



COURT OF JUSTICE
OF THE EUROPEAN UNION

ANNUAL REPORT 2021

MANAGEMENT REPORT





COURT OF JUSTICE
OF THE EUROPEAN UNION

ANNUAL ACTIVITY REPORT FOR THE FINANCIAL YEAR 2021

(Article 74(9) of the Financial Regulation)



CONTENTS

I. INTRODUCTION.....	5
II. JUDICIAL ACTIVITY IN THE CONTEXT OF THE MANAGEMENT OF THE COVID-19 HEALTH CRISIS	6
III. PRINCIPAL RESULTS CONCERNING THE ADMINISTRATIVE ACTIVITY OF THE INSTITUTION IN 2021	14
1. Results achieved in relation to the contribution to the proper functioning of the courts.....	14
2. Results achieved in relation to performance improvement.....	17
3. Results achieved in facilitating access to information and opening the Court to the public.....	22
4. Results achieved in relation to the effective management of multilingualism.....	25
5. Results achieved in relation to the compliance of activities with applicable regulations and the monitoring of best practices.....	27
IV. RISKS ASSOCIATED WITH THE COURT'S OPERATIONS.....	33
V. INTER-INSTITUTIONAL COOPERATION AND COOPERATION WITH MEMBER STATE BODIES.....	39
VI. USE OF BUDGETARY AND HUMAN RESOURCES.....	44
A. Implementation of appropriations.....	44
B. Use of jobs in the establishment plan.....	45



VII. FUNCTIONING OF THE INTERNAL CONTROL SYSTEM.....	46
A. Overall assessment of internal control and its cost-effectiveness	46
B. Results of activities and management indicators relating to verification, assistance and advice on internal control and internal audit.....	47
VIII. OBSERVATIONS MADE IN THE CONTEXT OF PREVIOUS DISCHARGES OR COURT OF AUDITORS' REPORTS.....	49
A. Observations made by the Court of Auditors.....	49
B. Observations made by the discharge authority.....	49

ANNEXES

ANNEX 1 - Report on staff policy	54
ANNEX 2 - Report on budgetary and financial management for the financial year 2021	70
ANNEX 3 - Report on negotiated procedures.....	95
ANNEX 4 - Report on compliance with and suspension of the time limits for making payments to creditors of the institution	96
ANNEX 5 - Report to the budgetary authority Updated 2022-2026 buildings investment plan	98
ANNEX 6 - Report on waivers of recoveries granted by the Institution.....	122
ANNEX 7 - Declaration by the authorising officer by delegation	123



I. INTRODUCTION

The Court of Justice of the European Union ('the Court' or 'the Institution') reports on its activities by publishing an annual report consisting of :

- ▶ the 'Judicial Activity' report;
- ▶ the 'Year in review' report, which summarises the results of administrative and judicial activity;
- ▶ the present management report (annual activity report of the authorising officer by delegation), drawn up in accordance with Article 74(9) of Regulation 2018/1046 on the financial rules applicable to the general budget of the Union ('the Financial Regulation').

Article 74(9) of the Financial Regulation requires the authorising officer by delegation to report to his or her institution on the performance of his or her duties in the form of an annual activity report containing financial and management information and stating that he or she has reasonable assurance that :

- a) the information contained in the report gives a true and fair view of the situation ;
- b) the resources allocated to the activities described in the report have been used for the purposes intended and in accordance with the principles of sound financial management; and
- c) the control procedures put in place give the necessary guarantees concerning the legality and regularity of the underlying transactions.

The annual activity report contains information on the operations carried out, in relation to objectives and performance-based considerations, the risks associated with those operations, the use of the resources made available and the efficiency and effectiveness of the internal control systems.

As in recent years, the activities and objectives achieved during the year are presented in a transversal and thematic manner, grouped around five management axes. This makes it possible to highlight what has been achieved by the Institution during the past year, regardless of the administrative entity responsible for a given task or project within the Institution. The sections of the report relating to the risks associated with operations and inter-institutional cooperation are also presented in a cross-cutting manner.

Therefore, following a first introductory chapter, Chapter II reports on the main developments concerning the jurisdictional activity in 2021 as well as the main elements of the management of the health crisis linked to the Covid-19 pandemic. Chapter III focuses on the main results of the Institution's administrative activity during 2021 in relation to the different management axes; Chapter IV analyses the risks associated with the operations and Chapter V reports on inter-institutional cooperation and cooperation with Member State bodies in 2021. Chapters VI, VII and VIII report on the use of the budgetary and human resources made available to the Court, the functioning of the internal control system and the follow-up to the observations made in the context of the Court of Auditors' reports and the European Parliament's discharge resolution for the year 2020. Finally, various annexes provide more specific information, some of which is required under specific provisions of the Financial Regulation.

II. JUDICIAL ACTIVITY IN THE CONTEXT OF THE MANAGEMENT OF THE COVID-19 HEALTH CRISIS

A. Judicial activity in 2021

The context in which this management report of the authorising officer by delegation is drawn up for the year 2021 is still marked by an activity impacted by the health crisis. In spite of this, the statistics show sustained judicial activity. The doors of the courtrooms remained open to the representatives of the parties and the public throughout the year, in the interest of the proper administration of justice and in accordance with the principle of public access to hearings.

The continuity of the public administration of justice was made possible by the specific videoconferencing system for remote participation in hearings, designed in 2020, as well as by compliance with rigorous health protocols, established to reduce the risk of spreading the virus, and the adaptation of the operating methods of the courts in accordance with the rules of procedure.

Thus, **1 720 cases were brought before** the two EU Courts, which is an increase of 8.6% compared to the rather low number of cases brought in 2020 due to the pandemic (1 584). The number of cases brought in 2021 falls short of the record number in 2019 (1 905), but exceeds the number in 2018 (1 683).

As for **closed cases**, which amounted to 1 723, the trend is very positive because their number is significantly higher than the previous year (1 540) and is almost at the same level as before the pandemic (1 739 closed cases in 2019 and 1 769 in 2018).

COURT OF JUSTICE

In terms of cases lodged (838), as in previous years, references for preliminary rulings from national courts account for the largest share (68%) of new cases brought before the Court in the past year, amounting to 567 (compared with 557 in 2020). The 232 appeals lodged in 2021 form the second largest block of cases lodged (28%) and have seen a very significant increase in 2021 (131 in 2020).

The number of cases closed in 2021 is again at a very high level (772) given the difficult context in which the courts have been operating. This figure is quite close to that of the previous year (792), and although it is lower than the record figure for 2019 (865), it is still higher than that of 2018 (760).

Due to the significant increase in the number of new cases, the number of pending cases increased to 1 113 cases at the end of 2021, compared to 1 047 at the end of 2020.

As regards the time taken for proceedings, there is a slight increase in all proceedings (16.6 months in 2021, compared with 15.4 months in 2020). This increase is explained by the measures taken by the Court to enable the parties to overcome the difficulties encountered during the health crisis, such as the granting of an additional period of one month for the submission of their written pleadings or observations or the increased use of questions for written answer.

GENERAL COURT

The General Court has seen an increase in the number of cases brought in 2021 to 882 compared to 847 in 2020, but without reaching the 2019 figures of 939 cases brought. The number of cases relating to intellectual property rights remains the highest (308) and the bulk of the remaining cases relate to the application of the Staff Regulations (81), institutional law (73) and State aid (46).

There is a significant increase in the number of cases closed (951) compared to 2020 (748). Of the cases settled in 2021, the main areas concerned are intellectual property (307) and the European civil service (130), for which the General Court has set up specialised chambers, and institutional law (105).

The number of pending cases decreased in 2021 (1 428 compared to 1 497 a year earlier).

In 2021, the average duration of proceedings increased to 17.3 months (15.4 months in 2020), which is mainly explained by the exceptional lengthening of the oral phase of proceedings caused by the frequent postponement of pleading hearings due to the parties' inability to travel to Luxembourg in the context of the pandemic.

Following the presentation in December 2020 of the Court's report on the functioning of the General Court, provided for in Article 3(1) of Regulation 2015/2422, reflections continued in 2021 with a view to following up the conclusions contained in that report.



B. Crisis management measures during 2021 to ensure the continuity of the European public service of justice in the context of the pandemic

1. CRISIS MANAGEMENT

The Institution continued to rely on a structure and procedures that had been established for several years for crisis situations. The crisis management structure is based on the crisis unit (headed by the Registrar of the Court of Justice and composed of the Registrar of the General Court, the Deputy Registrar of the Court of Justice, the heads of the private offices of the Presidents of the two courts and members of senior management), which is responsible for establishing the crisis situation and adopting, at the level of the Institution as a whole, the major decisions for managing the crisis situation and monitoring its progress. It adopts the general measures resulting from the crisis (remote working arrangements, cross-cutting measures relating to personnel management, etc.).

Those strategic decisions are then implemented by the Crisis Management Centre (CMC), which is made up of representatives from all departments who then pass on the information to the operational units responsible for ensuring the continuity of activities within each department. At its regular meetings, the CMC also provides feedback to the crisis unit so that the situation can be monitored.

Throughout 2021, the CMC played an important operational role in analysing the health situation and implementing the appropriate health measures to maintain the continuity of the judicial and administrative activity of the Institution.

In order to address specific needs, two task forces established in 2020 have continued their work with in order to:

- examine the measures and procedures to be put in place to protect the staff called upon to carry out functions on the premises that cannot be performed remotely, in particular with regard to the provision of personal protective equipment and to enable oral hearings to be held under sanitary conditions that guarantee optimum protection for all participants, including the parties' representatives (lawyers, agents and counsel);
- ensure the proper functioning of the secure videoconferencing system allowing simultaneous interpretation from and into the 24 official languages of the Union, for the benefit of the representatives of the parties who are unable to travel to Luxembourg because of the travel restrictions applicable in the Member States.

By closely associating the two courts and the Institution's services, these crisis management procedures made it possible to maintain coherent action based on three concomitant and interdependent objectives: to ensure the health and safety of staff and people visiting the Institution's premises, to guarantee the continuity of judicial activity and to provide support for staff in the crisis context.

Based on the lessons learned from the first year of Covid-19 crisis management, a new Emergency and Business Continuity Plan (EBCP) is being prepared and will be adopted as soon as the health crisis situation is over.

2. HEALTH AND SAFETY OF STAFF MEMBERS AND VISITORS

a. Home-working - scheduling

In view of the development of the pandemic situation and in order to ensure security within the Institution's buildings and to protect staff from the risk of contamination, it was decided at the beginning of the year to maintain the generalised home-working regime and to make the Court's premises accessible only to persons called upon to carry out functions which cannot be performed remotely and which are necessary for the functioning of the Institution, in particular the organisation of hearings and deliberations, with the prior authorisation of the hierarchical superior.

In the light of developments in the health and regulatory situation in Luxembourg and neighbouring countries, this generalized home-working scheme continued to be applied, after three successive extensions, until 15 July 2021, with heads of department being invited to make special arrangements for persons experiencing personal difficulties.

Between 16 July and 31 August, due to the reduced activity *in situ* connected with the absence of hearings and the annual leave of a large part of the staff, access to the buildings became possible without prior authorisation, but with daily monitoring of the number of people present.

Generalised home-working was reinstated from 1 to 10 September in order to take into account the risks linked to the return from holidays. Flexibility was then introduced, taking into consideration the recommendations of the medical officer and the evolution of the health and regulatory situation in Luxembourg and neighbouring countries, with the extension of vaccination coverage in the Grand Duchy, thus allowing, as of 13 September, a greater presence of staff in the buildings, with officials and agents being able to access the buildings freely in strict compliance with health procedures. That regime was maintained until the end of the year.

b. Health protocols

In addition to the home-working scheme, one of the key instruments for protecting people's health continued, in 2021, to be compliance with detailed and rigorous health protocols, drawn up in close cooperation with the Institution's medical officer and taking into account the measures taken by the Luxembourg authorities.

All the particularly demanding measures implemented to prevent the spread of the virus (temperature measurement when entering the buildings, compulsory wearing of masks in common areas and during hearings, respect for physical distance by separating traffic flows and limiting the number of places available in the hearing and meeting rooms, disinfection of the areas frequented, installation of hydro-alcohol gel dispensers, appropriate signage, awareness-raising through various communications) have made it possible to guarantee, under the supervision of the Institution's medical officer, the highest degree of protection for all the persons involved while offering them satisfactory reception conditions. In this context, the Court has continued to acquire stocks of health protection equipment to ensure that they are distributed, in accordance with the highest standards of protection, to Members, staff, participants in the proceedings and the public.

In addition to the daily presence of staff members, the Institution had to ensure, from a logistical and security point of view, the presence of the parties' lawyers, the agents of the Member States and, potentially, that of the public, bearing in mind that the principle of public hearings was respected throughout the year 2021.

3. CONTINUITY OF THE PUBLIC SERVICE OF EUROPEAN JUSTICE

a. Adaptation of working arrangements

The continuity of judicial activity was ensured throughout 2021. Certain measures for the organisation of proceedings taken in 2020 due to the difficulties created by the pandemic have been maintained, such as the possibility of replacing certain hearings with questions to the parties for written reply or the extension of procedural deadlines. In addition, circumstances that might prevent the transmission of documents by post have also justified a simplification of the formalities for the transmission of applications to open e-Curia accounts.

The Registries of the two courts regularly exchanged information with the parties' representatives on the measures taken during the health crisis, and the page on the Institution's website specifically devoted to information for the parties on the adaptation of the judicial activity of the two courts and on the health measures adopted to ensure the smooth running of pleadings was frequently updated in 2021.

b. IT equipment

Since spring 2020, all staff whose tasks were of a nature to be performed outside the buildings already had the technical equipment for working from home. However, improvements were made by deploying the new 'Softphone' service, allowing all Court staff to receive and make audio/video calls from their laptops.

Furthermore, when it became clear that Court staff would have to continue working from home for an extended period of time, the Institution took steps to ensure that staff were provided with ergonomically appropriate home working equipment. It equipped staff members, at their request, with a home-working package consisting of an ergonomic office chair similar to those available in the office, a monitor, a docking station and a keyboard.

All equipment provided to staff members for home-work remains the property of the Court and must be returned at the request of the administration or, in any case, on leaving the service.

c. Remote participation in hearings

As mentioned in the previous section A (see page 6), the Institution continued to make extensive use of the unique remote video conference hearing facility designed in 2020, offering potentially simultaneous interpretation to and from the 24 official languages of the Union, in order to address the travel difficulties of some party representatives. It is a complete system including the procedure, the documentation necessary to process the parties' requests to participate by videoconference, the technical testing phase and the coordination tools between the services involved.

In this respect, it is important to mention that on 24 June 2021, the European Ombudsman awarded the Court the Good Administration Award 2021 in the category 'Excellence in Innovation/Transformation', for this 'Remote Hearings' project. As of 31 December 2021 and since the conception of this system, a total of 211 oral hearings, with at least one remote participant, have taken place thanks to the system set up under this project (101 hearings before the Court of Justice and 110 hearings before the General Court).

d. Resource management

Human resources

All the measures taken to allow work to be carried out from home have enabled the Institution's departments to carry out their tasks in conditions as close to normal as possible and thus to continue to provide support for judicial activity. For a large number of services, productivity in 2021 was at a level comparable to that recorded before the crisis. By contrast, some services, whose mission requires, by nature, an in-person activity, have been affected in a more direct way, or more durably, by the effects of the health crisis.

In that context, and in order to ensure efficient management of resources, certain staff members who were experiencing a drop in activity due to the nature of their duties were regularly reassigned to services that were, on the contrary, facing an increase in workload. This solidarity and mutual enrichment of skills and experience has been an asset in overcoming the difficulties encountered. The departments, whose workload has decreased, have also taken the opportunity of a temporary reduction in activity to carry out cross-cutting projects.

Financial resources

The management of the crisis required a meticulous evaluation of its consequences, both actual and foreseeable, on the financial resources of the Institution.

With regard to its contractual commitments, the Court was forced to maintain the suspension of the execution of certain agreements, decided in 2020. This was the case for service contracts related to the occupation of the buildings, such as contracts for security, cleaning and maintenance, catering or logistical support, which were partially suspended.

As regards the use of appropriations, the crisis gave rise to additional expenditure linked, in particular, to the investments that had to be made in the field of IT equipment and infrastructure and in the purchase of sanitary protection and disinfection materials. There were also costs associated with some services that had to be cancelled, in particular due to the cancellation of hearings. However, thanks to appropriate management, these costs remained limited.

At the same time, savings were made due to travel difficulties or the significant reduction in activity in the buildings. The decrease in some of the usual costs can be explained by the reduction in the number of missions, the number of in-person training courses offered and the suspension of the contractual services mentioned above.

The financial consequences of the health crisis in 2021 are detailed in Annex 2 'Report on the budgetary and financial management'.

4. SUPPORTING STAFF MEMBERS

a. Care of persons

As part of the management of the crisis, given its importance and duration, it was essential to support the staff throughout this period, which was characterised in particular by the difficult situations that people had to face.

Particular attention was paid to people in vulnerable situations, such as people who had tested positive for Covid-19 and their contacts, vulnerable, disabled or distressed people, those accompanying people in difficulty or having to look after children left at home, pensioners and trainees. Appropriate support was provided, with care and respect for the protection of personal data, with the assistance, where necessary, of the Institution's medical officers, nurses, consultant psychologist and social worker.

The heads of service also took account of these specific situations, in a caring approach, with a view to adapting, where necessary, the way in which the persons concerned carried out their duties.

b. Internal communication

In 2021, the Institution continued to pay close attention to the need to ensure clear, accessible, coherent and relevant internal communication with staff. Thus, particular attention was paid to the finalisation of the implementation of the intranet site, with the continuation of work on the migration of the last departmental sites to the 'Jalios Content Management System' intranet, capable of enabling each department of the Court to carry out its own internal communication activities independently. Major efforts have also been made to improve the functionality and promotion of the intranet as an internal communication tool.

Regular (weekly) internal communication was ensured by the drafting, layout and distribution of the newsletter 'News@Curia' (35 issues in 2021).

The Court also continued to use complementary and structured communication channels, each with its own purpose, namely the 'CJEU-InfoAlert' intranet site containing all relevant information, important messages sent to professional and private addresses from a dedicated functional box and by SMS, communications to staff of an operational nature sent by e-mail, regular information on developments in the situation and on the support measures put in place in the context of the internal newsletter.

Various communications on issues relating to statutory rights and staff administration were issued regularly.

Social events and remote communication actions were also organised to maintain staff cohesion.

Finally, a survey was carried out, in collaboration with the Staff Committee and with the participation of all staff, with additional questions for management staff, in order to assess their appreciation of the working arrangements put in place both with a view to making certain adjustments and to considering the longer-term perspectives of the innovations implemented in the context of crisis management.

c. Vocational training

In 2021, the provision of e-learning continued to be strengthened, based on existing tools proposed in the inter-institutional framework. The training catalogue was revised, both in terms of general training and management training, in order to align the content of the courses with the new needs related to the situation created by the health crisis, such as agile communication and collaboration, autonomy and self-management, individual goal-setting, resilience and quality of life at work, taking particular account of the hybrid environment and the new working conditions.

Staff have been or will be able to benefit in the future from a wide range of possibilities to acquire new knowledge or to consolidate existing knowledge by using specialised electronic training platforms. In addition, hybrid training rooms have been set up in anticipation of new working conditions (in-person and at home).

Relevant information, as well as news on training courses organised throughout the year, were relayed to staff via a monthly newsletter, which contributes, with a view to improving internal communication, to informing the Institution's staff, but also to training them by integrating and transmitting succinct educational messages on current topics.

In 2021, the welcome programme for newcomers was redesigned and also extended to trainees. The content of almost all presentations was reviewed, while new presentations were added, namely a global presentation on the Institution, one on the equal opportunities, diversity and inclusion policy, one on well-being at work, and one on the mission and activities of the Staff Committee.



III. PRINCIPAL RESULTS CONCERNING THE ADMINISTRATIVE ACTIVITY OF THE INSTITUTION IN 2021

The services and Registries of the two courts in 2021 continued to work, in circumstances that remained exceptional given the persistence of the health crisis, to achieve their respective objectives, which can be broadly grouped into the following five management areas :

1. To contribute to the smooth running of the courts
2. To improve performance
3. To facilitate access to information and the opening of the Court to the public
4. Managing multilingualism effectively
5. Ensuring compliance with applicable regulations and monitoring best practices

The following paragraphs detail the results achieved by the Court during the year 2021 for each of the management areas mentioned above.

1. RESULTS ACHIEVED IN RELATION TO THE CONTRIBUTION TO THE PROPER FUNCTIONING OF THE COURTS

a. Management measures taken in the context of the health crisis to ensure the continuity of the European public service of justice

The management of the health crisis in the most efficient way possible continued to be, as in 2020, the main objective of the Institution in order to guarantee the continuity of the activities of the two courts that it consists of.

A detailed description of the arrangements in place for the management of this crisis during 2021 can be found in the previous section II 'Judicial activity in the context of Covid-19 health crisis management'.

Despite this context, the departments and registries of two courts have managed to make progress with the projects and achievements under way to contribute to the smooth running of the courts.

b. Continuation of the integrated case management system (SIGA)

In 2021, in line with its digital strategy, the Institution continued to carry out its project to implement an integrated case management system. This is a priority objective of the Institution, which is in particular in line with a recommendation made by the Court of Auditors in its Special Report No 14/2017 on the *Performance Review of Case Management at the Court of Justice of the European Union*, published in September 2017.

This project aims to put in place an integrated case management system which will replace the majority of the IT applications currently used by the Court of Justice and the General Court for case management. In addition to the renewal of the technology, the future system will provide added value by moving from

a silo approach to the various judicial activities to a cross-cutting approach to the flows inherent in those activities, thus offering the possibility of greater optimisation and automation of the various stages of case processing.

In 2021, following the completion of the tender procedure and the signing of the contract in 2020, the Court worked on the architecture, trained the specialists involved in the construction of the future system and started the realisation of the future system with the modelling of a first cross-cutting process with the aim of designing a simplified prototype constituting a basic foundation comprising the main features of the system, on which the business flows and functionalities to be implemented in the system are being added in an iterative manner since the second half of 2021.

c. Use of e-Curia

Since its launch in November 2011, the e-Curia application allows the filing and service of procedural documents by electronic means. This application is common to the two jurisdictions that make up the Institution. It promotes, first, increased dematerialisation of document flows to and from the Court of Justice and the General Court (with obvious environmental and economic benefits, such as, for example, the reduction of postal charges and paper consumption), and, secondly, the acceleration of the processing of procedural documents passing through this application as well as the reinforcement of the quality of management by means of a harmonised and secure process.

Furthermore, e-Curia proved to be a major asset in the context of the health crisis, insofar as this application ensures the dematerialisation of document flows and thus contributed to the continuity of the Registries' activity. It is in this context that a new e-Curia internal module for the management of procedural documents lodged, designed from the summer of 2020 and developed in 2021, allows the successive processing of documents filed by the parties by the various teams of the registries of the Court of Justice and the General Court, while facilitating communication between the various actors by allowing them to insert instructions for processing. This internal module was technically put into production on 14 December 2021.

At the General Court, the use of e-Curia has been made mandatory since 1 December 2018. However, certain exceptions have been provided for in order to ensure compliance with the principle of access to the judge (in particular when the use of e-Curia proves technically impossible or when legal aid is requested by an applicant who is not represented by a lawyer). In 2021, 93% of the procedural documents lodged with filings before the General Court were made via the e-Curia application (95% in 2020). Procedural documents lodged via the e-Curia application represented 889 353 pages (1 146 664 pages lodged in 2020 and 749 895 pages lodged in 2019).

At the Court of Justice, the e-Curia application is also the main method of exchanging procedural documents with the parties. Although its use is strongly encouraged, it is not compulsory. The main reason for this difference between the two courts is the difference in the types of action that can be brought before them.

In 2021, there was a significant increase in the rate of use of e-Curia at the Court of Justice, with around 85% of total lodgings made via this method (compared with around 80% in 2020). There was also a very significant increase in the number of accounts opened by national courts (223 accounts at the end of 2021, compared with 121 accounts at the end of 2020 and 45 accounts at the end of 2019).

Finally, it should be noted that the introduction of e-Curia in 2011 has had a considerable impact on postal costs, which have been reduced by approximately 85% over the period 2011-2021.

d. European Union Judicial Network (EUJN)

This Network, created in March 2017 on the occasion of the 60th anniversary of the signature of the Treaties of Rome and comprising the constitutional and supreme courts of the Member States, continued in 2021 to contribute to the strengthening of cooperation between the Court and the national courts.

Closer links between the member courts of the European Union Judicial Network promote close cooperation in areas as varied as case-law monitoring, legal research, multilingual terminology and emerging technologies. It creates new opportunities for synergies and the sharing of good practice and experience.

The EUJN set itself the objective in 2021 of continuing its activity with a view to deepening cooperation in the service of European justice and its administration, particularly in the fields of legal research, multilingual terminology and technological innovation.

The year 2021 was marked in particular by the first meetings of the 'Legal Research' thematic group, whose work focused mainly on the harmonisation of methods for indexing case-law. In addition, four webinars were organised within the framework of the technological innovation thematic group.

Moreover, the EUJN was also used in 2021, as it had already been in 2020, with a view to facilitating the sharing of information on the measures taken by national courts, in particular supreme courts, to adapt their activities to the pandemic context.

e. Meeting of Judges

This annual event, which was first held in 1968 and could not be held in 2020 due to the health crisis, took place on 22 and 23 November 2021. The Meeting of Judges is a prime opportunity to develop relations between the Court and national jurisdictions, with a view to strengthening judicial cooperation and fostering mutual knowledge through the exchange of information.

In 2021, the Meeting brought together magistrates from trial and appeal courts from the 27 Member States and 136 national magistrates at the Court's headquarters.

The topics discussed at the meeting were recent developments in the preliminary ruling procedure, the concept of judicial independence in EU law, EU law and public health, the right to an effective remedy before national courts, the regulation on insolvency proceedings and the concrete challenges and recent developments in the case law of the General Court concerning the Covid-19 pandemic.

f. Strengthening the operational support of the services in the context of the pre-processing of preliminary ruling cases

During the year 2021, the system of pre-analysis of preliminary ruling cases capable of being dealt with by way of an order adopted on the basis of Article 53(2) of the Rules of Procedure of the Court of Justice, introduced in 2020, continued to bear fruit.

This system aims to identify such cases at an early stage of the procedure, namely, within three days of the introduction of the case. When such an alert is issued, requests for translation of the request for a preliminary ruling (RPR) are temporarily suspended.

Next, within 4 to 8 days of the lodging of the case, on the basis of additional information, if the President and the First Advocate General find that the RPR is inadmissible and/or that the Court of Justice does not have jurisdiction, the Registry will adopt the appropriate procedural measures and the request for translation of the RPR will be cancelled.

In addition to the savings in translation resources and synergies between services, this system also contributes to faster processing of cases that can be settled by order, which is also in the interests of the litigant.

2. RESULTS ACHIEVED IN RELATION TO PERFORMANCE IMPROVEMENT

a. Automation and dematerialisation of procedures Automation and dematerialisation of procedures

The Innovation Lab within the Information Technology Directorate is closely following the promising avenues offered by emerging technologies and artificial intelligence (AI) in collaboration with the services, depending on their areas of interest. Ongoing experiments resulting from this close collaboration have already revealed new opportunities for efficiency, such as the further integration of neural machine translation into its processes.

The main purpose of using artificial intelligence tools is to analyse texts in order to extract information automatically and to speed up the processing of certain tasks, to add checks that cannot be carried out by humans in general because of the volume.

That work is carried out taking into account the 'European Ethical Charter on the use of AI in judicial systems and their environment', considering the five main principles expressed therein, namely the principles of respect for fundamental rights, non-discrimination, quality and security, transparency, neutrality and intellectual integrity, as well as user control. In all cases, the tasks carried out with the help of artificial intelligence will be monitored by a human operator and aim, in the end, to offer a better service while respecting the first principle of the charter by being 'ethical-by design' and 'human-rights-by design'.

i. Information and documentation

In addition to the ongoing work related to the implementation of an integrated case management system, referred to in point 1(b) above, the following projects can be mentioned :

- **Electronic signature:** during the health crisis, the need for a digital signature tool for both courts and administrative services to guarantee the authenticity and integrity of electronic documents became evident. In 2021, an inter-institutional tool was made available to authorising officers for the signature of administrative documents and the implementation of the electronic signature for the Court's judicial documents took place in March 2022.
- **Internal module of e-Curia** (see under III. 1. c.).
- **Document management system:** the project to modernise the management of administrative documents and to create a register of documents accessible to the public continued in 2021 with the implementation of the HAN/ARES application used in the Commission for almost all services.
- **Library transformation:** Following the new strategy adopted in 2017, the Court's library continued its gradual transformation in 2021 from a structured repository of books and periodicals in paper format to a document centre to be operated from a knowledge management perspective. In this context, it has continued its objective to increase the acquisition of electronic resources (databases, electronic books and periodicals). In 2021, the library maintained all its existing

database subscriptions and expanded the content available on several of them, subscribed to several new online resources and was able to provide access to several thousand electronic books (including more than 8 800 in permanent access). During the generalized work at home, means of remote use of documentary resources were put in place to offer an alternative to users during the period when the reading room was closed, namely, the digitization on request of articles existing only in paper format in compliance with the regulations related to intellectual property as well as the Biblio-drive, an autonomous device for lending and returning works. Another product that was developed during this period is the electronic book display. These are e-books classified by different areas of European Union law as well as by non-legal areas (continuing education, multilingualism), which can be accessed at the click of a button from the Library's intranet page. Given the positive feedback from users, these services have been maintained after the reopening of the reading room on 18 October 2021.

- **Neural translation:** developments in this area are detailed in section 3 of this report on results related to multilingualism management.
- **Media monitoring system:** a new media monitoring system was put into operation in March 2020. It is a new tool for the preparation of the Press Review, which is made available to the Members of the Institution on a daily basis, with the aim of improving its quality and making its preparation process more efficient. This is the result of a close collaboration that started in 2019 with the European Commission's Joint Research Centre in Ispra. This collaboration has helped to identify the Court's specific needs and to respond to them in an appropriate manner. It has led to a significant increase in the number of articles indexed: 26 572 articles in 2021, all languages combined, compared with 20 494 in 2020.

ii. Legal and doctrinal analysis and monitoring

In 2021, the Court continued its training and monitoring efforts in the field of legal information technology with the aim of being able, in the long term, to take advantage of the advances made in this area to automate certain aspects of the work of legal analysis of decisions. In this respect, several technical solutions have been studied with a view to automating the analysis of legal citations of decisions and optimising the updating of databases and the performance of case-law research tools.

In addition to this legal monitoring, a selective survey of legal literature is carried out. The services of the Library Directorate search the available databases for the most recent articles and provide the bibliographical references cited in references for preliminary rulings and also in the opinions of the Advocates-General in order to facilitate access to the relevant legal literature for the handling of cases before the Court.

iii. Human resources

The dematerialisation of administrative procedures and the simplification and digitalisation of workflows, accelerated due to the health crisis in order to adapt to new realities, continued in 2021. In addition, efficiency gains have been achieved and continue to be sought through more extensive use of the various modules of the SYSPER inter-institutional personnel management application, allowing, among other things, the management of selection procedures, the automatic generation of documents or the compilation of statistics.

