

C — Statistics concerning the judicial activity of the Civil Service Tribunal

General activity of the Civil Service Tribunal

1. New cases, completed cases, cases pending (2006–10)

New cases

2. Percentage of the number of cases per principal defendant institution (2006–10)
3. Language of the case (2006–10)

Completed cases

4. Judgments and orders — Bench hearing action (2010)
5. Outcome (2010)
6. Applications for interim measures (2006–10)
7. Duration of proceedings in months (2010)

Cases pending as at 31 December

8. Bench hearing action (2006–10)
9. Number of applicants (2010)

Miscellaneous

10. Appeals against decisions of the Civil Service Tribunal to the General Court (2006–10)
11. Results of appeals before the General Court (2006–10)

1. **General activity of the Civil Service Tribunal — New cases, completed cases, cases pending (2006–10)**



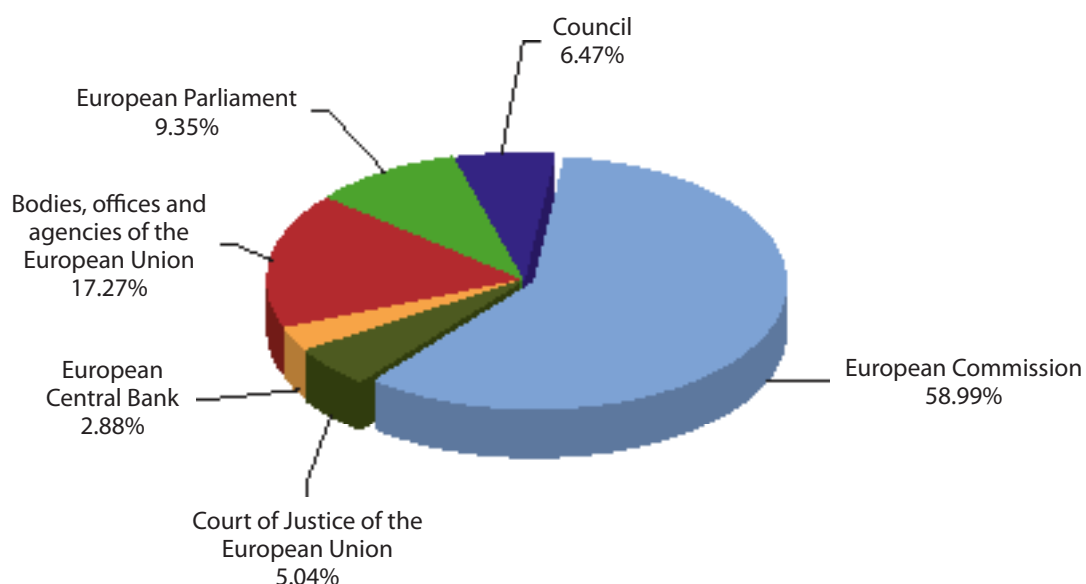
| | 2006 | 2007 | 2008 | 2009 | 2010 |
|-----------------|------|------|------|------|--------------------|
| New cases | 148 | 157 | 111 | 113 | 139 |
| Completed cases | 50 | 150 | 129 | 155 | 129 |
| Cases pending | 228 | 235 | 217 | 175 | 185 ⁽¹⁾ |

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).

⁽¹⁾ Including 14 cases in which proceedings were stayed.

