



2020/2143(DEC)

10.2.2021

AMENDMENTS

1 - 39

Draft report
Ramona Strugariu
(PE657.240v02-00)

2019 discharge: General budget of the EU - Court of Justice
(2020/2143(DEC))

Amendment 1
Luke Ming Flanagan

Motion for a resolution
Paragraph 2 a (new)

Motion for a resolution

Amendment

2 a. *Regrets, as an overall remark, that chapter 9 ‘Administration’ of the Annual Report of the Court of Auditors has a rather limited scope and conclusions, even if Heading 5 ‘Administration’ of the Multiannual Financial Framework is considered low risk; requests that the audit work for that chapter be more focused on issues of high relevance or even critical importance for the CJEU*

Or. en

Amendment 2
Ramona Strugariu, Olivier Chastel, Katalin Cseh, Martina Dlabajová, Alin Mituța

Motion for a resolution
Paragraph 5

Motion for a resolution

Amendment

5. Underlines that the CJEU still overestimates some commitments as stated in the discharge resolution of 2017: for budget lines such as ‘missions for members’, budget line 104: EUR 299.750 committed versus EUR 34 340 paid; ‘missions persons working with institution’, budget line 162: EUR 498 500 committed versus EUR 272 898 paid; ‘training for members’, budget line 106: EUR 270 065 committed versus EUR 164 263 paid; and ‘training persons working with institution’, budget line 1612: EUR 1.528.061 committed versus EUR 706.717 paid; calls on the CJEU to pursue its efforts to ensure sound financial management for all budget lines in order to avoid significant discrepancies between commitments and

5. Underlines that the CJEU still overestimates some commitments as stated in the discharge resolution of 2017: for budget lines such as ‘missions for members’, budget line 104: EUR 299.750 committed versus EUR 34 340 paid; ‘missions persons working with institution’, budget line 162: EUR 498 500 committed versus EUR 272 898 paid; ‘training for members’, budget line 106: EUR 270 065 committed versus EUR 164 263 paid; and ‘training persons working with institution’, budget line 1612: EUR 1.528.061 committed versus EUR 706.717 paid; ***notes, however, that substantial amounts were paid in 2020 from the commitments carried forward;*** calls on the CJEU to pursue its efforts to

payments;

ensure sound financial management for all budget lines in order to avoid significant discrepancies between commitments and payments;

Or. en

Amendment 3

Tomáš Zdechovský, Lefteris Christoforou, Ádám Kósa

Motion for a resolution

Paragraph 5

Motion for a resolution

5. ***Underlines*** that the CJEU still overestimates some commitments as stated in the discharge resolution of 2017: for budget lines such as ‘missions for members’, budget line 104: EUR 299.750 committed versus EUR 34 340 paid; ‘missions persons working with institution’, budget line 162: EUR 498 500 committed versus EUR 272 898 paid; ‘training for members’, budget line 106: EUR 270 065 committed versus EUR 164 263 paid; and ‘training persons working with institution’, budget line 1612: EUR 1.528.061 committed versus EUR 706.717 paid; calls on the CJEU to pursue its efforts to ensure sound financial management for all budget lines in order to avoid significant discrepancies between commitments and payments;

Amendment

5. ***Notes with concern*** that the CJEU still overestimates some commitments as stated in the discharge resolution of 2017: for budget lines such as ‘missions for members’, budget line 104: EUR 299.750 committed versus EUR 34 340 paid; ‘missions persons working with institution’, budget line 162: EUR 498 500 committed versus EUR 272 898 paid; ‘training for members’, budget line 106: EUR 270 065 committed versus EUR 164 263 paid; and ‘training persons working with institution’, budget line 1612: EUR 1.528.061 committed versus EUR 706.717 paid; calls on the CJEU to pursue its efforts to ensure sound financial management for all budget lines in order to avoid significant discrepancies between commitments and payments;

Or. en

Amendment 4

Isabel García Muñoz

Motion for a resolution

Paragraph 6

Motion for a resolution

6. Notes that 2 256 persons were

Amendment

6. Notes that 2 256 persons were

employed by the CJEU in 2019 (compared to 2 217 in 2018 and 2 180 in 2017); notes that the distribution of posts by sector of activity remains similar to that of previous years, with almost 85 % of posts dedicated to jurisdictional and linguistic activities; notes with regard to the occupation rate of posts that it remains at a very high level of around 97 % in 2019, similar to in 2018; notes, however, certain difficulties in recruitment, due to more limited career development opportunities, and the low level of the basic salaries for starting grades as compared to high living costs in Luxembourg;

employed by the CJEU in 2019 (compared to 2 217 in 2018 and 2 180 in 2017); notes that the distribution of posts by sector of activity remains similar to that of previous years, with almost 85 % of posts dedicated to jurisdictional and linguistic activities; notes with regard to the occupation rate of posts that it remains at a very high level of around 97 % in 2019, similar to in 2018; notes, however, certain difficulties in recruitment, due to more limited career development opportunities, and the low level of the basic salaries for starting grades as compared to high living costs in Luxembourg; ***reiterates its concerns about the growing problem of the purchase power disparity suffered by Union civil servants posted to Luxembourg;***

