



COURT OF JUSTICE OF
THE EUROPEAN UNION

ANNUAL REPORT **2015**
THE YEAR IN REVIEW

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COURT OF JUSTICE OF THE EUROPEAN UNION

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INTRODUCTION

BY THE PRESIDENT

For the first time, the *Annual Report of the Court of Justice of the European Union* includes a section entitled 'The year in review', aimed at all citizens of the Union who are interested in the tasks and operation of the institution. This review, which summarises the activity of the past year, will enable the reader to discover the fundamental role which the Court of Justice of the European Union plays in the interpretation of EU law, but also in European institutional cooperation.

The following pages are thus intended to provide a clear and concise presentation of the judicial decisions that marked 2015 and of their impact on the everyday life of citizens of the Union.

The most important events in the life of the institution are also mentioned and testify to the dialogue and exchanges which the Court of Justice of the European Union maintains with national courts, legal professionals and citizens. Lastly, by making key figures, statistics and computer-generated graphics available to its readers, this review provides them with the opportunity to become acquainted with the operation of the institution and of the administrative organisation on which it relies in order to fulfil its task in the interests of European justice.

May this new publication, available in 23 official languages of the European Union, allow everyone to achieve a better understanding, year after year, of an institution which for more than six decades has ensured respect for the principles of the rule of law within the European Union.

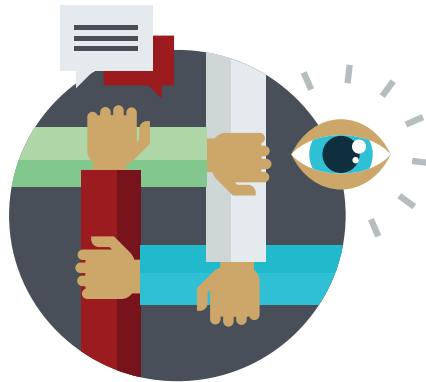
I hope you enjoy reading it!

A handwritten signature in blue ink, reading 'K. Lenaerts'.