2. *New cases — Percentage of the number of cases per principal defendant institution (2006–10)*

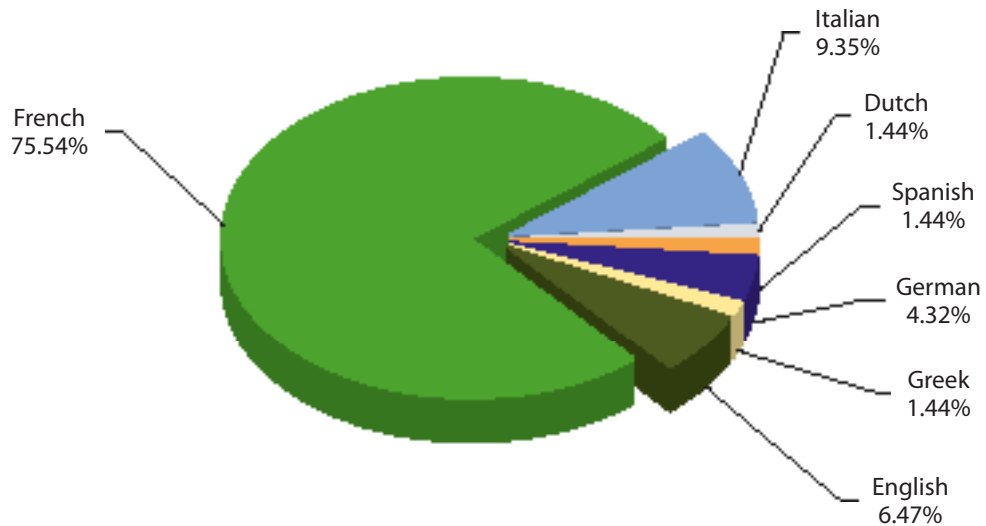
Percentage of number of new cases (2010)



| | 2006 | 2007 | 2008 | 2009 | 2010 |
|--|-------------|-------------|-------------|-------------|-------------|
| European Parliament | 7.48% | 15.29% | 14.41% | 8.85% | 9.35% |
| Council | 5.44% | 4.46% | 4.50% | 11.50% | 6.47% |
| European Commission | 72.79% | 63.69% | 54.95% | 47.79% | 58.99% |
| Court of Justice of the European Union | 4.08% | 3.82% | | 2.65% | 5.04% |
| European Central Bank | | 1.27% | 2.70% | 4.42% | 2.88% |
| Court of Auditors | 2.72% | 2.55% | 5.41% | 0.88% | |
| Bodies, offices and agencies of the European Union | 7.48% | 8.92% | 18.02% | 23.89% | 17.27% |
| Total | 100% | 100% | 100% | 100% | 100% |

