

**A — Statistics concerning the judicial activity of the Court of Justice <sup>1</sup>*****General activity of the Court***

1. Cases completed, new cases, cases pending (1998-2002)

***Cases completed***

2. Nature of proceedings (1998-2002)
3. Judgments, orders, opinions (2002)
4. Bench hearing actions (2002)
5. Subject-matter of the action (2002)
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7. Judgments concerning failure of a Member State to fulfil its obligations: outcome (2002)
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9. Nature of proceedings (1998-2002)
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11. Subject-matter of the action (2002)
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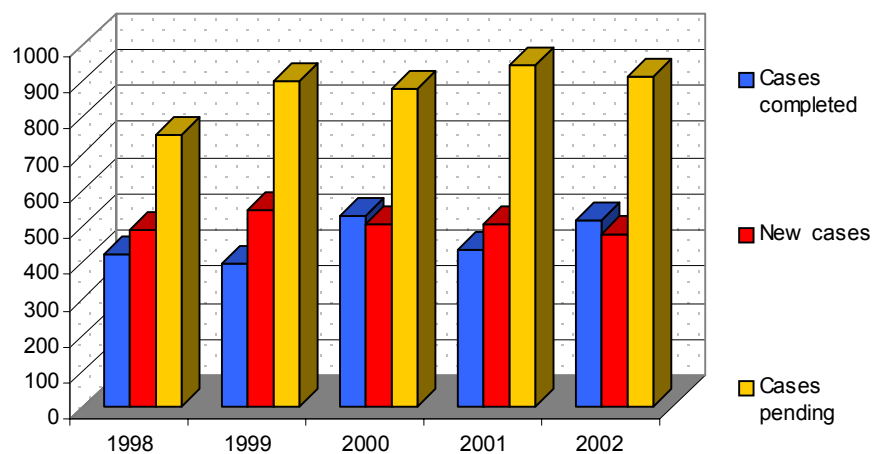
13. Nature of proceedings (1998-2002)
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***General trend in the work of the Court (1952-2002)***

15. New cases and judgments
16. New references for a preliminary ruling (by Member State per year)
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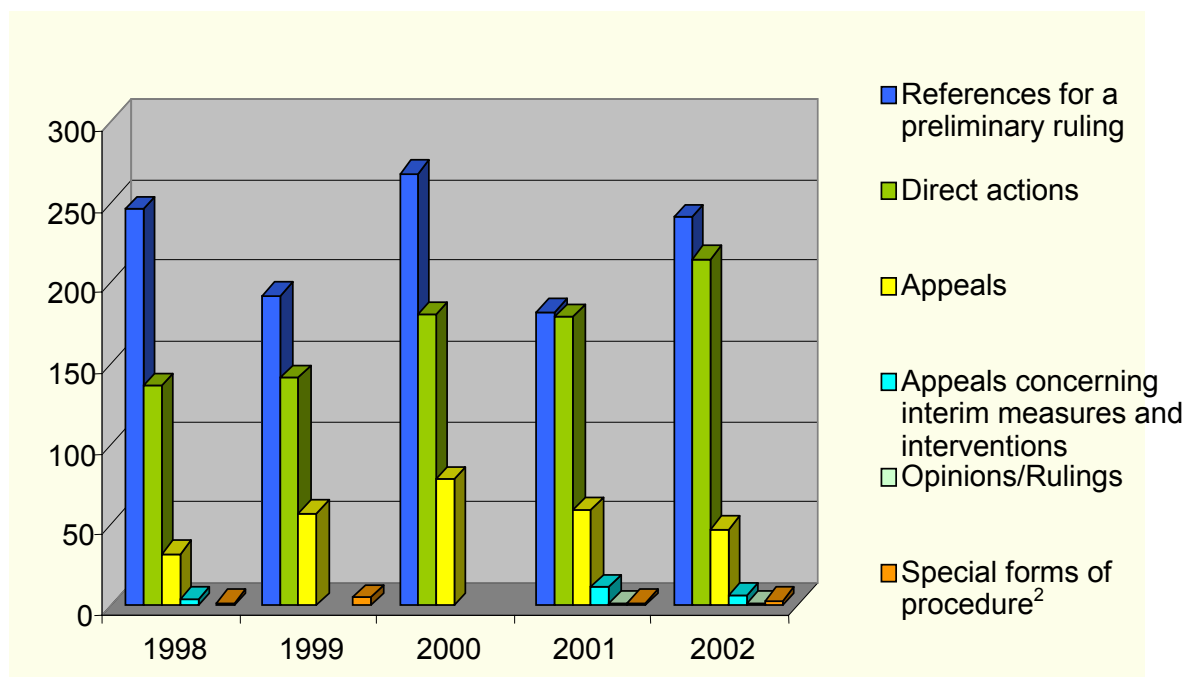
<sup>1</sup> The introduction of new software in 2002 has enabled the statistics in the Annual Report to be presented with greater clarity. The tables and figures have, in large part, been revised and improved, at the cost of certain adjustments. Consistency with the tables of past years has been preserved where possible.



*General activity of the Court***1. Cases completed, new cases, cases pending (1998 – 2002)<sup>1</sup>**

	1998	1999	2000	2001	2002
Cases completed	420	395	526	434	513
New cases	485	543	503	504	477
Cases pending	748	896	873	943	907

<sup>1</sup> The figures given (gross figures) represent the total number of cases, without account being taken of the joinder of cases on the grounds of similarity (one case number = one case).

