



2017/2139(DEC)

2.3.2018

AMENDMENTS

1 - 61

Draft report

Marco Valli

2016 discharge: EU general budget - Court of Justice
(2017/2139(DEC))

Amendment 1
Arndt Kohn

Proposal for a decision 1
Paragraph 1

Proposal for a decision

1. Grants the Registrar of the Court of Justice of the European Union discharge in respect of the implementation of the budget of the Court of Justice of the European Union for the financial year 2016 /
Postpones its decision on granting the Registrar of the Court of Justice of the European Union discharge in respect of the implementation of the budget of the Court of Justice of the European Union for the financial year 2016;

Amendment

1. Grants the Registrar of the Court of Justice of the European Union discharge in respect of the implementation of the budget of the Court of Justice of the European Union for the financial year 2016;

Or. en

Amendment 2
José Ignacio Salafranca Sánchez-Neyra

Proposal for a decision 1
Paragraph 1

Proposal for a decision

1. Grants the Registrar of the Court of Justice of the European Union discharge in respect of the implementation of the budget of the Court of Justice of the European Union for the financial year 2016 /
Postpones its decision on granting the Registrar of the Court of Justice of the European Union discharge in respect of the implementation of the budget of the Court of Justice of the European Union for the financial year 2016;

Amendment

1. Grants the Registrar of the Court of Justice of the European Union discharge in respect of the implementation of the budget of the Court of Justice of the European Union for the financial year 2016;

Or. en

Amendment 3
Monica Macovei

Proposal for a decision 1
Paragraph 1

Proposal for a decision

1. Grants the Registrar of the Court of Justice of the European Union discharge in respect of the implementation of the budget of the Court of Justice of the European Union for the financial year 2016 /
Postpones its decision on granting the Registrar of the Court of Justice of the European Union discharge in respect of the implementation of the budget of the Court of Justice of the European Union for the financial year 2016;

Amendment

1. Grants the Registrar of the Court of Justice of the European Union discharge in respect of the implementation of the budget of the Court of Justice of the European Union for the financial year 2016;

Or. en

Amendment 4
Marco Valli

Proposal for a decision 1
Paragraph 1

Proposal for a decision

1. Grants the Registrar of the Court of Justice of the European Union discharge in respect of the implementation of the budget of the Court of Justice of the European Union for the financial year 2016 /
Postpones its decision on granting the Registrar of the Court of Justice of the European Union discharge in respect of the implementation of the budget of the Court of Justice of the European Union for the financial year 2016;

Amendment

1. Grants the Registrar of the Court of Justice of the European Union discharge in respect of the implementation of the budget of the Court of Justice of the European Union for the financial year 2016;

Or. en

Amendment 5
Ryszard Czarnecki, Raffaele Fitto, Notis Marias, Beata Gosiewska, Richard Sulík

Proposal for a decision 1
Paragraph 1

Proposal for a decision

1. ***Grants the Registrar of the Court of Justice of the European Union discharge in respect of the implementation of the budget of the Court of Justice of the European Union for the financial year 2016*** / Postpones its decision on granting the Registrar of the Court of Justice of the European Union discharge in respect of the implementation of the budget of the Court of Justice of the European Union for the financial year 2016;

Amendment

1. Postpones its decision on granting the Registrar of the Court of Justice of the European Union discharge in respect of the implementation of the budget of the Court of Justice of the European Union for the financial year 2016;

Or. en

Amendment 6

Petri Sarvamaa, José Ignacio Salafranca Sánchez-Neyra

Motion for a resolution

Paragraph 3

Motion for a resolution

3. Notes that in 2016, the CJEU had appropriations amounting to EUR 380 002 000 (compared to EUR 357 062 000 in 2015) and that the implementation rate was 98,2%; ***notes the decrease of the utilisation rate when*** compared to previous years;

Amendment

3. Notes that in 2016, the CJEU had appropriations amounting to EUR 380 002 000 (compared to EUR 357 062 000 in 2015) and that the implementation rate was 98,2%; ***acknowledges the high rate of utilisation; notes, however, a slight decrease*** compared to previous years;

Or. en

Amendment 7

Monica Macovei

Motion for a resolution

Paragraph 3 b (new)

Motion for a resolution

Amendment

3 b. Notes that the estimated revenue of the CJEU for the financial year 2016 was EUR 51 505 000 whereas the established entitlements were 3,1 % lower than

estimated (EUR 49 886 228); notes that the difference of EUR 1,62 million is mainly attributed to the late arrival in 2016 of 16 of the 19 additional judges at the General Court;

Or. en

Amendment 8

Wolf Klinz, Nedzhmi Ali, Martina Dlabajová

Motion for a resolution

Paragraph 3 a (new)