Or. en

Amendment 5

Tomáš Zdechovský, Lefteris Christoforou, Ádám Kósa

Motion for a resolution

Paragraph 7

Motion for a resolution

7. ***Highlights the importance of addressing the lack of gender balance within the college of judges; welcomes, however, the fact*** that efforts in the field of equal opportunities are becoming increasingly visible at the administrative level with a share of women in middle management amounting to 41 % and in senior management amounting to 40 %; notes that the staff in general has a distribution of 39 % men and 61 % women and for AD staff a distribution of 46 % men and 54 % women;

Amendment

7. ***Acknowledges*** that efforts in the field of equal opportunities are becoming increasingly visible at the administrative level with a share of women in middle management amounting to 41 % and in senior management amounting to 40 %; notes that the staff in general has a distribution of 39 % men and 61 % women and for AD staff a distribution of 46 % men and 54 % women;

Or. en

Amendment 6

Isabel García Muñoz

Motion for a resolution
Paragraph 7

Motion for a resolution

7. Highlights the importance of addressing the lack of gender balance within the college of judges; welcomes, however, the fact that efforts in the field of equal opportunities are becoming increasingly visible at the administrative level with a share of women in middle management amounting to 41 % and in senior management amounting to 40 %; notes that the staff in general has a distribution of 39 % men and 61 % women and for AD staff a distribution **of 46 %** men and 54 % women;

Amendment

7. Highlights the importance of addressing the lack of gender balance within the college of judges; ***underlines the commitment of the Parliament's Committee on Budgetary Control to support a revision of the nomination process for Court members in order to reach gender balance***; welcomes, however, the fact that efforts in the field of equal opportunities are becoming increasingly visible at the administrative level with a share of women in middle management amounting to 41 % and in senior management amounting to 40 %; notes that the staff in general has a distribution of 39 % men and 61 % women and for AD staff a distribution **of 46 %** men and 54 % women;

Or. en

Amendment 7

Mikuláš Peksa

on behalf of the Greens/EFA Group

Motion for a resolution
Paragraph 7

Motion for a resolution

7. ***Highlights*** the importance of addressing the lack of gender balance within the college of judges; welcomes, however, the fact that efforts in the field of equal opportunities are becoming increasingly visible at the administrative level with a share of women in middle management amounting to 41 % and in senior management amounting to 40 %; notes that the staff in general has a distribution of 39 % men and 61 % women

Amendment

7. ***Stresses*** the importance of addressing the lack of gender balance within the college of judges; welcomes, however, the fact that efforts in the field of equal opportunities are becoming increasingly visible at the administrative level with a share of women in middle management amounting to 41 % and in senior management amounting to 40 %; notes that the staff in general has a distribution of 39 % men and 61 % women

and for AD staff a distribution of 46 % men and 54 % women;

and for AD staff a distribution of 46 % men and 54 % women;

Or. en

Amendment 8

Tomáš Zdechovský, Lefteris Christoforou, Ádám Kósa

Motion for a resolution

Paragraph 8

Motion for a resolution

8. ***Calls*** for improvements in the context of geographical balance of staff, in particular for management positions, as at present 15 out of 58 heads of unit (25,8 %) and 2 out of 15 directors (13,3 %) come from Member States that have joined the Union since May 2004 (compared to 15 out of 57 heads of unit and 2 out of 13 directors in 2018); ***acknowledges that these figures have to be seen in the context of the percentage of CJEU staff coming from those member states (29 %); calls on*** the CJEU to strengthen its efforts in this regard;

Amendment

8. ***Underlines the need*** for improvements in the context of geographical balance of staff, in particular for management positions, as at present 15 out of 58 heads of unit (25,8 %) and ***only*** 2 out of 15 directors (13,3 %) come from Member States that have joined the Union since May 2004 (compared to 15 out of 57 heads of unit and 2 out of 13 directors in 2018); ***urges*** the CJEU to strengthen its efforts in this regard ***by encouraging applications from candidates whose nationality is underrepresented and by making use of inter-institutional exchanges in that respect;***

Or. en

Amendment 9

Ramona Strugariu, Olivier Chastel, Katalin Cseh, Martina Dlabajová, Alin Mituța

Motion for a resolution

Paragraph 8

Motion for a resolution

8. Calls for improvements in the context of geographical balance of staff, in particular for management positions, as ***at present*** 15 out of 58 heads of unit (25,8 %) and 2 out of 15 directors (13,3 %) come from Member States that have joined the Union since May 2004 (compared to 15 out

Amendment

8. Calls for improvements in the context of geographical balance of staff, in particular for management positions, as ***by mid-2020***, 15 out of 58 heads of unit (25,8 %) and 2 out of 15 directors (13,3 %) come from Member States that have joined the Union since May 2004 (compared to 15 out

of 57 heads of unit and 2 out of 13 directors in 2018); acknowledges that these figures have to be seen in the context of the percentage of CJEU staff coming from those member states (29 %); calls on the CJEU to strengthen its efforts in this regard;

of 57 heads of unit and 2 out of 13 directors in 2018); acknowledges that these figures have to be seen in the context of the percentage of CJEU staff coming from those member states (29 %); calls on the CJEU to strengthen its efforts in this regard;

Or. en

Amendment 10
Ádám Kósa

Motion for a resolution
Paragraph 8 a (new)

