2020 discharge: General budget of the EU - Court of Justice

2021/2109(DEC) - 04/05/2022 - Text adopted by Parliament, single reading

The European Parliament decided by 548 votes to 51, with 7 abstentions, to **grant discharge** to the Registrar of the Court of Justice in respect of the implementation of the budget of the Court of Justice of the European Union for the financial year 2020.

Parliament was pleased to note that the Court of Auditors found **no significant weaknesses** in its audit of the areas of human resources and public procurement for the Court of Justice of the European Union (CJEU). Based on its audit work, the Court concluded that the payments for the administrative expenditure of the Institutions, including the CJEU, for the financial year 2020 were, taken as a whole, **free from material error**. The Court found no specific problems with the regularity of transactions.

In its resolution, adopted by 573 votes to 45 with 19 abstentions, Parliament made the following observations.

Budgetary and financial management

In 2020, the budget of the CJEU amounted to **EUR 436.6 million** (EUR 429.5 million in 2019 and EUR 410 million in 2018). The budget implementation rate for the year 2020 was high (99%, slightly higher than the rate of 98.7% achieved in 2019). Almost 75% of the appropriations used by the CJEU in 2020 were spent on Members' and staff-related expenditure, with almost the entire remaining balance allocated to infrastructure-related expenditure, including buildings and IT (over 25%).

The COVID-19 pandemic had an impact on the budget of the CJEU. Additional costs were incurred for the purchase of IT equipment due to the widespread teleworking of staff, as well as personal protective equipment (PPE) and disinfectant. Savings were made on several budget lines (translation, freelance interpretation, professional training, missions, buildings and furniture, protocol, meetings and conferences).

The additional expenditure related to the COVID-19 pandemic for the year 2020 amounted to EUR 3 million and the savings to EUR 8.5 million, which means that the net savings can be estimated at EUR 5.5 million.

Parliament noted that the overall gender ratio (61% women and 39% men) remained unchanged in 2020 compared to 2019. It commended the CJEU for the measures it has taken to promote gender equality, such as mentoring and talent management, and to encourage women to apply for senior and middle management positions.

Internal management, performance, internal control

According to the report on the functioning of the General Court, the reform of the Union's judicial architecture was necessary to reduce both the volume of pending cases and the excessive length of proceedings. Members noted that the analysis contained in the report highlighted some positive trends, such as (i) a significant reduction in the length of proceedings, (ii) a more thorough investigation of cases and (iii) more frequent referrals of cases to the extended chamber formations.

Parliament welcomed the fact that the CJEU managed to maintain a high level of productivity despite the COVID-19 pandemic. It noted a slight decrease in the number of cases pending before the CJEU but an increase in the number of cases pending before the General Court (1 497 cases as of 31 December 2020 compared to 1 398 as of 31 December 2019). The average duration of proceedings, both at the Court of Justice and the General Court, was 15.4 months in 2020.

Human resources, equality and staff well-being

Parliament took note of the very high occupation rate of posts in the ECJ's establishment plan, i.e. around **97% in 2020**. At the end of 2020, there were 2 239 members of staff (60% officials, 32% temporary agents and 8% contract agents) were in post.

Reiterating the importance of addressing the lack of gender balance in the college of judges, Members called on the President of the General Court to draw the attention of the governments of the Member States to the importance of ensuring gender balance in the appointments at the time of partial renewal of the General Court.

Parliament welcomed the additional measures adopted in 2020 to improve staff welfare during the COVID-19 pandemic. It welcomed the support provided by the CJEU's medical service to staff members affected by burnout, as well as the recruitment of a psychologist in 2019 to actively support staff in difficulty. It also welcomed the organisation of staff awareness-raising events on equal opportunities, diversity and inclusion issues.

Ethical framework and transparency

Parliament welcomed the report presented to the Parliament's Committee on Budgetary Control on the **prevention of conflicts of interest** among the Members of the CJEU. The declaration of interests of members plays a key role in the prevention regime and the code of conduct adopted in 2021 has increased the content of the declaration of interests.

Members reaffirmed the importance of adopting a **revised general code of conduct** for staff members. The CJEU is also invited to launch surveys concerning staff awareness on the ethical framework and whistleblower procedures.

Digital transition, cyber security, data protection

MEPs welcomed the deployment of human, technical and financial resources to design and implement a uniform and secure video-conferencing system, with potential simultaneous interpretation for the 24 official languages, for the benefit of representatives of parties who cannot travel to Luxembourg due to travel restrictions in the Member States.

Parliament reiterated its concerns about the human rights implications of the use of **artificial intelligence** (AI) in the judiciary systems. Tasks performed with AI should always be monitored and resolved by a human operator. The CJEU should inform the Parliament about the operators of the AI tools used.

Lastly, Members considered that the CJEU had adopted all relevant measures to (i) protect its staff during the COVID-19 pandemic, (ii) reduce the risk of burnout (including through webinar sessions on work-life management topics), (iii) raise awareness of the right to disconnect and the risk of over-performance and (iv) monitor the situation.