The Institution continued its recruitment activity during the health crisis by organising remote selection procedures, with an electronic validation circuit for recruitment applications and extensions of staff contracts by the competent authorities of the Institution through the new HAN document management application and by accompanying the recruiting services throughout the process. Thanks to 'virtual onboarding', it was

possible for new officials and agents to take up their duties, be informed remotely about their statutory rights, receive the appropriate working equipment and integrate into their department of assignment so as to be operational quickly.

iv. Financial management

The percentage of invoices received electronically has remained at a very high level in 2021 as in 2020 (74%). The positive trend in recent years, which has seen the number of invoices received electronically increase from 14% in 2015 to 74% in 2021, has proved essential in the context of the pandemic crisis. In 2022, the objective of favouring electronic invoicing will therefore be maintained.

b. Restructuring of the Human Resources and Personnel Administration Directorate

The Human Resources and Personnel Administration Directorate was restructured to enable it to meet the multiple challenges of human resources management in an efficient manner. The main activities of the Directorate are now organised around four well-defined missions: (1) the management of recruitment, appointments and careers; (2) the management of the various policies, measures and services that aim to support staff in terms of medical, social and work-life balance; (3) staff training and skills development; and (4) the determination of all elements of remuneration and the payment thereof.

c. Strengthening the stability and availability of IT systems: construction of a new data centre

2021 was a year in which, despite the persistence of the exceptional context linked to the pandemic, the stability and continuity of the IT infrastructure and services provided were maintained, with an availability rate for applications and services of 99.93%. The multimedia services ensured that 99.5% of the hearings went ahead without incident. In view of the above, the overall level of user satisfaction is very high: more than 98% of the users who participated in the surveys conducted after using the user support services answered 'very good' or 'good' when asked to rate their level of satisfaction.

The IT work plan continued to give the highest priority to operational activities and the mobility programme in 2021. The latter was intensified with the generalisation of tools allowing staff to work from home in conditions comparable to those of office work. The hardware, software and teams were strengthened to meet the new needs of the services during the crisis, including secure videoconferencing, allowing meetings, hearings and deliberations with participants to take place from remote locations. In addition, videoconferencing equipment was installed in various meeting rooms of the Institution to allow for mixed meetings with participants on site and at a distance.

In order to enhance the stability of the existing systems, several migrations were completed during the year to enable the relocation of the servers from the old data centre to a new high-availability centre, created as part of the project to build a third tower, during the summer. The Court has successfully completed this project, which is particularly important for the security of information and the stability of systems and applications, and which has been in preparation since 2018. The Court now has a computer centre that meets the most demanding international standard, namely level IV of the Tier classification system.

The implementation of the new data centre, combined with the upgrade in 2020 of the remote DRC (Disaster Recovery Centre) with the latest technology solutions, now guarantees full real-time redundancy of IT services in two data centres.

This project was also a good opportunity to replace obsolete components and to reduce the number of technologies used at the Court, not only at the level of the infrastructure, but also of the applications, which had to be adapted to make them compatible with the new technologies required by the new servers, to decommission a total of 90 servers as well as to streamline some data storage and backup processes, which also has a positive impact on the carbon footprint of the Institution.

d. Lifting of reservations on the project for the 5th extension of the Palais of the Court

The delivery, in July 2019, of a new tower, the centrepiece of the 5th extension of the Palais of the Court, made it possible to bring together all the Institution's staff within the Court's building complex, with the reintegration of the last officials and staff of the administrative and linguistic services who were still housed in a building outside the complex. Completed in accordance with the established timetable and within the planned budget, this tower, the third on the Court's site, thus enabled the Institution to achieve one of the strategic objectives pursued by its buildings policy for more than 25 years, namely the grouping together of all its departments on a single site, in premises adapted to the needs of judicial activity (the other objective being to acquire ownership of the buildings occupied by it, see Annex 5, I.1.).

During the year 2021, the lifting of reservations continued and the first work acceptances took place. The new tower was awarded an energy performance certificate at the highest performance class level, namely AAA (each of those letters corresponds to energy consumption, thermal insulation and CO₂ emission respectively).

e. Improvement of working conditions

In 2021, efforts were pursued in order to make the working conditions ever more adapted to the combined requirements of the well-being of the staff members and the efficiency and effectiveness of the Institution, and this in the very particular context created by the pandemic.

With regard to working from home, and given the new reality created by the generalisation of this work arrangement, a new staff survey on the perception of the future, the distribution of the performance of duties at home and on the premises, the attractiveness of carrying out activities on the premises and professional autonomy, was launched on the basis of close collaboration between the administration and the Staff Committee.

The results of that survey, to which the staff largely responded (57% participation), enabled the administration to note that the staff's perception of the context had improved considerably in 2021 and that there was widespread support for working from home, with the majority of participants wishing to retain this option in the future.

The main advantages of working from home are the time saved on travelling and greater flexibility in the organisation of working time. A better work-life balance was also welcomed. Unsurprisingly, the main disadvantages of working from home are the lack of social and professional contact with colleagues, but also the technical and logistical conditions that are sometimes less suitable than those available in the office and the difficulty of separating work and private life.

Based on the experience gained during the health crisis and the results of surveys of staff and middle and senior management, it was decided to further integrate home-working into the operating modalities that heads of service could use in order to increase the efficiency of the service. Drawing on the lessons

learned from this period, the Administrative Committee of the Court adopted a new decision in July 2021 establishing a homeworking scheme to replace the previous decisions on structural telework, introduced in 2010, and occasional telework, introduced in 2019.

This new decision, which could not come into force in 2021 due to the unfavourable health situation, provides for the possibility for heads of department to allow staff to work from home, in accordance with guidelines established by each department, taking into account both the wishes expressed by staff members and the interests of the department. The aim is to allow staff to enjoy the benefits of working from home while retaining the advantages of working in the office (e.g. clearer communication, better integration of new staff and more effective transmission of knowledge and values). On-site working will nevertheless remain the principle.

The extension of the possibilities for home-working also contributes to the steps taken to enhance the attractiveness of the Court as an employer by facilitating the reconciliation of private and professional life and thereby strengthening its equal opportunities framework. This strengthening should be accompanied by a more performance-based management (objectives and results achieved) with increased autonomy and accountability of staff. A reflection on this subject is underway and will lead to the development of a programme involving both staff and management.

In order to face the new challenges posed by working at home, a reinforcement of communication skills in this particular context took place in 2021. Several training courses were therefore organised in the following areas :

- Speaking in public and/or on camera
- Virtual welcome of newcomers to the Court or groups of visitors
- Moderating virtual meetings
- Handling technical issues related to the use of remote communication tools
- Communicating effectively by e-mail
- Quick reading
- Giving constructive feedback
- Organising effective meetings and flexible team collaboration

In addition, training on resilience, effectiveness, efficiency and autonomy at work, individual goal setting and clarification of roles within teams was organised in the last quarter of 2021.

In addition, staff were offered the opportunity throughout the year to register for the various European School of Administration (EUSA) courses and webinars dealing with professional well-being. In addition, the Court's training department has been involved in the design of new training content that has meanwhile been developed by EUSA, including those related to 'Navigating in a digital world' and 'How to select staff without unconscious bias'.

Finally, licences were made available to all staff for the use of an e-learning platform so that all the Institution's staff can have unlimited access to specialised courses covering a wide variety of topics, including working conditions in a constantly changing environment. In parallel, new e-Learning modules were also developed, namely those on personal data protection, EMAS policy, cybersecurity and IT access and coaching to office tools and IT applications.

Additional measures taken in 2021 to improve staff welfare include the recruitment of an additional interim/temporary nurse in the medical service, in addition to the recruitment in 2020 of an additional permanent nurse, and the recruitment of an assistant with specific responsibility for developing and coordinating actions to improve staff welfare.

The Court's administration has decided to increase the hours of the counselling psychologist since September 2021, which had already been increased in 2020, in view of the demand for support from staff members facing personal and professional difficulties in the context of the pandemic.

3. RESULTS ACHIEVED IN FACILITATING ACCESS TO INFORMATION AND OPENING THE COURT TO THE PUBLIC

a. Maintaining the advance publication annual activity report of the authorising officer by delegation (AAR)

In 2021, as in previous years, the Institution was able to respect a relatively advanced timetable in relation to that imposed by the Financial Regulation (1 July) for the preparation and publication of this report, namely, 30 April for the French version and 31 May for the English version.

b. Communication activities vis-à-vis the general public

In the first place, with regard to publications, the Court produced in 2021 :

- the 'Year in review', addressed to the general public, summarising the judicial and administrative activity of the Institution; in addition to the presentation in paper and PDF, it has been produced for the first time in html format (each format in 23 language versions);
- the updating of the institutional brochure 'The Court of Justice of the European Union upholding European Union law';
- two new multimedia animations on the preliminary ruling procedure and on intellectual property and the General Court of the European Union have been posted on the Court's YouTube channel.

In the second place, the Court has continued to develop its use of social networks for communication purposes. At the end of 2021, the Court's LinkedIn account had approximately 131 000 followers (90 000 followers at the end of 2020), an increase of 45%. The average engagement rate on LinkedIn is 5% with peaks of over 10% for some posts on this social media. As regards Twitter, the number of followers on the Institution's two accounts (EN and FR) exceeded 125 000 (100 000 in 2020), up by 25%, with an average engagement rate of 1.3% for most tweets with peaks above 3.5% for tweets in several high-profile cases in 2021. The number of views of multimedia animations on the Institution's YouTube channel has decreased slightly (174 250 views in 2021 (compared to 177 220 views in 2020)). Furthermore, the Court is currently following with interest the Mastodon project led by the EDPS.

Finally, the Europe Day activities on 9 May were exclusively virtual, as in 2020 due to the health crisis. The Court proposed to celebrate Europe over two days, on 8 and 9 May, and invited citizens to a presentation on how the Court works and how it has adapted to the health crisis. It was possible to watch animations on the Court's role, ask questions via Twitter and LinkedIn using the keyword #AskCuria2021 and take a virtual tour of the buildings. Finally, advice was given to citizens on how to make the best use of the

documentary resources of our Institution. These actions generated 387 700 ‘impressions’ on Twitter with an average engagement rate of 1.6%. On LinkedIn, the publications had a total of 35 000 impressions with an average engagement rate of 9%, well above our average engagement rate on LinkedIn (5.25%).

Finally, in the context of the European Day of Justice on 25 October, a campaign presenting a retrospective of the most important cases of the past year was launched on Twitter and LinkedIn. That campaign generated 120 200 impressions on Twitter and an average engagement rate of between 1.9% and 2%. On LinkedIn, the campaign generated 30 300 impressions and an engagement rate of 10.18%.

c. Relations with the media

In addition to developing a direct relationship with the public, the Court attaches great importance to its relations with the media, in their role of analysis and dissemination of information.

In 2021, the Court issued 231 press releases (PRs), compared to 173 in 2020. Taking into account all language versions, the number of press releases issued amounts to 3 206. The number of weekly newsletters on the Court’s activities sent to correspondents has increased considerably (601 weekly or fortnightly newsletters and 630 Quick Info in 2021 compared to 518 and 351 respectively in 2020).

In 2021, through the use of virtual meeting tools (a new virtual press room was created in 2020 in the context of the pandemic), a total of 14 virtual meetings were organised with the press. A total of 138 journalists from 14 Member States benefited from these virtual meetings on the Court’s activities.

d. Efforts to bring the Court closer to citizens: institutional visitor activities and launch of the pilot phase of the new virtual visitor programme

These activities, which make it possible to reach a wide audience and thus ensure that citizens in general and legal professionals in particular are better informed about the mission and competences of the Court of Justice and the General Court, continued to be considerably affected in 2021 by the effects of the pandemic. Reception activities on the Court’s premises were suspended until 26 September, when it was possible to resume them, albeit with limitations on the size of the groups.

Under these conditions, 1 054 people, divided into 45 groups, were received at the Court in 2021. By comparison, in 2019, the last year before the health crisis, 17 136 visitors, divided into 707 groups, were received.

As regards seminar activities, which are mainly aimed at groups of magistrates and are a privileged tool for the articulation of relations between the Court and national courts, the impact of the health crisis was also very significant: in 2021, 24 days of seminars were organised for 789 participants. By comparison, in 2019, 116 seminar days were organised for an audience of 2 851 participants.

In order to cope with the restrictions imposed on face-to-face activities, the Court started to organise webinars and virtual visits in parallel and from September 2020. Thus, in 2021, 17 webinars and 70 virtual visits were offered. These new forms of reception made it possible to reach an audience of approximately 3 210 people, 25% of whom attended the webinar activities.

The health crisis has reinforced the observation that the traditional approach to reception activities, which are exclusively in-person, no longer seems sufficient to achieve the desired results, in particular that of guaranteeing, both to the players in the European legal world and to citizens in general, the possibility of accessing knowledge of the Institution and its courts, regardless of their place of origin. The reflections on

the evolution of these activities are in line with the potential offered by information technology and the new public perception of virtual meetings. The result was the launch of a project for the organisation of distance visits, complementary to the in-person programmes and the webinars and virtual meetings, in order to introduce elements of diversification both from the point of view of the forms of reception and that of the harmonisation and development of content. The pilot phase of this project was launched in 2021 with several groups receiving remote visits from November onwards and with very encouraging results. The programme of these remote visits, which combines recorded and live interactive sequences, consists of a presentation of the Institution, its jurisdictions and its services, the presentation of the lifetime of a case, the explanation and perspective of a concrete case, as well as a guided tour of the building complex, ending with a meeting with a Member of the nationality of the group.

e. Optimising the dissemination of case-law

In 2021, monthly case-law bulletins were drawn up by the Research and Documentation Directorate, based on summaries of the most important cases of the Court of Justice and the General Court, classified by subject. These bulletins are distributed monthly and, by highlighting important cases, they facilitate the internal legal monitoring work carried out by the cabinets and departments. In view of the interest of the monthly bulletins for the outside public, in particular national judges, lawyers, counsels and jurists, as well as academics, the distribution of the bulletins has now been extended from the Court's internal site to the external site (CURIA) and to the platform of the European Union Judicial Network (EUJN), in both French and English versions. Each issue is also sent to all the correspondents of this network.

In addition, in view of the great interest of the external public in the case-law fact sheets, in 2021 two new fact sheet updates were carried out and three fact sheets were translated into all languages and published.

f. Development of new tools for selective dissemination of doctrine

In 2021, the Library service developed two new tools for the selective dissemination of doctrine which will be made available in early 2022. The first is a reasoned bibliography prepared by topic of interest (Thematic Guide on Asylum), the second maps legal blogs (the Blogosphere). These new features are in addition to the Journal Review, which is published quarterly and offers a selection of articles published in the most important legal journals dealing with issues that fall within the jurisdiction of the courts and are likely to affect them in the future.

g. Adoption of a new model for the declaration of interests of Members of the two courts

On 15 June 2021, the Court of Justice and the General Court jointly adopted a new code of conduct for Members and former Members, which entered into force on 7 October 2021.¹

On this occasion, Article 5 of the Code of Conduct, which concerns the declaration of interests of Members, was substantially amended in an adapted approach, stressing that the declaration aims at preventing potential conflicts of interest in the handling of a case.

To this end, the scope of the declaration has been broadened and carefully redefined, in line with the principles of transparency and legal certainty. It now includes :

1| Official Journal of the European Union of 30 September 2021, C 397, p. 1

- entities in which the Member, his/her spouse or partner or his/her minor children have a direct financial interest;
- any right of ownership or usufruct of real estate held by the Member, his/her spouse or partner or his/her minor children;
- any paid professional activity of the Member's spouse or partner;
- any honorary or lifetime position, as well as any decoration or award granted to the Member, both before and after taking up his or her duties;
- any non-remunerated function exercised by the Member in foundations or similar bodies and in educational or research institutions within the meaning of Article 8(4) of the Code of Conduct.

Furthermore, the new Article 5(8) requires that the declarations are published on the website of the Court. In order to strike the right balance between transparency and data protection, it should be mentioned that the declaration form includes a confidential annex, kept exclusively by the president of the court concerned, which contains details of the public information provided in the declaration (e.g., details of the location of assets). This two-tiered system therefore allows presidents to have all the information necessary for the allocation of cases, while ensuring the proportionality of public information and the security of Members.

Each individual declaration of interest of the Members of the Court was made available on the website at the end of 2021.

4. RESULTS ACHIEVED IN RELATION TO THE EFFECTIVE MANAGEMENT OF MULTILINGUALISM

a. Sustained productivity despite the crisis and continued quality in legal translation and interpreting

In 2021, the translation service's workload increased sharply by 16.8%, far exceeding the 8% decrease in 2020 (a total of 1 336 551 pages to be translated were registered in 2021). Despite the investment of staff and the ever-increasing use of new technological tools, output only kept pace with 1 256 877 pages and the stock of pages awaiting translation therefore increased to a total of 267 596 pages (compared to 187 458 pages at the end of 2020).

It is important to stress that, without all the cost-saving measures put in place since 2004, the translation workload would have exceeded 2 000 000 pages in 2021. More than 685 000 pages of translation have been saved thanks to the measures adopted in the past, namely, selective publication of case law or extracts from it, limiting the length of the opinions of the Advocates-General, the practice of summaries of requests for preliminary rulings and the insertion of omissis, consultation on the need to translate certain annexes to pleadings, the mechanism for the prior admission of appeals, etc.

With regard to quality, the investments made in IT, training, terminology and internal quality assurance processes, in particular within the framework of the methodological approach known as the 'Quality measure', have made it possible to maintain a very high level of quality of legal translations, despite the complexity of the texts and the difficulty of the source languages, while continuing to meet requirements in quantitative terms.

In conclusion, the commitment of the Legal Translation Service has made it possible to meet the overall deadlines necessary for the proper conduct of proceedings in all languages and to meet the objectives of disseminating case law to the public. The objective of making the language versions of Court of Justice judgments available on the day of delivery and the objective of making the conclusions available on the day of delivery were again achieved in 2021. Although the workload increased significantly (by more than 12%), the rate of availability of the various language versions of the General Court's judgments for the day of delivery reached almost 82% in 2021, as in 2020.

In 2021, a large part of the Interpretation Directorate's resources was mobilised by a large number of complex hearings, often with a full language regime. Protocol events and visits resumed in the autumn, for example the Meeting of Judges. The participation of litigants from remote sites involved not only a particular burden for the interpretation exercise, but also the need to coordinate the efforts of a large number of services of the Institution: remote sites had to be tested in advance (a general validation test and a test before the hearing).

Thus, 67 tests led to the validation of the 59 remote sites and allowed, in 2021, the organisation of 59 hearings involving remote parties at the Court of Justice and 68 at the General Court during which interpretation was provided.

The new working arrangements introduced in 2020 to ensure the continuation of jurisdictional activity despite travel restrictions and with respect for the health of all have been maintained in 2021.

The various working groups also continued to work hard on their tasks. For example, the VWG (Videoconferencing Working Group) continued its analysis and support of remote interventions. The Court continued its reflections on its new working methods by constantly checking the adequacy of the internal procedures put in place to guarantee the maintenance of the quality of services in compliance with health regulations. Another working group, RIPG (Remote Interpreting Permanent Group), studied the impact of the new working methods on the quality of services, but also on the health and well-being of the interpreters.

In order to increase the flexibility of the service, appropriate steps are constantly taken in the area of language learning. This allows 79% of the Institution's interpretation needs to be covered by internal resources.

b. Optimising the contribution of freelancers

As part of this approach, in 2021 the Court continued to optimise external translation to take greater advantage of the multilingual and multicultural reality of the Union and the diversity of its legal systems. It is thus moving closer to the Member States and developing the pool of external expertise to cope with the structural increase in the volumes to be translated and the language combinations to be covered. Awareness-raising activities for the freelance profession have been continued as far as possible by means of video conferences and increasing investment is being made in the development of video presentation and training materials for the freelance market.

A new call for tenders for freelance translation was launched in 2021, with contracts to be signed in 2022. This call for tenders has, as in the past, generated a lot of interest from freelance translators. Of the more than 2 700 applications received, almost 2 400 invitations to tender were sent out.

For interpretation, too, quality remains paramount and depends mainly on the availability of the Institution's staff interpreters, who are specialists in judicial and legal work, as well as experienced freelance interpreters regularly engaged by the Institution.

The use of external resources depends on the language regime of each hearing. During the year 2021, the Court used 246 conference interpreters to meet its needs. They provided a total of 1 609 contract days, an average of 21 per week of court activity.

The Court participates in the joint management of conference interpreters, accredited at interinstitutional level, and is in particular in contact with the other institutions to ensure a possible takeover of conference interpreter contracts.

c. Implementation of neural translation and speech recognition systems

The Court has set itself the goal of being at the forefront in the use of new digital technologies as a catalyst and multiplier for enhanced multilingual communication. It is fully aware of the transformative potential of these technologies for its services and ensures that its services are adequately prepared to take advantage of their benefits, while supporting its staff in managing change, with a view to sustaining its output while maintaining a high quality of service.

It has been involved in the use of translation support tools for many years. It contributes financially, but not only, to the maintenance and development of the inter-institutional tool eTranslation, which is based on MT@EC, the European Commission's previous statistical translation support service.

eTranslation is a Commission machine translation service based on Neural Machine Translation (NMT) technology, which is based on deep learning, namely, one type of artificial intelligence.

By exploiting the data collected by the institutions (Euramis alignments), eTranslation can thus cover more than 550 possible language combinations between the official languages of the European Union, even through the intermediary of a pivot language. All the Court's departments benefit from the contribution of neural translation, thanks to engines trained to work on the case-law of the Court of Justice and the General Court from French.

The Court also uses the neural translation tool DeepL and continues to analyse other neural translation tools.

With regard to speech recognition tools, trials with users of the 'speech-to-text' tool developed by the World Intellectual Property Organisation will be carried out during 2022 in order to determine whether it could be of use to the Court in the following activities: transcribing hearings, supporting interpreters at hearings (in particular with regard to dates, numbers or names) and supporting legal linguists in their translation work.

5. RESULTS ACHIEVED IN RELATION TO THE COMPLIANCE OF ACTIVITIES WITH APPLICABLE REGULATIONS AND THE MONITORING OF BEST PRACTICES

a. Actions to ensure compliance with data protection regulations

The personal data protection officer shall advise controllers, staff or data subjects of a processing operation and shall ensure, in the context of non-judicial activities and in an independent manner, the internal application of the rules on the protection of personal data. The personal data protection officer shall collaborate with the European Data Protection Supervisor, in particular by responding to his or her requests, and with the personal data protection officers of the other institutions and agencies in the

context of the interinstitutional network of personal data protection officers. He or she shall disseminate information and guidelines on data protection within the Institution and shall support departments in their implementation, in particular through the network of data protection correspondents. The personal data protection officer shall also, in the context of non-judicial activities, keep the central register of the Institution's processing activities, the register of data breaches and the ad hoc register of restrictions on individuals' rights.

A brochure to draw the attention of staff to the main data protection issues and principles is made available to all new staff members of the Court.

In the exercise of these duties, the personal data protection officer received, in 2021, 42 documents and updates on personal data processing operations by the Institution's departments. He sought clarification from the said departments, made recommendations and provided assistance to the data controllers for the preparation of the documentation.

It is also important to mention that the Court published on 15 January 2021 on its website a central register of the Institution's processing activities in the framework of non-judicial activities, as recommended by the European Data Protection Supervisor in order to increase transparency in this area. The register can be consulted by anyone at the following address :

https://curia.europa.eu/jcms/jcms/p1_3301336/en/

Two treatment impact assessments were carried out in 2021.

The Institution also received and responded to requests for information and took the necessary steps to follow up the EDPS recommendations in 2021.

Following the investigation into the privacy of users of the Court's website, the EDPS concluded on 3 May 2021 that the Court had remedied the infringements by improving its cookie policy and adapting the content of its website.

The EDPS also issued other recommendations:

- (1) regarding the need to update the cookie banner when third party components are updated or added to the Court's website;
- (2) concerning the use of a warning when users click on a link on the Court's website to access content hosted by a third party; and
- (3) on the need to remove the Court's content hosted on third party websites when this content becomes obsolete.

The Court has taken appropriate steps to follow up these recommendations.

A further investigation into the Court's use of social media and possible joint liability is currently pending.

The Court also responded to the EDPS's general enquiries and requests for information addressed to all institutions and agencies concerning the processing activities related to Covid 19 and the internal rules on the restrictions of the rights of individuals.

Finally, the Court informed the EDPS about the adoption of three internal rules on the processing of personal data and requested two authorisations for the use of contractual clauses aimed at providing appropriate safeguards for the transfer of personal data to third countries. The EDPS therefore gave his temporary authorisation on 31 August 2021 for the use of ad hoc clauses between the Court and Cisco (see https://edps.europa.eu/system/files/2021-11/17-11-2021-edps_decision_authorising_temorarily_use_of_cjeu-cisco_ad_hoc_clauses_for_transfers_cisco_webex_1.pdf).

The Court is currently preparing a modification of these clauses in order to meet the EDPS conditions for the renewal of this authorisation.

b. Improving environmental performance

For the sixth year since the implementation of the EMAS system at the Court and the registration of the Institution as an organisation respecting this standard on 15 December 2016 by the Luxembourg Ministry of the Environment, Climate and Sustainable Development, the Institution’s environmental statement was updated with the help of the environmental verifiers responsible for assisting it in the framework of internal audits, then verified and approved by the responsible internal bodies (Sustainable Management Adviser, EMAS Forum and EMAS Committee).

This key EMAS document, which presents to the public the Court’s environmental performance through the commitments made to limit the environmental impact of its activities, the efforts made to this end and the results obtained, was also examined in the context of an external surveillance audit which confirmed that the Institution’s environmental management system complied with the requirements of the EMAS Regulation.

Based on data for the year 2020 ², the 2021 edition of the Environmental Statement (‘the Statement’) now includes in its scope the third tower for which a full year of operating data (2020) is available.

As in 2020, the Statement shows a particularly positive trend in all ‘traditional’ environmental indicators expressed in full-time equivalents (‘FTE’), both in relation to the base year 2015 and to 2019. As can be seen from the table on page 14 of the Statement, these indicators show very significant decreases, both over the period 2015-2020 (a) and over the year 2020 alone (b), in particular for :

• electricity consumption:	a) - 20,8%	b) -11,3%
• water consumption:	a) -37,5%	b) -33,9%
• paper consumption (excluding outsourcing):	a) -63,7%	b) -56%
• ‘in office and catering’:	a) -67,3%	b) -64,2%
• carbon emissions (excluding visitors):	a) -33,4%	b) -25,3%

These results show that the widespread use of homeworking imposed by the health crisis has clearly had a significant impact on the Institution’s environmental balance. They must therefore be put into perspective, insofar as the evolution of the indicators does not fully correspond to what it would have been under normal circumstances.

In that respect, it is worth mentioning a new indicator introduced in order to better assess the Institution’s environmental performance in the context of the Covid-19 crisis and which aims to give an order of magnitude of the energy impact of working from home on the Institution’s environmental system through residential heating and the consumption of electrical equipment. It tends to show that the generalisation of home working has resulted in an increase in the consumption of residential heating (of the order of 13%), but in a very limited increase in the electricity consumption of work equipment such as laptops and desk lamps (approximately 0.2% of the electricity consumed). The risks and opportunities arising from this crisis will need to be analysed in more detail in the coming years to ensure the best possible adaptation to the new circumstances and the continuous improvement of the Institution’s environmental performance.

2| The figures are for the year 2020 as data for 2021 is not available until the end of the first quarter of 2022 and then needs to be analysed.

Within the framework of the environmental projects on which the continuous improvement of the Institution's environmental performance is based, mobility plays an essential role.

Thus, in consultation with other EU institutions based in the Grand Duchy of Luxembourg and following the entry into force of free public transport decided by the Luxembourg authorities as of 1 March 2020, the Court continued to grant a subsidy for annual cross-border public transport season tickets for its staff in 2021. This measure aims to encourage the use of public transport and benefits some 400 officials and staff resident in a border country.

The Court also offers a free subscription to the vel'OH! self-service bicycle service set up by the City of Luxembourg to members of its staff who request it. In 2021, 211 tacitly renewable one-year subscriptions to the vel'OH! system were taken out by Court staff with the operator, with whom the Court and four other Luxembourg-based institutions concluded an agreement in December 2020.

The Court renewed its participation in the annual 'Mam vélo op d'schaff' ('to work by bike') competition organised by the Ministry of Mobility and Public Works. Cancelled in 2020 due to the Covid-19 pandemic, this awareness-raising action, which emphasises participation rather than performance and aims to moderate individual car use in favour of cycling, was held from 15 May to 31 July 2021 and proposed that volunteer workers cycle to work at least 15 times during this period, in teams of two to four people. The aim of the scheme is to demonstrate the viability of cycling to work and to reduce CO₂ emissions. Although working from home was still the norm in 2021, some colleagues travelled to the Court on a regular basis, which enabled them to participate in this action.

These initiatives, which reflect the willingness of the participating institutions to encourage staff to use more environmentally friendly means of transport, contribute to the achievement of one of the objectives of the Court's EMAS programme, namely the reduction of carbon emissions related to commuting, which correspond to approximately 15 % of the Court's current Carbon Footprint. Encouraging the use of bicycles also fully meets the need for physical distance between people in the context of the Covid-19 health crisis.

With regard to single-use plastic, plastic bottles have been replaced by glass bottles in meeting rooms, courtrooms and deliberation rooms. The reduction of single-use plastic in catering continued while taking into account the health requirements of the Covid-19 pandemic. While an inventory of disposable plastic used in the Court's restaurants and cafeterias was conducted in anticipation of the new legislation banning some of these plastics in 2021, the health measures imposed by the Covid-19 pandemic meant that biodegradable plastic packaging had to be used temporarily for some dishes (hot dishes, salads), but this did not have a significant impact on the overall reduction of single-use plastics.

As in 2020, real efforts have been made at all levels of the Institution to dematerialise the circulation of documents and reduce paper consumption, thus allowing a significant decrease in the amount of paper used (-63% over the period 2015-2020). The deployment of the HAN/Ares software in 2021 and the forthcoming implementation of the new integrated case management system (SIGA) should further reduce paper consumption in the services.

c. Equal opportunities and diversity policy

As of 31 December 2021, the percentage of women in management positions was 40%. Although slightly lower than the previous year, the increase in this percentage in recent years (40% in 2021, compared to 41% in 2020, 39% in 2019 and 37.5% in 2018) should be seen in the context of the many initiatives taken by the Institution to achieve a balanced representation of women and men in both middle and senior management positions.

Aspects related to equal opportunities, diversity and inclusion have been integrated in 2021, for organisational reasons, into the activities of the Training and Development unit.

The objective of this operation was to strengthen the training and awareness-raising aspects of staff and management on the importance of attracting and retaining talent (in particular in relation to staff selection procedures, through the participation of equal opportunities and diversity representatives in the various inter-institutional working groups in this field and, in particular, in the EPSO working group on diversity in recruitment procedures) and of making the best use of their skills (inclusive talent and career management).

The following actions were taken in 2021:

- organisation of staff awareness-raising actions, including communication and education actions, such as webinars and lunchtime conferences on aspects related to equal opportunities, diversity and inclusion;
- the establishment of a career management system to support the Court's staff and to provide all staff with the best possible conditions for considering and planning their career development, as well as the training of career advisors with a special focus on staff selection and HR management without unconscious bias;
- redesigning the induction programme for newcomers to include, among other things, the presentation of the Court's policy on equal opportunities, diversity and inclusion and to bring it to the attention of its new staff as soon as they take up their duties;
- the distribution to all staff of a newsletter specifically dedicated to the notions of diversity and inclusion;
- the dissemination of a series of tutorial videos and webinars on these issues to management.

In addition, the Court's gender focal point continues to coordinate, in collaboration with the European Commission, the inter-institutional EU LuXX women's network.

In addition, as a result of actions identified by Intercopec, the Court participated in inter-institutional discussions on the accessibility of the various remote connection facilities for people with disabilities, particularly in the context of recruitment procedures and the improvement of these services, and promoted a conference on 'invisible disability' for staff members who are confronted with this issue or who care for a family member with a disability.