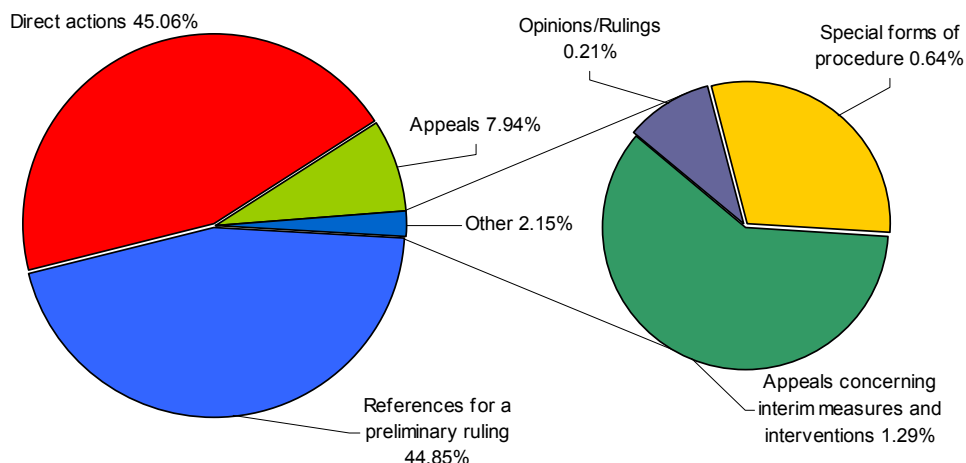
*Cases completed***2. Nature of proceedings (1998 – 2002) <sup>1</sup>**

	1998	1999	2000	2001	2002
References for a preliminary ruling	246	192	268	182	241
Direct actions	136	141	180	179	215
Appeals	32	53	73	59	47
Appeals concerning interim measures and interventions	4	4	5	11	6
Opinions/Rulings				1	1
Special forms of procedure <sup>2</sup>	2	5		2	3
<b>Total</b>	<b>420</b>	<b>395</b>	<b>526</b>	<b>434</b>	<b>513</b>

<sup>1</sup> The figures given (gross figures) represent the total number of cases, without account being taken of the joinder of cases on the grounds of similarity (one case number = one case).

<sup>2</sup> The following are considered to be 'special forms of procedure': taxation of costs (Article 74 of the Rules of Procedure); legal aid (Article 76 of the Rules of Procedure); application to set a judgment aside (Article 94 of the Rules of Procedure); third party proceedings (Article 97 of the Rules of Procedure); interpretation of a judgment (Article 102 of the Rules of Procedure); revision of a judgment (Article 98 of the Rules of Procedure); rectification of a judgment (Article 66 of the Rules of Procedure); attachment procedure (Protocol on Privileges and Immunities); cases concerning immunity (Protocol on Privileges and Immunities).

### 3. Judgments, orders, opinions (2002) <sup>1</sup>



	Judgments	Non-interlocutory orders <sup>2</sup>	Interlocutory orders <sup>3</sup>	Other orders <sup>4</sup>	Opinions	Total
References for a preliminary ruling	131	22		56		209
Direct actions	120	1	1	88		210
Appeals	17	15	1	4		37
Appeals concerning interim measures and interventions			4	2		6
Opinions/Rulings					1	1
Special forms of procedure	1	1		1		3
<b>Total</b>	<b>269</b>	<b>39</b>	<b>6</b>	<b>151</b>	<b>1</b>	<b>466</b>

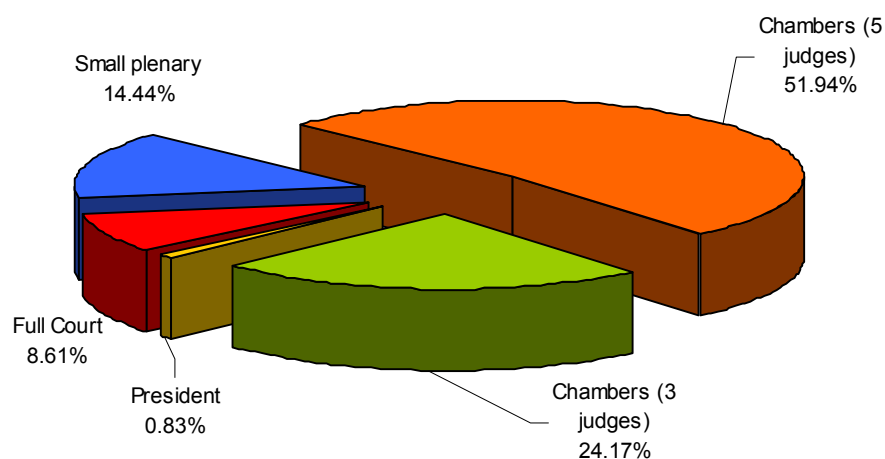
<sup>1</sup> The figures given (net figures) represent the number of cases, after joinder on the grounds of similarity (a set of joined cases = one case).

<sup>2</sup> Orders terminating proceedings by judicial determination (inadmissibility, manifest inadmissibility and so forth).

<sup>3</sup> Orders made following an application on the basis of Article 185 or 186 of the EC Treaty (now Articles 242 EC and 243 EC), Article 187 of the EC Treaty (now Article 244 EC) or the corresponding provisions of the EAEC and ECSC Treaties, or following an appeal against an order concerning interim measures or intervention.

<sup>4</sup> Orders terminating the case by removal from the register, declaration that there is no need to give a decision or referral to the Court of First Instance.

