



COURT OF JUSTICE
OF THE EUROPEAN UNION

ANNUAL REPORT 2022 MANAGEMENT REPORT





COURT OF JUSTICE
OF THE EUROPEAN UNION

ANNUAL ACTIVITY REPORT FOR THE FINANCIAL YEAR 2022

(Article 74(9) of the Financial Regulation)



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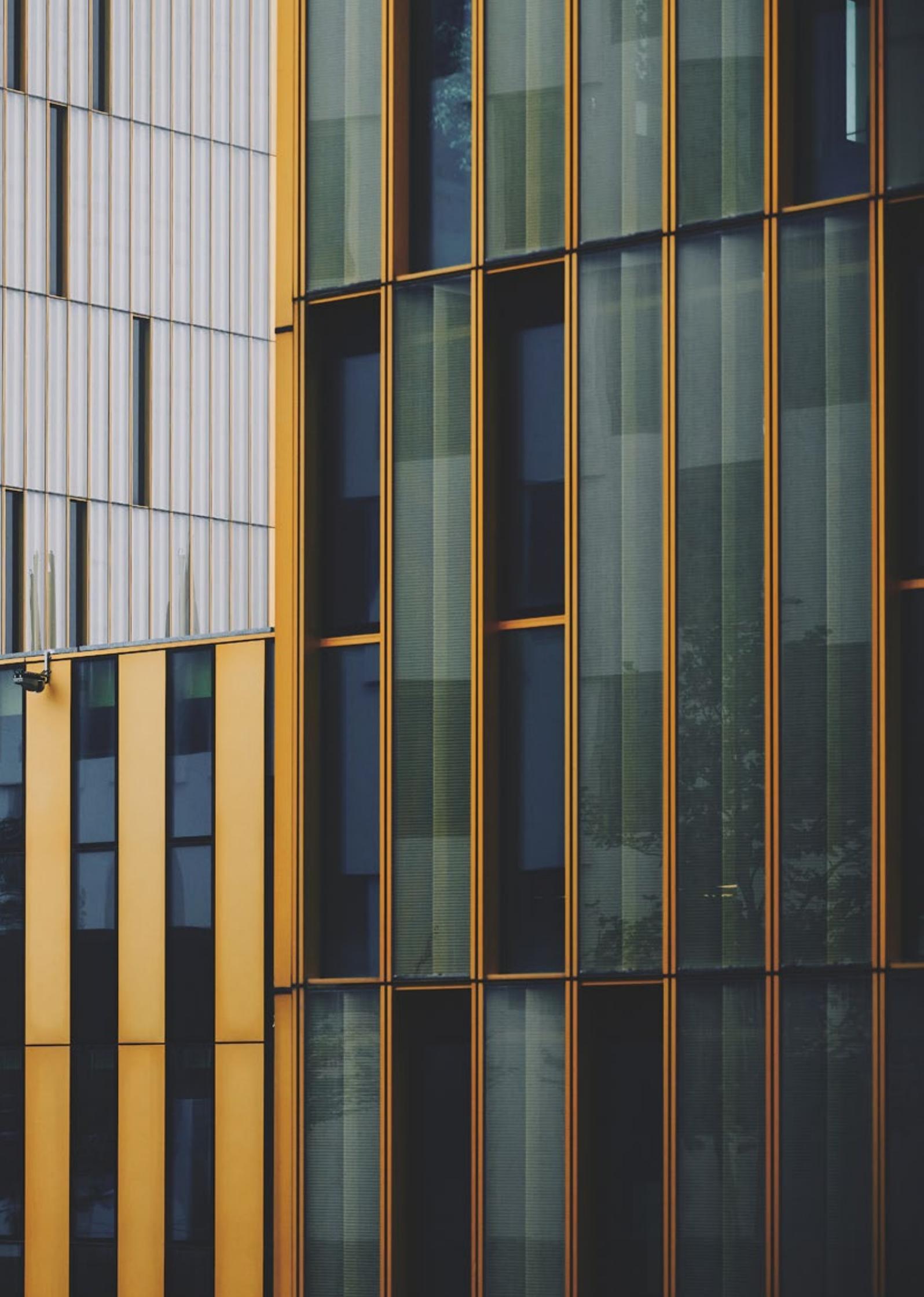
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I. INTRODUCTION

The Court of Justice of the European Union (the 'Court' or the 'Institution') is the judicial institution of the Union tasked with ensuring compliance with Union law through a uniform interpretation and application of the Treaties and by guaranteeing a review of the legality of acts adopted by the institutions, bodies, offices and agencies of the Union.

The Institution, composed of two courts, the 'Court of Justice' and the 'General Court of the European Union', contributes to the preservation of the Union's values and promotes European integration through its case-law.

Following internal discussions aimed at improving the visibility of the activities of the courts and optimising the arrangements for drawing up and making available the various publications, the Court will report on its activities from 2022 onwards by publishing the following information:

- ▶ the 'Annual selection of key judgements – Summaries';
- ▶ the judicial statistics of the two courts;
- ▶ the 'Year in review' report summarising the administrative and judicial activity results; and
- ▶ this 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 (hereinafter 'the Financial Regulation').

At the Court, the authorising officer by delegation is the Registrar of the Court of Justice who directs the Institution's services under the authority of the President of the Court of Justice. He is responsible for the management of staff and the administration, and for the preparation and implementation of the budget.

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

- a) the information contained in the report gives a true and fair view of the situation;
- b) the resources assigned to the activities described in the report have been used for the intended purposes and in accordance with the principle 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 the performance-based objectives and considerations, risks associated with these operations, the use of the resources available and the efficiency and effectiveness of the internal control systems.

The activities and objectives achieved during the year are presented in a cross-cutting and thematic manner, grouped around the different management axes. This serves to highlight what has been achieved by the Institution over the past year, independently of the administrative entity entrusted with a given task or project within the Institution. The sections of the report on the risks associated with operations and interinstitutional cooperation are also presented in a cross-cutting manner.

Thus, after an Introduction section, Section II reports on the main developments of the judicial activity in 2022. Section III focuses on the main results of the Institution's administrative activity in 2022 for the different management axes; Section IV analyses the risks associated with the operational side;

and Section V reports on interinstitutional cooperation and cooperation with Member State bodies in 2022. Sections VI, VII and VIII report on the use of the budgetary and human resources available to the Court, on the functioning of the internal control system and on the follow-up to the observations in the reports of the Court of Auditors and the European Parliament's discharge resolution for the financial year 2021. Finally, various annexes provide more specific information, including some that is required under the provisions of the Financial Regulation.



II. JUDICIAL ACTIVITY IN 2022

The year 2022 was marked by the anniversary of the Court's foundation on 4 December 1952 and by a resumption of normal functions at the Institution, after two years of complications arising from the Covid-19 health crisis and pandemic. The technological tools introduced during this crisis are now part of the Court's daily work environment, but it was essential to breathe new life into of the Institution by restoring the spontaneity of exchanges and interactions onsite that are so important for the efficiency of the work of the two courts.

Hearings with remote participants were also organised in 2022 using the specific videoconference system for remote participation in hearings that was designed in 2020. With the return to normality from April onwards, significantly fewer of these types of hearing were organised, but the system remains available to respond to ad hoc requests authorised by the courts. The doors of the courts remained open to representatives of the parties and to the public throughout the year, in the interests of the proper administration of justice and in accordance with the principle of public access to hearings.

The statistics show sustained judicial activity. The number of cases brought before the two courts in 2022 is comparable to that of the previous year (1 710 cases in 2022, compared with 1 720 in 2021). The number of cases closed by the Court of Justice and the General Court decreased slightly (1 666 in 2022, compared with 1 723 in 2021). As a result of the combined effect of these two developments, the total number of pending cases shows a slight increase (2 585 in 2022, compared with 2 541 in 2021).

COURT OF JUSTICE

The number of cases brought before the Court of Justice in 2022 remained high (806 cases), although slightly down from the previous year (838 cases in 2021).

As in previous years, these are essentially requests for preliminary rulings and appeals, which, with 546 and 209 cases respectively, alone accounted for more than 93% of all cases. They cover an extremely wide range of matters. With just under 100 cases (95), the area of freedom, security and justice still occupied a prominent place in the activity of the court, as did litigation relating to taxation, consumer protection or the protection of personal data. Previously at a rather high level, the number of intellectual property cases has decreased quite sharply over the past year, from 83 new cases in 2021 to only 49 cases in 2022; whereas in other, more traditional areas, there has been an increase in the number of new cases. This applies, in particular, to cases relating to the four fundamental freedoms, but also to cases brought in the fields of agriculture, competition and public procurement, and the civil service.

As the number of cases closed in 2022 again reached a very high level (808), an increase on the previous year (772).

As the number of closed cases in 2022 was two cases out from being equal to the number of cases brought, the number of cases pending stood at 1 111 cases at the end of 2022, compared with 1 113 at the end of 2021.

Due to an increase in the use of orders, particularly in appeals, the overall duration of proceedings (16.4 months) remained similar to that of the previous year (16.6 months), but, as a sign of the increased complexity of questions referred to the Court of Justice, the average length of time for dealing with references for preliminary rulings increased (17.3 months, compared with 16.7 months in 2021).

GENERAL COURT

In 2022, the General Court saw an increased number of cases, with 904 cases, compared to 882 in 2021, although it did not reach the level of 2019 when 939 cases were brought. The area of intellectual property remains the area with the highest number of new cases (270). The new cases have also been lodged in the areas of restrictive measures (external action) (103), institutional law (78), State aid (68), and economic and monetary policy (49).

A decrease in the number of closed cases (858) was noted compared to 2021 (951). The cases settled in 2022 mainly concerned intellectual property (291), the European civil service (103), State aid (48) and institutional law (46). The overall decrease, of 9.8% compared with 2021, is largely cyclical. The composition of the General Court changed considerably, with the entry into service of new judges during the year and the departure and arrival of judges within the partial three-year renewal of the General Court. The same trend had been observed also in the partial renewal in 2019.

The number of pending cases increased in 2022 (1 474 compared with 1 428 in the previous year).

In 2022, the average duration of proceedings dropped to 16.2 months (compared to 17.3 months in 2021).

In view of those statistics, and the fact that, since July 2022, the General Court now has 54 judges (two per Member State) following the full completion of the reform of the judicial architecture of the Union decided in 2015, the Court of Justice, on 30 November 2022, sent the EU legislature a legislative request under the second paragraph of Article 281 of the Treaty on the Functioning of the European Union (TFEU) to request firstly a transfer of jurisdiction to the General Court for preliminary rulings in specific matters and, secondly, to broaden the substantive scope of the mechanism for the prior admission of appeals against decisions of the General Court. The purpose of this request is to enable the Court of Justice to preserve its capacity to deliver high-quality decisions within a reasonable timeframe, and to focus more on its central tasks as a constitutional and supreme court of the Union.

The commemoration of the 70th anniversary of the Court of Justice of the European Union, around the theme 'Bringing justice closer to the citizen', was accompanied by a series of celebratory events, such as the special Open day on 8 October 2022, the Special Meeting of Judges which took place from 4 to 6 December 2022 with, at its close, a formal sitting in the presence of His Royal Highness the Hereditary Grand Duke of Luxembourg, as well as senior representatives of the European Institutions, the Luxembourg authorities, the judiciary and the diplomatic corps, the publication of a commemorative anniversary book, the issuing of a commemorative stamp by Luxembourg Post, the release of a film on the history of the Court, and by giving new names to the Institution's buildings by reference to prominent figures in the history of Justice.

More details on some of these events are in Section III.3. of this report.

III. PRINCIPAL RESULTS OF THE INSTITUTION'S ADMINISTRATIVE ACTIVITY IN 2022

The services and registries of the two courts in 2022 continued to work towards achieving their respective objectives, which can be grouped schematically around five management axes, as follows:

1. To contribute to the proper functioning of the courts;
2. To improve performance through increased digitalisation;
3. To facilitate access to information and opening the Court to the public;
4. To manage multilingualism effectively;
5. To prioritise ambitious human resources management.

In addition, some results linked to the need to ensure the compliance of activities with the applicable regulations and monitoring of best practices are grouped under point 6 below.

The following paragraphs give the detailed results achieved by the Court in 2022 under each of the abovementioned management axes.

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

a. Continuation of the Integrated Case Management System (SIGA) project

In 2022, in accordance with its digital strategy, the Institution treated this project as a priority.

The objective is to establish an integrated case management system to replace most of the IT applications currently in use for such management at the Court of Justice and the General Court. In addition to technology renewal, the future system will provide added value to facilitate moving from a silo approach towards the different judicial activities to a cross-cutting approach to the flows inherent in these activities- This will enable greater optimisation and automation of the different stages of case management.

In 2022, 80% of the architecture components required for its proper implementation were made available and 40% of the functionalities were defined. Among these components, a prototype has been developed to implement an optimal search tool for data and documents.

The Information Technology Directorate and the Data Protection Officer of the Institution have worked in a coordinated manner so that the SIGA system ensures protection of personal data 'by design'.

b. Use of e-Curia

Since its launch in November 2011, the e-Curia application has enabled the lodging and notification of procedural documents by electronic means. This application is common to the two courts making up the Institution. It allows for the paperless lodging of procedural documents by the parties' representatives and system of notification to them by the registries of the Court of Justice and the General Court. This paperless approach brings both environmental and economic gains, such as a reduction in both postal costs (which were reduced by approximately 80% during the period 2011-2022 and in paper consumption). Moreover, it speeds up the processing of procedural documents transiting through this application and strengthens the management quality through a harmonised and secure process.

In December 2021, a new internal e-Curia module requested by the registries of the two courts was put into production. It extends the paperless approach to the internal processing of lodgements and thus strengthens the effectiveness of teams in the registries of the Court of Justice and the General Court, in particular by allowing the various actors to insert in the application instructions about the processing of documents.

At the General Court, the use of e-Curia has been mandatory since 1 December 2018. To ensure compliance with the principle of access to courts, the applicable legislation provides, however, for certain exceptions where the use of e-Curia proves technically impossible or where legal aid is sought by an applicant not represented by a lawyer. In 2022, 94% of lodgements before the General Court were made via e-Curia (93% in 2021). The procedural documents lodged via e-Curia represented 979 676 pages in 2022 (889 353 pages filed in 2021 and 1 146 664 pages filed in 2020).

At the Court of Justice, the e-Curia application is also the main method of exchanging procedural documents with the parties since, in 2022, the use rate of e-Curia at the Court of Justice was approximately 87% of all lodgements made this way (compared to 85% in 2021). While strongly encouraged, its use is not mandatory. The main reason for this difference between the two courts lies in the specific features of preliminary ruling proceedings before the Court of Justice.

However, the ongoing promotion of the application by the Court of Justice is reflected in the very significant increase in the number of accounts opened by national courts (337 accounts at the end of 2022, compared to 223 accounts at the end of 2021 and 121 accounts at the end of 2020).

c. Judicial Network of the European Union (RJUE)

This Network, created in March 2017 on the occasion of the 60th anniversary of the signing of the Treaties of Rome and comprising the constitutional and supreme courts of the Member States, continued in 2022 to contribute to strengthening cooperation between the Court and national courts.

Closer links between the courts and tribunals which are members of the Judicial Network of the European Union facilitate close cooperation in areas as diverse as judicial monitoring, legal research, multilingual terminology and emerging technologies. It creates new opportunities for synergies and for sharing good practices and experiences.

In 2022, the RJUE set itself the objective of promoting the growing of cooperation between the participating courts, in particular by further developing the internal platform to make it more user-friendly.

In the same vein, the RJUE has launched a newsletter, the aim of which is, inter alia, to give national courts an overview of the main cases pending before the Court of Justice, but also to highlight some news from participating courts, always in order to promote the pooling of the most efficient practices in the administration of justice.

The year 2022 was marked in particular by the fourth meeting of the members, which took place on 1 July 2022 in hybrid format. 54 members, representing 42 national courts from 23 countries and 4 observers, participated in the meeting. The discussions focused on the work and prospects of the RJUE, for both the Court and the national courts, as well as on the subject of bringing justice closer to the citizen.

In this context, presentations were given on the activities of the three thematic groups – innovation, legal research and terminology – and developments in the private platform. Exchanges also took place on the subject of bringing justice closer to the citizen. In this regard, representatives of the French Court of Cassation, the Estonian Supreme Court and the Court of Justice presented their experiences, plans and future developments in this area.

In addition, the different thematic groups have continued their activities and meet at regular intervals. Two webinars were organised within the framework of the Thematic Group of Technological Innovation within the RJUE.

Finally, a survey was sent to members at the start of 2023 on pathways to strengthen synergies between the network members, the activities of the RJUE, and the use of the internal platform.

d. Special Meeting of Judges on the 70th anniversary of the Court of Justice of the European Union

This annual event, held for the first time in 1968, provides a special opportunity to develop relations between the Court and national courts, to strengthen judicial cooperation and foster mutual knowledge through information exchange.

The 2022 Special Meeting was held on 4 to 6 December in the context of the celebrations of the Court's 70th anniversary and brought together members of the Court of Justice and the General Court of the European Union, the presidents of the constitutional and supreme courts of the 27 Member States and the presidents of the European Court of Human Rights and the Court of the European Free Trade Association (EFTA). At this Special Meeting, 82 senior national judges gathered at the Court's headquarters.

The work of the Special Meeting, in the context of three plenary sessions and workshops, focused on recent developments in preliminary ruling proceedings, the concept of judicial independence in EU law, the comprehensibility of court decisions, the distinctiveness of cases, judicial communication and, finally, the role of the General Court in the context of conflicts in Europe.

e. Strengthening operational support for services in the pre-processing of referrals for a preliminary ruling

In 2022, the preliminary analysis system of referrals for preliminary rulings to be dealt with by means of an order adopted under Article 53(2) of the Rules of Procedure of the Court of Justice, adopted in 2020, continued to bear fruit.

This system aims to identify such cases at an early stage of the proceedings, i.e. within three days of the case being lodged. When an alert to that effect is issued, requests for translation of the request for a preliminary ruling (*demande de décision préjudicielle*, DDP), in respect of languages other than the language of deliberation, are temporarily suspended.

Subsequently, within 4 to 8 days from lodging the case, on the basis of additional evidence, in the event of a finding by the President and the First Advocate General that the DDP is inadmissible and/or where the Court of Justice manifestly lacks jurisdiction, the Registry shall adopt the necessary procedural measures and the request for translation of the DDP into the other official languages.

In addition to the savings in translation resources and the synergies between the services, this system also contributes to faster processing of cases that may be settled by means of an order, also of interest to the litigant.

2. RESULTS IN RELATION TO IMPROVED PERFORMANCE THROUGH INCREASED DIGITALISATION

a. Automated and paperless procedures

The Innovation Lab within the Directorate for Information Technologies closely monitors the avenues offered by emerging technologies and artificial intelligence (AI), in collaboration with the services and in their areas of interest.

The tests currently carried out with some artificial intelligence tools aim, in particular, to facilitate the analysis of texts and the creation or capture of different metadata to feed the databases. These tools will make it possible to automatically extract relevant information thus speeding up the processing of certain tasks, to carry out certain checks automatically and to facilitate the processing of significant volumes of data.

This work is carried out by taking account of the 'European ethicals Charter on the use of Artificial Intelligence in judicial systems and their environment' and the five main principles expressed therein, namely the principles of respect of fundamental rights, of non-discrimination, of quality and security, of transparency, impartiality and fairness, and of under user control. In any case, the tasks performed using artificial intelligence will be monitored by a human operator and ultimately aim at providing a better service while respecting the first principle of the Charter and the preference for 'ethical-by-design' and 'human-rights-by-design' approaches.

i. Information and documentation

In addition to the work in progress on setting up an integrated case management system and the e-Curia application, referred to in points 1.a. and b. above, the following projects can be mentioned:

- **Electronic signature:** the digital signature tool provided by the Commission (EU SIGN application) was deployed in 2022 for judgments, orders and the minutes of hearings at the General Court from March onwards, including for proceedings benefitting from the so-called 'IHS' mechanism for ensuring the confidentiality of highly sensitive information. This mechanism required adaptations to bring it into line with the Rules of Procedure of the court. Its implementation, by the Registry of the General Court, required numerous additional actions to take account of changes in internal procedures.
- **Document Management System:** the administrative document management modernisation project continued in 2022 with the commissioning, for almost all services, of the HAN/ARES application used at the Commission.

- **Library search tool:** following the migration to a new integrated library management system (Alma) at the end of 2022, a new search interface (Curius II) was adopted in the Library with a single point of access to bibliographic resources, more identifiable results, more accurate filters and advanced functionalities for managing each user's account.
- **Library conversion:** following the new strategy adopted in 2017, the Court Library, in 2022, continued its gradual transformation of a structured deposit of works and periodicals in paper format into a digital documentary centre. In this context, its principal objective is to increase the acquisition of electronic resources (electronic databases, books and periodicals). In 2022, the Library maintained all its existing subscriptions to legal databases, 132 in total, and opted to extend the accessible content across several of them. In addition, it subscribed to new online resources and was able to open access to 2 650 new electronic works.
- **Case-law search tool:** the EURêka search engine is the reference search tool for EU case-law within the institution, and for all court documents. Training of the Court's staff has been intensified to optimise the use of all the functionalities of the search engine.
- **Neural translation:** the developments in this area are detailed in point 4 of this report on results in the field of multilingualism management.

ii. Human Resources

The paperless approach in administrative procedures and the simplification and digitalisation of workflows, accelerated by the health crisis to adapt to the new realities, continued in 2022. In addition, efficiency gains have been made and continue to be identified through increased use of modules of the interinstitutional application (SYSPER) for staff management, which enables, inter alia, the automatic generation of documents or the compilation of statistics. Mention should also be made of a new app implemented in January 2022 to adopt the paperless approach for mission order files and declarations of expenses of the Members and chauffeurs of the Court of Justice.

iii. Financial management

The percentage of invoices received electronically increased in 2022, reaching 77%, up from 74% in 2021. The Court continues to favour e-invoicing and the positive trend observed in recent years continues, which has seen the number of invoices received electronically jump from 14% in 2015 to 77% in 2022.

b. Strengthening the stability and availability of IT systems

2022 was a year in which the stability and continuity of the infrastructure and IT services provided was maintained. The availability rate of apps and services was 99.96%. The multimedia services delivered 99.5% of the hearings without incident. In the light of the above, the overall user satisfaction level is very high. More than 98% of users who participated in the surveys conducted after using the user support services choose 'very good' or 'good' when assessing their level of satisfaction.

A new application has been deployed on all workstations to enable users to organise virtual or hybrid meetings independently.

A significant migration took place in 2022 of the main databases of the Court and the systems, including materials, on which they were based. The gain from this migration was twofold:

- firstly, more recent versions of software ensure greater stability and may entail new functionalities;
- secondly, they make it possible to continue to benefit from the producer's support, which often limits its liability to relatively recent versions of software.

The Court's IT applications and services are hosted in the main data centre. An emergency data centre is in place on a remote site to take over in the event of a serious event and to ensure high availability of IT services. Regular switchover tests between these two data centres have to be run to confirm that the operational procedures and applications are functioning properly. A second switchover test was done at the end of November 2022. The decommissioning of the old data centre has been finalised and obsolete equipment has been removed.

In 2022, the Court also improved the WIFI coverage in its buildings.

c. Reflection on optimising the occupancy of premises

A reflection on optimising the occupancy of premises was launched in 2022 in the context, in particular, of the changes in working arrangements (*new ways of working*) resulting from the pandemic. A working group comprising representatives of the Registries, various departments and of the Staff Committee has therefore been set up. This issue of the evolution of working arrangements is also being examined by all other institutions, in line with the recommendations of the Court of Auditors in its report on the resilience of the EU Institutions to the pandemic¹.

Its mission is to reflect on the various aspects of the occupancy of premises and to make recommendations taking into account, in particular, the requirements linked to the proper functioning of the institution, new working arrangements and formulas, the digitalisation of working methods, environmental requirements, the budgetary context, operational needs – in particular to guarantee the quality of the services and accommodate the specificities of the mission of each service –, the preservation of cohesion, and the well-being of staff. Its conclusions are expected for the beginning of 2023.



1| Special Report 18/2022 'EU institutions and Covid-19'

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

a. Maintaining the advanced publication of the annual activity report of the authorising officer by delegation (AOD)

In 2022, as in previous years, the Institution was able to comply with a relatively advanced timetable in relation to that imposed by the Financial Regulation (1 July) for the preparation and publication of this report, on 31 May for the French language version and on 13 June for the English language version.

b. Reformulating the information on the Institution's activities made available to the public

Until 2021, three publications constituted the Institution's annual report, namely the Annual report on judicial activity, the Year in review and the present Management report.

In 2022, it was decided, following a thorough reflection and examination of practices of the Constitutional and Supreme Courts of the Member States, to reshape the Annual Report on Judicial Activity and the Year in review. This reflection was essentially guided by three objectives: to reinforce the relevance of the Year in review, considering the public to which it is addressed (namely, EU citizens as a whole), with a view to education, transparency and better visibility of the courts' activities; to retain a detailed overview of the case-law and report on all case-law developments of note to a more informed public, while optimising its development and availability; and, finally, by enhancing the presentation of judicial statistics with a view to making them accessible earlier and in a more user-friendly format.

As a result, the following changes have been made to the publications intended for the public:

- the Annual report on 'Judicial activity' has evolved into an annual bulletin with a selection of case-law, now called the 'Annual selection of key judgments – Summaries'. It is intended for an informed public and highlights what the two courts consider to be the past year's key decisions;
- the Year in review content has been enriched, notably with a section entitled 'Focus on case-law' containing articles on flagship cases of the year; and
- judicial statistics of the Court of Justice and General Court are now published separately on the CURIA website to have them published earlier and make them more reader-friendly for the public.

c. Retransmission of judgments and hearings

To facilitate public access to its judicial activities on the basis of technical work carried out in 2021, the Court of Justice set up a pilot project to retransmit judgments' delivery and hearings from April 2022. The Court of Justice now offers a streaming system for hearings which, as the remote visits project launched in 2021 mentioned under point i. below, serves to strengthen its 'Citizen Court' dimension through increased accessibility for the general public.

With this system, the delivery of judgments of the Court of Justice and reading of opinions of the Advocates General are now broadcast live on the CURIA website. This retransmission, which concerns, at this stage, only the cases assigned to the Grand Chamber of the Court of Justice, is activated from the start of the hearings, according to the schedule provided for in the judicial schedule.

Hearings in the same cases are in principle also the subject of a retransmission, slightly deferred in the context of this pilot project. In total, around 20 hearings were streamed over the past year.

Retransmissions are designed to enable anyone wishing to do so to follow hearings under the same conditions as if they were physically present in Luxembourg, in the hearing room, through simultaneous interpretation of the hearing in the languages necessary for the proper conduct of the hearing.

d. Increasing information on the external activities of the Members of the Court

Since 2022, the list of external activities of Members of the Court of Justice and the General Court in the previous year has been published on the CURIA website. This has now been supplemented with information on the cost of missions linked to each of these activities. For the Members of the Court of Justice, this information can be found via https://curia.europa.eu/jcms/jcms/p1_743290/en/ and for the Members of the General Court via https://curia.europa.eu/jcms/jcms/p1_743291/en/.

e. Communication activities to the general public

Firstly, as regards publications or other actions, in 2022 for the Institution's 70th anniversary, the Court produced:

- the 'Year in review', addressed to the general public summarising the institution's judicial and administrative activity, produced in paper, PDF and HTML format (in 24 language versions);
- a commemorative anniversary book;
- three new multimedia animations on LGBTQ+ rights, the rule of law and the Charter of Fundamental Rights. They were posted online on the Court's YouTube channel in January 2023;
- a film of about thirty minutes on the Court's 70th anniversary (subtitled in all languages);
- a book of memoirs, drawn up on the same model as that published in 1987 in the context of the institution's 35th anniversary;
- In the same context of the 70th anniversary of the Institution, Post Luxembourg edited a commemorative stamp at the Court's initiative.