With regard to geographical balance, the Court remains sensitive to the particular interest of ensuring a balanced geographical representation of its staff and takes this into account, in strict compliance with the rules laid down in Article 7(1) and the first paragraph of Article 27 of the Staff Regulations, in its recruitment procedures, which are always based on the criterion of merit with a view to selecting candidates of the highest standard of ability, efficiency and integrity. It shall use its best endeavours to encourage applications from citizens of under-represented nationalities and shall make good use of relevant information obtained through inter-institutional exchanges on the subject.

d. Remuneration of all trainees

At the end of 2021, the Court modified the general arrangements for the reception of trainees in order to guarantee remuneration to all trainees received in the institution, thus abolishing the derogation which had allowed unpaid trainees to be received in the offices of the Members of the two courts. This will not, however, mean that all trainees will be fully remunerated by the Court; some trainees may receive remuneration from other sources. If the amount of remuneration from that other source is less than the amount of the internship grant provided for in the Court's rules, the Court will pay a supplement to cover the difference. This regulation applies from the beginning of the year 2022.

e. Upgrading the security arrangements for the Court's buildings

The upgrading of the Court's building security system (Project CJ10), approved by the Budgetary Authority at the end of 2018, started in 2021 and will continue until the end of 2022. This project includes a perimeter security enclosure and the construction of three reception and control pavilions upstream of the main entrances to the Court. Some of the work initially planned under the CJ10 project will now be carried out under the Court's own management, at the expense of the Court's current budget, and is grouped under the so-called 'CJ10 bis' project. These include improving the security of pedestrian access between the car parks and inside the buildings, upgrading certain security equipment, and moving the bicycle shelters outside the perimeter enclosure.

f. Proper application of standards and good administration

In 2021, as in previous years, the Institution only had to deal with a very limited amount of litigation. This is the result of the attention paid by all its services to compliance with the applicable rules, with the assistance and advice provided by the Legal Adviser for administrative matters.

As regards actions against the Institution, 4 cases, 2 of which were lodged in 2021, were closed by a judgment or an order in 2021. In all these cases, the Institution won the case. As at 31 December 2021, only 1 case was pending against the Institution.

As regards the processing of complaints lodged (11 in 2021, plus 2 complaints which were under investigation on 1 January 2021) under Article 90(2) of the Staff Regulations of Officials of the European Union, 7 explicit decisions were adopted and 2 complaints were withdrawn. As at 31 December 2021, 4 complaints were under examination.

As regards the files on complaints to the European Ombudsman, 2 files were communicated by the Ombudsman in 2021. One of the 2 cases has meanwhile been closed by the European Ombudsman. The other case was still open on 31 December 2021. To date, no case concerning the Institution has led to a finding of maladministration by the European Ombudsman.

In view of the ever-increasing importance of electronic communications, the Institution adopted on 13 December 2021 guidelines on electronic communications at the Court of Justice of the European Union, which govern both the use and retention of, and access to, electronic communications.

g. Request for access to administrative documents and historical archives

In 2021, 23 requests for access to administrative documents (including 21 initial requests and 2 confirmatory requests) and 37 requests to consult historical archive documents relating to 507 files were recorded.

In the context of the management of the historical archives, the Court works closely with the Historical Archives of the European Union (HAEU) at the European University Institute in Florence. On 22 and 23 November 2021, the Court welcomed the HAEU's official representative in order to prepare the shipment of the 1987 Court of Justice case files to be transferred to Florence at the beginning of 2022 and to draw up a catalogue necessary for the preparation of the very first shipment of the General Court's archives (1989-1991), an operation which will have to be carried out during 2022.

The Court is also represented in the Interinstitutional Archives Group (IIAG).

h. Staff training on ethics and integrity, harassment, whistleblowing or conflict of interest prevention

In 2021, the Court organised 7 'Rules of Good Conduct' trainings with the participation of 83 staff members.

This training aims to inform both newcomers and long-serving staff of their obligations under the provisions of the Staff Regulations and the Conditions of Employment. It covers, inter alia, the prohibition of harassment and the internal procedures to be followed by the victim in case of violation of this prohibition, whistleblowing, prevention of conflicts of interest and other ethical issues.

Alerting and conflict of interest were also included in the content of the 'Internal Control', 'Internal Control (Practical Workshop)' and financial training sessions: 'Expenditure lifecycle' and 'Public Procurement'. In 2021, 3 courses on 'Internal control', 3 courses on 'Internal control (Practical workshop)', 4 courses on 'Expenditure lifecycle' and 4 courses on 'Public procurement' were organised, with an overall participation of 134 persons.

IV. RISKS ASSOCIATED WITH THE COURT'S OPERATIONS

The occurrence of certain risks would be likely to hinder the proper functioning of the services, or even prevent the accomplishment of the missions entrusted to them.

In order to respond to this, the Court has regularly updated crisis continuity plans for all its services. These continuity plans are regularly tested through internal discussions, in particular at the level of the operational units of all the Court's services, and through exercises organised at central level.

While the year 2021 continued to be strongly marked by the pandemic crisis, during which risk management became crisis management, the Institution continued to face many other important risks. The main risks faced by the Institution concern mainly :

1. a major crisis situation,
 2. the inability to cope with the increased workload,
 3. the inability to maintain the quality of the work done,
 4. the inability to meet deadlines,
 5. the occurrence of fraud or other inappropriate behaviour on the part of its staff,
 6. possible computer malfunctions,
 7. cyber-attack on computer systems,
 8. damage to the integrity of persons, data and property,
 9. lack of staff with the required skills,
 10. incorrect application of regulatory provisions,
 11. poor implementation of appropriations.
-
1. As regards **major crisis situations**, these are risks incurred by the Institution as a whole (epidemic, fire, natural disasters or difficult weather conditions, etc.). As mentioned above, in order to deal with them, continuity plans are drawn up, updated and tested, as well as a Particular Intervention Plan (PIP) in collaboration with the Grand-Ducal Government. The efficiency of the services in maintaining their activities throughout the health crisis caused by the SARS-COV-2 pandemic has proven the relevance of these different plans. The services have updated their plans in line

with the additional measures that had to be taken throughout the crisis to ensure continuity of operations. The efforts made in the field of new technologies with an acceleration of the digital transformation of the Institution, the reinforcement of infrastructures and the implementation of new videoconferencing devices allowing to further facilitate work at home and remote communication contributed substantially to the control of this risk linked to a major crisis situation.

Based on the lessons learned from the first year of health crisis management, the Institution's Internal Contingency Plan (ICP) became a new Emergency and Business Continuity Plan (EBCP), which was finalised in 2021, but not yet approved, pending the evolution of the COVID-19 crisis and its impact on the Court's operations.

2. With regard to **managing the increase in workload**, the main risk lies in the inadequacy of the human, technical and financial resources available to the Court's services to cope with it, particularly in the current context of very restrictive possibilities for the services to reinforce their teams.

In any event, the Court's services always ensure that they make the best use of the resources allocated to them, and closely monitor workload developments, priorities and future events that may influence it. This monitoring allows the departments to express their needs and benefit from synergies, by constantly rationalising their working methods, ensuring optimal planning of their work, participating in the design of new IT tools, while at the same time intensifying the search for savings measures. Thus, the development of new IT tools, in particular the introduction of a new integrated case management system (SIGA), and the exploitation of the potential offered by digital technologies in the linguistic field, in particular the progressive use of neural machine translation, as well as a significant recourse to inter-institutional cooperation, should make it possible to better control the risks linked to the increase in workload. However, for the time being, these new developments require significant human and financial resources in order to be able to meet the planned schedule for their implementation.

Finally, it should be noted that a number of services continued in 2021 to produce regular statistics introduced in 2020, in order to enable managers to measure more accurately the workload of teams working partly at home.

3. In terms of maintaining **quality**, risks are controlled by establishing structured and regular controls and reporting. The improvement and rationalisation of management tools and methods also contribute to ensuring a high level of quality. Particular attention is also paid to recruitment procedures to ensure that new recruits actually meet the requirements in terms of knowledge, skills and competences. In a number of areas, the increased use of technological tools helps significantly in a context of limited human resources.
4. With regard to the risks associated with **meeting deadlines**, measures are taken by the various departments to ensure compliance, including :
 - as regards the registries of the two courts, the strict monitoring of procedural files, thanks in particular to the development of the e-Curia platform for incoming documents, the drawing up of checklists and the introduction of dashboards, the use of function boxes, the drafting of internal procedures and the setting of priorities for operations are intended to reduce, in particular by updating key performance indicators, any risk of incidents during the processing of cases. The Registry of the General Court plans to use, in 2022, the internal e-Curia module for managing filings, which will make it possible to compile statistics relating to the time taken to process lodgings of procedural documents;
 - in the area of translation, careful monitoring is carried out at central level, reinforced by constant dialogue with the requesting departments. The increased use of neural machine translation also makes it possible to better control this risk. The results in 2021 remain very satisfactory;

- in the field of interpretation, regular meetings, in particular with the Members of the two courts, are organised to better define the actual interpretation needs and a monitoring tool is used for pre-booked hearings. Procedures for cooperation with the Commission and the Parliament are also put in place for structural and ad hoc exchanges concerning the reciprocal provision of interpreters for languages in short supply;
 - in the Research and Documentation Directorate, the deadlines for all the Directorate's activities are monitored using databases that allow regular control by the hierarchy. The working methods applied in the performance of activities are regularly reviewed with a view to their improvement, simplification and optimum use of new technologies;
 - as regards the measures taken to avoid delays in the publication of case law, a new Service Level Agreement has been established with the Publications Office and cooperation with the Publications Office is ongoing with a view to monitoring and resolving any problems in good time;
 - in the area of financial verification, the risk of excessive delays, mainly due to the very high workload, is addressed by establishing priority rules for the processing of files and introducing a simplified financial circuit without centralised ex-ante verification. The threshold for the application of this simplified financial circuit has been revised again in 2021 (see Part VII for more details);
 - in order to meet the deadlines for requests for access to documents, functional boxes have been set up and an archiving policy and filing plan for the archives have been defined as part of the implementation of the new document management system;
 - as regards the risks associated with meeting deadlines in construction projects, these are managed in accordance with very strict performance indicators and thanks to the introduction of procedures which, with the assistance of the Luxembourg State, which acts as contracting authority for major building projects, guarantee the Court full administrative, technical and financial control of the project. For each project and depending on requirements, budgetary and timetable monitoring is ensured by means of formalised documents between the Court and the State or, where appropriate, the co-contractor, which are regularly adapted (see Annex 5).
5. Risks related to **fraud or other inappropriate behaviour** are controlled through the establishment of rules and procedures, particularly with regard to security and disclosure of information. In addition to training sessions and awareness-raising for staff when they take up their duties, these rules are regularly reminded to staff members. At the level of the various IT applications, rigorous management of access rights according to profiles has been put in place, as well as monitoring of connections. In addition, each new IT project is developed taking into account IT security and data protection, particularly personal data, from the outset of the project ('security by design'). Financial risks are mitigated by the existence of a centralised ex ante control and the separation of certain sensitive tasks.
6. The widespread use of home-based work during the health crisis and the increased use of information technology opportunities have led to a high dependence on the quality of IT tools and the stability of the internet connection, increasing the potential impact of risks related to **computer malfunctions**.

In order to mitigate the impact of these malfunctions, an infrastructure continuity plan has been drawn up. It provides for the existence of a back-up site, the introduction of a system of application redundancy, the implementation of a progressive plan for technological migrations, the creation of internal control bodies, the adoption of a new procedure for managing critical incidents and the updating of the change management procedure to strengthen the quality control of production releases.

The commissioning of a new data centre in 2021 within the Institution's buildings and the future replacement of numerous applications and software by an integrated case management system (SIGA) based on an adaptive case management tool, currently under development, should also make it possible to considerably reduce the risks of computer malfunctions and to deal with the obsolescence of certain applications currently used.

Similarly, the establishment of a 'Business Network' involved in process modelling, solution design and implementation has helped to reduce the risk of insufficient collaboration with court and service users.

For IT systems and services provided by other institutions, service level agreements (SLAs) and security agreements are put in place with them to ensure a sufficient level of quality.

7. The risk of **cyber-attacks on the Institution's IT systems** that could lead to the disappearance or alteration of digital information and the disclosure of confidential information is addressed by strengthening the capacity and quality of defences. This also includes the continued expansion of inter-institutional cooperation with CERT-EU at operational and tactical level, both between teams and between IT systems. The cyber security awareness programme, launched in 2019, continued into 2021. The training sessions focus on three areas: social media, mobility and email. Finally, in relation to IT projects, the Court considers security risks from the outset of projects ('security by design' and 'zero trust network').

The security of all the Institution's systems is monitored daily by a team of specialists. Like other institutions, the Court observed an increase in cyber-attacks on our teleworking infrastructure in the first half of 2021. The establishment of a preventive alert system based on cooperation between the European institutions and organisations, rapid decisions and coordinated interventions and the excellent responsiveness of the operational teams have made it possible to block 99.9% of the cyber-attacks. The increase in security vulnerabilities in IT products prompted the Court's services to intensify their analysis of vulnerabilities, with several audits and penetration tests being carried out during the year. Some corrective measures have already been implemented. In addition, an online e-learning course on cyber security was developed in 2021.

Finally, it should also be noted that, throughout 2021, monthly operational coordination and continuous improvement meetings were organised by the Security Unit with the units responsible respectively for operations, planning and information systems security of the IT Directorate, as well as all the departments responsible for operating and maintaining the interconnected security systems.

8. With regard to the **protection of the integrity of persons, data and property** :
 - particular attention is paid by the registries, both when processing cases and when publishing/ disseminating court decisions, to the protection of the identity of individuals and personal data (e.g. by granting anonymity), as well as to the preservation of the confidentiality of certain data, including business secrets;
 - with regard to the security of persons, property and infrastructure, the major concern for the Court in 2021, as in 2020, has been the protection of the safety and health of its Members, staff and visitors in the context of the health crisis. The Court has put in place strict rules and procedures regarding access to, presence in and movement within its buildings to contain as much as possible the risk of the spread of SARS-COV-2, in line with the Court's obligation as an employer to provide working conditions that meet appropriate health and safety standards at least equivalent to the minimum requirements applicable under the relevant treaty measures. In particular, group visits have been suspended until 1 October 2021 and access by external persons has been made conditional on the existence of essential reasons for access to the buildings, mainly related to the jurisdictional activity of the Institution;

- more generally, the risks linked to the security of people, property and infrastructure are mitigated by the existence of a continuity plan, in particular by regular evacuation exercises and continuity plans developed for each service, in conjunction with service providers and the national authorities, as well as by the reinforcement of security measures in the event of a rise in the alert level. An independent expert check on the quality of the security company's services and effective badge encryption, as well as cooperation with the Grand Ducal police, contribute to risk management. In terms of fire and occupational safety, the risks are mitigated by scrupulous compliance with the regulatory framework and by periodic checks of the installations and dedicated systems;
- with regard to catering, the main risk is that of damage to people's health. The catering service has been subjected to strict sanitary conditions which will be regularly adapted in 2021, due to the constraints linked to the pandemic. The risk is also taken into account through unannounced checks on compliance with hygiene rules, carried out both by the service provider and by the Court's staff and supplemented by audits by an external body. The implementation of their recommendations is carefully monitored;
- in terms of information security, the risks are mitigated by raising the awareness of those who are required to handle highly sensitive information in the context of a court case. In order to minimise the risk of premature release of information to the outside world, an effective internal procedure has been put in place and tested, in particular to prevent all or part of the legal analysis from being compromised before the case is closed. The procedure put in place for confidential orders or judgments (limited access to the original text via an encrypted folder and files) has been used on several occasions to great effect. In addition, the awareness-raising campaign on the physical security of information implemented in 2020 continued;
- as part of its ongoing efforts to preserve its holdings, the library continues to rigorously apply the planned security measures such as, for example, the securing of books by a magnetic system, the computerised management of loans, the installation of a security gate at the exit of the reading room as well as the strict control of access to the reading room and the reserves.

9. With regard to the risks related **to the lack of staff with the required skills**, various actions are undertaken.

As regards recruitment, rapid recourse is made to the publication of vacancy and transfer notices for posts becoming vacant or to the organisation of specific EPSO or internal competitions. In addition, human resources managers specially trained in staff selection regularly accompany departments during the various recruitment procedures in order to contribute optimally to quality recruitment corresponding to the real needs of the departments in terms of the knowledge and skills required of candidates. Actions are also underway in collaboration with the other EU institutions based in Luxembourg to increase their attractiveness in order to attract highly qualified staff.

As for training, for several years now the Institution has had a system in place for new arrivals to ensure rapid integration into their departments, which was revised in 2021 with the addition of more modules and the inclusion of trainees among the beneficiaries, as well as a continuous training plan for all staff. The plan in question allows the Institution's staff to develop the skills necessary to carry out their functions with a high degree of quality, to update their knowledge and to adapt to change. In the context of the health crisis and the extensive use of home-based work, the Institution has worked to continue to ensure the processes of learning and professional development of the staff, with the introduction of appropriate distance learning courses. Innovative methods of skills transfer, such as mentoring, coaching and job shadowing, are also used.

In addition, manuals to guide staff in the performance of their duties are created and updated by departments to transfer knowledge to ensure continuity of operations in the event of prolonged absence of key staff. Knowledge-sharing practices and documentation of procedures have been put in place to ensure the transmission of information and its sustainability.

The possibility for departments to use screen sharing directly with the 'Cisco jabber' application and the 'softphone' deployed in January 2021 greatly facilitated the entry into service of newcomers, whose training was partially provided remotely by the colleagues responsible for accompanying them.

10. The risks of errors in the application of regulatory provisions are managed by training and control measures, particularly in the field of public procurement, where the regulations are particularly complex. The Budget and Financial Affairs Directorate provides a helpdesk service to the departments, aiming to standardise the practices and documents used within the Court, by contributing to the regularity of operations relating to the award of public contracts. The existence of an Advisory Committee on Public Contracts, which gives an opinion on all calls for tenders with an estimated value of more than EUR 60 000, and a central verification of operations with financial repercussions also make it possible to mitigate these risks and to generalise good practice. As regards the application of legislation on the protection of individuals with regard to the processing of personal data, a network of correspondents has been set up, supervised by the Data Protection Officer, and training is provided to ensure the correct and uniform application of these provisions.

The very low number of complaints, complaints to the European Ombudsman, challenges from staff representatives and the absence of observations by the Court of Auditors in its annual reports from 2010 to 2020 are objective indicators of the effectiveness of the control systems in place and the control of these risks.

11. As regards the budgetary field, the risks of **poor implementation of appropriations** have been properly controlled thanks, first, to the measured evaluation of the appropriations requested when the draft budget is drawn up and, secondly, to the regular monitoring of budgetary implementation by the departments through reporting, which has made it possible to achieve, as in previous years, a very high rate of implementation of appropriations of 98.7 % in 2021. As mentioned in the previous point, great importance is attached to providing appropriate training to authorising officers and managers in order to ensure not only the correct application of the rules but also the regular monitoring of the use of appropriations granted by the budgetary authority.

V. INTER-INSTITUTIONAL COOPERATION AND COOPERATION WITH MEMBER STATE BODIES

In 2021, inter-institutional cooperation was, as was the case in 2020, very intense with the aim, as far as possible, of finding coordinated approaches to deal with the multiple challenges posed by the pandemic.

Thus, exchanges on this subject, in particular concerning the crisis management strategy, took place, under the chairmanship of the Registrar of the Court, within the framework of the regular meetings of the College of Heads of Administration of the institutions and bodies of the European Union, enlightened by the interventions of the representatives of the Interinstitutional Medical Board, as well as within the framework of the regular or extraordinary meetings of the Secretaries-General and Heads of Administration of the institutions and bodies of the European Union based in Luxembourg (CALux) with the participation of the representatives of the Luxembourg national authorities.

At a more operational level, collaboration in the following areas deserves special mention:

- Preparatory Committee on Statutory Questions (PCSQ): In the context of the pandemic, around 50 meetings have been held in this forum since the beginning of the health crisis in March 2020, in order to ensure an exchange of information between the administrations of the institutions as well as the coordination of the administrative measures taken by the institutions in various fields (building occupation rules, operation of homeworking, authorisations to work remotely outside the place of employment, vaccinations, etc.) while respecting their institutional autonomy and the national measures applicable in the country where the participating institutions are based;
- training: intensive collaboration with other institutions was necessary to identify innovative pedagogical solutions, to develop new training offers and to ensure continuous access to training throughout the crisis via different tools and distance learning platforms;
- building management: the coordination of building cleaning and disinfection procedures was ensured within an informal 'building management' network of heads of unit responsible for this area in their respective institutions;
- security: to coordinate, in the framework of the Interinstitutional Security Group (ISG), the establishment of procedures for access control to buildings;
- catering: regular exchanges within the framework of the informal network of catering managers in the Luxembourg-based institutions have made it possible to monitor and jointly analyse the applicable Luxembourg regulations in order to adapt the catering offer in a coherent manner to these regulations, but also to the needs of the institutions;
- procurement of health protection equipment: this was carried out under the inter-institutional contract managed by FRONTEX for the purchase of professional quality personal protective equipment.

Furthermore, throughout 2021, the Court continued to make the most of inter-institutional tenders, either as a partner or as a leader, in order to benefit from better market prices and optimise the associated management costs.

The Court also continued to participate in the usual meetings of interinstitutional groups or networks with a view to further harmonising the application of the rules of the Staff Regulations and the Conditions of Employment of Other Servants as well as policies and practices in various areas, such as buildings and security (GIS, GICIL), environmental protection (ECONET, GIME), IT (CITN, CERT-EU Steering Committee and the Publications Office's FORMATS group), legal documentation and the development of search engines for

both case law and EU legislation (GIL, e-Law, e-Justice, EUR-Lex, ACA-Europe), libraries (EUROLIB and the Interinstitutional Archives Group (IIAG)), information and communication (CEIII, Interinstitutional Online Communication Committee (IOCC), Web Preservation Group], Human Resources [EPSO, Sysper, Staff Regulations Committee with a view, in particular, to the adoption of the General Implementing Provisions (GIP) and other texts implementing the Staff Regulations], CPQS (interinstitutional body responsible for preparing draft conclusions to be adopted by the College of Heads of Administration), CPQBF (interinstitutional committee for budgetary and financial matters), Equal opportunities and diversity (Intercopec, LuXX EU women's network, permanent inter-institutional working group on equal opportunities and diversity, led by the European Parliament), harassment management (network of trusted persons on harassment), vocational training (Learning Network, think tank on training; Interinstitutional Working Party (IWP), led by EUSA (School of Administration)).

In the field of translation and interpretation, cooperation continued within the framework of the ICTI (Interinstitutional Committee for Translation and Interpretation) and within the CEI (its Executive Committee for Interpretation) and the Executive Committee for Translation (ECT).

It is within the framework of the ICTI that the interinstitutional tools used on a daily basis, such as ACI-Webcalendar, DocFinder, Euramis, IATE, Quest or eTranslation (a translation aid tool which operates at the Court in a neural version as a replacement for its statistical version), are developed, maintained and financed. The Court is working very actively with the Commission to improve the latter tool, which is also part of the Connecting Europe Facility initiative, and to make it as suitable as possible for the Court's needs.

For some years the Court has been a member of the Interinstitutional Monitoring Group in which it has been working with the Irish authorities and the EU institutions to prepare for the lifting of the Irish language derogation on 1 January 2022. The cooperation focuses on increasing the capacity for translation, including legal translation, into Irish, translation of the *acquis communautaire* into Irish and the development of terminology resources and translation tools in that language.

The Court also uses applications and hosting services shared with other institutions. The shared applications cover the main areas of administrative management (human resources, payroll, training, budgetary, document, financial and accounting management). This type of cooperation allows for very significant direct budgetary savings (reduced development costs, shared technical infrastructure, common support and maintenance structure, etc.).

The Court is working with the Commission on the outsourcing of certain staff administration activities, in particular in the areas of transfer of pension rights, severance grant and unemployment benefit. A new service level agreement with the European Commission's Office for the Management and Payment of Individual Entitlements (PMO) was implemented in 2021.

The Court also continued its close cooperation with the Publications Office, both as an information provider and as a user of services (publishing brochures and leaflets, advanced technical services, publication of the European Court Reports on the website of the official publications of the European Union institutions EUR-Lex). The Court continued to chair the Management Committee until the end of its mandate at the end of July 2021.

In addition, the Directorate of the Library of the Court also continued to strengthen cooperation with other libraries and initiated collaboration with those of the European Public Prosecutor's Office and the Unified Patent Court.

Moreover, since October 2019, the Court has been hosting the EPSO Luxembourg office in its building complex and providing it with the meeting rooms needed to organise assessment centres for candidates for posts in Luxembourg, particularly in the field of translation.

The Court, as part of its participation in all sub-groups of the Interinstitutional Committee for Digital Transformation (ICDT), has taken over the chairmanship of the Emerging Technologies Group in 2021. The main objective of this group, created in October 2020, is to keep abreast of technological developments and to promote a common approach to them within the EU Institutions and Agencies.

The group's work aims to cover the areas of artificial intelligence, blockchain, robotic process automation and quantum computing. In the first half of that year, a report was produced with an overview of investments, available competences, products already developed and possibilities for reuse, and future areas of cooperation. On the basis of this report, the group is working, among other things, on the preparation of a proposal for a common inter-institutional programme for training in new skills, a common architecture to support future collaborations and the establishment of an inter-institutional innovation centre.

Finally, it should be mentioned that the Court provides the chairmanship and secretariat of the College of Heads of Administration and the CALux, as well as the secretariat of the Staff Regulations Committee.

Within the framework of the CALux, a High Level Interinstitutional Group (HLIG) was set up in 2020 to examine solutions likely to enhance the attractiveness of the Grand Duchy of Luxembourg as a location for the institutions and bodies of the European Union. This group, which is composed of the Secretaries-General of the European Parliament, the Court of Justice of the European Union, the European Court of Auditors, the European Investment Bank and the European Stability Mechanism, has the task of finding solutions to the difficulties of the Luxembourg site in terms of attractiveness in comparison with certain cities hosting the headquarters of other institutions and bodies of the Union.

Within this group, four working groups were set up to reflect on the following themes: personnel policy, centres of excellence, life in Luxembourg and communication. The conclusions of these groups led to the drafting of a report, which was adopted by the HLIG in June 2021 and which provides for the implementation of 12 actions in the above-mentioned areas. The Court coordinated the group on personnel policy and steered the actions concerning the organisation of specific EPSO competitions for the Luxembourg site and the setting up of a common job platform, as well as steering the action concerning the provision of temporary accommodation in the framework of the 'life in Luxembourg' working group. An action plan to implement these actions was adopted by the group at the end of the year.

Other collaborations which should be mentioned are summarised below:

- **Collaboration with the European Court of Human Rights (ECtHR) :**

In 2021, a closer collaboration was established between the Research and Documentation Directorate of the Court and the Jurisconsult's Directorate of the ECtHR. These two directorates remain in permanent contact for the exchange of information concerning the current and relevant case law of both Courts.

- **Collaboration with ACA-Europe:**

The Court actively participates in the work of ACA-Europe (a European association of the Court and the Councils of State or supreme administrative courts of the Member States of the European Union) as an observer member. In particular, the Court is a member of the steering committee and has participated in the working group on documentation of this association.

- **Collaboration with the Venice Commission (Council of Europe advisory body on constitutional matters):**

As an observer in the Joint Committee on Constitutional Justice of the Venice Commission, the Court prepares quarterly contributions on the case law of the Court of Justice in constitutional matters for the CODICES database of the Venice Commission.

The following table summarises the main service agreements with the other EU institutions in 2021:

Service Level Agreements (SLAs) with other EU institutions in 2021			
Institution concerned	Nature of the service	Budget line	Cost
European Commission	Development and maintenance of Euramis, eTranslation, Quest II and DocFinder tools	1406.0 Inter-institutional cooperation activities in the field of languages	284 771.27 €
Translation centre	Development and maintenance of the IATE tool	1406.0 Inter-institutional cooperation activities in the field of languages	59 471.03 €
European Commission	Services to be paid to the Commission's DG SCIC (conference interpreters' days)	1406.2 Conference interpreters	1 493 610.61 €
European Commission	Day care centres run by the Commission	1654 Multipurpose children's centre	2 442 887 €
European Commission	Data centre hosting	210 Equipment, operating costs and services relating to IT and telecommunications	345 000 €
European Commission	E-Prior	210 Equipment, operating costs and services relating to IT and telecommunications	50 000 €
European Commission	SYSPER II	210 Equipment, operating costs and services relating to IT and telecommunications	710 000 €
European Commission	EU Learn	210 Equipment, operating costs and services relating to IT and telecommunications	30 000 €
European Commission	NAP and Sysper Rights	210 Equipment, operating costs and services relating to IT and telecommunications	210 000 €
European Commission	EU-CV online	210 Equipment, operating costs and services relating to IT and telecommunications	18 000 €
European Commission	NDP	210 Equipment, operating costs and services relating to IT and telecommunications	60 000 €

European Commission	Contribution to public procurement	210 Equipment, operating costs and services relating to IT and telecommunications	25 000 €
European Commission	CERT-EU	210 Equipment, operating costs and services relating to IT and telecommunications	197 300 €
European Commission	Historical archives	272.00 Expenditure connected with the Library and Historical archives	119 963 €
Council	SAP SOS II	210 Equipment, operating costs and services relating to IT and telecommunications	496 000 €
European Commission	SAC - Social Activities Committee and Foyer	1632.1 Social relations between staff members	292 318 €
European Parliament	Multipurpose children's centre	1654 Multipurpose children's centre	699 975 €
Publications Office	Production of publications	2741 General publications	250 000 €
European Commission (Joint Research Centre)	Media monitoring and production of the Press overview	2742 Other information expenditure	60 000 €
European Commission	Hermes-Ares-NomCom(HAN)	210 Equipment, operating costs and services relating to IT and telecommunications	225 000 €
European Commission	EU-sign	210 Equipment, operating costs and services relating to IT and telecommunications	126 000 €
European Commission	e-Submission	210 Equipment, operating costs and services relating to IT and telecommunications	5 000 €
European Commission	IT cloud	210 Equipment, operating costs and services relating to IT and telecommunications	15 000 €
European Commission	HR Reporting and Analytics Services (module Sysper II)	210 Equipment, operating costs and services relating to IT and telecommunications	160 000 €
European Commission	IT Assets Rachel	210 Equipment, operating costs and services relating to IT and telecommunications	10 000 €
Total =			8 385 295.91 €

VI. USE OF BUDGETARY AND HUMAN RESOURCES

Two specific annexes provide further information on the use of budgetary resources (see annex 'Report on budgetary and financial management') and on the use of human resources (see annex 'Statement on personnel policy'). Therefore, only a summary of the implementation of appropriations and the use of human resources is presented in the following tables.

A. IMPLEMENTATION OF APPROPRIATIONS

in millions of Euros

Budget Chapters	Final appropriations 2020	% implementation 2020	Final appropriations 2021	Commitment appropriation	% implementation 2021
10 - Members of the institution	34.7	96.9 %	37.0	35.8	96.5 %
12 - Officials and temporary agents	260.3	99.5 %	266.9	265.3	99.4 %
14 - Other staff and external services	25.2	97.5 %	26.9	26.4	98.3 %
16 - Other expenditure on persons linked to the institution	6.4	87.1 %	6.5	5.7	87.4 %
SUB-TOTAL TITLE 1	326.6	98.9 %	337.3	333.2	98.8 %
20 - Buildings and related costs	76.7	99.8 %	72.8	72.5	99.5 %
21 - IT, equipment and furniture	30.1	99.0 %	30.2	29.6	98.1 %
23 - Current administrative expenditure	0.9	85.2 %	1	0.7	67.4 %
25 - Meetings and conferences	0.2	60.5 %	0.5	0.2	43.2 %
27-37 - Information: acquisition, archiving, production and dissemination and Specific expenditure of certain institutions and bodies	2.1	90.9 %	2.2	2	92.3 %
SUB-TOTAL TITLES 2 AND 3	110	99.2 %	106.7	105	98.4 %
100 — Crédit provisionnel	0	0 %	0		0 %
TOTAL COURT OF JUSTICE	436.6	99 %	444	438.2	98.7 %

Source : Report on budgetary and financial management for the year 2021

Overall, the implementation rate of appropriations in 2021 was again very high (98,7 %), as in 2020 (99 %).