Motion for a resolution

Amendment

8 a. Asks the CJEU's equal opportunities and diversity cell to assess the possibilities of further strengthening and integrating the principles of equal opportunities in recruitment, training, career development and working conditions as well as to raise staff awareness of these aspects;

Or. en

Amendment 11
Mikuláš Peksa
on behalf of the Greens/EFA Group

Motion for a resolution
Paragraph 9

Motion for a resolution

Amendment

9. Notes with concern the high number of cases of **burnout** reported in recent years within the CJEU; welcomes the fact that in 2019 the CJEU undertook several actions to prevent and address burnout cases such as the hiring of a psychologist, training for staff and an obligatory training programme for

9. Notes with concern the high number of cases of **burn out** reported in recent years within the CJEU; welcomes the fact that in 2019 the CJEU undertook several actions to prevent and address burnout cases such as the hiring of a psychologist, training for staff and an obligatory training programme for

managers including a significant wellbeing component; considers that any decisions regarding budgetary cuts and staff reduction measures should be consistent with the principle of maintaining high quality deliverables and take into consideration the constantly increasing workload of the CJEU over the past number of years;

managers including a significant wellbeing component; considers that any decisions regarding budgetary cuts and staff reduction measures should be consistent with the principle of maintaining high quality deliverables and take into consideration the constantly increasing workload of the CJEU over the past number of years; ***urges the CJEU to closely monitor the effectiveness of the newly introduced actions against the increasing workload and deploy more substantial efforts to prevent burnouts where needed;***

Or. en

Amendment 12 **Isabel García Muñoz**

Motion for a resolution **Paragraph 9**

Motion for a resolution

9. Notes with concern the high number of cases of burnout reported in recent years within the CJEU; welcomes the fact that in 2019 the CJEU undertook several actions to prevent and address burnout cases such as the hiring of a psychologist, training for staff and an obligatory training programme for managers including a significant ***wellbeing*** component; considers that any decisions regarding budgetary cuts and staff reduction measures should be consistent with the principle of maintaining high quality deliverables and take into consideration the constantly increasing workload of the CJEU over the past number of years;

Amendment

9. Notes with concern the high number of cases of burnout reported in recent years within the CJEU; welcomes the fact that in 2019 the CJEU undertook several actions to prevent and address burnout cases such as the hiring of a psychologist, training for staff and an obligatory training programme for managers including a significant ***well-being*** component; considers that any decisions regarding budgetary cuts and staff reduction measures should be consistent with the principle of maintaining high quality deliverables, ***respect the staff well-being and satisfaction***, and take into consideration the constantly increasing workload of the CJEU over the past number of years;

Or. en

Amendment 13

Tomáš Zdechovský, Lefteris Christoforou, Ádám Kósa

Motion for a resolution

Paragraph 10

Motion for a resolution

10. Welcomes the steps taken by the CJEU to assess whether the workload is distributed proportionally across the different teams and members of staff to reduce cases of burnout and increase efficiency; notes that the presidents of the Court of Justice and the General Court, respectively, have responsibility for allocating cases by taking into account the current and anticipated workload; highlights the fact that tools have been made available to assess accurately the situation including workload analysis every six weeks; notes that for the administrative services, **by taking into account the continuous increase in the workload and the limited resources available**, the managers monitor the workload and its distribution between the different members of staff on an ongoing basis in order to be able to make the necessary adjustments;

Amendment

10. Welcomes the steps taken by the CJEU to assess whether the workload is distributed proportionally across the different teams and members of staff to reduce cases of burnout and increase efficiency; notes that the presidents of the Court of Justice and the General Court, respectively, have responsibility for allocating cases by taking into account the current and anticipated workload; highlights the fact that tools have been made available to assess accurately the situation including workload analysis every six weeks; notes that for the administrative services the managers monitor the workload and its distribution between the different members of staff on an ongoing basis in order to be able to make the necessary adjustments;

Or. en

Amendment 14

Mikuláš Peksa

on behalf of the Greens/EFA Group

Motion for a resolution

Paragraph 11

Motion for a resolution

11. Is concerned that only 46 % of traineeships at the CJEU were paid in 2019; notes, however, that this share rose from 24,1 % in 2018; recognises that 2019 was a transition year towards the gradual introduction of the new regime (CJEU's decision of 3 December 2018, providing

Amendment

11. Is concerned that only 46 % of traineeships at the CJEU were paid in 2019; notes, however, that this share rose from 24,1 % in 2018; recognises that 2019 was a transition year towards the gradual introduction of the new regime (CJEU's decision of 3 December 2018, providing

for the possibility of taking on trainees paid by the institutions); notes the estimation that for 2020 the CJEU will remunerate 75 % of its trainees; notes that all traineeships cancelled in the context of the COVID-19-crisis were unpaid traineeships; **welcomes the fact that the CJEU foresees the possibility of increasing further the number of paid traineeships, highlights the fact that the possibility of hosting unpaid trainees should only be maintained in the case** where **such** trainees receive payments from other sources, based on inter-institutional agreements signed by the CJEU;

for the possibility of taking on trainees paid by the institutions); notes the estimation that for 2020 the CJEU will remunerate 75 % of its trainees; notes that all traineeships cancelled in the context of the COVID-19-crisis were unpaid traineeships; **urgently calls on the CJEU to hire its trainees on paid contracts providing allowances covering at least living expenses, with the exception of cases** where trainees receive payments from other sources, based on inter-institutional agreements signed by the CJEU;

