



2017/2139(DEC)

4.12.2017

AMENDMENTS

1 - 29

Draft opinion

Pavel Svoboda

2016 discharge: EU general budget - Court of Justice
(2017/2139(DEC))

AM_Com_NonLegOpinion

Amendment 1

Gilles Lebreton, Marie-Christine Boutonnet

Draft opinion

Paragraph 1

Draft opinion

1. Appreciates that the budget implementation for the financial year 2016 represents a very high rate of use of final appropriation (98,23 %), even if slightly lower than the 2015 rate (99,1 %), ***due mainly to the gradual arrival in 2016 of 12 new Judges at the General Court;***

Amendment

1. Appreciates that the budget implementation for the financial year 2016 represents a very high rate of use of final appropriation (98,23 %), even if slightly lower than the 2015 rate (99,1 %);

Or. fr

Amendment 2

António Marinho e Pinto

Draft opinion

Paragraph 1

Draft opinion

1. ***Appreciates*** that the budget implementation for the financial year 2016 represents a very high rate of use of final appropriation (98,23 %), even if slightly lower than the 2015 rate (99,1 %), due mainly to the gradual arrival in 2016 of 12 new Judges at the General Court;

Amendment

1. ***Points out*** that the budget implementation for the financial year 2016 represents a very high rate of use of final appropriation (98,23 %), even if slightly lower than the 2015 rate (99,1 %), due mainly to the gradual arrival in 2016 of 12 new Judges at the General Court;

Or. pt

Amendment 3

Kostas Chrysogonos

Draft opinion

Paragraph 2

Draft opinion

Amendment

2. Stresses that the budget of the Court of Justice is purely administrative, with approximately 75 % spent on persons working with the institution and the remainder on buildings, furniture, information technology and miscellaneous operating expenditure;

2. Stresses that the budget of the Court of Justice is purely administrative, with approximately 75 % spent on persons working with the institution and the remainder on buildings, furniture, information technology and miscellaneous operating expenditure; ***stresses, however, that introducing performance-based budgeting should not apply only to the Court of Justice's budget as a whole but should include the setting of specific, measurable, attainable, realistic and time-based (SMART) targets to individual departments, units and staffs' annual plans and to set relevant indicators for drawing up the institution's estimates; calls therefore on the Court of Justice to introduce the principle of performance-based budgeting more widely in its operations;***

Or. en

Amendment 4
Daniel Buda

Draft opinion
Paragraph 2 a (new)

Draft opinion

Amendment

2a. Highlights the improved efficiency of the Court thanks to the coordinated efforts of the judiciary and all auxiliary services, resulting in a 46% increase in the number of cases concluded over the period 2007-2016, despite a very limited increase in the number of auxiliary staff over that period (+ 3.5% if Croatian accession is included in the calculation and less than +0.1% if it is not);^{1a}

Or. ro

Amendment 5
Kostas Chrysogonos

Draft opinion
Paragraph 2 a (new)

Draft opinion

Amendment

2a. *Notes that out of the commitments of missions of EUR 295.500 only EUR 41.209 were used; points out that this under-investment could be avoided; requests the Court of Justice to improve its budgeting and accountability in regard to the mission budget and emphasises the need for the principle of missions to be cost-effective;*

Or. en

Amendment 6
Kostas Chrysogonos

Draft opinion
Paragraph 2 b (new)

Draft opinion

Amendment

2b. *Calls on the Court of Justice to consider in due time to reduce the number of official cars at the disposal of its members and staff; calls on the Court of Justice, furthermore, to improve its checks against the use of official cars for private purposes;*

Or. en

Amendment 7
Daniel Buda

Draft opinion
Paragraph 3 a (new)

3a. *Expresses its satisfaction that the first two stages of the three-stage EU judicial framework reform adopted by the European legislators in December 2015 ^{2a} had been almost fully implemented in 2016;*

Or. ro

Amendment 8

Gilles Lebreton, Marie-Christine Boutonnet

Draft opinion

Paragraph 4

Draft opinion

4. Notes that the 2016 statistics for the three courts which make up the Court of Justice confirm the trend seen in recent years as regards the average duration of proceedings, which remains satisfactory (Court of Justice: 15 months for requests for a preliminary ruling (15,3 months in 2015), 2,7 months for urgent requests for a preliminary ruling (1,9 months in 2015), 19,3 months for direct actions (17,6 months in 2015) and 12,9 months for appeals (14 months in 2015);

Amendment

4. Notes that the 2016 statistics for the three courts which make up the Court of Justice confirm the trend seen in recent years as regards the average duration of proceedings, which remains satisfactory (Court of Justice: 15 months for requests for a preliminary ruling (15,3 months in 2015), 2,7 months for urgent requests for a preliminary ruling (1,9 months in 2015), 19,3 months for direct actions (17,6 months in 2015) and 12,9 months for appeals (14 months in 2015); ***notes that those statistics contradict the arguments in favour of the Court reforms introduced in 2016 (an increase to the number of judges and the transfer to the Court of the power to rule, at first instance, on disputes between the Union and its staff);***

