



**FOLLOW-UP TO THE OBSERVATIONS OR RECOMMENDATIONS IN THE
DISCHARGE RESOLUTION OF THE EUROPEAN PARLIAMENT OF 26 MARCH 2019
CONCERNING THE 2017 DISCHARGE**

Foreword

As every year, a specific chapter (chapter V) is dedicated in the Annual Activity Report (AAR) of the Court to the follow up of observations expressed by the Court of Auditors and the Discharge Authority. The 2018 AAR was no exception (see extract of this chapter in Annex).

This document aims to give useful updated information and explain the new measures implemented in response to the following specific points/paragraphs of the 2017 discharge resolution.

- 7. Notes that the CJEU overestimated its commitments for various budget lines under Chapter 14 ‘Other staff and external services’, *inter alia* for missions (budget line 162), having committed EUR 342 000 in 2017 whereas payments only amounted to EUR 204 795,27, and overestimated further training (budget line 1612), having committed EUR 1 457 644,07, whereas payments only amounted to EUR 579 000,04; notes that the CJEU reduced its request for appropriations for Members’ missions to EUR 299 750 when drawing up its 2019 estimates in response to the observation of the Parliament in its discharge report for the year 2016; calls on the CJEU to pursue its efforts to ensure sound financial management in order to avoid significant discrepancies between commitments and payments;**

The commitment for the budget line 162 was actually EUR 391 500 in 2017. The payments amounted to EUR 279 535,52 and the remaining balance was EUR 111 964,48. This underpayment can be explained by the difficulties encountered in estimating these costs in advance as the number of missions varies from year to year.

Concerning the budget line 1612 “training”, there seems to be no such an important overestimation of appropriations if we take into account the total payments (including the payments on carried over appropriations in 2018). In fact, of a total of EUR 1 457 644,07 committed, the payments amounted to EUR 1 280 178,38 (around 88 %). The difference between the budget allocated and the budget consumed is explained by the difficulty of making an accurate estimate due to the variability of the number of training requests received each year.

The CJEU endeavours to follow very closely the budgetary execution during the year by establishing monthly dashboards in order to ensure an optimal use of the resources made available by the Budgetary Authority and to avoid, to the extent possible, discrepancies between commitments and payments.

- 8. Takes note that the rate of implementation of the final appropriations from the chapter related to meetings and conferences in 2017 was 81,40 %, compared with a rate of 95,5 % in 2016; calls on the CJEU to keep working on this issue in order to again reach at least the same rate of implementation of the final appropriations for that chapter as the rate reached in 2016;**

The appropriations in Chapter 25 of the CJEU's budget are intended, in part, to finance the organisation, at the CJEU's headquarters, of official events such as formal sittings and official visits by Heads of State or Government, ministers and senior legal, political and diplomatic figures and of study visits by national and international courts. In this respect, it should be noted that the CJEU does not always have the initiative or the control over the scheduling of the events. Therefore, the amount of expenditure is less predictable than in other fields, which explains the year-on-year variation of the implementation rate.

- 10. Notes that almost 75 % of the CJEU's budget was allocated to expenditure on the members and staff (Title 1), and almost 25% was allocated to infrastructure expenditure (Title 2), particularly buildings and information technologies; welcomes the commitment of the CJEU to apply the performance-based budgeting methodology to relevant parts of its budget; calls on the CJEU to keep the discharge authority informed on the achievements related to the application of the principles of performance-based budgeting;**
- 11. Stresses that introducing performance-based budgeting should not apply only to the Court of Justice's budget as a whole but should include the setting of specific, measurable, attainable, realistic and time-based (SMART) targets to individual departments, units and staffs' annual plans and to set relevant indicators for drawing up the institution's estimates; calls therefore on the Court of Justice to introduce the principle of performance-based budgeting more widely in its operations;**

The CJEU has introduced a system for applying performance criteria to all administrative services, which are called upon annually, when preparing the draft estimates for the following year, to establish specific objectives that are measurable, attainable, realistic and timely (SMART) in their respective fields of activity, accompanied by one or more measurable indicators. These objectives and indicators together with its budgetary implications are an essential element in the preparation of the annual budget.