Or. en

Amendment 15

Ramona Strugariu, Olivier Chastel, Katalin Cseh, Martina Dlabajová, Alin Mituța

Motion for a resolution

Paragraph 11

Motion for a resolution

11. Is concerned that only **46 %** of traineeships at the CJEU were paid in 2019; notes, however, that this share rose from **24,1 %** in 2018; recognises that 2019 was a transition year towards the gradual introduction of the new regime (CJEU's decision of 3 December 2018, providing for the possibility of taking on trainees paid by the institutions); notes the estimation that for 2020 the CJEU will remunerate 75 % of its trainees; notes that all traineeships cancelled in the context of the COVID-19-crisis were unpaid traineeships; welcomes the fact that the CJEU foresees the possibility of increasing further the number of paid traineeships, highlights the fact that the possibility of hosting unpaid trainees should only be maintained in the case where such trainees receive payments from other sources, based on inter-institutional agreements signed by the CJEU;

Amendment

11. Is concerned that only **48,5%** of traineeships at the CJEU were paid in 2019; notes, however, that this share rose from **31,7%** in 2018; recognises that 2019 was a transition year towards the gradual introduction of the new regime (CJEU's decision of 3 December 2018, providing for the possibility of taking on trainees paid by the institutions); notes the estimation that for 2020 the CJEU will remunerate 75 % of its trainees; notes that all traineeships cancelled in the context of the COVID-19-crisis were unpaid traineeships; welcomes the fact that the CJEU foresees the possibility of increasing further the number of paid traineeships, highlights the fact that the possibility of hosting unpaid trainees should only be maintained in the case where such trainees receive payments from other sources, based on inter-institutional agreements signed by the CJEU;

Amendment 16**Tomáš Zdechovský, Monika Hohlmeier, Lefteris Christoforou, Ádám Kósa****Motion for a resolution****Paragraph 14***Motion for a resolution*

14. ***Is satisfied with the significant*** changes to the ***rules governing*** members' ***travel arrangements, especially in relation with*** the use of official cars and drivers; notes that the use of a driver is now only possible in two specific cases: prior authorised business trips carried out by members for the purpose of external activities (the rules governing such business trips do not provide for any situation, unless there are exceptional circumstances, in which a driver could be asked to travel to the member's country of origin or to any other country without transporting the member in the vehicle), and trips dictated by special circumstances (health or medical reasons, safety or security grounds and cases of force majeure);

Amendment

14. ***Welcomes the*** changes to the ***internal legal framework concerning*** Members' ***journeys, in particular with regard to*** the use of official cars and drivers; notes that the use of a driver is now only possible in two specific cases: prior authorised business trips carried out by members for the purpose of external activities (the rules governing such business trips do not provide for any situation, unless there are exceptional circumstances, in which a driver could be asked to travel to the member's country of origin or to any other country without transporting the member in the vehicle), and trips dictated by special circumstances (health or medical reasons, safety or security grounds and cases of force majeure);

Or. en

Amendment 17**Isabel García Muñoz****Motion for a resolution****Paragraph 16***Motion for a resolution*

16. Notes that there was one case of whistleblowing in 2019 which was also the first to trigger the application of the CJEU's rules on whistleblowing adopted in 2017; welcomes the fact that this case showed that the rules are 'fit for purpose';

Amendment

16. Notes that there was one case of whistleblowing in 2019 which was also the first to trigger the application of the CJEU's rules on whistleblowing adopted in 2017; welcomes the fact that this case showed that the rules are 'fit for purpose';

notes that it was not considered necessary to inform OLAF as the information at the CJEU's disposal allowed it to take the appropriate decisions;

notes that it was not considered necessary to inform OLAF as the information at the CJEU's disposal allowed it to take the appropriate decisions; ***nevertheless asks the CJEU to report on this case to the discharge authority;***

Or. en

Amendment 18

Tomáš Zdechovský, Monika Hohlmeier, Lefteris Christoforou, Ádám Kósa

Motion for a resolution

Paragraph 17

Motion for a resolution

17. Welcomes the training entitled 'Rules of good conduct' conducted in 2019 with the participation of 63 staff members; notes that such training have been set up in order to inform newcomers and other staff members on their obligations under the staff regulations and on the conditions of employment of other servants; notes with satisfaction that the courses cover topics such as harassment, whistleblowing, prevention of conflicts of interest and other ethical issues; welcomes that whistleblowing and conflicts of interest have also been included in the content of financial training;

Amendment

17. Welcomes the training entitled 'Rules of good conduct' conducted in 2019 with the participation of 63 staff members; notes that such training have been set up in order to inform newcomers and other staff members on their obligations under the staff regulations and on the conditions of employment of other servants; notes with satisfaction that the courses cover topics such as harassment, whistleblowing, prevention of conflicts of interest and other ethical issues; welcomes that whistleblowing and conflicts of interest have also been included in the content of financial training; ***encourages such activities and invites the CJEU to promote trainings of similar nature;***

