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## TEXTS ADOPTED

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### **P9\_TA(2021)0167**

## **2019 discharge: EU general budget - Court of Justice of the European Union**

### **1. European Parliament decision of 28 April 2021 on discharge in respect of the implementation of the general budget of the European Union for the financial year 2019, Section IV – Court of Justice of the European Union (2020/2143(DEC))**

*The European Parliament,*

- having regard to the general budget of the European Union for the financial year 2019<sup>1</sup>,
- having regard to the consolidated annual accounts of the European Union for the financial year 2019 (COM(2020)0288 – C9-0223/2020)<sup>2</sup>,
- having regard to the annual report of the Court of Justice of the European Union to the discharge authority on internal audits carried out in 2019,
- having regard to the Court of Auditors' annual report on the implementation of the budget concerning the financial year 2019, together with the institutions' replies<sup>3</sup>,
- having regard to the statement of assurance<sup>4</sup> as to the reliability of the accounts and the legality and regularity of the underlying transactions provided by the Court of Auditors for the financial year 2019, pursuant to Article 287 of the Treaty on the Functioning of the European Union,
- having regard to Article 314(10) and Articles 317, 318 and 319 of the Treaty on the Functioning of the European Union,
- having regard to Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No

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<sup>1</sup> OJ L 67, 7.3.2019.

<sup>2</sup> OJ C 384, 13.11.2020, p. 1.

<sup>3</sup> OJ C 377, 9.11.2020, p. 13.

<sup>4</sup> OJ C 384, 13.11.2020, p. 180.

223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012<sup>1</sup>, and in particular Articles 59, 118, 260, 261 and 262 thereof,

- having regard to Rule 100 of and Annex V to its Rules of Procedure,
  - having regard to the opinion of the Committee on Legal Affairs,
  - having regard to the report of the Committee on Budgetary Control (A9-0064/2021),
1. Grants 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 2019;
  2. Sets out its observations in the resolution below;
  3. Instructs its President to forward this decision and the resolution forming an integral part of it to the Court of Justice of the European Union, the Council, the Commission and the Court of Auditors, and to arrange for their publication in the *Official Journal of the European Union* (L series).

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<sup>1</sup> OJ L 193, 30.7.2018, p. 1.

## **2. European Parliament resolution of 29 April 2021 with observations forming an integral part of the decision on discharge in respect of the implementation of the general budget of the European Union for the financial year 2019, Section IV – Court of Justice of the European Union (2020/2143(DEC))**

*The European Parliament,*

- having regard to its decision on discharge in respect of the implementation of the general budget of the European Union for the financial year 2019, Section IV – Court of Justice of the European Union,
  - having regard to Rule 100 of and Annex V to its Rules of Procedure,
  - having regard to the opinion of the Committee on Legal Affairs,
  - having regard to the report of the Committee on Budgetary Control (A9-0064/2021),
- A. whereas in the context of the discharge procedure, the discharge authority wishes to stress the particular importance of further strengthening the democratic legitimacy of the Union institutions by improving transparency and accountability, and implementing the concept of performance-based budgeting and good governance of human resources;

### ***Budgetary and financial management***

1. Notes with satisfaction that, in its annual report for 2019, the Court of Auditors identified no significant weaknesses in respect of the audited topics relating to human resources and procurement for the Court of Justice of the European Union (the ‘CJEU’);
2. Welcomes the fact that, on the basis of its audit work, the Court of Auditors concluded that the payments as a whole for the year ended on 31 December 2019 for administrative and other expenditure of the CJEU were free from material error and that the examined supervisory and control systems were effective;
3. Regrets, as a general observation, that chapter 9 ‘Administration’ of the annual report of the Court of Auditors has a rather limited scope and conclusions, notwithstanding the fact that the Multiannual Financial Framework Heading 5 ‘Administration’ is considered to be 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;
4. Notes that the CJEU’s budget amounted to EUR 429 468 936 (EUR 410 025 089 in 2018 and EUR 399 344 000 in 2017) and that the implementation rate was 98,7 % (compared to 99,18 % in 2018 and 98,69 % in 2017); notes the high implementation rates for both Title 1 (persons working with the institution) and Title 2 (buildings, furniture, equipment and miscellaneous operating expenditure), amounting to an implementation rate of 98,4 % (compared to 99 % in 2018 and 98,6% in 2017) for Title 1 and of 99,6 % (compared to 99,8 % in 2018 and 98,1 % in 2017) for Title 2;
5. Notes that almost 75 % of the CJEU’s budget was allocated to expenditure on the members and staff (Title 1) and almost 25 % to infrastructure expenditure (Title 2) - particularly buildings and information technologies; notes that appropriations carried over