Motion for a resolution

Amendment

3 a. Notes that during the discharge procedure, Annual Activity reports are currently submitted to the Court of Auditors in June, submitted by the Court of Auditors to the European Parliament in October and voted in plenary by May; notes that by the time discharge is closed, if not postponed, at least 17 months have passed since the closing of annual accounts; points out that auditing in the private sector follows a much stricter timeline; stresses that the discharge procedure needs to be streamlined and sped up; requests that the CJEU and the Court of Auditors follow the good example set by the private sector and proposes to set a deadline for the submission of Annual Activity reports on 31 March of the following year, a deadline for the submission for the Court of Auditor's reports on the 1st of July and subsequently to review the timetable for the discharge procedure as set down in Article 5 of Annex IV to Parliament's Rules of Procedure so that the vote on the discharge can be held in the plenary part-session of November, thereby closing the discharge procedure within the year following the accounting year in question;

Or. en

Amendment 9

Monica Macovei, Ryszard Czarnecki, Richard Sulík

Motion for a resolution

Paragraph 3 a (new)

Motion for a resolution

Amendment

3 a. Is concerned that the commitments for missions in 2016 were EUR 342 000 whereas payments were only EUR 157 974; calls on the Court to ensure sound financial planning in order to avoid a similar discrepancy in the future;

Or. en

Amendment 10

José Ignacio Salafranca Sánchez-Neyra

Motion for a resolution

Paragraph 3 a (new)

Motion for a resolution

Amendment

3 a. Notes that the commitments for missions in 2016 were EUR 342 000 whereas payments were only EUR 157 974; calls on the CJEU to put more effort into better financial planning in order to avoid a similar discrepancy in the future;

Or. en

Amendment 11

Dennis de Jong

Motion for a resolution

Paragraph 3 a (new)

Motion for a resolution

Amendment

3 a. Is concerned that the CJEU consistently overestimates the commitments required for missions and calls on the CJEU to reassess the amount

allocated to the corresponding budgetary item when preparing its estimates for the 2019 budget;

Or. en

Amendment 12

Wolf Klinz, Nedzhmi Ali, Martina Dlabajová

Motion for a resolution

Paragraph 3 b (new)

Motion for a resolution

Amendment

3 b. Welcomes the overall prudent and sound financial management of the CJEU in the 2016 budget period; expresses support for the successful paradigm shift towards performance-based budgeting in the Commission's budget planning introduced by Vice-President Kristalina Georgieva in September 2015 as part of the "EU Budget Focused on Results" initiative; encourages the Court to apply the method to its own budget-planning procedure;

Or. en

Amendment 13

Dennis de Jong

Motion for a resolution

Paragraph 3 b (new)

Motion for a resolution

Amendment

3 b. Requests the CJEU to introduce a more targeted performance based approach in respect of the external activities of judges for the dissemination of EU law, as the criterion used seems rather general and the effects of these activities are not clearly measured;

Or. en

Amendment 14

Petri Sarvamaa, José Ignacio Salafranca Sánchez-Neyra

Motion for a resolution

Paragraph 4

Motion for a resolution

4. Notes that the CJEU's budget is mostly administrative, with around 75% being used on expenditure concerning persons working within the institution and the remaining on buildings, furniture, equipment and special functions carried out by the institution; notes that, following the Parliament's request, the CJEU has asked its administrative services to introduce the results-based budgeting principle in their field of activity; asks the CJEU to continue applying that principle in its daily administrative operations;

Amendment

4. Notes that the CJEU's budget is mostly administrative, with around 75% being used on expenditure concerning persons working within the institution and the remaining on buildings, furniture, equipment and special functions carried out by the institution; notes that, following the Parliament's request, the CJEU has asked its administrative services to introduce the results-based budgeting principle in their field of activity; asks the CJEU to continue applying that principle in its daily administrative operations, ***and to report back to the discharge authority on its experiences, and the results achieved;***

Or. en

Amendment 15

Monica Macovei

Motion for a resolution

Paragraph 5

Motion for a resolution

5. Notes the judicial activity of the CJEU in 2016, with 1604 cases brought before the three courts and 1628 cases completed in that year; also notes that the average duration of proceedings was 16,7 months which was slightly higher than in 2015 (16,1 months); recalls the necessity to guarantee the quality and rapidity with which the CJEU delivers its decisions in order to avoid any significant costs for the parties concerned, arising from the excessive length of time taken;

Amendment

5. Notes the judicial activity of the CJEU in 2016, with 1604 cases brought before the three courts and 1628 cases completed in that year; also notes that the average duration of proceedings was 16,7 months which was slightly higher than in 2015 (16,1 months); ***welcomes the fact that due to reform of the CJEU the average time taken to decide a case in 2017 was 16,0 months;*** recalls the necessity to guarantee the quality and rapidity with which the CJEU delivers its decisions in order to avoid any significant

costs for the parties concerned, arising from the excessive length of time taken;

Or. en

Amendment 16
Monica Macovei

Motion for a resolution
Paragraph 5 a (new)

Motion for a resolution

Amendment

5 a. Welcomes the fact that by 26 December 2020 the CJEU will draw up a report on the functioning of the General Court involving an external consultant which will be submitted to the European Parliament, the Council and the Commission;