Or. en

Amendment 19

Isabel García Muñoz

Motion for a resolution

Paragraph 17

Motion for a resolution

17. Welcomes the training entitled

Amendment

17. Welcomes the training entitled

‘Rules of good conduct’ conducted in 2019 with the participation of 63 staff members; notes that such training have been set up in order to inform newcomers and other staff members on their obligations under the staff regulations and on the conditions of employment of other servants; notes with satisfaction that the courses cover topics such as harassment, whistleblowing, prevention of conflicts of interest and other ethical issues; welcomes that whistleblowing and conflicts of interest have also been included in the content of financial training;

‘Rules of good conduct’ conducted in 2019 with the participation of 63 staff members; notes that such training have been set up in order to inform newcomers and other staff members on their obligations under the staff regulations and on the conditions of employment of other servants; notes with satisfaction that the courses cover topics such as harassment, whistleblowing, prevention of conflicts of interest and other ethical issues; welcomes that whistleblowing and conflicts of interest have also been included in the content of financial training; ***encourages the CJEU to continue conducting this training systematically for newcomers and periodically for the rest of the staff;***

Or. en

Amendment 20
Ádám Kósa

Motion for a resolution
Paragraph 18 a (new)

Motion for a resolution

Amendment

18 a. Welcomes the creation of the equal opportunities and diversity cell within the Human Resources and Personnel Administration Directorate, which aims to develop and implement a policy paying particular attention to integrating the principles of equal opportunities and diversity into the various human resources management procedures, asks the CJEU to report on the implementation and the results of the work to the discharge authority;

Or. en

Amendment 21
Luke Ming Flanagan

Motion for a resolution

Paragraph 19

Motion for a resolution

19. Is concerned that the CJEU was not able to provide information about its internal procedures related to ‘revolving doors’ for senior members of staff; recalls the request from Parliament’s Committee on Budgetary Control and the initiative of the Ombudsman in 2018 on how to best implement the provisions laid down in the staff regulations on ‘revolving doors’;

Amendment

19. Is concerned that the CJEU was not able to provide information about its internal procedures related to ‘revolving doors’ for senior members of staff; recalls the request from Parliament’s Committee on Budgetary Control ***to establish and publish strict rules in this regard without delay***; and the initiative of the Ombudsman in 2018 on how to best implement the provisions laid down in the staff regulations on ‘revolving doors’;

Or. en

Amendment 22

Mikuláš Peksa, Daniel Freund

on behalf of the Greens/EFA Group

Motion for a resolution

Paragraph 20

Motion for a resolution

20. Notes the rules in place governing post-office employment of the members of the CJEU; notes that the code of conduct sets out different kinds of restrictions such as a three-year waiting period during which former members must not represent parties in cases before the CJEU, notes further that former members must not be involved, in any manner whatsoever, in cases which were pending before the court of which they were a member or in cases connected with other cases, whether pending or concluded, which they had dealt with as a member of the court;

Amendment

20. Notes the rules in place governing post-office employment of the members of the CJEU; notes that the code of conduct sets out different kinds of restrictions such as a three-year waiting period during which former members must not represent parties in cases before the CJEU, notes further that former members must not be involved, in any manner whatsoever, in cases which were pending before the court of which they were a member or in cases connected with other cases, whether pending or concluded, which they had dealt with as a member of the court; ***urges the CJEU to fully implement existing provisions of the code of conduct to regulate cases concerning ‘revolving doors’; asks the CJEU to report back to Parliament on all the actions it undertook over the past four years (since revised code of conduct***

entered into force on 1 January 2017) to prevent conflicts of interests by regulating cases concerning ‘revolving doors’ after a member leaves the CJEU, including the number of cases it scrutinised, the number of cases for which it issued specific instructions and how the CJEU made sure these instructions were followed;

Or. en

Amendment 23

Ramona Strugariu, Olivier Chastel, Katalin Cseh, Martina Dlabajová, Alin Mituța

Motion for a resolution

Paragraph 22

Motion for a resolution

22. Encourages the CJEU to strengthen its efforts to finalise a general package of measures in relation to the code of conduct; recalls that the last revised code of conduct entered into force on 1 January 2017; reiterates the need for detailed provisions related to issues such as conflicts of interest, outside activities, occupational activities after leaving service and gainful employment of spouses; notes that the additional workload owing to the current health situation has delayed the process;

Amendment

22. Encourages the CJEU to strengthen its efforts to finalise a general package of measures in relation to the code of conduct *for staff*; recalls that the last revised code of conduct *for members* entered into force on 1 January 2017; reiterates the need for detailed provisions related to issues such as conflicts of interest, outside activities, occupational activities after leaving service and gainful employment of spouses; notes that the additional workload owing to the current health situation has delayed the process;

Or. en

Amendment 24

Mikuláš Peksa

on behalf of the Greens/EFA Group

Motion for a resolution

Paragraph 23

Motion for a resolution

23. Is concerned that the declarations of

Amendment

23. Is concerned that the declarations of

financial interests continue to be of a self-declaratory nature; calls on the CJEU to ***accelerate the process of examining whether this mechanism could be improved in regard to the principle of judicial independence*** and report back to Parliament's Committee on Budgetary Control; notes that each member submits a declaration of financial interests upon taking office and updates it when necessary; notes that the president of each court examines the declarations with a view to ***avoiding*** conflicts of interest when assigning cases to the different judge rapporteurs; reiterates, however, that it should be for a third independent party to review declarations of financial interests and to assess the existence of conflicts of interest;

financial interests continue to be of a self-declaratory nature; calls on the CJEU to ***undertake actions aiming at independently verifying the information provided*** and report back to Parliament's Committee on Budgetary Control; notes that each member submits a declaration of financial interests upon taking office and updates it when necessary; notes that the president of each court examines the declarations with a view to ***avoid*** conflicts of interest when assigning cases to the different judge rapporteurs; reiterates, however, that it should be for a third independent party to review declarations of financial interests and to assess the existence of conflicts of interest;

