



**COURT OF JUSTICE
OF
THE EUROPEAN UNION**

Luxembourg, 1 June 2010

TRANSFER OF APPROPRIATIONS No 2

Procedures under Article 24(4) of the Financial Regulation

TRANSFER OF APPROPRIATIONS FROM TITLE TO TITLE

This proposed transfer of appropriations from title to title falls within the ambit of Article 24(4) of the Financial Regulation. Its purpose is to release appropriations for external translation services placed in reserve in the 2010 budget procedure:

FROM	Title 10 ‘Other expenditure’	
	Chapter 100 ‘Provisional appropriations’	- 485 700 euros
	Budget appropriation	485 700
	Commitments entered in the accounts	0
	Estimated expenditure to year end	<u>0</u>
	Funds available	+ 485 700
	Transfer	- 485 700
TO	Title 1 ‘Persons working with the institution’	
	Chapter 14 ‘Other staff and external services’	
	Item 1406 ‘External services in the linguistic field’	+ 485 700 euros
	Budget appropriation	9 288 300
	Commitments entered in the accounts	7 477 769
	Estimated expenditure to year end	<u>2 296 231</u>
	Shortfall	- 485 700
	Transfer	+ 485 700

Reasons for this proposed transfer of appropriations

In point 6 of its resolution of 22 October 2009 on the draft general budget of the European Union for the financial year 2010, the European Parliament decides to introduce ‘a cross-cutting reserve of 5% for external translation services and stresses that this amendment is targeted towards all institutions with their own translation departments; the improvements requested include the re-negotiation of the current arrangements in place for the sharing of internal translation resources in view of realising efficiency gains and savings in the area of translation, also in line with the special report of the Court of Auditors¹ in this field; takes note of the fact that this reserve can thus be released when a concrete proposal for a system of internal translation resource sharing has been presented by the institutions and considered by the budgetary authority’.

¹ It should be recalled that the Court of Auditors, after a preliminary study of the specific features of the Court of Justice’s translation service, had decided not to include the Court of Justice in the scope of its audit.

Pursuant to that resolution, the **Translation executive committee** of the Inter-institutional Committee for Translation and Interpreting **sent the report requested to the Committee on Budgets on 11 May 2010**. That report (and annexes) provides a summary of all measures of inter-institutional cooperation and more specifically expands on how matters stand in relation to ‘workload balancing (WLB)’ and the new proposal to improve the flexibility of that system.

As a supplement to that report, **the Court of Justice considers it useful to point out in the annex to this document the specific features in the field of translation which are unique to the Court and the proposed additional measures of inter-institutional cooperation.**

It should also be stated that the Court of Justice is not able to control its workload, since it is under an obligation to deal with, as quickly as possible, all the cases which are submitted to it by various litigants (Member States, European institutions, national courts and tribunals, individuals, undertakings...). Consequently, due to the increased caseload and notwithstanding the savings measures taken by the courts in relation to translation,² the fact is that **the workload of the institution’s translation service is constantly increasing and at an accelerating rate** (+ 2.6% in 2007, +5.7% in 2008, + 6.7% in 2009). The recorded increase in the first four months of 2010 has even reached a rate of 16%. That situation means that there is now a very significant imbalance between the volume of input and the available resources, which is likely to jeopardise, first, the efforts made by the courts to reduce the duration of proceedings and, second, the retention of the objective of disseminating the case-law in real time in all the official languages. That background is the reason why by 30 April 2010 43.6% of the appropriations for free-lance translation entered in budget item 1406 have already had to be used.

In conclusion, since the conditions set by the budgetary authority have been met, the proposal is to release the reserve of 5% of the appropriations for external services in the field of translation. This measure is, indeed, now essential in order to maintain the service at the minimum level required to safeguard the management of multilingualism in the handling of judicial proceedings.

² Those measures (mainly dispensing with Opinions from the Advocates General, selective publication of decisions of the Court of Justice and the General Court and summaries of references for a preliminary ruling) have for several years made possible a substantial saving in pages to be translated (130 000 in 2009).