#### 4. Completed cases — Bench hearing actions <sup>1</sup>



	Judgments/ Opinions	Orders <sup>2</sup>	Total
Full Court	27	4	31
Small plenary	52		52
Chambers (5 judges)	177	10	187
Chambers (3 judges)	60	27	87
President		3	3
<b>Total</b>	<b>316</b>	<b>44</b>	<b>360</b>

<sup>1</sup> The figures given (gross figures) represent the total number of cases, without account being taken of the joinder of cases on the grounds of similarity (one case number = one case).

<sup>2</sup> Orders terminating proceedings by judicial determination (other than those removing a case from the register, declaring that there is no need to give a decision or referring a case to the Court of First Instance).

**5. Completed cases — Subject-matter of the action (2002) <sup>1</sup>**

	Judgments/Opinions	Orders <sup>2</sup>	Total
Accession of new States	1		1
Agriculture	36	2	38
Approximation of laws	20	3	23
Brussels Convention	7	2	9
Commercial policy	1		1
Common Customs Tariff	7		7
Community own resources	1		1
Company law	6	4	10
Competition	13	1	14
Customs union	2	1	3
Energy	1		1
Environment and consumers	38	2	40
External relations	7		7
Fisheries policy	10		10
Free movement of capital	24		24
Free movement of goods	7		7
Freedom of establishment	8	3	11
Freedom of movement for persons	10		10
Freedom to provide services	13	3	16
Industrial policy	4		4
Intellectual property	1		1
Law governing the institutions	2	3	5
Principles of Community law	4		4
Regional policy	1		1
Social policy	11	2	13
Social security for migrant workers	11	1	12
State aid	15	2	17
Taxation	22	3	25
Transport	23	2	25
<b>EC Treaty</b>	<b>306</b>	<b>34</b>	<b>340</b>
<b>CS Treaty</b>	<b>3</b>	<b>1</b>	<b>4</b>
<b>EA Treaty</b>	<b>2</b>	<b>1</b>	<b>3</b>
Procedure	1	1	2
Staff Regulations	4	7	11
<b>Others</b>	<b>5</b>	<b>8</b>	<b>13</b>
<b>OVERALL TOTAL</b>	<b>316</b>	<b>44</b>	<b>360</b>

<sup>1</sup> The figures given (gross figures) represent the total number of cases, without account being taken of the joinder of cases on the grounds of similarity (one case number = one case).

<sup>2</sup> Orders terminating proceedings by judicial determination (other than those removing a case from the register, declaring that there is no need to give a decision or referring a case to the Court of First Instance).

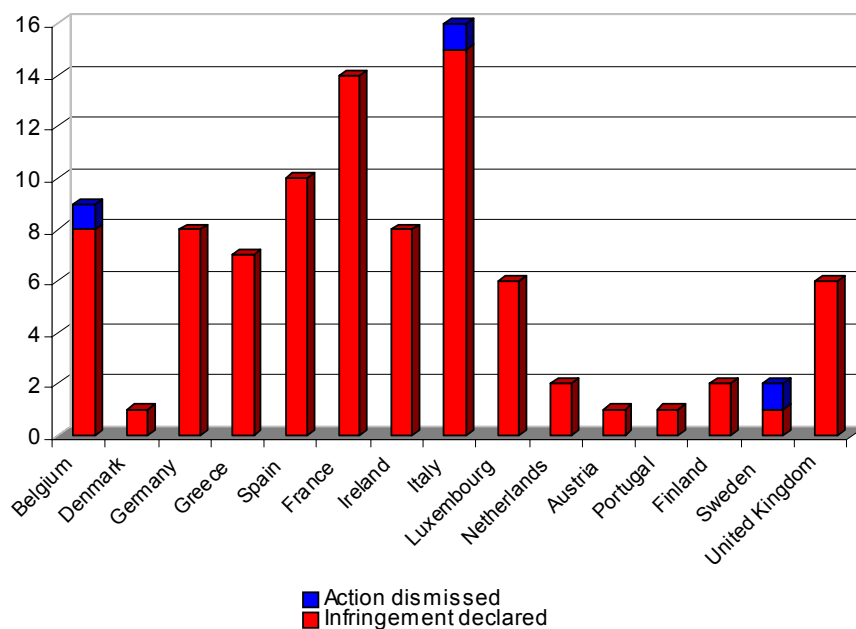
**6. Proceedings for interim measures: outcome (2002) <sup>1</sup>**

	Number of applications for interim measures	Number of appeals concerning interim measures and interventions	Outcome	
			Dismissed/ Contested decision upheld	Granted/ Contested decision set aside
Accession of new States	1		1	
Competition		3	3	
Environment and consumers		1		1
Law governing the institutions	1		1	
State aid		1	1	
<b>Total EC Treaty</b>	<b>2</b>	<b>5</b>	<b>6</b>	<b>1</b>
<b>CS Treaty</b>				
<b>EA Treaty</b>				
<b>Others</b>		<b>1</b>	<b>1</b>	
<b>OVERALL TOTAL</b>	<b>2</b>	<b>6</b>	<b>7</b>	<b>1</b>

<sup>1</sup> The figures given (net figures) represent the number of cases after joinder on the grounds of similarity (a set of joined cases = one case).