3. *New cases — Language of the case (2006–10)*

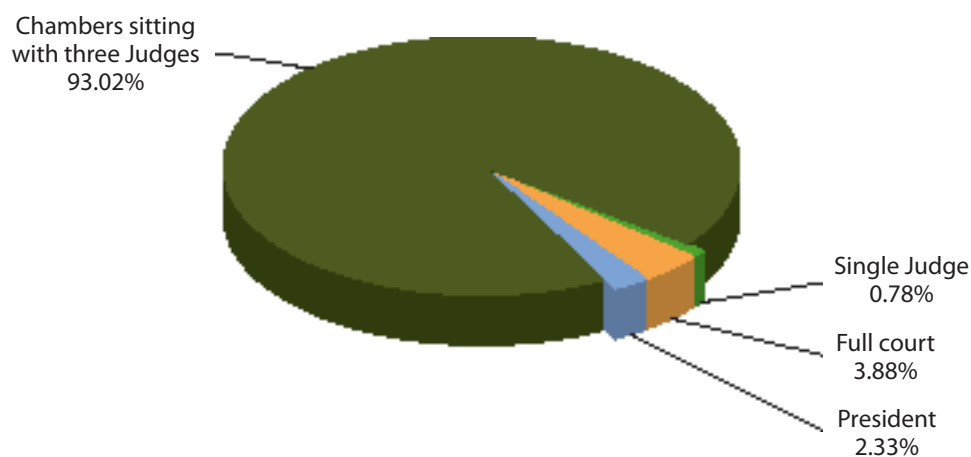
Distribution in 2010



| Language of the case | 2006 | 2007 | 2008 | 2009 | 2010 |
|----------------------|------------|------------|------------|------------|------------|
| Bulgarian | | 2 | | | |
| Spanish | 1 | 2 | 1 | 1 | 2 |
| Czech | | | | 1 | |
| German | 2 | 17 | 10 | 9 | 6 |
| Greek | 3 | 2 | 3 | 3 | 2 |
| English | 8 | 8 | 5 | 8 | 9 |
| French | 113 | 101 | 73 | 63 | 105 |
| Italian | 10 | 17 | 6 | 13 | 13 |
| Lithuanian | | 2 | 2 | | |
| Hungarian | 2 | 1 | 1 | | |
| Dutch | 7 | 4 | 8 | 15 | 2 |
| Polish | | | 1 | | |
| Portuguese | | | 1 | | |
| Romanian | | 1 | | | |
| Slovene | 1 | | | | |
| Finnish | 1 | | | | |
| Total | 148 | 157 | 111 | 113 | 139 |

The language of the case corresponds to the language in which the proceedings were brought and not to the applicant's mother tongue or nationality.

4. **Completed cases — Judgments and orders — Bench hearing action (2010)**



| | Judgments | Orders for removal from the register, following amicable settlement ⁽¹⁾ | Other orders terminating proceedings | Total |
|------------------------------------|-----------|--|--------------------------------------|------------|
| Full court | 4 | 1 | | 5 |
| President | | | 3 | 3 |
| Chambers sitting with three Judges | 84 | 11 | 25 | 120 |
| Single Judge | 1 | | | 1 |
| Total | 89 | 12 | 28 | 129 |

⁽¹⁾ In the course of 2010, there were also 12 unsuccessful attempts to bring cases to a close by amicable settlement on the initiative of the Civil Service Tribunal.

5. Completed cases — Outcome (2010)

| | Judgments | | | Orders | | | | Total |
|---|------------------------|------------------------|--|---|---|---|---|------------|
| | Actions upheld in full | Actions upheld in part | Actions dismissed in full, no need to adjudicate | Actions/applications [manifestly] inadmissible or unfounded | Amicable settlements following intervention by the bench hearing the action | Removal from the register on other grounds, no need to adjudicate or referral | Applications upheld in full or in part (special forms of procedure) | |
| Assignment/Reassignment | | 1 | 1 | 1 | | | | 3 |
| Competitions | 3 | 2 | 6 | | | | | 11 |
| Working conditions/Leave | 1 | 1 | 1 | | 1 | | | 4 |
| Appraisal/Promotion | 1 | 3 | 5 | | 3 | 8 | | 20 |
| Pensions and invalidity allowances | | | 3 | | 1 | | | 4 |
| Disciplinary proceedings | | 2 | | | | | | 2 |
| Recruitment/Appointment/Classification in grade | 2 | 1 | 16 | 1 | 2 | 5 | | 27 |
| Remuneration and allowances | 2 | | 3 | | 2 | | | 7 |
| Termination of an agent's contract | 11 | 4 | 7 | 2 | 1 | | | 25 |
| Social security/Occupational disease/Accidents | | 2 | 4 | 1 | 1 | 1 | | 9 |
| Other | | 5 | 2 | 5 | 1 | 2 | 2 | 17 |
| Total | 20 | 21 | 48 | 10 | 12 | 16 | 2 | 129 |

6. Applications for interim measures (2006–10)

| Applications for interim measures brought to a conclusion | | Outcome | | |
|---|-----------|----------------------------|-----------|---------------------------|
| | | Granted in full or in part | Dismissal | Removal from the register |
| 2006 | 2 | | 2 | |
| 2007 | 4 | | 4 | |
| 2008 | 4 | | 4 | |
| 2009 | 1 | 1 | | |
| 2010 | 6 | | 4 | 2 |
| Total | 17 | 1 | 14 | 2 |