Or. fr

Amendment 9

António Marinho e Pinto

Draft opinion

Paragraph 4

Draft opinion

4. Notes that the 2016 statistics for the three courts which make up the Court of Justice confirm the trend seen in recent years as regards the average duration of proceedings, which ***remains satisfactory*** (Court of Justice: 15 months for requests for a preliminary ruling (15,3 months in 2015), 2,7 months for urgent requests for a preliminary ruling (1,9 months in 2015), 19,3 months for direct actions (17,6 months in 2015) and 12,9 months for appeals (14 months in 2015);

Amendment

4. Notes that the 2016 statistics for the three courts which make up the Court of Justice confirm the trend seen in recent years as regards the average duration of proceedings, which ***seems to be shorter*** (Court of Justice: 15 months for requests for a preliminary ruling (15,3 months in 2015), 2,7 months for urgent requests for a preliminary ruling (1,9 months in 2015), 19,3 months for direct actions (17,6 months in 2015) and 12,9 months for appeals (14 months in 2015);

Or. pt

Amendment 10

António Marinho e Pinto

Draft opinion

Paragraph 5

Draft opinion

5. ***Applauds the fact*** that overall the three courts making up the Court of Justice closed 1628 cases in 2016, ***the*** number ***slightly*** lower than in 2015 (1775 cases closed) ***but still very positive***;

Amendment

5. ***Points out*** that overall the three courts making up the Court of Justice closed 1628 cases in 2016, ***a*** number lower than in 2015 (1775 cases closed); ***reiterates the importance, with a view to upholding the fundamental rights of EU citizens, of reducing the list of pending cases***;

Or. pt

Amendment 11

Daniel Buda

Draft opinion

Paragraph 5 a (new)

Draft opinion

Amendment

5a. *Congratulates the Court of Justice on its remarkable productivity over the last year, with 704 cases concluded in 2016 (14% up on 2015), which was more than the number of cases referred to it (692), resulting in a slight decrease in the number of cases pending on 31 December 2016 (872), compared to the end of 2015 (884);^{3a}*

Or. ro

Amendment 12
Daniel Buda

Draft opinion
Paragraph 5 b (new)

Draft opinion

Amendment

5b. *Expresses satisfaction also at with the work of the Civil Service Tribunal, which made it a matter of honour to resolve as many cases as possible before it was dissolved and its civil service jurisdiction transferred to the General Court (from January to August 2016, it resolved no less than 169 cases^{4a});*

Or. ro

Amendment 13
Daniel Buda

Draft opinion
Paragraph 5 c (new)

Draft opinion

Amendment

5c. *Welcomes the increase in the number of Advocates-General at the Court of Justice in September 2016,*

finally resulting in a full complement, which is very gratifying, given the growing number of cases raising new and delicate issues arising from the challenges the European Union has to face, such as the fight against terrorism, the migration crisis and measures related to the banking and financial crisis;

Or. ro

Amendment 14
António Marinho e Pinto

Draft opinion
Paragraph 6

Draft opinion

6. ***Welcomes*** the constant growth of the accesses to ‘e-Curia’ application (numbers of access accounts: 3599 in 2016, compared to 2914 in 2015), and the fact that in 2016 all the Member States used “e-Curia”, showing that the public's awareness of the existence and the advantages of this application has been efficiently raised;

Amendment

6. ***Points out*** the constant growth of the accesses to ‘e-Curia’ application (numbers of access accounts: 3599 in 2016, compared to 2914 in 2015), and the fact that in 2016 all the Member States used “e-Curia”, showing that the public's awareness of the existence and the advantages of this application has been efficiently raised;

Or. pt

Amendment 15
António Marinho e Pinto

Draft opinion
Paragraph 7

Draft opinion

7. ***Welcomes*** the fact that *the Court is working towards a gender balance in positions of high responsibility and that the European Parliament and the Council have indicated, among their objectives, a*

Amendment

7. ***Deplores*** the fact that gender balance *at the Court of Justice of the European Union still has not been achieved and reiterates its call for more women to be appointed as judges.*

balanced representation of genders in appointing new Judges to the General Court (as of this date, five women Judges and two women Advocates General are part of the organisation chart of the Court and ten women Judges are part of the organisation chart of the General Court).

Or. pt

Amendment 16
Mady Delvaux

Draft opinion
Paragraph 7

Draft opinion

7. *Welcomes the fact that the Court is working* towards a gender balance in positions of high responsibility and that the European Parliament and the Council have indicated, among their objectives, a balanced representation of genders in appointing new Judges to the General Court (as of this date, five women Judges and two women Advocates General are part of the organisation chart of the Court and ten women Judges are part of the organisation chart of the General Court).

Amendment

7. *Deplores the lack of effort by Member States* towards *achieving* gender balance in positions of high responsibility and that the European Parliament and the Council have indicated, among their objectives, a balanced representation of genders in appointing new Judges to the General Court (as of this date, five women Judges and two women Advocates General are part of the organisation chart of the Court and ten women Judges are part of the organisation chart of the General Court).