Or. en

Amendment 17
Monica Macovei

Motion for a resolution
Paragraph 8

Motion for a resolution

Amendment

8. Acknowledges that the Civil Service Tribunal ceased to exist on 1st September 2016 and therefore its activity must be considered over a period of only eight months; notes that it completed 169 cases and had 77 new cases, with a considerable decrease in the number of pending cases (compared to 231 in 2015, and 139 in 2016); ***reiterates its call for an in-depth*** assessment of the ***ten years*** of the tribunal's existence;

8. Acknowledges that the Civil Service Tribunal ceased to exist on 1st September 2016 and therefore its activity must be considered over a period of only eight months; notes that it completed 169 cases and had 77 new cases, with a considerable decrease in the number of pending cases (compared to 231 in 2015, and 139 in 2016); ***notes that an*** assessment of the ***functioning*** of the ***Civil Service Tribunal*** is contained in the CJEU's proposals on the reform of the Court's Statute which the CJEU addressed to the legislative authority in 2011 and 2014 and which was put forward to the Discharge

Amendment 18

Arndt Kohn

Motion for a resolution

Paragraph 8

Motion for a resolution

8. Acknowledges that the Civil Service Tribunal ceased to exist on 1st September 2016 and therefore its activity must be considered over a period of only eight months; notes that it completed 169 cases and had 77 new cases, with a considerable decrease in the number of pending cases (compared to 231 in 2015, and 139 in 2016); reiterates its call for an in-depth assessment of the ten years of the tribunal's existence;

Amendment

8. Acknowledges that the Civil Service Tribunal ceased to exist on 1st September 2016 and therefore its activity must be considered over a period of only eight months; notes that it completed 169 cases and had 77 new cases, with a considerable decrease in the number of pending cases (compared to 231 in 2015, and 139 in 2016); **welcomes the information included in the CJEU's proposals on the reform of the Court's Statute which was submitted to the Parliament in the annex of the reply to the discharge questionnaire for 2016;** reiterates its call for an in-depth assessment of the ten years of the tribunal's existence;

Amendment 19

José Ignacio Salafranca Sánchez-Neyra

Motion for a resolution

Paragraph 9

Motion for a resolution

9. Notes the entry into force of the Code of Conduct for Members and former Members of the Court of Justice of the European Union which sets rules reflecting several of **the** Parliament's concerns regarding declarations of interest and external activities; supports the **CJEU's**

Amendment

9. Notes the entry into force of the Code of Conduct for Members and former Members of the Court of Justice of the European Union which sets rules reflecting several of Parliament's concerns regarding declarations of interest and external activities; supports the **CJEU in**

decision to set up rules on ‘revolving doors’ in 2018;

implementing its decision to set up rules on ‘revolving doors’ in 2018;

Or. en

Amendment 20

Monica Macovei, Ryszard Czarnecki, Dennis de Jong, Richard Sulík, Petri Sarvamaa, Patricija Šulin, Tomáš Zdechovský

Motion for a resolution

Paragraph 9 a (new)

Motion for a resolution

Amendment

9 a. Urges the CJEU to publish curricula vitae and declarations of interest for all CJEU members, listing membership to any other organisations;

Or. en

Amendment 21

Monica Macovei, Ryszard Czarnecki, Dennis de Jong, Richard Sulík

Motion for a resolution

Paragraph 9 b (new)

Motion for a resolution

Amendment

9 b. Regrets the absence of rules on 'revolving doors' and urges the CJEU to establish and implement strict obligations in regard thereto;

Or. en

Amendment 22

Arndt Kohn, Caterina Chinnici

Motion for a resolution

Paragraph 11

Motion for a resolution

Amendment

11. *Notes with regret that in 2016, the General Court exceeded the reasonable period of time within which a litigant is entitled to expect judgement to be delivered; calls on the Court to include in its annual activity report the number of cases where it exceeded the reasonable period of time, whether the litigant asked for an indemnity and the amount of any corresponding payment;*

11. *Welcomes the overall decrease of the duration of proceedings in 2016, noted by the Court of Auditors in its Special Report No 14/2017^{1a} by an average of 0,9 months at the Court of Justice and 1,9 months at the General Court compared to 2015; welcomes the organisational and procedural actions taken by the CJEU to enhance its efficiency and encourages the Court to pursue its effort to ensure the continuation of a downward trend so that all cases are concluded within a reasonable period of time;*

^{1a} *Court of Auditors Special Report No 14/2017 "Performance Review of case management at the Court of Justice of the European Union".*

Or. en

Amendment 23

José Ignacio Salafranca Sánchez-Neyra

Motion for a resolution

Paragraph 11

Motion for a resolution

11. Notes with regret that in 2016, the General Court exceeded the reasonable period of time within which a litigant is entitled to expect **judgement** to be delivered; calls on the **Court** to include in its annual activity report the number of cases where it exceeded the reasonable period of time, whether the litigant asked for an indemnity and the amount of any corresponding payment;

