










Procedure file

Basic information		
DEC - Discharge procedure	2023/2132(DEC)	Procedure completed, awaiting publication in Official Journal
2022 discharge: General budget of the EU - Court of Justice of the European Union		
Subject 8.70.03.12 2022 discharge		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	CONT Budgetary Control	 FLANAGAN Luke Ming	26/05/2023
		Shadow rapporteur	
		 STAVROU Eleni	
		 RÓNAI Sándor	
		 STRUGARIU Ramona	
		 PEKSA Mikuláš	
		 KUHS Joachim	
		 CZARNECKI Ryszard	
		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.	

European Commission	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		18/09/2023
			 VÁZQUEZ LÁZARA Adrián	
	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.		
Commission DG			Commissioner	
Budget			HAHN Johannes	

Key events			
28/06/2023	Non-legislative basic document published	COM(2023)0391	
12/09/2023	Committee referral announced in Parliament		
22/02/2024	Vote in committee		
07/03/2024	Committee report tabled for plenary	A9-0075/2024	Summary
10/04/2024	Debate in Parliament		
11/04/2024	Decision by Parliament	T9-0230/2024	Summary

Technical information	
Procedure reference	2023/2132(DEC)
Procedure type	DEC - Discharge procedure
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed, awaiting publication in Official Journal
Committee dossier	CONT/9/12792

Documentation gateway					
Non-legislative basic document		COM(2023)0391	28/06/2023	EC	
Court of Auditors: opinion, report		N9-0060/2023 OJ C 000 04.10.2023, p. 0000	04/10/2023	CofA	

Committee draft report		PE753.480	14/12/2023	EP	
Amendments tabled in committee		PE758.199	31/01/2024	EP	
Committee opinion	JURI	PE753.556	06/02/2024	EP	
Committee report tabled for plenary, single reading		A9-0075/2024	07/03/2024	EP	Summary
Supplementary non-legislative basic document		06179/2024	12/03/2024	CSL	
Text adopted by Parliament, single reading		T9-0230/2024	11/04/2024	EP	Summary

2022 discharge: General budget of the EU - Court of Justice of the European Union

The Committee on Budgetary Control adopted the report by Luke Ming FLANAGAN (The Left, IE) on discharge in respect of the implementation of the general budget of the European Union for the financial year 2022, Section IV Court of Justice of the European Union.

The committee called on the European Parliament to grant the Registrar of the Court of Justice discharge in respect of the implementation of the budget of the Court of Justice of the European Union for the financial year 2022.

Budgetary and financial management

The report noted that the overall budget allocated for the CJEU for 2022 amounted to EUR 467 900 000, an increase from EUR 444 049 000 in 2021 and in 2020, equivalent to an increase of 5.4 % from 2021 to 2022, and that 79 % of the budget in 2022 was used for its members and staff, 14 % for buildings, 6 % for IT and 1 % for other expenditure.

Members noted that Russias war of aggression against Ukraine in various ways created budgetary pressures for the CJEU, including through rising inflation and salary adjustments, strongly increasing energy costs and costs for a number of goods and services.

Internal management, performance and internal control

In 2022, for the Court of Justice, 68 % of new cases were references for preliminary rulings, 24 % were appeals against decisions of the General Court, and 4 % were actions against Member States for failure to fulfil obligations. In addition, the report stated that, in 2022, for the General Court, 46 % of new cases concerned actions for annulment of acts of Union institutions, 30 % concerned actions relating to intellectual property, and 7 % concerned disputes between institutions of the Union and their staff.

The number of cases brought before the two courts in 2022 is comparable to that of the previous year (1 710 cases in 2022 as compared to 1 720 in 2021). The report noted that, together, the Court of Justice and the General Court were able to complete 1 666 cases in 2022, compared to 1 723 in 2021, which corresponds to the average in recent years (1 692 cases per year between 2018 and 2021). The total number of pending cases is increasing, with 2 585 cases pending in 2022 compared to 2 541 in 2021.

Human resources

The report noted with concern that the Court of Justice and the General Court continue to have a very unbalanced gender composition and that of the eight new Judges taking office in the General Court in 2022, five were men and three were women. There is also an overrepresentation of Union nationalities represented on the staff of the CJEU with French nationals accounting for 22 % of overall staff.

Ethical framework and transparency

Members continue to appreciate the reforms made in 2021 concerning the members of the Court of Justice and of the General Court concerning their code of conduct and the declarations of interest which together with the new requirements for the curriculum vitae of the members represents an improvement in the transparency of the CJEU. They are, nevertheless, of the opinion that the validity and usefulness of the declarations of interest could be improved through some kind of verification and quality control.

The Court is called on to finalise and adopt a new code of conduct with no delay, in line with requests from previous discharge cycles.

Interinstitutional cooperation

Members welcomed that the CJEU has a wide range of service level agreements with other Union institutions which helps reduce costs for the institutions involved and ensures that similar procedures, techniques and work flows are used across the institutions. They noted with appreciation that the CJEU, together with all other Union institutions, bodies, offices and agencies, have entered into a joint procurement for the supply of accident insurance.

The report noted enhanced cooperation with the European Public Prosecutors Office (EPPO).

Communication

Lastly, the report noted that, in 2022, the budget for communications, covering content preparation and printing of internal and external publications was EUR 527 500, equivalent to an increase of 3.3 % from 2021.