## 7. Completed cases — Judgments concerning failure of a Member State to fulfil its obligations: outcome (2002) <sup>1</sup>

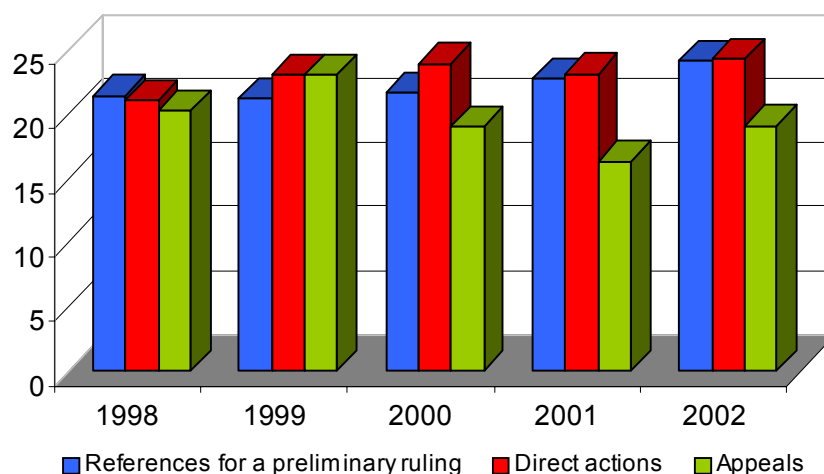


	Infringement declared	Action dismissed	Total
Belgium	8	1	9
Denmark	1		1
Germany	8		8
Greece	7		7
Spain	10		10
France	14		14
Ireland	8		8
Italy	15	1	16
Luxembourg	6		6
Netherlands	2		2
Austria	1		1
Portugal	1		1
Finland	2		2
Sweden	1	1	2
United Kingdom	6		6
<b>Total</b>	<b>90</b>	<b>3</b>	<b>93</b>

<sup>1</sup> The figures given (net figures) represent the number of cases after joinder on the grounds of similarity (a set of joined cases = one case).

## 8. Completed cases — Duration of proceedings (1998 – 2002) <sup>1</sup>

(Decisions by way of judgments and orders) <sup>2</sup>



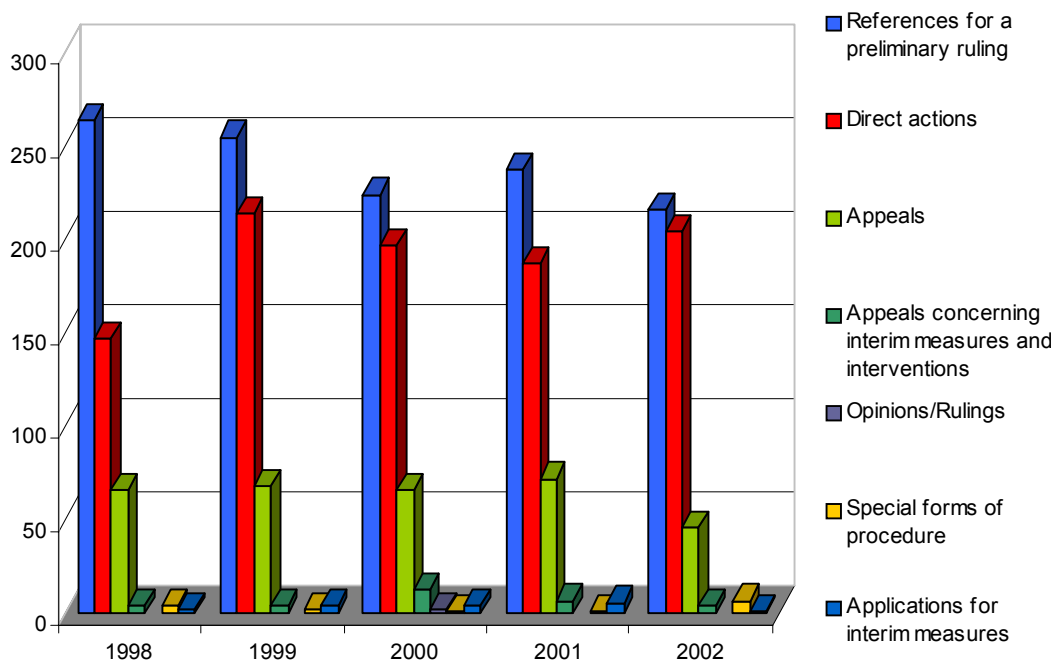
	1998	1999	2000	2001	2002
References for a preliminary ruling	21.4	21.2	21.6	22.7	24.1
Direct actions	21	23	23.9	23.1	24.3
Appeals	20.3	23	19	16.3	19.1

<sup>1</sup> The following types of cases are *excluded* from the calculation of the duration of proceedings: cases involving an interlocutory judgment or a measure of inquiry; opinions and rulings on agreements; special forms of procedure (namely taxation of costs, legal aid, application to set a judgment aside, third party proceedings, interpretation of a judgment, revision of a judgment, rectification of a judgment, attachment procedure, cases concerning immunity); cases terminated by an order removing the case from the register, declaring that there is no need to give a decision or referring or transferring the case to the Court of First Instance; proceedings for interim measures and appeals concerning interim measures and interventions.

The duration of proceedings is expressed in months and tenths of months.