Amendment

11. Notes with regret that **in some cases** in 2016, the General Court exceeded the reasonable period of time within which a litigant is entitled to expect **judgment** to be delivered **compared to the previous year**; calls on the **CJEU** to include in its annual activity report the number of cases where it exceeded the reasonable period of time, whether the litigant asked for an indemnity and the amount of any corresponding payment, **complying with data protection rules**;

Or. en

Amendment 24

Benedek Jávör

Motion for a resolution
Paragraph 12

Motion for a resolution

12. Maintains that information on the external activities of each judge should be made accessible to the general public and therefore published on the website of the **CJEU** and included in its annual activity report;

Amendment

12. Maintains that information on the external activities of each judge should be made accessible to the general public and therefore published on the website of the **CJEU** and included in its annual activity report, ***including the name of the event, the venue, the role of the judges and the travel and subsistence costs and if it was paid by the CJEU or third party;***

Or. en

Amendment 25
Petri Sarvamaa, José Ignacio Salafranca Sánchez-Neyra

Motion for a resolution
Paragraph 12

Motion for a resolution

12. ***Maintains that information*** on the external activities of each judge ***should be made accessible to the general public and therefore published*** on the website ***of the CJEU*** and included in its annual activity report;

Amendment

12. ***Reiterates its call for a greater level of transparency*** on the external activities of each judge; ***calls*** on the ***CJEU to provide information regarding other posts and paid external activities of the judges on its website and in its annual activity reports in order to enhance transparency;***

Or. en

Amendment 26
Arndt Kohn

Motion for a resolution
Paragraph 12 a (new)

Motion for a resolution

Amendment

12 a. Notes that one of two judges for the Tribunal of First Instance who were

appointed on 1 April until 31 August 2016 was paid an installation allowance (EUR 18 962,25), in accordance with Article 4 (a) of Council Regulation (EU) 2016/300^{1a}, travel expenses (EUR 493,10) in accordance with Article 4 (c) of that Regulation, and removal expenses (EUR 2 972,91) in accordance with its Article 4 (d); notes, moreover, that the same judge was paid a transitional allowance for six months amounting, in total to EUR 47 070, at the end of the mandate; criticises that the total allowance of EUR 69 498,26 is not proportionate to a mandate of less than four months; calls on the CJEU to consider whether the duration of the mandate is proportionate to the above mentioned allowances when appointing future judges; calls on the Council to reconsider the conditions and amounts of these allowances and revise Council Regulation (EU) 2016/300 accordingly;

^{1a} Council Regulation (EU) 2016/300 of 29 February 2016 determining the emoluments of EU high-level public office holders (OJ L 58, 4.3.2016, p. 1).

Or. en

Amendment 27

Petri Sarvamaa, José Ignacio Salafranca Sánchez-Neyra

Motion for a resolution

Paragraph 13

Motion for a resolution

13. Is of the opinion that the CJEU should ***produce*** minutes of meetings held with lobbyists, professional associations and civil society actors, when this does not undermine the confidentiality of ongoing cases;

Amendment

13. Is of the opinion that the CJEU should ***consider producing*** minutes of meetings held with lobbyists, professional associations and civil society actors, when this does not undermine the confidentiality of ongoing cases;

Or. en

Amendment 28
Monica Macovei, Ryszard Czarnecki, Richard Sulík

Motion for a resolution
Paragraph 13 a (new)

Motion for a resolution

Amendment

13 a. Asks the CJEU to publish the meetings with the professional associations as well as agents representing the Member States;

Or. en

Amendment 29
Monica Macovei

Motion for a resolution
Paragraph 14

Motion for a resolution

Amendment

14. Criticises the Court for refusing access for the Court of Auditors to all the documents relevant in audit of the performance review of the CJEU and for only allowing the auditors to consult publicly available documents; reminds the CJEU that the Court of Auditors' Members and its auditors are bound by confidentiality and professional secrecy in the performance of their duties⁶ ; regrets that référendaires could not be interviewed despite their crucial role in the CJEU's work;

14. Notes that the Court justifiably refused the Court of Auditors access to certain documents, such as internal notes and memoranda between the Registry and the Judges/Advocates-General and certain parts of the Judge's preliminary reports; regrets that référendaires could not be interviewed despite their crucial role in the CJEU's work;

⁶ Please see the Code of Conduct for Members of the European Court of Auditors in article 6 and the Ethical guidelines for the European Court of Auditors applying to the staff in paragraph 4 concerning professional secrecy.

Or. en

Amendment 30
Arndt Kohn, Caterina Chinnici

Motion for a resolution
Paragraph 14

Motion for a resolution

14. *Criticises the Court for refusing access for the Court of Auditors to all the documents relevant in audit of the performance review of the CJEU and for only allowing the auditors to consult publicly available documents; reminds the CJEU that the Court of Auditors' Members and its auditors are bound by confidentiality and professional secrecy in the performance of their duties⁶ ; regrets that référendaires could not be interviewed despite their crucial role in the CJEU's work;*

⁶ Please see the Code of Conduct for Members of the European Court of Auditors in article 6 and the Ethical guidelines for the European Court of Auditors applying to the staff in paragraph 4 concerning professional secrecy.

