



Management Plan 2024

LEGAL SERVICE

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Introduction

Embedded in the provisions of the founding Treaties and in the specific institutional functions and responsibilities as guardian of the Treaties, the mission of the Legal Service is to advise and represent the Institution and in performing those tasks, to ensure that the law is respected, thereby contributing to upholding the rule of law.

For the past 70 years, law has been the driving force behind the ever-deeper integration of Europe. It is a unique feature of the European project. The legal order of the Union is the driver of integration, a supranational Union built on law. 'The community of law is the foundation of everything already achieved and still to be done' ⁽¹⁾.



The management plan of the Legal Service presents how it will plan and execute its activities in 2024, focusing on its two core activities, delivery of legal advice, including legal revision, to all Commission services and the College; and legal representation of the Commission and of the Union before the Union courts, before national and international courts and tribunals, and on Negotiations on the accession of the European Union to accede to the European Convention on Human Rights (ECHR). The management plan sets out how the work will be organised internally to be as effective and efficient as possible.

The year 2024, is the year of transition with the European Parliament elections and with the subsequent transition of the Commission. The Legal Service will be involved in finalising pending files and advising on the initiatives until the end of the mandate as well as of the new mandate.

As a horizontal service, under the direct authority of the President of the Commission ⁽²⁾, Ursula von der Leyen, it **contributes to all six priorities of the von der Leyen Commission**, and in particular to:

General objective n° 7: A modern, high-performing and sustainable European Commission, in accordance with Article 17 TEU and in compliance with the Treaties in accordance with its mission statement.

⁽¹⁾ Extract from the preface by Ursula von der Leyen to the “70 Years of EU law – a Union for its citizens” book.

⁽²⁾ Decision P(2019) 1 of 1.12.2019.

- The Legal Service provides **independent legal advice** to the Commission as a whole, in order to assist it to achieve its policy objectives. Taking the time to consider carefully all relevant elements of law and fact, and to listen to all points of view, it guides the institution as to the limits of and opportunities provided, by the law, based on its best assessment of how the law is to be interpreted and applied.
- The Legal Service provides advice to the Commission in its legislative and regulatory tasks seeking to ensure that **all legal texts adopted by the Commission fully respect the Treaties** and are drafted with the necessary legal clarity and in the interest of EU citizens.
- The Legal Service **represents the Institution before the Union Courts, national and international courts and tribunals and arbitration bodies**. It pursues the enforcement of EU law and defends measures attributable to the Commission and/or the European Union. The Legal Service also assists the Court of Justice by presenting the Commission's position in all preliminary reference procedures that are notified to the Commission acting as *amicus curiae* on relevant points of EU law.

Specific objective 1:

Legal proposals for adoption by the Council and the Parliament are transparent and of high quality to ensure full benefit of rules for EU citizens.

Specific objective 2:

Guarding the Treaties and defending the interests of the European Commission in courts, tribunals and other arbitration bodies to ensure full benefit of law for all EU citizens.

Specific objective

3: Negotiations on the accession of the European Union to accede to the European Convention on Human Rights (ECHR).

General objective n° 6: A new push for European democracy.

The Legal Service negotiates on behalf of the Union, the accession of the European Union to the European Convention on Human Rights (ECHR). In 2024, there will be intense work on the accession of the Union to the ECHR. An upcoming judgement from the Court of Justice in 2024, is expected to provide important clarity on issues crucial for the accession.

Continued implementation of the headline ambitions and other challenges for 2024:

In 2024, the Legal Service will continue to support the Commission's headline ambitions. Entering to the last year of the mandate, the Legal Service will continue its legal support to ensure adoption by the co-legislators of key pending files as well as legislative initiatives proposed by the Commission in line with the 2024 Commission work program. In particular, this might concern areas such as competitiveness and prosperous enterprising, employment and equal treatment, environmental protection, technical development and access to material, information technology and digital safety, and to strengthen the European democracy.

The Legal Service will continue to closely follow the discussions on these and all other pending legal proposals. Furthermore, particular emphasis should be put on the priorities described in the Commission's 2024 work programme and the new initiatives announced therein, such as those concerning the **EU Space Law**, the Initiative to open up **European supercomputer capacity** to ethical and responsible artificial intelligence start-ups, the **European Defence** Industrial Strategy and Commission Recommendation on integrated child protection systems, where the Legal Service will support the DGs being in the lead. To the **Better Regulation** initiative, the Legal Service contributes by its expertise.

By summer 2024, the review by the Commission of the different policies regarding the future enlargement of the Union is expected based on the Strategic Agenda. It will lead to a road map on the **future enlargement of the Union**. The Legal Service expects to be closely involved in the work on reforms ensuring that Union policies are fit for the future and financed in a sustainable manner, based on the values on which the Union is founded, and that the EU institutions continue to function effectively. As of the second semester of 2024, the Legal Service expects to be closely associated to these future work strands of reflection on internal reform, especially on its institutional aspects.

The Commission's **response to the on-going aggression war by Russia against Ukraine** will continue to require the active engagement of the Legal Service, with various legal questions concerning energy, sanctions, humanitarian law and budgetary matters remaining at the forefront.

PART 1. Delivering on the Commission's priorities: main outputs for 2024

EU law is the guiding thread of European integration. At the heart of the European project is the existence of rule-based institutions, which act strictly under the treaties and are subject to law. Everything the EU does is possible first and foremost because it is based on the respect of EU law. Within the European Commission, the Legal Service has actively contributed to its development and enforcement.

