

# 2007 discharge: EU general budget, Court of Justice

2008/2278(DEC) - 10/11/2008

**PURPOSE:** to present the report of the Court of Auditors on the implementation of the budget for the financial year 2007 (other institutions – Court of Justice).

**CONTENT:** in its annual report for the financial year 2007, the Court focuses on the legality and regularity of the operating expenditure of the institutions. In 2007, the Court notes that all the institutions operated satisfactorily the supervisory and control systems required by the Financial Regulation and the transactions tested were free from material error of legality and regularity.

However, the Court draws attention to a number of findings which should be taken into consideration by the institutions concerned.

In the specific case of the audit of the **Court of Justice**, the Court notes the following issues:

**Contract staff:** the audit noted that the decision of the administrative committee of the Court of Justice relative to the recruitment and employment of contract staff does not set out any selection procedure for ‘contract staff for auxiliary tasks’. Consequently, there are no formal selection procedures established by the Court of Justice for the recruitment of staff under short-term contracts to replace certain persons who are unable to perform their duties. For example, when language units at the translation service need to replace translators on maternity leave, the selection of replacement contract staff is at the discretion of the relevant head of service. Because of the absence of specific selection procedures for ‘contract staff for auxiliary tasks’ (including, for example, the use of selection committees) the provisions applied at the Court of Justice do not ensure that in such cases the requirements set out in the ‘Conditions of employment of other servants of the European Communities’ are fully complied with and any risk of the appearance of non-objective selection is avoided.

The Court states that this type of recruitment only takes place in exceptional circumstances, to bring in additional staff to help deal with an unusually heavy workload in a particular area. The Court has no knowledge of any case where it could be said that the decision to recruit could have been influenced by non-objective elements. All agents recruited for these auxiliary tasks fulfilled the requirements for the job as regards legal qualifications, knowledge of languages and experience in legal translation.