B. USE OF JOBS IN THE ESTABLISHMENT PLAN

The allocation of posts on the establishment plan is shown in the table below:

Sector of activity	2021 Number of posts	2021 %	
Cabinets	549	26	Cabinets of Members of the Court of Justice and Members of the General Court
Registries	119	6	Registry of the Court of Justice and of the General Court
Support for judicial activity	141	7	Research and documentation, library, publication and hearing support
Language services	986	47	Translation (895); Interpretation (76); Projects and terminology coordination (15)
Administrative, logistic and IT support services	302	14	Administration, Protocol, Communication, Information Technology, Legal Advisor, Internal Audit, Staff Committee
TOTAL	2 097	100	

The distribution of jobs by sector of activity remains similar to that of previous years, with almost 86% of jobs dedicated to jurisdictional and linguistic activities.

As for the job occupancy rate, it will remain at a very high level in 2021 (around 97%), due to sustained judicial activity, which requires optimal and rapid recruitment for all posts that become vacant.

VII. FUNCTIONING OF THE INTERNAL CONTROL SYSTEM

A. Overall assessment of internal control and its cost-effectiveness

The effective and efficient functioning of the internal control system is a priority for the Court. This internal control system is based, in particular, on the following pillars:

- an internal control framework, based on the COSO 2013 reference ³, the application of which by the services is assessed annually;
- the existence of a centralised ex ante verification service, which carries out the ex ante control of all financial operations at the Court, as well as verification agents in several authorising services who carry out an initial check on the merits of each expenditure;
- a high-performance integrated budgeting and accounting system that facilitates the control and monitoring of operations;
- assistance and advice by the Directorate for Budget and Financial Affairs on matters relating to the application of the Financial Regulation and, in particular, on matters relating to public procurement, in order to reduce the risk of irregularities and/or errors in the management of appropriations;
- continuity in risk analysis and management exercises across the Court, providing an overview of the risks faced by the Court;
- carrying out ex post controls on the basis of an annual programme approved by the authorising officer by delegation;
- an internal audit service, completely independent in the conduct of its audits, which provides the Institution with an assurance on the degree of control over the operations carried out for the implementation of the budget and gives it advice on improving the conditions of implementation of these operations, as well as on promoting sound financial management.

In 2021, the evaluation, led by the Directorate of Budget and Financial Affairs, on the implementation and proper functioning of the internal control framework produced very positive results. The exercise showed that the internal control framework in place at the Court is working well. No significant anomalies were identified. At the same time, a number of areas for future improvement were identified.

3| This is the Internal Control - Integrated Framework of the *Committee of Sponsoring Organisations of the Treadway Commission* (COSO), an organisation established in 1985 in the United States by professional accounting and auditing associations to develop guidelines for risk management, internal control and fraud prevention.

The cost-effectiveness of this internal control environment is very positive, thanks in particular to:

- an accounting and financial management application (SOSII-SAP) developed interinstitutionally in close cooperation with the Council, the Court of Auditors and the European University Institute in Florence, thus providing the Court with an efficient management tool at the lowest possible cost;
- the centralised handling of ex-ante verifications, with a consequent saving of human resources dedicated to control tasks. The existence of de minimis thresholds, explained in the specific section of this report on ex ante verification, ensures a good cost/benefit ratio;
- the prompt and appropriate follow-up of the Internal Auditor's advice and recommendations or the Court of Auditors' observations.

B. Results of activities and management indicators relating to verification, assistance and advice on internal control and internal audit

• Ex-ante audit

Since 2016, a simplified circuit (without centralised ex-ante control) has been in place for certain very low value transactions, thus allowing, in a context of ever-increasing workload, to concentrate the work of the centralised ex-ante verification service on more complex transactions or those with higher financial risks. Following a risk analysis, the thresholds used to determine the application of this simplified circuit have been further adapted in 2021 ⁴.

The ex-ante control concerns not only financial transactions, including commitments and payments, but also any human resources decision with financial implications (fixing pecuniary entitlements on entry into service, granting allowances, etc.).

The simplified verification circuit has made it possible to control the ex-ante verification workload, which nevertheless remains very high: in 2021, 13 216 files (11 803 financial transactions validated in the SAP accounting and financial management system, 1 371 human resources decisions and 42 other files with financial impact) were verified by a team of 7 FTEs in 2021. The average processing time for files in the SAP system was 3.9 days. The percentage of rejected transactions in the SAP system was 2.4%. Furthermore, no substantive disagreements between the authorising officer by delegation and the Financial Assistance, Budget and Audit Unit were recorded during the year 2021.

4| The centralised ex-ante verification checks all financial transactions exceeding EUR 200 (EUR 1 800 in the case of invoices from the Directorate-General for Multilingualism (mainly related to freelance translation); the latter threshold was set at EUR 1 000 until 1 October 2021), as well as the vast majority of human resources decisions with financial implications.

- **Ex-post control**

The Financial Assistance, Budget and Verification Unit established an ex-post control system which, together with the action of all the actors in the control chain, contributed to the assurance of the authorising officer by delegation.

During the year 2021, an ex-post control on staff remuneration was carried out. This ex-post control did not show any errors with a financial impact.

- **Assistance and advice on internal control and public procurement**

Participation in inter-institutional working groups in this area has continued to be effective and fruitful, particularly in the area of 'green procurement' (green public procurement to encourage a sustainable consumption pattern).

The Court uses the Inter-Institutional GPP (Green Public Procurement) Helpdesk. The GPP Helpdesk provides fast, efficient, direct and practical assistance, with the aim of helping the Institution to integrate environmental criteria into procurement procedures, in order to contribute to reducing the environmental impact and thus promote a sustainable consumption model. This service is well known by the authorising departments and its use has increased steadily since its launch. The use of the GPP Helpdesk by any authorising department preparing a public procurement procedure is systematically encouraged.

The Financial Assistance, Budget and Verification Unit provides the services with ad hoc support for any question relating to public procurement. In addition, it also carries out, at the request of the authorising departments, the preliminary examination of the documents of contract procedures before they are launched ('pre-referral'), with the aim of finalising the analysis of each file within 10 days. In 2021, 18 complete contract files were examined, with an average processing time of 6.4 calendar days (4.4 working days).

Finally, during the year, an update of the risk analysis exercise was carried out. The results of this exercise led to the conclusion, first, that the measures adopted by the services to manage the identified risks are proving to be effective and, secondly, that the main high risks identified correspond to areas where particularly important efforts are being made to control them, as described in section IV of this report.

- **Internal audit**

In accordance with Article 118 of the Financial Regulation, the Internal Auditor shall report to the Institution on his findings and recommendations and the Institution shall forward to the Parliament and the Council each year a report containing a summary of the number and type of internal audits carried out, the recommendations made and the action taken on those recommendations.

The internal auditor's annual report shows the main audit and advisory assignments carried out in 2021:

- audit of the measures put in place at the Court to ensure the rights of people with disabilities and to guarantee accessibility;
- inventory of the building projects carried out by the Institution;
- analysis of procedures for ordering goods or services;
- review of the content of the Curia website.

In addition, the annual internal audit report shows that satisfactory follow-up is given to the recommendations made. Their regular follow-up allows to assess the appropriateness, effectiveness and timeliness of the actions undertaken by the audited services and to identify and report on improvements made. This follow-up has shown that the majority of audits carried out before 2021 can be considered closed and that several actions have already been implemented by the services, or are underway, to give an appropriate response to the audit and advisory missions finalised in 2021. A high acceptance rate of the recommendations made and a rapid implementation rate are the main indicators of internal audit performance. Furthermore, the follow-up to internal audit advice and recommendations contributes to the continuous improvement of the Court's internal control framework and to the strengthening of the application of sound financial management and performance principles.

VIII. OBSERVATIONS MADE IN THE CONTEXT OF PREVIOUS DISCHARGES OR COURT OF AUDITORS' REPORTS

The authorising officer's mission statement provides that the authorising officer by delegation shall include in his annual activity report remarks on the follow-up to observations made by the Court of Auditors and/or the discharge authority.

A. Observations made by the Court of Auditors

It is important to underline that the Court of Auditors indicated in paragraph 9.7 of its latest annual report on the implementation of the budget for the financial year 2020 that no particular problems concerning the Court had been detected.

The results of the audits for the financial year 2020 thus confirm, as they have since 2010, the absence of observations by the Court of Auditors.

B. Observations made by the discharge authority

At the time of writing the present annual activity report, the procedure for the discharge of the Court's 2020 budget has not yet been formally completed. However, it is at a relatively advanced stage as the discharge report, amended and voted on at the Budgetary Control Committee meeting on 28 February 2022, will be submitted to the vote in the Parliament's plenary session in May.

At this stage, the draft resolution voted by the Committee on Budgetary Control refers, first of all, to the conclusions of the Court of Auditors for the financial year 2020, welcoming the fact that there were no significant deficiencies in the areas audited, i.e. human resources and public procurement, as well as the fact that the management of administrative expenditure was free of material error and that no specific problems related to the regularity of transactions were detected by the Court (paragraphs 1 to 3).

The draft resolution also notes a large number of positive points concerning the functioning and activities of the Court's services. These include, in particular:

- the sound financial management, the very proactive approach to the management of available appropriations and the high rate of budgetary implementation in 2020 (99 %), slightly higher than in 2019 (98,7 %), as well as the very high rate of job occupancy (97 %) (paragraphs 6, 8 and 20);
- the reduction in the average time taken to pay invoices (25.53 days instead of 32.45 in 2019) and the increase in the percentage of invoices received electronically (74% compared with 60% in 2019) (paragraph 9);
- actions undertaken and the results achieved in terms of equal opportunities with the increase in the presence of women in middle management positions (41% in 2020 compared to 39% in 2019) (paragraph 13);
- the fact that the Court of Auditors did not identify any problems with the tenders launched by the Court in 2020 for the procurement of health protection equipment (paragraph 15);
- additional measures taken by the Court to improve the well-being of staff, such as increasing the hours of consultation with the consultant psychologist (paragraph 25);
- the support given by the Court's medical service to staff members who find themselves in situations of burnout as well as the training organised for managers and staff in the field of conflict management and burnout prevention (paragraph 26);
- the attention given to staff working at home by providing them with appropriate equipment (paragraph 27);
- the organisation of staff awareness-raising sessions on equal opportunities, diversity and inclusion and the fact that the Court's representatives on equal opportunities and diversity are involved in interinstitutional groups, in particular the EPSO working group on diversity in recruitment procedures, as well as the attention given by the Court to the recommendations made by the Joint Equal Opportunities Committee of the European Union institutions on possible improvements for people with reduced mobility or other disabilities (paragraphs 30 and 54) ;
- the increase in the number of paid internships in 2020, which rose to 72% of the total from 48.5% in 2019 (paragraph 31);
- the implementation of a system of participation in hearings at a distance by videoconference, offering simultaneous interpretation from and into the 24 official languages of the Union, with a view to meeting the travel difficulties of certain representatives of the parties, and the prize awarded by the European Ombudsman to this system, namely the Good Administration Award 2021 in the category of 'Excellence in innovation/transformation' (paragraph 41);
- the increase in the use of the e-Curia application for exchanges with parties to cases with a 12% increase in 2020 in the number of accounts opened, which shows users' confidence in the system (paragraph 42);
- the Court's continued work in 2020 to create an integrated case management system that will replace most of the applications currently used by the two courts, as well as the implementation of the HAN/ARES document management application and the electronic signature (paragraph 44);
- the fact that the Court was able to prevent major cyber security incidents in a particularly difficult year in this context and the important role played by the Court in the Interinstitutional Emergency Response Team (CERT-EU) Steering Committee (paragraphs 47 and 48);

- the launch of awareness-raising measures concerning the protection of personal data as part of the compulsory initial training programme for all new members of staff, the follow-up of the measures taken to follow up the recommendations issued by the European Data Protection Supervisor and the decision to publish the central register of the Institution's personal data processing activities in the exercise of its non-judicial functions (paragraphs 49, 50 and 62);
- the Court's initiative to organise remote visits in order to make itself more accessible to the public (paragraph 51);
- the numerous measures taken by the Court to improve its environmental performance, for example the installation of photovoltaic cells in the Institution's buildings, its participation in the Parliament's carbon offsetting system, its sustainable mobility strategy, which is reflected in actions such as the provision of a free subscription to the self-service bicycle service for staff, its commitment to reducing its paper consumption, which was drastically reduced in 2020, and to using only paper from sustainably managed forests, as well as its use of the Inter-Institutional GPP (Green Public Procurement) Helpdesk (points 55, 56, 57 and 59);
- the Court's interest in having a presence in social media in order to ensure a wider dissemination of information on its activities and which has materialised in very significant increases in 2020 in the number of views of the multimedia animations on the YouTube channel (+ 42 %) as well as in the number of subscribers to the Court's LinkedIn account, which has tripled from 30 000 in 2019 to 90 000 in 2020 (paragraph 61) ;
- the logistical support provided to the European Public Prosecutor's Office to facilitate its establishment in Luxembourg (paragraph 65);
- cooperation between the Interinstitutional Security Group and the legal services of the Luxembourg-based institutions, on the one hand, and the Luxembourg authorities and law enforcement agencies, on the other, in relation to security background checks on contractors' staff (paragraph 66) ;
- the crisis structures and procedures put in place to ensure business continuity and the internal auditor's report on the management of the crisis caused by the Covid-19 pandemic (paragraphs 70 and 71).

With regard to the other observations/recommendations relating to the activities of the services, the Court, as always, gives them its utmost attention, in particular the encouragement to the Luxembourg-based institutions to adopt a common approach to the staff recruitment difficulties they face (paragraph 23), the recommendation to engage in more intensive communication with staff about the benefits of the working time arrangements available and to ensure that the use of these arrangements does not penalise the careers of the staff concerned (point 24), the importance of guiding and involving managers in safeguarding the well-being of their staff as well as continuing to assess the impact of the ever-increasing workload on staff well-being in order to better understand the origin of the difficulties and to explore possible solutions (points 25 and 26). As regards the geographical balance of its staff, the Court notes the Parliament's invitation to obtain relevant information on this matter through interinstitutional exchanges and to use all means at its disposal to ensure an acceptable geographical distribution (paragraph 28).

As regards the Parliament's invitation to the Court to remunerate all traineeships, it should be pointed out that at the end of 2021 the Court amended the general arrangements for the reception of trainees so as to guarantee remuneration to all trainees hosted by the Institution, with the exception of those who receive remuneration from another source (paragraph 31). The Court notes the Parliament's invitation to follow the final decision in the ongoing proceedings before a national judicial body in relation to allegations which were the subject of an internal investigation in 2019, should it be necessary to reopen this internal investigation,

and to inform the discharge authority of the stage of the investigation (paragraph 32). Reflection on the rules on pantouflage and other individual obligations (conflicts of interest, outside activities, etc.) for staff members is ongoing and should lead to a decision on the matter in the near future (paragraph 36).

The Court also notes the invitation to carry out surveys on staff knowledge of the ethical framework and whistleblowing procedures, in order to identify areas where further action is needed, and the recommendation to take steps to increase staff participation in training on the ethical framework. In this respect, it should be noted that ethics training is now compulsory for all newly recruited staff and many services have invited all existing staff to attend such training (paragraph 37).

The Institution also notes the recommendation to revise its website in order to make it more user-friendly and confirms that this revision is indeed one of its priorities for the year 2022 (paragraph 39). Parliament also recommends that the Court should continue to seek innovative solutions in order to be more transparent to the public, in particular by broadcasting hearings and making recordings available on the website (paragraph 40), and to further develop e-Curia (paragraph 42). In this respect, it should be noted that the Court has already started a pilot phase concerning the broadcasting of hearings, in which the first broadcasting took place on 26 April 2022.

The Court notes the Parliament's concern about the human rights implications of the use of artificial intelligence in judicial systems, will inform the Parliament as requested about the artificial intelligence operators used and will draw its attention to the privacy and security risks of using external cloud services (paragraph 46).

As regards the project to organise remote visits, the Court will provide Parliament, as requested, with details of the implementation of this project (paragraph 51), will continue to take steps to further reduce its environmental footprint by ensuring that environmental criteria are integrated into procurement procedures and will endeavour to continue to reduce its paper consumption (paragraphs 55, 56 and 59), will continue to explore the possibilities offered by neural translation (paragraph 63) and will continue to look for technical solutions to improve collaboration with national magistrates (paragraph 73).

The Court also intends to integrate the lessons learned from the health crisis into its management strategy as requested by the Parliament (paragraph 74).

As regards the activity of the Courts (Court of Justice and General Court), the Parliament welcomes the publication of the report on the functioning of the General Court provided for in Article 3(1) of Regulation No 2015/2422, while being aware that it is premature to draw definitive conclusions as regards the reform of the General Court, given the short time that has elapsed between the last phase of that reform and the drafting of that report (paragraph 16). Furthermore, the Court notes with satisfaction the positive comments concerning the very high productivity of the institution in 2020, despite the pandemic, as well as the reduction in the average duration of proceedings before the two courts to 15.4 months at the end of 2020 (compared with 16.9 months in 2019 and 20 months in 2018) (paragraphs 17, 18 and 19).

As regards the points concerning Members of the courts (paragraphs 22, 34, 35, 38, 39), Parliament welcomes the report submitted to it on the prevention of conflicts of interest of Members of the Court and the adoption of their new code of conduct in 2021, which provides for the enrichment of the content of their declarations of interest and which has already been fully applied since the beginning of 2022. In that respect, the Court takes note of the Parliament's suggestion concerning the possibility of providing for ex-post controls by a third party. As regards the publication of more detailed information on the external activities carried out by its Members, the Parliament welcomes the Court's efforts to increase transparency and accessibility. The technical work necessary to enrich the information disseminated on its website has been finalised and the first publication of a more detailed list took place at the beginning of April 2022.

The Parliament also welcomes the Court's decision to publish a Curriculum Vitae of Members including additional elements such as honorary positions or titles awarded as well as memberships in foundations. This publication took place at the end of 2021.

The Court also notes the Parliament's comment on the importance of redressing the gender imbalance among the judges and the request to the President of the General Court to bring this situation to the attention of the Member States and the need to ensure gender balance on the occasion of the partial renewal of the General Court.

In general, the Court is keen to implement the recommendations of the discharge authority as quickly as possible and confirms both its openness and its determination to constantly improve the efficiency of the management of all its activities.

REPORT ON STAFF POLICY

1. Introduction

This document outlines the policy of the Court of Justice of the European Union ('the Court' or 'the Institution') on the management of staff and external personnel, and on gender balance. That policy aims, in particular, to make optimal use of the posts and appropriations made available by the budgetary authority, while seeking to develop employee skills and maintain good working conditions.

2. Staffing situation

At the end of the financial year, **2 247 persons**, made up of officials and members of the temporary staff and contract staff, were employed by the Court.

The distribution of staff by type under the Staff Regulations and by function group was as follows:

DISTRIBUTION OF STAFF BY TYPE UNDER THE STAFF REGULATIONS		% of the Institution's staff
Officials	1 323	59%
Temporary staff	746	33%
Contract staff	178	8%
TOTAL	2 247	100%

DISTRIBUTION OF STAFF BY FUNCTION GROUP		% of the Institution's staff
AD	1 264	56%
AST	722	32%
AST/SC	83	4%
CS	178	8%
TOTAL	2 247	100%

The average age of the Institution's staff remains **46 years**, distributed as follows by age range:

AGE RANGE	%
21-29	5%
30-39	17%
40-49	42%
50-59	29%
60-67	7%

3. Recruitment and occupation of posts

3.1 Permanent posts

The Court has set itself a twofold objective in terms of occupation of posts: first, that of ensuring as high a rate of occupation of posts as possible in the light of the heavy workload borne by the Institution and, secondly, that of filling permanent posts with staff who are officials, as far as possible.

The efforts made have led to a very high rate of occupation of posts in all services (approximately 97% on average in 2021), notwithstanding certain difficulties which have a direct impact on recruitment procedures, such as the low level of the basic salaries for entry grades and more limited opportunities for career progression in Luxembourg due to the lesser number of institutions located there.

The Directorate for Human Resources and Personnel Administration ('DRHAP') has maintained the innovative means introduced since the beginning of the health crisis in 2020 in order to fill vacant posts through virtual selection procedures.

3.2 Posts in the Members' chambers

The number of posts made available by the budgetary authority for the staffing of chambers of Members of the Institution, either as members of the temporary staff pursuant to Article 2(c) of the Conditions of Employment of Other Servants of the European Union ('the CEOS') or as seconded officials under Article 37(a) of the Staff Regulations of Officials ('the Staff Regulations'), stands at 546.

3.3 Temporary staff in the Court's services

3.3.1 Members of the temporary staff

As pointed out above, the Court's policy is to fill the permanent posts available in the establishment plan with officials. However, a derogation from that rule is necessary in the following two cases: (a) where an official is seconded in the interests of the service, the official's post being retained for his or her reinstatement, and (b) where the procedure for filling a post has not led to applications from qualified officials and there are no suitable lists of successful candidates from a competition. The number of temporary staff members occupying permanent posts engaged under Article 2(b) of the CEOS at the end of the financial year was 284, 28 of whom were engaged to replace officials on secondment.

50 members of the temporary staff were engaged under Article 2(a) of the CEOS to replace officials temporarily.

3.3.2 Contract staff

Contract staff in active employment at the Court are covered by either Article 3a or 3b of the CEOS.

As regards the first category of staff (contract staff), these persons are entrusted with manual or administrative support service tasks. At the end of the financial year, 82 members of the contract staff were in service at the Court in order to carry out such tasks, amounting to approximately 3.7% of the Institution's staff.

As regards staff in the second category (contract staff for auxiliary tasks), these persons are recruited to replace officials or members of the temporary staff who are temporarily absent (for example, on maternity leave or long-term sick leave) or, exceptionally, to tackle specific peaks in workload. In addition, contract staff in function group II are engaged by the Seminars and Visits unit as part-time visit guides and other members of the contract staff in function group III are engaged to carry out proofreading tasks in the Directorate-General for Multilingualism (using appropriations specifically allocated by the budgetary authority for that purpose). At the end of the financial year, 96 members of contract staff for auxiliary tasks were in service at the Court, representing approximately 4.3% of the Institution's staff.

4. Equal opportunities and diversity

The Court continuously seeks to ensure that the working environment remains free from all forms of discrimination and that there is a balanced gender distribution among its staff.

At the end of the financial year, the breakdown by gender of the Institution's staff was as follows:

DISTRIBUTION OF STAFF BY FUNCTION GROUP AND GENDER		% of the Institution's staff
WOMEN		
AD	685	60%
AST	556	
AST/SC	56	
CS	58	
TOTAL WOMEN	1 355	
MEN		
AD	579	40%
AST	166	
AST/SC	27	
CS	120	
TOTAL MEN	892	
GRAND TOTAL	2 247	100%

These statistics show that the measures put in place in the area of equal opportunities, particularly in order to make it easier to reconcile work and family commitments, have boosted the occupation of posts by women, and in particular, that 54% of employees in the AD function group are women.

With regard to management posts specifically, the occupancy rate by women as at 31 December 2021 was 40% for senior management and 40% for middle management, as shown in the table annexed to this report illustrating the distribution of management posts by nationality and gender. Despite a slight decrease in 2021, the occupancy rate of women in management posts has shown a clear upward trend since 2018 (40% in 2021, 41% in 2020, 39% in 2019 and 37.5% in 2018).

In 2021, aspects related to equal opportunities, diversity and inclusion were integrated into the activities of the Training and Development unit, which runs the Equal Opportunities and Diversity cell. The aim of that integration was to strengthen the training, and increase the awareness, of staff and management on the importance, first, of attracting and retaining talent (especially in relation to staff recruitment procedures, through the participation of equal opportunities and diversity representatives in the various interinstitutional working groups in this area and, specifically, in the EPSO working group on diversity in recruitment procedures) and, secondly, of making the best use of their skills (talent and career management).

The Training and Development unit therefore carried out the following actions:

- organisation of initiatives to raise staff awareness, including communication and education initiatives, such as broadcasting webinars and organising lunchtime conferences on equal opportunities, diversity and inclusion;
- the creation of a career management scheme to support the Court's staff and provide all staff with the best possible conditions to enable them to consider and plan their career development, and the training of career advisors with a special focus on staff recruitment and HR management without unconscious bias;
- redesigning the induction programme for new joiners to include, inter alia, the presentation of the Court's equal opportunities, diversity and inclusion policy, bringing it to the attention of new staff as soon as they start work;
- the distribution to all staff of a newsletter specifically dedicated to the concepts of diversity and inclusion;
- the distribution to managers of a series of video tutorials and webinars on these issues.

5. Geographical balance

The Court's staff is made up of officials and other staff from all Member States of the European Union.

Recruitment is always carried out on the basis of candidates' merits, the Staff Regulations stipulating in that regard, in Article 7(1), that vacancies are to be filled 'solely in the interest of the service and without regard to nationality'.

The Court works closely with EPSO with a view to making, together with the other institutions, recommendations for possible changes and improvements to the selection and recruitment of personnel, including ensuring balanced representation of the nationalities of the Member States among its staff.

The geographical distribution of staff as at year end is set out in the table annexed to this report.

6. Career management

6.1 Horizontal mobility

The Court consistently encourages horizontal mobility within the Institution, giving priority to filling posts by transfer within the Institution. The care taken in drawing up vacancy notices and the advice provided by the Recruitment and Careers unit to the recruiting services aim to facilitate appropriate career choices. In addition, during the course of 2021, 4 staff members from the Human Resources department followed a special programme on staff recruitment. They now regularly assist the services during the various recruitment procedures in order to help secure quality recruitments corresponding to the real needs of the services in terms of the knowledge and skills required of candidates. In addition, they participated in exchanges and work shadowing with their counterparts in other institutions and in a 'Career Day' organised by the Commission.

6.2 Vertical mobility

In accordance with internal decisions on promotions which implement the relevant provisions of the Staff Regulations, laying down, in particular, rates of promotion, it was possible to promote 331 officials in the 2021 promotion exercise having regard to both the merits observed and the budgetary resources allocated for that purpose by the budgetary authority, in compliance with the above-mentioned rates.

In addition, in the context of the certification procedure under Article 45a of the Staff Regulations, the Court decided not to solicit applications in 2021 and therefore not to select a new candidate to participate in a training programme organised in 2021 by the European School of Administration. That decision was based on the fact that, first, the number of officials in function group AST selected in previous procedures who are still capable of being appointed in the medium term to posts in function group AD is relatively high, and, secondly, the conditions under which the training and tests would be organised were particularly difficult owing to the health crisis.

6.3 Interinstitutional mobility

There have been movements of staff between the Court and the other EU institutions in the context of transfer procedures. Transfers to the Court enrich the Institution's staff through the arrival of employees with a command of working methods and management tools implemented in the other institutions, which are valuable in broadening the skills of staff members and in the useful sharing of best practice.

Departures from the Court to the other institutions are, to a certain extent, due to the fact that a percentage of its staff aspires to a career in a large institution or in another place of employment, in particular in order to take advantage of opportunities for more in-depth development in a specific field of competence offered by other, larger institutions. This mobility also contributes to the enrichment of the range of skills of officials from other institutions, particularly in the field of law.

Out of 146 vacancy notices published in 2021, 92 recruitment procedures were opened to officials from other institutions. 14 officials were transferred to the Court. In addition, 28 officials from the Court were transferred to other institutions. After a slight decrease in interinstitutional mobility in 2020, most likely due to the health crisis (1 official from another institution was transferred to the Court and 18 officials from the Court were transferred to other institutions), the level of interinstitutional mobility has returned to that of previous years.

6.4 Redeployment

In assessing the Institution's efforts as regards redeployment and efficiency gains, it should be borne in mind that, in contrast to the situation prevailing in the other institutions, the substantive drafting of the decisions at the heart of the Institution's activity, namely judgments, orders and opinions, is carried out in the Members' chambers. For that reason, the staff of the chambers represent more than a quarter of the Institution's total staff. The Registries and the services do not participate directly in that drafting; they provide procedural support (Registries), analysis (legal research), linguistic support (translation, interpretation), support for the purposes of dissemination (publication in the ECR, press releases), and administrative support in its broadest sense.

As regards the chambers, their structure has developed over the years, as needs have evolved. The budgetary authority has recognised the relevance of those needs by providing the necessary budgetary positions. However, as part of the last phase of the reform of the General Court, approved by Regulation 2015/2422, and in order to ensure an equal composition of the chambers of the General Court's judges without additional staffing requirements, the decision was taken to reassign 15 permanent posts from the services to the chambers of the General Court's judges. Those 15 permanent posts were transformed into temporary posts of the same grade. That transformation has had strictly no budgetary impact.

7. Management of the administrative consequences of the United Kingdom's withdrawal from the European Union

As regards staff members holding UK nationality only (25 at the time of the United Kingdom's withdrawal from the European Union on 31 January 2020 and 22 as at 31 December 2021), the Court, in line with the Commission, maintained an approaching consisting in:

- retaining those officials already in service on the basis of the exception provided for in Article 28(a) of the Staff Regulations; and
- considering the situation of members of the temporary and contract staff with a view to the authority authorised to conclude employment contracts deciding, on a case by case basis, whether an exception to the nationality condition provided for in Article 12(2)(a) and Article 82(3)(a) of the CEOS applies in the interest of the service.

As regards the use of the English language, given that English remains a language of proceedings and in the absence of the possibility of recruiting lawyer-linguists with UK nationality [unless the exception provided for in Article 28(a) of the Staff Regulations is granted], the English-language translation unit took the necessary measures to respond to the new recruitment situation. In particular, initiatives to present the profession of lawyer-linguist have intensified in Ireland.

Where relevant, the possibility of having recourse, in the interest of the service, to an exception to the nationality condition based on the provisions of the Staff Regulations and the CEOS will have to be considered for the recruitment/engagement of both lawyer-linguists and interpreters.

8. Impact of the lifting of the derogation on the use of the Irish language

Pursuant to Regulation 2015/2264, the derogation in respect of the Irish language has been definitively and fully lifted as from 1 January 2022. For the Court, this means that all documents published in the Court Reports must be translated into Irish from that date. In anticipation of this derogation being lifted, a total of 24 new permanent posts were created in the establishment plan in 2021, namely: 1 Head of Unit post (AD 12), 17 lawyer-linguist posts (AD 7), 1 management assistant post (AST 3), 2 proofreader posts (AST3), 1 secretarial post (AST 1) and 2 permanent interpreter posts (AD 7). The procedures launched during 2021 enabled 14 of those posts to be filled before year end.

9. Management of human resources during the health crisis

2021 was the second year in a row to be affected by the health crisis, the lessons of which were learned and integrated into the daily management of human resources. On the basis of advice provided by the Court's crisis cell, measures were maintained with the aim of:

- safeguarding, first and foremost, the health and safety of staff, by following the advice provided by the Institution's medical officers and the national health authorities;
- adapting teleworking arrangements across the Institution according to developments in the health crisis;
- constantly monitoring the development of the pandemic in a crisis cell with representatives from the chambers and the services;
- keeping the Members, officials and other staff duly and regularly informed of developments in the situation and the measures adopted to combat the pandemic;
- advising personnel on how to cope with isolation, putting in place a structured communication strategy;
- supporting Heads of Service in the area of people management and offering training in the management of remote teams, by adopting a more flexible and caring managerial approach, focused on fostering relationships based on trust, greater autonomy, and the management and evaluation of performance by objectives;
- raising awareness among managers of the importance of continuous communication with the members of their service, particularly with vulnerable persons, parents with children in school or young children and persons living alone;
- introducing paperless procedures and digital workflows for the sending of documents and approvals by the competent authorities, particularly in human resources procedures, in order to ensure that work can continue;
- ensuring that staff training and skills development activities are continued by holding virtual courses;
- participating actively in interinstitutional meetings in order to learn from the decisions and practices of other institutions and adopting, as far as possible, a common, harmonised approach to management of the health crisis.

10. Health, safety and well-being at work

Committed to the health and safety of staff, the Court constantly seeks to strengthen safety measures and provides the necessary communication on, and raises awareness of, matters relating to health, safety and well-being at work.