Secondly, the Court continued to develop the use of social networks for communication purposes. At the end of 2022, the LinkedIn account of the Court of Justice of the European Union had 178 382 subscribers (131 000 subscribers at the end of 2021), an increase of 36%. The average engagement rate on LinkedIn is 6.25%, with peaks exceeding 10% for some messages posted on this social media outlet. On Twitter, the number of followers on the two accounts of the Institution (EN and FR) exceeded 146 000 (125 000 in 2021). This is an increase of 16.8%, and the average commitment rate is 1.8% for most tweets, with peaks of above 3% for tweets on several high-profile cases in 2022 (e.g. in the joined cases C-37/20 – C-601/20 '*Luxembourg Business Registers*', Case C-460/20 '*Google*', or Case C-333/21 '*European Superleague Company*'). The YouTube channel of the Institution had 136 953 views in 2022 (compared with 174 250 views in 2021). Furthermore, the Court participates in the EUVoice / Mastodon project led by the EDPS, in which the Court has now over 2 000 followers. To optimise the resources used in this area, the accounts use automatic cross-publication from Twitter, so all tweets automatically appear on Mastodon.

Finally, in the context of the 70th anniversary of the Court, a special campaign traced the history of the institution in 70 *threads* in French and 70 in English, with the hashtag #CJUEin70days, throughout the year. This campaign generated more than 500 000 impressions on Twitter, with an average engagement of between 1.5% and 3%.

f. Relations with the media

In 2022, the Court issued 216 press releases, compared to 231 in 2021. Taking into account all language versions, the total number of press releases was 2 856. Weekly information on the Institution's activities was also sent to journalists (551 weekly or bi-monthly newsletters and 568 Quick Info letters), reflecting the ongoing relations with the media and the importance which the Court attaches to these privileged channels to support the dissemination of case-law.

In 2022, through the use of virtual meeting tools, 5 virtual meetings were organised with the media. A total of 114 journalists from 8 Member States attended these remote meetings on the Court's judicial activity.

g. Europe Day on 9 May and Open Doors day on 8 October

After the two years of health restrictions preventing the organisation of such events, on the occasion of Europe Day, the Court organised guided tours with the aim of reaching 600 visitors which was exceeded (760 visitors). Visitors were welcomed by many volunteers to introduce them to the Court and its role. Detailed guided tours in several languages, including Luxembourgish, were organised and informative brochures were provided. Groups of 10 to 15 persons were told how cases progress, from the lodging of an application to the delivery of a judgment, and they learnt about the composition, functioning and main missions of the Court. The tours ended with a visit to two courtrooms, in which two explanatory films were screened ('The life of a case' and 'The Court of Justice of the European Union, guarantor of a Union of law for 450 million citizens').

In addition, in October, another special Open Doors day was held, under the 70th anniversary banner, and allowed approximately 2 000 citizens to discover or rediscover the architectural complex, accompanied by 176 voluntary members of staff. On that occasion, visitors were invited to follow a printed itinerary on paper and to load a QR-code giving access to explanations of the main stages in the life of a case, and to discover the film 'The Registry of the General Court in images'. There were 140 guided tours, in several official languages, in total. All the communication materials distributed to visitors, particularly in relation to the Court's 70th anniversary, were selected in an eco-responsible way.

h. Curia Web TV project

A new communication channel, Curia Web TV, was added to the existing means of communication. Composed of two units, the aim of this visual communication platform is to disseminate information in a dynamic, modern way.

The first unit focuses on internal communication. Through a news programme *Le Journal* and specific programmes, the purpose of Curia Web TV is to regularly present news from the services, to keep staff informed about the Institution's major events, the implementation of various projects, and the judicial activity of the two courts serving also as a platform for disseminating information on recent case-law.

On 12 December 2022, the first programme, called *Le Journal*, was streamed on the Court's intranet site and mainly covered the Court's 70th anniversary events.

The second unit of Curia Web TV, scheduled to be launched in 2023, will be streamed via the CURIA website. This will provide greater transparency for the European public, young people and legal professionals included, with more visual information on the Institution and judicial activity of the Court.

For the time being, the first programmes of *Le Journal* are being produced in a temporary studio set up in a former hearing room of the General Court. The first programmes will serve as a pilot phase, during which Curia Web TV will gradually develop its video and broadcasting production capacity. In autumn 2023, as soon as the definitive studio is in place, this capacity will increase significantly to allow for the schedule of programmes to be enhanced gradually, and to eventually stream Curia Web TV beyond the Court's internal audience. The dissemination of information will be ensured in all the official languages of the European Union and the accessibility of information for persons with disabilities will also be a priority.

i. Efforts to bring the Court closer to the public: institutional activities to welcome visitors and a new virtual visitor welcome programme

Institutional welcome activities make it possible to reach a wide public and thus ensure that the public in general and legal professionals in particular are better informed about the mission and competences of the Court of Justice and the General Court. After the health crisis, these activities could resume as normal in 2022 and, with the new potential offered by virtual visiting tools, opening up to the public was significantly enhanced.

As a result, in 2022, the Court received 11 653 persons, divided into 474 groups. By way of comparison, in 2019, the last year before the health crisis, 17 136 visitors, divided into 707 groups, were welcomed.

It is important to point out that seminars, activities addressed mainly to groups of judges and which are therefore a preferred tool for coordinating the relations between the Court and the national courts, represented 22% of the activity in terms of the number of participants, namely 2 559 compared with 2 851 in 2019. In terms of days of seminars organised, in 2022, the number of days (114 days) was almost identical to that of 2019 (116 days).

As regards organisational arrangements, 3 webinars and 27 virtual visits were proposed in 2022. These new communication arrangements made it possible to reach a public of approximately 1 600 people, 10% of which related to webinars. Participation in virtual format represented 13.7% of the total number of visitors.

Three hybrid events were also part of the hosting offer in 2022, with approximately 350 participants.

As indicated in the management report for the 2021 financial year, the health crisis highlighted the finding that the traditional approach to welcome activities, exclusively presential, is no longer adequate to obtain the results sought; and in particular to guarantee, both to stakeholders in the European legal world and to the public in general, opportunities of access to the knowledge of the Institution and of its courts, irrespective of their place of origin.

Reflections on the development of these activities have taken place in the context of the potential offered by information technology, as well as the new public perception of virtual encounters. The result was the launch of a project to organise remote visits, to complementary presential programmes, as well as virtual webinars and meetings, in order to introduce diversification both from the point of view of forms of welcome and from the point of view of the harmonisation and development of content.

The pilot phase of this project, launched in 2021 and aimed at a target audience of young citizens, in particular students from the three levels of higher education, continued in 2022 with several groups hosted remotely and with very encouraging results. This choice was all the more relevant as it materialised during the year designated as the 'European Year of Youth'.

The pilot phase consisted of five remote visits with the participation of more than 150 students. The content was prepared according to the country and the language of the school (French, Italian, Latvian and Hungarian) in which the visit took place.

Following completion of the pilot phase in February 2022, the aim of this remote visit programme is now to extend it to all secondary schools. The first steps of this extension were taken during the second-half of 2022, with the organisation of visits in Romanian, Czech, Greek, Latvian and Polish. Several hundred students were thus able to participate.

Remote visits are organised according to a predefined timetable and in a staggered manner, depending on the language of the groups to which they are intended. They are the subject of targeted communication action in the Member States concerned, via the internet and social networks, and are subject to prior registration by the teachers or class leaders concerned. Although the number of participating groups is limited in order to guarantee the quality of the visit, several classes from different establishments may participate simultaneously in the same visit.

The visit programme, which lasts approximately 2.5 hours, is made up of interactive elements (presentation of the judicial activity by a legal expert, virtual visit to the Institution's buildings, meeting with a Member of the Court of Justice) and the viewing of two films, followed by Q&A sessions.

Young visitors are welcomed and accompanied by a host and have the opportunity to interact with the various speakers. The Institution accompanies the groups, prior to the visit, by providing them with teaching material and organising preparatory meetings. This approach makes it possible to offer high-quality interactive remote visits while ensuring optimal use of the Institution's resources.

At a later stage, it is envisaged to diversify the offer by developing distance programmes for other groups of the public.

j. 'Builders of Europe' Conference

As part of the closing of events to commemorate the 70th anniversary of the Court, an interactive meeting was held on 6 December 2022 between the President of the Court, Mr Lenaerts, Mr O. Karas, First Vice-President of the European Parliament and Ms V. Jourová, Vice-President of the European Commission, and high school students from 10 Member States, participating *in situ* or remotely, around the theme 'Builders of Europe'.

Young people asked the speakers many questions about European integration and the meaning of accession for the new Member States, the greatest challenges facing the Union, the Union's action against the failure to apply EU law or respect its values, the various criticisms levelled at the Union and Euroscepticism, global warming, and discrimination based on sex or sexual orientation.

k. Optimising the dissemination of case-law

Dissemination of the monthly case-law bulletins has improved. These monthly bulletins are drawn up on the basis of summaries prepared on the most important cases of the Court of Justice and the General Court, classified by subject matter. Distributed on a monthly basis, these bulletins, in so far as they highlight important cases, facilitate legal watch activities both internally and externally. Given the particular public interest in the monthly bulletins of external audiences, in particular national judges, lawyers, advisers and other legal professionals, as well as academics, the bulletins are also posted on the CURIA website, from the first half of the month, in English and French. They are also uploaded on the platform of the Judicial Network of the European Union, in French and English. Lastly, the members of the RJUE network receive a copy of each new publication.

In addition, given the public's high level of interest in the thematic case-law sheets, in 2022 work was started and continued on six new thematic fact sheets, with a view to their dissemination in 2023 or early 2024. A pre-existing thematic sheet has also been updated.

l. Developing new tools for the dissemination of selected legal doctrine

At the beginning of 2022, the Library Service made available a new tool for disseminating selected legal doctrine. It consists of a reasoned bibliography compiled on a topic of interest (Thematic Guide on Asylum and Immigration and Thematic Guide on Trade Mark Law). This is in addition to the 'Journal Review', which offers, on a quarterly basis, a selection of articles published in the most important legal journals dealing with issues of direct relevance to the judicial activity of the Court of Justice and the General Court.

m. Moot Court 2022

On 6 May 2022, the Court hosted the final of the European Law Moot Court Competition, the world's most prestigious advocacy competition on European Union law. The purpose of this competition, first organised in the 1988/1989 academic year, is to promote a practical knowledge of European Union law among law students. Students are selected following an extremely demanding process (around 70 teams from universities in different EU Member States and some third countries, such as the United States and Switzerland). The teams that came to Luxembourg were those who made it through the regional finals held in March 2022 in Barcelona and Madrid.

After arguing their cases before a jury of Members of the Court of Justice and the General Court, two Swedish universities (Uppsala and Lund) went head-to-head in the final, and the University of Lund was declared the winner.



4. RESULTS IN RELATION TO THE EFFECTIVE MANAGEMENT OF MULTILINGUALISM

a. Sustained productivity and quality maintenance in legal translation and interpretation

In 2022, the workload of the translation service decreased by 4.4% after an increase of 16.8% in 2021, with a total of 1 278 151 pages to be translated. The output in terms of pages increased by 1% to 1 280 014 pages and the amount of pages awaiting translation slightly increased to a total of 273 630 pages (compared to 267 596 pages at the end of 2021). However, this increase is due to the amount of pages to be translated into Irish, which accumulated pending the creation of the Irish Language Unit in 2022.

It is important to note that, without all the savings measures put in place since 2004, the translation workload would have exceeded 1 874 000 pages in 2022. A saving of over 596 000 pages was possible due to measures adopted in the past, namely selected publication of case-law or by extracts, limiting the length of Advocate General opinions, the practice of summaries for requests for a preliminary ruling and the insertion of omissis, consultation on the need to translate annexes of procedural documents, the prior admission mechanism for appeals, etc.

With regard to quality, the investments made in IT, training, terminology and internal quality assurance processes, in particular as part of the methodological approach known as the 'quality approach', have made it possible to maintain a very high level of the quality of legal translations, despite the complexity of texts, while meeting the needs in quantitative terms.

In conclusion, the commitment of the Legal Translation Service has made it possible to comply generally with the necessary deadlines for the proper conduct of proceedings in all languages and with the objectives on disseminating case-law to the public. The objectives of making language versions of the Court of Justice judgments available on the day of delivery, and of making conclusions in judgments available on the day of delivery, were achieved again in 2022. The availability rate of various language versions of the General Court judgments on the day of delivery was around 65% in 2022.

As regards interpretation, 2022 was very busy with some intense judicial activity.

Moreover, the launching of web-streaming in some hearings of the Grand Chamber of the Court of Justice since April 2022, as indicated in Section III.3.c., increased the workload for this activity. The Court's hearings often involve a large number of interventions by various parties, in particular Member States choosing to use their own language.

b. Optimising the contribution of freelancers

In the context of this contribution, the Court continued, in 2022, to optimise external translation to benefit more from the multilingual and multicultural reality of the European Union and the diversity of its legal systems. It works closely in this way with the Member States to develop the pool of external expertise to cope with structural increases in the volumes of translations and language combinations to be covered. Awareness-raising of freelance work continued through video conferences as well as work trips to the Member States, and increasing investment is being put into developing video presentations or training material for the freelance market.

1 425 framework contracts in total, following a new call for tenders for freelance translation launched in 2021, were signed by the end of 2022.

Similarly for interpretation, quality remains essential and depends primarily on the availability of permanent interpreters at the Institution, specialists in judicial and legal work, and experienced freelance interpreters regularly contracted by the Institution.

The year 2022 was a busy year marked by intense judicial activity, with a high number of hearings. The use of external resources depends on the language regime of each hearing. In 2022, the Court deployed 416 conference interpreters (246 in 2021) to cover its needs. They worked a total of 3 396 days, an increase of 111% on 2021 (1 609 days), i.e. an average of 40 days (21 in 2021) per week of judicial activity.

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

c. Implementation of neural translation and voice recognition systems

The Court has the objective of being at the forefront of the use of new digital technologies, in particular in the linguistic field, in which it has always played a leading role due to its full multilingualism policy. Being fully aware of the transformation potential of those technologies for its services, it ensures that its services are adequately prepared to take advantage of the benefits they provide, while at the same time accompanying its staff in change management so as to support its production while maintaining a high-quality service.

It has been involved in the use of translation support tools for many years. It contributes to the financing, and the maintenance and development, in particular, of the Euramis database, which collects and suggests the re-use of sentences or parts of sentences translated in the past, and of the interinstitutional tool eTranslation, a neural translation service of the European Commission. The Court also uses another neural translation tool on the market and continues to examine other tools.

In 2022, the Court embarked on a general updating process of procedures and user skills for all the tools available in its translation environment.

Moreover, in relation to automatic speech recognition tools, the construction of a prototype, particularly in the context of the recording of hearings (on the basis of a product developed by the World Intellectual Property Organization), has led to a dedicated infrastructure being set up 'on the premises'. Tests and evaluations of necessary new functionalities have been carried out and new developments are about to start. This approach could be useful for the Court for the following activities: transcription of hearings, interpreter support at hearings (in particular as regards dates, numbers or names) and support for lawyer-linguists in their translation work.

5. RESULTS IN RELATION TO AMBITIOUS HUMAN RESOURCES MANAGEMENT

a. Equal opportunities policy, diversity and inclusion

On 31 December 2022, the percentage of women in management positions stood at 40%. Comparison of the rates between 2018 and 2022 shows this percentage increasing (40% in 2022 and 37.5% in 2018) which is linked to the numerous initiatives taken by the Institution to achieve a balanced representation of women and men in management positions, both intermediate and senior management.

As regards geographical balance, the Court is attuned to the importance of ensuring a balanced geographical representation among its staff and takes it 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. These procedures are always based on the criterion of merit to select candidates of the highest standard of ability, efficiency and integrity. The Court does its best to encourage applications from citizens whose nationality is under-represented and makes good use of the relevant information obtained through interinstitutional exchanges on the subject.

During the second-half of 2021, the Court's Internal Audit Service carried out an audit of the measures put in place within the Institution to ensure respect for the rights of persons with disabilities and to ensure accessibility (inter alia, accessibility to buildings, human resources, digital accessibility and public procurement). The work carried out has shown that numerous measures have been taken in the various areas of Institution's activity. However, possibilities exist to reinforce these gradually. In 2022, the Court launched a comprehensive initiative to enhance accessibility and inclusion to support the recruitment, integration and fulfilment of colleagues with disabilities and thus to enable everyone to fully deploy their skills. A coordinator has been appointed to coordinate and oversee this initiative, which involves the participation of the whole Institution.

In the field of human resources, medical and administrative support for staff with disabilities and 'carers', i.e. staff members with a family member with a disability, is provided by the Medical Service, a social worker and a psychologist. Such support may consist, for example, in the introduction of accompanying measures, the reorganisation of tasks and timetables and the adaptation of the working environment, equipment and furniture.

A decision on reasonable accommodation enabling persons with disabilities to access or participate in employment was adopted in 2022. This decision sets out a clear and transparent framework for the implementation of certain arrangements. A video informing the Institution's staff of the content of this decision has been posted on the intranet site.

Actions have been taken to encourage people with disabilities to apply to the Institution. Thus, the competition notices, the vacancy notices and the Court's calls for applications underline the commitment to equal opportunities for people with disabilities and invite them to request the necessary arrangements to take part in the tests.

In addition, a disability awareness day was organised by the Staff Committee on 2 December 2022. Particular topics addressed in the programme of that day included: the worker with disabilities and the worker faced with a colleague's disability. Further actions to increase the awareness, information and training of staff are under preparation.

Other actions in 2022 included:

- the Court's parity correspondent participated actively in the work of interinstitutional working groups on diversity and inclusion;
- a training programme on adaptive leadership for senior and middle managers was launched in 2022. As part of this training, diversity and inclusion aspects have been integrated;
- training on unconscious bias has been included in the General Competences Catalogue of the Court;
- in 2022, the Court participated in two job and student markets to promote the Court's image as an employer open to a diverse and inclusive working environment, and thus attract new talent.

b. Improvement of working conditions

In 2022, efforts continued to bring working conditions more in line with the dual demands of the staff well-being and the Institution's efficiency and effectiveness.

In order to take full advantage of lessons learned from the health crisis and results of surveys among staff and middle and senior management, it was decided to further integrate teleworking among the operating methods that heads of department could have recourse to so as to enhance the efficiency of the service. In July 2021, the Administrative Committee of the Court adopted a new decision on setting up a teleworking regime to replace previous decisions on structural teleworking, introduced in 2010, and occasional teleworking, put in place in 2019, thereby fully integrating the experience acquired from implementing these two decisions.

This new decision, in force since May 2022, enables heads of service to authorise staff to work from home. Within the general framework under this Decision, each department adopted the rules applicable to their respective staff by taking account of both the wishes of the staff and the interest of the service. The aim is to enable staff to benefit from the advantages of working from home while maintaining the benefits of working in the office (for example, clearer communication, better integration of new employees and more efficient transmission of knowledge and values). However, on-site work will remain the norm. As a general rule, under these decisions, staff can work from home two days per week (40% of the working time).

Extending the possibilities of recourse to the telework regime also contributes to the steps taken to increase the Court's attractiveness as an employer, by facilitating reconciliation between private and professional life and by consolidating, thereby, its arrangements in favour of equal opportunities. This reinforcement will have to be accompanied by more performance-based management (objectives and results achieved) with greater autonomy and accountability of staff. Several initiatives have already been launched in this area and a pilot training on management by objectives has been put in place. A reflection on this subject is ongoing and will lead to the development of a programme involving both the staff and management.

c. Staff training on ethics and integrity, harassment, whistleblowing, prevention of conflicts of interest, or sustainability

In 2022, the Court organised six training courses entitled 'Rules of good behaviour' with the participation of 70 staff members.

This training, which is compulsory for new officials and other servants of the Institution, is intended to inform both newcomers and staff members who have been employed for several years of their obligations under the provisions of the Staff Regulations and the CEOS. It covers, inter alia, the prevention of harassment, whistleblowing, the prevention of conflicts of interest and other ethical issues, as well as internal procedures in these areas.

Whistleblowing and managing conflicts of interest were also included in the training programmes on 'Internal Control', 'Internal Control (Workshop of Practice)', and the financial training sessions on: 'Expenditure cycle', 'Public procurement' and 'Sustainable procurement: GPP Helpdesk'. In 2022, 11 courses were organised and a total of 80 people participated.

The training courses in question are compulsory for the new budgetary authorising officers and will also be compulsory for all new officials and other staff members from 2023, in particular those who will be required to carry out financial and budgetary management tasks.

In addition, a new training course on sustainable purchasing and social criteria was added in 2022 as part of the financial training offered by the Court. This training addresses the social and ethical criteria to be included in tender specifications in the context of the organisation of tendering procedures. The criteria in question refer to aspects such as the accessibility of buildings, products and services, good working conditions, social responsibility, combating discrimination and SME access to public procurement.

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

a. Actions to ensure compliance with data protection regulations

The Data Protection Officer advises controllers, staff or data subjects involved in data processing and, in the context of non-judicial activities and independently, ensures the internal application of the rules on the protection of personal data. The DPO cooperates with the European Data Protection Supervisor by responding in particular to his requests and to the delegates of other institutions and agencies in the interinstitutional network of delegates. The DPO disseminates data protection information and guidelines within the Institution and oversees the services in their implementation, in particular through the network of data protection correspondents.

The DPO also keeps, in the context of non-judicial activities, the central register of the Institution's processing activities, the register of data breaches and the ad hoc register of restrictions on the rights of individuals. These records shall be kept up-to-date on the basis of the information provided by the services.

In the performance of those duties, the DPO received, in 2022, 26 documents and updates on the processing of personal data by the institution's departments. The DPO has requested clarifications from those departments, made recommendations and provided assistance to those in charge of data processing in preparing the documentation.

An impact assessment on data processing was carried out in 2022.

An investigation into the use of social media by the Court is currently pending.

b. Improved environmental performance

For the seventh year since the introduction of the EMAS system at the Court and the registration of the Institution as an organisation complying with this standard on 15 December 2016 by the Luxembourg Ministry of the Environment, Climate and Sustainable Development, the Institution's environmental statement has been updated with the support of the environmental verifiers assisting in the context of internal audits, then verified and approved by the responsible internal staff and services (Sustainable Management Advisor, EMAS Forum and EMAS Committee).

This document, which is an essential component of the EMAS system, on which the renewal of the Institution's registration depends, 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 that end and the results achieved.

As provided for in the EMAS regulations, the Environmental Statement for 2022 was validated by an external verifier as part of an environmental audit which, as every three years, was a 're-registration' audit, more in-depth than the audits for the years 2020 and 2021 in so far as it covered the vast majority of the Court's services and activities.

Following that audit, the external auditor approved the Court's environmental management system, taking the view that it was 'rather mature' and 'well-supported' by the Institution's hierarchy at its highest level 'with ambitious objectives and the provision of the necessary resources'. It also highlighted a large number of good environmental practices adopted by the Court through more than 30 positive points identified, with weaknesses requiring follow-up limited to twelve and mostly relating to issues that were immediately settled after the audit or that are easy to correct, such as, for example, sorting waste in specific technical areas, or adjusting lighting in specific premises. On the basis of the conclusions of the audit report, the Institution obtained the renewal of its EMAS registration from the Luxembourg Ministry of the Environment, Climate and Sustainable Development, until June 2025.

The 2022 Environmental Statement ('the Statement'), based on environmental data for the year 2021², shows a new overall favourable evolution of the environmental indicators calculated per full-time equivalent ('FTE') compared to 2015, the reference year of our EMAS scheme. The most significant indicators are as follows:

- a reduction in electricity consumption by 5.9% (kWh/FTE);
- a temporary/exceptional increase in heat consumption of 23.8% (kWh/FTE), mainly due to the health measures related to the Covid-19 crisis; in order to limit the risk of the virus spreading in buildings, it was decided to operate all air-handling equipment in 'new air' mode, which imposed a 100% ventilation of fresh air from outside buildings without recycling indoor air, and consequently resulted in higher winter heating and air-conditioning expenses in summer;

2| The figures 1 relate to the year 2021 since the data for 2022 are not available before the end of the first quarter of 2023 and must then be analysed.

- a reduction in water consumption of 38.2% (m³/FTE);
- a reduction in paper consumption of 58.4% (kg/FTE);
- a reduction in office and catering waste of 59.8% (kg/FTE), partly due to the low occupancy of buildings, due to teleworking;
- a reduction in carbon emissions (excluding travel by visitors) of 34.3% (kg CO₂/FTE).

In the context of the environmental projects on which the continuous improvement of the Institution's environmental performance is based, mobility plays a key role.

Thus, in consultation with other EU institutions based in the Grand Duchy of Luxembourg and following the entry into force of the free public transport system decided by the authorities of Luxembourg as from 1 March 2020, the Court continued to grant, in 2022, a subsidy to the annual cross-border public transport subscriptions of its staff members. This measure aims to encourage the use of public transport and benefits some 130 officials and servants resident in a bordering country.

The Court also offers a free-of-charge subscription to staff who request it to the self-service bicycle service vel'OH! set up by the City of Luxembourg. At the end of 2022, a total of 282 subscriptions for a period of one year, tacitly renewable to the vel'OH! system were subscribed to by the Court's staff. The service operator, the Court and four other institutions based in Luxembourg concluded an agreement in December 2020.

The Court renewed its participation in the annual 'Cycling to work' campaign ['Mam vëlo op d'schaff'] organised by the Ministry of Mobility and Public Works. This awareness-raising campaign, focused on participation rather than performance and aimed at moderating the individual use of cars in favour of cycling, ran from 15 May to 31 July 2022. It encouraged employees to travel at least 15 times during this period to work by bike, in teams of two to four people. The objective of this action is to demonstrate the viability of commuting by bike and to reduce CO₂ emissions.

These initiatives, in reflecting the readiness of participating institutions to encourage members of their staff to use more ecological means of transport, contribute to the achievement of one of the objectives of the Court's EMAS programme, namely the reduction of carbon emissions linked to home and work trips, which corresponds to approximately 17% of the Court's current Carbon balance.

As regards single-use plastic, plastic bottles have been replaced by glass bottles in meeting rooms, hearing rooms and deliberation rooms. The reduction of single-use plastic in catering continued: at the end of 2022, the Court's self-service restaurants and vending machines in the buildings no longer offer plastic bottles, and their removal from cafeterias is also planned for 2023. It should be noted, in addition, that 35 water fountains connected directly to the city water network and equipped with an advanced filtering system were installed in various parts of the buildings. An inox flask was offered to all the Court's staff to reduce the use of plastic bottles.