Or. en

Amendment 25

Tomáš Zdechovský, Lefteris Christoforou, Ádám Kósa

Motion for a resolution

Paragraph 24

Motion for a resolution

24. Encourages ***the CJEU*** to publish on its website the members' CVs and to take into consideration the approaches followed by the other institutions and the Member States in this area; ***welcomes the CJEU's willingness to examine how a greater transparency can best be achieved;***

Amendment

24. ***Welcomes the CJEU's willingness to ensure greater transparency;*** encourages to publish on its website the members' CVs and ***calls on the CJEU*** to take into consideration the approaches followed by the other institutions and the Member States in this area;

Or. en

Amendment 26

Ádám Kósa

Motion for a resolution

Paragraph 25 a (new)

25 a. Asks the CJEU to report on the results of the findings of the respective equal opportunities committees (Intercopec) on the subject of disability and on the possible improvements for people with reduced mobility or other disabilities, including emergency evacuation of these people, by making reasonable modifications to the CJEU's buildings with respect to access and adequate office equipment;

Or. en

Amendment 27

Mikuláš Peksa

on behalf of the Greens/EFA Group

Motion for a resolution

Paragraph 27

Motion for a resolution

27. Appreciates that the CJEU is continuously improving its environmental performance by applying Regulation (EC) No 1221/2009⁶ (EMAS III) which requires monitoring of the different environmental aspects based on indicators; welcomes the fact that most of the 28 indicators, in the form of a ratio per FTE (Full-Time Equivalent), showed a favourable trend in 2019 compared to 2015, the base year of the CJEU's EMAS system;

⁶ Regulation (EC) No 1221/2009 of the European Parliament and of the Council of 25 November 2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS), repealing Regulation

Amendment

27. Appreciates that the CJEU is continuously improving its environmental performance by applying Regulation (EC) No 1221/2009⁶ (EMAS III) which requires monitoring of the different environmental aspects based on indicators; welcomes the fact that most of the 28 indicators, in the form of a ratio per FTE (Full-Time Equivalent), showed a favourable trend in 2019 compared to 2015, the base year of the CJEU's EMAS system; ***encourages the CJEU to continue reducing its environmental footprint by implementing carbon-neutral work solutions and clean sources of energy;***

⁶ Regulation (EC) No 1221/2009 of the European Parliament and of the Council of 25 November 2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS), repealing Regulation

(EC) No 761/2001 and Commission Decisions 2001/681/EC and 2006/193/EC (EUT L 342 af 22.12.2009, s. 1).

(EC) No 761/2001 and Commission Decisions 2001/681/EC and 2006/193/EC (EUT L 342 af 22.12.2009, s. 1).

Or. en

Amendment 28

Ramona Strugariu, Olivier Chastel, Katalin Cseh, Martina Dlabajová, Alin Mituța

Motion for a resolution

Paragraph 27

Motion for a resolution

27. Appreciates that the CJEU is continuously improving its environmental performance by applying Regulation (EC) No 1221/2009⁶ (EMAS III) which requires monitoring of the different environmental aspects based on indicators; welcomes the fact that most of the **28** indicators, in the form of a ratio per FTE (Full-Time Equivalent), showed a favourable trend in 2019 compared to 2015, the base year of the CJEU's EMAS system;

⁶ Regulation (EC) No 1221/2009 of the European Parliament and of the Council of 25 November 2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS), repealing Regulation (EC) No 761/2001 and Commission Decisions 2001/681/EC and 2006/193/EC (EUT L 342 af 22.12.2009, s. 1).

Amendment

27. Appreciates that the CJEU is continuously improving its environmental performance by applying Regulation (EC) No 1221/2009⁶ (EMAS III) which requires monitoring of the different environmental aspects based on indicators; welcomes the fact that most of the **11** indicators, in the form of a ratio per FTE (Full-Time Equivalent), showed a favourable trend in 2019 compared to 2015, the base year of the CJEU's EMAS system;

⁶ Regulation (EC) No 1221/2009 of the European Parliament and of the Council of 25 November 2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS), repealing Regulation (EC) No 761/2001 and Commission Decisions 2001/681/EC and 2006/193/EC (EUT L 342 af 22.12.2009, s. 1).