Dating from the early days of the Commission, the existence of the Legal Service is anchored in the rules of procedure of the Commission, Article 21, which stipulates that the Legal Service must always be consulted on all drafts and proposals for legal instruments and all documents that may have important legal implications. before initiating any of the procedures for the Commission to adopt decisions.

For 2024, the Legal Service's expects to **provide legal advice in all areas of EU and international law** in some 17.000 consultations of which 10.000 on legal acts and some 3.000 parliamentary questions.

The defence of the interests of the

European Union and the Commission before


various courts and tribunals are expected to increase to some 2.100 ongoing cases in litigation in the Union Courts and to some 800 ongoing national courts in the Member States and in third countries. Levels are expected to remain stable for arbitration tribunals, in international dispute settlement bodies such as the World Trade Organisation (WTO) and in international arbitration bodies.



Indirectly, legal advice and legal defence **contribute to all six priorities of the European Commission**, to which the individual Legal Service teams contribute ⁽³⁾ specifically:



A European Green Deal
 The Internal market for goods, energy including Euratom, enterprise, customs union, environment (*MIME*) team, the Agriculture & Fisheries (*AGRI*) team, the Social & employment, consumer protection (*SOC*) team, the Trade & World Trade Organisation (*TRADE*) team and the Eurozone and economic questions (*EEL*) team and the Budget, customs & taxation (*BUDG*) team will work on these issues.



An Economy that works for all people
 The *BUDG*; the *EEL*, the *SOC*, the *TRADE* teams, the Business law and information society (*AFFAIR*) team, the State Aide (*AIDE*) team and the Competition (*COMP*) team will have input to provide.



A Europe fit for the digital age
 The work in the *AFFAIR*; *COMP* and *MIME* teams will contribute to this objective.

Promoting our European way of life
 The Institution (*INST*) and Justice, freedom & security (*JLS*) teams and the *SOC* team will be involved.

A stronger Europe in the world
 The External relations (*RELEX*) and *TRADE* teams are responsible for ensuring the global quality of the proposals concerning: enlargement, governance and development in neighbouring countries, humanitarian aid and in trade and investment agreements.



New push for European democracy
 The *JLS* and *INST* teams will be closely involved. The negotiations on the accession to the European Convention on Human Rights (ECHR) come under the responsibility of the *INST* team in association with the *RELEX* team.

To meet the requests for legal advice and legal representation, the Legal Service has highly skilled, competent and committed staff and a flat organisational structure in which the work and staff are organised by area of law, with the Quality of Legislation team being specialised in the drafting aspects of legal acts.

⁽³⁾ The LEG team (Quality of Legislation) contributes to all six priorities.

A. Legal Advice

In its advisory role, the Legal Service has extensive horizontal duties as provider of **legal advice to the President and the College, as well as to Commission DGs and Services** in all areas of the Commission's activities in:

- the development of legislation, notably legal advice in the preparation of legal acts and legislative proposals (content and drafting);
- conducting international negotiations;
- acting as the guardian of the Treaties;
- exercising its powers to adopt implementing and delegated acts.

These tasks contribute to **General objective n° 7: A modern, high-performing and sustainable European Commission**. To enable the Legal Service to perform its mission effectively, it must be consulted in advance on all documents to be put before the Commission. Its advice, by ensuring the legal soundness of the proposals, can lead to a reduction in the number of court cases brought against the Commission; hence, it contributes to efficiency gains throughout the Commission.

In 2024, the Legal Service will continue to provide legal advice, starting already in the



beginning of the legislative drafting process through informal advice. Whenever required, Legal Service staff will give their advice within the established deadlines, which for most of the formal consultations which are between 48 hours and 10 working days. Very urgent consultations, which have to be replied to within 24 hours or less, continue to be part of its daily work.

The Legal Service expects to issue legal opinions for some 17.000 consultations in 2024 of which some 10.000 will be on draft legal acts brought forward for adoption by the Commission. It also expects to be consulted on the replies or draft its own replies to more than 3.000 parliamentary questions, on requests from the Ombudsman, on petitions and access to documents requests.

The number of consultations in general, and also on legislative acts, will continue to put pressure on the Legal Service in 2024. The areas from which they arise vary from year to year, however, the flexible internal organisation is designed to meet all incoming requests for any specific area of Union legislation.

Replying to consultations will contribute to **Specific objective n° 1: Legal proposals for adoption by the Council and the Parliament are transparent and of high quality to ensure full benefit of rules for EU citizens** in the Strategic Plan for 2020-2024.

The Legal Service contributes to the simplification and rationalization in the Commission by the continuous developments of, among others, the Ref2Link and the ULM tool. The ULM main component is “*Base contentieux*”, which handles the workflow of the court cases. It is



provided to other institutions, contributing to efficiency gains not only in the Commission but in other institutions as well. The cooperation with SG and DIGIT on the new xml-based EdiT drafting tool will continue in 2024. AI/smart functionalities in EdiT/LEOS will

contribute to improve efficiency and quality of legislative acts. Furthermore, the strategy on implementation of AI in the Legal Service will be developed in 2024. More information is presented in Part 2, Section D.

Performance table for legal advice

For 2024, the Legal Service expects a considerable number of consultations in the areas of energy, various questions related to the aggression war against Ukraine (financial assistance, sanctions, war crimes, etc.), different complex questions regarding enlargement, the EU’s economic governance system, as well as questions concerning specific portfolio areas related to the implementation of the Fit for 55 package, the Digital Markets Act and the Digital Services Act and other complex legislative proposals expected to be adopted or implemented in 2024. Other areas such as the rule of law may also lead to an important number of consultations.

