



2024/2022(DEC)

30.1.2025

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 2023, Section IV – Court of Justice of the European Union
(2024/2022(DEC))

Rapporteur for opinion: Ilhan Kyuchyuk

PA_NonLegDec

OPINION

The Committee on Legal Affairs calls on the Committee on Budgetary Control, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

1. Appreciates the CJEU's very high budgetary implementation rate for 2023 (99,2 %), a further increase as compared to previous years (98,4 % in 2022 and 98,7 % in 2021);
2. Stresses that the budget of the CJEU is essentially administrative, with around 75 % of the appropriations related to expenditure for its members and staff, and almost all of the rest related to expenditure for buildings and IT;
3. Welcomes the recent amendment to Protocol n° 3 on the Statute of the CJEU, enacted by Regulation (EU, Euratom) 2024/2019 of the European Parliament and of the Council¹, that transfers part of the Court of Justice's jurisdiction for preliminary rulings to the General Court and extends the mechanism for the Court of Justice to decide whether appeals shall be allowed to proceed or not, for considerations relating to legal certainty and expedition, in order to preserve the ability of the Court of Justice to deliver high quality judgements in a timely manner, hence serving to guarantee the right to effective remedy by the national authorities; as well as strengthening access to justice by facilitating intervention in judicial proceedings by the European Parliament, the Council and the European Central Bank where a particular interest is invoked; Welcomes that with the amendment to Protocol n° 3 on the Statute of the CJEU, transparency and openness of judicial proceedings will be strengthened through the publication of written submissions submitted by an interested person on the website of the CJEU, after the closing of the case, unless that person raises objections to the publication of that person's own written submissions; stresses in this regard the need for a reflection on the implementation of the Statute through the constructive dialogue between the European Parliament and the CJEU;
4. Notes that the number of cases brought before the Court of Justice in 2023 was just one short of the exact average for the last three years - in 2023, 821 new cases were registered, 15 more than in 2022 (806 cases) and 17 fewer than in 2021 (838 cases); takes note that the breakdown of litigation by type of case is also broadly similar to that in previous years – with the number of requests for preliminary rulings and appeals still accounting for over 90 % of all the cases brought before the Court; also notes the increase in the number of direct actions brought before the Court in 2023;
5. Welcomes the fact that the average length of proceedings for cases completed before the Court of Justice decreased to 16,1 months in 2023, compared to 16,4 months in 2022, and notes that the average length of proceedings before the General Court was 18,2 months, compared to 16,2 months in 2022, which increase was mainly due to the closure of several complex cases or groups of cases, in particular in the fields of state aid and

¹ Regulation (EU, Euratom) 2024/2019 of the European Parliament and of the Council of 11 April 2024 amending Protocol No 3 on the Statute of the Court of Justice of the European Union (OJ L, 2024/2019, 12.8.2024, ELI: <http://data.europa.eu/eli/reg/2024/2019/oj>).

competition;

6. Notes the decrease in the average time taken to deal with direct actions before the Court of Justice (from 23.5 months in 2022 to 20.8 months in 2023) and with references for preliminary rulings (from 17.3 months to 16.8 months);
7. Notes that the number of cases brought before the two courts in 2023 exceeded, for the first time, the emblematic threshold of 2 000 (2 092 cases), including a series of 404 essentially identical cases brought before the General Court, and that, even if those cases are counted as a single case, the number of cases remains at a very high level (1 689), close to that of the preceding years (1 710 cases in 2022 and 1 720 in 2021);
8. Underlines that, together, the Court of Justice and the General Court were able to complete 1 687 cases in 2023, compared to 1 666 cases in 2022, with an average duration of proceedings of 17.2 months, and notes that the total number of pending cases remains stable when compared to previous years: considering the previously mentioned 404 cases as a single case, 2 587 cases were pending at the end of 2023, compared to 2 585 at the end of 2022 and 2 541 at the end of 2021;
9. Notes with satisfaction the high use rate of e-Curia in 2023, with 10 502 e-Curia accounts being registered: 94 % of lodgements before the General Court were made via e-Curia, which is the same as in 2022, while the use rate of e-Curia at the Court of Justice went up to approximately 89 %, compared to 87 % in 2022;
10. Notes that, as regards the litigation before the Court of Justice, there was a significant increase in the number of direct actions, in particular in the field of the environment, and that the questions referred to the Court of Justice for a preliminary ruling in 2023 related principally to the area of freedom, security and justice, followed by taxation, consumer protection and transport;
11. Notes that, as regards the litigation before the General Court, there was an increase of cases in the fields of intellectual property and economic and monetary policy, including banking;
12. Points out that dialogue and cooperation with national courts is central to the Court's mission; acknowledges and welcomes the pursuit of the activities carried out by the Judicial Network of the European Union, which contributes to fostering and facilitating the cooperation between the CJEU and the national courts, and especially with the constitutional and supreme courts, and welcomes the strengthening of the cooperation between the CJEU and the European Judicial Training Network, which allows for the presence of national judges for traineeships, study visits and annual seminars at the CJEU; welcomes the adoption by the Court, in 2023, of the declaration entitled 'Supporting the European Judicial Training Network to shape a sustainable European judicial culture', which shows the Court's commitment to that network;
13. Appreciates the progress made in digitising the judicial archives with a view to preserving documents for future consultation and facilitating access for researchers and the public by means of a digital portal;
14. Welcomes the adoption by the CJEU of an Artificial Intelligence Strategy of the Court of

