



**2018/2169(DEC)**

19.11.2018

# **AMENDMENTS**

## **1 - 14**

**Draft opinion**

**Pavel Svoboda**

(PE628.681v01-00)

on discharge in respect of the implementation of the general budget of the European Union for the financial year 2017, Section IV – Court of Justice (2018/2169(DEC))

AM\_Com\_NonLegOpinion

**Amendment 1**  
**Kostas Chrysogonos**

**Draft opinion**  
**Paragraph 1 a (new)**

*Draft opinion*

*Amendment*

***1a. Points out that the CJEU shall deliver justice of irreproachable quality, in a reasonable time, whilst as an EU institution also ensuring it uses the public funds at its disposal as efficiently and as effectively as possible, and according to the principles of sound financial management;***

Or. en

**Amendment 2**  
**Kostas Chrysogonos**

**Draft opinion**  
**Paragraph 2 a (new)**

*Draft opinion*

*Amendment*

***2a. Stresses 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 3**  
**Daniel Buda**

**Draft opinion**  
**Paragraph 3 a (new)**

*Draft opinion*

*Amendment*

**3a.** *Points out that the task of the CJEU is to deliver justice of irreproachable quality within in a reasonable time, while fulfilling its responsibility as an EU institution to use the public funds at its disposal as efficiently and as effectively as possible, in line with the principles of sound financial management;*

Or. ro

**Amendment 4**  
**Daniel Buda**

**Draft opinion**  
**Paragraph 5 a (new)**

*Draft opinion*

*Amendment*

**5a.** *Welcomes the recommendation by the Court of Auditors that the CJEU should consider the adoption of more active case management procedures based on an individual approach and realistic deadlines, while closely monitoring manpower deployment and adopting additional administrative streamlining methods.*

Or. ro

**Amendment 5**  
**Kostas Chrysogonos**

**Draft opinion**  
**Paragraph 5 a (new)**

*Draft opinion*

*Amendment*

**5a. Welcomes the EU decision [regulation (EU, Euratom) 2015/2422] to reform the judicial structure of the CJEU, notably by doubling the number of Judges in the General Court by 2019, while subsuming the work of the Civil Service Tribunal into the General Court as from 1st September 2016; believes that these measures will reduce the backlog of pending cases, engender a positive impact on the quality of the judgments, and increase flexibility and rapidity by allocating Judges to the Chambers according to the caseload in different areas;**

Or. en

**Amendment 6  
Daniel Buda**

**Draft opinion  
Paragraph 6 a (new)**

*Draft opinion*

*Amendment*

**6a. Points out that the total number of cases brought before the courts in 2017 (1656 cases) is higher than in 2016 (1604) and welcomes the improvements achieved regarding the length of proceedings;**

Or. ro

**Amendment 7  
Kostas Chrysogonos**

**Draft opinion  
Paragraph 7 a (new)**

*Draft opinion*

*Amendment*

**7a. Welcomes the fact that the Court of Auditors' recommendation that the time-frames should be further refined by taking into account the specific nature of each type of proceedings and the complexity of the cases;**

Or. en

**Amendment 8  
Kostas Chrysogonos**

**Draft opinion  
Paragraph 7 b (new)**

*Draft opinion*

*Amendment*

**7b. Reiterates that, in order to improve case and budgetary management, the CJEU should seriously consider: measuring performance on a case-by-case basis by reference to a tailored time-frame, taking account of the actual resources employed, continuing the improvements made in terms of reporting on performance by moving toward the development of a system of reporting on the specific numbers of cases meeting expected time-frames rather than average length of types of cases, implementing a policy allowing for a more flexible allocation of existing référendaires to help mitigate problems arising from factors related to the management of resources or organizational issues, further raising the awareness of the Member States and the Council of the importance of the timely nomination and appointment of Judges, completing the cost-benefit analysis of the impact (organisational, budgetary and in terms of case duration) of a change of the current practice in the General Court to use languages other than French for deliberation, implementing a fully**

*integrated IT system to support case management;*

Or. en

**Amendment 9**  
**Kostas Chrysogonos**

**Draft opinion**  
**Paragraph 7 c (new)**

*Draft opinion*

*Amendment*

*7c. Welcomes the suggestion, in the context of discussions on the IT resources available to the Courts in the short and medium terms, that it study, or even implement, an integrated IT system which has regard for the particular nature of judicial work and the specific characteristics of each Court;*

Or. en

**Amendment 10**  
**Daniel Buda**

**Draft opinion**  
**Paragraph 8 a (new)**

*Draft opinion*

*Amendment*

*8a. Welcomes, in this regard, the enhanced efficiency of the CJEU as a result of coordinated efforts by the courts and all ancillary services, resulting in a 30% increase in the number of cases closed between 2010 and 2017, despite an 18% caseload increase over the same period, compounded by staff cuts between 2013 and 2017;*

Or. ro

**Amendment 11**  
**Kostas Chrysogonos**

**Draft opinion**  
**Paragraph 8 a (new)**

*Draft opinion*

*Amendment*

**8a. Concludes that the CJEU could further enhance these positive results by considering a move towards more active individual case management, using tailored time-frames and monitoring the actual use of the human resources employed; Stresses that measuring performance on this basis, instead of using indicative time-frames to be respected on average, would inform management of both problem cases and elements of good practice; underlines that this information could also be used to improve reporting on performance to enhance accountability, providing insight on the proper functioning of the CJEU and on the use of its resources available;**

Or. en

**Amendment 12**  
**Kostas Chrysogonos**

**Draft opinion**  
**Paragraph 9 a (new)**

*Draft opinion*

*Amendment*

**9a. Expresses concern that yet, in contrast to related concepts such as legitimacy, responsiveness, or transparency, accountability has – so far – been of little relevance in framing the Court’s authority;**

Or. en



**Amendment 13**  
**Kostas Chrysogonos**

**Draft opinion**  
**Paragraph 9 b (new)**

*Draft opinion*

*Amendment*

***9b. Notes that cases of corruption, improper behaviour, alcohol excesses, or refusal to work by members of the Court, which would prompt cries for judicial accountability, have been largely absent from its history; stresses that the rules on deprivation of office of a judge or Advocate General have never been applied in practice;***

Or. en

**Amendment 14**  
**Mady Delvaux**

**Draft opinion**  
**Paragraph 10 a (new)**

*Draft opinion*

*Amendment*

***10a. Considers it essential for Union institutions to be representative of EU citizens and accordingly underlines the importance of the objective set by Parliament and Council of achieving balanced representation of men and women in the appointment of General Court judges.***

Or. fr