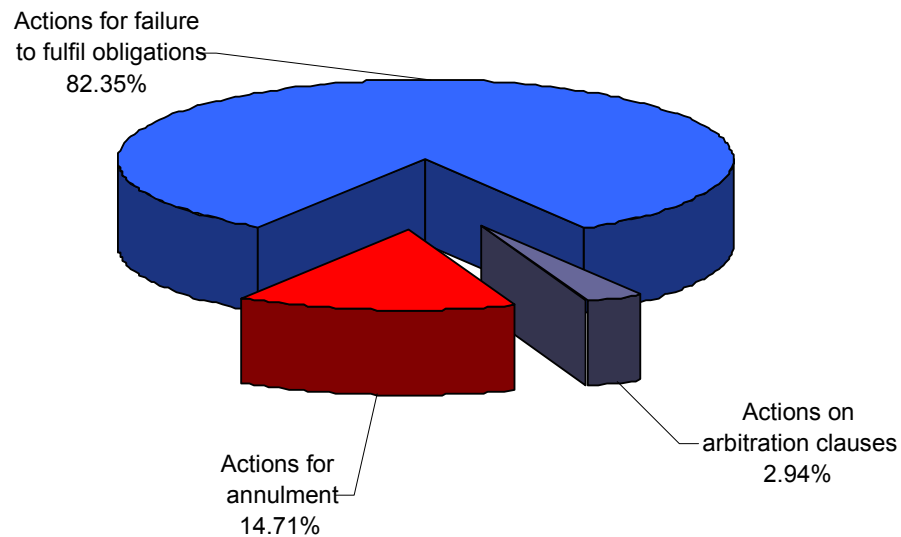
<sup>2</sup> Other than orders terminating a case by removal from the register, declaration that there is no need to give a decision or referral to the Court of First Instance.

## New Cases

9. Nature of proceedings (1998 – 2002) <sup>1</sup>

	1998	1999	2000	2001	2002
References for a preliminary ruling	264	255	224	237	216
Direct actions	147	214	197	187	204
Appeals	66	68	66	72	46
Appeals concerning interim measures and interventions	4	4	13	7	4
Opinion/Rulings			2		
Special forms of procedure	4	2	1	1	7
<b>Total</b>	<b>485</b>	<b>543</b>	<b>503</b>	<b>504</b>	<b>477</b>
Applications for interim measures	2	4	4	6	1

<sup>1</sup> The figures given (gross figures) represent the total number of cases, without account being taken of the joinder of cases on the grounds of similarity (one case number = one case).

**10. New cases — Direct actions — Type of action (2002) <sup>1</sup>**

Actions for annulment	30
Actions for failure to act	
Actions for damages	
Actions for failure to fulfil obligations	168
Actions on arbitration clauses	6
<b>Total</b>	<b>204</b>

<sup>1</sup> The figures given (gross figures) represent the total number of cases, without account being taken of the joinder of cases on the grounds of similarity (one case number = one case).

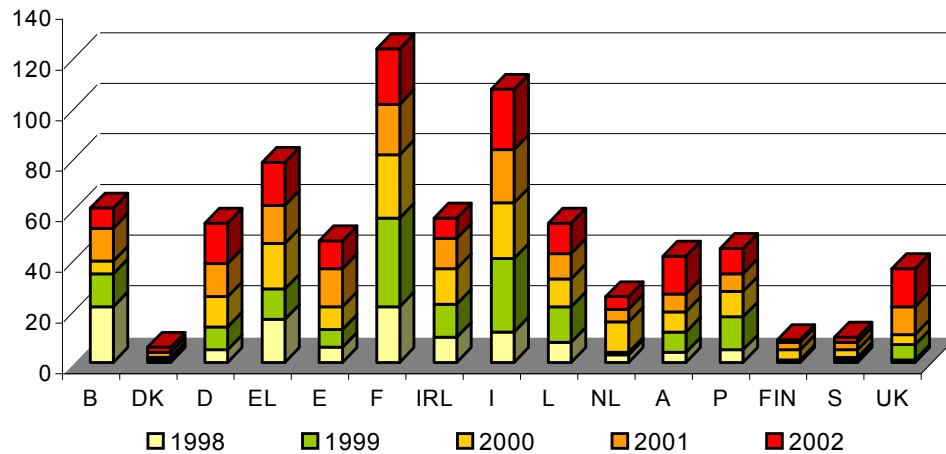
**11. New cases <sup>1</sup> — Subject-matter of the action (2002) <sup>2</sup>**

	Direct actions	References for a preliminary ruling	Appeals	Appeals concerning interim measures and interventions	Total	Special forms of procedure
Accession of new States	1	1			2	
Agriculture	27	21	5		53	
Approximation of laws	14	24			38	
Brussels Convention		10			10	
Commercial policy		1	1		2	
Common Customs Tariff		4			4	
Community own resources	2				2	
Company law	5	10			15	
Competition	1	1	11		13	
Customs union	1	12			13	
Energy	2				2	
Environment and consumers	57	14			71	
European citizenship	1	3			4	
External relations	1	9			10	
Fisheries policy	5				5	
Free movement of capital		3			3	
Free movement of goods	5	9			14	
Freedom of establishment	4	8			12	
Freedom of movement for persons	12	9			21	
Freedom to provide services	12	16			28	
Industrial policy	10				10	
Intellectual property	2		6		8	
Law governing the institutions	9		6		15	
Principles of Community law		1			1	
Social policy	8	14	1		23	
Social security for migrant workers		10			10	
State aid	8	3	6	1	18	
Taxation	6	30			36	
Transport	7	2			9	
<b>EC Treaty</b>	<b>200</b>	<b>215</b>	<b>36</b>	<b>1</b>	<b>452</b>	
<b>CS Treaty</b>			<b>4</b>		<b>4</b>	
<b>EA Treaty</b>	<b>4</b>				<b>4</b>	
Privileges and immunities						1
Procedure						6
Staff Regulations		1	6	3	10	
<b>Others</b>		<b>1</b>	<b>6</b>	<b>3</b>	<b>10</b>	<b>7</b>
<b>OVERALL TOTAL</b>	<b>204</b>	<b>216</b>	<b>46</b>	<b>4</b>	<b>470</b>	<b>7</b>

<sup>1</sup> Taking no account of applications for interim measures.