Real efforts have been made at all levels of the Institution to go paperless in the circulation of documents and reduce paper consumption. This resulted in a significant decrease in the quantity of paper used (of - 58.4% over the period 2015-2021). Furthermore, the Court purchases paper from sustainably managed forests.

In the context of rapidly changing energy prices, with a view to steadily reducing the Institution's ecological footprint, a communication to staff members was sent in March to remind them of the importance of taking a responsible and measured approach to the use of the Institution's energy resources.

As a direct consequence, the very significant spike in energy costs increases the Institution's expenditure, particularly as regards electricity consumption and, above all, heating. This drastic change required budgetary adjustments. It also required adapting the operation of some of the Court's most energy-intensive installations.

By way of example, in summer the temperature of the buildings was increased to 24°C rather than 23°C, and the temperature regulation was set by default in the 'reduced' mode.

The Court also decided at the end of September, taking account of the cost/benefit ratio of the measures envisaged (in particular in terms of working conditions and comfort), to lower the temperature of buildings from 21°C to 20°C, while leaving users the option of increasing or reducing that temperature locally by 1°C. The shut-off time of air treatment plants was also reduced from 19 hours to 18 hours. Finally, the level of lighting in common areas (corridors, gallery) has been reduced.

Among the Court's environmental objectives are the increased use of the energy management system, purchased in 2022, as well as the updating of the policy for more efficient use of energy in accordance with the principles of the international standard ISO 50001.

c. Upgrading the security arrangements at the Court buildings

The works to upgrade security arrangements for the Court's buildings (Project CJ10), approved by the budgetary authority at the end of 2018 and carried out in April 2021, were mostly completed by 15 December 2022, in accordance with the scheduled timetable. Consisting of an architectural enclosure surrounding the entire area of the Court, this project aims to provide the Institution with a sophisticated and modern infrastructure that secures the external perimeter of the building complex, and increases the security at pedestrian access points through three reception and security lodges located at the main entrances. These works, integrated in the surrounding enclosure and accessible on the same level, facilitate the implementation of security checks outside the existing buildings, thus reducing the impact of potential attacks. The security of vehicle access points has been increased likewise. An overall plan of the Court's building complex and a diagram of the security enclosure installed at the perimeter are given at the end of Annex 5 (Report to the budgetary authority: 'Updated buildings investment plan 2023-2027').

Some of the works initially planned in the context of the CJ10 project were carried out under Court of Justice services, under the Institution's current budget, and are grouped together under the so-called 'CJ10bis project'. They consisted in increasing the security of pedestrian access between car parks and inside the buildings, and moving bicycle shelters outside the external perimeter enclosure. The security works on access to the buildings from the car parks and moving the bicycle parking spaces were completed in October and November 2022, respectively. The invitation to tender for the supervision system of all security systems for the project is being prepared.

d. Correct application of standards and good administration

In 2022 and as in previous years, the Institution had only had to deal with very limited litigation. This is the result of the attention paid by all its services to compliance with the applicable rules, and the assistance and advice provided by the Legal Adviser for Administrative Affairs.

As regards actions against the Institution, one case was pending on 1 January 2022 and six new cases were served on the Institution in 2022. Four of these cases were closed by a judgment or order in 2022, with a favourable outcome for the Institution. On 31 December 2022, three cases were pending against the Institution.

As regards the handling of complaints lodged (eight in 2022, plus four complaints that were under investigation on 1 January 2022) under Article 90(2) of the Staff Regulations of Officials of the European Union, nine decisions were adopted and one complaint was withdrawn. On 31 December 2022, two complaints were under consideration.

As regards cases relating to complaints brought before the European Ombudsman, one case was pending on 1 January 2022 and three new cases were communicated in 2022. All these cases were settled in 2022 and none led to a finding of maladministration by the European Ombudsman.

e. Request for access to administrative documents and historical archives

In 2022, 27 requests for access to administrative documents (including 23 initial applications and 4 confirmatory applications) and 19 requests to consult historical archive documents relating to 939 files were registered.

In managing the historical archives, the Court works closely with the Historical Archives of the European Union (HAEU) at the European University Institute in Florence. In 2022, the Court of Justice transferred to the HAEU the archives of the Registry relating to 1987. It also made all the necessary preparations for transferring archives relating to the files of cases brought before the Court in 1988 and 1989.

The Court is also represented at the Interinstitutional Group of archives (IIAG).

f. Policy on accessibility to persons with disabilities

Improving accessibility to buildings is a priority for the Court. For example, with regard to upgrading the infrastructure security, particular attention has been paid from the design phase to the fact that the planned constructions effectively ensure accessibility by persons with disabilities from outside, to all facilities and in particular to the different floors of the buildings. A study on the accessibility of public places in already existing buildings has been commissioned from an external firm. The first measures are being implemented.

All evacuation procedures already included a component specifically intended for persons with reduced mobility, in order to ensure that they were safely taken to the assembly points. The training of evacuation teams has been revised to insist on taking persons with reduced mobility into account. In addition, a detailed communication on the evacuation of persons with reduced mobility in the Court's buildings has been prepared and is accessible on the intranet.

An action plan was defined in 2022 to facilitate accessibility to digital tools and information available on the CURIA website or on other IT applications. Actions are currently being implemented such as, for example, performing audits of the CURIA website or IT applications to ensure that they comply with the regulations in force and with accessibility standards. The Court applies an 'accessibility by design' approach for new IT systems, in particular SIGA.

The action plan also includes the use of innovative technologies. In this regard, the Court's Innovation Lab is working on a project to facilitate accessibility for people with disabilities through the use of virtual or augmented reality, which is currently being analysed.

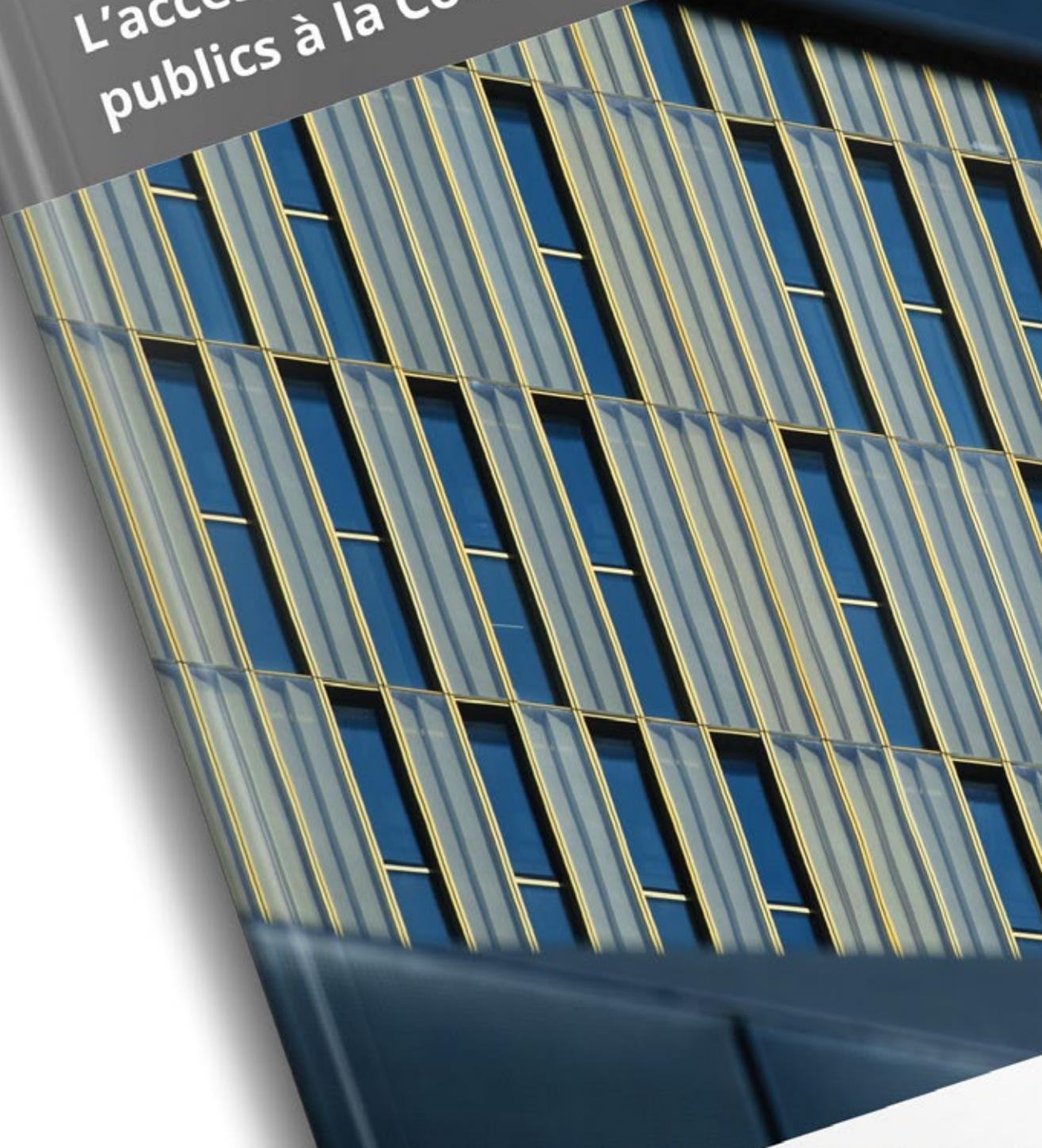
Since March 2022, the Court's standard procurement documents contain a paragraph on the 'Policy for the promotion of equal opportunities', according to which the future contractor undertakes to establish, maintain and promote an open and inclusive working environment that respects human dignity and the principles of equal opportunities. This includes the employment and integration of persons with disabilities as one of the main elements.

A handbook on 'Accessibility in public procurement at the Court' has been prepared and distributed to the Institution's services. It presents the applicable legal framework and proposes various strategies to include accessibility elements in technical specifications and/or in the award criteria of a procurement procedure.



COUR DE JUSTICE
DE L'UNION EUROPÉENNE

L'accessibilité dans les marchés publics à la Cour



IV. RISKS ASSOCIATED WITH COURT SERVICES' OPERATIONS

The occurrence of certain risks would be such as to hinder the proper functioning of the services, or even prevent the performance of tasks entrusted to them.

To address this, the Court has crisis continuity plans for all its services, that it regularly updates. These continuity plans are regularly tested in the context of internal reflections, in particular at the level of operational cells in all departments of the Court, and exercises organised at central level.

The main risks faced by the Institution mainly concern:

1. a major crisis situation;
 2. the inability to cope with an increased workload;
 3. the impossibility to maintain the quality of the work carried out;
 4. the impossibility of complying with deadlines;
 5. the occurrence of fraud or any other inappropriate behaviour;
 6. possible computer malfunctions;
 7. difficulties in acquiring computer equipment;
 8. cyberattacks against computer systems;
 9. difficulties or delays in implementing the SIGA project;
 10. damage to the integrity of persons, data and property;
 11. the lack of staff with the required skills;
 12. incorrect application of the regulatory provisions;
 13. poor implementation of appropriations.
1. As regards **situations of major crisis**, these are risks incurred by the Institution as a whole (epidemic, fire, natural disasters or difficult meteorological conditions, major electrical breakdowns, etc.). As indicated above, in order to cope with them, continuity plans are drawn up, updated and tested. In addition to these strictly internal plans, a special intervention plan is drawn up in collaboration with the Grand-Ducal Government. The services updated them, depending on additional measures to be taken throughout the health crisis to ensure business continuity. The efforts made in the field of new technologies with the acceleration of the Institution's digital transformation, the strengthening of infrastructure and the introduction of new videoconferencing devices facilitating working from home and remote communication have made a substantial contribution to controlling the risks of inaccessibility to the premises in the event of a major crisis.
- On the basis of lessons learned from managing the health crisis, the Institution's internal emergency plan became a new contingency and continuity plan for activities, which should be approved shortly.

2. As regards **handling an increased workload**, the main risk lies in the inadequacy of the human, technical and financial resources available to the Court's services to deal with this, particularly in the very restrictive current budgetary context which limits the Institution's power to obtain additional posts. The current geopolitical situation, and in particular the resulting inflation, substantially increases costs, raising expenditure and makes the budgetary situation even more difficult.

In any event, the Court's services always ensure optimal use of the resources allocated to them, they closely monitor the workload, anticipate future events likely to influence it and identify priorities for dealing with it in the most effective way. The services are thus able to better express their needs and put in place synergies, by continuously streamlining their working methods, ensuring best planning of their work, contributing to the design of new IT tools, thereby intensifying the search for cost-saving measures. The development of new IT tools, in particular the setting up of the Integrated Case Management System (SIGA), new e-Curia modules, electronic signature or the use of digital technologies in the linguistic field, the progressive use of neural machine translation and a significant use of interinstitutional cooperation, should make it possible to better control the risks linked to increased workloads. However, for the time being, these new developments require significant human and financial resources in order to be able to comply with the schedule to commission them. At the translation level, working groups have been set up to examine all avenues for improving the performance of their activities.

3. As regards **quality** maintenance, risks are controlled by establishing structured and regular checks and reporting. Improving and rationalising management tools and methods also contribute to ensuring a high level of quality. Particular attention is also given to recruitment procedures to ensure that new recruits effectively meet the required conditions in terms of knowledge, skills and competences. In a number of areas, the increased use of ever more efficient technological tools provides significant support in a context of limited human resources.
4. As regards the risks associated with **meeting deadlines**, the measures taken by the various services include:
 - for the registries of both courts, the strict monitoring of procedural files, in particular through the development of the e-Curia platform for incoming documents, the development of checklists and the establishment of scoreboards, the use of functional mailboxes, the drafting of internal procedures and the prioritisation of operations aim to reduce, in particular by updating key performance indicators, any risk of incidents in the handling of cases, the continuous search for adaptations to deal with new situations or to honour judicial policy choices decided by the court and the submission of requests for staff increases where necessary to cope with new competences and an increased workload. The Registries started to use in 2022 the internal e-Curia module for the fully electronic management of lodgements, which in particular makes it possible to compile statistics on their processing times;
 - in the field of translation, careful monitoring is put in place at central level, reinforced by constant dialogue with the requesting services. The increased use of neural machine translation also allows for greater control of this risk. The results in 2022 remain satisfactory;
 - in the area of interpretation, regular meetings are organised, in order to better define the real needs for interpretation, and a monitoring tool is used for fixed hearings. Cooperation procedures with the Commission and Parliament are also put in place for structural and ad hoc exchanges concerning the reciprocal provision of interpreters in deficit languages;

- in the Directorate for Research and Documentation, the deadlines for all the Directorate's activities are monitored using databases that allow regular monitoring 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;
 - in order to avoid delays in the publication of case law, close cooperation between the Registries and the Publications Office allows possible problems to be monitored and resolved in a timely manner;
 - in the area of financial verification, the risk of excessive delays, mainly linked to the very high workload, is mitigated by the establishment of priority rules in the handling of files and the introduction of a simplified financial circuit without centralised ex ante verification. The threshold for the application of this simplified financial circuit was further revised in 2022 (for more details see Section VII);
 - in order to comply with deadlines in the case of requests for access to documents, functional mailboxes have been set up and an archiving policy as well as an archive filing plan have been defined as part of the implementation of the new document management system;
 - with regard to the risks associated with meeting the deadlines in construction projects, these are managed according to very strict performance indicators and through the establishment of procedures which, with the assistance of the Luxembourg State, which plays the role of contracting authority for large building projects, guarantee the Court full administrative, technical and financial control of the project. For each project and depending on needs, budgetary and calendar monitoring is ensured through documents formalised between the Court and the State or, where applicable, the co-contractor, and which are regularly adapted (see Annex 5).
5. As for the risks **related to fraud or any other inappropriate behaviour**, these are controlled by the establishment of rules and procedures, in particular as regards security and disclosure of information. In addition to training sessions and awareness of staff upon taking up duties, these rules are subject to regular reminders to staff members. At the level of the various IT applications, rigorous management of access rights based on profiles is put in place, as well as monitoring of connections, including for external providers. In addition, each new IT project is developed taking into account IT security and data protection, in particular personal data from the beginning of the project ('security by design'). As for financial risks, they are mitigated by the existence of a centralised ex ante control and the separation of certain sensitive tasks.
 6. The increasingly intensive use of the possibilities offered by information technology increases the dependence on the quality of IT tools and the stability of the internet connection, which consequently increases the potential impact of the risks associated with **IT malfunctions**.

In order to mitigate the impact of these malfunctions, a new data centre was set up in 2021 within the Institution's buildings. An infrastructure continuity plan is in place that provides for the existence of a back-up site, the introduction of an application redundancy system, the implementation of a progressive technological migration plan, the creation of internal control bodies, the adoption of a new critical incident management procedure and the update of the change management procedure to enhance release quality control.

The future replacement of many applications and software by an integrated case management system (SIGA) based on an adaptive case management tool, currently under development, should also significantly reduce the risks of IT malfunctions and address the obsolescence of some applications currently in use.

Similarly, the establishment of a 'specialists network', involved in the modelling of processes, in the design and implementation of solutions, has contributed to reducing the risk of insufficient collaboration with users of the courts and services.

At the level of IT systems and services provided by other institutions, service level agreements (SLA) and security agreements are put in place with these to ensure adequate levels of quality.

Finally, for applications to be maintained in operational conditions, a service is offered to users consisting of ensuring the proper functioning of applications, rapid intervention in the event of malfunctions, application support and rapid adaptation of applications such as configurations. This service also comes into play in the event of a need to correct data which cannot be carried out by the interfaces made available to users.

7. The current context of geopolitical and economic instability leads to a shortage of materials and a significant increase in prices. In particular, a new risk has been identified regarding the **difficulties for the acquisition of IT equipment** due to the shortage of electronic components (chips), a risk that the Court manages through the advance life-cycle planning of IT applications and systems and strengthening relationships with suppliers.
8. The risk of **cyberattacks against the Institution's IT systems**, which could result in the disappearance or alteration of digital information and the disclosure of confidential information, is taken into account by strengthening the capacity and quality of the means of defence. This also includes the continuous expansion of interinstitutional cooperation with CERT-EU at operational and tactical level, both between teams and between IT systems. A register of specific risks related to cybersecurity has been in place since 2020.

The cybersecurity awareness programme, launched in 2019, continued in 2022. Training sessions cover three areas: social media, mobility and electronic mail. Finally, in relation to IT projects, the Court takes into consideration security risks from the beginning of the projects ('security by design' and 'zero trust network').

The security monitoring of all the Institution's systems is carried out on a daily basis by a team of specialists. The establishment of a preventive alert system resulting from cooperation between the European Institutions and organisations, rapid decisions and coordinated interventions, as well as the excellent reactivity of operational teams largely contributed to achieving the objective of preserving the IT systems from a major incident in 2022. The increase in security weaknesses in IT products prompted the Court's services to intensify their vulnerability analysis, with several audits and penetration tests carried out during the year. Some corrective measures have already been implemented. In addition, an online e-learning course on cybersecurity has been available since 2021.

In collaboration with other institutions and under the leadership of CERT-EU, an action plan has been put in place to strengthen cyber resilience, with the establishment of a 'Cyberattacks' period of duty from the end of February to the end of March, as well as an increase in staff training

on cyber threats. With the new e-learning course on cybersecurity, more than 2 000 employees received training over a few weeks. A phishing test was carried out in April 2022, similar to the one already carried out in 2020, and the Court participated in the first interinstitutional phishing exercise in October. The result of these tests has shown that the awareness campaign has paid off for the Court's staff; in particular, the interinstitutional exercise showed that the Court is one of the institutions with the highest awareness of cybersecurity risks among staff.

An impact study on the new regulations under preparation concerning information safety and cybersecurity has been carried out.

It should also be noted that, throughout 2022, monthly operational coordination and continuous improvement meetings were organised by the Security Unit with the units responsible respectively for operations, planning and security of information systems of the Information Technologies Directorate (ITD), as well as all the services providing the operation and maintenance of interconnected security systems.

Finally, the budgetary authority, in the context of the preparation of the 2023 budget, decided to adopt a comprehensive and coordinated approach to this risk, allowing for a better level of protection, including for smaller and vulnerable institutions. In addition to providing adequate resources to CERT-EU, it also allocated additional posts specifically dedicated to this issue in some institutions, including the Court, which received four additional posts for this area.

9. The risk which would arise from difficulties in the development of the aforementioned SIGA programme constitutes a significant risk for the Institution in so far as it could severely delay or compromise its introduction. The project therefore took into account the possible occurrence of difficulties related to the technologies used and the integration of systems in its preparation and, to prevent these risks, put in place an adequate scope, strategy and governance system to address them effectively. This risk is controlled through the efforts of all ITD services and user services in general, as well as the project team in particular, in order to successfully complete the project. At the technical level, the main complex technical components have already been tested and a new regulation imposing the 'zero trust' has been incorporated into this project.
10. As regards the **protection of the integrity of persons, data and property**:
 - In the exercise of the Institution's judicial functions, particular attention is paid by the Courts, and in particular by the Registries, both during the management of cases and when decisions of the Courts are published/disseminated, to the protection of the identity of individuals and of personal data (for example, by granting anonymity), and to the preservation of the confidential nature of certain data, in particular trade secrets;
 - the risks related to the safety of persons, goods and infrastructure are mitigated by the existence of a continuity plan, in particular by regular evacuation exercises and the continuity plans developed for each service, in conjunction with providers and national authorities, and by the strengthening of security measures in the event of an increase in the alert level. Monitoring by an independent expert of the quality of the services provided by the security firm and a successful encryption of badges, as well as collaboration with the Grand Ducal Police, contribute to risk management. In the field of fire and work safety, risks are mitigated by scrupulous compliance with the regulatory framework and periodic inspections of dedicated installations and systems;
 - with regard to catering, the main risk is that of damage to human health. The risk is taken into account by means of unannounced checks on compliance with hygiene rules, carried out both by the service provider and by the Court's officials and supplemented by audits by an external body. Their recommendations are carefully implemented;

- in terms of information security, risks are mitigated by a wider awareness of those dealing with highly sensitive information in the context of a court case. In order to minimise the risk of early dissemination of information to the outside world, an effective internal procedure has been put in place and tested, in particular to avoid all or part of the legal analysis being compromised before the case is closed. The procedure put in place for confidential orders or judgments (limited number of access to the original text via a file and encrypted files) has been used very effectively on several occasions. In addition, the campaign to raise awareness of the physical security of information implemented in 2020 continued;
- as part of its constant effort to preserve its holdings, the Library continues to apply rigorously the security measures laid down, such as, for example, the securing of books by a magnetic system, the computerised management of loans, the installation at the exit of the reading room of a security portal and strict access control to the reading room and reserves. Library staff have the necessary knowledge to manage fire risk and to combat first-level fire (EPI, ECI).

11. As regards the risks related to **the lack of staff with the required skills**, different actions are taken.

As far as recruitment is concerned, vacancy and transfer notices for vacant posts or the organisation of specific EPSO competitions or internal competitions are rapidly published. Furthermore, staff in the human resources department specially trained in the selection of staff regularly accompany the services in the various recruitment procedures in order to contribute optimally to high-quality recruitment corresponding to the actual needs of the services in terms of the knowledge and skills required of candidates. Actions are also ongoing in collaboration with the other EU Institutions established in Luxembourg with a view to increasing their attractiveness to attract highly qualified staff.

As regards training, the Institution put in place a mechanism for newcomers in order to ensure rapid integration into their service with the addition of more modules and the integration of trainees among the beneficiaries, as well as a continuing training plan addressed to all staff. The plan in question enables the staff of the Institution to develop the skills needed to perform their duties with a high level of quality, to update their knowledge and to adapt to change. Effective skills transfer methods, 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 the services with a view to knowledge transfer in order to ensure the continuity of their operation in the event of long-term absence of key staff. Knowledge sharing practices and documentation of procedures have been put in place in order to ensure the transmission of information and its sustainability.

12. The risks of errors in the application of the regulatory provisions are managed by training and control measures, in particular in the field of public procurement, the regulation of which is particularly complex. The Budget and Financial Affairs Directorate provides a 'helpdesk' service to the services, aimed at standardising the practices and documents used within the Court, thus contributing to the regularity of the operations relating to the award of public contracts. The existence of an Advisory Committee on Public Procurement, 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 having a financial impact also make it possible to mitigate these risks and to standardise best practices. As regards the application of legislation on the protection of individuals in the processing of personal data, a network of staff 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, complaints from staff representatives and the lack of observations by the Court of Auditors in its annual reports from 2010 to 2021 are objective indicators of the effectiveness of the control systems in place and of the control of these risks.

13. As regards the budgetary area, the risks of **poor implementation of appropriations** were properly mitigated by firstly the measured assessment of the appropriations requested when the draft budget was drawn up and, secondly, the regular monitoring of the budget implementation by the services through reporting, which resulted, as in previous years, in a very high implementation rate of appropriations of 98.4% in 2022. As mentioned in the previous point, great importance is attached to providing appropriate training for authorising officers and financial agents 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. INTERINSTITUTIONAL COOPERATION AND COOPERATION WITH MEMBER STATE BODIES

Throughout 2022, the Court continued to optimise the benefits from interinstitutional calls for tenders, whether as a partner or leader, to obtain better market prices and minimise related administration costs.

Furthermore, the Court continues to participate in the usual meetings of interinstitutional groups or networks with a view to greater harmonisation of the application of the rules of the Staff Regulations and the Conditions of Employment of Other Servants and of policies and practices in various fields, such as buildings and security (GIS, GICIL), environmental protection (ECONET, GIME), information technology (CITN, CERT-EU Steering Committee and the Publications Office's FORMATS group), legal documentation as well as developments in search engines aimed at both case-law and Union legislation (GIL, e-Law, e-Justice, EUR-Lex, ACA-Europe), the library (EUROLIB and Interinstitutional Archives Group (IIAG)), information and communication (CEIII, Interinstitutional Online Communication Committee (IOCC), Web Preservation Group), human resources (EPSO, Staff Regulations Committee with a view, in particular, to adopting general implementing provisions (DGE) and other texts applicable to the Staff Regulations), CPQS (interinstitutional body tasked with preparing draft conclusions for adoption by the Body of heads of administration), CPQBF (interinstitutional committee for budgetary and financial issues), equal opportunities and diversity (Intercopec, LuXX EU women's network, permanent interinstitutional working group on equal opportunities and diversity, piloted by the European Parliament), the administration of harassment cases (network of persons of trust for harassment), professional training (Learning Network, reflection group on training, Interinstitutional Working Party (IWP), led by EUSA (École d'Administration / School of Administration)).

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

It is within the CITI framework that interinstitutional tools used on a daily basis are developed, maintained and funded, such as ACI-Webcalendar, DocFinder, Euramis, IATE, Quest or eTranslation (a translation support tool that works at the Court in neural version replacing its statistical version). 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 make it as adapted as possible to the Court's needs.

On 18 November 2022, the Court hosted an event that brought together the heads of unit of all the translation services of the EU institutions and agencies for an annual day of reflection and exchange. This meeting with around 130 participants, held in person for the first time since 2018, was under the auspices of the European Commission, which had designed the programme, and the Court, which offered its hospitality. The theme of this meeting was in particular the challenges of management in the era of hybrid work.

As regards interpretation, a memorandum of understanding was signed with Parliament and the Commission to share the financial burden of purchasing a Remote Testing service and a dedicated helpdesk for interinstitutional accreditation tests for freelance interpreters.