Or. fr

Amendment 17
Gilles Lebreton, Marie-Christine Boutonnet

Draft opinion
Paragraph 7

Draft opinion

7. *Welcomes the fact that the Court is working towards a gender balance in* positions of high responsibility and that the

Amendment

7. *Notes the efforts to get more women appointed to* positions of high responsibility *at the Court* and that the

European Parliament and the Council have indicated, among their objectives, a balanced representation of genders in appointing new Judges to the General Court (as of this date, five women Judges and two women Advocates General are part of the organisation chart of the Court and ten women Judges are part of the organisation chart of the General Court).

European Parliament and the Council have indicated, among their objectives, a balanced representation of genders in appointing new Judges to the General Court (as of this date, five women Judges and two women Advocates General are part of the organisation chart of the Court and ten women Judges are part of the organisation chart of the General Court).

Or. fr

Amendment 18
Mady Delvaux

Draft opinion
Paragraph 7 – subparagraph 1 (new)

Draft opinion

Amendment

Considers that the Union institutions must be representative of their citizens; stresses, therefore, the importance of the goal set by Parliament and the Council.

Or. fr

Amendment 19
Kostas Chrysogonos

Draft opinion
Paragraph 7 a (new)

Draft opinion

Amendment

7a. Notes 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; understands that, by virtue of the number of judges being doubled in a three-stage process extending until 2019, that reform

will enable the Court of Justice to continue to deal with the increase in the number of cases; looks forward to analysing the achievements of that reform in the Court of Justice's capacity to deal with cases within a reasonable period and in compliance with the requirements of a fair hearing;

Or. en

Amendment 20
Kostas Chrysogonos

Draft opinion
Paragraph 7 b (new)

Draft opinion

Amendment

7b. Notes 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 shall be clarified;

Or. en

Amendment 21
Kostas Chrysogonos

Draft opinion
Paragraph 7 c (new)

Draft opinion

Amendment

7c. Stresses that transparency is a key element to the public trust; calls on the Court of Justice to establish clear rules regarding "revolving doors" and to put in place effective measures and dissuasive penalties, such as the reduction of pensions or the prohibition to work at least three years in similar bodies, in order to prevent "revolving doors";

Amendment 22
Kostas Chrysogonos

Draft opinion
Paragraph 7 d (new)

Draft opinion

Amendment

7d. *Calls for a greater level of transparency on the external activities of each judge; requests that the Court of Justice provides information regarding other posts and paid external activities of the judges on its official website and its annual activity reports;*

Or. en

Amendment 23
Kostas Chrysogonos

Draft opinion
Paragraph 7 e (new)

Draft opinion

Amendment

7e. *Considers that the Court of Justice should make available a general overview of the participants and the contents of its meetings with external parties other than the ones related to its judicial activity;*

Or. en

Amendment 24
Kostas Chrysogonos

Draft opinion
Paragraph 7 f (new)

Draft opinion

Amendment

7f. *Asks the Court of Justice to provide without delay the discharge authority with a list of meetings with lobbyists, professional associations and civil society; asks moreover the Court of Justice to present in due time the minutes of those meetings;*

Or. en

Amendment 25
Kostas Chrysogonos

Draft opinion
Paragraph 7 g (new)

Draft opinion

Amendment

7g. *Asks the Court of Justice to enact the submission of declaration of interests, instead of declarations of the absence of conflicts of interests, as self-evaluation of conflicts of interests is, in itself, a conflict of interests; considers that the evaluation of situations of conflicts of interests must be done by an independent party; asks the Court of Justice to report without delay on the changes introduced and to indicate who is checking the situations of conflicts of interests;*

Or. en

Amendment 26
Kostas Chrysogonos

Draft opinion
Paragraph 7 h (new)

Draft opinion

Amendment

7h. *Regrets the fact that the Court of*

Justice's internal whistleblowing rules where adopted only in the beginning of 2016; recommends that the Court of Justice disseminate those rules among its staff so that all employees are aware of them; asks the Court of Justice to provide in due time details of the whistleblower cases in 2015, if any and of how they were handled and finalized;

Or. en

Amendment 27
Kostas Chrysogonos

Draft opinion
Paragraph 7 i (new)

Draft opinion

Amendment

7i. Calls on the Court of Justice to provide Parliament with the specific costs of translation according to the harmonised methodology agreed within the Interinstitutional Working Group on key interinstitutional activity and performance indicators;

Or. en

Amendment 28
Kostas Chrysogonos

Draft opinion
Paragraph 7 j (new)

Draft opinion

Amendment

7j. Welcomes the commitment of the Court of Justice to ambitious environmental targets; encourages the institution to apply the principles of green public procurement and calls for the establishment of rules and a sufficient

budget for carbon offsetting;

Or. en

Amendment 29
Kostas Chrysogonos

Draft opinion
Paragraph 7 k (new)

Draft opinion

Amendment

7k. Calls on the Court of Justice to improve its communications policy towards 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;

Or. en