from 2018 to 2019 amounted to EUR 21 092 468 (mainly from buildings which amount to EUR 15 038 328), of which 87,21 % were used in 2019 as compared to 85,45 % in 2018;

6. Notes with concern that the CJEU continues to overestimate some commitments as was stated in the discharge resolution of 2017: for ‘missions for members’, budget line 104, EUR 299 750 committed compared to EUR 34 340 paid; for ‘missions persons working with institution’, budget line 162, EUR 498 500 committed compared to EUR 272 898 paid; for ‘training for members’, budget line 106, EUR 270 065 committed compared to EUR 164 263 paid; and for ‘training persons working with institution’, budget line 1612, EUR 1 528 061 committed compared to 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 ensure sound financial management for all budget lines in order to avoid significant discrepancies between commitments and payments;

### ***Human resources***

7. 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; reiterates its concerns about the growing problem of the purchase power disparity suffered by Union civil servants posted to Luxembourg;
8. Stresses 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 gender balance; acknowledges, however, the fact that efforts in the field of equal opportunities are becoming increasingly visible at the administrative level with the proportion of women in middle management amounting to 41 % and in senior management amounting to 40 %; notes that the overall staff has a distribution of 39 % men and 61 % women and for AD staff a distribution of 46 % men and 54 % women;
9. Underlines the need for improvements in the geographical balance of staff, in particular for management positions, in view of the fact that, by mid-2020, 15 out of 58 heads of unit (25,8 %) and two out of 15 directors (13,3 %) came from Member States that have joined the Union since May 2004 (compared to 15 out of 57 heads of unit and two out of 13 directors in 2018); calls on the CJEU to strengthen its efforts in this regard by encouraging applications from candidates whose nationality is underrepresented and by making use of interinstitutional exchanges;
10. Asks the CJEU's equal opportunities and diversity cell to assess the possibilities of further strengthening and integrating the principle of equal opportunities in recruitment, training, career development and working conditions as well as to raise staff awareness of these aspects;
11. 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 cases of burnout 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, should respect staff well-being and satisfaction, and should 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 measures to address the increasing workload and to make more substantial efforts to prevent burnout; encourages the Court to complete the existing flexible working arrangements with a protection of the staff members' right to disconnect;

12. Welcomes the steps taken by the CJEU to assess whether the workload is distributed proportionally across the different teams and members of staff in order to reduce cases of burnout and to 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 the situation accurately including an analysis of workload 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 among the different members of staff on an ongoing basis in order to be able to make the necessary adjustments;
13. 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; urgently calls on the CJEU to hire its trainees on paid contracts and provide allowances covering living expenses at a minimum, with the exception of cases where trainees receive payments from other sources, in line with interinstitutional agreements signed by the CJEU;
14. Notes with satisfaction that seven additional judges joined the General Court in 2019 in the context of the third and final stage of the structural reform that was adopted in 2015, leading to the doubling of the number of judges at the General Court;
15. 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 quality of judicial decisions and the ongoing reform of the General Court did not form part of the review by the Court of Auditors in 2017, but that the Court of Auditors 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<sup>1</sup>";

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<sup>1</sup> Special Report 14/2017: 'Performance review of case management at the Court of Justice of the European Union'.