Amendment

14. *Notes that the Court of Auditors did not have access to certain documents; underlines that some documents should remain restricted to the Judges, Advocates-General and selected CJEU staff due to the Treaty obligation to maintain the secrecy of the deliberative process^{6a}; calls on the CJEU to provide access for the Court of Auditors to all documents it needs for its audits to the extent as this does not infringe the obligation to maintain secrecy of the deliberative process;*

^{6a} Article 35 of Protocol No 3 on the Statute of the Court of the European Union.

Or. en

Amendment 31
José Ignacio Salafranca Sánchez-Neyra

Motion for a resolution
Paragraph 14

Motion for a resolution

14. *Criticises the Court for refusing access for the Court of Auditors to all the documents relevant in audit of the performance review of the CJEU and for only allowing the auditors to consult*

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Amendment

14. *Notes with concern that the Court refused the access for the Court of Auditors to all the documents relevant in audit of the performance review of the CJEU; reminds the CJEU that the Court of*

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publicly available documents; reminds the CJEU that the Court of Auditors' Members and its auditors are bound by confidentiality and professional secrecy in the performance of their duties⁶; regrets that référendaires could not be interviewed despite their crucial role in the CJEU's work;

⁶ Please see the Code of Conduct for Members of the European Court of Auditors in article 6 and the Ethical guidelines for the European Court of Auditors applying to the staff in paragraph 4 concerning professional secrecy.

Auditors' Members and its auditors are bound by confidentiality and professional secrecy in the performance of their duties⁶; ***calls to the CJEU to keep on working with the Court of Auditors and keep on improving its cooperation with the auditors providing all the necessary documents when they do not compromise the duties of the CJEU or the data protection rules***; regrets that référendaires could not be interviewed despite their crucial role in the CJEU's work;

⁶ Please see the Code of Conduct for Members of the European Court of Auditors in article 6 and the Ethical guidelines for the European Court of Auditors applying to the staff in paragraph 4 concerning professional secrecy.

Or. en

Amendment 32

Marco Valli

Motion for a resolution

Paragraph 14

Motion for a resolution

14. Criticises the Court for refusing ***access for*** the Court of Auditors ***to all*** the documents ***relevant in audit of*** the performance review of the CJEU ***and for only allowing the auditors to consult publicly available documents***; reminds the CJEU that the Court of Auditors' Members and its auditors are bound by confidentiality and professional secrecy in the performance of their duties⁶; regrets that référendaires could not be interviewed despite their crucial role in the CJEU's work;

⁶ Please see the Code of Conduct for Members of the European Court of Auditors in article 6 and the Ethical

Amendment

14. Criticises the Court for refusing the Court of Auditors ***access to some of*** the documents ***requested with regard to*** the performance review of the CJEU; reminds the CJEU that the Court of Auditors' Members and its auditors are bound by confidentiality and professional secrecy in the performance of their duties; regrets that référendaires could not be interviewed despite their crucial role in the CJEU's work;

guidelines for the European Court of Auditors applying to the staff in paragraph 4 concerning professional secrecy.

Or. en

Amendment 33
Ingeborg Gräßle

Motion for a resolution
Paragraph 14

Motion for a resolution

14. Criticises the Court for refusing access for the Court of Auditors to *all* the documents *relevant in audit* of the performance review of the CJEU and for only allowing the auditors to consult publicly available documents; reminds the CJEU that the Court of Auditors' Members and its auditors are bound by confidentiality and professional secrecy in the performance of their duties⁶ ; regrets that référendaires could not be interviewed despite their crucial role in the CJEU's work;

⁶ Please see the Code of Conduct for Members of the European Court of Auditors in article 6 and the Ethical guidelines for the European Court of Auditors applying to the staff in paragraph 4 concerning professional secrecy.

Amendment

14. Criticises the Court for refusing access for the Court of Auditors to *some of* the documents *they requested for* of the performance review of the CJEU and for only allowing the auditors to consult publicly available documents; reminds the CJEU that the Court of Auditors' Members and its auditors are bound by confidentiality and professional secrecy in the performance of their duties⁶ ; regrets that référendaires could not be interviewed despite their crucial role in the CJEU's work;

⁶ Please see the Code of Conduct for Members of the European Court of Auditors in article 6 and the Ethical guidelines for the European Court of Auditors applying to the staff in paragraph 4 concerning professional secrecy.