- 13. Welcomes the intention of the CJEU to streamline its procedures in order to publish its Annual Activity Report by 31 March 2019 with a view to optimising and speeding up the discharge procedure;**

The procedures for the preparation of the AAR have been streamlined as intended making it possible to bring forward by two months the date of publication of this report on the CJEU's website. The AAR has been published in the French version on 29 April 2019 and in the English version on 30 May 2019. It should be noted that the 2017 AAR was published in those two linguistic versions by 1 July 2018 as provided for in article 77 § 9 of the financial regulation.

The CJEU will continue to explore, in cooperation with other institutions, the possibility to advance further this calendar.

15. Welcomes the recommendation by the Court of Auditors that the CJEU should consider the adoption of more active case management procedures based on an individual approach and realistic deadlines, while closely monitoring manpower deployment and adopting additional administrative streamlining methods;
18. Concludes that the CJEU could further enhance these positive results by considering a move towards more active individual case management, using tailored time-frames and monitoring the actual use of the human resources employed; stresses that measuring performance on this basis, instead of using indicative time-frames to be respected on average, would inform management of both problem cases and elements of good practice; underlines that this information could also be used to improve reporting on performance to enhance accountability, providing insight on the proper functioning of the CJEU and on the use of its resources available;
19. Acknowledges the efforts of the CJEU to improve efficiency in the handling of cases, following the recommendations by the Court of Auditors in its review of the CJEU's case management performance¹; welcomes the fact that the CJEU has developed time-frames and monitoring tools which are tailored to certain types of proceedings; notes that the length of proceedings is one factor among others to be taken into consideration in the evaluation of a court system; calls on the CJEU to continue improving its performance by following up the Court of Auditor's recommendations, while not compromising the quality, efficiency and independence of its judgements;
28. Points out that a more flexible allocation of existing *référéndaires* could have a positive impact on overall effectivity of the Court;

Taking into account the recommendations set out in the report of the Court of Auditors of September 2017, the Court of Justice established new, even further refined time-frames that take account of the specific nature of cases. The Court of Justice currently has 15 time-frames whereas it had only 4 of them at the time of the adoption of the Court of Auditors' report. Those time-frames take into account factors directly related to the complexity of the case, including whether a case may be closed by order, whether a hearing must be organised and whether the delivery of an Opinion by the Advocate General is necessary. They include time-frames applicable to each case (and for each stage of the procedure) and not mere indicative deadlines to be respected on average.

That evolution has been accompanied by initiatives of a regulatory, procedural and internal organisation nature. Certain measures have already been implemented, whereas others are under discussion in the general context of the continued increase in the number of cases being brought before the Court of Justice.

Flexibility in the allocation of resources is severely hampered by the widespread overload of the Cabinets that stems from that increase.

Building on the recommendations of the report of the Court of Auditors, the General Court has, for its part, pursued the development of monitoring tools for managing cases in real time, with the deployment of the 'Argos' application mentioned in the report (a dashboard which enables the outstanding tasks in a case to be consulted in real time by all the actors concerned).

Moreover, the General Court has also tailored its internal time-frames according to the complexity of the case by amending the deadline for the submission of the preliminary report according to the subject-matter or type of procedure concerned. As at the Court of Justice, those deadlines are

¹ European Court of Auditors, Special Report no 14/2017: Performance Review of Case Management at the Court of Justice of the European Union

applicable to each case (and for each stage of the procedure) and are not mere indicative deadlines to be respected on average.

Last, in the aim of guaranteeing the optimal utilisation of human resources, the General Court ensures flexibility in the allocation of the workload of Reporting Judges, by re-assigning cases. Re-assigning cases in this way allows short-term situations that can negatively influence the duration of cases to be taken into account, especially upon the three-yearly renewal of the College of Members of the General Court.

- 16. Notes that only 4,8 % of the total CJEU's budget was devoted to information technology (IT) and telecommunication; stresses the importance of introducing paperless information and documentation flows to ensure swift and efficient communication and calls on the CJEU to continue pursuing necessary measures to achieve that aim; welcomes in that regard the increased use of the application 'e-Curia' and calls on the CJEU to strive for a complete lodging of all procedural documents via this application in the near future; welcomes the fact that, since 2016, all the Member States use "e-Curia", showing that the public's awareness of the existence and the advantages of this application has been efficiently raised;**

E-Curia constitutes a modern, efficient and environmentally friendly application for the exchange of judicial documents, common to the two courts making up the CJEU. It has enabled, since its launch in November 2011, the lodging and service of procedural documents by electronic means.