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

The institution cooperates with the Commission in the context of outsourcing certain activities relating to the administration of staff, in particular in the fields of transfer of pension rights, severance grant and unemployment allowance.

The Court also continued its close cooperation with the Publications Office, both as a provider of information and as a user of services (publishing brochures and leaflets, advanced technical services, publication of the European Court Reports on the website of official publications of the institutions of the European Union EUR-Lex).

In addition, since October 2019, the Court has been hosting the EPSO Luxembourg antenna in its building complex and has made available the meeting rooms necessary for the organisation of assessment centres for candidates for a post in Luxembourg, in particular in the field of translation.

Since September 2022, the Court holds the chairmanship of the Inter-institutional Committee for Digital Transformation (CITN), with a two-year mandate. Therefore, the Court chaired the Emerging Technologies Subgroup in 2022. The main objective of this subgroup, set up in October 2020, is to keep abreast of technological developments and promote a common approach in this area within the European Union institutions and agencies. The work of the group aims to cover the areas of artificial intelligence, blockchain, robotic process automation and quantum computing.

A meeting of the CITN was held at the Court on 15 and 16 June 2022. These two working days, the results of which have been very positive, have highlighted the need to strengthen training in emerging technologies, not only for IT professionals, but also managers and users, so as to better integrate innovation into organisational thinking. To this end, a European Academy for Emerging Technologies (EU Academy for Emerging Technologies) will be set up. Its first work will focus on artificial intelligence. Three plenary meetings of the Artificial Intelligence Network and numerous workshops were held dedicated to the cases analysed.

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

In December 2020, Commissioner Hahn invited the Secretaries-General of the institutions and bodies based in Luxembourg to reflect on the actions that could be envisaged to make the Luxembourg site even more attractive. In response to this invitation, a high-level interinstitutional group (GHNA) was created in 2020 to examine solutions likely to increase the attractiveness of the Grand Duchy of Luxembourg as a site hosting the institutions and bodies of the European Union. This group, which consists 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 providing answers to the difficulties of the Luxembourg site in terms of attractiveness compared to certain cities hosting the seats of other institutions and bodies of the Union.

Within this group, four working groups were set up to reflect on the following topics: staff policy, poles of excellence, life in Luxembourg and communication. The conclusions of these groups were brought together in a draft report, which was adopted by the GHNA in June 2021 and which provides for the implementation of 12 actions in the aforementioned areas and the adoption of an action plan at the end of 2021. The Court ensures the coordination of the group concerning staff policy and the steering of actions concerning the organisation of specific EPSO competitions for the Luxembourg site, an action that has been concluded. This type of competition is now possible.

The other collaborations with other organisations which are worth mentioning are summarised below:

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

The two institutions remain in constant contact for the exchange of information concerning the current and relevant case-law of the two Courts.

- **Collaboration with ACA-Europe:**

The Court actively participates in the work of the ACA-Europe (European association that groups the Court and the Councils of State or Supreme Administrative Jurisdictions of the Member States of the European Union) as an observer member. In particular, the Court is a member of the Steering Committee and participates in the Documentation Working Group of this association.

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

As an observer in the Joint Committee on Constitutional Justice of the Venice Commission, the Court prepares, on a quarterly basis, contributions on the case-law of the Court of Justice in constitutional matters to feed into the CODICES database of the Venice Commission.

- **Collaboration with the European Network of Councils for the Judiciary:**

The Court is an observer member of the European Network of Councils for the Judiciary (ENCJ). In this capacity, it is informed of the work of this network and will occasionally attend some of the meetings organised by this Network.

The following table summarises the main service agreements with the other EU institutions in 2022:

Service agreements with other EU Institutions in 2022			
Institution concerned	Nature of the service	Budget line	Cost [EUR]:
European Commission	Development and maintenance of Euramis, eTranslation, Quest II and DocFinder tools	1406.0 Interinstitutional cooperation activities in the linguistic field	328 938.64
Translation Centre	IATE tool development and maintenance	1406.0 Interinstitutional cooperation activities in the linguistic field	62 864.79
European Commission	Services to be paid to the Commission's DG SCIC (Conference Interpreting Agent Days)	1406.2 Conference interpreters	4 235 000.00
European Commission	Day care centres managed by the Commission	1654 Early childhood centre	2 248 108.32
European Commission	Data centre hosting	210 Equipment, operating costs and services related to data-processing and telecommunications	315 722.89

European Commission	E-Prior Services (including eSubmission)	210 Equipment, operating costs and services related to data-processing and telecommunications	45 000.00
European Commission	SYSPER II	210 Equipment, operating costs and services related to data-processing and telecommunications	728 474.00
European Commission	EU Learn	210 Equipment, operating costs and services relating to information technology and telecommunications	69 090.00
European Commission	NAP and Sysper Rights	210 Equipment, operating costs and services related to data-processing and telecommunications	88 498.80
European Commission	EU-CV online	210 Equipment, operating costs and services related to data-processing and telecommunications	15 200.00
European Commission	NDP	210 Equipment, operating costs and services related to data-processing and telecommunications	50 885.15
European Commission	Contribution to public procurement	210 Equipment, operating costs and services related to data-processing and telecommunications	21 198.00
European Commission	CERT-EU	210 Equipment, operating costs and services related to data-processing and telecommunications	199 572.00
European Commission	Historical archives	272.00 Library and historical archives expenditure	123 317.00
Council	SAP SOS II	210 Equipment, operating costs and services related to data-processing and telecommunications	506 480.00

European Commission	CAS – Social Activities Committee and Foyer	1632.1 Social contacts between members of staff	127 198.79
Court of Auditors	CAS – Social Activities Committee	1632.1 Social contacts between members of staff	129 904.00
European Parliament	Early childhood centre	1654 Early childhood centre	681 183.68
Publications Office	Production of publications	2741 General publications	232 186.96
European Commission (Joint Research Centre)	Media monitoring and production of the Press Panorama	2742 Other information expenditure	60 000.00
European Commission	EU-sign	210 Equipment, operating costs and services related to data-processing and telecommunications	103 536.00
European Commission	IT cloud	210 Equipment, operating costs and services related to data-processing and telecommunications	19 224.74
European Commission	HR Reporting and Analytics Services (Sysper II module)	210 Equipment, operating costs and services related to data-processing and telecommunications	168 429.00
Total:			10 560 012.76

VI. USE OF BUDGETARY AND HUMAN RESOURCES

Two specific annexes provide further information, on the one hand, on the use of budgetary resources (see Annex 'Report on budgetary and financial management') and, on the other hand, on the use of human resources (see Annex 'Staff policy statement'). Therefore, only a summary of the implementation of appropriations and the use of human resources is presented in the tables below.

A. Implementation of appropriations

in millions of EUR

Budget chapters	Final appropriations 2021	% implementation 2021	Final appropriations 2022	Commitment of appropriations	% implementation 2022
10 Members of the institution	37.1	96.5%	39.5	38.1	96.6%
12 - Officials and temporary staff	266.9	99.4%	286.8	282.8	98.6%
14 - Other staff and external services	26.9	98.3%	30.1	29.6	98.3%
16 - Other expenditure relating to persons working with the Institution	6.5	87.4%	6.3	5.6	88.3%
SUBTOTAL TITLE 1	337.3	98.8%	362.7	356.2	98.2%
20 - Buildings and associated costs	72.8	99.6%	69.2	69.2	100%
21 - Computer technology, equipment and furniture	30.2	98.2%	31.9	31.7	99.3%
23 - Current administrative expenditure	1	67.5%	1.3	0.9	75.2%
25 - Meetings and conferences	0.5	43.2%	0.5	0.5	90.3%
27 Information: acquisition, archiving,					
37 - Expenditure relating to certain institutions and bodies	2.2	92.3%	2.3	2.1	91%
SUBTOTAL TITLES 2 AND 3	106.7	98.4%	105.2	104.4	99.3%
100 - Provisional appropriation	0	0%	0	0	0%
TOTAL	444	98.7%	467.9	460.5	98.4%

Source: Report on budgetary and financial management for the financial year 2022

Overall, the implementation rate for the appropriations established in 2022 was again very high (98.4%), as in 2021 (98.7%).

B. Allocation of posts in the establishment plan

The allocation of posts in the establishment plan is set out in the table below:

Sector of activity	2022	2022	
	Number of posts	%	
Private offices	552	26	Private offices of Members of the Court of Justice and Members of the General Court
Registries	123	6	Registry of the Court of Justice and Registry of the General Court
Judicial activity support	141	7	Research and documentation, library, publication and hearings support
Language services	983	47	Translation (895); Interpretation (76); Projects and Terminological coordination (15)
Administrative, logistical and IT support services	311	14	Administration, Protocol, Communication, Information Technology, Legal Adviser, Internal Audit, Staff Committee
TOTAL	2 110	100	

The distribution of posts by sector of activity remains similar to that of previous years, with almost 86% of posts devoted to judicial and linguistic activities.

Regarding the occupancy rate for posts, in 2022 it remained at a very high level (around 96.5%), due to a sustained judicial activity requiring optimal and timely recruitment of all posts that had become vacant.

VII. FUNCTIONING OF THE INTERNAL CONTROL SYSTEM

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

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

- an internal control framework, based on the COSO 2013³ reference, the application of which by the services is evaluated annually;
- the existence of a centralised ex ante verification service, which carries out ex ante controls on all financial transactions at the Court, as well as verifying officers within several authorising departments who carry out initial checks on the merits of each expenditure;
- a high-performance integrated budgetary and accounting management system which facilitates the control and monitoring of operations;
- assistance and advisory tasks carried out by the Directorate for the Budget and Financial Affairs in matters relating to the application of the Financial Regulation and, in particular, in matters relating to public procurement, making it possible to reduce the risk of irregularities and/or errors in the management of appropriations;
- continuity in risk analysis and management exercises for the Court as a whole, providing an overview of the risks it is facing;
- carrying out ex post controls, on the basis of an annual programme approved by the authorising officer by delegation;
- an internal audit service, enjoying complete independence in the conduct of its audits, which gives the Institution an assurance as to the degree of control of operations carried out for the implementation of the budget and provides it with advice to improve the conditions of implementation of these operations and to promote sound financial management.

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 associations in the accounting and audit fields with the aim of developing risk management, internal control and anti-fraud guidelines.

- In 2022, the evaluation on the establishment and proper functioning of the internal control framework produced positive results. The exercise has shown that the internal control framework in place at the Court functions well. No anomalies were identified. At the same time, several avenues for improvement for the future were identified.

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

- an accounting and financial management application (SOSII-SAP) which has been developed in close interinstitutional cooperation with the Council, the Court of Auditors and the European University Institute in Florence, thereby providing the Court of Justice with access to an effective management tool at the lowest possible cost; and
- the centralised management of ex ante verifications, resulting in a saving of human resources dedicated to control tasks. The existence of *de minimis* thresholds, as explained in the specific section on ex ante verification below, ensures a good cost-benefit ratio;
- the rapid and appropriate follow-up to the advice and recommendations of the internal auditor or to the observations of the Court of Auditors.

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

• Ex ante verification

Since 2016, a simplified circuit (without centralised ex ante control) has been in place for certain very low value transactions, thus making it possible, in a context of ever increasing workload, to concentrate the work of the centralised ex ante verification service on more complex operations or on those with greater financial risks. Following a risk analysis, the ex-ante verification activities were further streamlined and the thresholds applied to determine the application of this simplified circuit were further adapted in 2022⁴.

Ex ante verification concerns not only financial transactions, including commitments and payments, but also any human resources decisions with financial implications (determination of pecuniary entitlements at the time of entry into service, granting of allowances, etc.).

The simplified verification workflow has made it possible to control the ex ante verification workload, which however remains very high: in 2022, 12 332 files (10 830 financial transactions validated in the accounting and financial management system SAP, 1 393 human resources decisions and 109 other files with a financial impact) were verified by a team which was able to count, in 2022, on 7 FTEs. The average time taken to process files in the SAP system was 5.09 days. The percentage of transactions rejected in the SAP system was 3.55%. Furthermore, no substantive disagreement between the authorising officer by delegation and the Financial Assistance, Budget and Verification Unit was recorded during the financial year 2022.

4] Centralised ex ante control now verifies all financial transactions exceeding EUR 3 000. Random checks are carried out on transactions below EUR 3 000. Invoices from the Directorate-General for Multilingualism (mainly related to freelance translation) are no longer subject to centralised verification. The vast majority of human resources decisions with financial implications are also subject to ex ante control.

- **Ex Post Verification**

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

During 2022, an ex post control on staff remuneration was carried out. This ex-post control did not show any errors with financial impact.

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

Participation in inter-institutional working groups on the subject was pursued in an efficient and successful manner, particularly in the area of 'green procurement' (green public procurement to encourage a sustainable consumption model).

The Court uses the Inter-Institutional GPP (Green Public Procurement) Helpdesk. The GPP Helpdesk provides rapid, effective, direct and practical assistance, with the objective of helping the Institution to integrate ecological criteria into procurement procedures, in order to contribute to reducing the impact on the environment and thus promoting a sustainable consumption model. This service is well known to authorising departments and its consultation has been steadily increasing since its launch. The use of the GPP Helpdesk by any authorising service preparing a public procurement procedure is systematically encouraged. Services must also assess ex ante the ecological performance of any contract worth more than EUR 15 000.

The Financial Assistance, Budget and Verification Unit provides the services with an ad hoc support for any public procurement issue. In addition, it also carries out, at the request of the authorising departments, a prior examination of the documents relating to the procurement procedures before the launch ('pre-referral'), with the aim of finalising the analysis of each case within 10 days. In 2022, 15 complete procurement files were examined, with an average processing time of 4.3 calendar days (2.7 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, on the one hand, that the measures adopted by the services to manage the risks identified are proving effective and, on the other hand, that the main high risks identified correspond to areas where particularly significant efforts are 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 or her findings and recommendations and the Institution shall forward annually to the Parliament and the Council a report containing a summary of the number and type of internal audits carried out, the recommendations made and the action taken on these recommendations.

The Internal Auditor's annual report records the main missions carried out in 2022:

- Audit of bank account management, treasury and payment execution
- Audit of insurance contracts and risk coverage
- Dissemination of sustainability information

Furthermore, the Internal Audit Service continued to provide advice in a number of areas of activity and accompanied the reflection carried out by all the Institution's departments with a view to optimising the use of the human and financial resources allocated to the Court.

In addition, the annual internal audit report shows that satisfactory follow-up is given to the recommendations made. Their regular monitoring makes it possible to assess the appropriateness, effectiveness and timeliness of the actions undertaken by the services audited and to identify and report on the improvements made. This follow-up showed that the majority of audits carried out before 2022 can be considered closed and that several actions have already been implemented by the services, or are ongoing, to provide an appropriate response to the audit and advisory missions finalised in 2022. A high percentage of acceptance of the recommendations made and a rapid implementation rate are the main indicators of the performance of the internal audit. In addition, the follow-up given 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 the principles of sound financial management and performance.

VIII. OBSERVATIONS MADE IN CONNECTION WITH EARLIER DISCHARGES OR REPORTS OF THE COURT OF AUDITORS

The mission charter of the authorising officer provides that the authorising officer by delegation includes, in his annual activity report, remarks concerning the follow-up to the observations made by the Court of Auditors and/or by the discharge authority.

A. Observations made by the Court of Auditors

It is important to note that the Court of Auditors stated in paragraph 9.7 of its last annual report on the implementation of the budget concerning the financial year 2021 that no particular issues concerning the Court had been detected.

The results of the checks relating to the financial year 2021 thus confirm, as since 2010, the absence of observations from the Court of Auditors.

B. Observations made by the discharge authority

At the time of the preparation of this Annual Activity Report, the discharge procedure in respect of the implementation of the Court's 2021 budget has not yet been formally completed. However, it is at a relatively advanced stage, since the discharge report, amended and voted on at the meeting of the Committee on Budgetary Control on 28 February 2023, will be put to the vote in Parliament's plenary in May.

At this stage, the draft resolution voted by the Committee on Budgetary Control refers, first of all, to the findings of the Court of Auditors concerning the financial year 2021, welcoming the fact that it has not identified any specific problem concerning the Court of Justice (paragraph 4).

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 high budget implementation rate in 2021 (98.7%), and the average payment period which, in 2021, continued its downward trend with a decrease of around one day compared to 2020 to 24.63 days, as well as the equally high job occupancy rate (97%) (points 6, 7 and 18);
- measures designed to address the effects of the COVID-19 pandemic that allowed the Court to maintain a high level of performance, thanks to the lessons learned from the use of home-based work, communication techniques and a videoconferencing system allowing both courts to hold remote hearings, and the fact that the Court received the award for good administration awarded by the European Ombudsman in the category 'Excellence in Innovation and Transformation' (point 11);
- the fact that the Court exceeded the average of the EU institutions as regards the representation of women in positions of responsibility within the administration (women occupying 54% of administrators' posts and 40% of middle and senior management posts (point 19);
- the Court's efforts to achieve geographical balance by encouraging applications from under-represented nationalities (point 20);
- the overall approach adopted by the design of a new people management strategy and, in particular, specific initiatives relating to equal opportunities, diversity and inclusion (points 21 and 22);
- additional resources deployed to prevent and follow cases of professional exhaustion, such as increasing the hours of consultation of the counselling psychologist and training organised for managers to improve their management skills, to help them allocate the workload fairly and avoid discrimination (point 24);
- specific measures to ensure the physical and mental well-being of staff taking into account the specific remote working conditions imposed by the Covid-19 pandemic and the attention paid to the mental health of staff during the 2021 lockdown period (points 25 and 27);
- initiatives adopted to improve the conditions for staff members working at home, such as the home office package and technical assistance, which includes videoconferencing, the provision of specific training, the dissemination of good practices and the establishment of a telephone service via the Institution's secure network (point 26);
- the adoption, on 29 November 2021, of an amending decision relating to traineeships, according to which all trainees must be remunerated by the Court, with the exception of those paid by other bodies, and the progress made by the Court of Justice in reducing the percentage of unpaid traineeships (point 28);
- social dialogue between the administration and the staff representatives and the launch of surveys aimed at obtaining the opinion of staff members on many relevant topics, such as teleworking arrangements and autonomy at work (point 29);
- the Court's efforts to accelerate and broaden the digitalisation of its activities and procedures with the aim of strengthening direct support for judicial activities and addressing the unprecedented level of workload, in particular at the Court of Justice (point 38);

- the progress made in 2021 in the development of the Integrated Case Management System (SIGA) (point 39);
- handling cyberattacks by avoiding significant consequences and the Court's active role in supporting initiatives to strengthen cybersecurity across the Union institutions, bodies, offices and agencies within the framework of the Steering Committee of the Interinstitutional Emergency Response Team (CERT-EU) (point 40);
- the fact that the Court uses internally hosted systems based on open source technology as a first choice to deal with sensitive judicial content and that, when cloud solutions are deployed, the Court designs special technical measures and negotiates contracts with high data protection and security requirements (point 41);
- the fact that the Court envisages using more neutral document and data exchange formats in order to promote 'non-proprietary' automated office tools and increase transparency (point 42);
- the follow-up measures taken by the Court to align with the recommendations of the European Data Protection Supervisor (point 45);
- the detailed report to the budgetary authority on the Court's building investment plans (point 46);
- the adoption by the Court of an environmental policy, publicly available on the CURIA website and the Court's registration in the EMAS system (since 2016), as well as its participation in several interinstitutional environmental committees, where good environmental practices are exchanged and contributions have been provided to develop common environmental strategies to reduce CO₂ emissions and achieve financial synergies and numerous initiatives adopted to promote the sustainable mobility of its staff (points 50 and 53);
- the significant reduction in electricity, water and paper consumption, catering and office waste and greenhouse gas emissions in 2021; the installation of photovoltaic panels in the institution's buildings and the deployment of 32 water fountains, commissioned in 2022, to reduce the consumption of single-use plastic bottles (point 51);
- the commitment shown by the Court to find coordinated approaches to address the multiple challenges posed by the Covid-19 pandemic (point 54);
- cooperation with the European Anti-Fraud Office (OLAF), the EDPS and the European Ombudsman, as well as active exchanges with the European Public Prosecutor's Office for knowledge-sharing purposes, including the Court's proposals concerning the specific training of prosecutors in order to familiarise themselves with the activities of the Court (point 56);
- the increasing role of the e-Curia application as a communication portal between the two courts and the parties and their representatives, and the increase in the number of accounts opened and the percentage of procedural documents lodged via that application, which shows users' confidence in the usefulness and reliability of e-Curia (point 62);
- the increasing presence of the Court on social media, the preparation of communications tailored to legal professionals by means of thematic sheets and monthly bulletins compiling summaries of the case-law and the participation of the Court in the EU Voice project launched by the EDPS to interact with the public and which aims to promote the use of decentralised social networks, which are free of charge and open, as an alternative to ownership (points 63 and 64);

- the progress made in the continuous dissemination of judgments delivered and hearings, which, on the basis of the technical work carried out in 2021, entered a pilot phase at the beginning of 2022, with the first hearings of the Grand Chamber of the Court of Justice being retransmitted online since April 2022 (point 65);
- the Court's commitment to multilingualism (point 66);
- the Court's initiative to propose a virtual programme of visits to European citizens in order to make themselves more accessible to the public (point 68).

As regards the other observations / recommendations relating to the activities of the services, the Court, as always, considers them with the greatest attention, notably the encouragement of a more balanced representation of the Member States among its staff, in particular those of the Member States that acceded to the European Union after 2004 (point 20), the high expectations of the results of the interinstitutional high-level group, created in 2020, to examine the solutions likely to increase the attractiveness of Luxembourg and the Parliament's request to report to it on the measures taken to promote the implementation of the envisaged proposal for the provision of temporary accommodation (point 23), the Parliament's concern about the increasing number of burnout cases and the request to continue monitoring the impact of the steady increase in workload on the well-being of its staff and the use of staff satisfaction surveys to better understand the origin of the problem and the impact of the measures adopted, as well as the encouragement to continue its policy of guiding and involving managers in safeguarding well-being of staff and to continue to evaluate the incidence of the ever increasing workload to better understand the root of the problems and to explore potential solutions (points 24 and 29), the recommendation to engage in internal effective communication with staff about the benefits of available forms of working times arrangements to better clarify options open to all staff members (point 25), and to restrict where possible the paper consumption and to pursue the objective of a paperless institution (point 52).

As regards the Parliament's invitation to the Court to pay for all traineeships, it should be pointed out that at the end of 2022, and following the amendment of the general mechanism for the reception of trainees, which took place at the end of 2021 in order to guarantee remuneration for all trainees with the exception of those paid by other bodies, the Court increased the percentage of paid traineeships from 68% in 2021 to 79% in 2022 and should, in 2023, once the transitional period provided for in the new provision is over, remunerate all traineeships with the exception of those remunerated by other bodies (point 28). As for the Parliament's remark concerning the delay in the adoption of the new code of conduct for staff members that should have been completed by the end of 2021, it should be clarified that the work is in the process of being finalised and that the new code will be adopted very soon (point 33).

The Court also takes note of the invitation to conduct surveys on staff awareness of the ethical framework to verify the perception of the current ethical framework and to increase the participation of staff members in training on this framework. In this regard, it should be noted that ethical training is now mandatory for all newly recruited staff and a large number of services have already invited all their existing staff to this training (point 34).

The Institution also takes note of the request to stop using external companies which, according to the University of Yale's ranking, continue to operate in Russia (point 37), of the encouragement to regularly carry out risk assessments of their IT infrastructure and to ensure that their cyber defences are regularly subject to audits and tests (point 40), and the further development of e-Curia functionalities (point 61).

The Court will also step up its communication efforts to strengthen the link with the public and increase transparency (points 58 and 65) and inform the Parliament, as desired, of how artificial intelligence could be used in the performance of its activities (point 44).

As for the points concerning Members of the courts (points 30, 31 and 32), the Parliament welcomes the adoption of their new Code of Conduct that entered into force on 7 October 2021, and notes that it focuses on declarations of interest (although it regrets that they remain declarations of honour), on their periodic update upon each change of circumstance and at least every three years, as well as their publication on the CURIA website, as from the end of 2021. The Parliament also points out that the prevention of conflicts of interest is specifically covered by the new provisions and it shares the Court's view that the strict approach adopted is intended to strengthen the public's confidence in the independence of the judiciary of the European Union.

The Parliament also welcomes the consolidation in a single decision, adopted in March 2021, of the Court's internal rules governing travel, missions, cars and the use of Members' chauffeurs, as previously set out in various complementary decisions. It considers that this will simplify the implementation of the rules and will offer a more transparent framework in this respect. The Parliament also welcomed the decision at the end of 2021 to publish the Curriculum Vitae of Members, including additional elements such as honorary positions or titles awarded and membership of foundations. With regard to the publication of information concerning the external activities carried out by its Members, the Parliament takes note of the appropriate level of transparency and highlights that Members are expected to devote themselves fully to the performance of their duties within the Court and may carry out external activities only if they are linked to the performance of their duties and have been the subject of prior authorisation.

The Parliament encourages the Court to continue its analysis of how to achieve a rebalancing of the workload between the two courts (point 16).

The Court also notes the Parliament's remark concerning the importance of rectifying gender imbalance among judges and welcomes the fact that the President of the General Court sent a letter on 26 March 2021 to the President of the Conference of the Representatives of the Governments of the Member States concerning the expiry of the term of office of 26 judges of the General Court in order to underline the importance of ensuring gender balance within the General Court (point 17).

In general, the Court is keen to implement the recommendations of the discharge authority as quickly as possible and confirms both its spirit of 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, with a particular emphasis on gender balance within the Institution. 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 2022, **2 254 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	1 300	58%
Temporary staff	774	34%
Contract staff	180	8%
TOTAL	2 254	100%

DISTRIBUTION OF STAFF BY FUNCTION GROUP		% of the Institution's staff
AD	1 274	56%
AST	719	32%
AST/SC	81	4%
CS	180	8%
TOTAL	2 254	100%

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

21-29	6%
30-39	17%
40-49	41%
50-59	30%
60-67	6%

3. Recruitment and occupation of posts

3.1 Permanent posts

The Court sets itself a twofold objective each year 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, as far as possible, with staff who are officials.

The efforts made have led to a very high rate of occupation of posts in all services (approximately 97% on average in 2022), notwithstanding certain difficulties which have a direct impact on recruitment procedures, such as the low level of the basic salaries for entry grades with regard, in particular, to the cost of living in Luxembourg or more limited opportunities for career progression in Luxembourg due to the lesser number of institutions located there compared to Brussels.

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 552.

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: (i) where an official is seconded in the interest of the service, the official's post being retained for his or her reinstatement, and (ii) 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 271, 24 of whom were engaged to replace seconded officials.

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 under Article 3a of the CEOS), these persons are entrusted with manual or administrative support service tasks. At the end of the financial year, 84 members of the contract staff were in service at the Court 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 covered by Article 3b of the CEOS), these persons are recruited to replace officials or members of the temporary staff who are temporarily absent (for example, because of maternity leave or a long-term illness) 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. At the end of the financial year, 96 members of the 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	688	
AST	552	
AST/SC	56	
CS	65	
TOTAL WOMEN	1 361	60 %
MEN		
AD	586	
AST	167	
AST/SC	25	
CS	115	
TOTAL MEN	893	40 %
GRAND TOTAL	2 254	100 %

These statistics and, in particular, the fact that 54% of employees in the AD function group are women, reflect the Institution's engagement in the area of equal opportunities and demonstrate the success of the measures taken in order to make it easier to reconcile work and family commitments.