7. Completed cases — Duration of proceedings in months (2010)

| | | Duration of full procedure | Duration of procedure, not including duration of any stay of proceedings |
|--|-----------|----------------------------|--|
| Judgments | | Average duration | Average duration |
| New cases before the Civil Service Tribunal | 81 | 21.4 | 19.7 |
| Cases initially brought before the General Court (¹) | 8 | 62.4 | 34.9 |
| Total | 89 | 25.1 | 21 |

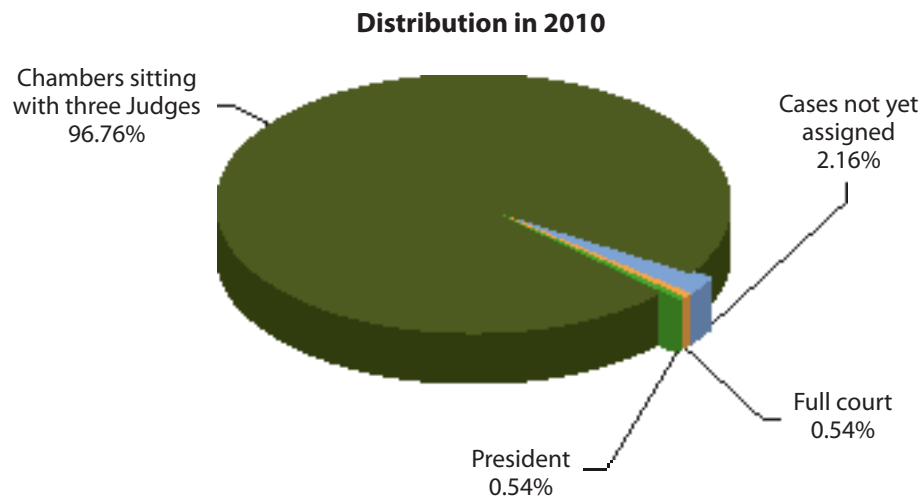
| | | Duration of full procedure | Duration of procedure, not including duration of any stay of proceedings |
|--|-----------|----------------------------|--|
| Orders | | Average duration | Average duration |
| New cases before the Civil Service Tribunal | 37 | 17.1 | 10.1 |
| Cases initially brought before the General Court (¹) | 3 | 66.5 | 28.9 |
| Total | 40 | 20.8 | 11.5 |

| | | | |
|----------------------|------------|-------------|-------------|
| OVERALL TOTAL | 129 | 23.8 | 18.1 |
|----------------------|------------|-------------|-------------|

The durations are expressed in months and tenths of months.

(¹) When the Civil Service Tribunal commenced work, the Court of First Instance (now the General Court) transferred 118 cases to it.

8. *Cases pending as at 31 December — Bench hearing action (2006–10)*



| | 2006 | 2007 | 2008 | 2009 | 2010 |
|------------------------------------|------------|------------|------------|------------|------------|
| Full court | 2 | 3 | 5 | 6 | 1 |
| President | 4 | 3 | 2 | 1 | 1 |
| Chambers sitting with three Judges | 212 | 206 | 199 | 160 | 179 |
| Single Judge | | | | | |
| Cases not yet assigned | 10 | 23 | 11 | 8 | 4 |
| Total | 228 | 235 | 217 | 175 | 185 |