The increase in the number of holders of access accounts to that application, the very high percentage of lodgments of procedural documents made before the two Courts (Court of Justice and General Court) by e-Curia, the satisfaction expressed by users with this free and ecological system, the widespread digitisation of all stages of the judicial process finalised or in the process of being finalised in most Member States and the gains associated with the use of an exclusive method of lodging and service of procedural documents are among the factors that justified the General Court's proposal to move towards fully paperless exchanges between the Registry and the parties' representatives. The announcement of that reform was very well received by the Member States and by the lawyers represented by the European Bar Council (CCBE).

The reform was completed on 1 December 2018, when e-Curia became the sole means of exchanging judicial documents between the representatives of the parties and the General Court. This development concerns all parties (applicants, defendants and interveners) and all types of proceedings. However, certain exceptions are provided for in accordance with the principle of access to the courts (in particular where the use of e-Curia is technically impossible or where legal aid is requested by an applicant not represented by a lawyer).

From the outset, that reform, which makes it possible to rationalise document processing, was implemented by the General Court in order to anticipate the expected effects of the increase in the number of judges planned for September 2019 under the third stage of the reform of the Union's judicial architecture. Mandatory e-Curia has put an end to the management of numerous different formats, the digitisation of documents lodged in paper format and, in the case of lodgment in paper format preceded by lodgment by fax, double entries in the database and the need to ensure that the document lodged in paper format is identical to that lodged by fax. The simplification of the rules on the submission of procedural documents (in particular the waiver of the obligation to lodge certified copies of the original) should also help further to reduce the number of regularisations.

In close connection with other IT developments, notably the integrated case-management system, e-Curia will evolve in the next few years in order to become a true digital parties' portal.

Due to the distinct nature of the disputes before it and, in particular, the important role played by preliminary ruling cases in which the representation of the parties by a lawyer is not always necessary, the use of the e-Curia application has not been made compulsory by the Court of Justice, but the texts governing it have been amended in order to further extend the scope of potential beneficiaries of this application. In 2019, the possibility of opening an e-Curia account was thus given to the courts of the Member States of the Union, which should eventually enable the Court of Justice to manage most preliminary rulings electronically.

23. Welcomes the achievements made by the CJEU in terms of communication activities to increase its visibility and media impact, including an increase of its outreach on social media and the organisation of information seminars for journalists; encourages the CJEU to continue striving for the best use of various communication channels to raise awareness about its work among citizens;

The CJEU welcomes the recognition of its achievements in relation to its communication activities, particularly when viewed in light of the limited resources available to it in this regard. The CJEU is still striving to improve its high standards in this aspect.

The CJEU's combined Twitter followers on its two accounts recently exceeded 70 000 and in December 2018 it issued its most successful tweet ever, which achieved 2.7 m impressions, 10 000 likes, 7 500 retweets and 500 replies.

The CJEU is also actively examining how other social media platforms could be successfully used to continue to reach out to citizens and increase knowledge of its work.

The CJEU's YouTube account continues to grow, with three further thematic animations, available in 23 languages, added this year. These explain, in simple terms, the impact of its rulings in the fields of the digital world, the environment and sport. The videos on the CJEU's channel have now been viewed more than 170 000 times, with the number growing exponentially. Further animations are also currently in production.

This thematic approach to explaining the CJEU's case law is also being followed in printed publications, with an increasing number of brochures aimed at the public. Existing publications examine its work in the field of consumer protection, air passenger rights, medical care and the rights of students and young people. A further brochure about anti-discrimination cases is currently in production. These publications are also available on the CJEU's website.

A recent survey conducted on the newly-designed website shows very high levels of satisfaction amongst its users, with 80% of users reporting a satisfaction rating of 4 or 5/5. The responses to this survey will now inform further developments of the site to respond to users' needs.

The CJEU is also continuing its proactive efforts vis-à-vis journalists, with 322 journalists participating in seminars and other events in Luxembourg and Brussels in 2018. During the same period, the CJEU also responded to over 44 000 requests for information from journalists, legal professionals and the general public.

