

Procedure file

Basic information		
DEC - Discharge procedure	2018/2169(DEC)	Procedure completed
2017 discharge: EU general budget, Court of Justice		
Subject 8.70.03.02 2017 discharge		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	CONT Budgetary Control	 KOHN Arndt	27/07/2018
		Shadow rapporteur	
		 SALAFRANCA SÁNCHEZ-NEYRA José Ignacio	
		 FITTO Raffaele	
		 KLINZ Wolf	
		 JÁVOR Benedek	
		 VALLI Marco	
		 JALKH Jean-François	
		Committee for opinion	Rapporteur for opinion
AFET Foreign Affairs		The committee decided not to give an opinion.	
DEVE Development		The committee decided not to give an opinion.	
INTA International Trade		The committee decided not to give an opinion.	
BUDG Budgets		The committee decided not to give an opinion.	
ECON Economic and Monetary Affairs		The committee decided not to give an opinion.	
EMPL Employment and Social Affairs		The committee decided not to give an opinion.	
ENVI Environment, Public Health and Food Safety		The committee decided not to give an opinion.	
ITRE Industry, Research and Energy		The committee decided not to give an opinion.	
IMCO Internal Market and Consumer Protection		The committee decided not to	

		give an opinion.
	TRAN Transport and Tourism	The committee decided not to give an opinion.
	REGI Regional Development	The committee decided not to give an opinion.
	AGRI Agriculture and Rural Development	The committee decided not to give an opinion.
	PECH Fisheries	The committee decided not to give an opinion.
	CULT Culture and Education	The committee decided not to give an opinion.
	JURI Legal Affairs	24/09/2018
		 SVOBODA Pavel
	LIBE Civil Liberties, Justice and Home Affairs	The committee decided not to give an opinion.
	AFCO Constitutional Affairs	The committee decided not to give an opinion.
	FEMM Women's Rights and Gender Equality	The committee decided not to give an opinion.
	PETI Petitions	The committee decided not to give an opinion.
European Commission	Commission DG Budget	Commissioner OETTINGER Günther

Key events			
28/06/2018	Non-legislative basic document published	COM(2018)0521	Summary
11/09/2018	Committee referral announced in Parliament		
20/02/2019	Vote in committee		
27/02/2019	Committee report tabled for plenary	A8-0098/2019	Summary
26/03/2019	Results of vote in Parliament		
26/03/2019	Debate in Parliament		
26/03/2019	Decision by Parliament	T8-0247/2019	Summary
26/03/2019	End of procedure in Parliament		
27/09/2019	Final act published in Official Journal		

Technical information	
Procedure reference	2018/2169(DEC)
Procedure type	DEC - Discharge procedure
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed

Documentation gateway					
Non-legislative basic document		COM(2018)0521	28/06/2018	EC	Summary
Court of Auditors: opinion, report		N8-0013/2019 OJ C 357 04.10.2018, p. 0001	12/07/2018	CofA	Summary
Committee opinion	JURI	PE628.681	11/12/2018	EP	
Committee draft report		PE626.818	13/12/2018	EP	
Supplementary non-legislative basic document		05824/2019	11/02/2019	CSL	Summary
Amendments tabled in committee		PE634.530	12/02/2019	EP	
Committee report tabled for plenary, single reading		A8-0098/2019	27/02/2019	EP	Summary
Text adopted by Parliament, single reading		T8-0247/2019	26/03/2019	EP	Summary
Final act					
Budget 2019/1420 OJ L 249 27.09.2019, p. 0099					

2017 discharge: EU general budget, Court of Justice

PURPOSE: presentation by the Commission of the consolidated annual accounts of the European Union for the financial year 2017, as part of the 2017 discharge procedure.

Analysis of the accounts of the EU Institutions: European Court of Justice.

CONTENT: the organisational governance of the EU consists of institutions, agencies and other EU bodies whose expenditure is included in the general budget of the Union.

This Commission document concerns the EU's consolidated accounts for the year 2017 and details how spending by the EU institutions and bodies was carried out. The consolidated annual accounts of the EU provide financial information on the activities of the institutions, agencies and other bodies of the EU from an accrual accounting and budgetary perspective.

It is the responsibility of the Commission's Accounting Officer to prepare the EU's consolidated annual accounts and ensure that they present fairly, in all material aspects, the financial position, the result of the operations and the cash flows of the EU institutions and bodies with a view to granting discharge.

Discharge procedure: the final step of a budget lifecycle is the discharge. It is the decision by which the European Parliament releases the Commission from its responsibility for management of a given budget by marking the end of that budget's existence. It is granted by the European Parliament on the recommendation of the Council.

The decision is based in particular on the European Court of Auditors reports, in particular its annual report, in which the Court provides a Statement of Assurance (DAS) on the legality and regularity of transactions (payments and commitments).

The procedure results in the granting, postponement or refusal of discharge.

