



**2019/2058(DEC)**

10.10.2019

# **DRAFT OPINION**

of the Committee on Legal Affairs

for the Committee on Budgetary Control

on discharge in respect of the implementation of the general budget of the European Union for the financial year 2018, Section IV – Court of Justice (2019/2058(DEC))

Rapporteur for opinion: Gilles Lebreton

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## SUGGESTIONS

The Committee on Legal Affairs calls on the Committee on Budgetary Control, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

1. Notes the very high utilisation rate (99.18%) for final appropriations in the implementation of the budget for the financial year 2018, even higher than the rate in 2017 (98.69%);
2. Notes that the budget of the Court of Justice of the European Union (CJEU) is purely administrative, with approximately 75 % spent on staff and the remainder accounted for by buildings, furniture, information technology and miscellaneous operating expenditure;
3. Emphasises that, in its 2018 annual report, the Court of Auditors made no observations concerning the CJEU, as has been the case each year since 2010;
4. Welcomes the fact that the average length of proceedings before the Court of Justice decreased in 2018 (15.7 months as against 16.4 months in 2017), but at the same time is concerned that the average length of proceedings before the General Court increased sharply (20 months as against 16.3 months in 2017), although one reason may be the number of very large, complex competition cases that were settled in 2018;
5. Welcomes the fact that the two courts comprising the CJEU closed a combined total of 1769 cases in 2018, which is a record in terms of productivity and confirms the general trend between 2012 and 2018 of a major upswing in court activity;
6. Is pleased to see the steady increase in the number of e-Curia account requests (the number of accounts stood at 4865 in 2018, as against 4354 in 2017), and welcomes the fact that e-Curia has been in use in all the Member States since 2016, evidence that effective action has been taken to raise public awareness of the application and its advantages; emphasises that e-Curia has been the only channel for the exchange of information between parties' representatives and the General Court since 1 December 2018;
7. Welcomes the fact that, in line with the observations the Court of Auditors set out in its Special Report No 14/2017, preliminary work has already started on introducing a fully integrated case management system in order to significantly reduce the number of IT tools in use at the CJEU for the management of court activities; emphasises that such a system will do much to make case management at the CJEU more efficient;
8. Points out that the 'European Judicial Network', which includes the Member States' constitutional and supreme courts, has been set up and is being coordinated by the Court of Justice;
9. Notes that, in 2018, the Court reorganised its internal administration, which is now centred around three directorates-general rather than four: one for administration, one for multilingualism and one for information; notes that the aim is to foster more

effective cooperation among all departments at the Court and to ensure that those departments are better able to cope with the requirements imposed on them by the Court's judicial activities;

10. Questions whether it was necessary, however, to double the number of judges at the General Court, a decision which has been openly challenged by former judge Franklin Dehousse (*Le Jeudi*, 30 April 2019), and by the Court of Auditors, which noted that, in 2016, the General Court had begun 'to reduce the significant backlog of cases that had built up' before that decision even took effect (Special Report No 14/2017, 'Performance review of case management at the Court of Justice of the European Union', paragraph 90, p. 45); points out, as the Court of Auditors did, that, in the interests of the sound management of public funds, '[b]y 26 December 2020, the Court of Justice must report to the European Parliament, the Council and the Commission on the functioning of the General Court, covering [...] the necessity and effectiveness of the increase to 56 Judges' (ibid, footnote 13, p. 15).