With regard to management posts specifically, the occupancy rate by women as at 31 December 2022 was 40% for senior management and 40% for middle management, as shown in the table in Annex 3 to this report illustrating the distribution of management posts by nationality and gender. A comparison between the occupancy rates of women in management posts in 2018 and 2022 shows an upward trend in the representation of women in these posts (37.5% in 2018 and 40% in 2022).

In 2022, the Institution implemented the following actions in the fields of equal opportunities, diversity and inclusion:

- raising awareness, among new members of staff, of aspects relating to these fields;
- integration of the concepts of equal opportunities and diversity in general skills training;
- addition of a training module in the CURIA training register specifically dedicated to unconscious bias;
- monitoring of the work on diversity and inclusion at interinstitutional level.

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 closely works with the European Personnel Selection Office (EPSO), together with the other EU institutions, in order in particular to ensure balanced representation of the nationalities of the Member States among its staff.

The geographical distribution of staff as at the end of the financial year is set out in the table in Annex 4 to this report.

6. Career management

6.1 Horizontal mobility

The Court encourages horizontal mobility within the Institution, giving priority to filling posts by transfer within the Institution. To that end, the DRHAP assists the Institution's services during recruitment procedures to enable them to benefit from high-quality recruitments, drawing as far as possible on the pool of knowledge and skills available from the Institution's staff.

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 270 officials in the 2022 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 abovementioned rates.

In addition, in the context of the certification procedure under Article 45a of the Staff Regulations, 3 officials in function group AST were selected to participate in the training programme organised by the European School of Administration in 2022 and 2 officials previously selected passed the certification exercise in the same year. Of a total of 37 officials selected since 2005 to participate in such a programme, 24 have successfully passed the certification and have been appointed as administrators.

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 due to the fact that a percentage of its staff aspires to a career in another 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 staff from other institutions, particularly in the field of law.

Out of 155 vacancy notices published in 2022, 126 recruitment procedures were opened to officials from other institutions. 8 officials were transferred to the Court. In addition, 27 officials from the Court were transferred to other institutions.

7. 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, namely: 1 Head of Unit post (AD 12), 17 lawyer-linguist posts (AD 7), 1 management assistant post (AST 3), 2 proofreader posts (AST 3), 1 secretarial post (AST 1) and 2 permanent interpreter posts (AD 7). In 2022, 15 posts out of the 24 planned posts were occupied.

8. Lifting of health restrictions at the Court and entry into force of the new home working regime

The year 2022 was marked by a generalised return of staff to the premises of the Institution, taking into account the lessons learned and integrated into the management of human resources following the health crisis. The institution has thus put in place a new hybrid working regime enabling staff in the services and registries to perform part of their work from home.

In the context of these changes, the Institution's objective was to:

- maintain the possibility of working partly from home (on the basis of the good results, in particular in terms of staff performance, of this working arrangement during the pandemic), also in order to enable staff to better reconcile professional and private life, while at the same time reinforcing the social interactions within the Court's premises;
- support the heads of department in the management of this new hybrid working regime by encouraging a more flexible and supportive management approach, focusing on building relationships of trust and strengthening autonomy;
- raise awareness among line managers of the importance of work-life balance;
- introduce paperless procedures and digital workflows for the sending and validation of documents by the competent authorities, in particular with regard to procedures relating to human resources, in order to adapt them to the new hybrid working arrangements;
- ensure that staff training and skills development activities are continued by maintaining a diverse training offer, including face-to-face courses, online courses and e-learning self-training modules;

- actively participate in interinstitutional meetings in order to draw inspiration from the decisions and practices of the other institutions and the lessons learned to establish effective post-Covid operations.

9. Health and well-being at work

Committed to the health and well-being of its staff, the Court provides the necessary communication on, and raises awareness of, matters relating to hygiene, health and well-being at work.

In the context of the health crisis, in 2022 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. 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 the functions are carried out.

Until May 2022, the medical service carried out rapid tests for the detection of SARS-COV-2 on its premises. The medical service then distributed self-test kits, mostly for contacts and staff with symptoms, to detect and isolate people infected with SARS-COV-2. Furthermore, the medical service continued to reimburse 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 throughout 2022 by means of individual consultations. In the light of the growing demand for support from staff members facing personal and professional difficulties in the context of the health crisis, the number of hours provided by the psychologist was increased compared to the previous years. In addition, meetings in the presence of the psychologist were organised with the Heads of Service to prepare for the staff's return to the premises as from 1 May 2022.

For a large part of 2022, the Court's social worker assisted pensioners from all the institutions established in Luxembourg who, following their retirement, continued to reside in the Grand Duchy and the greater region. However, this assistance function for pensioners from the other institutions was abolished in October 2022 in order to enable the Court's social worker to focus her work on the active or retired staff of the Institution by providing support and advice on, inter alia, family benefits, housing, childcare facilities and other social matters. As of October 2022, the other institutions based in Luxembourg took over this social assistance role for their own pensioners.

A decision on reasonable accommodation facilitating access to, or the pursuit of, employment for disabled persons entered into force on 1 November 2022. It is aimed in particular at officials, temporary and contract staff, trainees or any candidate in the context of a selection procedure organised by the Court. Any person with a long-term physical, mental, intellectual or sensory impairment may thus, after an examination on a case-by-case basis, benefit from arrangements such as specific equipment or adapted working hours.

10. Working conditions

Due to the large number of staff working remotely until the end of April 2022 in the context of the pandemic, and the entry into force, on 1 May 2022, of the remote working arrangements allowing the Court's staff to work remotely part of the time, in 2022 the use of working arrangements other than full-time work did not return to its 2019 levels.

In 2022, the number of requests for part-time work was similar to that in 2020 and did not equal the high number of requests for part-time work received in 2019. This finding can be partly explained by the fact that the possibility of working from home, which was maintained through the hybrid working regime, has led to a better reconciliation of work and private life.

It should be noted that requests for parental leave, family leave and part-time work on medical grounds increased in relation to 2021, but did not reach the levels observed in 2019, with the exception of part-time work on medical grounds, for which significantly more requests were received in 2022 compared to 2019.

Working arrangements	2022	2021	2020	2019
Part-time	281	266	282	492
Part-time on medical grounds	89	49	58	60
Parental leave	291	283	314	442
Family leave	7	2	11	42

The flexitime regime was suspended in March 2020, following the introduction of the generalised remote working arrangements.

Regarding the use of the time made available by staff members working part-time, it should be noted that the Court uses the corresponding remuneration appropriations in order to recruit temporary staff.

Two elements should be highlighted for 2022:

- At the end of 2021, the Institution adopted a new decision on half-time work on medical grounds, which enables a gradual return to work after a long-term illness, but also after a surgical operation or accident that was not followed by sick leave. This new decision on half-time work on medical grounds made it easier, in particular, to take annual leave under this working arrangement. In the light of the arrangements already in place, the implementation of this decision in 2022 was carried out smoothly and improved the conditions in which the colleagues concerned were able to return to work.
- The Court offered staff members in its services and registries the possibility, between July and December 2022, of working for 10 working days away from the place of employment. This option, proposed on a pilot basis, was evaluated at the end of the testing period by the Heads of Service, who concluded that this option was likely to provide greater flexibility in the management of the service and to facilitate certain standby duties.

11. 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 are now managed in the HAN/ARES document management system. Since 2022, the HAN/ARES system has been used for the majority of ethics-related requests (including requests for authorisation to engage in an outside activity, declarations on publications and declarations of an occupational activity after leaving the service) as well as for proposals for the determination of pension rights.

As regards the European Commission's SYSPER II personnel management system, the Court has been using its *HR Reporting and Analytics Services* module since 2020, which allows targeted and comprehensive statistical data to be extracted. This contribution was, in particular, developed in the area of training in 2022. Indeed, the training course data included in the EU Learn application were integrated in 2022 into the *HR Reporting and Analytics Services* tool; this enabled the corresponding data to be extracted for each service, function group and type of administrative status under the Staff Regulations, broken down by gender and age group. Those data enable, in particular, Heads of Service to monitor closely the participation of their staff in the various training programmes organised and to remedy, where appropriate, any discrepancies.

In 2022, a complete overhaul of all the forms to be filled in by staff (entry into service, removal, daily allowance, installation/resettlement, etc.) was carried out in order to optimise the collection of information. The 'Rectification/revision of place of origin' module has been launched and the 'Entry into service/Mobility/Career resumption' module will soon be put into production.

In 2022, in collaboration with the Commission, the Court migrated the management of personnel files to the NDP module (*New Application for the Management of Personal Files*), which was integrated into SYSPER II. A mass transfer of files was carried out during the second half of 2022 following standardisation checks throughout the year in order to allow the integration of the NDP module into the Institution. The introduction of the module in 2023 will offer procedures for handling personnel files directly based on documents produced by SYSPER II, will optimise the management of documents by the DRHAP and will ultimately allow staff members to have direct access to their personal files.

12. 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.

Throughout 2022, the Institution continued to offer training courses in several formats, namely face-to-face courses, online courses and hybrid courses. With the gradual return of staff members to the office, the number of training courses organised on the Court's premises was increased, to the great satisfaction of trainers and staff alike, who were able to have more interactive classes promoting exchanges and learning.

The training modules put in place following the analysis of the EPSO Competency Framework helped to train more than one third of staff, in French and English, on sustainable interaction skills (general skills), such as personal efficiency, communication, agile collaboration and innovation.

Senior and middle managers started a one-year training programme on the concept of adaptive leadership in 2022. The various modules that make up this training mainly refer to the concepts of autonomy, trust, inclusive management and accountability.

The programme for the development of managerial skills and management of administrators has also been adapted accordingly with a view to ensuring optimal alignment of all programmes focusing on strengthening managerial skills. Since the creation of the scheme in 2016, 6 rounds of the training programme have been organised and, to date, 97 administrators and 56 Heads of Service have participated in it with the completion of numerous projects.

In addition, the members of the *Alumni* group, namely the group of participants in previous editions of this programme, were given the opportunity to continue their training programme in 2022 through 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.

In order to make staff aware of the importance of continuing training and general skills, the following actions have been taken:

- a pilot project to support certain Heads of Service on the setting of individual SMART objectives;
- a webinar in French and English on the 'Work smarter not harder' concept for a streamlined approach to work organisation and building resilience;
- a *Day of Training*, organised in September 2022, which offered staff the opportunity to participate in short conferences and workshops on change management, knowledge management, agility, autonomy, unconscious bias and communication in various forms;
- a second *Day of Training* on IT and Innovation, during which thematic workshops were organised with the collaboration of several departments of the Institution. These workshops focused on good practices in the use of IT applications and office tools necessary to carry out the various professions;
- the establishment of a Pop-up stand on training, i.e. a single and visible point of information on the Court's premises, has enabled the unit responsible to provide useful advice to a large number of staff members on the training opportunities at the Court, at interinstitutional level and via the training pathways developed in *LinkedIn Learning*. This action resulted in a high participation rate and optimal returns on the courses organised.

The meetings of the Training Observatory, set up in 2020 as part of the Institution's quality efforts and made up of representatives from the various services, continued during 2022. The Observatory meetings focused on the diversity of training courses offered at the Court and subsequently centred on presenting the quality efforts put in place in the various services. The ultimate goal of this exercise is to provide training on quality management and monitoring. In that regard, in connection with quality management, the technical training group continued its work with a view to providing maximum autonomy in the organisation and monitoring of training activities, through the creation of individual *training centres* within certain services.

A Steering Committee on training was set up in 2022. This Steering Committee is now responsible for validating the Institution's training strategy on the basis of the priorities identified.

13. Communication and social dialogue

The social dialogue between the administration and the 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 bilateral meetings, in particular, in order to identify possibilities for collaboration on issues of key interest to staff.

Examples of the collaboration in 2022 with the Staff Committee or trade union representatives include the organisation of a survey by the DRHAP, in collaboration with the Staff Committee, to gather staff members' views on training, appraisals and mobility. Close collaboration was also demonstrated in the areas of well-being at work and in providing support to staff members who were particularly affected during the pandemic or who were apprehensive about returning to work on the Court's premises. On the issue of raising awareness of disabilities, an entire day, organised by the Staff Committee with the collaboration of the DRHAP, was devoted to this topic on 2 December 2022, with the opportunity to partake in a sensory dining experience. Also in collaboration with the administration, the Staff Committee organised a seminar on the topic of 'Retirement' on 26 October 2022 and cooperated with the administration to write a practical guide to make this process easier to understand.

14. Arrivals not covered by the Staff Regulations

At the end of 2021, the Court amended the general arrangements for the employment of trainees in order to guarantee remuneration for all trainees working within the Institution, thereby abolishing the derogation which made it possible to employ unpaid trainees in the chambers of the Members of both jurisdictions. That decision was applied as from 2022. Out of a total of 267 trainees, the Institution welcomed 212 trainees paid by the Court, 24 trainees paid by another source and, in view of the transitional period provided for in the decision adopted in 2021, 31 unpaid trainees. In 2023, with the transitional period coming to an end, all traineeships will be paid either by the Court or by another source.

As at 31 December 2022, the Institution hosted eight seconded national experts, from Germany (1), Estonia (1), Italy (2), Latvia (1), the Netherlands (1), Austria (1) and Portugal (1). All the experts were granted a one-year renewable secondment in their administration of origin. Six of them were already at the Court on 1 January 2022, and two arrived during the year (one on 1 March and one on 1 September 2022).

In 2022, the Institution also hosted 26 trainee judges of the European Union Judicial Training Network. They came from Bulgaria (1), the Czech Republic (1), Germany (4), Greece (3), Spain (6), France (3), Italy (4), Hungary (2) and Romania (2). These trainee judges were all assigned to the Members' chambers. 14 trainee judges thus entered service on 1 September 2021 and 12 trainee judges arrived on 1 September 2022. The traineeships of these judges lasted either six months or ten months.

On 28 October 2022, the *Memorandum of understanding* between the Court and the European Judicial Training Network (EJTN) in relation to national judges admitted as trainee judges was amended in order to extend the maximum duration of the traineeships. As from 1 September 2023, traineeships will have a duration of either six months or twelve months. This amendment results from the need for certain trainee judges to have a one-year traineeship in order to be able to enrol their children at the European School.

Court of Justice of the European Union - Annex 1
As at 31 December 2022

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					24	8	114	37	88	100	129	133	24	26	5		688
AST	28	13	131	52	90	111	61	38	23		5						552
AST-SC		39	17														56
F Total	28	52	148	52	114	119	175	75	111	100	134	133	24	26	5		1296
M																	
AD					6	6	90	32	58	79	97	125	20	63	7	3	586
AST	5	2	55	24	17	23	28	4	8		1						167
AST-SC		20	4	1													25
M Total	5	22	59	25	23	29	118	36	66	79	98	125	20	63	7	3	778
Grand Total	33	74	207	77	137	148	293	111	177	179	232	258	44	89	12	3	2074

Court of Justice of the European Union - Annex 2

As at 31 December 2022

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	76	31	2	1	2		3	115
Austria	16	2				1		19
Belgium	107	70	6	3	3	2	7	198
Bulgaria	36	16			3		1	56
Cyprus	2							2
Croatia	32	8			1		2	43
Denmark	31	7	1			1	2	42
Spain	77	32	1	1	4	5	6	126
Estonia	28	14			2		3	47
Finland	26	15					2	43
France	201	221	34	6	12	6	22	502
Greece	52	32	5	1	2	1	5	98
Hungary	39	22	1		1		2	65
Ireland	33	10			2		2	47
Italy	97	49	12	1	3	1	5	168
Latvia	36	15			1		2	54
Lithuania	37	17	1		1		1	57
Luxembourg	7	13	5	1			1	27
Malta	22	11			1		1	35
Netherlands	22	5			1			28
Poland	47	26	2	1	1	3	3	83
Portugal	34	26	10	1	4		4	79
Czech Republic	35	11	1	1	2	1	3	54
Romania	50	24	2		3	3		82
United Kingdom	37	5	1		2			45
Slovakia	30	13			1		2	46
Slovenia	31	15		1	1		1	49
Sweden	30	7			1		1	39
Other	3	2						5
Grand Total	1274	719	84	18	54	24	81	2254

Court of Justice of the European Union - Annex 3
As at 31 December 2022

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			2		2
Hungary			2		2
Ireland			1		1
Italy		1	2		3
Latvia			1		1
Lithuania			1		1
Romania	1		1		2
United Kingdom		1			1
Slovenia			1		1
Sweden			1		1
F Total	1	5	23	1	30
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			5	1	6
Greece			2		2
Ireland		1			1
Italy	1		2		3
Latvia			1		1
Lithuania			1		1
Luxembourg		1			1
Malta			1		1
Netherlands			1		1
Poland			1		1
Portugal			3		3
Czech Republic			2		2
United Kingdom			1		1
Slovakia			1		1
Slovenia			1		1
M Total	2	7	34	1	44
Grand Total	3	12	57	2	74

Court of Justice of the European Union - Annex 4
As at 31 December 2022

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	22
Greece	4
Hungary	3
Ireland	2
Italy	7
Latvia	2
Lithuania	3
Luxembourg	1
Malta	2
Netherlands	1
Poland	4
Portugal	4
Czech Republic	2
Romania	4
United Kingdom	2
Slovakia	2
Slovenia	2
Sweden	2
Other	< 1

REPORT ON BUDGETARY AND FINANCIAL MANAGEMENT FOR THE FINANCIAL YEAR 2022

1. Introduction

This report provides an overview of the implementation of the budget relating to the year 2022 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 2022 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 2022.

The year 2022 saw a return to normality in terms of work organisation after the long break from the health crisis due to Covid-19. The staff of the institution were able to reintegrate into the premises of the Court from 1 May 2022. At the same time, other variables, notably inflationary pressure and rising energy costs, linked in particular to the war in Ukraine, marked the year in a very significant way, unforeseeable at the time the 2022 budget was prepared.

As regards the budgetary impact of the health crisis, it was very limited in 2022. In the first four months of the year, before the return in-person to the Court, the services identified additional costs of approximately EUR 261 000, in particular for additional cleaning activities, and savings of approximately EUR 245 000, mainly due to a reduction in the number of missions and a decrease in the use of office consumables.

The impact of inflation and the increase in energy prices, on the other hand, was much more significant, in particular as regards the lines used for the payment of salaries and for energy consumption. As regards salaries, the salary increase for the year of 7% (2.4% with effect from 1 January and 4.5% with effect from 1 July) was much higher than the 2.5% on the basis of which the draft budget was prepared. As regards energy, although the annual indexation mechanism of the Institution's electricity supply contract protected it from an excessive increase in 2022, the unfavourable evolution of electricity and heating costs had a significant impact on the Court's budget. For these reasons, the Institution requested and obtained, in the context of amending budget No 5 launched by the Commission, an increase of EUR 3.08 million in its budgetary allocation

2. Overview of budgetary implementation in 2022

1. Revenue

The estimated revenue of the Court for the financial year 2022 was EUR 63 232 000.

As shown in **Table 1** below, the established entitlements for the financial year 2022 were EUR 62 703 228 and are 0.84% lower than estimated.

Table 1 - Estimated revenue and established entitlements

(in euros)

TITLE	ESTIMATED REVENUE 2022	ESTABLISHED ENTITLEMENTS 2022	% of total
3 - Administrative revenue	63,232,000.00	62,701,626.38	100.00
4 - Financial revenue, default interest and fines	0.00	1,602.51	0.00
TOTAL	63,232,000.00	62,703,228.89	100.00
%	100.00%	99.16%	

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 nearly 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 2022.

Table 2 - Revenue from entitlements carried over

(in euros)

TITLE	CARRIED OVER 2021 TO 2022	REVENUE FROM ENTITLEMENTS CARRIED OVER	% of total
3 - Administrative revenue	42,445.50	24,722.94	100.00
4 - Financial revenue, default interest and fines	0.00	0.00	0.00
TOTAL	42,445.50	24,722.94	100.00
%	100.00%	58.25%	

2. Expenditure

A. Appropriations for the financial year

The expenditure appropriations entered in the Court's budget for the financial year 2022 amounted to EUR 467 900 000.

As shown in **Table 3** below, the implementation of the budget for the financial year 2022 amounts to EUR 460 549 622.22 and reflects a rate of use of the final appropriations of 98.4%.

In general, as in previous years, it should be noted that 77% of the appropriations used by the Court in 2022 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 2022	COMMITMENTS FOR THE FINANCIAL YEAR 2022	% of total
1 - Persons working with the Institution	362,731,000.00	356,182,629.32	77.34
2 - Buildings, furniture, equipment and miscellaneous operating expenditure	105,114,000.00	104,346,478.40	22.66
3 - Expenditure resulting from special functions carried out by the Institution	55,000.00	20,514.50	0.00
10 - Other expenditure	-	-	0.00
TOTAL	467,900,000.00	460,549,622.22	100.00
%	100.00%	98.43%	

Annexes 3 and 4 provide detailed additional information with figures on the use of appropriations in the financial year 2022 (as compared with 2021 and details of implementation by budget line).

B. Appropriations carried over

Table 4 below shows that of the appropriations carried over from 2021 to 2022, of which the total amounts to EUR 30 020 622, a large proportion was used (85.59%).

Table 4 - Use of appropriations carried over

(in euros)

TITLE	CARRY-OVER OF APPROPRIATIONS FROM 2021 TO 2022	PAYMENTS OUT OF APPROPRIATIONS CARRIED OVER	CANCELLATIONS
1 - Persons working with the Institution	8,357,347.72	5,439,880.64	2,917,467.08
2 - Buildings, furniture, equipment and miscellaneous operating expenditure	21,661,675.16	20,254,926.46	1,406,748.70
3 - Expenditure resulting from special functions carried out by the Institution	1,600.00	0.00	1,600.00
10 - Other expenditure	0.00	0.00	0.00
TOTAL	30,020,622.88	25,694,807.10	4,325,815.78
%	100.00%	85.59%	14.41%

Annex 4 provides additional detailed information with figures on the use of appropriations carried over from 2021 to 2022.

C. 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.

The assigned revenue appropriations established during the financial year 2022 amounted to EUR 446 396. The main sources of that revenue have been, inter alia, the sale of energy produced by the Court's photovoltaic panels, as well as reimbursements by the Commission and the Council of overpayments on advances.

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 2022	PAYMENTS 2022	ASSIGNED REVENUE CARRIED OVER 2022 TO 2023
1 - Persons working with the Institution	67,279.52	7,639.81	59,639.71
2 - Buildings, furniture, equipment and miscellaneous operating expenditure	377,178.87	82,005.86	295,173.01
3 - Expenditure resulting from special functions carried out by the Institution	1,937.73	0.00	1,937.73
10 - Other expenditure	0.00	0.00	0.00
TOTAL	446,396.12	89,645.67	356,750.45

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 2021 TO 2022	PAYMENTS 2022	CANCELLATION OF ASSIGNED REVENUE FOR 2021 NOT ELIGIBLE FOR CARRYING OVER	ASSIGNED REVENUE CARRIED OVER 2022 TO 2023
1 - Persons working with the Institution	626,714.67	624,966.52	1,010.17	737.98
2 - Buildings, furniture, equipment and miscellaneous operating expenditure	250,580.83	218,090.25	1,823.52	30,667.06
3 - Expenditure resulting from special functions carried out by the Institution	1,185.50	1,185.50	0.00	0.00
10 - Other expenditure	0.00	0.00	0.00	0.00
TOTAL	878,481.00	844,242.27	2,833.69	31,405.04

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 2021 AND CARRIED OVER TO 2022	PAYMENTS 2022	CANCELLATION OF ASSIGNED REVENUE
1 - Persons working with the Institution	2,878.64	2,402.77	475.87
2 - Buildings, furniture, equipment and miscellaneous operating expenditure	60,938.85	59,977.94	960.91
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	63,817.49	62,380.71	1,436.78

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

D. Transfers of appropriations

In the course of the financial year 2022, as shown in Table 6, the Court made 19 budget transfers pursuant to Article 29 of the Financial Regulation 2018/1046, representing a total of EUR 12.7 million, or 2.7% 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 19 transfers made, 5 were the subject of notification to the budgetary authority in accordance with the Financial Regulation. In terms of amount, those transfers total EUR 9.42 million, which is approximately 74% of the total amount of the transfers made in 2022.

Table 6 - Transfers of appropriations

(in euros)

TYPE OF TRANSFER	NUMBER OF TRANSFERS IN 2022	TOTAL AMOUNT TRANSFERRED
Title to title	1	6,000,000.00
COMMENTS: At the end of the year, a balance of EUR 6 000 000 was transferred from line 1200 to line 2001 in order to finance an advance payment under the lease-purchase contract related to buildings signed with the Luxembourg State concerning the project for the 5 th extension of the Court's buildings and thus to reduce the future budgetary burden of the payments that the Court will have to make until 2036.		
Chapter to chapter	2	1,835,000.00
COMMENTS: The two transfers from one chapter to another have made it possible to reinforce item 1406 «External services in the linguistic field» following an increase in interpretation requirements, as well as item 2100 «Purchase, servicing and maintenance of equipment and software», in order to reinforce the security architecture of the new integrated case management system (SIGA).		
Article to article	2	1,580,000.00
COMMENTS: The two transfers from one article to another made it possible to increase item 2024 «Energy consumption», in order to cover the much higher than expected energy expenditure, and item 1000 «Remuneration and allowances» to ensure the payment of the remuneration of the Members of the Institution following the higher salary increase in relation to the parameters communicated by the Commission for the preparation of the draft estimates.		
Item to item	14	3,291,533.57
COMMENTS: The transfers from one item to another have made it possible to strengthen, during the year 2022, several budget lines. Among the most significant transfers are the reinforcement of items 2007 «Fitting-out of premises» (in order to carry out several works in the Court's buildings) and 2024 «Energy consumption» (to cover energy costs).		
TOTAL	19	12,706,533.57

3. Implementation of the 2022 budget by chapter

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 2022 comes to EUR 362 731 000. That funding represents almost 77.5% of the Court's total budget.

Table 7 - Use of appropriations in the financial year

(in euros)

TITLE 1	FINAL APPROPRIATIONS IN THE FINANCIAL YEAR 2022	COMMITMENTS IN THE FINANCIAL YEAR 2022	% IMPLEMENTATION 2022	% IMPLEMENTATION 2022
10 - Members of the Institution	39,470,000.00	38,127,013.38	96.60	96.50
COMMENTS: This chapter finances the salaries and other costs relating to Members of the institution. The rate of implementation in 2022 remained unchanged compared to 2021. A transfer between articles in this chapter was made during the year as a result of the higher than expected salary increase.				
12 - Officials and temporary staff	286,800,000.00	282,846,743.45	98.62	99.42
COMMENTS: This chapter mainly finances the salaries of officials and temporary staff. The rate of occupation of posts during the year 2022 was approximately 97%. At the end of the year, it was possible to take an amount of EUR 6 million from this chapter in order to reduce the future burden of payments related to buildings.				
14 - Other staff and external service providers	30,115,000.00	29,602,546.09	98.30	98.28
COMMENTS: This chapter covers, inter alia, the costs related to the use of contract agents, seconded national experts, trainees, freelance translators and interpreters. The return to work in-person after the pandemic, the indexation of salaries and prices, together with an acceleration of the Court's activities, put some pressure on expenditure under this title: a reinforcement of appropriations was, therefore, necessary during the year.				
16 - Other expenditure related to persons working with the Institution	6,346,000.00	5,606,326.40	88.34	87.40
COMMENTS: This chapter covers other expenditure relating to the Institution's staff, including expenditure on training, social activities and the Early Childhood Centre (ECC). The very varied and unforeseeable nature of the expenditure financed with these appropriations makes it difficult to achieve an optimal rate of implementation. Nevertheless, the implementation rate has improved slightly in 2022 compared to 2021, and the Court is constantly trying to refine its budgetary forecasts for this chapter.				
TOTAL	362,731,000.00	356,182,629.32	98.19	98.78

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 2022 comes to EUR 105 114 000. That amount represents almost 22.5% of the Court's total budget.