9. Cases pending as at 31 December — Number of applicants (2010)

The pending cases with the greatest number of applicants

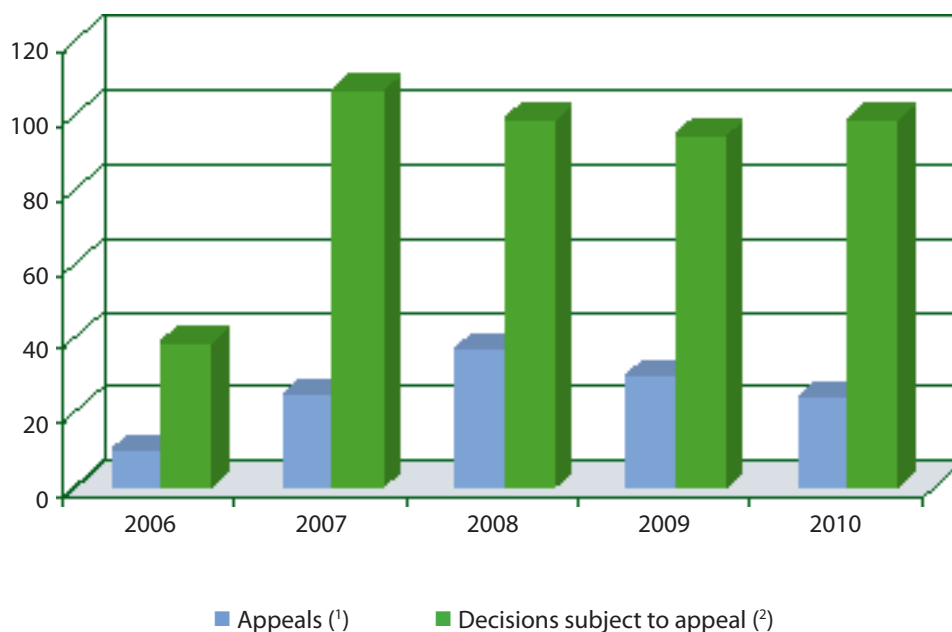
| Number of applicants | Fields |
|----------------------|---|
| 327 (15 cases) | Staff Regulations — Remuneration — Annual adjustment of the remuneration and pensions of officials and other servants — Article 65 of and Annex XI to the Staff Regulations — Council Regulation (EU, Euratom) No 1296/2009 of 23 December 2009 Staff Regulations — Promotion — Promotion year 2005 — Additional grades provided for by the new Staff Regulations |
| 169 | Staff Regulations — ECB staff — Reform of the pension scheme |
| 35 | Staff Regulations — EIB — Pensions — Reform of 2008 |
| 26 (3 cases) | Staff Regulations — Reclassification — Candidates placed on the reserve list in an internal competition before the new Staff Regulations — Classification in grade under less favourable provisions — Transitional provisions in Annex XIII to the Staff Regulations — Loss of promotion points |
| 18 | Staff Regulations — Remuneration — Member of the contract staff employed either in a safety and security department or in emergency and crisis coordination — Allowance for workers regularly required to remain on standby duty — Article 56b of the Staff Regulations |
| 16 (2 cases) | Staff Regulations — Members of the contract staff — Clause terminating a contract where the member of staff is not included on a reserve list of a competition — Termination of the contract of a member of staff |
| 14 | Staff Regulations — Appointment — Security firm employees — Claim for recognition as a member of staff |
| 13 | Staff Regulations — Member of the auxiliary staff — Member of the temporary staff — Conditions of engagement — Duration of contract |

The term 'Staff Regulations' means the Staff Regulations of Officials of the European Union and the Conditions of Employment of other servants of the Union.

Total number of applicants for all pending cases

| | Total applicants | Total pending cases |
|-------------|------------------|---------------------|
| 2006 | 1 652 | 228 |
| 2007 | 1 267 | 235 |
| 2008 | 1 161 | 217 |
| 2009 | 461 | 175 |
| 2010 | 812 | 185 |

10. *Miscellaneous* — Appeals against decisions of the Civil Service Tribunal to the General Court (2006–10)



| | Appeals ⁽¹⁾ | Decisions subject to appeal ⁽²⁾ | Percentage of appeals ⁽³⁾ | Percentage of appeals including amicable settlements ⁽⁴⁾ |
|-------------|------------------------|--|--------------------------------------|---|
| 2006 | 10 | 39 | 25.64% | 22.22% |
| 2007 | 25 | 107 | 23.36% | 21.93% |
| 2008 | 37 | 99 | 37.37% | 34.91% |
| 2009 | 30 | 95 | 31.58% | 30.93% |
| 2010 | 24 | 99 | 24.24% | 21.62% |