29. **Notes the slight increase in the number of women in management positions, which was 36 % in 2017 compared to 35 % in 2016; calls on the CJEU to continue to improve the gender balance in senior and management positions; welcomes the pilot project for the development of managerial and management skills aimed in particular at encouraging women to apply for management posts; encourages the CJEU to promote work-life balance measures addressed to staff of all genders;**
30. **Welcomes the information provided to all staff at the entry of service as well as available on the staff *vademecum* to inform on the existing flexible working arrangements; welcomes the transparency of the CJEU in terms of cases of staff burn-out and encourages the CJEU to assess the workload distribution within the organisation and verify the match between tasks and resources;**

The CJEU is making every effort to improve gender balance in senior and middle management positions, taking account of the merits of all candidates. In 2018, the CJEU strengthened its policy on equal opportunities and diversity, setting up a special entity within the Directorate for Human Resources and Personnel Administration which introduced concrete and harmonised measures in this field and joined inter-institutional networks of women and female managers in order to examine all means of fostering women's access to management positions through mentoring, coaching, communication and jobshadowing.

It is important to underline that the situation at the CJEU on that subject has continued to improve. In 2018, the percentage of women managers increased to 37.5%, notwithstanding the small number of administrative entities of the CJEU.

The CJEU takes note of the recommendation to promote work-life balance measures addressed to staff of all genders. We recognize the importance of such measures and have, by way of example, recently adopted a decision allowing occasional telework (in addition to structural teleworking arrangements, which have been in place for many years). The CJEU have also recently improved communication to staff around these measures and will continue to do so. Moreover, the Directorate for Information Technology has worked intensively to improve and make more largely available IT tools allowing remote access to work applications.

In addition, the CJEU is committed to protecting the psycho-physiological health of its staff and takes various measures to this end, like the engagement of a psychologist on a part-time basis (as a special advisor).

As regards the particular question of burnout, the CJEU has recently organized a seminar for staff.

31. **Notes that a disciplinary procedure, opened in 2016, in order to investigate a complaint of harassment, was closed in 2017; welcomes the appointment of the network of confidential counsellors who may be contacted for advice or assistance in the event of psychological or sexual harassment; encourages the CJEU to closely monitor the efficiency of its policy in this regard, to continue raising awareness about harassment at the work place and to foster a culture of zero tolerance toward harassment;**

The CJEU is committed to preventing all forms of harassment in the work place.

In that regard, the institution's confidential counsellors in the event of harassment, appointed from amongst staff members in 2017, have received intensive training in order to be able to advice and support people seeking their assistance or guidance. In addition, an interinstitutional network of counsellors has been set up, with the participation of all the institutions located in Luxembourg, in order to exchange experiences and best practices.

- 32. Reiterates that geographical balance, i.e. the distribution of staff by nationality based on the share of the given Member State's population as a proportion of the overall Union population, in particular in management positions, should be closely monitored; reiterates its concern that only 15 out of 56 heads of unit at the CJEU and 2 of its 13 Directors were from Member States that have joined the Union since May 2004; notes also that 31 % of the staff of the CJEU come from those Member States; encourages the CJEU to develop a policy to improve on the geographical imbalance and report back to the discharge authority;**

The CJEU takes note of the recommendation to develop a policy to improve the geographical balance. The CJEU remains sensitive to the particular interest of ensuring a balanced geographical representation among the holders of managerial posts and takes this into account, in strict compliance with the rules laid down in Article 7(1) and the first paragraph of Article 27 of the Staff Regulations, in the context of its recruitment procedures.

- 33. Welcomes the increase of remunerated traineeships at the CJEU from 57 in 2016 to 82 in 2017; welcomes, moreover, that the CJEU has requested an additional amount of EUR 550 000 in the 2019 budget; regrets, however, that 215 trainees assigned to Member's cabinet in 2017 were still not remunerated; calls on the CJEU to ensure an appropriate allowance being paid to all trainees in order to provide sufficient reimbursement for the trainees' efforts and not to reinforce discrimination on economic grounds;**

The CJEU was granted, as requested, additional appropriations of EUR 550 000 in order to be able to finance internships for trainees in Members' cabinets from 2019 onwards. Henceforth, candidates have the opportunity of applying for paid traineeships in Members' cabinets in the same way as they apply for traineeships in the services of the institution. However, the CJEU sees an interest in also hosting other trainees, in particular those who receive internship grants from other sources.

