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DRAFT REPORT

on discharge in respect of the implementation of the general budget of the European Union for the financial year 2013, Section IV – Court of Justice (2014/2080(DEC))

Committee on Budgetary Control

Rapporteur: Ryszard Czarnecki
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1. PROPOSAL FOR A EUROPEAN PARLIAMENT DECISION

on discharge in respect of the implementation of the general budget of the European Union for the financial year 2013, Section IV – Court of Justice (2014/2080(DEC))

The European Parliament,

– having regard to the general budget of the European Union for the financial year 2013¹,

– having regard to the consolidated annual accounts of the European Union for the financial year 2013 (COM(2014)0510 – C8-0149/2014)²,

– having regard to the Court of Auditors’ annual report on the implementation of the budget concerning the financial year 2013, together with the institutions’ replies³,

– having regard to the statement of assurance⁴ as to the reliability of the accounts and the legality and regularity of the underlying transactions provided by the Court of Auditors for the financial year 2013, pursuant to Article 287 of the Treaty on the Functioning of the European Union,

– having regard to Article 314(10) and Articles 317, 318 and 319 of the Treaty on the Functioning of the European Union,

– having regard to Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities⁵,


– having regard to Rule 94 of and Annex V to its Rules of Procedure,

– having regard to the report of the Committee on Budgetary Control (A8-0000/2015),

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 2013 / 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 2013;

2. Sets out its observations in the resolution below;

¹ OJ L 66, 8.3.2013.
3. Instructs its President to forward this decision and the resolution forming an integral part of it to the European Council, the Council, the Commission, the Court of Justice of the European Union, the Court of Auditors, the European Ombudsman, the European Data Protection Supervisor and the European External Action Service, and to arrange for their publication in the Official Journal of the European Union (L series).
2. MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

with observations forming an integral part of the decision on discharge in respect of the implementation of the general budget of the European Union for the financial year 2013, Section IV – Court of Justice (2014/2080(DEC))

The European Parliament,

– having regard to its decision on discharge in respect of the implementation of the general budget of the European Union for the financial year 2013, Section IV – Court of Justice,

– having regard to Rule 94 of and Annex V to its Rules of Procedure,

– having regard to the report of the Committee on Budgetary Control (A8-0000/2015),

1. Notes with satisfaction that in its 2013 annual report, the Court of Auditors observed that no significant weaknesses had been identified in respect of the audited topics relating to human resources and procurement for the Court of Justice of the European Union ('Court of Justice');

2. Welcomes the fact that, on the basis of its audit work, the Court of Auditors concluded that the payments as a whole for the year ended on 31 December 2013 for administrative and other expenditure of the institutions and bodies were free from material error;

3. Notes that in 2013, the Court of Justice had appropriations amounting to EUR 354 880 000 (EUR 348 300 000 in 2012) and that the implementation rate was 96,3 %; regrets the decrease of the utilisation rate in 2013 when compared to that of 98,6 % in 2012;

4. Stresses, however, that the Court of Justice's budget is purely administrative, with a large amount being used on expenditure concerning persons working within the institution; takes note of the justification for the decrease in the utilisation rate stated in the Court of Justice's annual activity report for the 2013 financial year;

5. Points out that the reasons behind the unexpected ruling on salary adjustment are no longer applicable following the agreement on the new Staff Regulation in 2014;

6. Notes that the Court of Justice completed 701 cases in 2013 (595 completed cases in 2012), had 699 new cases brought before it (632 in 2012), including 450 appeals and references for preliminary ruling; endorses the positive statistical results and finds that despite the good outcome, there is still margin for improvement;

7. Takes note that in 2013 the General Court received 790 new cases, had 702 cases dealt with and 1325 cases pending, constituting a general increase in the number of proceedings when compared to 2012; notes also that the duration of proceedings has slightly decreased; points out that the creation of a ninth chamber did not contribute in 2013 to an
increase in the General Court's efficiency yet notwithstanding this, reiterates its position that the General Court needs reinforcement in the area of human resources;

8. Notes that in 2013, the Civil Service Tribunal had a decrease in the number of new cases and an increase in the amount of pending and completed cases when compared to 2012; believes that despite these poor results, the elimination of the Civil Service Tribunal is an inadequate solution to face the Council's long lasting blockage;

9. Considers that there is still a margin for improvement within the existing resources at the disposal of the Court of Justice; stresses that the internal reforms implemented in 2013, namely the creation of a new chamber in the General Court and the new Advocate General, as well as the revision of the Rules of Procedure and other supplementary rules have contributed to certain changes in the system and more can be done with further reforms;

10. Is concerned by the significant number of seminars cancelled at the last minute; asks the Court of Justice, through its interinstitutional contacts, to establish commonly used measures to prevent these late cancellations from recurring;

11. Takes note of the improvements made in the e-Curia application; acknowledges that the application has not yet achieved its full potential; recommends that the Court of Justice establish a plan to encourage all the Member States to use it;

12. Acknowledges the launch in 2013 of the digital case-law reports project to replace the paper case-law reports; is of the opinion that this project could have been implemented earlier;

13. Considers that the Court of Justice, taking into account the data provided in the annual activity report, can further reduce the number of paper copies without undermining its responsibilities;

14. Given that the Court of Justice had its first live web streaming broadcast in 2013, encourages the Court of Justice to use the technology further and widen its application to work related matters;

15. Notes the Court of Justice's policy of giving preference to the use of internal resources, in particular within the translation services; understands the difficulties in finding some language combinations with a legal expertise background; is concerned however with the very high unused appropriations - EUR 2 200 000 - allocated to freelance translation;

16. Asks the Court of Justice to consider implementing a system of translation "on demand" for specific cases and to make more frequent use of technological based translation tools;

17. Recognises that the quality of interpretation at the Court of Justice is fundamental and it is not possible to control the number of hearings; believes, however, that a more efficient planning of the hearings' calendar is possible; suggests that the Court of Justice, in its interinstitutional relations, looks for best practices undertaken by other institutions on this matter;
18. Expects that the Court of Justice will continue to look for new in-house synergies, in particular in the areas of translation and interpretation;

19. Reiterates the request to have the agenda of the Court of Justice meetings included as an annex in the annual activity report of the corresponding year;

20. Regrets the fact that the Member States which acceded the Union in the last 10 years are not represented in the top management of the institution; reiterates the need for a greater geographical balance at all levels within the administration;

21. Recommends the establishment of some objective criteria to define the excessive delay in the period for delivering judgments;

22. Takes note that the rules applied by the Court of Justice governing the private use of official cars are similar to those applied in other institutions; is of the opinion that those rules should be updated in order to reduce costs, notably in the case of private use;

23. Calls on the Court of Justice to consider a reduction in the number of official cars at the disposal of the Members and staff; is of the opinion that a revision of post assignments for drivers will thus be required;

24. Believes that the Court of Justice should improve its environmental commitment by further developing the existing measures to reduce emissions and to include environmental criteria in procurement;

25. Finds the amount of contracts concluded under negotiated procedure quite high; requests to be thoroughly informed of the reasons behind those decisions;

26. Takes note of the Court of Justice's building policy attached to the annual activity report;

27. Notes with satisfaction that the Court of Justice has prepared a thorough and detailed annual activity report and has included in it in-depth information on its human resources management, as requested by Parliament.