Performance table 1 shows the number of requests for legal advice and their respective reply rates for 2021 and 2022 as well as estimated figures for 2023 and 2024.

Performance table 1: Consultations						
Type of consultation	2021	2022	2022 reply within deadline	2023	2023 (target reply within deadline)	2024 (target)
Total consultations registered in ARES ⁽⁴⁾	17 318	16 813		16 831		17 000
of which are legal acts registered in Decide	10 536	10 534	86%	10 052	88%	10 000
of which are Fast track (reply within 48 h)	112	117	100%	132	100%	135
Parliamentary questions ⁽⁵⁾	5 681	4 094	100%	3 653	99%	3 000
Sanctions decisions with financial consequences	4	17		46		50
Active referral cases with sanctions	19	26		63		70
Petitions ⁶	832	489	100%	493	95%	500
Requests from the Ombudsman	31	31	75%	40	75%	30
Access to Documents	205	249 ⁽⁷⁾ (⁸)	90%	175	90%	200
Average reply rate	88%	87%			>92%	>92%

B. Advice on quality of legislation and legal revision

The Quality of Legislation team contributes to the quality of draft legal acts by giving advice on how to improve legislative drafting and to ensure that draft legal acts comply with the rules on legislative drafting and are written in such a way that they can be translated effectively in a legally consistent way into all official languages. The observations and suggestions are communicated to the thematic team responsible which incorporates them into the formal Legal Service's replies and contributes to **General objective n° 7: A modern, high-performing and sustainable European Commission.**

⁽⁴⁾ Detail on ARES consultations per team can be found in annex 1.

⁽⁵⁾ Tacit agreement. Since 2021, up to four questions can be included in a parliamentary request.

⁽⁶⁾ Tacit agreements

⁽⁷⁾ While the number of requests somewhat fluctuates, the number of documents requested increases, with significant increase in the proportion of third-party documents within the total number of documents requested.

⁽⁸⁾ New indicator for 2022: 90% of replies to be given within the standard time limit.

The work performed by the Quality of Legislation team contributes to **increases in efficiency by enabling more transparency, accuracy and legal consistency** in the final drafts and of draft proposals contributes to **Specific objective number 1: Legal proposals for adoption by the Council and the Parliament are transparent and of high quality to ensure full benefit of rules for EU citizens** in the Strategic Plan for 2020-2024.

The Quality of Legislation team works both proactively and reactively. From all acts registered in *Decide*, the Quality of Legislation team expects to select some 1800 legal acts for in 2024 to undergo revision based on several parameters, the most important being that a text is due to become legally binding. The team expects to select approximately 90 texts in 2024 to undergo multilingual coherence reviews and some 400 corrigenda acts. The Quality of Legislation team also expects to be involved at the pre-consultation stage.

As the lead service, it will also work together with the Directorates General on **codification** i.e., **formal re-adoption** of an act with all its applicable amendments incorporated.

The Quality of Legislation team together with several other Legal Service teams will continue to provide training to DGs to improve legislative drafting. For 2024, the Legal Service training strategy will offer legislative drafting courses to Commission DGs and Services with the objective **to improve legislative drafting skills** and contribute to an improved quality of legislative drafts.

In the framework of the digitalisation of work procedures, the Quality of Legislation team will follow and contribute to the development of digital techniques and tools for the elaboration of legislation.

Performance table for legal revision

The number of selected drafts and the number of reviewed pages is expected to increase slightly in 2024 as compared to 2023 and 2022. As for codifications, each year the team propose to the DGs acts to be codified. Acts can also undergo recast, adding new aspects to a legal act. The Quality of Legislation team gives advice on whether an envisaged recast is the suitable instrument, or whether another legislative technique should be used.

Performance table 2 presents the work of the Quality of Legislation team performed in previous years and the targets for 2024.

Performance table 2: Documents treated by the Quality of Legislation team					
	2020	2021	2022	2023	2024 (target)
Number of draft legal acts selected to undergo legal revision	1.695	1.843	1.759	1.850	1.800
Percentage of selected legal drafts to undergo legal revision	100%	100%	100%	100%	100%
Number of legal texts revised in two or more languages	80	112	91	80	90
Number of corrigenda to legal acts	340	400	405	390	400
Number of legal acts to be codified according to the Commission Agenda Planning	5	3	3	3	3
Percentage of legal acts codification	100%	100%	100%	100%	100%

C. Legal representation

The Legal Service has the exclusive task of **defending the interests of the European Commission and/or the European Union before courts and tribunals** before i.e.:

- the Court of Justice and the General Court of the European Union;
- national courts, both in the Member States and in third countries, in cases where the Union or the Commission are parties. A significant proportion of the cases in national courts concerns forced recovery of debts (62% in 2021);
- the European Free Trade Association (EFTA) court;
- the exclusive task of representing the European Union, on behalf of the European Commission, in dispute settlement procedures under the World Trade Organisation Agreement (WTO) and other international agreements;
- arbitration bodies;
- international courts and tribunals, such as the International Court of Justice and the International Tribunal for the Law of the Sea, and the European Court of Human Rights.



The Director-General of the Legal Service is empowered by the Commission to designate the agents (i.e. responsible lawyers) to represent the Commission/the Union before the courts and tribunals. Defending the interests of the Commission contributes to **General objective n° 7: A modern, high-performing and sustainable European Commission.**

The Commission may:

- act as an applicant, for instance in the case of an infringement of EU law by a Member State, or to challenge an act adopted by another institution or when deciding to bring an appeal;
- act as a defendant, as in the case of an action for annulment of one of its acts or in the case of a failure to act;
- intervene in disputes between other parties;
- the Commission also systematically intervenes as *amicus curiae* in all preliminary ruling procedures before the Court of Justice as well as before national courts in Member States (in particular in state aid and competition cases) and before international courts and tribunals and arbitration tribunals.