Koen Lenaerts
President of the Court of Justice
of the European Union

1

2015
AT A GLANCE



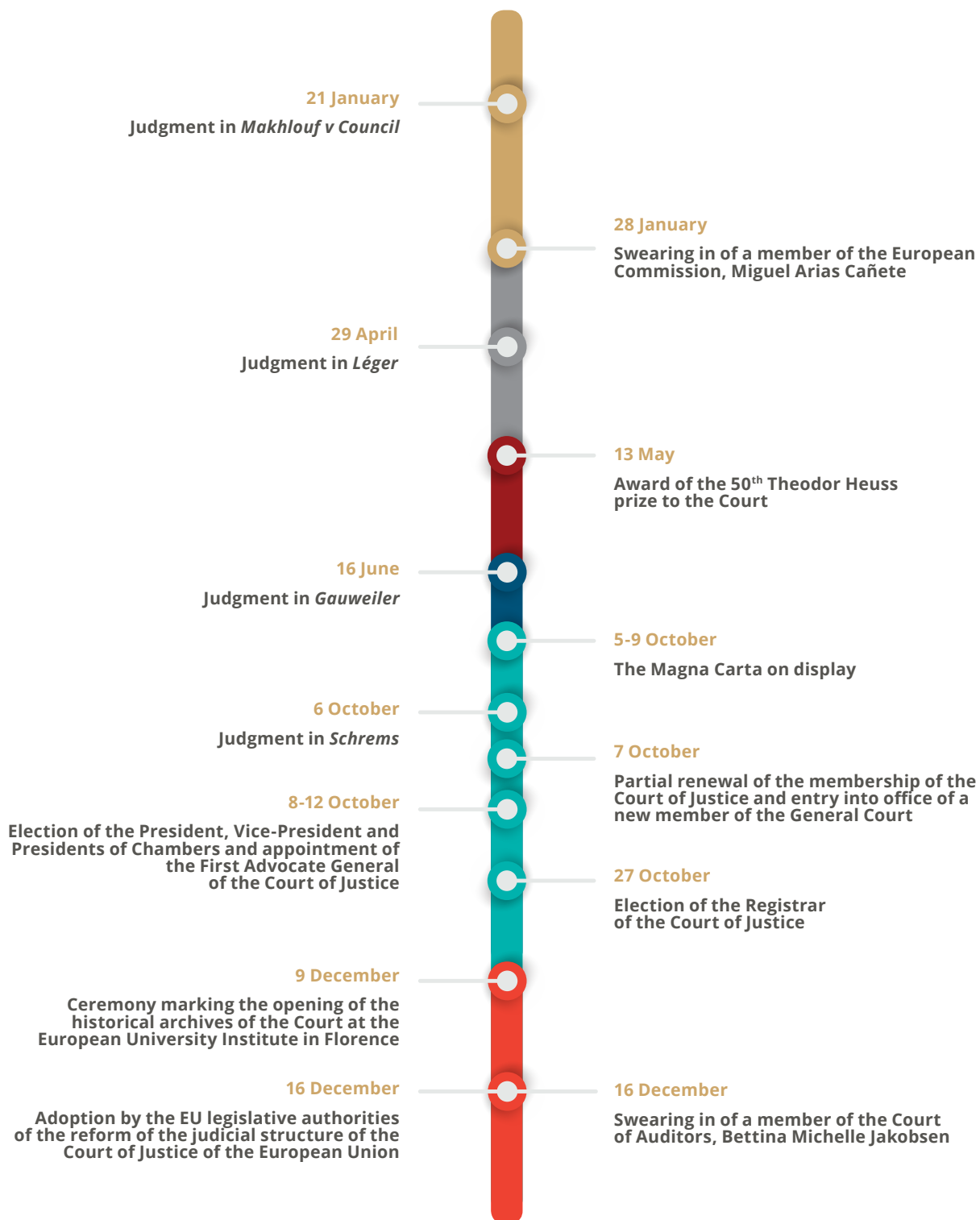
A. THE YEAR IN PICTURES

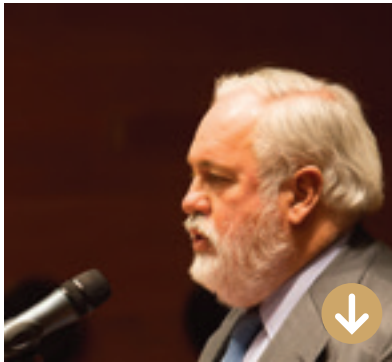


The Court of Justice of the European Union is one of the seven European institutions

It is the judicial authority of the European Union and its task is to ensure compliance with European law by overseeing the interpretation and uniform application of the Treaties. The institution contributes to the preservation of the values of the European Union and by its case-law works towards the building of Europe.

The Court of Justice of the European Union is made up of three courts: the 'Court of Justice', the 'General Court' and the 'Civil Service Tribunal' (CST).



**21 January****Judgment in *Makhlouf v Council***

The General Court upholds the restrictive measures against Mr Makhlouf, a close associate and uncle of Bashar Al-Assad.

[see page 23]**28 January****Swearing in of Mr Arias Cañete**

The European Commissioner for Energy and Climate, Miguel Arias Cañete, gives before the Court the solemn undertaking which the Treaties require before members of the European Commission enter into office. This oath, taken the previous month by the other members of the Commission under the presidency of Jean-Claude Juncker, marks the solemn undertaking of members of the Commission to uphold the Treaties, the Charter of Fundamental Rights and their code of conduct, of which the Court of Justice of the European Union is the guardian.

**13 May****Award of the 50th Theodor Heuss prize to the Court**

The German Theodor Heuss Foundation, which each year recognises examples of social engagement, civic courage and actions to strengthen democracy, awards its 50th prize, under the theme 'Europe: Future of a Hope', to the Court of Justice of the European Union. On this occasion, the Foundation emphasises the essential role played by the Court of Justice, through its case-law, in reinforcing fundamental rights in an era of digitisation and globalisation.

29 April**Judgment in *Léger***

In answer to a question referred by a French court following the refusal of a doctor to accept the blood donation of a homosexual donor, the Court of Justice rules that permanent deferral from blood donation for men who have had sexual relations with other men may be justified, provided that those persons are at a high risk of acquiring serious diseases such as HIV and there are no effective techniques for detecting those diseases or any less onerous methods of ensuring the health protection of the recipients.



16 June**Judgment in *Gauweiler***

In answer to questions referred by the German Federal Constitutional Court, the Court of Justice rules that the 'OMT' programme announced by the European Central Bank (ECB) in September 2012, which authorises the European System of Central Banks (ESCB) to acquire sovereign bonds of the Member States of the euro area on the secondary markets, is compatible with EU law.

[see page 24]**5-9 October****Display of the *Magna Carta* at the Court**

In the context of the celebration of the 800th anniversary of the signing of the *Magna Carta Libertatum* (the Great Charter of Freedoms) by King John of England, the Court of Justice hosts, for one week, one of the original copies of the Charter, a source of inspiration for numerous instruments which have enshrined democratic values, fundamental freedoms and human rights throughout the world.

6 October**Judgment in *Schrems***

The Court of Justice declares invalid the decision of the European Commission allowing Facebook to transfer the personal data of its European subscribers to the United States.

[see page 17]

7 October**Partial renewal of the membership of the Court of Justice and entry into office of a new member of the General Court**

In the context of the three-yearly renewal of the membership of the Court of Justice, the terms of office of Küllike Jürimäe (Estonia), Rosario Silva de Lapuerta (Spain), Camelia Toader (Romania), Juliane Kokott (Germany), Eleanor Sharpston (United Kingdom), Lars Bay Larsen (Denmark), François Biltgen (Luxembourg), Marko Ilešić (Slovenia), Endre Juhász (Hungary), Koen Lenaerts (Belgium), Siniša Rodin (Croatia), Allan Rosas (Finland), Marek Safjan (Poland) and Daniel Šváby (Slovakia) as Judge or Advocate General are renewed.