Justice of the European Union', which seeks to improve the efficiency and efficacy of administrative and judicial processes, enhance the quality and consistency of court decisions and improve access to justice and transparency for EU citizens, followed by the setting up of an AI Management Board and the adoption of certain guidelines for the use of AI-based tools;

15. Welcomes the measures taken, such as cybersecurity audits, staff training and rapid incident response protocols, to protect the CJEU's technological infrastructure from cyber threats; stresses that the digitisation of justice and the use of new technologies such as artificial intelligence will bring many benefits in terms of the smooth functioning of the CJEU, but also entail risks that the Court needs to pre-empt and protect itself against; suggests in this connection that the Court of Justice develop a cybersecurity strategy and step up collaboration with other EU institutions, in particular ENISA (the EU Agency for Cybersecurity), on preventing of cyber-attacks, whose number and sophistication are growing exponentially in Europe;
16. Welcomes the initiative to assign fictitious names to anonymised cases, through the use of a computerised automatic name generator, in order to strengthen the protection of personal data and facilitate the identification of individual cases;
17. Notes with satisfaction the amendment to the Rules of Procedure of the General Court, which will clarify and simplify judicial procedures, including the possibility of using videoconferencing for hearings, electronic signature of decisions and the designation of pilot cases;
18. Notes with satisfaction the adoption of a code of conduct for the staff or the CJEU, which code of conduct entered into force in March 2024;
19. Appreciates the CJEU's inter-departmental project that is focused on physical and digital accessibility and inclusion of persons with disabilities; accessibility is essential to enabling persons with disabilities to exercise their basic human rights;
20. Takes notes that, of the 2 303 officials and agents serving at the end of 2023, 61 % are women; welcomes the fact that the proportion of women in administrative positions is 55 %, and especially the fact that, in managerial posts, the proportion has increased to 43 %, compared to 40 % in 2022 and 2021, confirming the upward trend recorded since 2018 (41 % in 2020, 39 % in 2019 and 37,5 % in 2018).
21. Notes, however, the still existing imbalanced situation in terms of women's representation among the judges of both the Court of Justice and the General Court; exhorts, once again, the Members of the Council to address this situation by actively promoting gender parity in the appointment of judges, in line with the principles enshrined in Article 8 TFEU and Article 23 of the Charter of Fundamental Rights of the European Union, and with the commitments taken under Regulations (EU, Euratom)

2015/2422² and (EU, Euratom) 2019/629³ of the European Parliament and of the Council.

² Regulation (EU, Euratom) 2015/2422 of the European Parliament and of the Council of 16 December 2015 amending Protocol No 3 on the Statute of the Court of Justice of the European Union (OJ L 341, 24.12.2015, p. 14).

³ Regulation (EU, Euratom) 2019/629 of the European Parliament and of the Council of 17 April 2019 amending Protocol No 3 on the Statute of the Court of Justice of the European Union (OJ L 111, 25.4.2019, p. 1).

**ANNEX: ENTITIES OR PERSONS
FROM WHOM THE RAPPORTEUR FOR THE OPINION HAS RECEIVED INPUT**

Pursuant to Article 8 of Annex I to the Rules of Procedure, the Chair in his capacity as rapporteur for opinion declares that he received input from the following entities or persons in the preparation of the opinion:

Entity and/or person
Court of Justice

The list above is drawn up under the exclusive responsibility of the Chair in his capacity as rapporteur for opinion.

Where natural persons are identified in the list by their name, by their function or by both, the Chair in his capacity as rapporteur for opinion declares that he has submitted to the natural persons concerned the European Parliament's Data Protection Notice No 484 (<https://www.europarl.europa.eu/data-protect/index.do>), which sets out the conditions applicable to the processing of their personal data and the rights linked to that processing.

INFORMATION ON ADOPTION BY COMMITTEE ASKED FOR OPINION

Date adopted	30.1.2025
Result of final vote	+: 16 -: 4 0: 1
Members present for the final vote	Maravillas Abadía Jover, José Cepeda, Ton Diepeveen, Mario Furore, Juan Carlos Girauta Vidal, Ilhan Kyuchyuk, Sergey Lagodinsky, Mario Mantovani, Victor Negrescu, Kira Marie Peter-Hansen, Pascale Piera, René Repasi, Krzysztof Śmiszek, Dominik Tarczyński, Adrián Vázquez Lázara, Axel Voss, Marion Walsmann, Michał Wawrykiewicz, Dainius Žalimas
Substitutes present for the final vote	Angelika Niebler, Jana Toom
Members under Rule 216(7) present for the final vote	Lara Wolters

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

16	+
PPE	Maravillas Abadía Jover, Angelika Niebler, Axel Voss, Adrián Vázquez Lázara, Marion Walsmann, Michał Wawrykiewicz
Renew	Jana Toom, Dainius Žalimas
S&D	José Cepeda, Victor Negrescu, René Repasi, Krzysztof Śmiszek, Lara Wolters
The Left	Mario Furore
Verts/ALE	Sergey Lagodinsky, Kira Marie Peter-Hansen

4	-
ECR	Mario Mantovani, Dominik Tarczyński
PfE	Ton Diepeveen, Pascale Piera

1	0
PfE	Juan Carlos Girauta Vidal

Key to symbols:

+ : in favour

- : against

0 : abstention