The average duration of a court case in the Union courts is approximately two years. However, there is an increasing number of urgent cases dealt with in tight deadlines, e.g. urgent preliminary ruling proceedings in the area of Justice and Home affairs, in particular.

The Rules of Procedure of the Court of Justice require the Commission's agents to present their written and oral statements in the language of the case. To meet this requirement, the Legal Service has lawyers from all Member States. In this way, it pools knowledge of all the Union legal systems and in all the official languages.



When a national court is required to apply EU law in a case, it can (and in the case of last-instance courts, it must) ask the Court of Justice whether a Union instrument is valid and/or how an instrument or a Treaty provision is to be interpreted. The Court of Justice rules on the interpretation of Union law and checks the validity of Union legislation. However, it has no jurisdiction to interpret national law.

The preliminary ruling procedure also plays a major role in protecting individual rights since individuals, subject to certain conditions, can challenge measures taken in their country in breach of Union legislation and can have Union law applied by the national courts.

It is expected that as of October 2024, certain preliminary rulings will be dealt with by the General Court, in line with the political agreement on the reform of the Statute of the Court of Justice reached in December 2023 between the Council and the Parliament.

Defending the interests of the European Commission contributes to **Specific objective n°2: Guarding the Treaties and defending the interests of the European Commission in courts, tribunals and other arbitration bodies to ensure the full benefit of the law for all EU citizens** in the Strategic Plan for 2020-2024.

Performance table on court cases

Performance table 3 presents the various types of court cases and other cases undertaken by the Legal Service in 2021 and 2022 and estimated figures for 2023 and 2024.

Performance table 3: Number of cases per year and per jurisdiction					
Jurisdiction	Cases ⁽⁹⁾	2021	2022	2023	2024 (target)
Courts of the Union	On-going cases	1 962	2 084	2 094	2 100
	New Cases	1 244	1 229	1 223	1 200
	Closed Cases	1 238	1 098	1 213	1 200
whereof: Infringement cases	On-going cases	36	49	76	75
	New Cases	19	35	49	50
whereof: Preliminary Rulings	Notified cases	611	562	533	550
National Courts	On-going cases	759	745	789	800
	New Cases	63	125 ⁽¹⁰⁾	95	100
WTO (World trade organisation)	On-going cases	99	95	91	90
	New Cases	9	8	6	6
International Courts and tribunals (arbitration cases)	On-going cases	154	162	178	180
	New Cases	15	13	22	25

The number of cases in 2024 is expected to remain at the same level as in 2023. An increase in cases with sensitive political implications can be envisaged, for example, for preliminary rulings concerning energy-related measures and EPPO, direct actions against Fit for 55 measures and against acts of general application subject to review under the Aarhus Regulation, cases concerning DSA and DMA, and cases concerning the judicial review of restrictive measures adopted in response to Russia's aggression against Ukraine.

In the Communication to the College of 14.07.23 ⁽¹¹⁾, all Commissioners have been called on to review their portfolio of infringement cases before the end of the mandate. This will lead to an increased number of infringement decisions, implying additional work for DGs and the Legal Service. Additionally, the implementation of the recommendations

⁽⁹⁾ Figures for on-going cases are indicative.

⁽¹⁰⁾ 125 cases brought before national jurisdictions and 78 non-judicial cases (legal opinions, pre-litigation procedures)

⁽¹¹⁾ Stocktaking report on the Commission working methods for monitoring the application of EU law - European Commission (europa.eu)

formulated in the 2023 Stocktaking report ⁽¹¹⁾ will generate an additional workload for the Legal Service in 2024.



The Legal Service assists the European Commission in all bilateral and multilateral trade negotiations, including at the World Trade Organisation (WTO). The Legal Service has the exclusive task of representing the European Union, on behalf of the European Commission, in state-to-state dispute settlement procedures under the WTO Agreement and other international trade agreements, as well as in

investor-to-State arbitrations and before international courts, courts of third countries and the European Court of Human Rights.

The number of cases in the Union courts and in national court cases is expected to increase slightly, the number of WTO and the number of arbitration cases are expected to stay at the same level in 2024.

D. Accession to the European Convention on Human Rights

Accession of the European Union to the European Convention on Human Rights has been an objective of the EU for many years and would be an important milestone in the protection of human rights and fundamental freedoms across Europe. It would provide an additional layer of human rights protection for all those in Europe who are touched by the laws and decisions of the European Union. Accordingly, accession of the Union to the Convention contributes to **General objective n° 6: A new push for European democracy**.

The European Court of Justice is expected to rule on the matter of its jurisdiction in matters of Common Foreign and Security Policy in a judgment that is expected in 2024.

The judgment may provide useful indications on how to clear the path to the Union's accession to the Convention. Meanwhile, the Legal Service is continuously working towards the goal of Union accession to the Convention, including by working with the Council on the 'internal rules', that is to say, the EU



internal arrangements that will govern the practicalities of the Union's participation in the Convention system and in proceedings before the European Court of Human Rights.

The work undertaken by the Legal Service on the negotiations on the accession of the European Union to the European Convention of Human Rights contributes to **Specific objective number 3: Negotiations on the accession for the European Union to the European convention on Human Rights** in the Strategic Plan for 2020-2024.