Or. en

Amendment 29

Mikuláš Peksa

on behalf of the Greens/EFA Group

Motion for a resolution

Paragraph 28

Motion for a resolution

28. Notes with interest that one of the main points of the CJEU's communication activities in 2019 was an increased use of social media in order to ensure a greater dissemination of its information; welcomes the fact that in 2019, the CJEU's website received a total of 8 150 232 visits (compared to 8 270 495 in 2018) and 36 065 064 page-views (compared to 32 808 573 in 2018); notes that in both 2018 and 2019 a total of EUR 60 000 was budgeted for the outsourcing of some media-monitoring work, which could no longer be carried out in-house, due to the need to redeploy certain human resources to other tasks;

Amendment

28. Notes with interest that one of the main points of the CJEU's communication activities in 2019 was an increased use of ***proprietary*** social media in order to ensure a greater dissemination of its information; ***notes that in November 2019, the CJEU started to actively use LinkedIn to further inform interested parties of its work; encourages the CJEU to establish a presence on free and open-source social media networks, such as Mastodon, to achieve further transparency and broader outreach***; welcomes the fact that in 2019, the CJEU's website received a total of 8 150 232 visits (compared to 8 270 495 in 2018) and 36 065 064 page-views (compared to 32 808 573 in 2018); notes that in both 2018 and 2019 a total of EUR 60 000 was budgeted for the outsourcing of some media-monitoring work, which could no longer be carried out in-house, due to the need to redeploy certain human resources to other tasks;

Or. en

Amendment 30

Mikuláš Peksa

on behalf of the Greens/EFA Group

Motion for a resolution

Paragraph 29

Motion for a resolution

29. Encourages the CJEU to enhance transparency and welcomes the CJEU's decision to livestream the delivery of the judgments of its grand chamber; takes note that the livestreaming of hearings themselves would be an extremely complex and costly matter since it operates in 24 languages and without access to simultaneous interpretation it would be meaningless for the vast majority of Union citizens; welcomes also the fact that as of

Amendment

29. Encourages the CJEU to enhance transparency and welcomes the CJEU's decision to livestream the delivery of the judgments of its grand chamber ***through Europe by Satellite (EbS), the Union's TV information service***; takes note that the livestreaming of hearings themselves would be an extremely complex and costly matter since it operates in 24 languages and without access to simultaneous interpretation it would be meaningless for

November 2019 the CJEU publishes requests for preliminary ruling from national courts, internal research notes and national judicial decisions on the website of the Judicial Network of the European Union;

the vast majority of Union citizens; welcomes also the fact that as of November 2019 the CJEU publishes requests for preliminary ruling from national courts, internal research notes and national judicial decisions on the website of the Judicial Network of the European Union;

Or. en

Amendment 31

Tomáš Zdechovský, Monika Hohlmeier, Lefteris Christoforou, Ádám Kósa

Motion for a resolution

Paragraph 29

Motion for a resolution

29. Encourages the CJEU to enhance transparency and welcomes the CJEU's decision to livestream the delivery of the judgments of its grand chamber; takes note that the livestreaming of hearings themselves would be *an extremely* complex and costly matter since it operates in 24 languages and without access to simultaneous interpretation it would be *meaningless* for the vast majority of Union citizens; welcomes also the fact that as of November 2019 the CJEU publishes requests for preliminary ruling from national courts, internal research notes and national judicial decisions on the website of the Judicial Network of the European Union;

Amendment

29. Encourages the CJEU to enhance transparency and welcomes the CJEU's decision to livestream the delivery of the judgments of its grand chamber; takes note that the livestreaming of hearings themselves would be *a* complex and costly matter since it operates in 24 languages and without access to simultaneous interpretation it would be *extremely difficult* for the vast majority of Union citizens *to follow*; welcomes also the fact that as of November 2019 the CJEU publishes requests for preliminary ruling from national courts, internal research notes and national judicial decisions on the website of the Judicial Network of the European Union;

Or. en

Amendment 32

Mikuláš Peksa

on behalf of the Greens/EFA Group

Motion for a resolution

Paragraph 35

Motion for a resolution

35. Acknowledges that the CJEU continued to ensure the security of its IT operations in close collaboration with the Computer Emergency Response Team for the EU institutions, bodies and agencies; notes that during 2019 the CJEU was able to handle all cyber-attacks with which it was faced and to ensure the protection of the entire IT landscape without major incident; welcomes the fact that, besides the technical and operational measures taken to ensure cyber protection, the CJEU in 2019 launched major awareness raising initiatives;

Amendment

35. Acknowledges that the CJEU continued to ensure the security of its IT operations in close collaboration with the Computer Emergency Response Team for the EU institutions, bodies and agencies; notes that during 2019 the CJEU was able to handle all cyber-attacks with which it was faced and to ensure the protection of the entire IT landscape without major incident; welcomes the fact that ***the protection of highly sensitive information was improved by implementing new security measures, including the use of a high-level encryption software; stresses that any encryption software should be open source to avoid security breach through possible backdoors; notes that equipment has been purchased to limit the risk of a breach of sensitive information during the judges' deliberations;*** welcomes the fact that, besides the technical and operational measures taken to ensure cyber protection, the CJEU in 2019 launched major awareness raising initiatives;

Or. en

Amendment 33

Mikuláš Peksa

on behalf of the Greens/EFA Group

Motion for a resolution

Paragraph 35 a (new)

Motion for a resolution

Amendment

35 a. Notes that the CJEU established an innovation lab in order to explore the use of artificial intelligence (AI) for judiciary systems; is concerned about the human rights impact of using AI in judiciary systems; asks the CJEU to provide more information about the activities of the innovation lab to Parliament;

Amendment 34

Mikuláš Peksa

on behalf of the Greens/EFA Group

Motion for a resolution

Paragraph 35 b (new)