16. Asks the CJEU to inform the discharge authority of any improvements made in the efficiency of administrative processes, which seem to be essential in face of an ever-increasing workload; reiterates the necessity of on-going reforms to ensure that the CJEU is well equipped to respond to future challenges and to enhance further its overall performance in order to avoid unreasonable delays in the treatment of cases;

### *Ethics and integrity policy*

17. 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);

18. Notes that one alleged case of harassment was reported in 2019 and that it was concluded that the alleged facts did not constitute harassment as defined by Article 12a of the Staff Regulations; notes that in 2019 one investigation was concluded following complaints of harassment by members of staff and that this case was handled by means of an administrative inquiry led by a former judge of the Civil Service Tribunal; notes that no other complaints were received and that there was no expenditure in terms of court case management or sentences; notes with satisfaction that the anti-harassment rules and procedures are published on CJEU's intranet site in order to promote a respectful working environment and to prevent any form of harassment;

19. 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 the European Anti-Fraud Office (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;

20. Welcomes the training entitled 'Rules of good conduct' conducted in 2019 with the participation of 63 members of staff; notes that such training has been organised in order to inform newcomers and other staff members of their obligations under the Staff Regulations and the Conditions of Employment of Other Servants; notes with satisfaction that the courses cover topics such as harassment, whistleblowing, prevention of conflicts of interests and other ethical issues; welcomes the fact that whistleblowing and conflicts of interests have also been included in the content of financial training; encourages the CJEU to continue conducting that training systematically for newcomers and periodically for the rest of the staff; invites the CJEU to promote other training of a similar nature;

21. Notes that, as regards cases relating to complaints brought before the European Ombudsman, two cases were pending on 1 January 2019 and one case was opened in 2019; welcomes the fact that these three cases were all closed in 2019 without any instance of maladministration being found by the European Ombudsman;

22. 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 on the results of the work to the discharge authority;

23. 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; recalls also the initiative of the European Ombudsman in 2018 on how to best implement the provisions laid down in the Staff Regulations on ‘revolving doors’;
24. Notes the rules in place governing post-office employment of the members of the CJEU; notes that the code of conduct sets out various 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 that court;
25. Welcomes the fact that, following the request of Parliament’s Committee on Budgetary Control, the CJEU published on its website a list of the external activities of its members; urges that further detailed information should be published, in the interest of transparency, on such matters as purpose, date, venue, travel and subsistence costs for the listed events and whether these costs were paid by the CJEU or by a third party; notes that engagement in outside activities is subject to prior authorisation, must fall within the scope of the duties of the members with respect to dissemination of case law and must be compatible with the requirements of the code of conduct;
26. 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 most recently 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 interests, 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;
27. Is concerned that 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 with regard to the principle of judicial independence and to 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 interests 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 interests;
28. Welcomes the CJEU’s willingness to ensure greater transparency; encourages the CJEU 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;

### ***Buildings and security***

29. Welcomes the entry into service of the 5<sup>th</sup> extension to the Palais of the Court of Justice, including the new Tower C in July 2019; notes the total surface area of 42 631 m<sup>2</sup>, of which approximately 14 850 m<sup>2</sup> is office space, which enabled the CJEU to terminate the lease of the previous building rented over recent years at Kirchberg; notes that changes were carried out to the office layout, following a survey on open space, changes which have proven satisfactory and which have allowed the CJEU to provide appropriate solutions for services and staff members;
30. 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 subject of possible improvements for people with reduced mobility or other disabilities, including emergency evacuation of these people that encompasses reasonable modifications to the CJEU's buildings with respect to access and adequate office equipment;
31. Recognises that the CJEU has equipped itself with crisis bodies, enabling it to react effectively to any eventuality in order to guarantee the security of staff, buildings and information and to ensure business continuity, and that the usefulness and proper functioning of these bodies were proven during the COVID-19-crisis in 2020; notes that the additional expenditure in the budgetary line 2026 'Building security and surveillance' in 2019 amounted to approximately EUR 500 000;

### ***Environmental dimension***

32. Appreciates that the CJEU is continuously improving its environmental performance by applying Regulation (EC) No 1221/2009<sup>1</sup> (EMAS III) which requires monitoring of 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; encourages the CJEU to continue reducing its environmental footprint by implementing carbon-neutral work solutions and clean sources of energy;

### ***Communication***

33. Notes with interest that one of the main points of the CJEU's communication activities in 2019 was the 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 inform interested parties of its work; encourages the CJEU to establish a presence on free and open-source social media networks, such as Mastodon, in order 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;

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<sup>1</sup> 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 (OJ L 342, 22.12.2009, p. 1).