PART 2. Modernising the administration: main outputs for 2024

The internal control framework ⁽¹²⁾ supports sound management and decision-making. Notably, it ensures that risks to the achievement of objectives are taken into account and reduced to acceptable levels through cost-effective controls.

The Legal Service has established an internal control system tailored to its particular characteristics and circumstances. The effective functioning of the Legal Service's internal control system will be assessed on an ongoing basis throughout the year and be subject to a specific annual assessment covering all internal control principles.

A. Human resource management ⁽¹³⁾

In 2021, the Legal Service launched an internal Reform process. It was based on the **wish and the need expressed by all colleagues** (from all grades and horizons) in the Legal Service to be able to discuss how the Legal Service functions best, its structure, and how we work and interact between the different legal teams. The aim of this ongoing process is to modernise the Legal Service and to further improve the working environment.

Colleagues in the Legal Service showed their commitment to the Reform, whose success can be illustrated by 51 deliverables. Among them, we can highlighted the definition of the mission statement of the Legal Service, the new organisation chart, the videos to present the Legal Service and its Teams, the initial training and welcome pack for newcomers, the central panel for the recruitment of lawyers, the update of the *guide du contentieux*, the appointment of the litigation support officers, communication and outreach officers and IT and Knowledge Management team leader, the harmonisation of the descriptions of AST profiles, the annual conference of the Legal Service, and the launch of intensive outreach activities.

The year 2024 will be a **consolidation phase of the Reform**. Various initiatives following the Reform of the Legal Service will continue in 2024, such as:

- a second structured **mobility exercise for lawyers within the Legal Service**,
- ensuring that the **recruitment panel of the Legal Service** hires best lawyers, also taking account of geographical balance and the need for certain language capacities in the Legal Service;
- implementation of the **new training strategy** for our lawyers and assistants providing them with dedicated recurring and ad hoc training designed for their specific needs;

⁽¹²⁾ [Communication C\(2017\)2373 - Revision of the Internal Control Framework](#)

⁽¹³⁾ Performance table relating to Human Resource management can be found in Annex, Part B on page 24

- on the new **knowledge management IT applications** and on the **development of artificial intelligence** within the Legal Service; etc.
- the development of a **guide for mentors** and the development of a **long term and ad hoc mentoring programme** to increase personal development, satisfaction and corporate culture; and
- the **“welcoming team”** to guide efficiently new colleagues arriving in the service.

The results from the 2023 Staff Satisfaction survey will be analysed in order to best address any concerns or to build on HR results. It is planned to also include action on awareness raising related to **Diversity & Inclusion**.

Outreach and communication

Based on the success of the first Legal Service Annual Conference held in March 2023, a new **Annual Conference** is scheduled for 8 March 2024. It will address two important themes: “Challenges in the regulation of Artificial Intelligence” and “Open Strategic Autonomy and its interplay for the Internal Market and Competition within the European Union” with the participation of several high-level speakers and a ceremony with the World Jurist Association.

In 2024, the extensive outreach programme on the book **“70 years of EU law – a Union for its Citizens”**, highlighting the work of the Legal Service, will be continued.

Unit R.2 Communication, knowledge management and documentation, is responsible for the new SJ Intranet page which is expected to be implemented in 2024. The Unit will continue to communicate on the progress of the Reform of the Legal Service, the outcome of the 2023 staff satisfaction survey, maintain the internal lunch time seminars on various legal aspects and will propose an internal communication strategy for endorsement in 2024.

B. Sound financial management ⁽¹⁴⁾

The centralised financial procedures in the Legal Service comply with baseline requirements and the existing controls put in place contributes to low error rates in payments and to payments within deadlines.

The annual administrative expenditure is approximately 4 million EUR and is mainly for contracts with external lawyers and other legal expertise, and for payments to opposing parties to compensate them for their legal fees, as decided by the Courts. 85% of all contracts signed are below 15.000 EUR and contracts are often split into three or more invoices, some of them for amounts below 1.000 EUR.

⁽¹⁴⁾ Performance table relating to Human Resource management can be found in Annex, Part B on page 24

The mission budget amounts to 0.4 million EUR and IT investments and training expenditure amounts to 0.3 million EUR.

C. Fraud risk management ⁽¹⁵⁾

The Legal Service has put in place several recurring actions to prevent fraud and which have been proven efficient and effective. Hence, it will continue with the yearly ethics confirmations, information and awareness raising actions as well as the biannual meetings of the working group for handling of sensitive information and ethics, in which assessments will be conducted on reported breaches and on new guidelines and instructions to be issued or to be updated.

The Legal Service will contribute to the implementation to the Commission Anti-Fraud Strategy, through the revised 2023 Action Plan, mainly to action 30a, which is to ensure effective cooperation between the Commission and the European Public Prosecutor's Office (EPPO) by providing legal guidance to Commission departments and Executive agencies.

The update of the Legal Service Anti-Fraud strategy has been initiated to comply with the new guidance from OLAF based on the Commission Anti-Fraud strategy (CAFS), which is the overall framework for service level anti-fraud actions and is expected to be endorsed in the Legal Service in the 1st quarter of 2024.

D. Digital transformation and information management ⁽¹⁶⁾

Implementation of the business objectives set by the Legal Service Reform, in 2023, the Legal Service will continue in 2024. The corporate digital transformation guidelines such as the Dual Pillar Approach will be further enforced with the integration of corporate systems and reusable solutions whenever possible: SUMMA, ARES, DECIDE, EU LOGIN, SPO to name but a few.

