



**2016/2154(DEC)**

7.3.2017

# **AMENDMENTS**

## **1 - 26**

**Draft report**  
**Benedek Jávor**  
(PE593.842v01-00)

Discharge 2015: EU general budget - European Court of Justice  
(2016/2154(DEC))



**Amendment 1**  
**Monica Macovei**

**Proposal for a decision 1**  
**Citation 8 a (new)**

*Proposal for a decision*

*Amendment*

- *having regard the ECA special Report No 15/2012 "Management of conflict of interest in selected EU Agencies";*

Or. en

**Amendment 2**  
**Cătălin Sorin Ivan**

**Proposal for a decision 1**  
**Paragraph 1**

*Proposal for a decision*

*Amendment*

1. Grants the Registrar of the Court of Justice discharge in respect of the implementation of the budget of the Court of Justice for the financial year 2015; / *Postpones its decision on granting the Registrar of the Court of Justice discharge in respect of the implementation of the budget of the Court of Justice for the financial year 2015;*

1. Grants the Registrar of the Court of Justice discharge in respect of the implementation of the budget of the Court of Justice for the financial year 2015;

Or. en

**Amendment 3**  
**Ryszard Czarnecki, Notis Marias, Raffaele Fitto, Beata Gosiewska**

**Proposal for a decision 1**  
**Paragraph 1**

*Proposal for a decision*

*Amendment*

1. *Grants the Registrar of the Court of Justice discharge in respect of the implementation of the budget of the Court*

1. Postpones its decision on granting the Registrar of the Court of Justice discharge in respect of the implementation

*of Justice for the financial year 2015; /*  
Postpones its decision on granting the Registrar of the Court of Justice discharge in respect of the implementation of the budget of the Court of Justice for the financial year 2015;

of the budget of the Court of Justice for the financial year 2015;

Or. en

**Amendment 4**  
**Monica Macovei**

**Motion for a resolution**  
**Citation 3 a (new)**

*Motion for a resolution*

*Amendment*

- *having regard the ECA special Report No 15/2012 "Management of conflict of interest in selected EU Agencies";*

Or. en

**Amendment 5**  
**Monica Macovei**

**Motion for a resolution**  
**Paragraph 3 a (new)**

*Motion for a resolution*

*Amendment*

*3 a. Notes that the estimated revenue of the Court for the financial year 2015 was EUR 44 856 000; calls upon the Court to explain why the established entitlements in the financial year 2015 are 10,4% higher than estimated ( EUR 49 510 442).*

Or. en

**Amendment 6**  
**Monica Macovei**

**Motion for a resolution**

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### Paragraph 3 b (new)

*Motion for a resolution*

*Amendment*

**3 b.** *Notes that revenue from entitlements carried over from 2014 to 2015 amounts EUR 84 620 37 and that 84,28% represents revenue from persons working with the institutions and other Community bodies;*

Or. en

### Amendment 7 Monica Macovei

#### Motion for a resolution Paragraph 5

*Motion for a resolution*

*Amendment*

5. Welcomes the productivity of the judicial activity of the Court of Justice in 2015, with 1711 cases brought before the three courts and 1755 cases completed;

5. Welcomes the productivity of the judicial activity of the Court of Justice in 2015, with 1711 cases brought before the three courts and 1755 cases completed; *notes that this is the highest annual number of the cases in the institution's history;*

Or. en

### Amendment 8 Monica Macovei

#### Motion for a resolution Paragraph 9

*Motion for a resolution*

*Amendment*

9. Takes note 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; looks forward to analysing the achievements of that reform;

9. Takes note 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; looks forward to *analyzing the achievements of that reform; understands that this reform will enable the Court, by*

*virtue of the number of the judges of the General court being doubled in a three-stage process extending until 2019, to continue to deal with the increase in the number of cases; looks forward to analysing the achievements of that reform in the Court's capacity to deal with cases in a reasonable period and in compliance with the requirements of a fair hearing;*

Or. en

**Amendment 9**  
**Petri Sarvamaa**

**Motion for a resolution**  
**Paragraph 10**

*Motion for a resolution*

10. Takes note of the upcoming recast of the Code of Conduct for Members where the conditions for carrying out external activities and the publication of their financial interests will be clarified; ***insists, however, that information*** on the external activities of each judge ***should be accessible to the general public; requests that that information be published on the website of the Court of Justice and included in its annual activity report;***

*Amendment*

10. Takes note of the upcoming recast of the Code of Conduct for Members where the conditions for carrying out external activities and the publication of their financial interests will be clarified; ***calls for a greater level of transparency*** on the external activities of each judge; ***requests that the Court provides information regarding other posts and paid external activities of the judges on its website and its annual activity reports;***