Table 8 - Use of appropriations in the financial year

(in euros)

TITLE 2	FINAL APPROPRIATIONS IN THE FINANCIAL YEAR 2022	COMMITMENTS IN THE FINANCIAL YEAR 2022	% IMPLEMENTATION 2022	% IMPLEMENTATION 2022
20 – Buildings and associated costs	69,216,000.00	69,215,095.60	100.00	99.55
COMMENTS				
Those appropriations are intended to cover the cost of renting, purchasing and running the various buildings occupied by the Court. In 2022, all the appropriations in this chapter were used, in line with previous years. An advance payment could be made at the end of the year due to the mopping-up transfer (see Table 6), in order to reduce the future financial burden.				
21 - Data processing, equipment and furniture: purchase, rental and maintenance	31,889,000.00	31,654,995.04	99.27	98.15
COMMENTS				
The appropriations in Chapter 21 are for the most part 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). The budget implementation in 2022 was almost complete, even after a reinforcement by transfer of the IT expenditure part.				
23 - Current administrative expenditure	1,251,500.00	941,745.55	75.25	67.45
COMMENTS				
This chapter includes appropriations for other administrative expenses. Implementation, although higher than in 2021, remains lower than in the other chapters of Title II, due in particular to lower paper consumption and lower than expected use of appropriations for removals and internal meetings.				
25 - Meetings and conferences	535,000.00	483,011.62	90.28	43.17
COMMENTS				
The return to a normal level of activity in 2022 explains the fact that the consumption of this chapter has returned to a normal level after the pandemic.				
27 - Information: acquisition, archiving, production and distribution	2,222,500.00	2,051,630.59	92.31	93.69
COMMENTS				
This chapter covers, inter alia, expenditure for the library and for communication activities. The level of implementation is in line with that of 2021.				
TOTAL	105,114,000.00	104,346,478.40	99.27	98.44

3. Title 3 - Expenditure resulting from special functions carried out by the institution

A. 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 2022, those appropriations amounted to EUR 55 000 and were committed to the extent of EUR 20 514.50, which represents a rate of implementation of 37.30% (compared with 36.2% in 2021).

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 2022 AND 2021

(In euros)

Chapters/ Articles	HEADING	ESTABLISHED ENTITLEMENTS 2022	ESTABLISHED ENTITLEMENTS 2021	DIFFERENCE	DIFF.%
300	Taxes and levies	39.114.917,72	36.324.413,11	2.790.504,61	7,68%
301	Contribution to the pension scheme	23.089.522,78	21.608.805,83	1.480.716,95	6,85%
30	Revenue from staff	62.204.440,50	57.933.218,94	4.271.221,56	7,37%
310	Sale of immovable property — Assigned revenue	0,00	0,00	0,00	NA
311	Sale of other property	0,00	0,00	0,00	NA
312	Proceeds from letting and subletting immovable property — Assigned revenue	0,00	0,00	0,00	NA
31	Revenue linked to property	0,00	0,00	0,00	NA
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	147.099,69	137.634,90	9.464,79	6,88%
32	Revenue from the supply of goods, services and work — Assigned revenue	147.099,69	137.634,90	9.464,79	6,88%
330	Repayment of sums paid though not due — Assigned revenue	243.278,22	670.759,21	-427.480,99	-63,73%
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	901,71	0,00	901,71	NA
338	Other revenue from administrative operations — Assigned revenue	105.906,26	97.154,33	8.751,93	9,01%
339	Other revenue from administrative operations	0,00	0,00	0,00	NA
33	Other administrative revenue	350.086,19	767.913,54	-417.827,35	-54,41%
TITLE 3		62.701.626,38	58.838.767,38	3.862.859,00	6,57%
400	Revenue from investments, loans granted and bank accounts	1.602,51	0,00	1.602,51	NA
401	Interest yielded by pre-financing	0,00	0,00	0,00	NA
40	Revenue from investments and accounts	1.602,51	0,00	1.602,51	NA
TITLE 4		1.602,51	0,00	1.602,51	NA
GENERAL TOTAL		62.703.228,89	58.838.767,38	3.864.461,51	6,57%

ANNEX 2

REVENUE SITUATION IN 2022 — ESTABLISHED ENTITLEMENTS AND ENTITLEMENTS CARRIED OVER

Budget lines	Heading	Initial budget	Established entitlements 2022	Revenue recovered	Still to be recovered
3000	Tax on remunerations	34.091.000,00	33.238.183,64	33.238.183,64	0,00
3001	Special levies on remunerations	6.034.000,00	5.876.734,08	5.876.734,08	0,00
3010	Staff contributions to the pension scheme	23.107.000,00	23.087.160,77	23.087.160,77	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	2.362,01	2.362,01	0,00
	<i>total Chapter 30</i>	<i>63.232.000,00</i>	<i>62.204.440,50</i>	<i>62.204.440,50</i>	<i>0,00</i>
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
	<i>total Chapter 31</i>	<i>0,00</i>	<i>0,00</i>	<i>0,00</i>	<i>0,00</i>
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	147.099,69	147.099,69	0,00
	<i>total Chapter 32</i>	<i>0,00</i>	<i>147.099,69</i>	<i>147.099,69</i>	<i>0,00</i>
330	Repayment of sums paid though not due — Assigned revenue	0,00	243.278,22	199.124,89	44.153,33
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	901,71	901,71	0,00
338	Other revenue from administrative operations — Assigned revenue	0,00	105.906,26	74.700,64	31.205,62
339	Other revenue from administrative operations	0,00	0,00	0,00	0,00
	<i>total Chapter 33</i>	<i>0,00</i>	<i>350.086,19</i>	<i>274.727,24</i>	<i>75.358,95</i>
	Title 3	63.232.000,00	62.701.626,38	62.626.267,43	75.358,95
400	Revenue from investments, loans granted and bank accounts	0,00	1.602,51	1.602,51	0,00
401	Interest yielded by pre-financing	0,00	0,00	0,00	0,00
	<i>total Chapter 40</i>	<i>0,00</i>	<i>1.602,51</i>	<i>1.602,51</i>	<i>0,00</i>
	Title 4	0,00	1.602,51	1.602,51	0,00
	Total	63.232.000,00	62.703.228,89	62.627.869,94	75.358,95

Budget lines	Heading	Carried Over 2021 to 2022	Variations during 2022	Total carried over 2021 to 2022	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
	<i>total Chapter 30</i>	<i>0,00</i>	<i>0,00</i>	<i>0,00</i>	<i>0,00</i>	<i>0,00</i>
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
	<i>total Chapter 31</i>	<i>0,00</i>	<i>0,00</i>	<i>0,00</i>	<i>0,00</i>	<i>0,00</i>
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
	<i>total Chapter 32</i>	<i>0,00</i>	<i>0,00</i>	<i>0,00</i>	<i>0,00</i>	<i>0,00</i>
330	Repayment of sums paid though not due — Assigned revenue	6.755,16	0,00	6.755,16	548,42	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	33.695,34	0,00	33.695,34	24.020,77	9.674,57
339	Other revenue from administrative operations	1.995,00	0,00	1.995,00	153,75	1.841,25
	<i>total Chapter 33</i>	<i>42.445,50</i>	<i>0,00</i>	<i>42.445,50</i>	<i>24.722,94</i>	<i>17.722,56</i>
	Title 3	42.445,50	0,00	42.445,50	24.722,94	17.722,56
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
	<i>total Chapter 40</i>	<i>0,00</i>	<i>0,00</i>	<i>0,00</i>	<i>0,00</i>	<i>0,00</i>
	Title 4	0,00	0,00	0,00	0,00	0,00
	Total	42.445,50	0,00	42.445,50	24.722,94	17.722,56

ANNEX 3

COMPARISON BY CHAPTER OF THE IMPLEMENTATION OF APPROPRIATIONS IN 2022 AND 2021

(In euros)

Chapters	HEADING	COMMITMENTS 2022	COMMITMENTS 2021	DIFFERENCE	DIFF.%
10	Members of the Institution	38.127.013,38	35.766.067,02	2.360.946,36	6,60%
12	Officials and temporary staff	282.846.743,45	265.356.775,79	17.489.967,66	6,59%
14	Other staff and external services	29.602.546,09	26.410.523,26	3.192.022,83	12,09%
16	Other expenditure relating to persons working with the Institution	5.606.326,40	5.669.456,27	-63.129,87	-1,11%
	TITLE 1	356.182.629,32	333.202.822,34	22.979.806,98	6,90%
20	Buildings and associated costs	69.215.095,60	72.449.822,22	-3.234.726,62	-4,46%
21	Data processing, equipment and furniture: purchase, hire and maintenance	31.654.995,04	29.600.646,56	2.054.348,48	6,94%
23	Current administrative expenditure	941.745,55	696.121,09	245.624,46	35,28%
25	Meetings and conferences	483.011,62	230.937,29	252.074,33	109,15%
27	Information: acquisition, archiving, production and distribution	2.051.630,59	2.037.305,42	14.325,17	0,70%
	TITLE 2	104.346.478,40	105.014.832,58	-668.354,18	-0,64%
37	Expenditure relating to certain institutions and bodies	20.514,50	18.835,99	1.678,51	8,91%
	TITLE 3	20.514,50	18.835,99	1.678,51	8,91%
	GENERAL TOTAL	460.549.622,22	438.236.490,91	22.313.131,31	5,09%

ANNEX 4

DETAILED IMPLEMENTATION OF APPROPRIATIONS FOR THE FINANCIAL YEAR AND APPROPRIATIONS AUTOMATICALLY CARRIED OVER FROM THE PRECEDING YEAR

Budget lines	Index 1 (appropriations in the financial year)							Index 4 (appropriations automatically carried over from preceding year)			
	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)	
1000 Remuneration and allowances	33,932,889.87	500,000.00	34,432,889.87	33,932,889.87	33,932,889.87	0.00	525,110.13	0.00	0.00	0.00	
1002 Entitlements on entering the service, transfer and leaving the service	1,724,000.00	0.00	1,724,000.00	1,724,000.00	334,805.65	1,389,194.35	0.00	1,056,368.54	13,274.26	1,043,094.28	
102 Temporary allowances	3,723,000.00	-1,135,000.00	2,588,000.00	2,035,832.19	2,035,832.19	0.00	552,167.81	0.00	0.00	0.00	
104 Missions	270,000.00	0.00	270,000.00	132,493.00	25,178.34	107,320.66	137,501.00	109,235.18	16,446.88	92,788.30	
106 Training	430,000.00	0.00	430,000.00	301,792.32	147,935.49	153,856.83	128,207.68	160,258.58	20,830.50	139,428.08	
109 Provisional appropriation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Chapter 10 Members of the Institution	40,105,000.00	-635,000.00	39,470,000.00	38,127,013.38	36,476,641.54	1,650,371.84	1,342,986.62	1,325,862.30	50,551.64	1,275,310.66	
1200 Remuneration and allowances	287,762,950.00	-4,775,000.00	282,987,950.00	279,528,566.07	279,528,566.07	0.00	3,459,383.93	0.00	0.00	0.00	
1202 Paid overtime	675,000.00	40,000.00	715,000.00	704,637.87	704,637.87	0.00	10,362.13	0.00	0.00	0.00	
1204 Entitlements on entering the service, transfer and leaving the service	2,582,050.00	35,000.00	2,617,050.00	2,613,539.51	1,873,881.29	739,658.22	3,510.49	749,334.84	30,420.40	718,914.44	
122 Allowances on early termination of service	480,000.00	0.00	480,000.00	0.00	0.00	0.00	480,000.00	0.00	0.00	0.00	
129 Provisional appropriation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Chapter 12 Officials and temporary staff	291,500,000.00	-4,700,000.00	286,800,000.00	282,846,743.45	282,107,085.23	739,658.22	3,953,256.55	749,334.84	30,420.40	718,914.44	
1400 Other staff	9,648,000.00	250,000.00	9,898,000.00	9,406,734.87	9,406,734.87	0.00	491,265.13	0.00	0.00	0.00	
1404 In-service training and staff exchange	1,709,000.00	-150,000.00	1,559,000.00	1,559,000.00	1,387,412.91	171,587.09	0.00	399,890.16	0.00	399,890.16	
1405 Other external services	255,000.00	50,000.00	305,000.00	305,000.00	191,818.40	113,181.60	0.00	70,969.82	15,607.44	54,362.38	
1406 External services in the linguistic field	17,338,000.00	1,015,000.00	18,353,000.00	18,331,811.22	13,824,017.88	4,507,793.34	21,188.78	4,425,819.89	4,394,712.89	31,107.00	
149 Provisional appropriation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Chapter 14 Other staff and external services	28,950,000.00	1,165,000.00	30,115,000.00	29,602,546.09	24,809,984.06	4,792,562.03	512,453.91	4,896,679.87	4,411,320.33	485,359.54	
1610 Miscellaneous expenditure for staff recruitment	186,500.00	0.00	186,500.00	128,505.54	60,123.23	68,382.31	57,994.46	60,032.62	18,531.91	41,500.71	
1612 Further training	1,750,000.00	0.00	1,750,000.00	1,363,779.95	635,503.88	728,276.07	366,220.05	719,801.53	576,838.72	142,962.81	
162 Missions	390,000.00	0.00	390,000.00	250,200.00	149,746.47	100,453.53	139,800.00	71,264.73	12,889.51	58,975.22	
1630 Social welfare	50,000.00	0.00	50,000.00	50,000.00	10,115.71	39,884.29	0.00	18,488.58	0.00	18,488.58	
1632 Social contacts between members of staff and other welfare expenditure	366,500.00	0.00	366,500.00	364,849.53	317,509.62	47,339.91	1,650.47	4,181.53	257.76	3,923.77	
1650 Medical service	220,000.00	-17,500.00	202,500.00	127,618.12	79,365.52	48,248.60	74,881.88	36,143.79	12,672.44	23,471.35	
1652 Restaurants and canteens	150,000.00	17,500.00	167,500.00	152,854.10	29,110.78	123,743.32	15,045.90	116,148.93	73,531.54	42,617.39	
1654 Early Childhood Centre	3,187,000.00	0.00	3,187,000.00	3,122,919.16	2,929,292.00	193,627.16	64,080.84	358,484.40	253,466.39	105,018.01	
1655 PMG expenditure	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
1656 Type-II European Schools	46,000.00	0.00	46,000.00	46,000.00	34,297.20	11,702.80	0.00	924.60	0.00	924.60	
Chapter 16 Other expenditure relating to persons working with the Institution	6,346,000.00	0.00	6,346,000.00	5,606,326.40	4,245,066.41	1,361,257.99	739,673.60	1,385,470.71	947,588.27	437,882.44	
Title 1 Persons working with the Institution	366,901,000.00	-4,170,000.00	362,731,000.00	356,182,629.32	347,638,779.24	8,543,850.08	6,548,370.68	8,357,347.72	5,439,880.64	2,917,467.08	

Budget lines	Index 1 (appropriations in the financial year)							Index 4 (appropriations automatically carried over from preceding year)				
	Initial Budget	Transfers	Final appropriations in the financial year	Commitments	Payments	Commitments available	Appropriations cancelled	Appropriations automatically carried over	Appropriations Year N-1	Payments out of appropriations carried over	Appropriations cancelled	
	(1)	(2)	(3) = (1) + (2)	(4)	(5)	(6) = (4) - (5)	(7) = (3) - (4)	(8)	(9)	(10) = (8) - (9)		
2000 Rent	130.000,00	4.560,00	134.560,00	134.550,13	134.550,13	0,00	9,87	0,00	0,00	0,00		
2001 Lease-purchase	35.593.000,00	2.635.905,00	38.228.905,00	38.228.901,04	37.967.202,23	261.698,81	3,96	243.548,38	232.443,67	11.104,71		
2002 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 Fitting-out of premises	3.731.000,00	1.043.525,00	4.774.525,00	4.774.523,04	2.003.362,78	2.771.160,26	1,96	752.265,18	750.263,34	2.001,84		
2008 Studies and technical assistance in connection with building projects	1.607.000,00	36.010,00	1.643.010,00	1.643.007,67	801.695,07	841.312,60	2,33	633.374,60	533.014,75	100.359,85		
2022 Cleaning and maintenance	11.289.000,00	549.000,00	10.740.000,00	10.739.952,73	7.330.946,80	3.408.945,93	107,27	2.028.758,07	1.967.643,08	61.114,99		
2024 Energy consumption	2.442.000,00	2.973.733,88	5.415.733,88	5.414.954,87	2.610.201,47	2.804.753,40	779,01	439.065,70	413.677,10	25.388,60		
2026 Security and surveillance of buildings	2.694.000,00	87.913,56	2.781.913,56	2.781.913,56	6.217.240,08	1.388.846,36	0,00	713.707,22	647.219,89	66.987,43		
2028	475.000,00	102.716,99	577.716,99	577.716,99	387.826,91	190.890,08	0,00	75.000,00	74.865,53	134,47		
2029 Other expenditure on buildings	205.000,00	3.454,37	208.454,37	208.454,37	152.487,18	55.967,19	0,00	45.060,97	44.329,84	731,13		
Chapter 20 Buildings and associated costs	63.166.000,00	6.050.000,00	69.216.000,00	69.215.095,60	57.606.063,58	11.609.032,02	904,40	4.930.780,62	4.663.957,25	266.823,37		
2100 Purchase, servicing and maintenance of equipment and software, and related work	10.574.000,00	1.200.000,00	11.774.000,00	11.767.948,06	6.442.673,11	5.325.174,95	6.151,94	4.979.837,93	4.716.825,57	263.012,36		
2102 External services for the operation, development and maintenance of software and systems	17.125.000,00	0,00	17.125.000,00	17.084.630,51	7.232.046,38	9.852.584,13	40.369,49	10.209.210,34	9.743.132,96	466.077,38		
2103 Telecommunications	410.000,00	0,00	410.000,00	404.955,35	229.121,97	175.833,38	5.044,65	56.468,34	34.906,01	21.562,33		
212 Furniture	479.000,00	0,00	479.000,00	474.506,53	367.378,17	107.128,36	4.993,47	31.991,25	127.826,60	4.164,65		
214 Technical equipment and installations	856.000,00	0,00	856.000,00	679.802,97	120.747,00	559.055,97	176.197,03	252.530,11	229.177,60	23.352,51		
216 Vehicles	1.245.000,00	0,00	1.245.000,00	1.243.251,62	1.139.928,77	103.322,85	1.748,38	733.403,87	17.127,19	56.276,68		
Chapter 21 Data processing, equipment and furniture, purchase, hire and maintenance	30.689.000,00	1.200.000,00	31.889.000,00	31.654.995,04	15.531.895,40	16.123.099,64	234.004,96	15.703.378,84	14.868.995,93	834.382,91		
230 Stationery, office supplies and various consumables	546.000,00	0,00	546.000,00	418.586,88	303.554,68	115.032,20	127.473,12	78.470,47	70.874,26	7.596,21		
231 Financial charges	10.000,00	0,00	10.000,00	6.300,00	2.863,46	3.436,54	3.700,00	2.040,39	1.093,10	947,29		
232 Legal expenses and damages	30.000,00	0,00	30.000,00	5.375,17	4.799,01	576,16	24.624,83	0,00	0,00	0,00		
237 Other administrative expenditure	120.000,00	0,00	120.000,00	89.843,01	89.843,01	40.915,59	0,00	23.898,08	14.517,69	9.380,47		
238 Other administrative expenditure	535.500,00	0,00	535.500,00	381.483,50	289.309,02	92.174,48	154.016,50	100.723,51	42.455,49	58.268,02		
Chapter 23 Current administrative expenditure	1.251.500,00	0,00	1.251.500,00	941.745,55	690.184,16	251.561,39	309.754,45	205.132,45	128.940,46	76.191,99		
252 External information and communication expenses	155.000,00	0,00	155.000,00	150.704,21	127.564,14	23.140,07	4.295,76	23.682,79	9.416,46	14.266,33		
254 Meetings, congresses and conferences	380.000,00	0,00	380.000,00	332.307,38	111.373,47	220.933,91	47.892,62	90.680,02	29.661,51	61.018,51		
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		
257 Legal information and communication expenses	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	483.011,62	238.937,61	244.074,01	51.988,38	114.362,81	39.077,97	75.284,84		
270 Limited 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	1.695.000,00	0,00	1.695.000,00	1.587.792,71	1.196.540,26	391.252,45	107.207,29	581.135,30	446.026,60	135.108,70		
273 Official journals	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00		
2741 General publications	325.000,00	0,00	325.000,00	263.307,99	238.397,90	24.910,09	61.692,01	3.000,00	0,00	3.000,00		
2742 Other information expenditure	202.500,00	0,00	202.500,00	200.529,89	90.651,14	109.878,75	1.970,11	123.885,14	107.928,25	15.956,89		
Chapter 27 Information: acquisition, archiving, production and distribution	2.222.500,00	0,00	2.222.500,00	2.051.630,59	1.525.589,30	526.041,29	170.869,41	708.020,44	553.954,85	154.065,59		
Title 2 Buildings, furniture, equipment and miscellaneous operating expenditure	97.864.000,00	7.250.000,00	105.114.000,00	104.346.478,40	75.592.670,05	28.753.808,35	767.521,60	21.661.675,16	20.254.926,46	1.406.748,70		
3710 Court expenses	55.000,00	0,00	55.000,00	20.514,50	6.414,50	14.100,00	34.485,50	1.600,00	0,00	1.600,00		
3711 Arbitration 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	55.000,00	0,00	55.000,00	20.514,50	6.414,50	14.100,00	34.485,50	1.600,00	0,00	1.600,00		
Title 3 Expenditure resulting from special functions carried out by the Institution	55.000,00	0,00	55.000,00	20.514,50	6.414,50	14.100,00	34.485,50	1.600,00	0,00	1.600,00		
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	464.820.000,00	3.080.000,00	467.900.000,00	460.549.622,22	423.237.863,79	37.311.758,43	7.350.377,78	30.020.622,88	25.694.807,10	4.325.815,78		

ANNEX 5

USE OF ASSIGNED REVENUE IN 2022 - Index 11, 43, 44 and 45

Budget line	USE OF ASSIGNED REVENUE IN THE FINANCIAL YEAR Index 11					USE OF COMMITMENTS OF ASSIGNED REVENUE IN THE PRECEDING FINANCIAL YEAR Index 43					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 available	Payments	Commitments available	Payments available	Assigned revenue	Payments	Assigned revenue cancelled	Assigned revenue carried over	Payments	Commitments	Assigned revenue	Payments	Assigned revenue cancelled	Assigned revenue carried over	Payments	Commitments	Assigned revenue	Payments	Assigned revenue cancelled				
104 Missions	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	737,98	737,98	0,00	0,00	0,00	0,00	737,98	0,00	737,98	0,00	0,00	0,00	271,28	0,00	0,00	271,28
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	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
10 Members of the Institution	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	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
1200 Remuneration and allowances	901,71	0,00	0,00	0,00	0,00	901,71	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	0,00	0,00	0,00	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	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	901,71	0,00	0,00	0,00	0,00	901,71	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	0,00	0,00	0,00	0,00	0,00
1400 Other staff	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	0,00	0,00	0,00	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	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	0,00	0,00	0,00	0,00	0,00	0,00
1405 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	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	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	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
14 Other staff and 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	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
1610 Miscellaneous expenditure for staff recruitment	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	0,00	0,00	0,00	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	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	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	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
1622 Social contacts between members of staff and other welfare expenditure	66,377,81	7,639,81	7,639,81	58,738,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	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	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	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	0,00	0,00	0,00	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	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	66,377,81	7,639,81	7,639,81	58,738,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
1 Persons working with the Institution	67,279,52	7,639,81	7,639,81	59,639,71	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	0,00	0,00	0,00	0,00	0,00	0,00	0,00
2001 Lease-purchase	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	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	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	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	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	1,689,00	1,689,00	0,00	0,00	1,689,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
2024 Energy consumption	147,129,30	61,813,32	61,813,32	85,315,98	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	0,00	0,00	0,00	0,00	0,00	0,00	0,00
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	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
2028 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	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	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	0,00
20 Buildings and associated costs	148,818,30	63,502,32	61,813,32	85,315,98	1,689,00	160,885,41	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	0,00	0,00	0,00	0,00	0,00

Commitment item	USE OF ASSIGNED REVENUE IN THE FINANCIAL YEAR Index 11					USE OF COMMITMENTS OF ASSIGNED REVENUE IN THE PRECEDING FINANCIAL YEAR Index 43					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 cancelled	Payments	Assigned revenue	Commitments	Payments	Assigned revenue carried over	Assigned revenue cancelled	Assigned revenue	Commitments	Payments	Assigned revenue cancelled	Assigned revenue	Commitments	Payments	Assigned revenue cancelled
2100 Purchases, servicing and maintenance of equipment and software, and related work	4,834.92	0.00	0.00	4,834.92	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	900.00	245.38	0.00	245.38	0.00	245.38	0.00	0.00
2102 External services for the operation, development and maintenance of software and systems	127,738.00	127,565.32	0.00	172.68	127,565.32	0.00	0.00	0.00	0.00	0.00	0.00	0.00	14,935.00	14,935.00	0.00	14,935.00	0.00	14,935.00	0.00	0.00
2103 Telecommunications	220.87	0.00	0.00	220.87	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	220.00	0.00	0.00	220.00	0.00	220.00	0.00	0.00
212 Furniture	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,089.50	1,089.50	0.00	1,089.50	0.00	1,089.50	0.00	0.00
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	0.00	0.00	0.00	0.00	0.00	0.00	0.00
216 Vehicles	94,863.81	201,192.54	201,192.54	74,671.27	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	47,380.80	47,380.77	39,721.53	7,659.24	0.03	0.00	0.00	0.00
21 Data processing, equipment and furniture purchase, hire and maintenance	227,657.60	147,757.86	201,192.54	78,899.74	127,565.32	0.00	0.00	0.00	0.00	0.00	0.00	0.00	64,534.30	63,650.55	48,811.03	22,839.52	883.75	3,114.28	2,160.00	954.28
230 Stationery, office supplies and various consumables	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	0.00	0.00	0.00	0.00	0.00	0.00	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	0.00	0.00	0.00	0.00	0.00	0.00	0.00
246 Postal charges	19.22	0.00	0.00	19.22	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	8.21	0.00	0.00	0.00	8.21	0.00	0.00	0.00
248 Other administrative expenditure	538.81	0.00	0.00	538.81	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	0.00	0.00	0.00
25 Current administrative expenditure	558.03	0.00	0.00	558.03	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	8.21	0.00	0.00	0.00	8.21	0.00	7.92	0.00
252 Reception and representation expenses	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	0.00	0.00	0.00	0.00	0.00	0.00	0.00
254 Meetings, congresses and conferences	6.70	0.00	0.00	6.70	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	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	0.00	0.00	0.00	0.00	0.00	0.00	0.00
25 Meetings and conferences	6.70	0.00	0.00	6.70	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	0.00	0.00	0.00
272 Documentation, library and archiving expenditure	138.24	0.00	0.00	138.24	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,811.55	879.99	879.99	0.00	931.56	6.63	0.00	6.63
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	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2741 General publications	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	23,341.36	23,341.36	15,513.82	7,827.54	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	0.00	0.00	0.00	0.00	0.00	0.00	0.00
27 Information: acquisition, archiving, production and distribution	138.24	0.00	0.00	138.24	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	25,152.91	24,221.35	16,393.81	7,827.54	931.56	6.63	0.00	6.63
2 Buildings, furniture, equipment and miscellaneous operating expenditure	377,178.87	211,260.18	82,005.86	165,918.69	129,254.32	0.00	0.00	0.00	0.00	0.00	0.00	0.00	250,580.83	248,757.31	218,090.25	30,667.06	1,823.52	60,938.85	59,977.94	960.91
3710 Court expenses	1,987.73	0.00	0.00	1,987.73	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,185.50	1,185.50	1,185.50	0.00	0.00	0.00	0.00	0.00
37 Expenditure relating to certain institutions and bodies	1,987.73	0.00	0.00	1,987.73	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,185.50	1,185.50	1,185.50	0.00	0.00	0.00	0.00	0.00
3 Expenditure resulting from special functions carried out by the Institution	1,987.73	0.00	0.00	1,987.73	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,185.50	1,185.50	1,185.50	0.00	0.00	0.00	0.00	0.00
Total	446,396.12	218,899.99	89,646.67	227,486.13	129,254.32	0.00	0.00	0.00	0.00	0.00	0.00	0.00	878,481.00	875,667.31	844,242.27	31,405.04	2,833.69	63,817.49	62,380.71	1,466.78

Report on negotiated procedures

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

During the financial year 2022, seven contracts involving a negotiated procedure for an amount in excess of EUR 60 000 were identified, for a total amount of EUR 3 483 157 ¹.

