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STATISTICS CONCERNING JUDICIAL ACTIVITY IN 2007: INCREASE IN THE VOLUME OF COMMUNITY LITIGATION

1 259 cases were brought before the three courts comprising the Court of Justice – the highest figure in the institution's history.

Court of Justice

The statistics concerning the Court of Justice's judicial activity in 2007 reveal a distinct improvement compared with the preceding year. In particular, the reduction, for the fourth year in a row, of the duration of proceedings before the Court should be noted, as should the increase of approximately 10% in the number of cases completed compared with 2006.

The Court completed 551 cases in 2007 compared with 503 in 2006 (net figures, that is to say, taking account of the joinder of cases).

The average duration of preliminary ruling proceedings was 19.3 months in 2007, as against 23.5 months in 2004. A comparative analysis shows that in 2007 the average time taken to deal with references for a preliminary ruling reached its shortest since 1995. The average time taken to deal with direct actions and appeals was 18.2 months and 17.8 months respectively (20 months and 17.8 months in 2006).

The Court had 580 new cases brought before it in 2007, the highest number in its history,¹ representing an increase in new cases of 8% compared with 2006 and 22.3% compared with 2005. However, the number of cases pending as at 31 December 2007 (741) was almost the same as at the end of 2006 (731), thanks to the increase in the number of completed cases.

Finally, the Court made significantly more frequent use of the possibility of determining cases without an Opinion of the Advocate General since about 43% of the judgments delivered in 2007 were delivered without an Opinion (33% in 2006).

Court of First Instance

522 cases were brought in 2007, a significant increase compared with 2006 (432). On the other hand, the number of cases completed went down (397 in 2007 as against 436 in 2006). It should nevertheless be noted that the number of cases decided by a judgment increased (247 in 2007 as

¹ With the exception of the 1 324 cases brought in 1979. However, that exceptionally high figure can be explained by the huge flood of actions for annulment with the same subject-matter that were brought.

against 227 in 2006), as did the number of applications for interim measures brought to a conclusion (41 in 2007 as against 24 in 2006). Apart from the substantial resources devoted to dealing with *Microsoft v Commission*² and the absence – in contrast to preceding years – of large groups of identical or connected cases, the reduction in the number of cases completed is due, more generally, to the ever increasing complexity and diversity of actions brought before the Court of First Instance. The fact remains however that, because of the imbalance between cases brought and cases completed, the number of cases pending increased, giving rise to the risk that the duration of proceedings will increase.

Conscious of this situation, the Court of First Instance has embarked upon detailed consideration of its operation and working methods in order to improve its efficiency. In this context, it has already been considered necessary to alter the way in which the Court is organised, in particular so as to derive greater advantage from the increase in the number of its Members. Thus, since 25 September 2007 the Court has comprised eight Chambers, of three Judges or, where the importance of the case so justifies, five Judges (extended composition).

Civil Service Tribunal

While the first year of the Civil Service Tribunal's work was largely devoted to the establishment of its internal and external procedures, and in particular to the drafting of its Rules of Procedure, the statistics for 2007 reveal regular judicial activity. In 2007, the Tribunal brought 150 cases to a close, while 157 new actions were lodged. There were thus almost equal numbers of cases lodged and cases brought to a close.

The number of pending cases (235) remains relatively high, as a result, in particular, of the fact that the number of cases brought to a close during the first year of the Tribunal's operation (50) does not reflect its true capacity in terms of judgments. In addition, a large number of pending cases have been stayed pending 'test' cases of the Court of First Instance or decisions of the Court of Justice on appeal.

The average duration of proceedings in 2007 was 16.9 months for cases brought to a close by a judgment and 10.3 months for cases brought to a close by an order.

Languages available: All

*This information for the press is also available on the Court's internet site
<http://curia.europa.eu/en/actu/communiqués/index.htm>*

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² Judgment of 17 September 2007 in Case T-201/04.