Or. en

**Amendment 10**  
**Petri Sarvamaa**

**Motion for a resolution**  
**Paragraph 11**

*Motion for a resolution*

11. ***Considers that the Court of Justice should make available the minutes of its meetings other than the ones related to its judicial activity;***

*deleted*

*Amendment*

**Amendment 11**  
**Monica Macovei**

**Motion for a resolution**  
**Paragraph 11 a (new)**

*Motion for a resolution*

*Amendment*

***11 a. Asks the Court to provide the discharge authority with a list of meetings with lobbyist, professional associations and civil society by June 2017; asks the Court to present the minutes of these meetings by June 2017;***

Or. en

**Amendment 12**  
**Benedek Jávor, Bart Staes**  
on behalf of the Verts/ALE Group

**Motion for a resolution**  
**Paragraph 13**

*Motion for a resolution*

*Amendment*

13. Notes that, according to its annual management report for 2015, the Court of Justice works closely with the Court of Auditors' team designated to carry out its performance review; in this regard, ***regrets*** the fact that the Court of Justice raised obstacles to the audit team work at the beginning of the audit process; ***calls on*** the Court of Justice ***to improve*** its cooperation with the auditors and ***to facilitate access to the documents requested by them;***

13. Notes that, according to its annual management report for 2015, the Court of Justice works closely with the Court of Auditors' team designated to carry out its performance review; in this regard, ***notes*** the fact that the Court of Justice raised obstacles to the audit team work at the beginning of the audit process; ***welcomes that*** the Court of Justice ***improved*** its cooperation with the auditors and ***provided further documents to ECA; is aware that the principle of secrecy of deliberations is necessary to help preserve the independence of decision-makers, to promote consistency and finality of decisions and to prevent decision-makers from having to spend more time testifying about their decisions than making them; points out however, that the secrecy of***

*deliberations as principle ab ovo prevents any external control, therefore invites the ECJ to develop an internal control/remedy mechanism in order to provide in such cases a certain level of control;*

Or. en

**Amendment 13**  
**Barbara Kappel**

**Motion for a resolution**  
**Paragraph 20**

*Motion for a resolution*

20. Welcomes the initiative of the Court of Justice to improve the representation of women in management posts and the fact that the proportion of women in middle and senior management posts reached 35 % in 2015; ***believes, nevertheless, that there is further room for improvement regarding gender balance in the institution;***

*Amendment*

20. Welcomes the initiative of the Court of Justice to improve the representation of women in management posts and the fact that the proportion of women in middle and senior management posts reached 35 % in 2015;

Or. en

**Amendment 14**  
**Petri Sarvamaa**

**Motion for a resolution**  
**Paragraph 20**

*Motion for a resolution*

20. Welcomes the initiative of the Court of Justice to improve ***the representation of women*** in management posts and the fact that the ***proportion of women*** in middle and senior management posts reached 35 % in 2015; believes, nevertheless, that there is further room for improvement regarding gender balance in the institution;

*Amendment*

20. Welcomes the initiative of the Court of Justice to improve ***gender balance*** in management posts and the fact that the ***gender balance*** in middle and senior management posts reached ***a level of 35 % / 65 %*** in 2015; believes, nevertheless, that there is further room for improvement regarding gender balance in the institution;



**Amendment 15**  
**Barbara Kappel**

**Motion for a resolution**  
**Paragraph 21**

*Motion for a resolution*

21. *Is deeply concerned with the considerable geographic imbalance at middle and senior management level, to the disadvantage of the Member States which joined the Union in 2004 or after; calls on the Court to endeavour to correct this situation and to report to Parliament on the improvements achieved in that regard;*

*Amendment*

21. *Calls on the Court to balance the geographic spread at middle and senior management level;*

**Amendment 16**  
**Cătălin Sorin Ivan**

**Motion for a resolution**  
**Paragraph 21**

*Motion for a resolution*

21. *Is deeply concerned with the considerable geographic imbalance at middle and senior management level, to the disadvantage of the Member States which joined the Union in 2004 or after; calls on the Court to endeavour to correct this situation and to report to Parliament on the improvements achieved in that regard;*

*Amendment*

21. *Considers the answer as unsatisfactory regarding geographic imbalance at middle and senior management level, to the disadvantage of the Member States which joined the Union in 2004 or after; calls on the Court to endeavour to correct this situation and to report to Parliament on the improvements achieved in that regard;*