The proportion of contracts awarded by negotiated procedure in relation to the total number of contracts awarded is 9.2% (7.2% in 2021). If the calculations are made on the basis of the value of the contracts (instead of the number of contracts), the proportion of negotiated procedures is 6.9% (3.7% in 2021).

The increase compared with 2021 is mainly due to additional work on the Court's buildings, particularly in connection with the project to strengthen the security of the Court's buildings. Six out of the seven negotiated procedures concerned fall within the remit of the Buildings and Security Directorate. Three of them relate to waste treatment, heating and water consumption respectively, while the others are linked, in whole or in part, to security work.

The last procedure is the responsibility of the Library Directorate, for digital products marketed on an exclusive basis.

The reasons put forward by the authorising officers responsible for using the negotiated procedure are those set out in points 11.1(b) and 11.1(e) 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 market for technical reasons;
- the existence of a single supplier with a legal monopoly ;
- the need to carry out new work consisting of repeating the same work already provided for in the framework contract.

1 | Interinstitutional procedures for which the Court is not the lead institution are not included in these figures.

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

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

Paragraph 5 of that article specifies the conditions under which creditors who are paid late may be entitled to interest for late payment to be charged to the line bearing the principal expenditure ¹. Paragraph 6 of that article also lays down the obligation for each institution to submit to the budgetary authority a report on compliance with and suspension of time limits for payments to its creditors ².

The Court's administration pays particular attention to ensuring that those regulatory provisions on payment time limits are properly complied with, and ensures that they are carefully monitored and followed up.

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 functionalities which allow:

- authorising departments to view in real time the progress of invoices and the corresponding payments throughout the internal verification and approval chain;
- the production of specific monitoring or alert reports, which include the management of payment time limits suspensions and the automatic calculation of late payment interest due on any invoices paid after the deadline.

1] Art. 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] Art. 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 speaking, all the resources described above enable payment times to be kept under control, with an average payment time of just over 27 days over the last five years, as shown in the table below:

Financial year	Invoices		Average payment time (in days)
	Number	Amount (in EUR)	
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
2022	11 900	71 009 262	24.32

The average payment time in 2022 continues the downward trend observed since 2020. It is almost the same as in 2021, at 24.32 days.

The very reasonable average payment time is explained by the fact that, since mid-2019, the accounting officer has been paying invoices as soon as the authorising officer responsible has granted the authorisation. This 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 would contractually fall within the 60 or 90 day time limit (technical services or actions that are particularly complex to evaluate or subject to the approval of a report or certificate). For example, in 2022, the average payment time for invoices relating to external translation, which together account for almost 75% of the total number of invoices paid, and for which the contractual time limit is 60 days, taking into account the necessary quality controls, was 25.64 days. The average payment time for other invoices, for which the payment time is 30 days, was 22.52 days.

In 2022, there were no payments of interest on arrears (where the amount of interest on arrears exceeds the EUR 200 threshold defined in Article 116(5) of the Financial Regulation).

REPORT TO THE BUDGETARY AUTHORITY: “UPDATED BUILDINGS INVESTMENT PLAN 2023-2027”

ACTION WITH RESPECT TO THE ENVIRONMENT AND INTERINSTITUTIONAL COOPERATION

I. INTRODUCTION

The Court of Justice of the European Union (‘the Court’ or ‘the Institution’) has drawn up this annual buildings 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 to the Council under the procedure set out in paragraphs 2 and 3 and not included in the preceding year’s working documents.’

This report updates and complements, ¹ for the period 2023-2027, the reports drawn up by the Court since April 2009 on the same subject.

The financial information provided for the period covered mainly relates to buildings occupied under the lease-purchase system (also referred to below as ‘lease-sale’), given that the Court has not occupied any buildings since October 2019 under an operating lease, with the exception of a data centre.

¹ The annexes with numerical data attached to this report conform, as far as possible, to the conclusions adopted by the interinstitutional working group on buildings coordination in Luxembourg (GICIL), which brings together the institutions based in Luxembourg.

II. PRELIMINARY REMARKS

This section will first outline the Institution's buildings policy, followed by the main stages in the development of its buildings complex and, lastly, its specific needs.

1. The Institution's buildings policy

The Institution's buildings policy pursues two main objectives:

- first, after an initial policy of renting premises, the Court has, since the final establishment of its seat in Luxembourg, decided at the Edinburgh European Council in 1992, sought to become the owner of the buildings it occupies, in the same manner as the other institutions and in line with the recommendations of the Court of Auditors, according to which ² the ownership of buildings enables the institutions to reduce their costs in the long term and thus to better plan their budgets in the medium term;
- secondly, the Court seeks to have premises that are adapted to its specific needs connected with its judicial activities and to group all of its departments on a single site in order to optimise the performance of its tasks.

2. Developments in the Court's buildings portfolio and future prospects

The Court, established in Luxembourg in 1952, has since 1972 occupied the *Palais* building, built and made available to it by the Luxembourg authorities on the Kirchberg Plateau.

After that building became too small, in 1979, the decision was taken to add annexes (the Erasmus, Thomas More and 'C' buildings, the latter recently being renamed the Themis building – see below), which were built between 1986 and 1993 by the Luxembourg State and which, pursuant to the acquisition policy referred to above, led to the conclusion of a lease-purchase contract in 1994 (in that respect, see Section III).

In 1998, the *Palais*, rented from the Luxembourg State, had to be vacated owing to the presence of asbestos. The authorities of the Grand Duchy then offered a replacement building, the T building. Since there were no courtrooms in that building, the Members and their chambers were moved to the annexes of the *Palais*, with the T building being used by the translation service.

As part of a longer-term building policy, the Court had in the meantime drawn up a project for the renovation and extension of the *Palais* based on an estimate of the requirements as foreseeable at the time. In July 2001, the Court signed a framework contract with the Luxembourg authorities for the implementation of that project (see Section II).

2] Special report of the Court of Auditors No 34/2018: 'Office accommodation of EU institutions – Some good management practices but also various weaknesses'.

However, pending the delivery of that new office space and faced with the urgent need for buildings linked to the 2004 accessions, the Court of Justice was obliged to take the decision to lease other buildings on a temporary basis: the Tbis building for the translation service, and the Geos building for the administrative services, to which were added, after the creation of the Civil Service Tribunal at the end of 2005, additional office space in another building (Allegro), 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 (Section II) have been operational since 2008, which made it possible for most staff to be brought together on site at the Court.

Beginning in early 2011, the Erasmus, Thomas More and Themis buildings underwent major renovation and compliance work, which was completed in time for the new judicial year in September 2013 (see Section IV). That project made it possible to leave some of the rented office space (the Allegro and Geos buildings).

A reassessment of its medium-term building needs (2015-2023), based on reasonably foreseeable developments using the information available (new accessions, changes in the structure of the Institution, general growth in proceedings being brought and prospects for changes in the number of staff in the services in the light of the budgetary situation), led the Court to take the view that it was necessary to increase the capacity of the main site by approximately 30 000 m² of office space.

It therefore informed the budgetary authority in July 2011 of the proposed construction of a 5th extension of its buildings (Section V).

Finally, developments in the security situation at EU level led the Institution to draw up a project to upgrade its security system, which was approved by the budgetary authority in December 2018. The corresponding work started in April 2021 and was completed in December 2022 (Section VI).

An updated overview of the Court's building complex may be found in **Annex 1**. On the occasion of its 70th anniversary, the Court took the official decision to bestow new names on the remaining parts of its building complex that had until then been designated by letters. Towers A, B, C and Annex 'C' are thus now respectively known as 'the Comenius Tower', 'the Montesquieu Tower', 'the Rocca Tower' and 'the Themis building'.

3. The specific nature of the Court's building needs

Apart from standard office space, the Court has specific needs dictated by its judicial activities, 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 in the Treaties.

A significant part of the Court's building complex is thus occupied by courtrooms, which must be sufficient in number to meet the needs of all the chambers of both courts. Since the beginning of 2021, with the fitting out of a new courtroom in the central gallery linking the various parts of the complex, the Court has had a total of 12 courtrooms at its disposal (see Section V for further details).

Common and open areas, such as the *salles des pas Perdus* (lobby areas) and reception areas for the parties, their lawyers and the public, have also been provided in the vicinity of the courtrooms.

The courtrooms and other common areas occupy some 71 616 m², or approximately 40% of the gross floor area of the Institution's building complex (177 185 m²). By comparison, the net office area of the Court's buildings is 58 411 m², or about 81.5% of the area occupied by the courtrooms and other common areas.

The surface area of each group of buildings in the Court's building complex and the budgets allocated to them are given in the table entitled 'Surface areas, workstations and budgets by building group' in **Annex 2**. The multiannual programming for office space, for which no increase is expected in the medium term, is set out in **Annex 3**.

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

As stated in Section I, the renovation of the *Palais* and the construction of a 4th extension of the Court's building complex proved necessary in order to accommodate the enlargements of 2004 and 2007.

It was no longer simply a question of adjusting the existing infrastructure but of rethinking the whole 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 spaces devoted to judicial activity from the office areas of the Members and the services in a logical manner.

The project thus resulted in the construction of a two-storey building around the former *Palais*, able to accommodate up to 40 Members' chambers (the *Anneau* building), the renovation of the former *Palais*, restructured and dedicated solely to courtrooms, and the construction of two adjacent towers (the 'Comenius Tower' and the 'Montesquieu Tower'), all connected by a central gallery serving the common areas and linking the various parts of the site with each other, while ensuring the architectural and functional unity of the complex.

Being a large-scale building project, the Court was particularly attentive to compliance with the budgetary principles of economy and efficiency in the conduct of its construction operations, which has been confirmed by the Court of Auditors. In its Special Report No 2/2007 on the Community institutions' expenditure on buildings, it highlighted the good practices implemented in that project, in particular the strengthening of competition through open calls for tender in order to limit as much as possible the overall cost of the project, or the involvement of the European Investment Bank with a financial structure on more favourable terms than financing from private or public banks.

Finally, the Court ensured that the costs of the project were checked and monitored closely as it progressed, in particular through the assistance of a technical and financial consultancy firm. Those measures thus made it possible to keep the estimated final cost of the project within the (indexed) budget initially set.

The renovated and extended buildings were handed over on schedule in the second half of 2008 and officially opened on 4 December 2008.

1. Financing

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

The sale price is determined by an independent expert appointed, following an invitation to tender, by mutual agreement between the Luxembourg State and the Court. The final price is to be calculated on the basis of a cost integration procedure, also determined by mutual agreement.

Repayment is spread over a period running up to 2026, with the option of making early payments (see point 1.2. below). The project is financed by a property company, Justicia 2026, which has concluded long-term loans with financial institutions submitting the most advantageous bids (see paragraph 1.1. below).

1.1. Loans used to finance the project – Consolidation operations

After the initial costs were incurred, mainly for consultancy purposes, which were pre-financed by the Luxembourg State, the property company took over the payment of invoices by means of short-term credit facilities granted by a Luxembourg bank and the European Investment Bank (EIB).

As the work progressed, those short-term credit facilities were converted into long-term loans, under a 'consolidation' mechanism. The interest rate and the type of rate (fixed, adjustable, variable, capped variable, a mix of different formulas) were determined at the time of consolidation, following a study of market development forecasts in conjunction with the European Commission's Directorate-General for Economic and Financial Affairs (DG ECFIN). The payment could vary in line with the rates applicable at the time of consolidation and, where relevant, in line with changes in the interest rates on the portion of the financing subject to variable rates. Since the Court is ultimately responsible for repayment under the transactions carried out by the property company under the lease-sale agreement, it monitors them very closely.

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

1.2. Prepayments and annual charges

The prepayments made in agreement with the two arms of the budgetary authority between 2007 and 2011, totalling EUR 57.3 million, have made it possible to reduce significantly the budgetary impact of the lease-purchase charges to be paid in the period to 2026. Those prepayments have allowed for significant savings in financial costs, estimated at around EUR 20 million over the whole period, without which the annual amount of lease-purchase payments (EUR 21.1 million in 2022) would have been 18% higher.

1.3. Final cost of construction

The cost of construction of those renovated and expanded buildings amounted to EUR 355.3 million (excluding VAT and financial pre-financing costs), which was in line with the estimated budget. That amount must be understood as subject to the financial impact of legal disputes relating to that construction project.

2. Renovation and major maintenance costs

The costs referred to in this section fall into four categories: firstly, the improvement of equipment and installations; secondly, the upgrading of technical installations; thirdly, the maintenance and repair of 'architectural' features; and finally the operation, maintenance, use and upkeep of technical installations.

First, the most important work related to the improvement of installations included, on the one hand, the installation of new Wi-Fi terminals at a cost of almost EUR 450 000, distributed evenly over the 2021 and 2022 budget years, and, on the other, the installation of charging terminals for electric vehicles, amounting in total to more than EUR 1 200 000, allocated almost exclusively to the 2022 budget year, with work continuing in 2023.

Secondly, as regards the upgrading of technical installations, the work has mainly concerned the migration of the Centralised Technical Management system (CTM) of the Palais, the annex buildings and those of the 4th extension, which consists in transferring the data to a new, more efficient operating system in order to establish a single system for the Court's entire building complex. That multiannual project has an overall estimated cost of EUR 700 000. To date, EUR 420 000 have been committed, including EUR 170 000 in 2022. Work on that project is being performed under existing framework contracts

Thirdly, as regards the maintenance and repair of 'architectural' features, the Court has expected since 2020 that there would be an increase in renovation needs in relation to its buildings since the most recent refurbishment operations now date back more than ten years.

With that in mind, and in order to ensure an appropriate level of maintenance, the Court, by means of a framework contract concluded in June 2021, established an extensive architectural maintenance programme for its building complex. Accordingly, an inventory was drawn up in 2021 and 2022 of its architectural assets (structural assets, finishings, external fittings covering all the premises, car parks, and external fixtures), which will, from 2023, be subject to regular and recurrent inspection, with the aim of carrying out preventive rather than corrective maintenance. As of 31 December 2022, approximately EUR 140 000 have been committed under that contract, which has an overall value of EUR 2 238 000 until the end of 2027.

At the same time, the most significant work carried out in 2022 was the refurbishment of the eight external staircases of the *Anneau* building, costing EUR 390 000, and the work on replacing the waterproofing and insulation of the *Palais* roof, totalling EUR 980 000.

Finally, the operation, maintenance, use and major upkeep of technical installations are also carried out through a framework contract concluded with a private company, following a procurement procedure launched in conjunction with the Luxembourg State. That contract, which entered into force in April 2018 for a period of six years and three months, provides, as regards major upkeep work, for the creation of a reserve fund, which is funded by an annual sum currently amounting to close to EUR 700 000.

IV. ACQUISITION OF THE ANNEX BUILDINGS (ERASMUS, THOMAS MORE AND THEMIS)

Under the lease-purchase agreement relating to these annexes, concluded with the Luxembourg State in 1994, the sale price includes the price of construction, the financing costs and the costs incurred by the State in the performance of its obligations as landlord during the lease-purchase period.

As with the buildings of the 4th extension, the sale price is calculated by an independent expert, appointed after a call for tenders by the Luxembourg State and the Court, pursuant to a method for calculating present-day values determined by mutual agreement, on the basis of the interest rates on the loans taken out to finance the project.

According to the report by the independent expert appointed under the lease-purchase agreement, the balance of the sale price of the annex buildings on 31 December 2022 was EUR 730 000.

By an amendment of 25 March 2010, the State and the Court wished to bring the expiry date of the lease-purchase agreement relating to the annex buildings into line with that of the contract relating to the project to renovate the former *Palais* and construct a 4th extension of the Court's building complex, referred to in Section II above (by 31 December 2026 at the latest), and to have the same regime apply to the entire existing building complex. The payments due under the lease-purchase agreement were therefore rescheduled. The amount to be paid is EUR 150 000 per annum.

V. RENOVATION AND UPGRADING OF THE ANNEX BUILDINGS (ERASMUS, THOMAS MORE AND THEMIS)

Taking into account the age of these annex buildings (built between 1986 and 1993) and developments in the applicable construction, safety and security standards, work took place from the end of 2011 to June 2013 to renovate those buildings and bring them into compliance, in line with the planned budget and schedule. That work focused on:

- ensuring compliance of safety installations (access control) and security (fire, etc.);
- modernising the roofing (green roofing), facades and technical installations (energy saving, sustainable development, etc.);
- installing multimedia equipment in the courtrooms and conference rooms, similar to the courtrooms of the renovated original *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 adopted for the renovation of the *Palais* and the 4th extension of the Court's building complex (see Section II).

1. Financing

On the basis of the final cost of the renovation work (EUR 80.9 million, including pre-financing interest) and the financial arrangements adopted (staggered repayments up to 2026) as indicated above, the annual lease-purchase payment for that work amounts to EUR 5 million, in addition to the annual payment of EUR 150 000 referred to in Section III above.

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 made it possible significantly to reduce the budgetary impact of the lease-purchase payments and, second, the various financial consolidation operations carried out between 2012 and 2017 (EUR 56.8 million).

2. Renovation and major maintenance costs

Since the project was completed in June 2013, no structural or finishing renovation is planned for the period 2023-2027 for that type of standard gauge building.

The major maintenance of technical installations is for its part included in the contract referred to in the last paragraph of Section II.2.

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

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

This extension, the latest to date and the one that marks the completion of the Court's architectural complex, has made it possible to bring together all of the Court's staff on the same site, to terminate the leasing of the remaining buildings still housing its staff (the T and Tbis buildings), and to complete successfully the final stage of the structural reform of the General Court that began in 2016 by installing the chambers of the eight additional judges who arrived in September 2019 in the areas thus made available in the annex buildings of the *Palais*.

Integrated into the urban redevelopment plan of the Kirchberg Plateau area dedicated to the European institutions, this flagship project has expanded the Court's building complex by approximately 30 000 m² of office space, to a total surface area of approximately 50 000 m². Its key component is a third tower ('the Rocca Tower'), which mainly houses the Court's services devoted to languages. The third building is fitted with a multifunctional, welcoming space on the top floor, and a large ground floor area with ancillary areas such as meeting rooms, a data centre, a new printing house and a health centre, thus extending the gallery linking the various buildings to the urban network, which has been specially redesigned to serve this new building.

Pursuing the best practices adopted for the implementation of the building projects described under Sections II and IV, under a framework contract signed on 21 February 2013 with the Court and the Kirchberg Urbanisation and Development Fund, the Luxembourg State acted as awarding authority for the construction of this 5th extension of the Court's building complex.

The contracts necessary for project management (architect, engineers and experts) were finalised in the summer of 2013 and the detailed design project was completed on 31 January 2015. In accordance with the provisional timetable, the construction work started in spring 2016 and ended at the end of the first half of 2019. Despite the delays caused by the restrictive measures imposed to deal with the SARS-CoV-2 health crisis, in particular in the spring (closure of construction sites) and then in autumn 2020, the final phase of the project continued in 2021 with the lifting of reservations and the adjustment of various technical installations. At the end of 2022, acceptance procedures for the work were still ongoing, at a slower pace than expected, since around one third of the works still needed to be accepted. The Court's services are seeking to accelerate the process, in collaboration with the services of the State, the contracting authority.

In addition to the 3rd tower mentioned above (the Rocca Tower, opened in July 2019), the project also enabled the extension of the staff car park (January 2018) and the expansion of the restaurant in the Thomas More building by some 200 additional places (January 2019). The work was completed in 2021 with the fitting-out of a new courtroom in place of the former printing house and cafeteria in the gallery, the installation of a secure archive room instead of the former health centre, and the creation of reception rooms for visitor groups on the first level of the gallery.

Finally, in accordance with the urban development study referred to above, a new road directly serving the Rocca Tower was opened to traffic at the end of 2020. With the opening in April 2022 of the new secure entrance pavilion, built as part of the Institution's upgraded infrastructure security environment (see Section VI below), this new road allows access for vehicles and pedestrians, in particular visitors, while preserving a reserve of land within the natural perimeter of the Court's building complex; in the absence of any new extensions planned for the medium term, it was decided to develop that land into a garden open to the public, which is dedicated to the theme of multilingualism (see Section X below).

Financing

The updated budget relating to the implementation of the 5th extension of the Court's building complex amounts to a maximum of EUR 149 850 000 as at 31 December 2022 (excluding VAT – construction price index for October 2022).

As with the other large-scale building projects, the 5th extension of the Court's building complex was pre-financed by the Luxembourg State, with the Court repaying the State by means of an annual payment calculated on the basis of the sale price at the time the buildings were received, as determined by an independent expert; it includes in particular the total cost of construction and the financing costs. The repayment is to be spread over a period that runs until 2036, with the possibility of making early payments.

As of the end of 2022, the cumulative amount of those early payments was EUR 68 170 500. It is to be noted that between 2016 and 2019, an amount of EUR 65 505 400 was consolidated. The annual payment for this project amounted to approximately EUR 3 million for 2022.

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

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

- a) strengthening the security of the institution's external perimeter; by
 - the construction of a security barrier surrounding the Court's buildings, which, depending on the area concerned, takes the form of metal bars, glass walls, anti-intruder fences and gabion walls, or combinations of those elements; and
 - the construction of three reception and security pavilions at the entrance to the Erasmus building, the entrance to the Rocca Tower on the newly opened street and near the entrance to the Thomas More building, as well as six individual security booths outside those buildings;
- b) strengthening the security of 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 within the buildings with the aid of an integrated security equipment management system;
- d) the moving of the existing bicycle shelters outside the security barrier.

The budget for the project is set at EUR 29.1 million (index October 2017), excluding VAT, including reserves. At 31 December 2022, the updated amount was EUR 34 492 206.

For this project, the Luxembourg State is taking on the role of awarding authority and is providing pre-financing, with the Court carrying out repayment by means of a direct loan. The total cost of the work to be repaid to the Luxembourg State will be determined by an independent expert, whose costs and fees will be borne directly and in equal parts by the State and the Court.

Since the overall amount of the tender offers received exceeded the authorised budget by more than EUR 3 million, the Court decided, in agreement with the Luxembourg State, to limit the scope of the project to the reinforcement of the external perimeter referred to in (a) above and to carry out the work referred to in (b) to (d) above from its own current operating budget, with its services as the awarding authority.

After the signature in October 2020 of the framework contract forming the legal basis for the cooperation between the State and the Court for the performance of the work and the lease-sale of some of the infrastructure constructed under the project, the work carried out with the Luxembourg State as awarding authority – now limited to point (a) above – started in April 2021 and was completed in December 2022.

With regard to the work for which the Court is the project manager – items (b) to (d) above – the first tender procedures were launched in the second half of 2021, which allowed the work to start in 2022. While the work on enhancing the security of access to the buildings from the car parks³ and providing bicycle parking spaces was completed in October and November 2022 respectively, the call for tenders for the integrated security equipment management system – item (c) – is still in the development phase, pending technical clarification.

3| The refurbishments initially planned in one of the three car parks concerned, the Members' car park, have been reviewed in order to optimise their operation and efficiency and are expected to be carried out at the end of 2023.

VIII. RENTED BUILDINGS

With the completion of the various construction projects described in this report (see Sections II, IV and V), the Court was able to bring together all its staff on one site and it thus vacated, in August 2019, the remaining rented buildings (the T and Tbis buildings) which still accommodated part of its staff.⁴

IX. PERFORMANCE INDICATORS

The management of the Court's building projects is still based on the three key indicators:

- 1) compliance with the budget allocated for the project following an estimate of its costs,
- 2) meeting deadlines for completion of the work and for making the buildings available,
- 3) the conformity of those buildings with the tender specifications, the detailed preliminary design and the quality requirements as defined in advance.

Since 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 welcomed by the Court of Auditors as a good practice in its Special Report No 2/2007, that method was continued in the context of the 5th extension and in the project to upgrade the security system of the buildings infrastructure.

That enabled the Court of Auditors, in its Special Report No 34/2018, to reiterate its positive assessment and to note that the three major construction projects undertaken by the Court in close cooperation with the Luxembourg authorities were completed within the set deadlines and without cost overruns.

1. Compliance with the budget and control of costs

In each project that is carried out, the Court seeks to ensure compliance with the budget, subject to any legally permitted increase.

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

As regards the 5th extension (Section V), and as noted by the Court of Auditors, although the final statements are not yet fully closed, the allocated budget is still being adhered to.

As regards the upgrading of the Institution's security arrangements, for which the bulk of the work was completed at the end of 2022 (Section VI), that project has a sufficient budgetary reserve, notwithstanding the revisions in contractual prices requested by certain firms in order to take account of increases in the cost of materials and salaries between the date on which the order was placed and the performance of the work.

4| The Court now rents only one computer room with a surface of 72 m², provided since May 2015 by a private contractor to host its Backup Data Centre.

2. Compliance with deadlines

The buildings referred to in Section II (renovation of the *Palais* and the 4th extension of the Court's building complex) were officially opened on 4 December 2008, in accordance with the planned timetable.

As regards the project referred to in Section IV (renovating and ensuring the compliance of the annex buildings), close monitoring of the work made it possible to comply with the planned timetable and to move into the renovated buildings at the start of the new judicial year in September 2013.