<sup>2</sup> The figures given (gross figures) represent the total number of cases, without account being taken of the joinder of cases on the grounds of similarity (one case number = one case).

## 12. New cases — Actions for failure of a Member State to fulfil its obligations (1998-2002) <sup>1</sup>



	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK	TOTAL <sup>2</sup>
1998	22	1	5	17	6	22	10	12	8	3	4	5	1	1	1	118
1999	13	1	9	12	7	35	13	29	14	1	8	13		1	6	162
2000	5		12	18	9	25	14	22	11	12	8	10	4	3	4	157
2001	13	2	13	15	15	20	12	21	10	5	7	7	3	3	11	157
2002	8	2	16	17	11	22	8	24	12	5	15	10	1	2	15	168

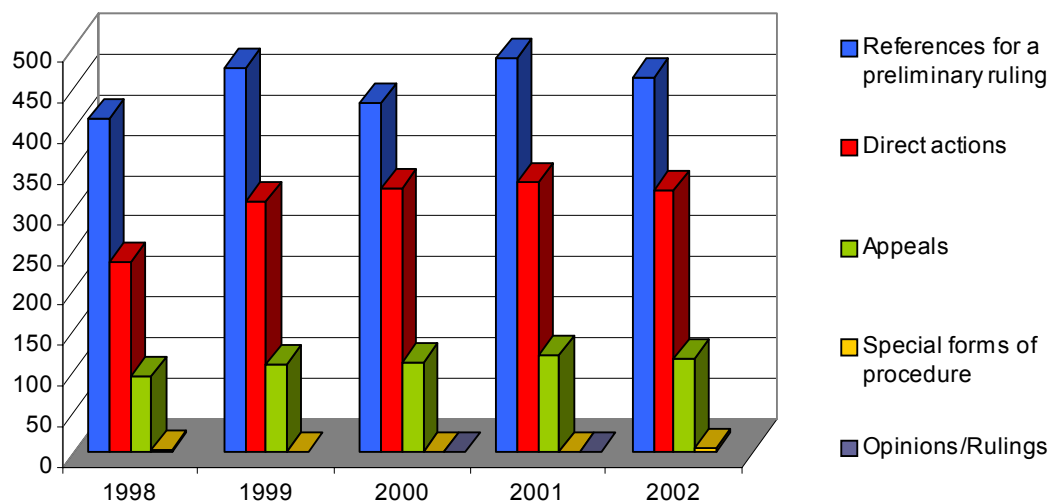
<sup>1</sup> The figures given (gross figures) represent the total number of cases, without account being taken of the joinder of cases on the grounds of similarity (one case number = one case).

The actions covered are actions under Articles 169, 170, 171 and 225 of the EC Treaty (now Articles 226 EC, 227 EC, 228 EC and 298 EC), Articles 141 EA, 142 EA and 143 EA and Article 88 CS.

<sup>2</sup> No action was brought in these years under Article 170 of the EC Treaty (now Article 227 EC).

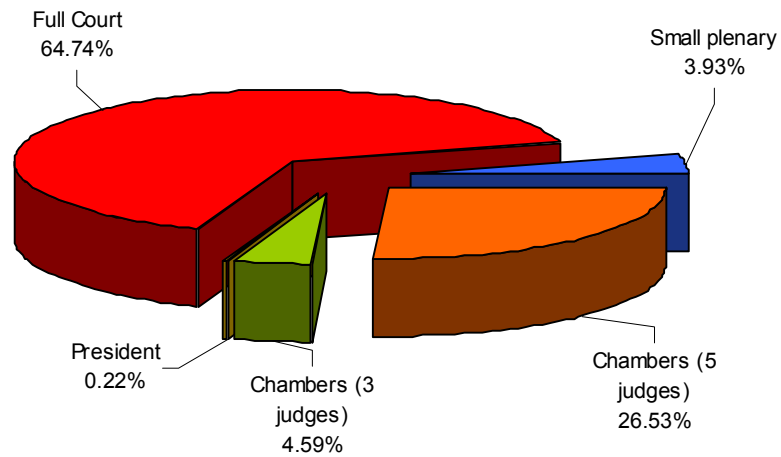
*Cases pending as at 31 December* <sup>1</sup>

### 13. Nature of proceedings (1998 – 2002)



	1998	1999	2000	2001	2002
References for a preliminary ruling	413	476	432	487	462
Direct actions	236	309	326	334	323
Appeals	95	110	111	120	117
Special forms of procedure	4	1	2	1	5
Opinions/Rulings			2	1	
<b>Total</b>	<b>748</b>	<b>896</b>	<b>873</b>	<b>943</b>	<b>907</b>

<sup>1</sup> The figures given (gross figures) represent the total number of cases, without account being taken of the joinder of cases on the grounds of similarity (one case number = one case).

**14. Cases pending as at 31 December — Bench hearing actions (2002) <sup>1</sup>**

	Direct actions	References for a preliminary ruling	Appeals	Other proceedings	Total
Full Court	238	279	75	1	593
Small plenary	4	23	9		36
Chambers (5 judges)	62	142	30		234
Chambers (3 judges)	19	18	1	4	42
President			2		2
<b>Total</b>	<b>323</b>	<b>462</b>	<b>117</b>	<b>5</b>	<b>907</b>

<sup>1</sup> The figures given (gross figures) represent the total number of cases, without account being taken of the joinder of cases on the grounds of similarity (one case number = one case).