The final discharge report including specific recommendations to the Commission for action is adopted in plenary by the European Parliament and are subject to an annual follow up report in which the Commission outlines the concrete actions it has taken to implement the recommendations made.

All EU institutions and other agencies, bodies and joint undertakings are subject to their own discharge procedures.

Implementation of the Court of Justices appropriations for the financial year 2016: the document noted that in 2017 the Courts budget was EUR 399.3 million, with an implementation rate of final appropriations of 98.69%.

Almost 76 % of the budget was allocated to expenditure on the Members and staff, with almost the entire balance being spent on infrastructure, including buildings and information technology.

As regards the expenditure of the Court of Justice, the information taken from the Court's 2017 Annual Activity Report states that:

- the Court's activity has been very active: the number of cases submitted to the Court is up compared to 2016 (1656 cases) and a total of 1594 cases have been closed;
- the statistics concerning the length of the proceedings are very positive;

- the scale of the increased productivity achieved by the Court, thanks to the coordinated efforts of the courts and of all the support services which made it possible, over the period 2010-2017, for the number of cases closed to rise by 30% with an increase in the number of new cases of 18% in the same period, although the number of staff in the support services fell;
- at the Meeting of Judges held in March 2017, it was decided to create the Judicial Network of the European Union covering the constitutional and supreme courts of the Member States, a network coordinated by the Court;
- the Court is continuing the project for the 5th extension of its buildings which should, in 2019, enable it to reunite its staff on one site (vacating the last building that is still rented) and, thereby, increase the efficiency of its services.

2017 discharge: EU general budget, Court of Justice

Based on the observations contained in the report by the Court of Auditors, the Council called on the European Parliament to grant discharge to all of the EU institutions in respect of the implementation of their respective budgets for the financial year 2017.

However, it considered that budget implementation required a series of comments from the Council which should be fully taken into account by the Commission.

The Council welcomed the fact that the administrative and related expenditure of the EU institutions remained, as in previous years, free from material error with an estimated level of error of 0.5 %, which while being well below the materiality threshold is higher by 0.3 % compared to the Court's findings for 2016 (0.2 %). It noted with satisfaction that no serious weaknesses were identified by the Court in the supervisory and control systems and in the examined annual activity reports.

The Council took note that, as in previous years, there was a small number of errors relating to staff costs and some weaknesses in the Office for Administration and Payment of individual entitlements' (PMO) management of family allowances. It called on the Commission to improve its procedures to avoid errors related to staff expenditure.

The Court did not identify any specific problems concerning the Court of Justice of the European Union.

2017 discharge: EU general budget, Court of Justice

The Committee on Budgetary Control adopted the report by Arndt KOHN (S&D, DE) recommending the European Parliament to give discharge to the Registrar of the Court of Justice in respect of the implementation of the Courts budget for the financial year 2017.

Members noted with satisfaction that the Court of Auditors observed that no significant weaknesses in respect of the audited topics relating to human resources and procurement for the Court of Justice of the European Union (CJEU).

The payments as a whole for the year ended on 31 December 2017 for administrative and other expenditure of the Court of Justice were free from material error.

Budgetary and financial management

Members noted that in 2016, the CJEU had appropriations amounting to EUR 399 344 000 (EUR 380 002 000 in 2016) and that the implementation rate was 98.69 % (98.23 % in 2016) in 2017.

Noting that the CJEU overestimated its commitments for various budget lines and reduced its request for appropriations for Members missions when drawing up its 2019 estimates.

Members called on the CJEU to pursue its efforts to ensure sound financial management in order to avoid significant discrepancies between commitments and payments.

Court cases

The report noted that the total number of cases brought before the CJEU in 2017 (1656 cases) was higher than in 2016 (1604 cases) and that the number of cases completed in 2017 remained at a high level (1594 cases as compared to 1628 cases in 2016). The average duration of proceedings decreased from 16.7 months in 2016 to 16.3 months in 2017). Members acknowledged the efforts of the CJEU to improve efficiency in the handling of cases while not compromising the quality, efficiency and independence of its judgements.

Staff

Staff reductions have put significant pressure on some support services such as the internal linguistic production capacity which has led to an increased collaboration with freelance translators.

Brexit

Members noted that the British members of the Court of Justice and the General Court will cease to exercise their functions when the United Kingdom withdraws from the European Union. The volume of litigation could increase in the short and medium term in view of legal problems which may be generated by a withdrawal agreement and the corresponding provisions of United Kingdom law.

The report noted that they had 63 British members of staff in 2017, among which 36 officials, 24 temporary agents and three contract agents. Members welcomed 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.

2017 discharge: EU general budget, Court of Justice

The European Parliament decided by 518 votes to 107, with 11 abstentions, to grant discharge to the Registrar of the Court of Justice for the implementation of the Courts budget for the financial year 2017.

Parliament noted with satisfaction that the Court of Auditors had observed that no significant weaknesses in respect of the audited topics relating to human resources and procurement for the Court of Justice of the European Union (CJEU).

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