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DRAFT REPORT

on discharge in respect of the implementation of the European Union general budget for the financial year 2011, Section IV – Court of Justice
(COM(2012)0436 – C7-0227/2012 – 2012/2170(DEC))

Committee on Budgetary Control

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1. PROPOSAL FOR A EUROPEAN PARLIAMENT DECISION

on discharge in respect of the implementation of the European Union general budget for the financial year 2011, Section IV – Court of Justice (COM(2012)0436 – C7-0227/2012 – 2012/2170(DEC))

The European Parliament,

- having regard to the European Union general budget for the financial year 2011¹,
 - having regard to the consolidated annual accounts of the European Union for the financial year 2011 (COM(2012)0436 – C7-0227/2012)²,
 - having regard to the Annual Report of the Court of Auditors on implementation of the budget for the financial year 2011, 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 2011 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, and in particular Articles 50, 86, 145, 146 and 147 thereof,
 - having regard to Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002⁶, and in particular Articles 164, 165 and 166 thereof,
 - having regard to Rule 77 of, and Annex VI to, its Rules of Procedure,
 - having regard to the report of the Committee on Budgetary Control (A7-0000/2013),
1. Grants the Registrar of the Court of Justice discharge in respect of the implementation of the Court of Justice's budget for the financial year 2011; / Postpones its decision on granting the Registrar of the Court of Justice discharge in respect of the implementation of the Court of Justice's budget for the financial year 2011;
 2. Sets out its observations in the resolution below;

¹ OJ L 68, 15.3.2011.

² OJ C 348, 14.11.2012, p. 1.

³ OJ C 344, 12.11.2012, p. 1.

⁴ OJ C 348, 14.11.2012, p. 130.

⁵ OJ L 248, 16.9.2002, p. 1.

⁶ OJ L 298, 26.10.2012, p. 1.

3. Instructs its President to forward this Decision and the resolution that forms an integral part of it to the Council, the Commission, the Court of Justice of the European Union, the Court of Auditors, the European Ombudsman and the European Data Protection Supervisor, 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 the discharge for implementation of the European Union general budget for the financial year 2011, Section IV – Court of Justice (COM(2012)0436 – C7-0227/2012 – 2012/2170(DEC))

The European Parliament,

- having regard to the European Union general budget for the financial year 2011¹,
 - having regard to the consolidated annual accounts of the European Union for the financial year 2011 (COM(2012)0436 – C7-0227/2012)²,
 - having regard to the Annual Report of the Court of Auditors on implementation of the budget for the financial year 2011, 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 2011 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, and in particular Articles 50, 86, 145, 146 and 147 thereof,
 - having regard to Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002⁶, and in particular Articles 164, 165 and 166 thereof,
 - having regard to Rule 77 of, and Annex VI to, its Rules of Procedure,
 - having regard to the report of the Committee on Budgetary Control (A7-0000/2013),
1. Notes with satisfaction that in its 2011 annual report, the Court of Auditors observed that no significant weaknesses had been identified in respect of the audited topics related to human resources and procurement for the Court of Justice of the European Union ('Court of Justice');

¹ OJ L 68, 15.3.2011.

² OJ C 348, 14.11.2012, p. 1.

³ OJ C 344, 12.11.2012, p. 1.

⁴ OJ C 348, 14.11.2012, p. 130.

⁵ OJ L 248, 16.9.2002, p. 1.

⁶ OJ L 298, 26.10.2012, p. 1.

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 2011 for administrative and other expenditure of the institutions and bodies were free from material error;
3. Notes that in 2011, the Court of Justice had commitment appropriations amounting to EUR 335 904 453,30 (EUR 323 784 221,30 in 2010) and the implementation rate was 98,4%, higher than in 2010; stresses that the rate of implementation could have reached 99% if the Council had accepted the Commission's proposal for the staff salary adjustment; recalls that the Court of Justice's budget is purely administrative;
4. Expresses its concern that the amount of pending cases in the General Court had greatly increased in 2010 and that that trend was maintained in 2011; believes that the General Court needs human resources reinforcement; finds that the proposal for the creation of additional appointments of judges in the General Court, which is still under examination in the Council, could contribute to moderate that trend;
5. Notes that the Civil Service Tribunal has a steady evolution of new, pending and completed cases in recent years;
6. Welcomes the eCuria application, which came into operation in November 2011; notes with satisfaction that this application has contributed, as far as the Court of Justice is concerned, to a 25% decrease in the use of paper between 2011 and 2012 and to savings of EUR 150 000; asks Parliament's Committee on Budgetary Control to be given an accurate description of costs relating to the creation, maintenance and updating of the eCuria application ;
7. Asks to be informed of the measures taken to resolve informatics breakdowns which can affect the eCuria performance;
8. Considers very positive that by the end of 2012, 14 Member States, two European Free Trade Association countries and five European institutions (in particular Parliament, the Council and the Commission) were active users of eCuria;
9. Notes with satisfaction the creation of a new search engine for consulting case law and the availability of the catalogue of the Court of Justice's library online in order to bring citizens closer to the Court of Justice as a Union institution;
10. Takes note of the modification of the Court of Justice's administrative structure with the creation of a Directorate of Protocol and Information; expects that the annual activity report 2012 gives a detailed description of the benefits that the change has brought for the Court of Justice's performance;
11. Finds the engagement of the Court of Justice in holding a collection of works of art representative of the Union's artistic heritage an ambitious project requiring specialised resources; invites the Court of Justice to explain how this project articulates with the traditional activities of the Court of Justice; takes note that in 2012, the Court of Justice paid EUR 7500 to insure a collection valued at EUR 2 400 000;
12. Welcomes the fact that the Court of Justice allowed 5% of its permanent interpreters to

add another working language to their language combinations in 2011; highlights that this was possible due to intensive language training;

13. Notes that the number of hearings and other meetings with interpretation continue to grow in 2011, which was mainly attributable to enlargement and the entry into force of the Treaty of Lisbon;
14. Recognises that interinstitutional cooperation in regard to the recruitment of interpreters represents considerable savings for the Court of Justice;
15. Takes note of the new activities in 2011 of the Directorate for Infrastructure and asks that the Court of Justice give further information to Parliament's Committee on Budgetary Control on the building project for the fifth extension to the Court of Justice's buildings;
16. Welcomes the fact that the Court of Justice has prepared such a thorough and detailed annual activity report and has included in it in-depth information on its human resources management, as requested by Parliament.