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Press and Information

PRESS RELEASE No 27/07

21 March 2007

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**STATISTICS CONCERNING JUDICIAL ACTIVITY IN 2006: SIGNIFICANT
REDUCTION IN THE DURATION OF PROCEEDINGS BEFORE THE COURT OF
JUSTICE**

*Appreciable increase in the number of cases brought before the Court of Justice and the Court of
First Instance*

The Court of Justice

The reduction in the duration of proceedings which had already been observed in 2003 to 2005 was consolidated in 2006. So far as concerns references for a preliminary ruling, the average duration of proceedings is now 19.8 months as against 25.5 months in 2003, 23.5 months in 2004 and 20.4 months in 2005. A comparative analysis from 1995 onwards reveals that the average time taken to deal with references for a preliminary ruling reached its shortest in 2006. The average time taken to deal with direct actions and appeals was 20 and 17.8 months respectively (21.3 months and 20.9 months in 2005).

Another positive trend should also be noted, namely the reduction in the number of cases pending, despite a significant increase in new cases. In 2006 the Court had 537 new cases brought before it, representing an increase of 13.3% compared with the number of new cases in 2005 (474 cases). The number of cases pending on 31 December 2006 was 731 (compared with 974 cases on 31 December 2003, 840 on 31 December 2004 and 740 on 31 December 2005).

In 2006 the Court disposed of 546 cases, a slightly lower figure than in 2005 when 574 cases were completed.

The Court of First Instance

In 2006, for the second year in succession, the Court of First Instance disposed of more cases than were brought before it (436 cases disposed of compared with 432 lodged). Overall, the number of cases lodged has fallen (432 compared with 469 in 2005). However, this drop is merely apparent and is attributable to the fact that no staff cases were lodged with the Court of First Instance in 2006 as those cases now come within the jurisdiction of the Civil Service Tribunal.

In fact, leaving aside staff cases and special forms of procedure, the number of cases lodged showed a marked increase of 33% (387 cases compared with 291 in 2005). The number of trade mark cases brought rose by 46% (143 in 2006 compared with 98 in 2005), while cases concerning matters other than intellectual property and the European civil service increased by 26% (244 compared with 193). The number of cases disposed of fell (436 compared with 610), but, here too, account must be taken of the fact that 117 cases were disposed of in 2005 by transfer to the Civil Service Tribunal. If those cases are not taken into account, the drop in the number of cases disposed of in 2006 is still real but less marked (436 compared with 493).

In short, the number of cases pending was similar to that in the previous year, that is to say, slightly over 1 000 (1 029 compared with 1 033 in 2005). It is interesting in this connection that, as at 1 January 2007, intellectual property cases represented nearly 25% of the total number of cases pending. Accordingly, although 82 staff cases are still pending before the Court of First Instance and the first appeals against judgments of the Civil Service Tribunal have been brought before it (10 of them as at 31 December 2006), the litigation before the Court of First Instance is gradually changing character and becoming more focused on commercial cases.

The average duration of proceedings increased slightly in the past year, in that, leaving aside staff cases and intellectual property cases, it went from 25.6 months in 2005 to 27.8 months in 2006. However, in 2006, use of the expedited procedure provided for by the Rules of Procedure of the Court of First Instance was granted by the Court in four of the 10 cases in which it was requested.

The Civil Service Tribunal

2006 was the first full year of operation of the European Union Civil Service Tribunal.

In 2006, 148 actions were brought before the Tribunal, which represents a slight decrease in volume compared with the number of staff cases brought in 2005 (164 actions). Since its creation, the Tribunal has had 161 cases brought directly before it, to which the 118 cases transferred from the Court of First Instance must be added. The Tribunal has thus had 279 cases brought before it since its creation.

Fifty-three cases were brought to a close in 2006. There was, proportionately, a fairly high number of annulments since 10 judgments to that effect were delivered. The first year of judicial activity of the Tribunal was also marked by its endeavours to comply with the wish of the Council of the European Union that it should facilitate the amicable settlement of disputes at all stages of the procedure.

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Languages available: All

*For further information, please contact Christopher Fretwell
Tel: (00352) 4303 3355 Fax: (00352) 4303 2731*