**Amendment 17**  
**Tamás Deutsch**

**Motion for a resolution**  
**Paragraph 21 a (new)**

*Motion for a resolution*

*Amendment*

**21 a.** *Emphasises that geographical balance, namely the relationship between staff nationality and the size of Member States, should still remain an important element of resources management particularly with respect to the Member States that have acceded to the Union since 2004, welcomes the fact that the European Court of Justice has reached a more balanced composition of officials from the Member States which joined the European Union before and since 2004; but points out that these Member States are still underrepresented at the higher level of administration and in managerial posts for which progress is still awaited;*

Or. en

**Amendment 18**  
**Cătălin Sorin Ivan**

**Motion for a resolution**  
**Paragraph 21 a (new)**

*Motion for a resolution*

*Amendment*

**21 a.** *Calls on the Court to endeavour to correct this situation and to report to Parliament on the improvements achieved in that regard;*

Or. en

**Amendment 19**  
**Dennis de Jong**

**Motion for a resolution**  
**Paragraph 22**

*Motion for a resolution*

*Amendment*

22. Supports the review of expenditure and of the conditions for use of official cars jointly conducted by the internal audit services of the Court of Justice and of the Court of Auditors; calls on the Court of Justice to consider, within the frame of that review, the possibility of reducing the number of official cars at the disposal of its members and staff;

22. Supports the review of expenditure and of the conditions for use of official cars jointly conducted by the internal audit services of the Court of Justice and of the Court of Auditors; calls on the Court of Justice to consider, within the frame of that review, the possibility of reducing the number of official cars at the disposal of its members and staff; ***calls, moreover, on the Court to improve its checks against the use of official cars for private purposes;***

Or. en

**Amendment 20**  
**Dennis de Jong**

**Motion for a resolution**  
**Paragraph 22 a (new)**

*Motion for a resolution*

*Amendment*

***22 a. Notes that on the commitments of Missions of 295.500,- euro only 41.209,- euro has been used; points out that this under-investment could be avoided; requests the Court to improve its budgeting and accountability in regard to the mission budget and emphasizes the principle of missions to be cost-effective;***

Or. en

**Amendment 21**  
**Barbara Kappel**

**Motion for a resolution**  
**Paragraph 23**

*Motion for a resolution*

*Amendment*

23. Welcomes the commitment of the Court of Justice with high environment targets; ***encourages the institution to apply the principles of green public procurement and calls for the establishment of rules and sufficient***

23. Welcomes the commitment of the Court of Justice with high environment targets;

*budget for carbon offsetting;*

Or. en

**Amendment 22**  
**Monica Macovei**

**Motion for a resolution**  
**Paragraph 25**

*Motion for a resolution*

25. Regrets the fact that the institution's internal whistleblowing rules were adopted only in the beginning of 2016;

*Amendment*

25. Regrets the fact that the institution's internal whistleblowing rules were adopted only in the beginning of 2016; ***recommends to the Court to disseminate these rules among its staff so that all employees to be aware of them; asks the Court to provide by June 2017 details on the whistle-blower cases in 2015 (if any) and how they were handled and finalized;***

Or. en

**Amendment 23**  
**Petri Sarvamaa**

**Motion for a resolution**  
**Paragraph 25**

*Motion for a resolution*

25. ***Regrets*** the fact that the institution's internal whistleblowing rules were adopted ***only*** in the beginning of 2016;

*Amendment*

25. ***Welcomes*** the fact that the institution's internal whistleblowing rules were adopted in the beginning of 2016;

Or. en

**Amendment 24**  
**Monica Macovei**

**Motion for a resolution**  
**Paragraph 25 a (new)**

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*Motion for a resolution*

*Amendment*

**25 a.** *Urges however the Court to enact the submission of declaration of interest and instead of declaration of the absence of conflict of interests as self evaluation of conflicts of interest is a conflict of interest in itself, living the evaluation of these statements to a third independent party; evaluation of a situation of conflict of interest must be done by a third party; asks the Court to report by June 2017 these changes and to indicate who is checking the situations of conflicts of interest; reiterates that transparency is key to the public trust; calls upon the Court to establish clear rules regarding the "revolving doors"; urges the Court to put in place measures to prevent "revolving doors" establishing dissuasive sanctions such as the reduction of pensions or prohibition to work at least 3 years in similar bodies;*

Or. en

**Amendment 25**  
**Monica Macovei**

**Motion for a resolution**  
**Paragraph 26 a (new)**

*Motion for a resolution*

*Amendment*

**26 a.** *Welcomes the initiative of the Court to publish its Annual Report in a new format, and calls upon the Court to also publish the ECA report;*

Or. en

**Amendment 26**  
**Cătălin Sorin Ivan**

**Motion for a resolution**  
**Paragraph 26 a (new)**

*Motion for a resolution*

*Amendment*

***26 a. Calls the Court of Justice to improve its communication policy towards the EU citizens;***

Or. en