In October 2023, the Legal Service concluded a service level agreement with the single resolution board (SRB) on the provision and maintenance of its flagship ULM system ('Unified Litigation Management') in SaaS ('Software as a Service') mode. Negotiations are ongoing with the Council and a similar agreement is expected to be concluded in 2024.

The LegalTech solutions designed by the Legal Service are already recognised as reference solutions in their domain with the ULM suite being proposed as a service, and Ref2Link being integrated, in several EU Institutions. The generated increase in IT resources will allow the consolidation of the IT service and produce savings at inter-institutional level.

⁽¹⁵⁾ Performance table relating to Fraud Risk Management can be found in Annex, Part B on page 25

⁽¹⁶⁾ Performance table relating to Digital transformation and information management can be found in Annex, Part B on page 25-27

Digital transformation

ULM

(Unified Litigation Management)

System for the follow-up of litigation proceedings

To further enhance efficiency, the following will be implemented in 2024:

- One-stop-shop search engine based on the EC search corporate solution
- Improvement of dashboard for lawyers
- Continuous innovation in the Ref2Link legal text mining technology.
- Integration of AI for advanced detection features
- Deployment of the latest features in drafting systems like Edit or through a word add-in

Ref2Link

(Legal text mining technology)

Extracting references to create links or footnotes.

In line with the corporate AI@EC initiative, with a multi-annual impact on business processes and IT projects, a local AI@SJ strategy will be delivered in Q1 2024, including plans to experiment and develop:

AI@SJ

Embracing the potential of AI technologies to improve the digital working environment.

- the use of semantic similarity supported by AI technologies in search engines,
- the use of generative AI to assist lawyers in the drafting of pre-litigation documents or applications to the Courts in order to increase efficiency and partially automate the most tedious tasks.
- a legal Chatbot able to answer simple questions in conversational mode and based on internal reference documents.
- the strategy will also address issues such as availability of AI engines at corporate level, data security, cost and human resources.

Finally, the creation of a strong in-house digital culture is a priority for the Legal Service. All new IT tools will be explained via visual aids published on My SJ and hands-on training will be organised by the IT Business Implementation Group at team level. In parallel, a new network of IT focal points will be established in order to facilitate information sharing on new features of existing IT tools.

Information and IT security rules

The Legal Service enforces a robust IT security management which is aligned with the corporate policies, while being proportionate to the scope of its portfolio. The approach is risk centred with analysis being embedded in security plans approved yearly by the business owners and compliant with the corporate standards.

The Information Management policy is supported by business content maintained on the MySJ intranet and various Wiki platforms whose content is maintained under the responsibility of the legal teams, supplemented by a collaborative bookmarking tool provided by the Solon system.

Data, information and knowledge management

Knowledge management is the process of identifying, organising, storing, retrieving and disseminating information to improve understanding, collaboration and process alignment. During the reform, the Legal Service set up a Working Group to formulate concrete recommendations to improve the existing knowledge management system and tools of information sharing, with the aim to enhance efficiency through easily accessible IT solutions, to support teamwork and create a bridge between the IT and Business side to improve the functionality of the IT tool landscape.

Following the endorsement by the Legal Service's senior management in 2022, the following concrete actions will be developed and implemented in 2024:

Development of IT tools :

Search engine ("ULM Search") encompassing new types of documents

Automate the tagging of knowledge management themes to synchronise the marking of documents

Automate link and footnote generation in legal texts (in ULM and Ref2Link)

Harmonise layout requirements

Implementing AI

Adoption of the Legal Service AI Strategy.

Optimise workflow, revision and use of precedent by detecting semantic similarities between documents and segments revised or drafted previously

Pilot project to develop Chatbot for Legal Service internal procedural rules

Pilot project to generate parts of court submissions through generative AI/Machine learning approach

Data protection

Appropriate technical and organisational measures are in place to ensure the accountability for compliance with the data protection rules and an appropriate level of security in

conformity with Objective 1 of the Commission Data Protection Action Plan (17). Information on available data protection training is also shared by the DPC (Objective 2 of the Data Protection Action Plan). Records of processing operations under the Legal Service's responsibility are reviewed and updated in line with Objective 3 of the Data Protection Action Plan, as are privacy statements (Objective 4 of the Data Protection Action Plan). The DPC (or Assistant DPC) takes part in regular meetings with the DPO to discuss crosscutting issues, define best practices and identify areas requiring a harmonised approach.

E. Sound environmental management ⁽¹⁸⁾

The Legal Service intends to participate in the corporate information campaigns taking place in 2024 supporting Commission initiatives and consequently contributing to Fit for 55. Complementary to the corporate campaigns, the Legal Service will issue monthly suggestions and tips to its staff.

An assessment of the missions undertaken in the Legal Service demonstrates that most of its obligatory traveling is in compliance with sound environmental management. The Legal Service will strive to maintain its low emission rate on missions.

85% of Legal Service missions are staff defending the interests of the European Commission in courts, tribunals, arbitration bodies such as the World trade organisation (WTO) and the Director-General's participation in Commission meetings in Strasbourg. The majority of missions are by train or in shared vehicles, hence complying with the initiatives on the Greening of the Commission. Less than 10% of missions in the Legal Service are for distances exceeding 500 km and are undertaken by plane.

Additionally, the EMAS correspondent is taking an active role in a corporate initiative on sustainable eating habits and will participate in scheduled activities and contribute by giving presentations to Commission staff.