Regarding transparency, Members noted with appreciation that, in 2022, the CJEU started a streaming service of the case hearings assigned to the Grand Chamber, providing the public with an opportunity to have a better understanding of how the CJEU works. The CJEU is encouraged to widen this initiative to ensure more transparency.

2022 discharge: General budget of the EU - Court of Justice of the European Union

The European Parliament decided by 550 votes to 55, with 6 abstentions, to grant the Registrar of the Court of Justice discharge in respect of the implementation of the budget of the Court of Justice of the European Union for the financial year 2022.

In its resolution, adopted by 525 votes to 69 with 9 abstentions, Parliament made the following observations:

In its Annual Report for the financial year 2022, states that it did not identify any specific issues concerning the CJEU. Members noted that 14 (23 %) of the 60 transactions contained errors but that the Court of Auditors, based on the five errors which were quantified, estimates the level of error to be below the materiality threshold.

Budgetary and financial management

The overall budget allocated for the CJEU for 2022 amounted to EUR 467 900 000, an increase from EUR 444 049 000 in 2021 and in 2020, equivalent to an increase of 5.4 % from 2021 to 2022, and that 79 % of the budget in 2022 was used for its members and staff, 14 % for buildings, 6 % for IT and 1 % for other expenditure. The general mission budget of the CJEU declined from EUR 405 000 in 2021 to EUR 390 000 in 2022, equivalent to a reduction of 3.7 %, which was primarily due to changes in working methods with a larger number of remote meetings.

Members noted that Russia's war of aggression against Ukraine in various ways created budgetary pressures for the CJEU, including through rising inflation and salary adjustments, strongly increasing energy costs and costs for a number of goods and services.

Internal management, performance and internal control

In 2022, for the Court of Justice, 68 % of new cases were references for preliminary rulings, 24 % were appeals against decisions of the General Court, and 4 % were actions against Member States for failure to fulfil obligations. In addition, the resolution stated that, in 2022, for the General Court, 46 % of new cases concerned actions for annulment of acts of Union institutions, 30 % concerned actions relating to intellectual property, and 7 % concerned disputes between institutions of the Union and their staff.

The number of cases brought before the two courts in 2022 is comparable to that of the previous year (1 710 cases in 2022 as compared to 1 720 in 2021). The resolution noted that, together, the Court of Justice and the General Court were able to complete 1 666 cases in 2022, compared to 1 723 in 2021, which corresponds to the average in recent years (1 692 cases per year between 2018 and 2021). The total number of pending cases is increasing, with 2 585 cases pending in 2022 compared to 2 541 in 2021.

Human resources

Members noted with concern that the Court of Justice and the General Court continue to have a very unbalanced gender composition and that of the eight new Judges taking office in the General Court in 2022, five were men and three were women. For senior management, the gender distribution was nine men and six women, equivalent to 60 % men and 40 % women. There is also an overrepresentation of Union nationalities represented on the staff of the CJEU with French nationals accounting for 22 % of overall staff. The CJEU is encouraged to support a multilingual working environment. All necessary measures should be taken to ensure the wellbeing of its staff in order to bring the number of cases associated with burnout down.

Ethical framework and transparency

Members continue to appreciate the reforms made in 2021 concerning the members of the Court of Justice and of the General Court concerning their code of conduct and the declarations of interest which together with the new requirements for the curriculum vitae of the members represents an improvement in the transparency of the CJEU. They are, nevertheless, of the opinion that the validity and usefulness of the declarations of interest could be improved through some kind of verification and quality control.

Members welcomed the publication of the list of external activities carried out by Members of the Court of Justice and the General Court, but recommend that it be made more informative for the general public.

Members noted that no new investigations involving the CJEU were opened by the European Anti-Fraud Office (OLAF) in 2022, and that four cases dealt with by the European Ombudsman concerning the CJEU found no maladministration. There were no cases of whistleblowing at the CJEU in 2022 and no cases of conflict of interest were detected.

The Court is called on to finalise and adopt a new code of conduct with no delay, in line with requests from previous discharge cycles.

Interinstitutional cooperation

Members welcomed that the CJEU has a wide range of service level agreements with other Union institutions which helps reduce costs for the institutions involved and ensures that similar procedures, techniques and work flows are used across the institutions. They noted with appreciation that the CJEU, together with all other Union institutions, bodies, offices and agencies, have entered into a joint procurement for the supply of accident insurance.

The resolution noted enhanced cooperation with the European Public Prosecutors Office (EPPO).

Digitisation, cyber security and data protection

Members welcomed the fact that the CJEU sped up the implementation of an integrated case management system (SIGA), which will allow it to work on an entirely digital, secure and integrated workflow. They welcomed that the CJEU decided to no longer use cloud platforms for sensitive judicial data. They welcomed the CJEU's consideration of how and to what extent digital technologies should be used in its work and the CJEU's commitment to the integration of artificial intelligence (AI) tools into its work and the adoption of a comprehensive AI strategy in July 2023.

Communication

Lastly, the resolution noted that, in 2022, the budget for communications, covering content preparation and printing of internal and external publications was EUR 527 500, equivalent to an increase of 3.3 % from 2021.

Regarding transparency, Members noted with appreciation that, in 2022, the CJEU started a streaming service of the case hearings assigned

to the Grand Chamber, providing the public with an opportunity to have a better understanding of how the CJEU works. The CJEU is encouraged to widen this initiative to ensure more transparency.