In the context of the health crisis, the Court applied a wide range of measures aimed at preventing the spread of SARS-COV-2 within the Institution's buildings, in full compliance with the relevant regulatory requirements of the host country and in order to protect the health of persons using its premises.

Staff in the Institution's medical service continued to provide medical advice and constant support in the management of the crisis, the development of which considerably affected the working arrangements within the Court's buildings. Staff in the medical service were regularly in contact with infected persons and those who had had contact with an infected person, provided advice to the various bodies of the Institution responsible for the management of the health crisis, and formulated advice and recommendations for the Members and staff of the Court, in particular with regard to recommended behaviour and everyday preventive actions, taking into account the nature of the functions or circumstances in which the functions are carried out, which determine the adaptation of health measures, for example, for interpretation or for the organisation of recruitment procedures.

In addition to organising and carrying out regular PCR testing for SARS-COV-2 on its premises, the medical service also carried out rapid tests, which were taken as part of the Covid-check scheme put in place by the host country's health authorities so that in-person events could be organised. Furthermore, the medical service reimbursed PCR tests for new staff and trainees up to a limit of EUR 100 to ensure that their entry into service took place under optimum safety conditions.

The Court's psychologist continued to provide support to staff members during the period when teleworking arrangements applied across the Institution, through individual consultations and a series of videos published on the Institution's intranet site. In the light of the demand for support from staff members facing personal and professional difficulties in the context of the pandemic, the number of hours provided by the psychologist has been increased further since September 2021.

Furthermore, Heads of Service were regularly made aware of the need to pay particular attention to the staff under their responsibility and to the difficulties they might encounter in connection with the health crisis and remote working arrangements.

In addition, in order to update the arrangements for working part-time on medical grounds, in 2021 the Institution adopted a new decision allowing a phased return to work after an absence owing to a medical condition of a certain duration, but also the continuation of work after a surgical operation or an accident not followed by a period of sick leave. That decision provides, *inter alia*, for the possibility of extending the authorisation for part-time work on medical grounds beyond three months, in very exceptional circumstances, up to a maximum of six months in total. The new decision, which was favourably received by the Staff Committee, will allow the colleagues concerned gradually to return to work under the best possible conditions.

Furthermore, a social worker engaged by the Court has, since 2021, taken responsibility for the social care of pensioners from all of the institutions based in Luxembourg who, after their retirement, continue to reside in the Grand Duchy or the greater region.

11. Working conditions

The continuation of the health crisis into 2021 and, as a result, of the remote working arrangements in place across the Institution has prolonged the change observed in 2020 in the use of the various working arrangements available to staff in order to achieve a better work-life balance. A significant decrease in the number of requests in this area, as observed in the first year of the health crisis, was also observed in 2021, as illustrated in the table below, which allows a comparison to be made between the number of persons under each regime recorded in the last three years:

Working arrangements	2021	2020	2019
Part-time	266	282	492
Part-time on medical grounds	49	58	60
Parental leave	283	314	442
Family leave	2	11	42
Flexible working hours	n.a.	n.a.	938

The decrease in requests for part-time work can be explained in part by the fact that the possibility of working from home has led to a better reconciliation of work and private life.

The flexitime regime, which has not been applied since March 2020 and was suspended with the introduction of teleworking arrangements across the Institution, was not reintroduced in 2021.

Regarding the use of the time made available by staff members working part-time, the Court uses the corresponding remuneration appropriations in order to recruit temporary staff. Similarly, save in cases where the period of parental or family leave is short, those going on family or parental leave are replaced by recruiting temporary staff.

12. IT optimisation in human resources management

After a considerable speeding up of initiatives to introduce paperless processes and to digitise workflows for approving DRHAP proposals on recruitment and the determination of rights of the Institution's staff under the Staff Regulations in 2020, proposal files sent to the Appointing Authority have, for the most part, been managed in the HAN/ARES document management system. Since June 2021, approximately 1000 e-signatures (comprising proposal files and instrumentum) have been generated.

As the health crisis persisted for the major part of 2021, the Institution's services, together with DRHAP, continued to use IT resources to carry out recruitment procedures, provide virtual induction for new officials and other staff, and extend contracts of members of the temporary and contract staff. Those practices ensured the availability of the human resources necessary for the functioning of the Members' chambers, the Registries and the services.

In 2021, as part of the use of the SYSPER personnel management application, managed by the European Commission, the Court made extensive use of the HR Reporting and Analytics Services module, acquired in 2020, which enabled a large amount of more targeted and comprehensive statistical data to be extracted. The relevant services are continuing to examine the additional SYSPER modules to be implemented, in particular the Ethics module for the automated management of requests for authorisation for external activities and declarations of publication submitted by staff members, the Removals module for considering and handling removal requests submitted by those entitled, the NDP module for accelerating the digitisation of personal files and the DOC module for broadening the type of documents and certificates that can be generated automatically.

13. Training and development of skills

The training and continuous development of skills of the Court's staff play an essential role in the successful accomplishment of the Institution's mission.

In 2021, due to the health crisis and the continuation of teleworking, most training took place remotely through various videoconferencing tools or through the acquisition of licences to access a training platform offering a wide range of online courses. Analysing the requests for bespoke training from the Institution's services, and following discussions at interinstitutional level with the European School of Administration (EUSA) with a view to developing a new competency framework, it emerged that there were major needs in the areas of increasing autonomy at work, agile collaboration, resilience and communication.

As regards, in particular, the development of communication skills, a series of training sessions were organised on the following topics: public speaking and/or speaking in front of a camera, virtual welcoming of new staff members or visitor groups, moderation of virtual meetings, management of technical problems linked to the use of remote communication tools, effective communication by email, speed reading, giving constructive feedback, organising effective meetings and agile team collaboration.

The meetings of the 'Observatoire de la Formation' (Training Observatory), a body established in 2020 as part of the Institution's quality efforts that is made up of representatives from the various services, continued during 2021. The first round of exchanges was thus completed, focusing principally on best practices in welcoming new joiners and in mentoring, while the job shadowing scheme was relaunched before year end. The main aims of that scheme, which was designed as a tool to motivate staff, is to enable

staff members to acquire knowledge and develop professional and personal skills ‘on the job’ with other services, to promote networking, to identify synergies and joint projects, and to help streamline and simplify working methods and procedures.

Still within the framework of the Court’s quality efforts, a new group of technical training correspondents has been established in order to create a network of contact persons in the field of training and therefore an additional level of communication and collaboration. The aim of this new network is to:

- strengthen the autonomy of the services in the organisation of training and the effective and efficient use of resources for dealing with technical issues, such as understanding EU Learn or compiling statistics; and
- create a reliable point of contact who can provide qualitative feedback to the unit responsible for training on the achievement of the objectives of the training courses organised and on the satisfaction or further needs of participants.

The training courses for administrators who had been designated by the various services to participate in the ‘management and leadership skills development’ training programme were organised in 2021. Since the creation of this scheme in 2016, 5 rounds of the training programme have been organised and, to date, 88 administrators and 55 Heads of Service have participated in it with the completion of numerous projects.

In addition, members of the alumni group - the group of participants of the previous rounds of this programme - have been given the opportunity to continue their initial training programme through ongoing supplementary training by means of thematic workshops organised for their benefit. The aim is to enable administrators who have completed the initial training programme to maintain the momentum in the development of their skills and to expand their professional networks.

14. Communication and social dialogue

The social dialogue between the administration and staff representatives has a tangible, direct effect on the implementation of staff policy and the application of the Staff Regulations and internal rules. That dialogue takes place in particular in the context of the Institution’s various joint committees as well as through consultations with the Staff Committee and representative or recognised trade unions.

The Court’s administration maintains regular contact with the Court’s Staff Committee through frequent bilateral meetings, in particular, in order to identify possibilities for collaboration on issues of key interest to staff.

Examples of the collaboration in 2021 between the Staff Committee and union representatives include the organisation of a new survey by the DRHAP, in collaboration with the Staff Committee, aimed at collecting staff members’ views on the possible introduction of homeworking into the day-to-day operation of the Institution, and on the increase in their autonomy at work.

Questions were asked about how they see the future, the division of work performed at home and on the Court’s premises, and the attractiveness of working on the Court’s premises. Also worthy of note is the close cooperation in the area of well-being at work, listening to staff members who were particularly affected during the pandemic, raising awareness of the issue of disability, and, more specifically, the reintegration of staff members after a long-term period of absence for medical reasons.

Court of Justice of the European Union – Annex 1
As at 31 December 2021

BREAKDOWN OF STAFF BY GENDER (permanent and temporary posts)																	
Gender	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	Grand Total
F																	
AD					30	7	102	45	98	101	125	122	23	28	4		685
AST	26	14	119	70	97	97	62	33	32	2	4						556
AST-SC		41	15														56
F Total	26	55	134	70	127	104	164	78	130	103	129	122	23	28	4		1297
M																	
AD					11	4	80	24	72	79	98	113	24	63	9	2	579
AST	5	2	45	25	22	32	20	5	9		1						166
AST-SC		21	5	1													27
M Total	5	23	50	26	33	36	100	29	81	79	99	113	24	63	9	2	772
Grand Total	31	78	184	96	160	140	264	107	211	182	228	235	47	91	13	2	2069

Court of Justice of the European Union - Annex 2
As at 31 December 2021

BREAKDOWN OF STAFF BY NATIONALITY AND FUNCTION GROUP (permanent and temporary posts and contract staff)								
Nationality	AD	AST	AST/SC	GF I	GF II	GF III	GF IV	Grand Total
Germany	75	32	2	2	1	2		114
Austria	16	2						18
Belgium	100	71	9	5	6	3	1	195
Bulgaria	35	18				1	1	55
Cyprus	2	1						3
Croatia	32	10	3			1		46
Denmark	30	8	3	1				42
Spain	75	33	7	1	1	6	2	125
Estonia	29	13	2			2		46
Finland	27	14	2			1	1	45
France	201	225	21	37	7	9	8	508
Greece	53	32	3	5	1	2		96
Hungary	39	20	2	1	1	2		65
Ireland	27	11	1			3		42
Italy	93	48	5	11	1	3	1	162
Latvia	35	14	1			1		51
Lithuania	35	18	1	1		1		56
Luxembourg	8	14	2	5	1			30
Malta	23	10				1		34
Netherlands	21	6				2		29
Poland	50	24	3	2	1	2		82
Portugal	37	27	5	8		4		81
Czech Republic	35	13	2	1	1	1		53
Romania	51	20	3	1		4		79
United Kingdom	38	4		1		3		46
Slovakia	32	13	3			1		49
Slovenia	31	13	1		1	2		48
Sweden	33	8	2			1	1	45
Other	1						1	2
Grand Total	1264	722	83	82	22	58	16	2247

Court of Justice of the European Union - Annex 3
As at 31 December 2021

SENIOR AND MIDDLE MANAGEMENT					
Nationality	Director-General	Director	Head of Unit	Deputy Head of Unit	Grand Total
F					
Belgium			3		3
Croatia			1		1
Denmark			1		1
Spain		2	2		4
Estonia			1		1
Finland		1			1
France			3	1	4
Greece			1		1
Hungary			2		2
Ireland			1		1
Italy		1	1		2
Latvia			1		1
Lithuania			1		1
Romania		1	1		2
United Kingdom		1	1		2
Slovenia			1		1
Sweden			1		1
F Total		6	22	1	29
M					
Germany		1	2		3
Belgium	1	2	6		9
Bulgaria			1		1
Denmark			1		1
Spain		1	1		2
Estonia		1			1
Finland			1		1
France			4	1	5
Greece		1	2		3
Ireland		1			1
Italy	1		3		4
Latvia			1		1
Lithuania			1		1
Malta			1		1
Netherlands			2		2
Poland			1		1
Portugal			3		3
Czech Republic			1		1
United Kingdom			1		1
Slovakia			2		2
M Total	2	7	34	1	44
Grand Total	2	13	56	2	73

Court of Justice of the European Union - Annex 4
As at 31 December 2021

BREAKDOWN OF STAFF BY NATIONALITY	
Member State	% of staff in service
Germany	5%
Austria	1%
Belgium	9%
Bulgaria	2%
Cyprus	1%
Croatia	2%
Denmark	2%
Spain	6%
Estonia	2%
Finland	2%
France	23%
Greece	4%
Hungary	3%
Ireland	2%
Italy	7%
Latvia	2%
Lithuania	2%
Luxembourg	1%
Malta	1%
Netherlands	1%
Poland	4%
Portugal	4%
Czech Republic	2%
Romania	4%
United Kingdom	2%
Slovakia	2%
Slovenia	2%
Sweden	2%

REPORT ON BUDGETARY AND FINANCIAL MANAGEMENT FOR THE FINANCIAL YEAR 2021

1. Introduction

This report provides an overview of the implementation of the budget relating to the year 2021 and, in accordance with Article 249 of 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, provides *'summary information on the transfers of appropriations among the various budget items'*.

In that context, Chapter 2 of the present report gives an overview of the implementation of the 2021 budget and of transfers carried out, and Chapter 3 examines in more detail the trends in budget lines of the Court's budget by chapter. Lastly, the annexes, by means of tables with figures, provide detailed information concerning budget implementation in 2021.

1.1 – The impact of the covid-19 health crisis

The year 2021 was also marked by the impact of the Covid-19 health crisis that significantly influenced all of the Institution's activity, both jurisdictional and administrative. Consequently, as the following paragraphs will show in more detail, budget consumption in several of the Court's budget lines has been impacted by the crisis. For certain lines, the net impact is a reduction in the use of appropriations, while for others the health crisis has required additional expenditure.

The public health crisis has imposed certain additional costs, in particular for the purchase of IT equipment and services due to the generalised use of homeworking for staff, and for the purchase of disinfection and personal protective equipment for Members and staff of the Court that were called into the buildings, for the representatives of parties, and for visitors. Heating costs have also increased due to the decision, taken for health reasons, to have more frequent air renewal in the Institution's buildings.

However, the health crisis has also led to savings on several budget lines, in particular on those relating to freelance interpretation, professional training, missions, cleaning and caretaking of the buildings, furniture, office consumables and to protocol-related activities. In addition to this, there has been the effect of the economic situation on the adjustment of the salaries of Members and staff. The adjustment rate applied from 1 July 2021 is limited to 1.9% instead of the 2.6% used, in accordance with the Commission's indications, during the preparation of the 2021 budget estimates.

In terms of figures, the additional expenditure caused by the pandemic can be estimated at EUR 1.7 million, and the savings at EUR 6 million (of which EUR 1.2 million is owing to the reduction of the salary adjustment to 1.9%). The net amount of the savings can therefore be estimated at EUR 4.3 million.

Among the extra expenditure, it seems appropriate in particular to bear in mind the expenditure that relates to the upgrading of IT equipment (hardware and software) in order to enable efficient remote working (EUR 0.9 million), the expenditure that relates to heating (EUR 0.3 million) and the expenditure of the Medical service (EUR 0.1 million).

Among the estimated savings, the most significant are those that relate to the reduced use of freelance interpreters (EUR 1.1 million), to the lower number of trainings and missions (EUR 1.1 million), to a reduction in caretaking and security services (EUR 0.5 million), to a reduced use of office supplies and printers (EUR 0.4 million) and to the cancellation of a large number of seminars, visits and receptions (EUR 0.1 million).

The net savings thus realised made it possible, as is stated in detail in Section 2.2.4, to finance, as part of the end-of-year mopping-up transfer, an advance payment relating to buildings with the aim of reducing the Institution's future financial burden.

2. Overview of budgetary implementation in 2021

2.1 - Revenue

The estimated revenue of the Court for the financial year 2021 was EUR 59 549 000.

As shown in **Table 1** below, the established entitlements for the financial year 2021 were EUR 58 838 767 and are 1.19% lower than estimated.

**Table 1 –
Estimated revenue and established entitlements**

(in euros)

TITLE	ESTIMATED REVENUE 2021	ESTABLISHED ENTITLEMENTS 2021	% of total
3 – Administrative revenue	59,549,000.00	58,838,767.38	100.00
4 – Financial revenue, default interest and fines	0.00	0.00	0.00
TOTAL	59,549,000.00	58,838,767.38	100.00
%	100.00%	98.81%	

It should be noted that revenue from established entitlements under Title 3 (primarily the deductions made from the salaries of Members and staff for taxes and social security contributions) represent all of the revenue.

Annexes 1 and 2 provide additional information with figures on the whole revenue stream (revenue-entitlements carried over, revenue-established entitlements and revenue-entitlements collected).

As regards the revenue from entitlements carried over from the previous financial year, **Table 2** below shows that the revenue under Title 3 represents the total revenue from the entitlements carried over registered in 2021.

Table 2 – Revenue from entitlements carried over

(in euros)

TITLE	CARRIED OVER 2020 TO 2021	REVENUE FROM ENTITLEMENTS CARRIED OVER	% of total
3 – Administrative revenue	17,878.06	1.75	100.00
4 – Financial revenue, default interest and fines	0.00	0.00	0.00
TOTAL	17,878.06	1.75	100.00
%	100.00%	0.01%	

2.2 - EXPENDITURE

2.2.1 – Appropriations for the financial year

The expenditure appropriations entered in the Court's budget for the financial year 2021 amounted to EUR 444 049 000.

As shown in **Table 3** below, the implementation of the budget for the financial year 2021 amounts to EUR 438 236 490.91 and reflects a rate of use of the final appropriations of 98.7%, a very high rate which is similar to that of 2020 (99%).

As examined in more detail in Chapter 3, the implementation of the 2021 budget is noteworthy both for Title 1 (98.8% compared with 98.9% in 2020) and for Title 2 (98.4% compared with 99.3% in 2020).

In general, as in previous years, it should be noted that 76% of the appropriations used by the Court in 2021 are dedicated to the expenditure of Members and staff (expenditure under Title 1), with almost all of the remaining balance relating to expenditure on infrastructure (Title 2), in particular in the areas of buildings and IT.

Table 3 – Commitment of appropriations in the financial year

(in euros)

TITLE	APPROPRIATIONS FOR THE FINANCIAL YEAR 2021	COMMITMENTS FOR THE FINANCIAL YEAR 2021	% of total
1 – Persons working with the Institution	337,319,500.00	333,202,822.34	76.03
2 – Buildings, furniture, equipment and miscellaneous operating expenditure	106,677,500.00	105,014,832.58	23.96
3 – Expenditure resulting from special functions carried out by the Institution	52,000.00	18,835.99	0.01
10 – Other expenditure	0.00	0.00	0.00
TOTAL	444,049,000.00	438,236,490.91	100.00
%	100.00%	98.69%	

Annexes 3 and 4 provide detailed additional information with figures on the use of appropriations in the financial year 2021 (as compared with 2020 and details of implementation by budget line).

2.2.2. – Appropriations carried over

Table 4 below shows that of the appropriations carried over from 2020 to 2021, of which the total amounts to EUR 33 077 215, a large proportion was used (89.93% in 2021 compared with 84.78% in 2020).

**Table 4 –
Use of appropriations carried over**

(in euros)

TITLE	APPROPRIATIONS CARRIED OVER 2020 TO 2021	PAYMENTS OUT OF APPROPRIATIONS CARRIED OVER	CANCELLATIONS
1 – Persons working with the Institution	6,433,622.24	4,398,369.06	2,035,253.18
2 – Buildings, furniture, equipment and miscellaneous operating expenditure	26,641,770.50	25,347,785.61	1,293,984.89
3 – Expenditure resulting from special functions carried out by the Institution	1,821.85	0.00	1,821.85
10 – Other expenditure	0.00	0.00	0.00
TOTAL	33,077,214.59	29,746,154.67	3,331,059.92
%	100.00%	89.93%	10.07%

Annex 4 provides additional detailed information with figures on the use of appropriations carried over from 2020 to 2021.

2.2.3. – Appropriations corresponding to assigned revenue

In accordance with Article 21 of the Financial Regulation, certain revenue may be assigned to the financing of specific items of expenditure. Such assigned revenue represents, therefore, additional appropriations that may be used by the Institution.

Table 5a below shows details, by title, of the sums of assigned revenue established and collected during the financial year.

**Table 5a –
Use of assigned revenue**

(in euros)

TITLE	ASSIGNED REVENUE 2021	PAYMENTS 2021	ASSIGNED REVENUE CARRIED OVER 2021 TO 2022
1 – Persons working with the Institution	626,714.67	0.00	626,714.67
2 – Buildings, furniture, equipment and miscellaneous operating expenditure	253,080.83	2,500.00	250,580.83
3 – Expenditure resulting from special functions carried out by the Institution	1,185.50	0.00	1,185.50
10 – Other expenditure	0.00	0.00	0.00
TOTAL	880,981.00	2,500.00	878,481.00

Table 5b below shows details, by title, of the sums of assigned revenue carried over from one financial year to another.

Table 5b – Use of assigned revenue carried over

(in euros)

TITLE	ASSIGNED REVENUE CARRIED OVER 2020 TO 2021	PAYMENTS 2021	CANCELLATION OF ASSIGNED REVENUE FOR 2020 NOT ELIGIBLE FOR CARRYING OVER	ASSIGNED REVENUE CARRIED OVER 2021 TO 2022
1 – Persons working with the Institution	11,588.95	7,736.89	973.42	2,878.64
2 – Buildings, furniture, equipment and miscellaneous operating expenditure	498,559.67	435,601.76	2,019.06	60,938.85
3 – Expenditure resulting from special functions carried out by the Institution	11,251.31	11,056.55	194.76	0.00
10 – Other expenditure	0.00	0.00	0.00	0.00
TOTAL	521,399.93	454,395.20	3,187.24	63,817.49

Table 5c below shows details, by title, of the sums of assigned revenue committed but not paid and carried over from one financial year to another.

Table 5c – Use of assigned revenue committed but not paid and carried over

(in euros)

TITLE	ASSIGNED REVENUE COMMITTED BUT NOT PAID IN 2020 AND CARRIED OVER TO 2021	PAYMENTS 2021	CANCELLATION OF ASSIGNED REVENUE
1 – Persons working with the Institution	0.00	0.00	0.00
2 – Buildings, furniture, equipment and miscellaneous operating expenditure	82,634.24	39,408.78	43,225.46
3 – Expenditure resulting from special functions carried out by the Institution	0.00	0.00	0.00
10 – Other expenditure	0.00	0.00	0.00
TOTAL	82,634.24	39,408.78	43,225.46

The assigned revenue appropriations established during the financial year 2021 amounted to EUR 880 981 of which around 92% are made up of revenue accruing from:

- reimbursement by the Commission, Council and Luxembourg State of excess advance payments (EUR 675 851);
- the sale of electrical energy produced by the photovoltaic cell panels (EUR 137 635).

Annex 5 provides additional detailed information with figures on the use of assigned revenue.

2.2.4. TRANSFERS OF APPROPRIATIONS

In the course of the financial year 2021, as shown in Table 6, the Court made 10 budget transfers pursuant to Article 29 of the Financial Regulation 2018/1046, representing a total of EUR 17.9 million, or 4% of the appropriations for the financial year. The effects of the various transfers at the level of each budget item can be seen in **Annex 4**.

Of the 10 transfers made, 4 were the subject of notification to the budgetary authority in accordance with the Financial Regulation. In terms of amount, those four transfers total EUR 14.7 million, which is approximately 82% of the total amount of the transfers made in 2021.

The largest increase in appropriations concerns a transfer to budget line 2001 'Lease-purchase', amounting to EUR 11.1 million, intended to finance, first, the early repayment of a loan with a variable interest rate entered into in connection with the project for the 5th extension to the buildings of the Court and, secondly, the early repayment to the Luxembourg State of costs relating to the project for securing those buildings (Project 'CJ10'), all with the aim of reducing the financial burden in relation to future charges concerning those two building projects. That transfer could be financed by the budgetary surpluses accruing from Chapters 10, 12, 14, 16, 20, 21 and 23.

Next, with respect to the remaining EUR 3.6 million, the transfers submitted to the budgetary authority have made it possible, first, to increase Item 1654 'Early Childhood Centre' by EUR 250 000 in order to deal with the increase in 2021, in the context of the health crisis, in expenditure relating to the Court's contribution to the cost of the Early Childhood Centre (ECC) managed by the European Commission, in order to enable temporary workers to be recruited to that centre to replace educators who were absent because of their vulnerability to the SARS-COV-2 virus as well as staff members who had tested positive for that virus or who had been in contact with people infected with it.

Secondly, with respect to an amount of EUR 3.3 million, the transfers of appropriations made it possible to increase Article 210 'Equipment, operating costs and services related to data-processing and telecommunications', in order to finance budget deficits that have emerged in certain activities, programmes and projects, in particular additional needs relating to the cost of various IT licenses, mainly in connection with the SIGA Project, certain additional costs resulting from the security upgrade of the Institution's buildings under Project CJ10, in particular as regards the security cameras installed in connection with that project, the introduction of the EU-SIGN electronic signature tool, a new module of the SYSPER staff management tool, the hosting of applications at the Commission, the extension of the functionalities of the neural translation tool, the improvement of Wi-Fi coverage in certain parts of the buildings, the financing of the other technological migrations following the discontinued use of the old data centre as well as the financing of the new integrated library management system.

Table 6 – Transfers of appropriations

(in euros)

TYPE OF TRANSFER	NUMBER OF TRANSFERS IN 2021	TOTAL AMOUNT TRANSFERRED
Title to title	2	3,332,000.00
Chapter to chapter	1	250,000.00
Article to article	0	0.00
Item to item	6	3,206,139.98
Mixed (mopping-up transfer at the end of 2021)	1	11,145,000.00
TOTAL	10	17,933,139.98

3. Implementation of the 2021 budget by chapter

3.1 - TITLE 1– Persons working with the Institution

As shown in **Table 7** below, the final budget funding of Title 1 for the financial year 2021 comes to EUR 337 319 500. That funding represents almost 76% of the Court's total budget. Those appropriations were committed to the extent of EUR 333 202 822 in 2021, which represents a rate of implementation of 98.78% (compared with 98.86% in 2020).

**Table 7 –
Use of appropriations in the financial year**

(in euros)

TITLE 1	APPROPRIATIONS IN THE FINANCIAL YEAR 2021	COMMITMENTS IN THE FINANCIAL YEAR 2021	% implementation
10 – Members of the Institution	37,062,000.00	35,766,067.02	96.50
12 – Officials and temporary staff	266,896,500.00	265,356,775.79	99.42
14 – Other staff and external service providers	26,874,000.00	26,410,523.26	98.28
16 – Other expenditure related to persons working with the Institution	6,487,000.00	5,669,456.27	87.40
TOTAL	337,319,500.00	333,202,822.34	98.78

3.1.1 Chapter 10 – Members of the Institution

The final appropriations in this chapter, amounting to EUR 37 062 000, were committed to the extent of EUR 35 766 067, which represents a rate of implementation of 96.5% in 2021 (compared with 96.88% in 2020).

It has to be pointed out that a budget surplus of EUR 1.25 million became available in this chapter in order to increase budget line 2001 'Lease-purchase' in Chapter 20 of the Court's budget for the mopping-up transfer at the end of 2021 (see Section 2.2.4).

That surplus was due, in particular, to the fact that, in the context of the partial renewal of the Court of Justice in October 2021, the number of Members leaving was lower than the estimates made at the time the budget was prepared, as well as to the fact that certain former Members drew their pension immediately without receiving temporary allowances. Moreover, another part of the surplus was due to the delay appointing certain Members and to the fact that the salary adjustment on 1 July 2021 was more limited than initially foreseen by the Commission (+ 1.9% compared with + 2.6%).

3.1.2 Chapter 12 – Officials and temporary staff

The final appropriations in this chapter, amounting to EUR 266 896 500, were committed to the extent of EUR 265 356 776, which represents a rate of implementation of 99.4% in 2021 (compared with 99.6% in 2020).

Generally, it is to be borne in mind that Chapter 12 represents the largest volume of appropriations in the Court's budget (60% of the final appropriations). In addition, the budget surplus established during the financial year 2021 in relation to the initial appropriations for the year remains limited, having regard both to the total amount of those appropriations and to the difficulties of establishing budget estimates nearly 12 months in advance, using numerous parameters that are necessarily only estimates (rate of salary increases, tempo of recruitment or turnover, rate of standard abatement, etc.).

The budget surplus that was used for transfers out of Chapter 12 is explained by the following circumstances.

The adjustment rate of emoluments of Members and staff on 1 July 2021, that was ultimately lower than the one initially used during the drafting of the 2021 budget, accounts by itself for an amount of 0.9 million of surplus. Moreover, the fact that certain cabinets were not constituted as a result of delays appointing Members is another source of savings.

It is important to note that the rate of occupation of posts in 2021 was at a very high level (around 97% on average). Those good results are the fruit of a very active recruitment policy on the part of all the Court's services, allowing the number of vacant posts to be kept as low as possible, in spite of the constraints inherent in the normal, inevitable turnover of staff, and the difficulties of recruiting staff in Luxembourg. The low proportion of vacant posts is also a good indicator of the heavy workload borne by the services of the Court.

In that regard, the Court always turns to good account the analysis of the disparities in implementation found in the appropriations of Chapter 12, in order to continue to refine its methodology for estimating remuneration and thereby endeavour to improve as much as possible its performance in the implementing of appropriations.

The surplus in this chapter was used as follows:

- an amount of EUR 6.9 million was used to finance the end-of-year mopping-up transfer (see Section 2.2.4);
- an amount of EUR 2 million was used to complete the increase of Article 210 'Equipment, operating costs and services related to data-processing and telecommunications';
- an amount of EUR 250 000 was used to increase Item 1654 'Early Childhood Centre'.

3.1.3 Chapter 14 – Other staff and external services

The final appropriations in this chapter, amounting to EUR 26 874 000, were committed to the extent of EUR 26 410 523 in 2021, which represents a rate of implementation of 98.3% (compared with 97.5% in 2020).

The final appropriations in Chapter 14 are mainly concentrated in two budget items.

First of all, approximately one third of the final appropriations in this chapter are allocated to Item 1400 'Other staff'. The rate of implementation of the final appropriations for that item in 2021 is 99.1%.

Budget surpluses for Item 1400, to the extent of EUR 250 000, were used to finance the end-of-year mopping-up transfer (see Section 2.2.4). The source of those surpluses is due, first, to less recruitment than initially foreseen of contract staff owing in particular to the pandemic, and, secondly, to a lower salary adjustment on 1 July 2021, more limited than initially foreseen at the time the 2021 budget was drafted.

Next, Item 1406 'External services in the linguistic field' represents around 60% of the final appropriations in this chapter. It is intended to finance the services of freelance interpreters and translators. The rate of implementation of the final appropriations for Item 1406 in 2021 is 98.5%. The surpluses for that budget item, to the extent of EUR 882 000, were used to increase Article 210 relating to IT expenditure (see Section 2.2.4).

3.1.4 Chapter 16 – Other expenditure related to persons working with the Institution

The final appropriations in this chapter, amounting to EUR 6 487 000, were committed to the extent of EUR 5 669 456 in 2021, which represents a rate of implementation of 87.4% (compared with 87.1% in 2020).

Two items in this chapter represent around 80% of the final appropriations. These are Item 1612 'Further training', and Item 1654 'Early Childhood Centre'.

As regards Item 1612, the rate of implementation of 72.7% in 2021 is explained by the significant number of training activities that could not take place due to the pandemic and the establishment of a generalised homeworking regime for staff. An amount of EUR 160 000 accruing from that item could be used to finance the end-of-year mopping-up transfer (see Section 2.2.4).

As for Item 1654 'Early Childhood Centre', the rate of implementation was very significant, amounting to 99.2% in 2021. During 2021, that item had to be increased to the extent of EUR 250 000, in order to deal with the expected increase in expenditure in 2021 relating to the Court's contribution to the cost of the Early Childhood Centre.

3.2 TITLE 2 – Buildings, furniture, equipment and miscellaneous operating expenditure

As shown in **Table 8** below, the final budget funding of Title 2 for the financial year 2021 comes to EUR 106 677 500. That amount represents almost 24% of the Court's total budget in 2021. Those appropriations were committed to the extent of EUR 105 014 833, which represents a very high rate of implementation of 98.4% in 2021 (compared with 99.3% in 2020).

