2016 discharge: EU general budget, Court of Justice

2017/2139(DEC) - 18/04/2018 - Text adopted by Parliament, single reading

The European Parliament decided by 556 votes to 124, with 4 abstentions, to **grant discharge** to the Registrar of the Court of Justice for the implementation of the Court's budget for the financial year 2016.

Parliament noted with satisfaction that the Court of Auditors had observed that no significant weaknesses in respect of the audited topics relating to human resources and procurement for the Court of Justice of the European Union (CJEU).

The payments as a whole for the year ended on 31 December 2016 for administrative and other expenditure of the Court of Justice were **free from material error**.

However, the Members stressed that the discharge procedure needs to be streamlined and sped up. They requested that the CJEU and the Court of Auditors follow best practice in the private sector and proposes in this regard to **review the timetable for the discharge procedure** so that the vote on the discharge would take place in Parliament's plenary part-session in November, thereby closing the discharge procedure within the year following the accounting year in question.

Budgetary and financial management: in 2016, the CJEU had appropriations amounting to EUR 380 002 000 (compared to EUR 357 062 000 in 2015) and that the implementation rate was 98.2 %. Members acknowledged the high rate of utilisation but noted a slight decrease compared to previous years.

The estimated revenue of the Court of Justice for the financial year 2016 was EUR 51 505 000 whereas the established entitlements were 3.1 % lower than estimated (EUR 49 886 228). They noted that the difference of EUR 1.62 million is mainly attributed to the late arrival in 2016 of 16 of 19 additional judges to the General Court.

Members considered that the CJEU consistently overestimates its **commitments for missions**, having committed EUR 342 000 in 2016 whereas payments were only EUR 157 974. They called on the CJEU to ensure sound financial planning in order to avoid a similar discrepancy in the future and encouraged it to apply the new concept of **performance-based budgeting** to its own budget-planning procedure.

Court's actions: Members recalled that 2015 was the year of adoption of the **judicial architectural reform of the Court of Justice**, which was accompanied by the development of new rules of procedure for the General Court. They stressed that, by virtue of the number of judges being doubled in a three-stage process extending until 2019, reform will enable the Court of Justice to continue to deal with the increase in the number of cases.

In 2016, following reform of the judicial architecture of the CJEU, staff cases were the third most frequent type of proceedings in the General Court. The CJEU is called on to continue providing statistics on its judicial activities.

Members also noted the **overall decrease in the duration of proceedings in 2016** by an average of 0,9 months at the Court of Justice and 1,9 months at the General Court compared to 2015. They called on the CJEU to pursue its effort to ensure the continuation of a downward trend so that all cases are concluded within a reasonable period of time.

Members made a series of recommendations to the Court to:

- introduce a more targeted **performance-based approach** in respect of the external activities of judges for the dissemination of Union law;
- call for a greater level of **transparency** with regard to the external activities of each judge and provide information regarding other posts and paid external activities of the judges on its website and in its annual activity report, including the name of the event, the venue, the role of the judges concerned, the travel and subsistence costs and whether they were paid by the CJEU or by a third party;
- publish CVs and **declarations of interest** for all CJEU members, listing membership of any other organisations;
- urge the CJEU to establish and implement strict obligations on **'revolving doors'** rules;
- consider producing minutes of meetings held with **lobbyists**, professional associations and civil society actors, when this does not undermine the confidentiality of ongoing cases;
- provide detailed quantitative and qualitative financial information on the state of play of **IT projects** within the CJEU since 2014;
- simplify procedures for cases concerning intellectual property ;
- improve its **communication activities** in order to make itself more accessible to the citizens of the Union, e.g. by organising training seminars for journalists or developing communication products on its activity in accordance with a more citizen centred approach;
- encourage its staff to familiarise itself with the 2016 guidelines highlighting the vital role of whistleblowers in bringing wrongdoing to light;
- consider extending the languages of deliberation of the CJEU, in particular the General Court, to languages other than French;
- perform impact assessments on the consequences of **Brexit** and inform the European Parliament of the results by the end of 2018.

Lastly, Parliament recalled the importance of the objective of a **balanced representation of genders** in senior and middle-management posts. It also called for the geographic imbalance at middle and senior management to be redressed.