Motion for a resolution

Amendment

35 b. Welcomes the fact that the CJEU reinforced its internal legal framework in the field of data protection in order to establish independent supervision authorities responsible for monitoring the processing of personal data by the Court of Justice and the General Court when acting in their judicial capacity;

Or. en

Amendment 35

Mikuláš Peksa

on behalf of the Greens/EFA Group

Motion for a resolution

Paragraph 36

Motion for a resolution

Amendment

36. Underlines that the CJEU was the subject of two investigations by the European Data Protection Supervisor (EDPS) in 2019; highlights that the first investigation, launched in 2018, concerned the use of web services on the CJEU's website, welcomes the fact that following the EDPS' recommendations and in the light of a judgment of the Court of Justice⁷ the website has been adapted; notes that a second investigation into the CJEU's use of Microsoft products is ongoing; notes that the CJEU's policy is that of having a flexible approach, by considering both open-source technologies and commercial

36. Underlines that the CJEU was the subject of two investigations by the European Data Protection Supervisor (EDPS) in 2019; highlights that the first investigation, launched in 2018, concerned the use of web services on the CJEU's website, welcomes the fact that following the EDPS' recommendations and in the light of a judgment of the Court of Justice^{1a} the website has been adapted; notes that a second investigation into the CJEU's use of Microsoft products is ongoing; notes that the CJEU's policy is that of having a flexible approach, by considering both open-source technologies and commercial

off-the-shelf software and hardware,
depending on its needs;

off-the-shelf software and hardware,
depending on its needs; ***encourages the
CJEU to prioritise open source
technologies in order to prevent vendor
lock-in, retain control over its own
technical systems, provide stronger
safeguards for the privacy and data
protection of users and increase security
and transparency for the public;***

***⁷ Judgment of the Court of Justice of 1
October 2019, Bundesverband der
Verbraucherzentralen und
Verbraucherverbände -
Verbraucherzentrale Bundesverband e.V.
v Planet49 GmbH, C-673/17,
ECLI:EU:C:2019:801.***

***^{1a} Judgment of the Court of Justice of 1
October 2019, Bundesverband der
Verbraucherzentralen und
Verbraucherverbände -
Verbraucherzentrale Bundesverband e.V.
v Planet49 GmbH, C-673/17,
ECLI:EU:C:2019:801.***

Or. en

Amendment 36
Mikuláš Peksa
on behalf of the Greens/EFA Group

Motion for a resolution
Paragraph 36 a (new)

Motion for a resolution

Amendment

***36 a. Encourages the CJEU to follow
the EDPS recommendations to
renegotiate the Inter-Institutional
Licensing Agreement and implementation
contract, signed between the Union
institutions and Microsoft in 2018, with
the objective of achieving digital
sovereignty, avoid vendor lock-in and lack
of control, as well as ensuring the
protection of personal data;***

Amendment 37

Ramona Strugariu, Olivier Chastel, Katalin Cseh, Martina Dlabajová, Alin Mituța

Motion for a resolution

Paragraph 39

Motion for a resolution

39. Welcomes the completion of the third phase of structural reform in 2019, bringing significant structural changes, in particular the creation of specialised chambers for intellectual property and staff cases, a greater involvement of the presidents and the vice-president in judicial work, the modernisation of systems for the statistical monitoring of the performance of the chambers and for the mid-term planning of the General Court;

Amendment

39. Welcomes the completion of the third phase of structural reform in 2019, bringing significant structural changes ***at the General Court***, in particular the creation of specialised chambers for intellectual property and staff cases, a greater involvement of the presidents and the vice-president in judicial work, the modernisation of systems for the statistical monitoring of the performance of the chambers and for the mid-term planning of the General Court;

Amendment 38

Mikuláš Peksa

on behalf of the Greens/EFA Group

Motion for a resolution

Paragraph 40 a (new)

Motion for a resolution

40 a. Welcomes the reduction of the average length of proceedings before the Court of Justice and the General Court, while 2019 saw a very significant increase in the number of new cases brought before the Court of Justice (an increase of 14 % as compared to 2018), to a great extent attributable to the considerable rise in the number of appeals;

Amendment

Amendment 39
Isabel García Muñoz

Motion for a resolution
Paragraph 44

Motion for a resolution

44. Notes that the CJEU has continued its efforts with respect to the project ‘Optimisation of the input of external translation’ which started in 2015; ***expresses its satisfaction*** that the overall rate of externalisation of legal translations rose from 31,2 % in 2015 to 40,6 % in 2019; underlines however, that there are limitations to externalisation for reasons of confidentiality and insufficient supply; is aware that all CJEU translations are technical, legal and of a high level of difficulty which means that freelance translators must, insofar as possible, be lawyers or otherwise possess experience in legal translation.

Amendment

44. Notes that the CJEU has continued its efforts with respect to the project ‘Optimisation of the input of external translation’ which started in 2015; ***notes*** that the overall rate of externalisation of legal translations rose from 31,2 % in 2015 to 40,6 % in 2019; underlines however, that there are limitations to externalisation for reasons of confidentiality and insufficient supply; is aware that all CJEU translations are technical, legal and of a high level of difficulty which means that freelance translators must, insofar as possible, be lawyers or otherwise possess experience in legal translation.

Or. en