F. Initiatives to improve economy and efficiency of financial and non-financial activities

An Artificial Intelligence strategy for the Legal Service will be developed during the first semester of 2024. The digital transformation initiatives launched by the Legal Service contributes to the efficiency in the preparation of legal services and will be enhanced during 2024. In addition, in relation to resource situation in the Legal Service, will design a methodology for a workload assessment teams in the Legal Service and link this to resource allocation.

⁽¹⁷⁾ C(2018) 7432 final.

⁽¹⁸⁾ Performance table relating to Human Resource management can be found in Annex, Part B on page 28

ANNEX: Performance tables - main outputs for 2024

Part 1 - Delivering on the Commission's priorities

General objective 7: A Modern high-performing and sustainable European Commission

Specific Objective 1: Legal proposals for adoption by the Council and the Parliament are transparent and of high quality to ensure full benefit of rules to EU citizens

Related to spending programme NO

Main outputs in 2024:

Other important outputs A: Legal Advice

Output	Indicator	Target
Replies to all Fast Track consultations within deadline	% of replies within deadlines	100 %
Replies to consultations on replies to Parliamentary questions within deadline	% of replies within deadlines	99 %
Replies to Decide consultations within deadline	% of replies within deadlines	88 %
Replies to Petition consultations within deadline	% of replies within deadlines	95 %
Replies to consultations on replies to questions from the Ombudsman within deadline	% of replies within deadlines	95 %
Replies to Access to document requests within the standard time limit	% of replies within deadlines	90 %

Other important outputs B Advice on quality of legislation and legal revision

Output	Indicator	Target
Draft legal acts selected for legal revision	Number of acts selected	2000
Codified acts	Number of acts codified	3
Legal revisions in two or more official languages	Number of texts	90
Corrigenda	Number of texts	400

General objective 7: A Modern high-performing and sustainable European Commission

Specific objective 2: Guarding the Treaties and defending the interests of the European Commission in courts, tribunals and other arbitration bodies to ensure the full benefit of the law for all EU citizens

Related to spending programme(s): NO...

Main outputs in 2024:

Other important outputs

Output	Indicator	Target
Written documents filed at the courts within deadline	Percentage of filed documents within deadline	100 %
Representation of the Legal Service in hearings in the Courts of the Union	Percentage of representation	100 %
Representation of the Legal Service in national court hearings	Percentage of representation	100 %

General objective 6: A new push for European democracy

Specific objective 3: Negotiations on the accession for the European Union to the European convention on Human Rights (ECHR)

Related to spending programme: NO

Main outputs in 2024:

Other important outputs

Output	Indicator	Target
Negotiations to be pursued and possibly finalised	Adoption	Q4 2024

Part 2 – Modernising the administration.

A. Human resource management

Objective: Legal Service employs a competent and engaged workforce and contributes to gender equality at all levels of management to effectively deliver on the Commission's priorities and core business.

Main outputs in 2024:

Output	Indicator	Target
Staff engagement index	57 (2021)	Maintain or increase
Gender and geographical balance on the nominations of management or equivalent positions	percentage	Maintain or increase
Female Talent Development Program: Female empowerment training	n° of participants n° of cycles	2 participants One cycle of training for female lawyers
Lunch time conferences for knowledge sharing	N° of lunch time conferences	>16 per year
Implementation of the Training Strategy	Number of actions taken	15
2 nd structured mobility exercise	Numbers of lawyers rotated	10%

B. Sound financial management

Objective: The authorising officer by delegation has reasonable assurance that resources have been used in accordance with the principles of sound financial management and that cost-effective controls are in place which give the necessary guarantees concerning the legality and regularity of underlying transactions.

Main outputs in 2024:

Output	Indicator	Target
Effective controls: Legal and regular transactions	Estimated risk at payment	Remains < 2 % of relevant expenditure (
	Estimated risk at closure	Remains < 2 % of relevant expenditure
Effective controls: Safeguarded information	Number of breaches	Zero breaches
Efficient controls	Timely payments	Becomes 97 % of payments (in value) made on time
Economy of controls	Overall estimated cost of controls	Remains < 13 % of funds managed

C. Fraud risk management

Objective: The risk of fraud is minimised through the application of effective anti-fraud measures and the implementation of the Commission Anti-Fraud Strategy (CAFS) ⁽¹⁹⁾ aimed at the prevention, detection and correction ⁽²⁰⁾ of fraud.

Main outputs in 2024:

Output	Indicator	Target
Legal Anti-Fraud strategy (AFS) endorsed by management	Sent to OLAF for approval	Q1 of 2024
Replies to requests for advice	Percentage of replies to requests	100%
Assessment of reported breaches, updates of guidelines and instructions, and issuance of new guidelines and instructions.	N° of meetings held by the working group for Ethics and Handling of Information	2 times per year
Communication to all Legal Service staff of Commission and Legal Service ethics rules	Yearly confirmation of ethics awareness	100 %
Fraud awareness campaign	Legal teams to be instructed to address fraud risks and the Anti-Fraud Strategy in a team meeting	1 time per year

D. Digital transformation and information management

Objective: The Legal Service is using innovative, trusted digital solutions for better policy-shaping, information management and administrative processes to forge a truly digitally transformed, user-focused and data-driven Commission

Main outputs in 2024:

Output	Indicator	Target
Digital transformation		
ULM Search, the new search engine of court procedural documents and legal notes, benefiting from the last AI-based improvements in EC Search.	ULM Search, a new, faster search service for previous court submissions is being released.	> 50 searches/week with average response time < 3 seconds. ULM Pleadings extends to other legal activities such as Legal advice

⁽¹⁹⁾ [Communication from the Commission ‘Commission Anti-Fraud Strategy Action plan - revision 2023 COM\(2023\) 405 of 11 July 2023](#) – ‘the Communication on the 2023 revision’ – and the accompanying document, [SWD\(2023\) 245](#) – ‘the revised Action Plan’.