34. 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); notes 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, 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 (RJUE);
35. 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, compared with 2 292 in 2018;
36. Appreciates the positive turn taken by RJUE and congratulates the CJEU for fostering transparency by making procedural and doctrinal documents from the RJUE platform freely accessible on the CJEU website in 2019, as recommended by Parliament's Committee on Legal Affairs in its opinion for Parliament's Committee on Budgetary Control that formed part of the 2018 discharge procedure; welcomes the progress made in the digital field, including in the form of the new 'Judicial Documentation' tool, which facilitates access to relevant documentation and information for the handling of certain cases brought before the Court;

### ***Interinstitutional cooperation***

37. Welcomes the fact that the CJEU has always fully cooperated with OLAF and that the CJEU is committed to continuing with this positive cooperation; underlines that in 2019 a disciplinary measure was taken following an OLAF investigation carried out in 2018 and notes that OLAF has been informed accordingly; notes furthermore that an OLAF investigation was opened in 2019 which is still ongoing and has given rise to an intense period of cooperation with OLAF;
38. Appreciates the new chapter in the annual activity report of the CJEU which deals with fees, services and related matters in relation to service level agreements with other Union institutions and bodies as requested in the discharge resolution 2018; notes that the CJEU has continued to develop a multi-pronged strategy of interinstitutional cooperation with the total value of the interinstitutional service level agreements amounting to EUR 7 852 221 in 2019; notes the organisation of interinstitutional calls for tenders, in which the CJEU is either a partner or the leader, in order to benefit from better market prices and to optimise the associated management costs; notes the cooperation in the field of translation and interpretation within the context of the Interinstitutional Committee for Translation and Interpretation;
39. Welcomes the CJEU's participation in interinstitutional groups or networks in various areas, such as buildings and security, environmental protection, legal informatics, vocational training, library, information and communication; notes that the shared applications common to the CJEU and other institutions cover the main areas of administrative management such as human resources, payroll, budget and financial and accounting management; notes that the CJEU is working actively with the Commission to improve the e-translation tool; notes the participation of the CJEU in the interinstitutional monitoring group with the Irish authorities and other Union institutions to prepare for the lifting of the derogation applicable to the Irish language on 1 January 2022;

40. Acknowledges the CJEU's careful consideration of the recommendations of Parliament's Committee on Budgetary Control as expressed in the discharge resolutions; highlights the importance of this feedback as presented in the CJEU's follow-up document to the discharge authority;

### ***Digitalisation, cybersecurity***

41. Highlights and welcomes the fact that, during 2019 and in line with the CJEU's digital strategy, the CJEU continued to work on the integrated case management system programme (the SIGA programme) which aims to build an integrated system that will replace the majority of the judiciary applications used by the Court of Justice and the General Court; notes that the SIGA programme started in mid-2018 following a recommendation by the Court of Auditors; welcomes the fact that the CJEU continues to improve its IT situation; notes that investment in projects and equipment was increased by EUR 1,3 million in 2019 compared to 2018;

42. 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;

43. 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;

44. 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;

45. Notes 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<sup>1</sup>, 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;

46. Encourages the CJEU to follow the EDPS recommendations to renegotiate the interinstitutional licensing agreement and implementation contract, signed between the Union institutions and Microsoft in 2018, with the objective of achieving digital

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<sup>1</sup> 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.

sovereignty, avoiding vendor lock-in and lack of control, and ensuring the protection of personal data;

47. Welcomes the increased high rate of utilisation of e-Curia at the Court of Justice in 2019 (80 % of all the procedural documents lodged before that court in 2019 were lodged through this channel) and that the percentage has further increased during the COVID-19-crisis in 2020; encourages the CJEU to continue to increase the utilisation of digital tools in its proceedings to the extent possible; fully understands the concerns of the Court of Justice that imposing the use of e-Curia in all circumstances could be disproportionate and possibly lead to a restriction in access to justice;
48. Highlights the fact that the introduction of e-Curia in November 2011 had a major impact on the reduction of postal costs (whereas those costs amounted to EUR 720 598 in 2011, they amounted to only EUR 89 954 in 2019, thus representing a reduction of more than 87 % over eight years); further encourages the CJEU in its commitment to the establishment of an integrated case management system, implementing the digitalisation of all stages of the judicial process to the extent possible;
49. Welcomes the steady increase in the number of accounts for accessing the e-Curia application (6 588 in 2019 as compared to 4 865 in 2018) and the fact that it is used in all Member States, demonstrating 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; welcomes also 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);