**Table 8 –
Use of appropriations in the financial year**

(in euros)

TITLE 2	APPROPRIATIONS IN THE FINANCIAL YEAR 2021	COMMITMENTS IN THE FINANCIAL YEAR 2021	% implementation
20 – Buildings and associated costs	72,778,000.00	72,449,822.22	99.55
21 – Data processing, equipment and furniture: purchase, hire and maintenance	30,158,000.00	29,600,646.56	98.15
23 – Current administrative expenditure	1,032,000.00	696,121.09	67.45
25 – Meetings and conferences	535,000.00	230,937.29	43.17
27 – Information: acquisition, archiving, production and distribution	2,174,500.00	2,037,305.42	93.69
TOTAL	106,677,500.00	105,014,832.58	98.44

3.2.1 Chapter 20 – Buildings and associated costs

The final appropriations in this chapter, amounting to EUR 72 778 000, were committed to the extent of EUR 72 449 822 in 2021, which represents a very high rate of implementation of 99.6% (compared with 99.8% in 2020).

Those appropriations are intended to cover the cost of renting, purchasing and running the various buildings occupied by the Court.

The final appropriations in Articles 200 'Buildings' and 202 'Costs relating to buildings' represent 73.9% (EUR 53 794 000) and 26.1% (EUR 18 984 000) respectively of the total appropriations in this chapter.

The appropriations in Article 200 'Buildings' mainly fund expenditure on lease-purchase.

The expenditure in Item 2001 'Lease-purchase' in 2021 amounts to EUR 51 070 590 (100% implementation) and corresponds to the charges payable under the contracts concluded with the Luxembourg authorities for the purchase, renovation and construction of the various buildings of the Court and to finance the

amount to be repaid to the State concerning the project for the 5th extension to the buildings of the Court (CJ 9) in 2021, the early repayment of a loan with a variable interest rate entered into in connection with that project and to the early repayment to the Luxembourg State of costs relating to the project for securing those buildings (Project 'CJ10'). That budget item was the only beneficiary of the end-of-year mopping-up transfer to the amount of EUR 11.1 million (see Section 2.2.4).

As regards expenditure in Article 202 'Costs relating to buildings', this amounts to EUR 18 741 381 in 2021 and corresponds, for the most part, to the expenditure on cleaning and maintenance, energy consumption and security/surveillance required for the proper functioning of the Court's buildings. The rate of implementation established for that article in 2021 is 98.7%.

The final appropriations for Item 2022 'Cleaning and maintenance', which covers cleaning activities and expenditure that relates to the general maintenance of the buildings occupied by the Court, amounted to EUR 9 187 000 in 2021, and were implemented at 99.6%. During the year, a budget surplus of EUR 1 million could be established due to a reduced maintenance need of the buildings in the context of the pandemic and made it possible to finance a part of the end-of-year mopping-up transfer (see Section 2.2.4).

Item 2024, 'Energy consumption', was implemented at 99.8% in 2021. During the year, a budget surplus of EUR 370 000 could be established due in particular to a less-than-expected increase in the cost of electricity and to the reduction in water consumption in the context of a lower attendance at the premises due to the pandemic, thus making it possible to finance another part of the end-of-year mopping-up transfer (see Section 2.2.4).

As regards Item 2026 'Security and surveillance of buildings', the final appropriations, to the extent of EUR 6 860 000, were used up at 99.6% in 2021. A surplus became available in that item, to the extent of EUR 940 000, which is explained by the adjustment of the security arrangements to the circumstances of the health crisis (considerable use of homeworking by staff and decrease in in-person activities). Therefore, that budget surplus could be used to finance an increase of Article 210 'Equipment, operating costs and services related to data-processing and telecommunications' and to finance a part of the end-of-year mopping-up transfer (see Section 2.2.4).

3.2.2 Chapter 21 – Data processing, equipment and furniture

The final appropriations in this chapter, amounting to EUR 30 158 000, were committed to the extent of EUR 29 600 647 in 2021, which represents a rate of implementation of 98.2% (compared with 99% in 2020).

The appropriations in Chapter 21 are for the most part (93.4%) intended for expenditure on IT (Article 210), the remaining balance being allocated to expenditure on furniture (Article 212), technical equipment and installations (Article 214) and vehicles (Article 216).

As regards Article 210 'Equipment, operating costs and services related to data-processing and telecommunications', the rate of implementation was almost 100% in 2021.

It is important to stress how vital that expenditure is to the proper working of all the Court's activities. At the same time as pursuing major developments linked to digital working in respect of the flow of documents (including the continuing improvement of the e Curia application and of the electronic publication of the European Court Reports and the development of the integrated case management system SIGA), the development or improvement of the applications specific to the various activities of the Court have been continued in order to increase the efficiency and productivity of the courts and support services. Several measures were also undertaken in order to facilitate the functioning of the Institution in the context of generalised homeworking imposed by the pandemic (capacity building in terms of videoconferencing and

IT support, the introduction of an electronic signature system, etc.). A budgetary increase to the extent of EUR 3.33 million to Article 210 was carried out in 2021 accruing from Chapters 12, 14 and 20 in order to finance the budget deficits that emerged (see Section 2.2.4).

As regards the other three articles in Chapter 21, their rate of implementation in 2021 was as follows: 74.6% for Article 212 'Furniture', 70.8% for Article 214 'Technical equipment and installations' and 96.5% for Article 216 'Vehicles'.

As regards Article 212, the budget surplus available, to the extent of EUR 370 000, is the result, first, of a decrease in requests for furniture due to the reduced presence of staff in the offices in the context of the continuation of the pandemic in 2021 and, secondly, to a decrease in needs relating to the furnishing of the meeting rooms. That amount was used to finance the end-of-year mopping-up transfer (see Section 2.2.4).

As regards Article 214 'Technical equipment and installations', the implementation of the 2021 budget is explained by a reduced use of reprographic systems. Fewer documents were printed due to the absence of a significant part of the staff on the premises and to a decrease in the number of visitors. In addition, the replacement of a machine of the reprographic facility could be postponed to a later date because that machine had been used less in 2020 and 2021.

As regards Article 216, an amount of EUR 145 000 was also used to finance the end-of-year mopping-up transfer (see Section 2.2.4). That budget surplus is explained, first, by the fact that the number of kilometres driven was lower in relation to the forecasts made at the time the 2021 budget was drafted, namely at the beginning of 2020, just before the outbreak of the pandemic, and, secondly, by the fact that a certain number of Members' posts remained unoccupied for all or part of the year.

3.2.3 Chapter 23 – Current administrative expenditure

The final appropriations in this chapter, amounting to EUR 1 032 000, were committed to the extent of EUR 696 121 in 2021, which represents a rate of implementation of 67.5% (compared with 85.2% in 2020).

It may usefully be noted that:

- expenditure in Article 230 'Stationery, office supplies and various consumables' amounted to EUR 198 442 (implementation rate of 57.9% in 2021). A budget surplus of EUR 250 000 in that budget line was used as part of the end-of-year mopping-up transfer (see Section 2.2.4). That surplus is explained by the decrease in the consumption of paper, office supplies and ink cartridges in consequence of the continuation of the health crisis in 2021, with a large part of the Court's staff making use of homeworking;
- expenditure in Article 231 'Financial charges' amounted to EUR 6 717 (rate of implementation of 61% in 2021);
- expenditure in Article 236 'Postal charges' amounted to EUR 95 665 (rate of implementation of 73.6% in 2021). In that regard, the under-implementation on that line is explained, in particular, by the decrease in the volume of items posted due to the health crisis, a decrease which is partially compensated by an increase in the costs of postal services;
- expenditure in Article 238 'Other administrative expenditure' amounted to EUR 395 151 (rate of implementation of 76.3% in 2021). The rate of budget implementation of the appropriations for that article is explained by the absence of a substantial part of the staff in the offices due to the pandemic, which significantly limited certain expenses, in particular expenses for internal meetings, moves and expenses for the transport of mail between institutions.

3.2.4 Chapter 25 – Meetings and conferences

The final appropriations in this chapter, amounting to EUR 535 000, were committed to the extent of EUR 230 937 in 2021. The rate of implementation of the appropriations is thus 43.2% in 2021 (compared with 60.5% in 2020).

The implementation of the budget for the financial year was influenced, as in 2020, by the cancellation of a significant number of ceremonial and other events due to the pandemic.

3.2.5 Chapter 27 – Information: acquisition, archiving, production and distribution

The final appropriations in this chapter, amounting to EUR 2 174 500, were committed to the extent of EUR 2 037 305, which represents a rate of implementation of 93.7% in 2021 (compared with 92.6% in 2020). The appropriations in Chapter 27 are shared between two articles:

- expenditure in Article 272 'Documentation, library and archiving expenditure', which amounted to EUR 1 611 478 (rate of implementation in 2021 of 96.8%);
- expenditure in Article 274 'Production and distribution of information' amounted to EUR 425 828, showing an implementation rate of 83.4% in 2021.

3.3 - TITLE 3 – Expenditure resulting from special functions carried out by the Institution

Chapter 37 – Expenditure relating to certain institutions and bodies

The final budget funding in Title 3 consists solely of the appropriations in Chapter 37 for Item 3710 'Court expenses'. For the financial year 2021, those appropriations amounted to EUR 52 000 and were committed to the extent of EUR 18 836, which represents a rate of implementation of 36.2% (compared with 32.9% in 2020).

That is expenditure, for which the Institution is liable, relating to legal aid granted to litigants, covering lawyers' fees and other expenses, the forecasting of which proves difficult.

ANNEX 1

COMPARISON BY CHAPTER OF THE IMPLEMENTATION OF REVENUE IN 2021 AND 2020

(In euros)

Chapters/ Articles	HEADING	ESTABLISHED ENTITLEMENTS 2021	ESTABLISHED ENTITLEMENTS 2020	DIFFERENCE	DIFF.%
300	Taxes and levies	36.324.413,11	35.292.375,26	1.032.037,85	2,92%
301	Contribution to the pension scheme	21.608.805,83	20.791.206,12	817.599,71	3,93%
30	Revenue from staff	57.933.218,94	56.083.581,38	1.849.637,56	3,30%
310	Sale of immovable property — Assigned revenue	0,00	0,00	0,00	NA
311	Sale of other property	0,00	139.939,92	-139.939,92	-100,00%
312	Proceeds from letting and subletting immovable property — Assigned revenue	0,00	0,00	0,00	NA
31	Revenue linked to property	0,00	139.939,92	-139.939,92	-100,00%
320	Revenue from the supply of goods, services and work — Assigned revenue	0,00	0,00	0,00	NA
321	Refunds by other institutions or bodies of mission allowances — Assigned revenue	0,00	0,00	0,00	NA
322	Revenue from third parties in respect of goods, services or work — Assigned revenue	137.634,90	0,00	137.634,90	NA
32	Revenue from the supply of goods, services and work — Assigned revenue	137.634,90	0,00	137.634,90	NA
330	Repayment of sums paid though not due — Assigned revenue	670.759,21	218.091,64	452.667,57	207,56%
331	Revenue for a specific purpose (income from foundations, subsidies, gifts and bequests) — Assigned revenue	0,00	0,00	0,00	NA
333	Insurance payments received — Assigned revenue	0,00	381,34	-381,34	-100,00%
338	Other revenue from administrative operations — Assigned revenue	97.154,33	126.857,37	-29.703,04	-23,41%
339	Other revenue from administrative operations	0,00	0,00	0,00	NA
33	Other administrative revenue	767.913,54	345.330,35	422.583,19	122,37%
TITLE 3		58.838.767,38	56.568.851,65	2.269.915,73	4,01%
400	Revenue from investments, loans granted and bank accounts	0,00	0,00	0,00	NA
401	Interest yielded by pre-financing	0,00	0,00	0,00	NA
40	Revenue from investments and accounts	0,00	0,00	0,00	NA
TITLE 4		0,00	0,00	0,00	NA
GENERAL TOTAL		58.838.767,38	56.568.851,65	2.269.915,73	4,01%

ANNEX 2

REVENUE SITUATION IN 2021 — ESTABLISHED ENTITLEMENTS AND ENTITLEMENTS CARRIED OVER

Budget lines	Heading	Initial budget	Established entitlements 2021	Revenue recovered	Still to be recovered
3000	Tax on remunerations	32 106 000,00	30 838 156,43	30 838 156,43	0,00
3001	Special levies on remunerations	5 679 000,00	5 486 256,68	5 486 256,68	0,00
3010	Staff contributions to the pension scheme	21 764 000,00	21 608 805,83	21 608 805,83	0,00
3011	Transfer or purchase of pension rights by staff	0,00	0,00	0,00	0,00
3012	Contributions to the pension scheme by staff on leave	0,00	0,00	0,00	0,00
	total Chapter 30	59 549 000,00	57 933 218,94	57 933 218,94	0,00
310	Sale of immovable property — Assigned revenue	0,00	0,00	0,00	0,00
311	Sale of other property	0,00	0,00	0,00	0,00
312	Proceeds from letting and subletting immovable property — Assigned revenue	0,00	0,00	0,00	0,00
	total Chapter 31	0,00	0,00	0,00	0,00
3202	Revenue from the supply of goods, services and work for other Union institutions, agencies and bodies — Assigned revenue	0,00	0,00	0,00	0,00
321	Refunds by other institutions or bodies of mission allowances — Assigned revenue	0,00	0,00	0,00	0,00
322	Revenue from third parties in respect of goods, services or work — Assigned revenue	0,00	137 634,90	137 634,90	0,00
	total Chapter 32	0,00	137 634,90	137 634,90	0,00
330	Repayment of sums paid though not due — Assigned revenue	0,00	670 759,21	670 210,79	548,42
331	Revenue for a specific purpose (income from foundations, subsidies, gifts and bequests) — Assigned revenue	0,00	0,00	0,00	0,00
333	Insurance payments received — Assigned revenue	0,00	0,00	0,00	0,00
338	Other revenue from administrative operations — Assigned revenue	0,00	97 154,33	73 133,56	24 020,77
339	Other revenue from administrative operations	0,00	0,00	0,00	0,00
	total Chapter 33	0,00	767 913,54	743 344,35	24 569,19
	Title 3	59 549 000,00	58 838 767,38	58 814 198,19	24 569,19
400	Revenue from investments, loans granted and bank accounts	0,00	0,00	0,00	0,00
401	Interest yielded by pre-financing	0,00	0,00	0,00	0,00
	total Chapter 40	0,00	0,00	0,00	0,00
	Title 4	0,00	0,00	0,00	0,00
	Total	59 549 000,00	58 838 767,38	58 814 198,19	24 569,19

Budget lines	Heading	Carried Over 2020 to 2021	Variations during 2021	Total carried over 2020 to 2021	Revenue from entitlements carried over	Still to be recovered
3011	Transfer or purchase of pension rights by staff	0,00	0,00	0,00	0,00	0,00
	total Chapter 30	0,00	0,00	0,00	0,00	0,00
310	Sale of immovable property — Assigned revenue	0,00	0,00	0,00	0,00	0,00
311	Sale of other property	0,00	0,00	0,00	0,00	0,00
312	Proceeds from letting and subletting immovable property — Assigned revenue	0,00	0,00	0,00	0,00	0,00
	total Chapter 31	0,00	0,00	0,00	0,00	0,00
3202	Revenue from the supply of goods, services and work for other Union institutions, agencies and bodies — Assigned revenue	0,00	0,00	0,00	0,00	0,00
321	Refunds by other institutions or bodies of mission allowances — Assigned revenue	0,00	0,00	0,00	0,00	0,00
322	Revenue from third parties in respect of goods, services or work — Assigned revenue	0,00	0,00	0,00	0,00	0,00
	total Chapter 32	0,00	0,00	0,00	0,00	0,00
330	Repayment of sums paid though not due — Assigned revenue	6 206,74	0,00	6 206,74	0,00	6 206,74
331	Revenue for a specific purpose (income from foundations, subsidies, gifts and bequests) — Assigned revenue	0,00	0,00	0,00	0,00	0,00
333	Insurance payments received — Assigned revenue	0,00	0,00	0,00	0,00	0,00
338	Other revenue from administrative operations — Assigned revenue	9 676,32	0,00	9 676,32	1,75	9 674,57
339	Other revenue from administrative operations	1 925,00	0,00	1 925,00	0,00	1 925,00
	total Chapter 33	17 878,06	0,00	17 878,06	1,75	17 876,31
	Title 3	17 878,06	0,00	17 878,06	1,75	17 876,31
400	Revenue from investments, loans granted and bank accounts	0,00	0,00	0,00	0,00	0,00
401	Interest yielded by pre-financing	0,00	0,00	0,00	0,00	0,00
	total Chapter 40	0,00	0,00	0,00	0,00	0,00
	Title 4	0,00	0,00	0,00	0,00	0,00
	Total	17 878,06	0,00	17 878,06	1,75	17 876,31

ANNEX 3

COMPARISON BY CHAPTER OF THE IMPLEMENTATION OF APPROPRIATIONS IN 2021 AND 2020

(In euros)

Chapters	HEADING	COMMITMENTS 2021	COMMITMENTS 2020	DIFFERENCE	DIFF.%
10	Members of the Institution	35.766.067,02	33.598.219,45	2.167.847,57	6,45%
12	Officials and temporary staff	265.356.775,79	259.139.547,03	6.217.228,76	2,40%
14	Other staff and external services	26.410.523,26	24.587.548,05	1.822.975,21	7,41%
16	Other expenditure relating to persons working with the Institution	5.669.456,27	5.587.856,08	81.600,19	1,46%
	TITLE 1	333.202.822,34	322.913.170,61	10.289.651,73	3,19%
20	Buildings and associated costs	72.449.822,22	76.564.697,29	-4.114.875,07	-5,37%
21	Data processing, equipment and furniture: purchase, hire and maintenance	29.600.646,56	29.824.439,76	-223.793,20	-0,75%
23	Current administrative expenditure	696.121,09	762.023,69	-65.902,60	-8,65%
25	Meetings and conferences	230.937,29	148.192,08	82.745,21	55,84%
27	Information: acquisition, archiving, production and distribution	2.037.305,42	1.854.311,68	182.993,74	9,87%
	TITLE 2	105.014.832,58	109.153.664,50	-4.138.831,92	-3,79%
37	Expenditure relating to certain institutions and bodies	18.835,99	19.436,50	-600,51	-3,09%
	TITLE 3	18.835,99	19.436,50	-600,51	-3,09%
GENERAL TOTAL		438.236.490,91	432.086.271,61	6.150.219,30	1,42%

DETAILED IMPLEMENTATION OF APPROPRIATIONS IN 2021 (APPROPRIATIONS FOR THE FINANCIAL YEAR AND APPROPRIATIONS AUTOMATICALLY CARRIED OVER FROM THE PRECEDING YEAR)

Budget line	Index 1 (appropriations in the financial year)						Index 4 (appropriations automatically carried over from preceding year)			
	Initial Budget (1)	Transfers (2)	Fund appropriations in the financial year (3) = (1) + (2)	Commitments (4)	Payments (5)	Commitments available (6) = (4) - (5)	Appropriations cancelled (7) = (3) - (4)	Appropriations automatically carried over N-1 (8)	Payments out of appropriations carried over (9)	Appropriations cancelled (10) = (8) - (9)
Personnel and allowances on entering the service, transfer and leaving the service	32,921,000.00	-1,000,000.00	31,921,000.00	31,325,013.80	31,325,013.80	0.00	595,986.20	0.00	0.00	0.00
Personnel and allowances	1,760,000.00	0.00	1,760,000.00	1,760,000.00	705,631.46	1,056,368.54	0.00	50,192.30	0.00	50,192.30
Personnel and allowances	2,888,000.00	-250,000.00	2,648,000.00	2,313,855.14	2,313,855.14	0.00	334,144.86	0.00	0.00	0.00
Personnel and allowances	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Personnel and allowances	280,000.00	0.00	280,000.00	130,036.49	20,821.31	109,215.18	149,945.51	139,410.64	18,468.81	120,941.83
Personnel and allowances	453,000.00	0.00	453,000.00	257,141.59	76,883.01	160,258.58	215,838.41	131,178.77	72,462.64	58,716.13
Personnel and allowances	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Personnel and allowances	38,312,000.00	-1,250,000.00	37,062,000.00	35,766,067.02	34,440,204.72	1,325,862.30	1,295,937.96	310,781.71	90,931.45	229,856.26
Personnel and allowances	272,240,000.00	-8,883,000.00	263,357,000.00	262,611,406.15	262,611,406.15	0.00	743,592.85	0.00	0.00	0.00
Personnel and allowances	685,000.00	0.00	685,000.00	643,294.08	643,294.08	0.00	41,705.92	0.00	0.00	0.00
Personnel and allowances on entering the service, transfer and leaving the service	2,431,000.00	-225,000.00	2,206,000.00	2,086,599.28	1,337,264.44	749,334.84	119,400.72	387,711.99	26,979.76	360,732.23
Personnel and allowances	650,500.00	0.00	650,500.00	13,476.28	13,476.28	0.00	635,023.72	0.00	0.00	0.00
Personnel and allowances	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Personnel and allowances	276,006,500.00	-9,110,000.00	266,896,500.00	265,356,775.79	264,007,440.95	749,334.84	1,539,724.21	387,711.99	26,979.76	360,732.23
Personnel and allowances	8,716,000.00	-230,000.00	8,486,000.00	8,388,409.41	8,388,409.41	0.00	77,590.59	0.00	0.00	0.00
Personnel and allowances	14,560,000.00	0.00	14,560,000.00	1,456,109.84	1,456,109.84	399,890.16	0.00	319,683.33	0.00	319,683.33
Personnel and allowances	246,000.00	0.00	246,000.00	103,872.35	50,902.53	70,969.82	142,127.65	53,796.16	5,378.24	48,517.92
Personnel and allowances	17,588,000.00	-882,000.00	16,706,000.00	16,462,241.50	12,056,421.61	4,425,819.89	243,738.50	3,646,991.39	3,147,645.39	499,346.00
Personnel and allowances	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Personnel and allowances	28,006,000.00	-1,132,000.00	26,874,000.00	26,410,523.26	21,513,843.39	4,896,679.87	463,476.74	4,070,472.88	3,152,973.63	867,549.25
Personnel and allowances	175,500.00	0.00	175,500.00	122,229.86	62,197.24	60,032.62	51,270.14	29,806.94	8,810.53	20,996.41
Personnel and allowances	1,780,500.00	-1,600,000.00	1,620,500.00	1,177,896.04	4,98,094.51	719,801.53	442,602.96	807,874.93	684,512.65	123,362.28
Personnel and allowances	405,000.00	0.00	405,000.00	137,542.00	66,277.27	21,264.73	267,438.00	180,263.31	1,837.85	178,505.46
Personnel and allowances	50,000.00	0.00	50,000.00	50,000.00	31,511.42	18,488.58	0.00	6,292.95	0.00	6,292.95
Personnel and allowances	358,000.00	0.00	358,000.00	354,974.76	350,793.23	4,181.53	3,025.24	9,859.47	0.00	9,859.47
Personnel and allowances	193,000.00	-25,000.00	168,000.00	143,482.70	107,338.91	36,143.79	24,517.30	28,822.97	15,290.84	13,532.13
Personnel and allowances	111,000.00	25,000.00	136,000.00	135,983.36	19,834.43	116,148.93	16.64	125,043.51	110,357.53	15,285.98
Personnel and allowances	3,280,000.00	-250,000.00	3,030,000.00	3,301,347.55	3,142,863.15	338,484.40	28,652.45	402,486.38	244,578.18	157,908.40
Personnel and allowances	0.00	0.00	0.00	0.00	0.00	0.00	0.00	113,000.00	62,126.64	50,873.36
Personnel and allowances	46,000.00	0.00	46,000.00	46,000.00	45,075.40	924.60	0.00	0.00	0.00	0.00
Personnel and allowances	6,397,000.00	90,000.00	6,487,000.00	5,669,466.27	4,283,985.56	1,385,470.71	817,542.73	1,704,655.66	1,127,534.22	577,121.44
Personnel and allowances	348,721,500.00	-11,402,000.00	337,319,500.00	333,702,822.34	324,846,474.62	8,357,347.72	4,116,677.66	6,433,622.24	4,398,369.16	2,035,253.18

Budget lines	Index 1 (appropriations in the financial year)						Index 4 (appropriations automatically carried over from preceding years)			
	Initial Budget (1)	Transfers (2)	Final appropriations in the financial year (3) = (1) + (2)	Commitments (4)	Payments (5)	Commitments available (6) = (4) - (5)	Appropriations cancelled (7) = (3) - (4)	Appropriations automatically carried over N-1 (8)	Payments out of appropriations carried over (9)	Appropriations cancelled (10) = (8) - (9)
2000 Rent	130 000 00	-6 139 98	123 860 02	123 860 02	123 860 02	0 00	0 00	0 04	0 00	0 04
2001 Lease-purchase	37 000 000 00	13 081 139 98	51 071 139 98	51 070 389 95	50 827 041 57	243 348 38	530 03	1 974 181 20	1 888 283 06	105 898 14
2003 Acquisition of immovable property	0 00	0 00	0 00	0 00	0 00	0 00	0 00	0 00	0 00	0 00
2005 Construction of buildings	0 00	0 00	0 00	0 00	0 00	0 00	0 00	0 00	0 00	0 00
2007 Financing of premises	3 962 000 00	-2 730 000 00	1 232 000 00	1 190 656 43	4 38 371 25	752 265 18	61 563 57	1 533 804 97	1 508 652 96	25 152 01
2008 Studies and technical assistance in connection with building projects	1 447 000 00	-100 000 00	1 347 000 00	1 303 334 92	689 980 52	633 374 60	23 645 08	469 605 54	442 711 18	26 914 36
2022 Cleaning and maintenance	10 387 000 00	-1 000 000 00	9 187 000 00	9 147 672 59	7 118 914 52	2 028 738 07	39 327 41	2 671 004 65	2 553 868 41	137 236 24
2024 Energy consumption	2 895 000 00	-370 000 00	2 525 000 00	2 519 876 66	2 080 810 96	513 34	513 34	368 372 86	337 262 38	31 110 48
2026 Security and surveillance of buildings	7 800 000 00	-940 000 00	6 860 000 00	6 880 869 00	6 117 161 28	713 707 72	29 131 00	1 263 547 36	1 149 048 46	116 499 10
2028 Research	150 000 00	0 00	150 000 00	89 723 31	14 724 31	73 000 00	60 274 69	405 616 20	405 616 20	0 00
2029 Other expenditure on buildings	262 000 00	0 00	262 000 00	133 257 34	108 176 57	43 080 97	108 762 66	69 618 04	38 304 40	31 315 64
Chapter 20 Buildings and associated costs	63 943 000 00	8 835 000 00	72 778 000 00	72 449 822 22	67 519 841 60	4 930 780 62	328 177 78	8 757 861 56	8 283 747 55	474 114 01
2100 Purchase, servicing and maintenance of equipment and software, enterprise-level work	8 965 000 00	2 225 000 00	11 190 000 00	11 143 835 66	6 163 997 73	4 979 837 93	46 164 34	5 935 543 76	5 836 009 87	99 532 89
2102 External services for the operation, development and maintenance of software and systems	15 522 000 00	1 062 000 00	16 584 000 00	16 338 280 02	6 149 069 68	10 209 210 34	265 719 98	10 577 262 49	10 292 500 80	284 761 69
2103 Telecommunications	333 000 00	45 000 00	378 000 00	362 765 60	306 297 26	56 468 34	15 234 40	104 855 35	66 621 12	38 234 23
212 Furniture	814 000 00	-370 000 00	444 000 00	331 317 61	199 326 36	131 991 25	112 682 39	224 308 30	207 340 21	16 968 09
214 Technical equipment and installations	399 000 00	0 00	399 000 00	282 361 92	29 831 81	252 50 11	116 638 08	101 532 78	52 845 25	48 687 53
216 Vehicles	1 308 000 00	-145 000 00	1 163 000 00	1 122 083 75	1 048 744 88	73 340 87	40 914 25	59 600 97	6 823 45	52 835 52
Chapter 21 Data processing, equipment and furniture, purchase, hire and maintenance	27 341 000 00	2 817 000 00	30 158 000 00	29 600 646 56	13 897 367 72	15 703 378 84	567 353 44	17 003 163 65	16 462 140 70	541 022 95
220 Stationery, office supplies and various consumables	593 000 00	-250 000 00	343 000 00	198 442 12	119 971 65	78 470 47	144 557 88	81 336 54	61 532 54	19 824 00
231 Financial charges	11 000 00	0 00	11 000 00	6 717 00	4 676 61	2 040 39	2 003 84	1 312 60	0 00	711 24
232 Legal expenses and damages	30 000 00	0 00	30 000 00	146 13	146 13	0 00	29 833 87	0 00	0 00	0 00
236 Postal charges	150 000 00	0 00	150 000 00	95 668 61	71 766 61	25 898 08	34 335 31	19 268 67	10 788 57	8 480 30
238 Other administrative expenditure	518 000 00	0 00	518 000 00	395 151 15	294 427 64	100 723 51	122 848 83	61 476 34	19 574 73	41 901 61
Chapter 23 Current administrative expenditure	1 262 000 00	-250 000 00	1 032 000 00	696 121 09	400 988 64	205 132 46	336 878 91	164 175 39	93 208 24	70 917 15
232 Entertainment and representation expenses	135 000 00	0 00	135 000 00	59 207 12	35 524 33	23 682 79	95 792 88	26 326 80	2 073 00	24 235 80
234 Meetings, congresses and conferences	380 000 00	0 00	380 000 00	171 730 17	81 050 15	90 680 02	208 269 83	83 421 30	0 00	83 421 30
236 Expenditure on information and on participation in public events	0 00	0 00	0 00	0 00	0 00	0 00	0 00	0 00	0 00	0 00
237 Legal information service	0 00	0 00	0 00	0 00	0 00	0 00	0 00	0 00	0 00	0 00
Chapter 25 Meetings and conferences	535 000 00	0 00	535 000 00	230 937 29	116 574 48	114 362 81	304 062 71	109 748 10	2 073 00	107 675 10
270 Loans and consultations, studies and surveys	0 00	0 00	0 00	0 00	0 00	0 00	0 00	0 00	0 00	0 00
272 Documentation, library and archiving expenditure	1 664 000 00	0 00	1 664 000 00	1 611 472 48	1 030 342 18	381 135 30	52 522 53	528 200 04	442 075 45	86 214 59
234 Official formal	0 00	0 00	0 00	0 00	0 00	0 00	0 00	0 00	0 00	0 00
274 General publicity	300 000 00	0 00	300 000 00	259 766 00	236 766 00	3 000 00	40 234 00	3 000 00	0 00	3 000 00
2742 Other information expenditure	210 300 00	0 00	210 300 00	165 061 94	42 176 80	123 885 14	44 438 06	73 581 76	64 540 67	11 041 09
Chapter 27 Information, acquisition, archiving, production and distribution	2 174 500 00	0 00	2 174 500 00	2 037 305 42	1 329 284 98	708 020 44	137 194 58	606 871 80	506 616 12	100 255 68
Title 2 Buildings, furniture, equipment and miscellaneous operating expenditure	95 275 500 00	11 402 000 00	106 677 500 00	105 014 832 58	83 353 157 42	21 661 675 16	1 662 667 42	26 641 770 50	25 340 785 61	1 293 984 89
3710 Court expenses	52 000 00	0 00	52 000 00	18 835 99	17 235 99	1 600 00	33 164 01	1 821 83	0 00	1 821 83
3711 Administration Committee provided for in Article 18 of the EAEC Treaty	0 00	0 00	0 00	0 00	0 00	0 00	0 00	0 00	0 00	0 00
Chapter 37 Expenditure relating to certain institutions and bodies	52 000 00	0 00	52 000 00	18 835 99	17 235 99	1 600 00	33 164 01	1 821 85	0 00	1 821 85
Title 3 Expenditure resulting from special functions carried out by the institution	52 000 00	0 00	52 000 00	18 835 99	17 235 99	1 600 00	33 164 01	1 821 85	0 00	1 821 85
100 Provisional appropriations	0 00	0 00	0 00	0 00	0 00	0 00	0 00	0 00	0 00	0 00
101 Contingency reserve	0 00	0 00	0 00	0 00	0 00	0 00	0 00	0 00	0 00	0 00
Title 10 Other expenditure	0 00	0 00	0 00	0 00	0 00	0 00	0 00	0 00	0 00	0 00
TOTAL	444 649 000 00	0 00	444 649 000 00	438 236 400 91	408 215 868 03	30 070 622 88	5 819 509 09	33 077 214 59	29 746 154 67	3 331 059 92