Or. en

Amendment 34
José Ignacio Salafranca Sánchez-Neyra

Motion for a resolution
Paragraph 15

Motion for a resolution

Amendment

15. *Notes that the référendaires are very influential within the CJEU but that their role and the rules governing their conduct remain unknown to the outside world;*

15. *Underlines that the role of the référendaires is to assist the Members of the Court in examining cases and in drafting under their supervision legal documents, such as judgments, orders, opinions or memoranda; underlines that the decision from 2009 related to the rules of conduct of these agents is still in force;*

Or. en

Amendment 35
Arndt Kohn, Caterina Chinnici

Motion for a resolution
Paragraph 15

Motion for a resolution

15. Notes that the référendaires *are very influential within the CJEU but that their role and the rules governing their conduct remain unknown to the outside world;*

Amendment

15. Notes that the *rules of conduct for référendaires were adopted by the CJEU in 2009 and have been provided to the Committee of Budgetary Control in the CJEU's reply to the questionnaire concerning the 2016 discharge;*

Or. en

Amendment 36
Ingeborg Gräßle

Motion for a resolution
Paragraph 15

Motion for a resolution

15. Notes that the référendaires are very influential within the CJEU but that their role and the rules governing their conduct remain unknown to the outside world;

Amendment

15. Notes that the référendaires are very influential within the CJEU but that their role and the rules governing their conduct remain unknown to the outside world; *notes that référendaires are selected by the Members for whom they will work and that there are minimum recruitment criteria; calls on the CJEU to implement a policy allowing for a more flexible allocation of existing référendaires to help mitigate problems;*

Amendment 37
Ingeborg Gräßle

Motion for a resolution
Paragraph 15 a (new)

Motion for a resolution

Amendment

15 a. Notes with concern that the CJEU could not evaluate the capacity of judges and référendaires managing cases because the CJEU does not collect any information on the amount of time a judge or a référendaire spent on a case; notes that a study will be carried out in order to evaluate the extent to which the introduction of a system for monitoring the use of resources would provide useful data; asks the CJEU to present the results of the study to the European Parliament;

Or. en

Amendment 38
Ingeborg Gräßle

Motion for a resolution
Paragraph 15 b (new)

Motion for a resolution

Amendment

15 b. Considers the answer given by the CJEU to Parliament's question (Question 50) on the costs of their cases to be unsatisfactory; asks the CJEU to consider a monitoring system to calculate the costs of each case;

Or. en

Amendment 39
Ingeborg Gräßle

Motion for a resolution
Paragraph 15 c (new)

Motion for a resolution

Amendment

15 c. *Notes the permanent monitoring of the evolution of potential backlog and delays within chambers; regrets that the CJEU has not reported to Parliament on data relating to the failure to comply with indicative time frames because it concerns the internal organisation of the Courts;*

Or. en

Amendment 40
Ingeborg Gräßle

Motion for a resolution
Paragraph 15 d (new)

Motion for a resolution

Amendment

15 d. *Notes with concern that one of the most frequent factors affecting the duration of the handling of cases are judicial vacations^{1a}; notes that there were 14 weeks of judicial vacations in 2016; asks the greffier to propose solutions to the European Parliament;*

^{1a} *See ECA Special report no 14/2017: Performance review of case management at the Court of Justice of the European Union, p. 31*

Or. en

Amendment 41
Ingeborg Gräßle

Motion for a resolution
Paragraph 15 e (new)

Motion for a resolution

Amendment

15 e. *Is concerned that the reception and processing of procedural documents by the registry is the most frequent factor affecting the duration of the written procedure at the General Court^{1a}; notes that the cases before the General Court are notably characterised by the volume of the documents; calls on the General Court to further monitor the number and complexity of cases in order to ensure that the registry has sufficient resources;*

^{1a} *See ECA Special report no 14/2017: Performance review of case management at the Court of Justice of the European Union, p. 27*

Or. en

Amendment 42
Ingeborg Gräßle

Motion for a resolution
Paragraph 15 f (new)

Motion for a resolution

Amendment

15 f. *Underlines the recommendation of the Court of Auditors in its Special Report No 14/2017 to measure performance on a case by case basis by reference to a tailored time-frame, taking account of the actual resources employed;*

Or. en

Amendment 43
Benedek Jávor

Motion for a resolution
Paragraph 16

Motion for a resolution

Amendment

16. Notes that following the reform of the CJEU's judicial structure, the

16. Notes that following the reform of the CJEU's judicial structure, the

allocation of judges to the chambers is made according to the caseload in different areas; is interested to know how this allocation is made and whether specialised chambers are in place for certain areas;

allocation of judges to the chambers is made according to the caseload in different areas; is interested to know how this allocation is made and whether specialised chambers are in place for certain areas ***and asks for an analysis how the allocation affects the speed of the handling of cases***

Or. en

Amendment 44 Ingeborg Gräßle

Motion for a resolution Paragraph 17

Motion for a resolution

17. Notes the process for assigning cases referred to the Courts; asks the CJEU to provide the rules stipulating the procedure of assignment in both Courts;

Amendment

17. Notes the process for assigning cases referred to the Courts; ***notes that in 2016, as in the previous years, around 40% of cases in the General Court were assigned outside of the rota system, which puts the system itself into question***; asks the CJEU to provide the rules stipulating the procedure of assignment in both Courts;

