AMENDMENTS

1 - 16

Draft opinion
Gilles Lebreton
(PE657.430v02-00)

2019 discharge: General budget of the EU - Court of Justice
(2020/2143(DEC))
Amendment 1
Emil Radev

Draft opinion
Paragraph 1 a (new)

Amendment

1a. Welcomes the change in the structure of this year’s Management report of the Court of Justice, which presents the information in a clearer and more comprehensible manner;

Or. bg

Amendment 2
Jorge Buxadé Villalba

Draft opinion
Paragraph 3

Draft opinion

3. Welcomes the fact that the average length of proceedings before the Court of Justice decreased in 2019 (14.4 months as against 15.7 months in 2018) and that the average length of proceedings before the General Court fell markedly (16.9 months as against 20 months in 2018); observes, however, that the figure for the General Court is still higher than in 2017 (16.4 months); and considers that it should give priority to the most important cases and reach its judgments more rapidly;

Or. es

Amendment 3
Emil Radev

Draft opinion
Paragraph 4
Draft opinion

4. Welcomes the fact that the two courts comprising the Court of Justice of the European Union closed a combined total of 1739 cases in 2019, which represents a high level of productivity in spite of a slight reduction over 2018 (1769 cases); notes furthermore that there was a record total number of cases brought before the two courts – 1905 as against 1683 in 2018 – and that in this context, and in order to ease congestion in the Court of Justice, the mechanism for prior determination as to whether appeals should be allowed to proceed came into force on 1 May 2019;

Amendment

4. Welcomes the fact that the two courts comprising the Court of Justice of the European Union closed a combined total of 1739 cases in 2019, which represents a high level of productivity in spite of a slight reduction over 2018 (1 769 cases); notes furthermore that there was a record total number of cases brought before the two courts – 1 905 as against 1 683 in 2018 – and in this connection welcomes the introduction from 1 May 2020 of the mechanism for prior determination as to whether appeals should be allowed to proceed, which should ease congestion in the European Court of Justice;

Amendment 4
Daniel Buda

Draft opinion
Paragraph 4 a (new)

Draft opinion

4a. Highlights the development of collaboration with national magistrates, 2 824 of whom were received at the Court for seminars, training, visits or internships in 2019, as opposed to 2 292 in 2018;

Amendment

Draft opinion

4a. Highlights the development of collaboration with national magistrates, 2 824 of whom were received at the Court for seminars, training, visits or internships in 2019, as opposed to 2 292 in 2018;

Amendment 5
Daniel Buda

Draft opinion
Paragraph 5

Draft opinion

Or. bg

Or. ro
5. Points out that the Court of Justice registered a large number of new cases in 2019 – 966, or a 13.78 % increase over 2018; welcomes the record number of closed cases – 865, or a 13.8 % increase on the previous year;

5. Points out that the Court of Justice registered a large number of new cases in 2019 – 966, or a 13.78 % increase over 2018; points out that a large number of new cases were also referred to the Court in 2019, that is to say 939, compared with 834 to 2018; welcomes the record number of closed cases at the Court – 865, or a 13.8 % increase on the previous year; notes with concern that the number of cases settled before the General Court in 2019 (874) is significantly down from 2018 (1009);

Or. ro

Amendment 6
Emil Radev

Draft opinion
Paragraph 6

Draft opinion

6. **Is concerned nonetheless at** the some 7 % increase in the number of cases pending over 2018 (2500 cases pending on 31 December 2019 as against 2334 the previous year);

Amendment

6. **Notes** the some 7% increase in the number of cases pending over 2018 (2 500 cases pending on 31 December 2019 as against 2 334 the previous year);

Or. bg

Amendment 7
Daniel Buda

Draft opinion
Paragraph 6 a (new)

Draft opinion

6a. **Points out that, in 2019, the issues dealt with in the Court of Justice and the General Court related, in the former, mainly to competition and state aid and the area of freedom, security and justice, while, in the latter, they concerned mainly**
state aid and intellectual and industrial property; notes that, in the General Court, the main issues remained unchanged from 2018 to 2019, whereas, in 2018 the main issues dealt with by the Court of Justice included freedom of movement and establishment, the internal market and intellectual and industrial property, in addition to those in the area of freedom, security and justice;

Or. ro

Amendment 8
Daniel Buda

Draft opinion
Paragraph 7

Draft opinion

7. Welcomes the steady increase in the number of accounts for accessing the e-Curia application (6588 in 2019 as against 4865 in 2018) and the fact that it is used in all Member States, evidence that effective action has been taken to raise public awareness of the existence, efficiency, speed and advantages of the application; also welcomes the fact that, at the General Court, 93% of procedural documents are lodged by e-Curia, the figure for the Court of Justice being 80%;

