bank guarantees have been given by suppliers following contractual obligations:

	(euros)	
	31 December 2023	31 December 2022
Insurance company	1 361	1 361
Telecommunication	20 000	20 000
Total	21 361	21 361

5.2. Commitments for future funding

	(euros)	
	31 December 2023	31 December 2022
Operational lease for Buildings	290 000	580 000
Operational lease for IT material, cars and other equipments	1 763 458	1 088 410
Subtotal	2 053 458	1 668 410
Commitments against appropriations not yet consumed – RAL ("Restant à liquider") -, after deduction of accruals for 2023	8 193 591	5 315 120
Total	10 247 049	6 983 530

The RAL is an element of budgetary accounting representing the value of outstanding commitments. This is the difference between commitments entered into and payments, which is due to the time lag between entering into a commitment and proceeding to the related payment.

5.3. Land and buildings

The ECA moved into its main building (K1) in 1988 and purchased it and the land it stands on outright in 1990. In 1999, we signed a framework agreement with the Grand Duchy of Luxembourg, giving us the right to use a second parcel of land for 49 years (renewable once) to build an extension (K2) at the symbolic cost of one euro. For the second extension (K3), however, because of different arrangements for carrying out the project a new framework, agreement was needed; we signed this with the Grand Duchy of Luxembourg on 22 February 2008. We purchased the land on which K3 stands for the same symbolic cost of one euro.

Should the ECA ever consider ceding one of the buildings to a third party other than an EU body or institution, it must transfer the land back to the Grand Duchy (again for one euro), and the latter will also have the option to purchase the building at a price to be determined by an independent expert. If the Grand Duchy decides not to exercise this option, it would grant the right to use the land to the building's purchasers.

5.4. Contingent liabilities

As at 31 December 2023, contingent liabilities for legal case amount to 160 000 euro, corresponding to an action pending judgement of the General Court and for which, in the absence of a reliable estimate, the amount disclosed relates to the claimed amount.

5.5. Related Parties

The related parties of the ECA are the EU consolidated entities and the key management personnel. Transactions between the ECA, the EU consolidated entities and the key management personnel take place as part of the normal operations and as

this is the case, no specific disclosure requirements are necessary for these transactions in accordance with the EU accounting rules, except for the following:

In the financial year 2021, the Court has taken over the budgetary execution of the inter-institutional Social Activities Committee ("CAS") from the Commission. To this end, a separate bank account dedicated to the CAS operations has been opened in order to collect contributions from the participating EU Institutions and bodies, and to execute payments to the beneficiaries on behalf of the CAS. Such funds do not constitute assets of the Court and are not part of the Court's budget. The bank account balance for the CAS amounted to 636 054,71 euro as at 31 December 2023.

5.6. Events after the Balance Sheet Date

At the date of signature of these accounts, no material issues had come to the attention of or were reported to the Accounting Officer that would require separate disclosure under this section. The accounts and related notes were prepared using the most recently available information and this is reflected in the information presented.

Budget information financial year 2023

Computation of the budget result

The budget result of the year is computed based on the figures of the budgetary implementation. A detailed analysis of the budget, its context, justification and impact is presented in a report on the budgetary and financial management of the ECA.

	(euros)
Payments on appropriations of the year 2023	(161 910 247)
Payments made from carry over of payment appropriations	(6 662 374)
Payments on appropriation related to earmarked revenue	(68 374)
Recovery orders of the year, cashed during the year 2023	27 348 550
Budgetary recovery orders issued before 2023 and cashed in the year 2023	209
Adjustment on carry over from previous years	(464 291)
Payment appropriations carried over to 2024	(9 861 781)
Appropriation carried over from previous years	8 154 681
Adjustment for carry-over from previous year of appropriations available at 31.12 arising from assigned revenue	66 807
Budget result	(143 396 820)

Reconciliation of economic result with budget result

	(euros)
Economic result of the year	(1 159 812)
Adjustment for items included in the economic result but not in the budget result	(131 505 692)
Difference between accruals end of previous year and end of current year	(708 617)
Amount from liaison account with the Commission booked in the Economic Outturn Account	(143 500 000)
Unpaid invoices at year end but booked in charges (class 6)	163 322
Depreciation of intangible and tangible assets	5 918 736
Provisions	-
Value reductions	-
Recovery orders issued in 2023 in class 7 not yet cashed	(11 683)
Payments made from carry over of payment appropriations	6 662 374
Other	(30 387)
Exchange rate differences	563
Adjustment for items included in the budget result but not in the economic result	(10 731 316)
Asset acquisitions (paid during the year)	(1 964 567)
Budgetary recovery orders issued before 2023 and cashed in the year	209
Payment appropriations carried over to 2024	(9 861 781)
Cancellation of unused carried over payment appropriations from previous year	1 028 016
Adjustment for carry-over from previous year of appropriations available at 31.12 arising from assigned revenue	66 807
Payments for pensions (they are budgetary payments but booked against provisions)	-
Other	-
Budget result	(143 396 820)

INDEPENDENT ASSURANCE REPORT

To the Management of the European Court of Auditors

We have examined that the financial resources assigned by the European Commission to the European Court of Auditors (hereafter the “Court”) have been used for their intended purposes and that the control procedures put in place by the authorising officers provide the necessary guarantees to ensure the compliance of financial operations with the applicable rules and regulations for the financial resources made available and used for the period from January 1, 2023 to December 31, 2023.