- 36. Notes that a list of external activities of the members of the CJEU was published on the website of the CJEU; regrets that this list is unspecific about the purpose, the date, the venue and the travel and subsistence costs of the listed events and whether they were paid by the CJEU or by a third party; calls on the CJEU to continue publishing a list of external activities of its members and be more specific about the above mentioned aspects;**

The new Code of Conduct of the Members of the CJEU, which entered into force on 1 January 2017, now provides that all external activities of the Members, previously authorised by the court of which they are a Member and performed by them during the previous year, are published on the institution's website.

Responding to a recommendation of the European Parliament, the CJEU thereby gives the public the opportunity to be informed, in all the official languages, as to the entirety of the external activities carried out by the Members of the two Courts and, in particular, as to their nature (representation activity or activity in the European interest) and their purpose (scientific, educational, ceremonial or honorary), as to the country where the activity took place, but also as to the name and nature of the entity that organised the event in question.

- 37. Reiterates its call on the CJEU to publish CVs and declarations of interest for all its members on the website; notes that short biographies of each member are published on the website, which do not however contain information on membership of any other organisations; notes that members are required to submit a declaration of their financial interests to the President of the Court of which they are a member on taking up their duties in line with the new Code of Conduct for members; calls on the CJEU to publish those declarations on its website;**

The Code of Conduct of the Members of the CJEU provides that members taking up their duties are required to submit a declaration of their financial interests, which is kept by the President of the court of which they are a Member on taking up their duties. It is useful to note that the Code of Conduct also lays down the obligation to update that declaration in case of change of situation.

The President of the Court of Justice and the President of the General Court are thus able, at any moment, to ensure the respect of the principles of independence and impartiality of the Members provided for by the Treaties themselves, by the Statute of the CJEU and by the respective rules of procedure of the two Courts.

- 39. Notes that the CJEU's administration is preparing new rules on revolving doors for members of staff; reiterates its call on the CJEU to quickly establish and implement strict obligations in this regard;**

The CJEU applies directly, and in a strict manner, the obligations set out in the Staff Regulations and the Conditions of Employment of other servants concerning professional activity after service in the institution. The CJEU's administration is also continuing to work to establish more detailed internal rules governing the exercise of external activities by staff members, including after they have ceased to hold office.

- 40. Asks the CJEU to put in place clear and robust rules for sponsoring that guarantee equal treatment of events after noting that the CJEU denied carrying out any sponsoring activities even though the CJEU provided the 18th congress of the International Federation of European Law (FIDE), held in May 2018 in Portugal, with 12 interpreters for a cost of EUR 10 859,05;**

The International Federation of European Law (FIDE) is a non-profit making organisation, made up of national associations from each of the Members States, set up to promote the study of EU law. The availability of the CJEU's interpreters at its biennial congresses facilitates exchanges amongst the participants from the different national associations. The CJEU does not consider that the making available of its interpreters for this purpose, in these circumstances, amounts to sponsorship.

- 41. Notes that no cases of whistleblowing were reported in 2017; welcomes the adoption of new internal rules on whistle-blower protection in 2017; calls on the CJEU to ensure that all staff is properly informed of its rights, such as during induction upon arrival of new staff;**

The CJEU ensures that information regarding the protection of whistle-blowers is readily accessible and easily findable on its intranet site. This question is also covered in training offered to new staff.

- 42. Welcomes the CJEU's commitment to ambitious environmental targets, in particular with a view to its ongoing building project, and encourages the CJEU to reach those objectives in a timely manner; welcomes the fact that the target to reduce tenders with a significant environmental impact was exceeded in 2017; welcomes, moreover, the creation of the 'Inter-Institutional GPP (Green Public Procurement) Helpdesk'; encourages the CJEU to continue improving its waste management, increasing its energy efficiency and reducing its carbon footprint;**

Using its environmental management system based on the EMAS regulation, the CJUE will continue to systematically reduce its environmental impact. With regard to the environmental aspects mentioned above, the following initiatives are envisaged:

- In the area of waste management, special attention will be paid to the reduction of single-use plastics according to the Directive (EU) 2019/904 of the European Parliament and of the Council of 5 June 2019 on the reduction of the impact of certain plastic products on the environment.
- As far as the increase in energy efficiency is concerned, the CJEU will improve its data collection and analysis system by installing additional meters and by the purchase of an energy management software. The further knowledge gained by these means will allow the identification of additional energy saving projects.
- Concerning the reduction of its carbon footprint, the CJEU is currently studying the possibility of having more precise data on the means of transport of its visitors making a substantial contribution to the carbon footprint of the CJEU. Furthermore, our institution explores the possibility of participating in an interinstitutional call for tenders on the compensation of carbon emissions.