### ***Internal management, internal control, performance***

50. 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, the greater involvement of the presidents and the vice-president in judicial work, and the modernisation of systems for the statistical monitoring of the performance of the chambers and for the mid-term planning of the General Court;
51. Welcomes the fact that the two courts comprising the CJEU closed a combined total of 1 739 cases in 2019, which represents a high level of productivity in spite of a slight reduction compared to 2018 (1 769 cases); notes, furthermore, that there was a record total number of cases brought before the two courts in 2019, 1 905 compared to 1 683 in 2018, and in this regard welcomes the introduction on 1 May 2020 of a mechanism for prior determination as to whether appeals should be allowed to proceed which should ease congestion in the Court of Justice;
52. Points out that the Court of Justice registered a large number of new cases in 2019, 966, a 13,78 % increase compared to 2018; points out that a large number of new cases were also brought before the General Court in 2019, 939, compared to 834 in 2018; welcomes the record number of closed cases at the Court of Justice, 865, a 13,8% increase compared to 2018; notes with concern that the number of cases closed at the General Court in 2019, 874, is significantly down from 2018 (1 009);

53. Is concerned nonetheless at the increase of approximately 7 % in the number of cases pending compared to 2018 (2 500 cases pending on 31 December 2019 compared to 2 334 on 31 December 2018);
54. Points out that in 2019 the issues dealt with by the Court of Justice related mainly to competition and state aid and the area of freedom, security and justice, while the issues dealt with by the General Court concerned mainly state aid and intellectual and industrial property; notes that the main issues dealt with by the General Court remained unchanged from 2018 to 2019, whereas the main issues dealt with by the Court of Justice in 2018 included freedom of movement and establishment, the internal market and intellectual and industrial property, in addition to those relating to the area of freedom, security and justice;
55. Recalls the importance of reporting on the major key performance indicators set up in line with the structural reform process in order to measure the achievements against the strategic objectives; asks the CJEU to provide a synthesis in the next annual activity report;
56. Welcomes the change in the structure of this year's management report of the CJEU, which presents the information in a clearer and more comprehensible manner;
57. Welcomes the reduction of the average length of proceedings before the Court of Justice and the General Court, and notes that 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;
58. Recalls that the effective and efficient functioning of an internal control system must be a priority of the CJEU; notes that the internal control framework, as adopted by decision of the administrative committee on 29 January 2019, is based mainly on the principles of autonomy and accountability at each level of management; welcomes the fact that in 2019 a guide to internal control was prepared with the purpose of helping the services in the implementation and monitoring of the new framework; notes that the framework exists among other instruments of a centralised *ex ante* verification service, a highly effective integrated account and budget management system and an independent internal audit service (IAS);
59. Notes that, as stated in the annual report of the IAS, audits were completed in 2019 in the areas of 'review of participation in interinstitutional bodies' and 'analysis of good practices in the supervision of external in-house service providers'; notes that in 2019 the IAS continued to provide advice in several areas of activity in the context of the reform of the judicial architecture and the increased workload in some services of the CJEU;
60. Welcomes the fact that the IAS regularly monitors action taken in response to the recommendations made in the audits carried out in previous years; notes that in the context of a "review of the CJEU's strategy to combat fraud, corruption and any illegal activity detrimental to the interests of the European Union" one of the main recommendations is a periodic re-evaluation of risk registers; notes, moreover, the value of improving information sharing; appreciates the fact that the intranet site was supplemented with a section dedicated to ethics and professional conduct; welcomes further the mandatory induction training programme with sessions devoted to physical security, data protection and information security;

## ***Multilingualism***

61. 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 complexity which means that freelance translators must, insofar as possible, be lawyers or otherwise possess experience in legal translation.