Or. en

Amendment 45 Benedek Jávor

Motion for a resolution Paragraph 20

Motion for a resolution

20. Notes the high rate of occupation of posts (almost 98%) despite the high staff turnover rate; notes the difficulties stated by the CJEU with recruiting permanent staff in entry-level grades;

Amendment

20. Notes the high rate of occupation of posts (almost 98%) despite the high staff turnover rate; notes the difficulties stated by the CJEU with recruiting permanent staff in entry-level grades; ***asks for an assessment by the CJEU on the reasons of the high turnover and the measures put in place or intended to put in place to improve the situation***;

Amendment 46

Wolf Klinz, Nedzhmi Ali, Martina Dlabajová

Motion for a resolution

Paragraph 20 a (new)

Motion for a resolution

Amendment

20 a. Observes that the 5% staff reduction agreement has led to institutions increasingly hiring staff with temporary contracts; regrets that internal competitions are organised with the aim and result of retaining staff that have previously held the same position under previous temporary contracts; considers it more cost and time efficient as well as transparent and fair if well-performing staff with temporary contracts would be switched to permanent contracts without the added financial and administrative burden of organising competitions with pre-determined outcomes at the expense of disappointing outside applicants;

Or. en

Amendment 47

Benedek Jávor

Motion for a resolution

Paragraph 24

Motion for a resolution

Amendment

24. Encourages the CJEU's actions taken in 2016 to improve gender balance in senior and middle-management posts; **notes with** concern the geographic imbalance at middle and senior management level and calls on the CJEU to work towards improvements in this regard;

24. Encourages the CJEU's actions taken in 2016 to improve gender balance in senior and middle-management posts; **reiterates its** concern **on** the geographic imbalance at middle and senior management level and calls on the CJEU to work towards improvements in this regard;

Or. en

Amendment 48

Petri Sarvamaa, José Ignacio Salafranca Sánchez-Neyra

Motion for a resolution

Paragraph 24

Motion for a resolution

24. ***Encourages*** the CJEU's actions taken in 2016 to improve gender balance in senior and middle-management posts; notes ***with concern*** the geographic imbalance at middle and senior management level and calls on the CJEU to ***work*** towards improvements in this regard;

Amendment

24. ***Acknowledges*** the CJEU's actions taken in 2016 to improve gender balance in senior and middle-management posts; notes the geographic imbalance at middle and senior management level and calls on the CJEU to ***aim*** towards improvements in this regard;

Or. en

Amendment 49

Arndt Kohn

Motion for a resolution

Paragraph 24 a (new)

Motion for a resolution

Amendment

24 a. Notes that the CJEU offered 245 traineeships in 2016; regrets that 188 traineeships in cabinets were not remunerated; calls on the CJEU to find a solution to provide a decent remuneration to all trainees working in the institution with a view to ensuring equal opportunities;

Or. en

Amendment 50

Ingeborg Gräßle

Motion for a resolution

Paragraph 25

Motion for a resolution

Amendment

25. Notes the CJEU's investment in IT tools to improve case management; asks the CJEU to provide detailed financial information on IT projects within the CJEU since 2014;

25. Notes the CJEU's investment in IT tools to improve case management; asks the CJEU to provide detailed financial information on *and the state of play of* IT projects within the CJEU since 2014; *calls on the CJEU to develop a fully integrated IT system to support case management;*

Or. en

Amendment 51

Petri Sarvamaa, José Ignacio Salafranca Sánchez-Neyra

Motion for a resolution

Paragraph 25

Motion for a resolution

25. Notes the CJEU's investment in IT tools to improve case management; asks the CJEU to provide *detailed* financial information on IT projects within the CJEU since 2014;

Amendment

25. Notes the CJEU's investment in IT tools to improve case management; asks the CJEU to provide *quantitative and qualitative* financial information on IT projects within the CJEU since 2014;

Or. en

Amendment 52

José Ignacio Salafranca Sánchez-Neyra

Motion for a resolution

Paragraph 25 a (new)

Motion for a resolution

Amendment

25 a. Notes that the CJEU has increased its communication activities in order to make itself more accessible to citizens; welcomes the fact that the CJEU has taken the decision to update its website in order to be more user friendly and asks the CJEU to make efforts to improve its database by making it more focused on users; congratulates the CJEU on its efforts with regard to online communication channels and encourages it to keep up the good work;

Amendment 53
Ingeborg Gräßle

Motion for a resolution
Paragraph 26

Motion for a resolution

26. Notes that the CJEU followed up on the Parliament's recommendation on the use of official vehicles in the 2015 discharge resolution in a phased manner; finds that the actions taken to rationalise the management of the fleet go in the right direction; welcomes the new interinstitutional call for tender on car leasing procurement procedure launched in 2016 which aims to provide economic savings in this regard;

Amendment

26. Notes that the CJEU followed up on the Parliament's recommendation on the use of official vehicles in the 2015 discharge resolution in a phased manner; finds that the actions taken to rationalise the management of the fleet go in the right direction; welcomes the new interinstitutional call for tender on car leasing procurement procedure launched in 2016 which aims to provide economic savings in this regard; ***notes with concern that in 2016, 21 flights were arranged at a cost of EUR 3 998,97 in order to send drivers on mission to chauffeur members of the Court of Justice or of the Tribunal in the home Member States of those members;***