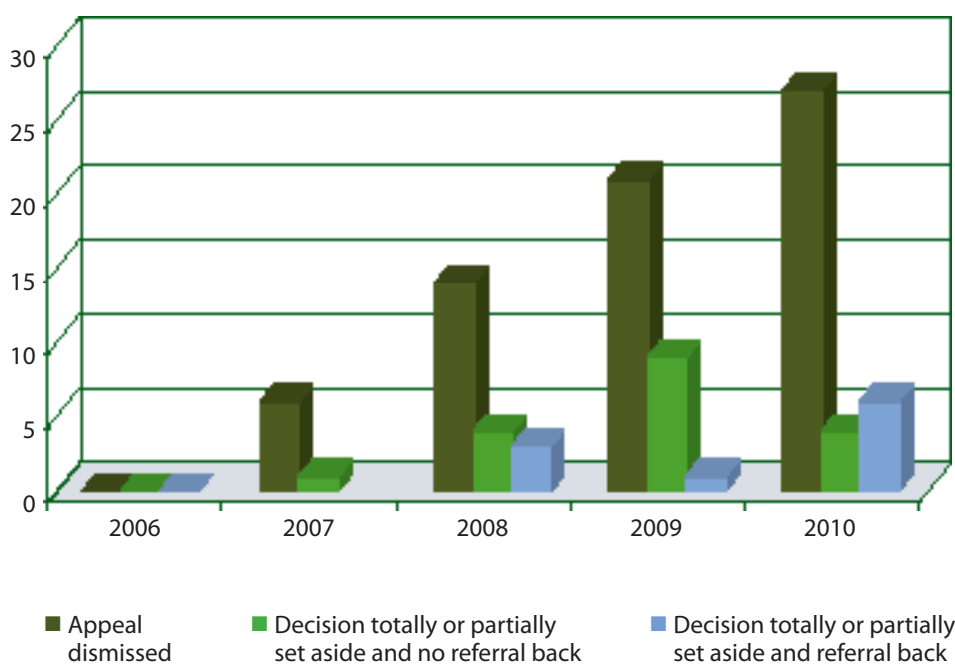
⁽¹⁾ Decisions appealed against by several parties are taken into account only once. In 2007, two decisions were each the subject of two appeals.

⁽²⁾ Judgments, orders — declaring the action inadmissible, manifestly inadmissible or manifestly unfounded, orders for interim measures, orders that there is no need to adjudicate and orders refusing leave to intervene — made or adopted during the reference year.

⁽³⁾ For a given year this percentage may not correspond to the decisions subject to appeal given in the reference year, since the period allowed for appeal may span two years.

⁽⁴⁾ The Civil Service Tribunal endeavours to answer the legislature's appeal for the facilitation of the amicable settlement of disputes. A certain number of cases are closed in this way each year. Those cases do not give rise to 'decisions subject to appeal' on the basis of which the 'percentage of appeals' is traditionally calculated in the Annual Report, including for the Court of Justice and the General Court. In so far as the 'percentage of appeals' may be considered to represent the 'rate of challenge' of the decisions of a court, that percentage would reflect the position better if it were calculated so as to take account not only of decisions subject to appeal but also those which are not precisely because they have brought the dispute to a close by amicable settlement. The result of that calculation appears in this column.

11. *Miscellaneous* — Results of appeals before the General Court (2006–10)



| | 2006 | 2007 | 2008 | 2009 | 2010 |
|--|------|----------|-----------|-----------|-----------|
| Appeal dismissed | | 6 | 14 | 21 | 27 |
| Decision totally or partially set aside and no referral back | | 1 | 4 | 9 | 4 |
| Decision totally or partially set aside and referral back | | | 3 | 1 | 6 |
| Total | | 7 | 21 | 31 | 37 |