ANNEX 5

USE OF ASSIGNED REVENUE IN 2021 - Index 11, 44 and 45

Budget line	USE OF ASSIGNED REVENUE IN THE FINANCIAL YEAR Index 11					USE OF ASSIGNED REVENUE IN THE PRECEDING FINANCIAL YEAR Index 44					USE OF COMMITMENTS OF ASSIGNED REVENUE CARRIED OVER FROM THE PRECEDING FINANCIAL YEAR Index 45		
	Assigned revenue	Commitments	Payments	Commitments available	Payments available	Assigned revenue	Commitments	Payments	Assigned revenue carried over	Assigned revenue cancelled	Assigned revenue	Payments	
104 Missions	737.98	0.00	0.00	737.98	0.00	915.00	915.00	643.72	271.28	0.00	0.00	0.00	
106 Training	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
110 Members of the Institution	737.98	0.00	0.00	737.98	0.00	915.00	915.00	643.72	271.28	0.00	0.00	0.00	
1200 Remuneration and allowances	0.00	0.00	0.00	0.00	0.00	381.34	0.00	0.00	0.00	381.34	0.00	0.00	
1204 Entitlements on entering the service, transfer and leaving the service	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
12 Officials and temporary staff	0.00	0.00	0.00	0.00	0.00	381.34	0.00	0.00	0.00	381.34	0.00	0.00	
1400 Other staff	853.93	0.00	0.00	853.93	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
1404 In-service training and staff exchange	0.00	0.00	0.00	0.00	0.00	668.29	0.00	0.00	0.00	668.29	0.00	0.00	
1406 Other external services	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
1406 External services in the linguistic field	624.528.48	0.00	0.00	624.528.48	0.00	6.415.18	6.389.39	6.389.39	0.00	25.79	0.00	0.00	
14 Other staff and external services	625.392.41	0.00	0.00	625.392.41	0.00	6.981.47	6.389.39	6.389.39	0.00	592.08	0.00	0.00	
1510 Miscellaneous expenditure for staff re	156.24	0.00	0.00	156.24	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
1612 Further training	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
162 Missions	438.04	0.00	0.00	438.04	0.00	311.14	311.14	311.14	0.00	0.00	0.00	0.00	
1632 Social contacts between members of staff and other welfare expenditure	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
1650 Medical service	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
1652 Restaurants and canteens	0.00	0.00	0.00	0.00	0.00	3.000.00	3.000.00	392.64	2.607.36	0.00	0.00	0.00	
1654 Early Childhood Centre	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
16 Other expenditure relating to persons working with the Institution	594.28	0.00	0.00	594.28	0.00	3.311.14	3.311.14	703.78	2.607.36	0.00	0.00	0.00	
1 Persons working with the Institution	626.714.67	0.00	0.00	626.714.67	0.00	11.508.95	10.615.63	7.736.99	2.878.64	973.42	0.00	0.00	
2001 Lease-purchase	0.00	0.00	0.00	0.00	0.00	93.259.29	93.259.29	93.259.29	0.00	0.00	24.415.61	0.00	
2007 Fitting-out of premises	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2008 Studies and technical assistance in connection with building projects	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2022 Cleaning and maintenance	10.204.68	0.00	0.00	10.204.68	0.00	3.045.27	3.045.27	3.045.27	0.00	0.00	1.435.00	0.00	
2024 Energy consumption	150.880.73	0.00	0.00	150.880.73	0.00	166.818.29	166.818.29	100.008.27	57.810.02	0.00	48.510.13	9.135.02	
2026 Security and surveillance of buildings	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2026 Insurance	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2029 Other expenditure on buildings	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2.402.14	0.00	
20 Buildings and associated costs	190.995.41	0.00	0.00	190.995.41	0.00	263.123.85	263.123.85	205.313.93	57.810.02	0.00	2.402.14	35.952.77	
												40.810.11	

Commitment Item	USE OF ASSIGNED REVENUE IN THE FINANCIAL YEAR Index 11					USE OF ASSIGNED REVENUE IN THE PRECEDING FINANCIAL YEAR Index 44					USE OF COMMITMENTS OF ASSIGNED REVENUE CARRIED OVER FROM THE PRECEDING FINANCIAL YEAR Index 45			
	Assigned revenue	Commitments	Payments	Commitments available	Payments available	Assigned revenue	Commitments	Payments	Assigned revenue carried over	Assigned revenue cancelled	Assigned revenue	Payments	Assigned revenue cancelled	
2100 Purchase, servicing and maintenance of equipment and software, and related work	900.00	0.00	0.00	900.00	0.00	97 067.25	96 843.01	96 843.01	0.00	224.24	0.00	0.00	0.00	
2102 External services for the operation, development and maintenance of software and systems	14 995.00	0.00	0.00	14 995.00	0.00	3 669.76	2 160.00	0.00	2 160.00	1 509.76	2 984.90	950.00	2 044.90	
2103 Telecommunications	228.00	0.00	0.00	228.00	0.00	2 452.54	2 452.54	1 498.26	954.28	0.00	2.12	0.00	2.12	
212 Furniture	1 069.50	0.00	0.00	1 069.50	0.00	0.00	0.00	0.00	0.00	0.00	294.00	0.00	294.00	
214 Technical equipment and installations	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
216 Vehicles	47 390.80	0.00	0.00	47 390.80	0.00	128 242.51	128 242.51	128 242.51	0.00	0.00	0.00	0.00	0.00	
21 Data processing, equipment and furniture; purchase, hire and maintenance of consumables	64 534.30	0.00	0.00	64 534.30	0.00	231 432.06	228 698.06	228 698.78	3 114.28	1 734.00	3 281.02	980.00	2 331.02	
230 Stationery, office supplies and various consumables	0.00	0.00	0.00	0.00	0.00	65.00	65.00	57.08	7.92	0.00	5.01	5.01	0.00	
232 Legal expenses and damages	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
236 Postal charges	8.21	0.00	0.00	8.21	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
238 Other administrative expenditure	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
23 Current administrative expenditure	8.21	0.00	0.00	8.21	0.00	65.00	65.00	57.08	7.92	0.00	5.01	5.01	0.00	
254 Meetings, congresses and conference participation in public events	0.00	0.00	0.00	0.00	0.00	158.41	0.00	0.00	0.00	158.41	0.00	0.00	0.00	
256 Expenditure on information and on participation in public events	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
25 Meetings and conferences	0.00	0.00	0.00	0.00	0.00	158.41	0.00	0.00	0.00	158.41	0.00	0.00	0.00	
272 Documentation, library and archiving expenditure	4 311.55	2 500.00	2 500.00	1 811.55	0.00	3 760.35	3 653.70	3 647.07	5.63	126.65	2 585.33	2 501.00	84.33	
2740 Official Journal	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2741 General publications	23 341.36	0.00	0.00	23 341.36	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2742 Other information expenditure	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
27 Information acquisition, archiving production and distribution	27 652.91	2 500.00	2 500.00	25 152.91	0.00	3 760.35	3 653.70	3 647.07	5.63	126.65	2 585.33	2 501.00	84.33	
2 Buildings, furniture, equipment and miscellaneous operating expenditure	253 080.83	2 500.00	2 500.00	250 580.83	0.00	498 559.67	496 540.81	435 801.76	60 939.85	2 019.08	82 634.24	39 408.78	43 225.46	
3710 Court expenses	1 185.50	0.00	0.00	1 185.50	0.00	11 251.31	11 056.55	11 056.55	0.00	194.76	0.00	0.00	0.00	
37 Expenditure relating to certain institutions and bodies	1 185.50	0.00	0.00	1 185.50	0.00	11 251.31	11 056.55	11 056.55	0.00	194.76	0.00	0.00	0.00	
3 Expenditure resulting from special functions carried out by the Institution	1 185.50	0.00	0.00	1 185.50	0.00	11 251.31	11 056.55	11 056.55	0.00	194.76	0.00	0.00	0.00	
Total	880 981.00	2 500.00	2 500.00	878 481.00	0.00	521 399.93	518 212.69	454 395.20	63 817.49	3 187.24	82 634.24	39 408.78	43 225.46	

Report on negotiated procedures

Article 74(10) of the Financial Regulation sets out the obligation for each institution to send a report on negotiated procedures to the budgetary authority. The authorising officers by delegation must, for each financial year, record contracts concluded by negotiated procedures.

During the financial year 2021, 6 contracts concluded by negotiated procedure for an amount over €60 000 were recorded, for a total amount of €1 580 159.68.¹

The proportion of contracts concluded by negotiated procedure in relation to the total number of contracts awarded was 7.2% (as against 7.0% in 2020, 6.1% in 2019 and 6.8% in 2018). If the calculations are made based on the value of the contracts (instead of the number of contracts), the proportion of negotiated procedures is 3.7% (as against 2.4% in 2020, 3.7% in 2019 and 3.2% in 2018).

All of the negotiated procedures concerned relate to the Directorate for Buildings and Security. Three of them concern waste management, heating and water consumption respectively. Two other procedures are directly related to the project for strengthening the security of the Court's buildings, while the last procedure concerns the acquisition of security equipment.

The reasons put forward by the competent authorising officers for using the negotiated procedure are those now set out in Section 11.1(b) of Annex I to the Financial Regulation and are based on:

- the existence of a single supplier capable of meeting the specific requirements of a given contract for technical reasons;
- the existence of a single supplier with a legal monopoly.

1| The interinstitutional procedures for which the Court is not the leading institution are not taken into account in those figures.

Report on compliance with and suspension of the time limits for making payments to creditors of the institution

Article 116(1) of the Financial Regulation sets the time limits for the payment of expenditure operations.

Subparagraph 5 of that article specifies the circumstances in which creditors receiving late payment are entitled to default interest charged to the line from which the principal was paid.¹ That article also establishes, in subparagraph 6, the obligation for each institution to submit to the budgetary authority a report on compliance with and suspension of the time limits for paying its creditors.²

The Court's administration pays particular attention to the proper compliance with those regulatory provisions relating to time limits for payment, ensuring that compliance is subject to close oversight and reporting.

To that end, the SAP integrated financial and budgetary management system (developed on an interinstitutional basis by the Council, the Court of Auditors and the Court) has specific features which enable:

- real time visualisation by the authorising departments of the tracking of invoices and corresponding payments throughout the internal verification and approval chain;
- the production of specific reports or alerts which integrate the management of the suspension of time limits for payment and the automatic calculation of default interest to be paid on any invoices paid late.

1| Article 116(5) of 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 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1): "[...] on the expiry of the time limits laid down in paragraph 1, the creditor shall be entitled to interest in accordance with the following conditions: (a) the interest rates shall be those referred to in Article 99(2); (b) the interest shall be payable for the period elapsing from the calendar day following expiry of the time limit for payment laid down in paragraph 1 up to the day of payment. However, in the event that the interest calculated in accordance with the first subparagraph is lower than or equal to EUR 200, it shall be paid to the creditor only on a request submitted within two months of receiving late payment."

2| Article 116(6) of 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 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1): "Each Union institution shall submit to the European Parliament and Council a report on the compliance with and the suspension of the time limits laid down in paragraphs 1 to 4 of this Article. The report of the Commission shall be annexed to the summary of the annual activity reports referred to in Article 74(9)."

Generally, all of the means described above allow the time limits for payment to be brought under proper control, with the average time limit over the last five years being slightly over 29 days, as the table below shows:

Financial Years	Invoices		Average payment time (days)
	Number	Amount (in €)	
2017	11 573	57 235 733	31.08
2018	12 297	57 264 621	31.71
2019	12 636	63 917 891	32.45
2020	11 228	56 241 940	25.53
2021	11 557	68 302 925	24.63

The average payment time in 2021 continued the downward trend observed since 2020. It was reduced by approximately 1 day in comparison with 2020 to 24.63 days.

The very reasonable average time for payment is due to the fact that, since mid-2019, the accounting officer makes payment of invoices as soon as the authorising officer responsible has received authorisation, which is to the advantage of suppliers since, in accordance with the provisions of Article 116(1) of the Financial Regulation, a very large number of invoices are for contracts which fall within the 60 or 90 day time limit (technical services or actions which are particularly complex to evaluate or subject to the approval of a report or a certificate). For example, in 2021, the average time for payment of invoices relating to external translation, which represent 75% of the total number of invoices paid, and for which the contractual time limit is 60 days, was 27.48 days, taking into account the necessary quality controls. The average period for payment of other invoices for which the time limit for payment is 30 days was 18.92 days.

In 2021, one case of payment of mandatory default interest (case where the amount of default interest exceeds the threshold of EUR 200 set in Article 116(5) of the Financial Regulation) was recorded. The late payment was the result of an administrative error in the processing of the invoice by the authorising department.

Amount of the invoice	Number of days late	Amount of interest (€)
407 400.73	3	267.88

REPORT TO THE BUDGETARY AUTHORITY UPDATED 2022-2026 BUILDINGS INVESTMENT PLAN

Action concerning the environment And interinstitutional cooperation

Introduction

The Court of Justice of the European Union ('the Court' or 'the Institution') has drawn up this annual building report in accordance with the provisions of Article 266 of the Financial Regulation applicable to the general budget of the European Union, which provides that:

'Each Union institution shall provide the European Parliament and the Council, by 1 June each year, with a working document on its building policy, which shall incorporate the following information:

- (a) for each building, the expenditure and surface area covered by the appropriations of the corresponding budget lines. The expenditure shall include the costs of the fitting-out of buildings but not the other charges;*
- (b) the expected evolution of the global programming of surface area and locations for the coming years with a description of the building projects in planning phase which are already identified;*
- (c) the final terms and costs, as well as relevant information regarding project implementation of new building projects previously submitted to the European Parliament and the Council under the procedure established in paragraphs (4) and (5) and not included in the preceding year's working documents.'*

The present report updates and supplements ¹ for the period 2022-2026 the reports drawn up by the Court since April 2009 on the same subject.

The financial information provided for the period covered is primarily concerned with buildings occupied under the lease-purchase regime, as the Court has not occupied any buildings under an operating lease since October 2019, with the exception of a data centre.

1| The annexes with figures appended to the present report conform, in so far as possible, to the conclusions adopted by the interinstitutional working group on buildings coordination in Luxembourg (GICIL), which brings together the institutions established in Luxembourg.

I. PRELIMINARY REMARKS

This section will first outline the Institution's building policy, followed by the main stages in the evolution of its building complex, and finally its specific needs.

1. The Institution's building policy

The Institution's building policy has two main objectives:

- first, after an initial policy of renting premises, the Court's aim, since the final establishment of its seat in Luxembourg decided at the Edinburgh European Council in 1992, has been to become the owner of the buildings which it occupies, following the example of other institutions and in line with the recommendations of the Court of Auditors, which again highlighted in its Special Report No 34/2018² that ownership of buildings offers certain advantages to the institutions, in particular reduced costs in the long term, and stability of costs and better budgetary planning in the medium term;
- secondly, the Court's aim is to have premises adapted to its specific jurisdictional needs and to reunite all of its departments on a single site in order to optimise the performance of its tasks.

2. Evolution of the Court's property situation and future outlook

The Court, established in Luxembourg since 1952, has, since 1972, occupied the 'Palais', which was constructed and provided to it by the Luxembourg authorities on the Kirchberg Plateau.

When, in 1979, that building became too small, the decision was taken to add annexes (Erasmus, Thomas More, and 'C' buildings), which were constructed between 1986 and 1993 by the Luxembourg State and which led, pursuant to the acquisition policy referred to above, to the conclusion of a lease-purchase contract in 1994 (in that regard, see Chapter III).

In 1998, the Palais, which was rented from the Luxembourg State, had to be vacated because of asbestos. The authorities of the Grand Duchy offered a replacement building, the T building. Since there were no courtrooms in that building, the Members and their chambers moved to the annexes of the Palais, and the T building was used for the translation service.

As part of a more long-term building policy, the Court had in the meantime developed with architect D. Perrault a project for the renovation and extension of the Palais based on its estimated requirements as foreseeable at the time. In July 2001, the Court signed a framework contract with the Luxembourg authorities for the realisation of that project (see Chapter II).

2| European Court of Auditors' Special Report No 34/2018 titled 'Management of office accommodation in the EU institutions: Some good management practices but also various weaknesses'.

However, pending handing over of the new space and faced with the urgent need for buildings arising from the 2004 accessions, the Court was obliged to take the decision temporarily to rent other buildings: the Tbis building for the translation service and the Geos building for administrative services to which, after the creation of the Civil Service Tribunal at the end of 2005, it was necessary to add further rental space in another building (Allegro) that was also located several kilometres from the Palais.

The buildings resulting from the renovation of the Palais and the 4th extension of the Court's building complex (Chapter II) have been operational since 2008, which has made it possible to reunite most of the staff on the site of the Court.

Beginning in early 2011, the Erasmus, Thomas More and 'C' annexes underwent extensive renovation and compliance work, which was completed for the start of the new judicial term in September 2013 (see Chapter IV). That project made it possible to relinquish some of the rented office space (the Allegro and Geos buildings).

A reassessment of its building requirements in the medium term (2015-2023), based on the changes reasonably foreseeable given the information available (further accessions, changes in the structure of the Institution, general increase in the number of cases brought and outlook for the evolution of the staffing of services in the light of the budgetary situation), led the Court to estimate that the capacity of the main site needed to be increased by approximately 30 000 m² of office space.

The Court informed the budgetary authority in July 2011 of the proposed construction of a 5th extension of its buildings (Chapter V), which began in 2016 and was completed on 15 July 2019 with the entry into service of the 3rd tower.

Lastly, developments in the security situation at EU level led the Institution to draw up a plan to upgrade its security system that was approved by the budgetary authority in December 2018 (Chapter VI).

A site plan of the Court's building complex and a diagram of the proposed security perimeter of the site can be found in **Annex 1**.

3. The Court's specific building requirements

In addition to standard office space, the Court has specific needs dictated by its jurisdictional activity, the reception of the public for hearings and visits, and regular ceremonial or official events such as, for example, the taking of oaths as provided for by the Treaties.

A significant portion of the Court's building complex is thus occupied by courtrooms, of which there needs to be a sufficient number to meet the requirements of all the chambers of both courts. Since the beginning of 2021, with the completion of work on a new courtroom in the central gallery connecting the various parts of the complex, the Court has had a total of 12 courtrooms (see Chapter V for more details).

Common and open areas, such as the 'salles des pas perdus' and the reception area for the parties, their lawyers and the public, are also provided close to the courtrooms.

Courtrooms and other common areas occupy some 71 616 m², or approximately 40% of the gross floor area of the Institution's building complex (177 364 m²). By comparison, the net office area of the Court's buildings is 58 411 m², or approximately 81.5% of the area occupied by courtrooms and other common areas.

The surface area of each group of buildings in the Court's complex and the budgets allocated to them are shown in the table headed 'Surface areas, workstations and budgets by group of buildings' contained in **Annex 2**.

II. THE RENOVATION OF THE PALAIS AND THE 4TH EXTENSION OF THE COURT'S BUILDING COMPLEX

As indicated in Chapter I, the renovation of the Palais and the construction of a 4th extension to the Court's building complex were necessary to accommodate the 2004 and 2007 enlargements.

It was no longer a matter of simply fitting out the existing complex but of rethinking the entire complex in order to have a Palais capable of responding to the increase in the number of Judges and Advocates-General following the enlargements, while separating the public areas dedicated to judicial activity from the office areas of the Members and the services in a logical way.

The plans, which were drawn up with the help of Dominique Perrault Architecture, thus led to the construction of a two-storey building surrounding the former Palais and able to accommodate up to forty Members' chambers (the 'Anneau'), the renovation of the former Palais, restructured and dedicated solely to courtrooms, and the construction of two adjoining towers, all connected by a central gallery serving the common areas and linking the various parts of the site together, while ensuring the architectural and functional unity of the complex.

As this was a large-scale building project, the Court was particularly attentive to respecting the budgetary principles of economy and efficiency in the conduct of its construction operations, which the Court of Auditors has confirmed. In its Special Report No 2/2007 on the Community institutions' expenditure on buildings, the Court of Auditors notes the good practices implemented in that project, in particular the strengthening of competition through open tenders in order to limit the overall cost of the project as far as possible, and the intervention of the European Investment Bank with a financial package on more attractive terms than financing by public or private banks.

Lastly, the Court ensured that the costs of the project were closely monitored throughout its progress, in particular by employing the assistance of a technical and financial consultancy firm. Those measures thus enabled the forecast final cost of the project to be kept within the (indexed) budget initially set.

The renovated and extended buildings were completed on schedule during the second half of 2008 and opened on 4 December 2008.

1. Financing

The project was pre-financed by the Luxembourg State through a framework contract concluded with the Court on 16 July 2001, with the sum invested having to be repaid by the Court under the terms of a lease-purchase agreement, signed on 13 June 2007, which defines the sale price as including the final price of construction (see section 1.3. below), the financing costs (including interim interest) and the costs incurred by the Luxembourg State in fulfilling its obligations as landlord during the period of lease-purchase.

The sale price is to be determined by an independent expert (the firm of auditors KPMG) appointed, after an invitation to tender, by mutual agreement of the Luxembourg State and the Court. Calculation of the final breakdown is to be based on a cost integration procedure also to be determined by mutual agreement.

Repayment is spread over a period extending to 2026, with the option of making early payments (see section 1.2. below). The project is financed by Justicia 2026, a property company which has concluded long-term loans with financial institutions offering the best terms (see section 1.1. below).

1.1. Loans used to finance the project – Consolidation transactions

After the initial costs were incurred, principally for surveys, which were pre-financed by the Luxembourg State, the property company took over payment of the invoices by using short-term credit facilities granted by the Banque et Caisse d'Épargne de l'État Luxembourgeois (BCEE) and the European Investment bank (EIB).

As the work has advanced, those short-term credit facilities have been converted into long-term loans according to a 'consolidation' mechanism. The interest rates and also the type of rate (fixed, adjustable, variable, capped variable, package of various formulas) were determined on consolidation, following a study of predicted market trends in liaison with the European Commission's Directorate-General for Economic and Financial Affairs (DG ECFIN). The fee could vary according to the rates applicable when the loans were converted and, as the case may be, the movement of interest rates as regards that proportion of the financing obtained at variable rates. Since the Court is ultimately responsible for repayments under the transactions executed by the property company under the lease-purchase agreement, it monitors them very closely.

Seven consolidation transactions were carried out between 2008 and 2017, amounting to EUR 309 397 648. In that context, the Court's competent authorising officer sought the advice of the Institution's Budget and Financial Affairs Directorate, the banks concerned (EIB and BCEE) and DG ECFIN, a neutral intermediary in relation to those two banks.

1.2. Prepayments

The prepayments made with the agreement of the two arms of the budgetary authority between 2007 and 2011, amounting in total to EUR 57.3 million, have made it possible significantly to reduce the budget impact of the lease-purchase payments to be made until 2026. Those prepayments have allowed for significant savings on financing charges, estimated at around EUR 20 million over the whole period, the annual amount of which (EUR 21.7 million in 2021) would otherwise be 18% higher.

1.3. Final cost of construction

The cost of construction of the new buildings amounted to EUR 355.3 million (exclusive of VAT and pre-financing financial charges), which was in line with the budget forecast. That amount must be understood as subject to the financial impact of any legal proceedings pertaining to that construction.

2. Renovation expenses and major maintenance

The costs referred to below fall into three categories: first, the improvement of equipment and installations; secondly, the maintenance and repair of technical installations; and thirdly, the maintenance and repair of so-called architectural features.

From 2020, the need for renovation started to increase, as is normal for structures of this nature, 7 to 12 years after they were put into service. Certain equipment and installations need to be replaced or upgraded. For example, in 2020, the catering service's refrigeration system, which had become obsolete and could no longer be maintained due to the gradual ban on the liquid refrigerants it contained, had to be brought into line with legislation. The total amount of the works was approximately EUR 0.5 million.

It should also be noted that at the end of 2020 the project to migrate the Centralised Technical Management (CTM) system of the Palais, the annexed buildings and the 4th extension buildings to new, more efficient operating software was initiated, which will provide a single system for the Court's entire building complex. The cost of that project, which continued in 2021 and is expected to be completed in 2022, is estimated at EUR 700 000. The project falls within the framework contracts in force and therefore did not require a call for tenders.

In addition to those renovations, maintenance costs have to be borne. The running, ongoing servicing, operation and major maintenance of technical installations are carried out under a contract concluded with a private firm, following a public procurement procedure launched with the Luxembourg State. That contract came into effect in April 2018 for a period of six years and three months, and as regards major maintenance works, provides for the creation of a reserve fund, into which is to be made an annual payment, which is currently close to EUR 670 000.

Since 2016, several framework contracts have been concluded for both architectural maintenance and the installation of additional or replacement technical equipment.

Since June 2021, the Court has had a contract for the establishment of an inventory of its architectural assets and their systematic inspection. EUR 140 000 was allocated for this in 2021 and EUR 230 000 has been allocated in 2022.

In addition, also for the 2022 financial year, an amount of EUR 905 000 is allocated for the installation of additional technical equipment and the fitting out of premises for the whole of the Court's building complex, excluding one-off operations.

It should also be noted that since the waterproofing of the Palais roof has recurring defects that simple repair would not be able to fix, its complete replacement has been entered into the Institution's budget for a total amount of approximately EUR 1 700 000, distributed over the 2022 and 2023 financial years.

In a similar vein, twelve years after those buildings were brought into use, the metallic structure of the Palais and the Anneau needs to be repainted. This is an extremely complex undertaking that includes erecting scaffolding on raised structures and protecting against paint splashes. Moreover, the works can only be carried out under favourable weather conditions. The total amount of the works is estimated at EUR 2 100 000, over a period of 6 years. However, given the scale of this project, more specific inspections are planned and further discussions are underway to determine whether assistance from the Luxembourg State should be sought.

III. ACQUISITION OF ANNEX BUILDINGS (ERASMUS, THOMAS MORE AND 'C')

Under the lease-purchase contract relating to the annex buildings, concluded with the Luxembourg State in 1994, the sale price includes the price of construction, the financing costs and the costs incurred by the Luxembourg State in fulfilling its obligations as landlord during the period of lease-purchase.

As with the 4th extension buildings, the sale price is determined by an independent expert (KPMG), which is appointed, after an invitation to tender, by the Luxembourg State and the Court, using a method for calculating present-day values to be determined by mutual agreement, on the basis of the interest rates on the loan funds taken out to finance the project.

According to the report by the independent expert appointed under the lease-purchase contract, the balance of the sale price of the annex buildings on 31 December 2021 was EUR 880 000.

By an amendment of 25 March 2010, the Luxembourg State and the Court wished to bring the expiry date of the lease-purchase contract relating to the annex buildings into line with that of the contract for the renovation project for the former Palais referred to in Chapter II above (no later than 31 December 2026) and to subject the entire building complex to the same regime. The payments due under that lease-purchase contract have therefore been rescheduled. The amount to be paid is EUR 150 000 per annum.

IV. RENOVATION AND UPGRADING OF ANNEX BUILDINGS (ERASMUS, THOMAS MORE AND 'C')

Taking into account the age of the annex buildings (constructed between 1986 and 1993) and the evolution of the applicable construction, safety and security standards, work to renovate and bring those buildings into compliance was carried out from the end of 2011 until June 2013, in accordance with the planned budget and timetable. That work consisted of:

- bringing security (access control) and safety (fire, etc.) installations into compliance;
- modernisation of roofing (green roofing), facades and technical installations (energy savings, sustainable development, etc.);
- setting up 'multimedia' equipment in the courtrooms and conference rooms, as in the courtrooms of the renovated former Palais;
- adaptation of partitioning for the installation of the General Court;
- general refurbishment (carpeting, painting, general finishing).

The monitoring, financing and repayment procedures implemented were the same as those used for the renovation of the Palais and the 4th extension of the Court's buildings (see Chapter II).

1. Financing

On the basis of the final cost of the renovation works (EUR 80.9 million including pre-financing interest) and the financial arrangements chosen (staggered repayments until 2026) as indicated above, the annual lease-purchase payment amounts to EUR 5 million in 2021.

The annual amount of that payment takes into account, first, prepayments made in agreement with the two arms of the budgetary authority between 2011 and 2015 (EUR 24.3 million), which have made it possible significantly to reduce the budget impact of the lease-purchase payments and, secondly, the various transactions to consolidate financing carried out between 2012 and 2017 (EUR 56.8 million).

2. Renovation expenses and major maintenance

As the project was completed in June 2013, no renovation of the structure or of the fitting-out is planned for the period 2022-2026 for that type of standard gauge building.

Major maintenance of technical installations is included in the contract referred to in the fourth paragraph of Chapter II.2.

As part of the third phase of the structural reform of the General Court, completed in September 2019, the General Court's Grand Conference Room on the top floor of Annex C was refurbished in order to increase its capacity to a maximum of 61 persons.

V. THE 5TH EXTENSION OF THE COURT'S BUILDING COMPLEX

This new extension, which marks the completion of the Court's building complex, has made it possible to bring together all the Court's staff on a single site and, at the same time, to terminate the rental of the last buildings still housing its staff (T and Tbis buildings).

As part of the urban redevelopment of the Kirchberg Plateau area dedicated to the European institutions, this flagship project has increased the Court's building complex by approximately 30 000m² of office space, for a total surface area of approximately 50 000m². Its key component is a third tower which houses the Court's, mainly linguistic, services. Equipped with a multifunctional and convivial space at the top and a large 'socle' housing ancillary areas such as meeting rooms, a data centre, a new printing room and a health centre, it has made it possible to extend the gallery linking the various buildings to the urban network, which has been specially redesigned to serve this new building.

Continuing the best practices adopted for the implementation of the building projects described in Chapters II and IV above, under a framework contract signed on 21 February 2013 with the Court and the Kirchberg Urbanisation and Development Fund, the Luxembourg State assumed the role of awarding authority for the construction of the 5th extension of the Court's building complex.

The contracts required for project management (architect, engineers and experts) were finalised during the summer of 2013, and the detailed design was completed on 31 January 2015. In accordance with the provisional timetable, the construction work began in spring 2016 in order to be completed by the end of the first half of 2019. Despite delays caused by the restrictive measures imposed to deal with the health

crisis linked to SARS-CoV-2, particularly in the spring (closure of construction sites) and then in the autumn of 2020, the final phase of the project continued in 2021 with the lifting of reservations and the adjustment of various technical installations. The first works were accepted.

The provision, prior to the end of the first half of 2019, of office space created in the 3rd tower allowed the Institution to complete the third and final stage of the structural reform of the General Court which began in 2016 by installing the chambers of the eight additional judges arriving in September 2019 in the space thus vacated in the buildings annexed to the Palais.

In addition to the 3rd tower mentioned above (which became operational in July 2019), the project also involved the extension of the staff car park (operational in January 2018) and the expansion of the restaurant in the Thomas More building by some 200 additional seats (operational in January 2019). The work was completed in 2021 with the construction of a new courtroom in place of the former printing room and the gallery cafeteria, the installation of a secure archive room on the site of the former health centre, and the creation of reception rooms for groups of visitors on the first level of the gallery.