*General trend in the work of the Court (1952 – 2002)***15. New cases and judgments**

Year	New cases <sup>1</sup>					Applications for interim measures	Judgments <sup>2</sup>
	Direct actions <sup>3</sup>	References for a preliminary ruling	Appeals	Appeals concerning interim measures and interventions	Total		
1953	4				4	-	-
1954	10				10	-	2
1955	9				9	2	4
1956	11				11	2	6
1957	19				19	2	4
1958	43				43	-	10
1959	47				47	5	13
1960	23				23	2	18
1961	25	1			26	1	11
1962	30	5			35	2	20
1963	99	6			105	7	17
1964	49	6			55	4	31
1965	55	7			62	4	52
1966	30	1			31	2	24
1967	14	23			37	-	24
1968	24	9			33	1	27
1969	60	17			77	2	30
1970	47	32			79	-	64
1971	59	37			96	1	60
1972	42	40			82	2	61
1973	131	61			192	6	80
1974	63	39			102	8	63
1975	61	69			130	5	78
1976	51	75			126	6	88
1977	74	84			158	6	100
1978	145	123			268	7	97
1979	1216	106			1322	6	138
1980	180	99			279	14	132
1981	214	108			322	17	128
1982	216	129			345	16	185
1983	199	98			297	11	151
1984	183	129			312	17	165
1985	294	139			433	22	211
1986	238	91			329	23	174
1987	251	144			395	21	208
1988	194	179			373	17	238
1989	246	139			385	20	188
1990 <sup>4</sup>	222	141	15	1	379	12	193
1991	142	186	13	1	342	9	204
1992	253	162	24	1	440	4	210
1993	265	204	17	-	486	13	203
1994	128	203	12	1	344	4	188
1995	109	251	46	2	408	3	172
1996	132	256	25	3	416	4	193
1997	169	239	30	5	443	1	242
1998	147	264	66	4	481	2	254
1999	214	255	68	4	541	4	235
2000	199	224	66	13	502	4	273
2001	187	237	72	7	503	5	244
2002	204	216	46	4	470	1	269
<b>Total</b>	<b>7027</b>	<b>4834</b>	<b>500</b>	<b>46</b>	<b>12407</b>	<b>327</b>	<b>5782</b>

<sup>1</sup> Gross figures; special forms of procedure are not included.<sup>2</sup> Net figures.<sup>3</sup> Including opinions of the Court.<sup>4</sup> Since 1990 staff cases have been brought before the Court of First Instance.

### 16. General trend in the work of the Court (1952 – 2002) — New references for a preliminary ruling (by Member State per year) <sup>1</sup>

	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK	Benelux <sup>2</sup>	Total
1961	-		-			-		-	-	1							1
1962	-		-			-		-	-	5							5
1963	-		-			-		-	1	5							6
1964	-		-			-		2	-	4							6
1965	-		4			2		-	-	1							7
1966	-		-			-		-	-	1							1
1967	5		11			3		-	1	3							23
1968	1		4			1		1	-	2							9
1969	4		11			1		-	1	-							17
1970	4		21			2		2	-	3							32
1971	1		18			6		5	1	6							37
1972	5		20			1		4	-	10							40
1973	8	-	37			4	-	5	1	6					-		61
1974	5	-	15			6	-	5	-	7					1		39
1975	7	1	26			15	-	14	1	4					1		69
1976	11	-	28			8	1	12	-	14					1		75
1977	16	1	30			14	2	7	-	9					5		84
1978	7	3	46			12	1	11	-	38					5		123
1979	13	1	33			18	2	19	1	11					8		106
1980	14	2	24			14	3	19	-	17					6		99
1981	12	1	41	-		17	-	11	4	17					5		108
1982	10	1	36	-		39	-	18	-	21					4		129
1983	9	4	36	-		15	2	7	-	19					6		98
1984	13	2	38	-		34	1	10	-	22					9		129
1985	13	-	40	-		45	2	11	6	14					8		139
1986	13	4	18	2	1	19	4	5	1	16		-			8		91
1987	15	5	32	17	1	36	2	5	3	19		-			9		144
1988	30	4	34	-	1	38	-	28	2	26		-			16		179
1989	13	2	47	2	2	28	1	10	1	18		1			14		139
1990	17	5	34	2	6	21	4	25	4	9		2			12		141
1991	19	2	54	3	5	29	2	36	2	17		3			14		186
1992	16	3	62	1	5	15	-	22	1	18		1			18		162
1993	22	7	57	5	7	22	1	24	1	43		3			12		204
1994	19	4	44	-	13	36	2	46	1	13		1			24		203
1995	14	8	51	10	10	43	3	58	2	19	2	5	-	6	20		251
1996	30	4	66	4	6	24	-	70	2	10	6	6	3	4	21		256
1997	19	7	46	2	9	10	1	50	3	24	35	2	6	7	18		239
1998	12	7	49	5	55	16	3	39	2	21	16	7	2	6	24		264
1999	13	3	49	3	4	17	2	43	4	23	56	7	4	5	22		255
2000	15	3	47	3	5	12	2	50	-	12	31	8	5	4	26	1	224
2001	10	5	53	4	4	15	1	40	2	14	57	4	3	4	21		237
2002	18	8	59	7	3	8	-	37	4	12	31	3	7	5	14	-	216
<b>Total</b>	<b>453</b>	<b>97</b>	<b>132</b>	<b>70</b>	<b>137</b>	<b>646</b>	<b>42</b>	<b>751</b>	<b>52</b>	<b>554</b>	<b>234</b>	<b>53</b>	<b>30</b>	<b>41</b>	<b>352</b>	<b>1</b>	<b>4834</b>

<sup>1</sup> Article 177 of the EC Treaty (now Article 234 EC), Article 41 CS, Article 150 EA, 1971 Protocol.