- 45. Notes that they had 63 British members of staff in 2017, among which 36 officials, 24 temporary agents and three contract agents; welcomes the intention of the CJEU to follow a case by case approach when deciding on the extension of contracts for British contract and temporary agents after the withdrawal of the United Kingdom from the European Union; calls on the CJEU to swiftly develop a coherent strategy to provide certainty for the persons concerned.**

British staff have been informed that the Appointing Authority does not intend to require the compulsory resignation, pursuant to Article 49 of the Staff Regulations, of officials who are no longer nationals of a Member State of the European Union following the withdrawal of the United Kingdom unless, in specific cases, that is considered necessary in the interest of the service. Similarly, as regards temporary and contract agents, British staff have been informed that the Appointing Authority, in assessing the interest of the service on a case by case basis, intends to make use, in appropriate cases, of the possibility afforded by the Conditions of Employment of Other Servants of allowing exceptions to the requirement that such agents be citizens of a Member State of the Union.

Chapter V of the 2018 Annual Activity Report

- Observations made in connection with earlier discharges or reports of the Court of Auditors -

The charter of the authorising officer's duties provides that the authorising officer by delegation is to include, in his annual activity report, remarks concerning the follow up to observations expressed by the Court of Auditors and/or the Discharge Authority.

A. OBSERVATIONS MADE BY THE COURT OF AUDITORS

It is important to note that the Court of Auditors indicated, in paragraph 10.8 of its last Annual Report on the implementation of the budget concerning the financial year 2017, that no specific problem concerning the Court was detected.

The results of the 2017 controls thus confirm, as they have since 2010, the absence of observations from the Court of Auditors.

With regard to Special Report No 14/2017 on the *Examination of performance in the management of cases at the Court of Justice of the European Union*, published in September 2017, the Court continues to work towards the implementation of the recommendations issued, in particular with regard to the development of the new integrated case management system.

During 2018, the Court of Justice noted a significant increase in its judicial activity, due to a 15% increase in the number of cases brought. Proactive case management has nevertheless borne fruit, with the number of cases closed in 2018 increasing by almost 10% compared to the previous year. In addition, these developments have led Members to maintain their very high level of vigilance in ensuring that internal deadlines for the processing of cases are respected. The meeting of the Presidents of Chambers carried out a rigorous control on the state of affairs in the Chambers.

As mentioned above, however, further organisational and procedural measures are needed to enable the Court to cope with an ever-increasing workload. Thus, on 26 March 2018, the Court of Justice made a legislative request on the basis of the second paragraph of Article 281 TFEU to amend Protocol No 3 on the Statute of the Court. The request essentially concerned the transfer to the General Court of jurisdiction to rule, at first instance, on certain categories of action for failure to fulfil obligations, on the one hand, and the introduction of a mechanism whereby the Court determines whether certain categories of appeal should be allowed to proceed, on the other hand. The legislative procedure is still ongoing, but could soon be concluded favourably for the part of the request relating to the mechanism to determine whether certain categories of appeal should be allowed to proceed.

In addition, discussions were held in 2018 on further measures to optimise efficiency in case management, which led to a day of reflection for Members of the Court of Justice on 19 January 2019. The

recommendations of the Court of Auditors for an ever more efficient management of resources have been duly taken into account in this context.

With regard to the General Court, during 2018, this court adapted the internal timetables according to the nature and complexity of the cases (competition/state aid/measures to protect trade, intellectual property, special procedures, inadmissibility claims/declaration that there is no need to adjudicate, other cases), prepared and analysed 'case-by-case' statistics by phase of processing the cases, conducted in-depth monitoring of the planning of the activity of the Chambers affected by the departure of judges as part of the three-year renewal with a view to optimising the management of priorities and ensuring the continuity of judicial activity, raising Member States' awareness of the importance of the timely appointment of judges for triennial renewals and deploying the Argos application, which centralises all information in the form of an interactive dashboard for the monitoring and management of cases by cabinets.

In addition, preparatory work for the development of an integrated business management system began in 2018: 40 workshops were organised with cabinets and departments to identify the needs that the case management tool should meet, with a view to publishing a call for tenders in 2019.