Amendment 54
Arndt Kohn

Motion for a resolution
Paragraph 28 a (new)

Motion for a resolution

Amendment

28 a. Notes the further experience gained as to open space offices; is concerned that advantages such as the reduction of space needs, gains in terms of easier communication and higher flexibility could be outbalanced by lower confidentiality, constraints on work on files which require high concentration and a loss of privacy; calls on the CJEU

to evaluate the positive and negative effects on working conditions, taking into consideration the staff's needs, and to inform the Parliament about the result of this evaluation;

Or. en

Amendment 55

Monica Macovei, Ryszard Czarnecki, Dennis de Jong, Richard Sulík

Motion for a resolution

Paragraph 29

Motion for a resolution

29. Welcomes the CJEU's adoption of guidelines on information for and protection of whistleblowers in the beginning of 2016 and recalls that the protection of whistleblowers is one of the main issues in public administration.

Amendment

29. Welcomes the CJEU's adoption of guidelines on information for and protection of whistleblowers in the beginning of 2016 and recalls that the protection of whistleblowers is one of the main issues in public administration; ***calls on the CJEU to provide its staff with training on the 2016 guidelines, highlighting whistleblowers' vital role in bringing wrongdoing to light; calls on the CJEU to encourage its staff to take advantage of the 2016 guidelines in appropriate cases;***

Or. en

Amendment 56

Petri Sarvamaa, José Ignacio Salafranca Sánchez-Neyra

Motion for a resolution

Paragraph 29

Motion for a resolution

29. Welcomes the CJEU's adoption of guidelines on information for and protection of whistleblowers in the beginning of 2016 and recalls that the protection of whistleblowers is ***one of the main issues in*** public administration.

Amendment

29. Welcomes the CJEU's adoption of guidelines on information for and protection of whistleblowers in the beginning of 2016 and recalls that the protection of whistleblowers is ***an issue taken seriously within the*** public

administration *of the Union and shall always be considered carefully;*

Or. en

Amendment 57

Benedek Jávor

Motion for a resolution

Paragraph 29 a (new)

Motion for a resolution

Amendment

29 a. *Expresses the need to establish an independent disclosure, advice and referral body with sufficient budgetary resources, in order to help whistleblowers use the right channels to disclose information on possible irregularities affecting the financial interests of the Union, while protecting their confidentiality and offering needed support and advice;*

Or. en

Amendment 58

Ingeborg Gräßle

Motion for a resolution

Paragraph 29 a (new)

Motion for a resolution

Amendment

29 a. *Notes that the nomination of the Members of the European Court of Justice is the responsibility of the Member States under Article 253 TFEU; highlights the importance of the timely nomination and appointment of Judges for the performance of the CJEU; asks for a new rule setting a specific deadline for the (re)nomination of a judge well before the end of a judge's mandate and calls on the Council to respect the cost-benefit-ratio when appointing new judges to the CJEU; criticises the irregular*

nomination without a call for applications of two judges for the Tribunal of First Instance for a mandate which moreover lasted only from 14 April 2016 until 31 August 2016; notes with regret the costs of the taking up and the ending of one of the "4 month mandates" to the amount of EUR 69 498,25 in addition to the salary the judge received; condemns such a waste of EU taxpayers money;

Or. en

Amendment 59

Wolf Klinz, Nedzhmi Ali, Martina Dlabajová

Motion for a resolution

Paragraph 29 a (new)

Motion for a resolution

Amendment

29 a. Regrets the decision by the UK to withdraw from the European Union; observes that at this point no predictions can be made about the financial, administrative, human and other consequences related to the withdrawal, asks the Council and the Court of Auditors to perform impact assessments and inform the European Parliament on the results by the end of the year 2018;

Or. en

Amendment 60

Ingeborg Gräßle

Motion for a resolution

Paragraph 29 b (new)

Motion for a resolution

Amendment

29 b. Notes furthermore that the General Court (Appeal Chamber, judgment of 23 January 2018 in Case T-639/16 P)^{1a} considers the Second Chamber of the Civil Service Tribunal of

the European Union with one of the "4 month mandate" judges as an irregular one, which makes void this and all further legal acts of the Second Chamber in that composition; asks the CJEU which legal acts of the Second Chamber in that composition are affected by the General Court ruling; demands that the Council comments on this failure and clarifies who takes responsibility for this;

^{1a} ECLI:EU:T:2018:22.

Or. en

Amendment 61
Ingeborg Gräßle

Motion for a resolution
Paragraph 29 c (new)

Motion for a resolution

Amendment

29 c. Asks the CJEU to consider extending the languages of deliberation of the CJEU, in particular the General Court, to languages other than French; welcomes the request of the President of the General Court in February 2016 for an impact assessment of a change of the language of deliberation that has not yet been finalized;

Or. en