The same applies to the construction project described in Section V. Thus, after structural work began in the autumn of 2016, the work to build the Rocca Tower, extend the staff car park and expand the restaurant in the Thomas More building proceeded as planned, allowing the car park to be opened on 29 January 2018, the extended restaurant to start functioning from 28 January 2019 and the tower to be occupied from 15 July 2019. The work on new areas in the buildings (courtroom, secure archive room and group reception rooms) was slightly delayed as a result of the health crisis linked to SARS-CoV-2 but was completed in 2021.

The start of work on upgrading the Institution's security system (Section VI), initially planned for the spring of 2020, had to be delayed to spring 2021 due to a series of difficulties beyond the control of the Court (the health crisis linked to SARS-CoV-2, changes to the specifications in February 2020, the signature in October 2020 of the framework contract governing cooperation between the State and the Court in the execution of the work, and the lease-sale of some of the structures built under the project). Notwithstanding those issues, and as stated above, the work began in April 2021 and was completed in December 2022, with the three reception and security pavilions providing secure access to the Rocca Tower, the Thomas More building and the Erasmus building being commissioned on 4 April, 10 May and 19 September 2022 respectively, in accordance with the revised operational schedule.

3. Quality

Very stringent acceptance procedures, followed by a phase of the lifting of reservations raised during those procedures, have been put in place such that there is scrupulous observance of the requirements of the tendering specifications. Any remaining reservations that are not settled amicably are to be corrected by the party at fault, involving where necessary technical expert opinion or, as a last resort, judicial appraisal.

As regards the 5th extension of the Court's building complex, in addition to the monitoring procedures put in place for previous projects, the application of the planned BREEAM⁵ environmental certification requires compliance with very demanding qualitative criteria (see next section). In practice, that is a method for assessing the environmental performance of the building based on a series of design and construction criteria and standards going beyond those required by legislation. The BREEAM certification covers both the environmental and socio-cultural aspects of the building and focuses in particular on the overall, local and internal impact of the building during its life cycle. It covers areas as diverse as project management, occupant health and well-being, energy, water treatment and technological innovation.

5| 'BRE Environmental Assessment Method' (BREEAM), established by the British organisation 'Building Research Establishment' (BRE).

X. ACTION WITH RESPECT TO THE ENVIRONMENT

1. Ecological design and construction

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

The way in which the general architecture of the Court's building complex has developed from the 4th extension and the use of predominantly glass facades for both the new *Palais* and the three office towers, allow the optimal use of natural light and savings with respect to lighting.

In order to ensure a sustainable energy supply, the roofing of the *Anneau* building was equipped with 2 888 m² of solar panels, to which were added the 578 m² of additional panels installed on the roof and façade of the Rocca Tower, giving a total surface area of 3 466 m². In 2021, the production of the Court's solar panels was essentially the same as in 2020 (381 586 kWh in 2020 compared to 380 041 kWh in 2021, which was reinjected into the City of Luxembourg's network), resulting, however, in an increase of solar power produced per period of sunshine of 9.2%.

The sequential operation of ventilation and air-conditioning systems, general heat recovery in the building complex and the existence of a computer-based lighting control system also allow substantial energy savings to be made. However, it should be mentioned that due to the safety measures adopted to deal with the health crisis related to SARS-CoV-2, in particular the use of 100% outdoor air ventilation, the total consumption of energy increased by 12.9% between 2015 and 2021, whereas a significant decrease (17.8%) had been recorded between 2015 and 2020.⁶ However, it should be pointed out that, since the beginning of 2022 and with new high-performance filters, the air-processing units have been operating in normal mode, meaning that an improvement in those indicators can be expected in 2022.

With a view to continuous improvement, an energy metering plan was put in place from 2021 and during 2022, consisting of the installation of additional electricity and thermal meters placed at strategic locations in order to monitor the consumption of each of the Court's buildings. In the same vein, the Building Management department has acquired energy management software, a new installation management tool based on an analysis of consumption, which became operational in the Rocca Tower at the end of 2022 and will be extended to all the Court's buildings.

The Court's buildings are connected to the urban cogeneration heating network. Since 2017 most of the heat has been produced from biomass, specifically wood pellets, which (among other factors) has reduced CO₂ emissions by 31.3% compared to 2015.

In order to improve the monitoring of water consumption in sanitary installations, in addition to installing low-flow aerators (2 litres/minute) and taps with motion sensors and stand-alone power supplies, new water meters were added in 2022 to improve monitoring of on-site water consumption and detect potential leaks more quickly. A large number of sanitary facilities are supplied only with cold water, which has also led to significant energy savings. In accordance with the Rocca Tower's BREEAM certification, it is equipped with water-saving sanitary facilities designed to limit water consumption for sanitary purposes to 20 litres per person per day. In order to further improve control over water consumption, the main water meters on site must be integrated into the building's technical management tool.

6| 2022 Environmental statement, page 17.

A reservoir for fire extinguishing water has been created at the waste water outlet, which makes it possible to carry out analyses prior to any release into the public network. Hydrocarbon separators and fat separators make it possible to treat the water from the car parks and from the restaurant area, it being noted that the BREEAM certification of the 5th extension of the Court's building complex also requires the installation of a greywater and rainwater collection system over a total area of 1 425 m².

As with the project to renovate the Erasmus, Thomas More and Themis buildings, the Court set itself very high environmental targets in the project for the 5th extension of its building complex. The Rocca Tower is designed to meet class 'AAA' energy certification, which corresponds to the performance of a passive building (heating needs and primary energy consumption/CO₂ emissions reduced by 55% and 45% respectively compared with reference standards), and it is likely to obtain, as provided for in the tender specifications, a BREEAM environmental certification with the rating of 'excellent'.

That certification requires a reduction in the demand for energy and the use of renewable energy, which requires the implementation of state-of-the-art technology, such as:

- highly efficient insulation of the building's exteriors;
- maximising natural light (while allowing for an adjustment of solar exposure via sun protection);
- triple glazing;
- increasing users' thermal comfort by taking advantage of the inertia of the building structure;
- highly efficient recovery of heat and humidity via air treatment plants;
- the recovery of the heat generated by the Data Centre;
- the prioritised production of cold air by 'free cooling' and the use of high-efficiency cooling equipment;
- photovoltaic panels;
- collection of rainwater.

For waste management, the Court applies a selective treatment plan in partnership with the Ministry of the Environment and an approved organisation, the 'SuperDrecksKëscht'. Construction waste from the Court's building projects is also the subject of a specific processing plan set by that body. In 2004, the Court was the first European institution to obtain the label 'SuperDrecksKëscht ® fir Betriber' for its exemplary waste management. In 2012, it decided to join the organic waste sorting and bio-methanisation system set up in Luxembourg to produce biogas that can be reused in the domestic gas network.

In order to further contribute to reducing the consumption of single-use plastic bottles, the Court removed such bottles from its self-service restaurants and vending machines at the end of 2022. Some 35 water fountains have now been installed in the buildings. They were put in place from 2021 after a test phase in 2019, and were brought into service in March 2022, in accordance with the recommendations of the medical officers, when staff began to return to their offices after the lifting of the restrictions adopted in response to the SARS-CoV-2 crisis. On that occasion, a reusable drinking bottle was offered to all staff. The total amount of that investment was EUR 240 000.

2. Environmental management

As an EU institution that aims to ensure that it contributes to sustainable development, the Court has participated since 2016 in the Eco-Management and Audit Scheme known as 'EMAS', which aims to evaluate and continuously improve environmental performance according to the three objectives of 'ecology, economy, efficiency'. In November 2019, the Court obtained its first renewal of its EMAS registration, by the Luxembourg Ministry of the Environment, Climate and Sustainable Development, until 30 November 2022. The renewal of that registration for a further period of three years took place in 2022.

From 19 to 21 October 2022, an approved external auditor carried out an environmental audit for the renewal of the registration, covering all the activities of the Court as set out in the EMAS rules. In its report of 7 November 2022, the external auditor gave a positive assessment of the Court's environmental management system, finding that it was 'quite mature' and 'had good support' on the part of the institution's management bodies, with 'ambitious goals and the necessary resources'. It also noted that the Court had put in place a large number of sound environmental practices and pointed out that its environmental performance indicators were still developing positively, thus demonstrating that the health crisis of 2020 had enabled the long-term adoption of new environmentally friendly practices. Following the audit, and on the basis of that report, the Court obtained the renewal of its EMAS registration until June 2025.

In addition to the EMAS system, the Court has since 2010 carried out an analysis of its greenhouse gas emissions; this is updated each year, with a comprehensive assessment being carried out every three years. Since the previous update of emissions sources of 2019, a new carbon footprint assessment was carried out in July 2022, using data from 2021. The items taken into consideration included energy, refrigeration fluids, daily commutes, waste, fixed assets, inputs and telework. Taking into account the increase in staff numbers, the Court's carbon footprint assessment shows a decrease in kg of CO₂ equivalent per 'full-time equivalent' of 31.3% between 2015 and 2021, but an increase of 3.1% between 2020 and 2021. That increase was expected and can be explained by the partial return of staff to their offices in 2021.

In view of the health restrictions to combat the SARS-CoV-2 pandemic, staff mostly working from home throughout 2021 and, consequently, the very low occupancy of the buildings in 2021, the Court again recorded highly satisfactory, albeit unrepresentative, environmental results, be it in terms of water and energy consumption or waste production. It is thus apparent from the Court's updated carbon footprint assessment that emissions in tonnes of CO₂ equivalent linked to its activities decreased from 32 747 tonnes of CO₂ equivalent in 2010 to 11 183 tonnes of CO₂ equivalent in 2021, a figure that was stable in comparison with 2020, but which consolidated the sharp decrease (49%) recorded between 2019 (21 937 tonnes of CO₂ equivalent) and 2020. As in 2021, that very sharp reduction, affecting all sources of emissions, can again be explained by:

- a very significant reduction in the leakage of liquid refrigerants, thanks to the installation in 2020 of a new refrigeration system in the catering areas (see Section II, point 2);
- increased use of the energy management system based on the principles of the ISO 50001 international standard, in close cooperation with the maintenance provider, and the acquisition of energy management software that is regularly updated;
- a drastic reduction in travel due to the measures taken during the SARS-CoV-2 pandemic, which affected both commuting and work-related travel and the number of external visitors;
- a drop in energy consumption, due in part to leaving the T and Tbis buildings, which were rented until the summer of 2019, but mainly to the restrictions imposed on the Institution's activities owing to the health crisis.

It should also be noted, lastly, that the Court and the other EU institutions based in Luxembourg, in order to promote staff mobility, have offered employees, upon request and free of charge, a subscription to the 'vel'OH!' self-service electric bicycles provided by the City of Luxembourg. That initiative, which attracted approximately 282 people by the end of 2022, is also intended to contribute to the goal of reducing carbon emissions linked to commuting, while at the same time encouraging 'vel'OH! bicycle stations to be set up close to the buildings of the institutions.

After installing charging points for electric vehicles in the car park for the Institution's official vehicles (see above II.2), the Court has also undertaken to install such chargers in the staff car park. However, certain budgetary and technical aspects relating to the installation of the latter chargers must still be clarified.

XI. THE GARDEN OF MULTILINGUALISM

The demolition of the European Commission's former Jean Monnet building, which was completed at the end of 2019 created within the natural perimeter of the Court's building complex a free area of land of approximately 1.2 hectares, which is currently located between the Court's forecourt and the road providing access to the Rocca Tower.

The land belongs to the Kirchberg Plateau Urbanisation and Development Fund (FUAK) and was originally intended as a reserve of land for a possible future extension of the Institution's building complex. In the absence of any new medium-term plan for a building, the Court and FUAK agreed to transform the area into a temporary garden celebrating multilingualism and designed in such a way as to serve as a venue for cultural events.

The work on creating the garden, begun in spring 2022, have proceeded in accordance with the planned timetable. The official opening of the garden will take place on Europe Day on 9 May 2023. Together with the Luxembourg authorities, the Court took part in organising a competition in order to select a work of art to be installed in the garden.

The budget for creating the garden set aside by the FUAK, which is the contracting authority, is limited to a maximum of EUR 2 500 000. Once it has been completed, the Court will take charge of the maintenance of the garden and part of its management, in accordance with the provisions of an agreement to be concluded with the FUAK.

XII. INTERINSTITUTIONAL COOPERATION

As in 2021, the main topics concerned by interinstitutional cooperation in the area of buildings infrastructure in Luxembourg remained focused on the impact of the SARS-CoV-2 crisis on building management, arrangements for home working and the future of office use after the pandemic.

In the framework of the High Level Interinstitutional Group on the attractiveness of the Luxembourg worksite, which was set up in 2020 within the CALux (the group of the Secretaries-General and Heads of Administration of the European Union institutions and bodies in Luxembourg), one of the 12 actions proposed in 2021 (see Chapter V of the management report for the 2021 financial year) was to examine the provision of temporary accommodation to newly recruited staff for a maximum rent equal to the market price, without having an impact on the Union budget. Based on estimated potential requirements of around 1 200 units, the working group tasked with implementing this action focused on the possibility of the institutions renting approximately 104 studios in a multipurpose complex to be built on the outskirts of the town of Junglinster, to be sublet to eligible staff for a maximum period of one year per person.

After being presented with the broad outlines of the project on 29 June 2022 and a note setting out in more detail its features and financial aspects, the CALux agreed on 16 November 2022 that the project should be continued with the prospective developer.

Within, more specifically, the interinstitutional group on buildings coordination in Luxembourg (GICIL), which aims to promote the exchange of best practices in the area of buildings management, work focused on the follow-up to Recommendation 5b of the Court of Auditors Special Report No 34/2018 of 5 December 2018 on the management of office accommodation in the EU institutions, in particular the implementation of the measurement code applicable to the buildings of the institutions the European Union adopted at the end of 2019. Monitoring the implementation of that common standard, intended to govern the presentation of data contained in the institutions' annual reports, is the task of a new working group, the WGECA (Inter-institutional Working Group to address ECA's recommendation 5b – SR 34/2018), which convened on 15 November 2022.

The GICIL also facilitates interinstitutional cooperation in the area of gas and electricity supply, and provides technical assistance services in the field of construction that generate economies of scale. In that regard, a new workshop on measures to be taken to tackle the consequences of the energy crisis triggered by the war in Ukraine was organised in October 2022.

As regards interinstitutional calls for tenders, the Court participated in the tender procedure for the purchase of furniture published by the European Parliament on 10 May 2022 in order to replace the existing framework contracts. The new framework contracts, applicable from 2023, provide the participating institutions with favourable discount rates and offer a more homogeneous selection of furniture.

In order to continue and deepen exchanges on good practices for the reduction of CO₂ emissions and to put in place financial synergies, the Court's environmental advisor continues to participate in the work of several interinstitutional environmental committees, namely:

- ECONET (Inter-institutional EcoNetwork): an interinstitutional committee composed of the EMAS coordinators of several European institutions in Luxembourg, responsible for 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 composed of the EMAS coordinators from several EU institutions located in Luxembourg and elsewhere;
- the 'Green Public Procurement' Interinstitutional Working Group: a GIME working group in the 'green' purchasing sector.

Finally, with regard to security-related issues, the Interinstitutional Security Group (GIS), set up in 2014 at the initiative of the Court with a view to harmonising approaches, exchanging best practices and cooperating in the event of a specific threat, continued to meet during 2022. The Court continues to chair the group.

XIII. FOLLOW-UP TO THE REPORT BY THE COURT OF AUDITORS ON OFFICE SPACE

On 25 March 2022, the Court received a summary of the findings relating to the follow-up to the Special Report No 34/2018 of the Court of Auditors of 5 December 2018: 'Office accommodation of EU institutions – Some good management practices but also various weaknesses', to which the Court responded on 25 April 2022. After analysing the replies given by the Court, the Court of Auditors closed the follow-up to the Special Report on 23 May 2022.

As regards more specifically the management and occupation of the Institution's premises, the Administrative Committee of the Court adopted a decision on 12 July 2021 which seeks to expand the role of teleworking in working arrangements after the end of the SARS-CoV-2 pandemic.

The Court intends to continue to adapt its approach according to the feedback it has received and to adopt the most appropriate solutions in terms of efficiency, well-being and work balance. The way in which the office areas of the buildings in its complex have been fitted out, based on a modular design, which allows workspaces to be adapted to changing needs and to create various collaborative spaces, constitutes an advantage for the Institution in that regard.

In that context, an interdepartmental working group on the occupation of the premises was set up on the initiative and under the aegis of the Registrar of the Court in October 2022. Combining representatives from the Registries and the services of the Court, as well as the Staff Committee, the group aims to identify the operational needs and aspirations of the staff, and to consider all the issues relating to the occupation of the Court's premises with a view to making recommendations for possible developments.

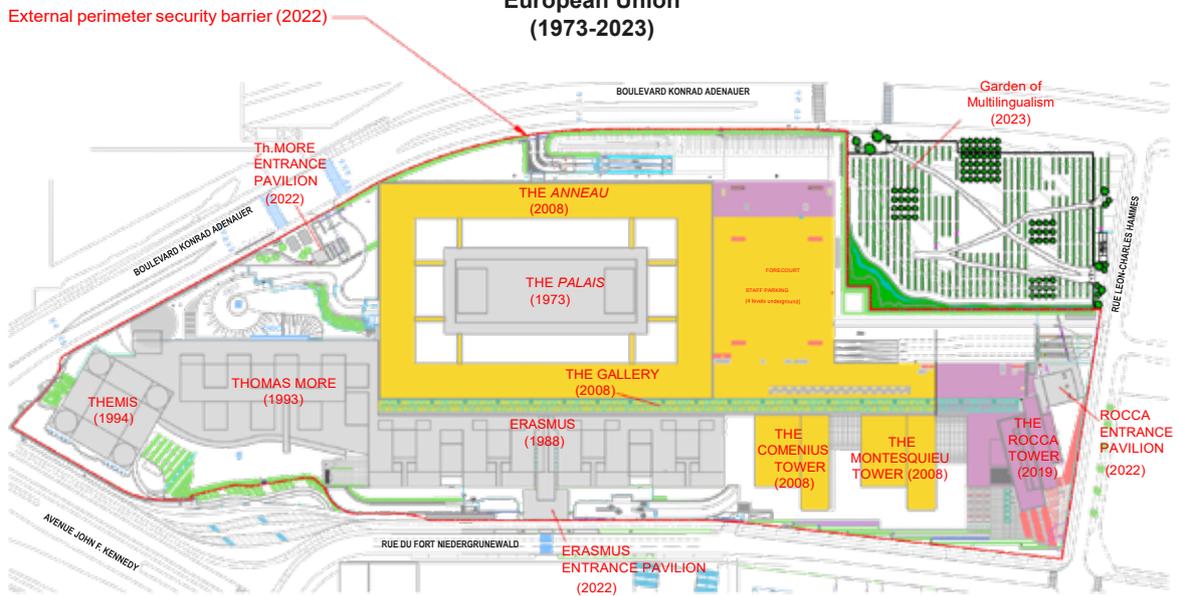
XIV. BUDGET IMPLEMENTATION AND FORECAST

The following table shows, first, the implementation of the 2022 budget as carried out, including the transfers of appropriations made and, second, the 2023 budget as approved by the budgetary authority, as well as the budget request for 2024.

BUDGET 2024 - BSD: Security, New Work and Building Management Units – Fund Center: BAT*							30/03/23
Item	CI-Description	BUDGET 2024 (request of 17.01.2023)	BUDGET 2023 (approved)	BUDGET 2022 (commitments made on 31/12)	Credit transfers executed in 2022	Change 2024/2023	Change 2024/2022
20 Buildings and associated costs							
2000	Rent	175 000.00 €	135 000.00 €	134 550.13 €	4 560.00 €	29.63%	30.06%
2001	Lease-purchase	31 894 000.00 €	32 092 000.00 €	38 228 901.04 €	2 635 905.00 €	-0.62%	-16.57%
2007	Fitting-out of premises	2 074 000.00 €	1 980 000.00 €	4 774 523.04 €	1 043 525.00 €	4.75%	-56.56%
2008	Studies and technical assistance in connection with buildings	1 240 000.00 €	1 225 000.00 €	1 643 007.67 €	36 010.00 €	1.22%	-24.53%
2022	Cleaning and maintenance	12 427 000.00 €	11 575 000.00 €	10 739 892.73 €	-549 000.00 €	7.36%	15.71%
2024	Energy consumption	7 737 000.00 €	3 163 000.00 €	5 414 954.87 €	2 973 733.88 €	144.61%	42.88%
2026	Security and surveillance of buildings	8 279 000.00 €	7 669 000.00 €	7 606 086.44 €	-87 913.56 €	7.95%	8.85%
2028	Insurance	475 000.00 €	475 000.00 €	464 725.31 €	-10 274.69 €	0.00%	2.21%
2029	Other expenditure on buildings	220 000.00 €	218 000.00 €	208 454.37 €	3 454.37 €	0.92%	5.54%
TOTAL CHAPTER 20		64 521 000.00 €	58 532 000.00 €	69 215 095.60 €	6 050 000.00 €	10.23%	-6.78%
				63 165 095.60 €	without appropriations		2.15%
23 Current administrative expenditure							
23800	Miscellaneous insurance	32 000.00 €	30 000.00 €	26 673.01 €	0.00 €	6.67%	19.97%
23803	Removals and associated handling	310 000.00 €	98 000.00 €	18 170.00 €	0.00 €	216.33%	1606.11%
23808	Offsetting of Carbon Emissions – EMAS	30 000.00 €	30 000.00 €	0.00 €	0.00 €	0.00%	n/a
BSD TOTALS (BAT*)		64 893 000.00 €	58 690 000.00 €	69 259 938.61 €	6 050 000.00 €	10.57%	-6.31%
				63 209 938.61 €	without appropriations		2.66%

Overview of the building complex
of the Court of Justice of the
European Union
(1973-2023)

ANNEX 1



Notes :

- The Palais, built in 1973, was refurbished in 2008 as part of the fourth extension.
- The Erasmus, Thomas More and Thémis buildings were refurbished in 2013.

Key:

- 4th extension (2008)
- 5th extension (2019)

SURFACE AREAS, WORKSTATIONS AND BUDGETS BY BUILDING GROUP

ANNEX 2

BUDGET LINE		BUILDING	TOTAL GROSS FLOOR AREA (GFA) 2023 (m ²)	GROSS above ground FLOOR AREA (GFA) 2023 (m ²)	NET OFFICE SPACE 2023 (m ²)	WORKSTATIONS 2023 (4)	CONTRACT TYPE	BUDGET 2023	BUDGET 2024 (draft)
2000	Rent								
	<i>total</i>	Data Centre	100	100	0	0	Lease	€ 135.000	€ 175.000
TOTAL LINE 2000			100	100	0	0		€ 135.000	€ 175.000
2001	Lease-purchase								
		Renovated Thémis, Thomas More and Erasmus (CJ8) (1)	70.127	36.276	15.167	733	Lease-purchase	€ 5.583.376	€ 5.592.337
		<i>Anneau</i> , <i>Palais</i> , Gallery (2), Comenius Tower and Montesquieu Tower (CJ4), Members' and staff parking	142.934	99.913	28.847	1.438	Lease-purchase	€ 21.072.951	€ 20.446.904
		5th extension of the Court's building complex (CJ9)	44.924	40.406	14.397	776	Lease-purchase	€ 5.206.178	€ 5.199.836
		New construction work connected with the upgrade of the security system of the Court's building infrastructure (CJ10) (3)	590	590	0	0	Lease-purchase	€ 229.495	€ 654.923
	<i>total</i>		258.575	177.185	58.411	2.947		€ 32.092.000	€ 31.894.000
TOTAL LINE 2001			258.575	177.185	58.411	2.947		€ 32.092.000	€ 31.894.000
						Average office space per workstation (m²)	19,82		

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 Thémis, Thomas More and Erasmus buildings include courtrooms, 'salles 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 *Anneau* houses 41 Members' offices.

ANNEX 3

MULTI-ANNUAL PROGRAMMING (office space)

	2023	2024	2025	2026	2027
Lease-purchase	103.705	103.705	103.705	103.705	103.705
Renovated annex buildings (CJ8)	23.164	23.164	23.164	23.164	23.164
New <i>Palais</i> building complex (CJ4)	49.551	49.551	49.551	49.551	49.551
5th extension (CJ9)	30.400	30.400	30.400	30.400	30.400
Security upgrade (CJ10)	590	590	590	590	590
TOTAL AVAILABLE	103.705	103.705	103.705	103.705	103.705

CJ8 = Thémis (formerly Annex C), Th. More, Erasmus renovated in 2013

CJ4 = *Anneau*, *Palais*, Gallery, Comenius Tower (formerly Tower A), Montesquieu Tower (formerly Tower B) (2004)

CJ9 = Rocca Tower (formerly Tower C) (2019)

CJ10 = External perimeter security barrier, Erasmus pavilion, Th. More pavilion and Rocca Tower pavilion (2022)

Office areas include the net office area referred to in Annex 2 and the areas corresponding to corridors, lifts, toilets, archives, meeting and training rooms, cafeterias, restaurants, etc.

REPORT ON WAIVERS OF RECOVERIES GRANTED BY THE INSTITUTION

Article 101 of the Financial Regulation lays down the rules for waiving recovery of established amounts receivables.

Paragraph 1 of that article states that it is the accounting officer's responsibility to take charge of recovery orders for amounts receivable duly established by the authorising officer and to record the sums recovered.

In the event of creditors defaulting on their payment obligation and where it is not possible to proceed to recovery by offsetting, as provided for in Article 102, paragraphs 2 to 4 specify the conditions under which the authorising officer may waive recovery of an established amount receivable and the criteria to be taken into account in the light of the circumstances before waiving recovery.

Paragraph 5¹ requires each institution of the Union to report to the European Parliament and the Council on waivers granted in accordance with Article 101(2), (3) and (4).

In 2022, no waiver of a claim against 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 2022 is a reliable, complete and correct reflection of the activities of the Institution's services,

State that I have reasonable assurance that the resources allocated to the activities described in this report have been used for the purposes intended and in accordance with the principle of sound financial management and that the control procedures put in place provide the necessary guarantees as to the legality and regularity of the underlying transactions. This reasonable assurance is based on my own judgment and on the information available to me concerning the operation of the internal control system, such as the results of *ex ante* and *ex post* verifications, the observations of the internal auditor and the lessons learned from the reports of the Court of Auditors relating to financial years prior to that of this declaration,

Further I confirm that I am not aware of any unreported facts that could harm the interests of the Institution.

Luxembourg, 10 May 2023



ALFREDO CALOT ESCOBAR
REGISTRAR



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Printed by Court of Justice of the European Union in Luxembourg

Text completed in June 2023

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Luxembourg: Court of Justice of the European Union - Directorate-General for Information -
Communications Directorate - Publications and Electronic Media Unit, 2023

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PRINT ISBN 978-92-829-4318-2 ISSN 2467-3110 doi:10.2862/868391 QD-AR-23-001-EN-C
PDF ISBN 978-92-829-4319-9 ISSN 2467-3137 doi:10.2862/40993 QD-AR-23-001-EN-N

Printed on eco-friendly paper



COURT OF JUSTICE OF THE EUROPEAN UNION

Communications Directorate
Publications and Electronic Media Unit

Directorate for the Budget and Financial Affairs

June 2023

Printed on eco-friendly paper



PRINT
PDF

QD-AR-23-001-EN-C
QD-AR-23-001-EN-N

ISBN 978-92-829-4318-2
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