⁽²⁰⁾ Correction of fraud is an umbrella term, which notably refers to the recovery of amounts unduly spent and to administrative sanctions.

Revamped ULM Dashboard to include more information, via the 'ULM Data Convergence' project	Percentage of lawyers using directly ULM Dashboard, i.e. without delegation.	>50%
'LS VOC' project to revamp the knowledge management list of themes with a view to introduce automation of tagging	Use rate of new tagging system by teams	100%
Digital Culture Organise hands-on training for all reform-induced new IT systems for all staff covering each of the Legal teams.	Percentage of new IT systems for which trainings have been organised	100%
Business-driven Digital Transformation The IT Business Implementation Group (BIG) to be established in 2024.	Members of the group established and first meeting held.	Operational in Q1 2024 and first meeting held in Q1 2024
Seamless Digital Environment Have business ownership of information systems defined in Govis, with systems steering committees held on a regular basis and record of major decisions taken.	Number of meetings held	10 meetings
Green, Resilient and Secure Digital Infrastructure Information Systems security related data defined in GovIS	Percentage of System security data defined in GovIS	100%
Information and IT security rules		
Local Cyber awareness raising campaigns	Number of campaigns	1 per year
Security Sections of GovIS2 complete and updated at least once per year	Percentage of completion	End of 2024 100%
Security Plans declared in GovIS2 and not older than 2 years	Percentage of compliance	End of 2024 100%
IT security controls implemented, in particular those related to MFA/EU Login	Percentage of compliance	End of 2024 80%
Artificial Intelligence Action Plan aligned with the Innovation Framework of the Commission	The Action Plan to be circulated for discussion and approval	Implementation started in 2024
Implementation of the corporate principles for data governance for the Legal Service's key data assets	Percentage of implementation of the corporate principles for data governance for key data assets	Interim milestone by 2024: 50%
Enhancing staff skills and competences for effective use of data, information and knowledge, particularly related to the Data Management activities including reporting	Key data stakeholders trained within SJ	Interim milestone by 2024: 50%

Data, Information and Knowledge management		
Artificial Intelligence Action Plan aligned with the Innovation Framework of the Commission	The Action Plan to be circulated for discussion and approval	Approval by end of 2024
Legal Service AI strategy endorsed by management	Publication and presentation at the AI@EC Network	Q1 2024
	Presentation at the Legal Service annual conference of the challenges and opportunities in the regulation of AI	Q1 2024
Specific training on AI corporate and Legal Service AI tools	Number of trainings	17 trainings (one for each legal team)
Implementation of the corporate principles for data governance for the Legal Service's key data assets	Percentage of implementation of the corporate principles for data governance for key data assets	Interim milestone by 2024: 75%
Trainings on the effective use of data, information and knowledge, particularly related to the Data Management activities including reporting	Percentage of key data stakeholders trained within LS	Interim milestone by 2024: 75%
Data protection		
DSMP (Digital Strategy Management Plan) allowing for a wider availability of Ref2Link within the Commission	Implementation of recommendations	85% of recommendations are implemented
A collaborative platform for the co-edition of sensitive, non-classified documents	Evaluation of a real-world suitability solution especially in the context of the M365	Proposal for approval by end of 2024
IT 'Business Implementation Group' to propose new IT projects by testing new IT tools, providing feedback to the Business Manager, creating communication material to disseminate knowledge and organising interactive trainings for business users.	In the frame of the Legal Service Reform, the IT BIG has been created. This group is actively involved in the development of new IT tools and dissemination of knowledge. All new IT tools will be explained in hands-on training at team level.	Creation of group completed.
Network of IT Focal Points	Set up of network	indicate a moment in 2024 *Q4?
Communication to all Legal Service staff on Data Protection rules	Yearly confirmation of data protection awareness	100 %

E. Sound environmental management

Objective: The Legal Service takes account of the environmental impact of its day-to-day actions, taking measures to reduce the impact of the administration work, supported by their respective EMAS Correspondents or EMAS Site Coordinators.

Main outputs in 2024:

I. Reducing emissions from staff and expert' business travel and reducing CO2 and other atmospheric emissions

Output	Indicator	Target (2019 as baseline)
Reduced emissions from staff missions ⁽²¹⁾	CO2 emissions from DG's, Office's or other department's staff missions	<10% of missions by plane >80% of missions by train, shared car, electric car ⁽²²⁾ (>80% of all LS missions are for court hearings in Luxembourg)

III. Organise sustainable events

Output	Indicator	Target (2019 as baseline, as appropriate)
Legal Service lunch time conferences	Number of green events	10

V. Staff awareness

Output	Indicator	Target (2019 as baseline, as appropriate)
Information campaigns to Legal Service staff on various subjects. <ul style="list-style-type: none"> - Energy and water use - Paper consumption - Digital mindfulness - GPP – biodiversity - Waste reduction/sorting - Mobility 	Frequency of awareness/participatory actions	Monthly
Presentations providing inspiration to Commission staff on how to eat more sustainably	Number of given	2

⁽²¹⁾ Data provided by PMO/MiPs

⁽²²⁾ Overall reduction of CO₂ emissions from missions for department from 2019-2024 (%). Overall corporate target is 50 % under the Greening Communication.