Amendment

7. Welcomes the steady increase in the number of accounts for accessing the e-Curia application (6588 in 2019 as against 4865 in 2018) and the fact that it is used in all Member States, evidence that the platform works efficiently and that effective action has been taken to raise public awareness of the existence, efficiency, speed and advantages of the application; also welcomes the fact that the percentage of procedural documents lodged through E-CURIA is increasing, reaching 93% in the case of the General Court (compared to 85% in 2018) and 80% in the case of the Court of Justice (compared to 75% in 2018);

Or. ro

Amendment 9
Emil Radev

Draft opinion
Paragraph 8
8. Points up the positive turn that has been taken by the Judicial Network of the EU (RJUE) and congratulates the Court of Justice for fostering transparency by making procedural and doctrinal documents from the RJUE platform freely accessible on its website in 2019, as recommended by the Committee on Legal Affairs¹; 

¹ Opinion of the Committee on Legal Affairs for the Committee on Budgetary Control on discharge in respect of the implementation of the general budget of the European Union for the financial year 2018, Section IV – Court of Justice (2019/2058(DEC)), paragraph 12.

9. Points out that, in 2019, five members left the Court of Justice, with four arriving, and eight members left the General Court, with 14 arriving; notes that, in line with the decision to gradually double the number of judges, there are now 52 judges at the General Court; points out that the Court of Auditors takes the view that ‘by 26 December 2020, the Court of Justice must report to the European Parliament, the Council and the
Commission on the functioning of the General Court, covering [...] the necessity and effectiveness of the increase to 56 Judges’; Court refers to Article 3(1) of Regulation (EU, Euratom) 2015/2422 which sets out that ‘by 26 December 2020, the Court of Justice must report to the European Parliament, the Council and the Commission on the functioning of the General Court, covering [...] its efficiency, the necessity and effectiveness of the increase to 56 Judges, the use and effectiveness of resources and the further establishment of specialised chambers and/or other structural changes’; 2 Special Report 14/2017: ‘Performance review of case management at the Court of Justice of the European Union’.

Amendment 11
Jorge Buxadé Villalba

Draft opinion
Paragraph 10

**Draft opinion**

10. Welcomes the fact that the proportion of women in managerial posts – 39% in 2019 – has continued to increase, and encourages the Court of Justice to continue the process by actively promoting gender parity in the appointment of judges.

**Amendment**

10. Notes that women occupied 39% of managerial posts in 2019 compared with 37.5% in 2018; points out that the best candidate for a position should always be chosen, regardless of gender or race, as only their previous experience, their CV and their suitability for the position should be considered; expresses its concern about the interference of ideology in staff selection, bearing in mind also that the public wants the highest judicial instance to be made up of the best possible professionals regardless of their physical attributes;

Or. es

Amendment 12

PE660.208v01-00 8/11 AM\1217636EN.docx
10. Welcomes the fact that the proportion of women in managerial posts – 39% in 2019 – has continued to increase, and encourages the Court of Justice to continue the process by actively promoting gender parity in the appointment of judges.

Amendment 13
Emil Radev

10. Welcomes the fact that the proportion of women in managerial posts – 39% in 2019 compared with 37.5% in 2018 - has continued to increase, and encourages the Court of Justice to continue the process by actively promoting gender parity in the appointment of judges, while continuing to place the emphasis on candidates' skills.

Amendment 14
Jorge Buxadé Villalba

10. Welcomes the fact that the proportion of women in managerial posts – 39% in 2019 compared with 37.5% in 2018 - has continued to increase, and encourages the Court of Justice to continue the process by actively promoting gender parity in the appointment of judges.
Paragraph 10a (new)

Draft opinion

Amendment

10a. Considers it worrying that judgments of the Court have been misinterpreted by other Community bodies, especially as regards the scope of their application beyond the individual concerned;

Or. es

Amendment 15
Jorge Buxadé Villalba

Draft opinion

Paragraph 10b (new)

Draft opinion

Amendment

10b. Regrets that the Court has not seen fit to take the initiative in clarifying its own judgments and the implementation thereof, especially in cases where this has made it possible to alter the composition of the EU institutions; believes that the Court should assess the consequences of misinterpretations of its judgments by third parties and even consider clarifying them in order to avoid dubious interpretations that could undermine the prestige of an institution such as the European Parliament;

Or. es

Amendment 16
Jorge Buxadé Villalba

Draft opinion

Paragraph 10c (new)

Draft opinion

Amendment

10c. Condemns and considers
unacceptable the unilateral decision by the European Parliament to alter its composition based on an erroneous interpretation of the Court ruling; considers that the Court should have reacted by rapidly clarifying the scope of its judgment, given that this incorrect interpretation has opened the door to manifest irregularities in the day-to-day activity of Parliament, allowing the participation of those who have not obtained bona fide MEP credentials;

Or. es