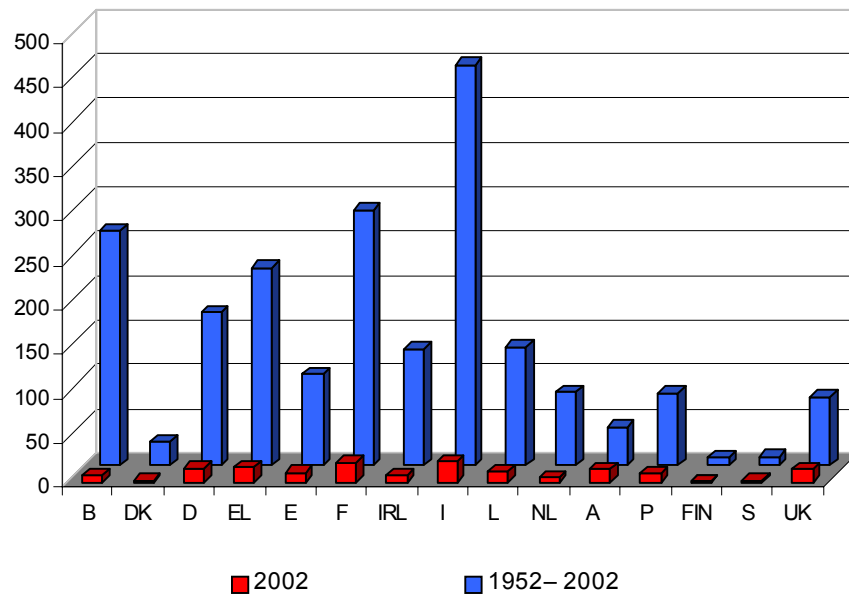
<sup>2</sup> Case C-265/00 *Campina Melkunie*.

### 17. General trend in the work of the Court (1952 – 2002) New references for a preliminary ruling (by Member State and by court or tribunal)

<b>Belgium</b>	Cour de cassation	56	<b>TOTAL</b>
	Cour d'arbitrage	1	
	Conseil d'État	25	
	Other courts or tribunals	371	453
<b>Denmark</b>	Højesteret	17	
	Other courts or tribunals	80	97
<b>Germany</b>	Bundesgerichtshof	85	
	Bundesarbeitsgericht	4	
	Bundesverwaltungsgericht	55	
	Bundesfinanzhof	198	
	Bundessozialgericht	69	
	Staatsgerichtshof	1	
	Other courts or tribunals	909	1321
<b>Greece</b>	Arios Pagos	3	
	Simvoulitis Epikratias	8	
	Other courts or tribunals	59	70
<b>Spain</b>	Tribunal Supremo	9	
	Audiencia Nacional	1	
	Juzgado Central de lo Penal	7	
	Other courts or tribunals	120	137
<b>France</b>	Cour de cassation	65	
	Conseil d'État	26	
	Other courts or tribunals	555	646
<b>Ireland</b>	Supreme Court	12	
	High Court	15	
	Other courts or tribunals	15	42
<b>Italy</b>	Corte suprema di Cassazione	77	
	Consiglio di Stato	39	
	Other courts or tribunals	635	751
<b>Luxembourg</b>	Cour supérieure de justice	10	
	Conseil d'État	13	
	Cour administrative	2	
	Other courts or tribunals	27	52
<b>Netherlands</b>	Raad van State	42	
	Hoge Raad der Nederlanden	114	
	Centrale Raad van Beroep	42	
	College van Beroep voor het Bedrijfsleven	101	
	Tariefcommissie	34	
	Other courts or tribunals	221	554
<b>Austria</b>	Verfassungsgerichtshof	3	
	Oberster Gerichtshof	48	
	Bundesvergabeamt	20	
	Verwaltungsgerichtshof	37	
	Vergabekontrollsenat	3	
	Other courts or tribunals	123	234
<b>Portugal</b>	Supremo Tribunal Administrativo	29	
	Administrativo	24	53
	Other courts or tribunals		
<b>Finland</b>	Korkein hallinto-oikeus	10	
	Korkein oikeus	3	
	Other courts or tribunals	17	30
<b>Sweden</b>	Högsta Domstolen	3	
	Marknadsdomstolen	3	
	Regeringsrätten	11	
	Other courts or tribunals	24	41
<b>United Kingdom</b>	House of Lords	29	
	Court of Appeal	26	
	Other courts or tribunals	297	352
<b>Benelux</b>	Cour de justice/Gerechtshof <sup>1</sup>	1	1
<b>Total</b>			4834

<sup>1</sup> Case C-265/00 *Campina Melkunie*.

# **18. General trend in the work of the Court (1952-2002) — New actions for failure of a Member State to fulfil its obligations <sup>1</sup>**



	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK	Total
<b>2002</b>	8	2	16	17	11	22	8	24	12	5	15	10	1	2	15	168
<b>1952–2002</b>	264	26	172	222	102	287	131	451	133	82	43	81	9	10	77	2090

The cases brought against Spain include an action under Article 170 of the EC Treaty (now Article 227 EC), brought by Belgium.

The cases brought against France include an action under Article 170 of the EC Treaty (now Article 227 EC), brought by Ireland.

The cases brought against the United Kingdom include two actions under Article 170 of the EC Treaty (now Article 227 EC), brought by France and Spain respectively.

<sup>1</sup> Articles 169, 170, 171 and 225 of the EC Treaty (now Articles 226 EC, 227 EC, 228 EC and 298 EC), Articles 141 EA, 142 EA and 143 EA and Article 88 CS.