Finally, in accordance with the urban study mentioned above, a new road directly serving the 3rd tower was opened to traffic at the end of 2020. This will make it possible, after the construction of the secure entrance pavilion currently underway as part of the plan to upgrade the security system for the Institution's infrastructure (see Chapter VI below), to bring into service a new entrance for vehicles and pedestrians, particularly visitors, while preserving a reserve of land within the natural perimeter of the Court's building complex which, in the absence of any medium-term plans for a new extension, is intended to accommodate a garden open to the public dedicated to the theme of multilingualism (see IX.1.3 below).

Financing

The updated financial package for the realisation of the 5th extension of the Court's building complex amounts to a maximum of EUR 149 111 798 as at 31 December 2021 (excluding VAT – construction price index for the month of April 2021).

The annual fee is calculated on the basis of the sale price at the time of taking delivery of the buildings, with final payment by 31 December 2036 at the latest.

As at the end of 2021, early payments amounting to EUR 62 670 500 have been made and, between 2016 and 2019, EUR 65 505 400 was consolidated.

VI. UPGRADING OF THE SECURITY SYSTEM FOR THE INSTITUTION'S BUILDINGS INFRASTRUCTURE

In order to take into account the security situation in the European Union, the budgetary authority approved, in December 2018, a project for upgrading the Institution's security system, consisting of:

- a) the reinforcement of the Institution's perimeter protection by
 - establishing a security barrier surrounding the Court's building complex, which, depending on the location, consists of metal bars, glass walls, anti-intruder fences and gabion walls, or a combination of those elements, and
 - constructing three reception and security pavilions at the entrance to the Erasmus building, the 3rd tower on the newly opened street, and close to the entrance to the Thomas More building, as well as six individual security booths outside those buildings;
- b) the reinforcement of the security of the access points to the complex and of the security and safety equipment so as to enable vehicles or persons to be checked before entering the buildings;
- c) the improvement of monitoring inside the buildings with the aid of an integrated security equipment management system;
- d) moving the existing bicycle shelters outside the security barrier.

The budget for the project is fixed at EUR 29.1 million (index for October 2017) excluding VAT, including reserves. That amount will be increased by the amount resulting from the variation in the half-yearly construction price index: on 31 December 2021, that updated amount was EUR 31 551 172. The total cost of the work to be repaid to the Luxembourg State will be determined by an independent expert, whose fees and expenses will be borne directly and in equal parts by the State and the Court.

For this project, the Luxembourg State is assuming the role of awarding authority and is pre-financing the project, with the Court making repayment by means of a direct loan.

Since the offers received in the procedures for the award of public works contracts have confirmed that the authorised cost of the works has been exceeded by more than EUR 3 million, the Court has decided, in agreement with the Luxembourg State, to limit the scope of the project to the reinforcement of the external enclosure referred to in a) above, to carry out on its own current operating budget and under the project management of its services the work referred to in b) and d) above, and to abandon the other work initially included in the plan.

Due to the delay in negotiating and finalising the framework contract which constitutes the legal basis for the cooperation between the State and the Court for the execution of the works and the lease-purchase of some of the structures erected as part of the project, which could not be signed until October 2020, the works in respect of which the Luxembourg State is the awarding authority – now limited to a) above – did not begin until spring 2021 and will continue until the end of 2022.

As regards the work supervised directly by the Court – b) and (d) above – the project management contracts with the architect, technical engineer and civil engineering firm were concluded in June 2021, which made it possible to launch the first tendering procedures in the second half of 2021.

VII. RENTED BUILDINGS

With the completion of the various construction projects described in this report (see Chapters II, IV, and V), the Court was able to bring all of its staff together on site and therefore, in 2019, vacated the last rented buildings (the T and Tbis buildings) housing part of its personnel.³

VIII. PERFORMANCE INDICATORS

The management of the Court's building projects continues to be based on the following three key indicators: 1) keeping within the budget allocated for the project following an estimate of that project's costs; 2) compliance with the deadlines for completion of work and delivery of the buildings; and 3) compliance of those buildings with the tender specifications, the detailed design and the quality requirements laid down in advance.

Approved by the Court of Auditors as good practice in its Special Report No 2/2007, the combined use of internal and external experts in the renovation of the Palais and the 4th extension of the Court's building complex was continued in the context of the 5th extension and in the project to upgrade the security arrangements for the building infrastructure.

That enabled the Court of Auditors to reiterate, in its Special Report No 34/2018, its positive assessment and to find that the three major construction projects undertaken by the Court in close collaboration with the Luxembourg authorities were completed within the expected time frame and with no cost overruns.

1. Compliance with the budget and controlling costs

In each project implemented, the Court aims to respect the budget, subject to any increase imposed by law.

That objective was achieved in the renovation of the Palais and its annex buildings and during the 4th extension of the building complex (Chapters II and IV).

As regards the 5th extension (Chapter V) and as noted by the Court of Auditors, although the final accounts are not yet fully closed, the allocated budget is currently being respected.

As regards the final large-scale building project underway, namely the upgrading of the Institution's security system (Chapter VI), the allocated budget is currently being respected.

3| The Court now rents only a 72m² computer room, which has been made available since May 2015 by a private contractor to host its backup data centre.

2. Compliance with deadlines

The buildings referred to in Chapter II (renovation of the Palais and 4th extension of the Court's building complex) were opened on 4 December 2008 in accordance with the planned timetable. On that date, the complex was operational, with only minor finishing works and works to address reservations still to be completed.

As regards the project referred to in Chapter IV (renovation of annex buildings and bringing them into compliance), close monitoring of the work made it possible to keep to the planned schedule and to move into the renovated buildings at the start of the new judicial term in September 2013.

The same conclusion applies to the construction project described in Chapter V. Therefore, after the beginning of the structural work in autumn 2016, the construction work on the 3rd tower, the extension of the staff car park and the expansion of the restaurant in the Thomas More building proceeded as planned, so that the car park could be brought into service from 29 January 2018, the enlarged restaurant from 28 January 2019, and the tower occupied from 15 July 2019. The fitting-out of the new areas in the buildings (courtroom, secure archive room and group reception rooms) was slightly delayed due to the health crisis linked to SARS-CoV-2, but was able to be completed during 2021.

As regards the upgrading of the Institution's security system (Chapter VI), the beginning of the work, which was initially scheduled for spring 2020, had to be delayed until spring 2021 due to a series of difficulties beyond the Court's control, namely, in addition to the outbreak of the public health crisis linked to SARS-CoV-2 and the adaptation of the specifications that was necessary in February 2020, the delay encountered in finalising the framework contract governing the cooperation between the State and the Court for completion of the works and the lease-purchase of certain structures erected in the context of the project. The late signing of the contract, which could take place only in October 2020, resulted in the project management being demobilised and the need to renegotiate with the companies already awarded contracts the terms of their involvement. As stated above, the works began in spring 2021 and should be completed by the end of 2022.

3. Quality

Very stringent acceptance procedures, followed by a phase of lifting of reservations formulated during those procedures, have been put in place in such a way that the requirements of the tender specifications are scrupulously respected. The reservations that remain and that have not been settled amicably are subject to remedial work at the cost of the party who is at fault, if necessary after technical or, as a last resort, judicial appraisals.

As regards the project for the 5th extension of the Court's building complex, in addition to the monitoring procedures put in place for the earlier projects, the application of the planned BREEAM ⁴ environmental certification requires compliance with very demanding qualitative criteria (see the following chapter). In practice, it relates to a method of evaluating the environmental performance of the building based on a series of design and construction criteria and standards that go beyond those required by legislation. The BREEAM certification deals with both the environmental and socio-cultural aspects of the building and

4| The BRE Environmental Assessment Method (BREEAM), established by the British organisation, the 'Building Research Establishment (BRE)', is the oldest and most widely used environmental assessment method in the world for buildings.

focuses in particular on the global, local and internal impact of the building during its life cycle. It covers areas as diverse as the management of the project, the health and well-being of the building's occupants, energy, water treatment, and technological innovation.

IX. ACTION CONCERNING THE ENVIRONMENT

1. Ecological design and construction

The Court's building policy is informed by the need to respect environmental standards.

The general architecture of the Court's building complex as extended as a result of the 4th extension and the use of predominantly glass facades for both the new Palais and the three office towers allow optimal use of natural light and savings on lighting to be made.

To ensure a sustainable energy supply, the roof of the 'Anneau' has been equipped with 2 888 m² of photovoltaic panels to which have been added 559 m² of additional panels installed on the roof and facade of the 3rd tower, giving a total area of 3 447 m². In 2020, the Court's photovoltaic panels produced 381 586 kWh.

The sequential operation of ventilation and air conditioning systems, the systemic recovery of heat in the building complex and the existence of a computerised lighting control system also permit substantial energy savings to be made, with total energy consumption falling by 17.8% between 2015 and 2020.⁵

The Court's buildings are connected to the urban cogeneration heating network. Since 2017, most of the heat is produced from biomass and more specifically from wood pellets in order to minimise CO₂ emissions.

In order to improve the monitoring of water consumption in the sanitary installations, in addition to the installation of new low flow aerators (2 litres/minute) and taps that have movement detection and are self-supplying, new water meters are to be added to improve monitoring of water consumption on site and to detect any leaks more quickly. A large number of toilet facilities are supplied exclusively with cold water, thereby creating significant energy savings. During the construction of the 3rd tower and as part of the BREEAM certification, water-saving sanitary facilities were installed to limit water consumption for sanitary purposes to 20 litres per person per day. To further improve the control of water consumption, the main water meters on site are to be integrated into the technical building control system.

A reservoir of water for fire extinction is provided at the waste water discharge, which allows for analyses to be carried out before any release to the public network. Hydrocarbon separators and grease separators are used to treat the water from the car parks and the restaurant area, it being specified that the BREEAM certification in respect of the 5th extension of the Court's building complex also requires the installation of a greywater and rainwater collection system over a surface area of 1 425 m².

As with the project for the renovation of the Erasmus, Thomas More and 'C' buildings, the Court has set itself very high environmental targets in the project for the 5th extension of its building complex. Designed to meet energy certification class 'AAA', corresponding to the performance of a passive building (heating

5| Environmental Statement 2021, page 17.

requirements and primary energy consumption/CO₂ emissions reduced by 55% and 45% as compared to reference standards), the 3rd tower is likely to obtain a rating of 'excellent' under the BREAAAM environmental certification, as stipulated in the specifications.

That certification requires the demand for energy to be reduced and renewable energy sources to be used, which requires the implementation of advanced technology, such as, in particular:

- highly efficient insulation of the building's shell;
- maximising natural light (while allowing modulation of solar heat gains by means of solar protection);
- triple glazing;
- increasing the thermal comfort of users by taking advantage of the inertia of the building structure;
- highly efficient recovery of heat and humidity by means of air treatment units;
- recovery of heat generated in the data centre;
- prioritised cold production by 'free cooling' and use of high efficiency cooling equipment;
- photovoltaic panels;
- collection of rainwater.

With regard to waste management, the Court is implementing a plan for selective treatment in partnership with the Ministry of the Environment and an approved body, the 'SuperDrecksKëscht'. The construction waste from the Court's building projects is also the subject of a specific treatment plan set by that body. It should be borne in mind that, in 2004, the Court was the first EU institution to obtain the 'SuperdrecksKëscht® fir Betriber' label for its exemplary management of waste and that, in 2012, the Court decided to participate in the organic waste sorting and bio-methanisation system set up in Luxembourg to produce biogas that is reusable in the domestic gas network.

To further contribute to the reduction of the consumption of single-use plastic bottles, the Court deployed, during the course of 2021 and after an initial test in 2019, 32 water fountains, which will be put into service, in compliance with the health recommendations of the medical officers, during the course of 2022, as soon as a sufficient number of staff have returned to the buildings. At the unveiling of these fountains, staff will be given a metal drinking bottle to encourage the abandonment of PET bottles and, more generally, of single-use plastics. The total cost of this investment in EUR 240 000.

2. Environmental management

Anxious, as an EU institution, to contribute to sustainable development, since 2016 the Court has been participating in the Eco-Management and Audit Scheme, known as 'EMAS', which aims to evaluate and continuously improve the Court's environmental performance according to the three objectives of 'ecology, economy, efficiency'. In November 2019, the Court had its EMAS registration renewed until 30 November 2022 by the Luxembourg Ministry of the Environment, Climate and Sustainable Development.

In 2021, the external surveillance audit, which included the 3rd tower in its ambit for the first time, proved very satisfactory, although it should be noted that the comparison of results with previous environmental statements was difficult due to the pandemic linked to SARS-CoV-2 and the high level of teleworking which took place in 2020 and 2021.

In addition to the EMAS scheme, since 2010 the Court has carried out an assessment of the greenhouse gas emissions generated by its activities, which is updated annually. As part of the EMAS registration, a new complete report of the carbon footprint of the Court's activities was prepared in 2015 in order to compare the emissions with those of 2010. The key items in the report are then updated annually, with a full report being prepared every three years. As all emission items were updated in 2018, only the emissions related to the key items were calculated for 2020, and a new complete report is planned in 2022 in respect of the previous year.

Like 2020, 2021 was again strongly affected by the health restrictions in force to combat the SARS-CoV-2 pandemic and by the use of working from home across the Institution. The very low occupation of buildings in 2021 should therefore again allow for very satisfactory, but not representative, results, whether in terms of water and energy consumption or waste production. The Court's carbon footprint report thus shows that the emissions in tonnes of CO₂ equivalent associated with its activities have fallen from 32 747 tonnes of CO₂ equivalent in 2010 to 11 181 tonnes of CO₂ equivalent in 2020. The Court's emissions have thus fallen by 49% between 2019 (21 937 tonnes of CO₂ equivalent) and 2020. This very sharp reduction, which affects all emission items, can be explained by several main factors:

- a very strong reduction in leakage of liquid refrigerants owing to the installation of a new refrigeration system in the catering service in 2020 (see Chapter II(2));
- increased use of the energy management system in accordance with the principles of the international standard ISO 50001, in close cooperation with the maintenance contractor, as well as the acquisition of regularly updated energy management software;
- a drastic reduction in travel linked to the SARS-CoV-2 pandemic and successive lockdowns, which affected travel to and from work as well as business travel and visits to the Court;
- a drop in energy consumption, due in part to the relinquishment of the T and Tbis buildings, which were rented until summer 2019 and whose emissions are therefore no longer accounted for, but also and above all to the health crisis and the constraints it imposed on the Institution's activities.

Lastly, to promote staff mobility, the Court has decided, together with the other EU institutions based in Luxembourg, to offer staff members who so request a free subscription to 'vel'OH!', the City of Luxembourg's self-service electric bicycle service. This initiative is also intended to help achieve the objective of reducing carbon emissions linked to travel between home and work, while at the same time encouraging vel'OH! network terminals to be set up close to the institutions' buildings.

X. OTHER PROJECTS; THE GARDEN OF MULTILINGUALISM

The demolition of the European Commission's former Jean Monnet building, which was completed at the end of 2019, has made it possible to free up, within the natural perimeter of the Court's building complex and on its eastern side, an area of land of around 1.2 hectares, which is now comprised of the Court's forecourt and the new street serving the 3rd tower.

Belonging to the Kirchberg Plateau Urbanisation and Development Fund (FUAK), that area of land was initially intended to be a land reserve for housing a future possible extension of the Institution's building complex. In the absence of any new building plans for the Court in the medium term and, above all, the desire of the FUAK management to retain ownership of the land, the Court and FUAK have agreed to develop it into a temporary garden celebrating multilingualism and designed in such a way that it can be used to host cultural events. With a view to developing the garden, FUAK has engaged landscape architects, namely a collaboration between Michel Desvigne and the firm Espace et Paysages.

The governance of the project is provided by two committees on which the Court participates, namely a monitoring committee supported by a technical committee. The architect who designed the 4th and 5th extensions to the Court's building complex, Dominique Perrault Architecture, is also involved in the work of those committees as an expert tasked with ensuring the harmonious integration of the garden on the site, and more generally, in the urban context of Kirchberg Plateau.

After submitting, in December 2020, a draft proposal taking into account the observations of FUAK and the Court, in September 2021 the landscape architect presented the detailed design of the future garden. Public procurement procedures were launched with a view to works commencing in spring 2022 and with the aim of carrying out a large part of the development and planting for the Court's 70th anniversary ceremonies, prior to the unveiling of the garden in spring 2023.

FUAK is assuming the role of contracting authority and is financing the project, for which the budget is limited to a maximum of EUR 2 500 000. Once the garden is complete, the Court will assume responsibility for its maintenance and part of its management, under a supply agreement that will define the legal status of the land as well as the allocation of costs and responsibilities.

XI. INTERINSTITUTIONAL COOPERATION

In general, interinstitutional cooperation has remained very active in Luxembourg, predominantly on questions posed by the recruitment difficulties in Luxembourg and by the public health crisis owing to SARS-CoV-2 and the impact of that crisis on buildings management (see Chapter V of the management report of the authorising officer by delegation for 2021).

The interinstitutional working group on buildings coordination in Luxembourg (GICIL) has continued its work on a more sporadic basis to foster the harmonisation – which is already well advanced – of the practices of the institutions established in Luxembourg. The methodology for calculating the surface area of buildings developed by the ad hoc working group and approved at the end of 2019 has become the measurement code applicable to the buildings of the EU institutions. Monitoring the implementation of that common standard, which is intended to govern the presentation of data contained in the annual reports of the institutions, is the task of a new working group.

GICIL promotes the exchange of good practice in the area of buildings management. It also facilitates interinstitutional cooperation in the area of gas and electricity supply, as well as technical assistance services in the building sector that generate economies of scale. A workshop on new concepts for workplace design in the context of the SARS-CoV-2 pandemic was held under its patronage on 11 June 2021.

The Court also continues to participate in interinstitutional calls for tender organised by the Parliament and the Commission with a view to putting in place new framework contracts, in particular for fire and related risks insurance, for which a new four-year framework contract starting in November 2021 has been signed. It should be pointed out, however, that due to ongoing difficulties encountered by the Commission in the interinstitutional call for tenders for the provision of civil liability insurance for the operation of the institutions, bodies and agencies of the European Union, the cover had to be renewed once again with the current insurer, on an exceptional basis for one year.

Furthermore, faced with an unprecedented market situation marked by a strong increase in demand and a drying up of supply, the European Parliament was forced to cancel the interinstitutional call for tenders organised in 2021 for the purchase of carbon offsetting certificates to finance Gold Standard certified climate protection projects in Nigeria, Uganda and Madagascar.

In order to continue and further the sharing of good practices aimed at reducing CO₂ emissions and putting in place financial synergies, the Court's environmental advisor continues to participate in the work of several interinstitutional environmental committees, namely:

- ECONET (Interinstitutional EcoNetwork): an interinstitutional committee made up of EMAS coordinators from various EU institutions in Luxembourg, tasked with examining environmental management issues and exchanging good practices while liaising with the College of Secretaries General and Heads of Administration in Luxembourg (CaLux);
- GIME (Interinstitutional Environmental Management Group): an interinstitutional committee made up of EMAS coordinators from several European institutions whose seats are not solely in Luxembourg;
- the interinstitutional working group 'Green Public Procurement': a GIME working group in the 'green' purchasing sector.

Lastly, the interinstitutional group 'Sécurité' (GIS) set up in 2014 on the initiative of the Court in order to harmonise approaches, exchange best practices and cooperate in the event of a specific threat continues to meet. In 2021, the Court continued to chair the group.

XII. RESPONSE TO THE REPORT BY THE COURT OF AUDITORS CONCERNING OFFICE SPACE

As part of the follow up to the recommendations made by the Court of Auditors in its Special Report No 34/2018 adopted on 5 December 2018 headed '*Office accommodation of EU institutions: Some good management practices but also various weaknesses*', the Court responded to the questionnaire sent to it by the Court of Auditors at the end of 2021. It informed the Court of Auditors that, while, in the long term, it intends to draw up a new document to formalise its building policy, it does not consider it appropriate at present - owing to the uncertainties surrounding long-term occupation of the buildings, particularly in view of the development of teleworking, work processes becoming increasingly paperless and possible cooperation with other institutions in Luxembourg or the future of the European Union - to work on long-term scenarios going beyond the fact that its building complex has reached a configuration that meets the ongoing objectives of its building policy.

The impact of the health crisis and the constraints it imposed on the organisation of work within the Institution and on the management of its buildings were taken into consideration in discussions initiated at the end of 2019.

In that regard, the Court's administrative committee has already adopted a decision on 12 July 2021 which seeks to give teleworking a greater place in the Court's working arrangements once the health situation has stabilised.

With this in mind, the Court remains committed to adapting its approach in order to draw conclusions from the experience it has gained from the SARS-CoV-2 pandemic since March 2020 and to choose the most relevant solutions not only in terms of improving efficiency, well-being and balance at work, but also in terms of improving its building policy. The layout of the office areas of the buildings in its complex as implemented, based on a modular design that allows work spaces to be adapted to changing needs by moving or removing partitions in order to create all kinds of collaborate spaces, is in this respect an advantage for the Institution.

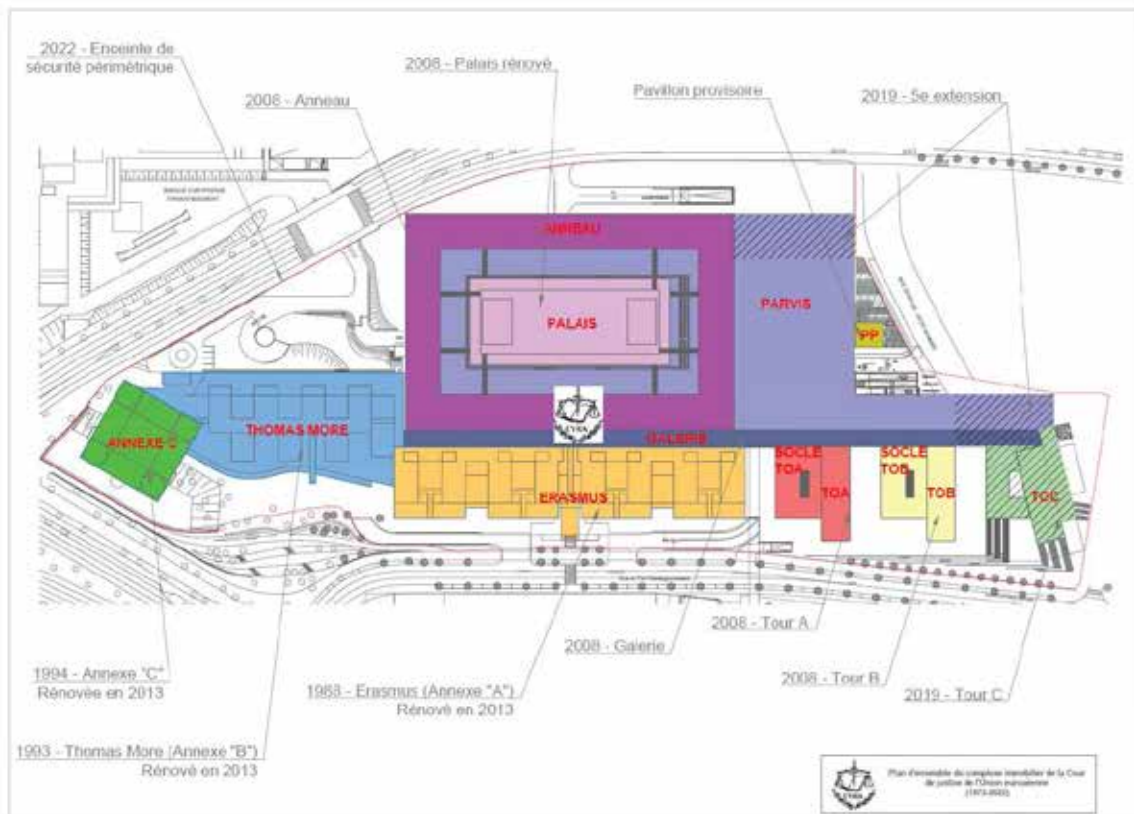
XIII. BUDGET IMPLEMENTATION AND PROVISION

The following table shows, first, the 2021 budget implementation as carried out, including the transfers of appropriations made and, secondly, the 2022 budget as approved by the budgetary authority, as well as the budget request for the year 2023.

BUDGET 2023 – BSD; Security, New Work and Building Management Units – Fund Center: BAT*

Item	Cl- Descrip tion	BUDGET 2023 (after revision of 19.01.2022)	BUDGET 2023 (proposal of 14.01.2022)	BUDGET 2022 (approved)	BUDGET 2021 (commitments made on 31/12)	Credit transfers executed in 2021	Change 2023/20 22	Change 2023/2021
20	Buildings and associated costs							
2000	Rent	€ 135,000.00	€ 135,000.00	€ 130,000.00	€ 123,860.02	€ -6,139.98	3.85%	8.99%
2001	Lease-purchase	€ 32,092,000.00	€ 33,823,000.00	€ 35,593,000.00	€ 51,070,589.98	€ 13,981,139.98	-9.84%	-37.16%
2007	Fitting-out of premises	€ 1,980,000.00	€ 1,980,000.00	€ 3,731,000.00	€ 1,190,636.43	€ -2,730,000.00	-46.93%	66.30%
2008	Studies and technical assistance in connection with building projects	€ 1,225,000.00	€ 1,225,000.00	€ 1,607,000.00	€ 1,344,354.92	€ -100,000.00	-23.77%	-8.88%
2022	Cleaning and maintenance	€ 11,575,000.00	€ 11,575,000.00	€ 11,289,000.00	€ 9,147,672.59	€ -1,000,000.00	2.53%	26.53%
2024	Energy consumption	€ 3,163,000.00	€ 3,163,000.00	€ 2,442,000.00	€ 2,519,876.68	€ -370,000.00	29.52%	25.52%
2026	Security and surveillance of buildings	€ 7,669,000.00	€ 7,980,000.00	€ 7,694,000.00	€ 6,830,869.00	€ -940,000.00	0.32%	12.27%
2028	Insurance	€ 475,000.00	€ 475,000.00	€ 475,000.00	€ 89,725.31	€ 0.00	0.00%	429.39%
2029	Other expenditure relating to buildings	€ 218,000.00	€ 218,000.00	€ 205,000.00	€ 153,237.34	€ 0.00	6.34%	42.26%
	TOTAL CHAPTER 20	€ 58,532,000.00	€ 60,574,000.00	€ 63,166,000.00	€ 72,470,822.22	€ 8,835,000.00	-7.34%	-19.23%
23	Current administrative expenditure							
23800	Miscellaneous insurance	€ 30,000.00	€ 30,000.00	€ 28,000.00	€ 27,974.94	€ 9,000.00	7.14%	7.24%
23803	Removals and associated handling	€ 98,000.00	€ 98,000.00	€ 92,000.00	€ 65,071.80	€ -13,100.00	6.52%	50.60%
23808	Offsetting of Carbon Emissions – EMAS	€ 30,000.00	€ 100,000.00	€ 30,000.00	€ 0.00	€ 28,000.00	0.00%	n/a
	BSD TOTALS (BAT)	€ 58,690,000.00	€ 60,802,000.00	€ 63,316,000.00	€ 72,563,868.96	€ 8,858,900.00	-7.31%	-19.12%

**Site plan of the building complex
of the Court of Justice of the European Union
(1973-2022)**



**Diagram of the proposed security perimeter
of the site of the Court of Justice of the European Union
(2022)**



SURFACE AREAS, WORKSTATIONS AND BUDGETS BY BUILDING GROUP

ANNEX 2

BUDGET LINE		BUILDING	TOTAL GROSS FLOOR AREA (GFA) 2022 (m²)	GROSS above ground FLOOR AREA (GFA) 2022 (m²)	NET OFFICE SPACE 2022 (m²)	WORKSTATIONS 2022 (4)	CONTRACT TYPE	BUDGET 2022	BUDGET 2023 (draft)
2000	Rent								
		<i>total</i>	100	100	0	0	Lease	€ 130.000	€ 135.000
LINE 2000 TOTAL			100	100	0	0		€ 130.000	€ 135.000
2001	Lease purchase								
		Renovated Annex C, Thomas More and Erasmus (CJ8) (1)	70.127	36.276	15.167	641	Lease-purchase	€ 5.564.527	€ 5.583.376
		Annex, Palais, Gallery, Tower A and Tower B (CJ4) (2)	142.934	99.913	28.847	1.440	Lease-purchase	€ 23.482.588	€ 21.072.951
		5th extension of the Court's building complex (CJ9)	44.924	40.406	14.397	779	Lease-purchase	€ 6.003.415	€ 5.206.178
		Temporary security pavilion	179	179	0	0	Lease-purchase	€ 0	€ 0
		New structures as part of the project to upgrade the security of the Court's building infrastructure (CJ10) (3)	590	590	0	0	Lease-purchase	€ 542.467	€ 229.495
		<i>total</i>	258.754	177.364	58.411	2.860		€ 35.593.000	€ 32.092.000
LINE 2001 TOTAL			258.754	177.364	58.411	2.860		€ 35.593.000	€ 32.092.000
Average office space per workstation (m²)						20,42			

Comments

Surface areas are calculated in accordance with the common methodology agreed at the GICIL working group meetings in 2020 and 2021.

It was also agreed at those meetings that the annual reports to the budgetary authority should include the total gross floor area (GFA) and gross above ground floor area.

(1) The Annex C, Thomas More and Erasmus buildings comprise courtyards, the 'salle des pas perdus' and conference rooms on the ground floor. They also accommodate 55 Members' offices.

(2) There are virtually no workstations in the Palais and the Gallery (CJ4). The Annex houses 41 Members' offices.

ANNEX 3

MULTI-ANNUAL PROGRAMMING (office space)

	2022	2023	2024	2025	2026
Lease-purchase	103.115	103.115	103.115	103.115	103.115
Renovated buildings ABC "Annexes"	23.164	23.164	23.164	23.164	23.164
New Palais building complex	49.551	49.551	49.551	49.551	49.551
5th extension	30.400	30.400	30.400	30.400	30.400
TOTAL AVAILABLE (A)	103.115	103.115	103.115	103.115	103.115



REPORT ON WAIVERS OF RECOVERIES GRANTED BY THE INSTITUTION

Article 101 of the Financial Regulation lays down the rules on waivers of recoveries of amounts established as being receivable.

Paragraph 1 of that article states that it is for the accounting officer to act on recovery orders for amounts receivable duly established by the authorising officer and to record the sums recovered.

Where a debtor defaults on their obligation to pay and it is not possible to recover the amount due by offsetting, as provided for in Article 102, paragraphs 2 to 4 specify the conditions under which the authorising officer may waive the recovery of an established amount receivable and the criteria to be taken into account, depending on the circumstances, before recovery is waived.

Paragraph 5¹ obliges each Union institution to send a report to the European Parliament and to the Council on the waivers granted by it in accordance with paragraphs 2, 3 and 4 of Article 101.

In 2021, no waiver of an entitlement in respect of a Court debtor was granted by the authorising officer.

1| Article 101(5) of 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 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1): 'Each Union institution shall send to the European Parliament and to the Council each year a report on the waivers granted by it pursuant to paragraphs 2, 3 and 4 of this Article. Information on waivers below EUR 60 000 shall be provided as a total amount. In the case of the Commission, that report shall be annexed to the summary of the annual activity reports referred to in Article 74(9).'

DECLARATION BY THE AUTHORISING OFFICER BY DELEGATION

I, the undersigned, Alfredo Calot Escobar, Registrar of the Court of Justice, in my capacity as authorising officer by delegation:

hereby declare that the information contained in the activity report for the financial year 2021 reflects the activity of the Institution's services reliably, completely and correctly;

state that I have reasonable assurance that the resources assigned to the activities described in this report have been used for their intended purpose and in accordance with the principles of sound financial management, and that the control procedures put in place give the necessary guarantees as to the legality and regularity of the underlying transactions. This reasonable assurance is based on my own judgement and on the information at my disposal concerning the operation of the internal control system, such as the results of the *ex ante* and *ex post* checks, the comments of the internal auditor and the lessons learned from the reports of the Court of Auditors for the years prior to the year of this declaration.

I also confirm that I am not aware of any fact not set down herein that could be prejudicial to the interests of the Institution.

FLuxembourg, 4 May 2022



ALFREDO CALOT ESCOBAR
REGISTRAR



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