We have complied with the independence and other ethical requirements of the Code of Ethics for Professional Accountants issued by the International Ethics Standards Board for Accountants, which is founded on fundamental principles of integrity, objectivity, professional competence and due care, confidentiality and professional behaviour.

The maintenance of books and records and the establishing and maintaining of appropriate controls are the responsibility of the Management of the Court. Our responsibility is to express our opinion based on our examination.

In our capacity as the Court’s Independent External Auditor, we conducted our examination in accordance with the International Standard on Assurance Engagements “Assurance Engagements other than Audits or Reviews of Historical Financial Information” (ISAE 3000). This standard requires that we plan and perform our examination such that misuse of the resources materially affecting the books of the Court are detected with reasonable assurance. Our work consisted of examining evidence supporting the fact that:

- The resources assigned to the Court have been used for their intended purposes;
- The control procedures put in place provide the necessary guarantees to ensure the compliance of financial operations with the applicable rules and regulations.

The criteria used for our examination are the following rules and regulations:

- Regulation (EU Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013; (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012, (OJL 193,30.07.2018, P. 1);
- Decision No 21-2021 of European Court of Auditors laying down the Rules for implementing the Rules of Procedure of the Court of Auditors;
- Decision No 2-2019 of the European Court of Auditors laying down the internal rules for the implementation of the Budget. These provisions form part of the procedures established by the Treaties, or agreements made by virtue thereof, which concern the operational process linked to the implementation of the Budget.

In particular, the following provisions set out in the Decision No 59-2022 have been used as criteria:

- Article 10.1 – Expenditure operations – “Every item of expenditure shall be committed, validated, authorised and paid in accordance with Articles 111 and 116 of the Financial Regulation. In particular, the authorising officer responsible shall personally check the supporting documents or shall, on his or her own responsibility, ascertain that this has been done, before taking the decision validating any budgetary operation”.
- Article 10.4 – Expenditure operations – “Administrative expenditure shall be charged to the budget for the financial year in which it is effected”.
- Article 11.1 – Signatures – “Each of the parties involved in the drafting, control and registration of operations to establish and recover revenue or to commit sums and make payments shall sign and date their involvement in the computerized system (SAP)”.

- Article 17.1 – Validation and “passing for payment” – “Validation of any expenditure shall be based on supporting documents within the meaning of Article 24 of this Decision, attesting the creditor’s entitlement, on the basis of a statement of services actually rendered, supplies actually delivered or work actually carried out, or on the basis of other documents justifying payment, including recurring payments of subscriptions or training courses”.
- Article 19.1 – Staff expenditure – “For payments corresponding to staff expenditure, the endorsement “passed for payment” shall certify the existence of the supporting documents enumerated in Article 19.1”.
- Article 19.2 – Mission expenses – “The statement of mission expenses referred to in point 19.1 (4)(b) shall indicate the place of mission, the dates and times of departure and arrival at the place of mission, travel expenses, subsistence expenses., and other expenses duly authorised on production of supporting documents”.
- Article 27.4 – Carry over – “The authorising officers shall be responsible for ensuring that, at the end of the year, the only amounts carried over are those in respect of which there is a legal obligation to do so”.
- Article 31.2 – Building projects – “For any building project likely to have significant financial implications for the Court’s budget, the Court shall inform, in accordance with Article 266 of the Financial Regulation, the European Parliament and the Council as early as possible, and in any case before any prospecting of the local market takes place, in the case of building contracts, or before invitations to tender are issued, in the case of building works, about the building surface area required and the provisional planning. Before the Court gives its approval to any contractual commitment concerning such a project, the service responsible shall submit an explanatory document justifying the compatibility of the project with the financial framework”.
- Article 32.1 – Internal control procedures – “The responsible authorising officers shall follow the internal control framework drawn up by the Court. This framework sets up all the procedures and standards related to the internal control including rules related to the initiation of operations and ex-ante and ex-post controls of operation”.
- Article 38.1 – Property inventories – “An inventory of tangible assets shall be kept in the computerised system (SAP) accessible to all the authorising officers”.

We believe our examination provides a reasonable basis for our opinion.

Based on the work described in this report, in our opinion, the Court has complied, in all material respects, with the criteria described above:

- The resources assigned to the Court have been used for their intended purposes;
- The control procedures in place provide the necessary guarantees to ensure the compliance of financial operations with the applicable rules and regulations.

Our report is solely for the purpose set forth in the first paragraph and for your information and is not to be used for any other purpose or to be distributed to any other parties, except for the European Parliament, the European Commission and the European Council.

Rome, 26.04.2024

ACG Auditing & Consulting Group S.r.l.
 Statutory Auditor Partner
 Massimiliano Rosignoli



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