Finally, in 2018, the Court of Auditors issued a Special Report No 34/2018 on *Office accommodation of EU institutions*, in which it made very positive findings regarding the efficiency of the Institution's buildings policy, reporting excellent results in terms of compliance with the budget and timetable for the three major building projects audited with regard to the Court. Recommendations for all the institutions are also made in this report, in particular concerning the updating and formalisation of the institutions' real estate strategies, the evaluation of new forms of work organisation, the improvement of the consistency of the data presented by the different institutions in order to ensure the comparability of information and the development of indicators to monitor the efficiency of their building stock.

B. OBSERVATIONS MADE BY THE DISCHARGE AUTHORITY

As this activity report is being drawn up, the procedure of obtaining discharge in respect of the implementation of the 2017 budget has not yet been formally concluded. However, it is at a relatively advanced stage, since the discharge report, amended and voted at the meeting of the Committee on Budgetary Control of 20 February 2019, will be submitted for plenary vote in Parliament at the end of March 2019.

At this stage, the draft resolution voted by the Committee on Budgetary Control relating to the Court refers, first of all, to the findings of the Court of Auditors for the financial year 2017, underlining that no significant weaknesses had been identified as regards the matters audited by the Court of Auditors, namely, human resources and public procurement and that the management of its administrative expenditure is free from material error (paragraphs 1 and 2).

The draft resolution also sets out a number of positive points concerning the functioning of the Court's services. These include, in particular, the very high budget implementation rate (98.69% in 2017, as against 98.23% in 2016) (paragraph 3), the work carried out for the development of a new integrated case management system (paragraph 14), the constant increase in the use of e-Curia, which has been used by all Member States since 2016 (paragraph 16), the results obtained with regard to communication activities, which have increased the visibility and impact in the Institution's media (paragraph 23), the Court's continuation of the 5% staff reduction in the period 2013-2017 (paragraph 24), inter-institutional cooperation on the redeployment of conference interpreters (paragraph 26), the very high rate of occupation of posts (almost 98%) (paragraph 27), the launch of the pilot project for the development of managerial skills, aimed in particular at encouraging women to apply for management posts (paragraph 29), the existence of a network of trusted persons who can be contacted by any staff member

who feels harassed (paragraph 31), the adoption of guidelines for the protection of whistle-blowers (paragraph 41) and the Court's commitment to ambitious environmental objectives (paragraph 42).

With regard to other observations/recommendations relating to administrative or linguistic activities, the Court continues to consider them with the greatest attention. As regards the under-implementation of certain budget lines, the Court will continue its efforts to avoid differences in the appropriations allocated and used (paragraphs 7 and 8), ensure that relevant objectives and performance indicators are set when drawing up its budget (paragraphs 10 and 11), establish new rules for staff members concerning 'revolving doors' (public-to-private sector crossover) (paragraph 39) and examine Parliament's request to establish sponsorship rules (paragraph 40). As regards the observation on unpaid traineeships, the Court already has appropriations in its 2019 budget for the remuneration of traineeships in the cabinets of the Members (paragraph 33).

As regards the activity of the courts (Court of Justice and General Court), the Court notes with satisfaction the comments concerning the reduction in the average length of proceedings in 2017 (16.3 months in 2017 compared with 16.7 months in 2016) and concerning the improvement in efficiency, which has led to an increase in the number of cases closed of 29.6% over the period 2010-2017 (paragraph 17). The draft resolution also welcomes the establishment of the 'Judicial Network of the European Union' to strengthen cooperation between the Court and national courts (paragraph 22).

As for the paragraphs concerning the Members of the courts (paragraphs 34, 35, 36, 36, 37 and 38), the Court takes note of the requests made therein. As indicated in paragraph 38, a new code of conduct for Members and former Members (OJ 2016/C 48 3/01), which responds to comments previously made by Parliament on the exercise of external activities and the declaration of financial interests (paragraph 17), entered into force on 1 January 2017. With regard to the request for more detailed information on external activities carried out by its Members, the Court will consider the possibility of supplementing the list of such activities.

As for the points relating to the Court of Auditors' Special Report No 14/2017 (paragraphs 14, 15, 18, 19 and 28), the Court is reviewing and working towards the implementation of the recommendations made in that report (see previous point on the observations made by the Court of Auditors).

In general, the Court is committed to implementing the recommendations of the Discharge Authority as quickly as possible and confirms both its openness and its determination to constantly improve the efficiency of the management of all its activities.