2007 discharge: EU general budget, Court of Justice

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PURPOSE: to present the final annual accounts of the European Communities for the financial year 2007 - Other institutions: section IV - Court of Justice.

Note: this summary provides a general overview of the main trends in terms of the Court of Justice's expenditure for the financial year 2007. It does not cover the details of the implementation of the expenditure by the institution due to the unavailability of the relevant document.

However, it does cover the figures for the Court of Justice's expenditure as presented in volume I of the consolidated annual accounts of the European Communities for the year 2007.

CONTENT: the summary of the consolidated annual accounts of the European Communities for the year 2007 show that the Court of Justice's expenditure was as follows:

Commitment appropriations:

- commitment appropriations authorised: EUR 275 million;
- commitments made in 2007: EUR 266 million (implementation rate of 96.84%);
- appropriations carried over to 2008: EUR 2 million (0.59% of total commitments);
- appropriations lapsing: EUR 7 million (2.57% of the budget).

Payment appropriations:

- payment appropriations authorised: EUR 288 million;
- payments made in 2007: EUR 265 million (implementation rate of 91.93%);
- appropriations carried over to 2008: EUR 15 million (5.04% of total payments);
- appropriations lapsing: EUR 9 million (3.03% of the budget).

Main axes of expenditure for 2007: overall, two main areas of expenditure characterised the Court's activity in 2007:

1. further institutional changes and internal reorganisation (including of its working methods);
2. work related to the institution itself (mostly of a legal nature and developments in case law).

(1) Institutional changed - reorganisation of work: the main development in 2007 for the Court as an institution was the completion of the legislative process for the establishment of an urgent preliminary ruling procedure enabling questions relating to the area of freedom, security and justice that are referred for a preliminary ruling to be dealt with expeditiously and appropriately. Specifically, by decision of 20 December 2007, the Council adopted the amendments to the Statute and to the Rules of Procedure of the Court of Justice designed to establish an urgent preliminary ruling procedure. This is a new type of preliminary ruling procedure, created to deal with cases that are currently covered by Title IV of the EC Treaty (visas, asylum, immigration and other policies related to free movement of persons) and Title VI of the Treaty on European Union (provisions on police and judicial cooperation in criminal matters). After establishing that existing procedures were not capable of ensuring that this category of cases would be

dealt with sufficiently expeditiously, the Court proposed the creation of this new procedure in order to be able to decide such cases within a particularly short time and without delaying the handling of other cases pending before the Court;

(2) Judicial activity - delivering judgments: the statistics concerning the Court's judicial activity in 2007 reveal a distinct improvement compared with the preceding year. In particular, the reduction, for the fourth year in a row, of the duration of proceedings before the Court should be noted, as should the increase of approximately 10 % in the number of cases completed compared with 2006. The Court:

- completed 551 cases in 2007 compared with 503 in 2006 (net figures, that is to say, taking account of the joinder of cases). Of those cases, 379 were dealt with by judgments and 172 gave rise to orders. The number of judgments delivered and orders made in 2007 is appreciably higher than in 2006 (351 judgments and 151 orders);
- had 580 new cases brought before it, the highest number in its history, representing an increase in new cases of 8% compared with 2006 and 22.3% compared with 2005. The number of cases pending at the end of 2007 (741 cases, gross figure) did not, however, increase significantly beyond the number at the end of 2006 (731 cases, gross figure);
- saw a constant reduction in the duration of proceedings: so far as concerns references for a preliminary ruling, the average duration of proceedings was 19.3 months, compared to 19.8 months in 2006 and 20.4 months in 2005. In 2007, the average time taken to deal with references for a preliminary ruling reached its shortest since 1995. The average time taken to deal with direct actions and appeals was 18.2 months and 17.8 months respectively (20 months and 17.8 months in 2006).

During the year, the Court made use, to differing degrees, of the various instruments at its disposal to expedite the handling of certain cases (priority treatment, the accelerated or expedited procedure, the simplified procedure, and the possibility of giving judgment without an opinion of the Advocate General). Eight requests were made to the Court for use of the expedited or accelerated procedure, but the cases did not display the exceptional circumstances (of urgency) required by the Rules of Procedure. On the other hand, priority treatment was granted in five cases.

Lastly, the Court made significantly more frequent use of the possibility offered by Article 20 of the Statute of determining cases without an opinion of the Advocate General where they do not raise any new point of law. About 43% of the judgments delivered in 2007 were delivered without an opinion (compared with 33% in 2006).

As regards the distribution of cases between the various formations of the Court, it may be noted that:

- the Grand Chamber dealt with approximately 11%;
- chambers of five judges with roughly 55%, and;
- chambers of three judges with about 33% of the cases brought to a close in 2007.