Two new Judges, Eugene Regan (Ireland) and Michail Vilaras (Greece), and three new Advocates General, Michal Bobek (Czech Republic), Manuel Campos Sánchez-Bordona (Spain) and Henrik Saugmandsgaard Øe (Denmark), are also appointed by the representatives of the governments of the Member States meeting within the Council. They are sworn in at a formal sitting before the Court of Justice.

At that formal sitting, Ian Stewart Forrester (United Kingdom) is also sworn in before entering into office as a Judge at the General Court.

**27 October****Election of the Registrar of the Court of Justice**

Alfredo Calot Escobar (Spain) is reappointed to his post as Registrar of the Court of Justice, for the period from 7 October 2016 to 6 October 2022. The Registrar, who is also the Secretary-General of the institution, is elected by the Judges and Advocates General of the Court of Justice for a term of six years.

8-12 October**Election of the President, Vice-President and Presidents of Chambers and appointment of the First Advocate General of the Court of Justice**

Koen Lenaerts (Belgium) is elected President of the Court of Justice of the European Union by his peers, for a term of three years. He succeeds Vassilios Skouris (Greece), who held the presidency of the institution for 12 years.

Antonio Tizzano (Italy) is elected Vice-President, also for a term of three years.

Rosario Silva de Lapuerta (Spain), Marko Ilešić (Slovenia), Lars Bay Larsen (Denmark), Thomas von Danwitz (Germany) and José Luís da Cruz Vilaça (Portugal) are elected Presidents of the five-Judge Chambers for a period of three years.

Lastly, Melchior Wathelet (Belgium) is appointed First Advocate General of the Court of Justice.



9 December**Ceremony marking the opening of the historical archives of the Court at the European University Institute in Florence****[see page 34]****16 December****Swearing in of a member of the Court of Auditors**

The Court takes formal note of the undertaking of Bettina Michelle Jakobsen (Denmark), newly appointed as a member of the European Court of Auditors for the remainder of the term of office of her predecessor, Henrik Otbo, that is to say, until 28 February 2018. Like the members of the European Commission, the members of the European Court of Auditors give an undertaking, at a formal sitting of the Court of Justice, that they will fulfil the obligations arising from their functions.

16 December**Adoption by the EU legislative authorities of the reform of the judicial structure of the Court of Justice of the European Union****[see page 48]**



B. THE YEAR IN FIGURES

A key feature of the Court of Justice of the European Union in 2015 was the pace of its judicial activity, since the number of new cases brought and of cases completed by the courts which it comprises was at a level unprecedented in the history of the institution. This increase in the workload was also reflected in the activity of the administrative departments which lend their support to the courts on a daily basis.

The institution in 2015

2015 BUDGET

€357

MILLION

63 | 11

JUDGES

ADVOCATES
GENERAL

from the 28 Member States

2 122

officials and other staff



837
men



1 285
women



The judicial year

(all courts taken together)

1 711

cases brought

1 755

cases completed

142 140

procedural documents entered in the registers of the Registries

Average duration of proceedings:



16,1

months

Court of Justice
General Court
CST

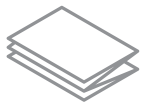


15,6
20,6
12,1



2 845

845 judicial notices published in the *Official Journal of the European Union*



1 115 000

pages of translation produced



628

hearings and meetings with simultaneous interpretation

The institutional year



Almost

1 900

national judges

received at the Court in the context of seminars or training



16 377

visitors

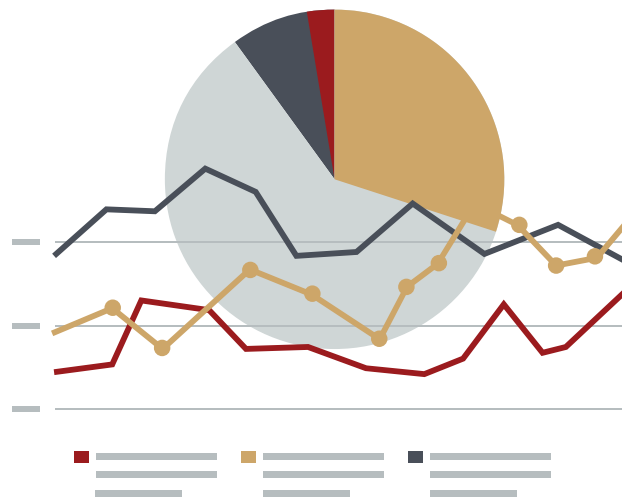
- professionals
- journalists
- students
- citizens



63

formal events

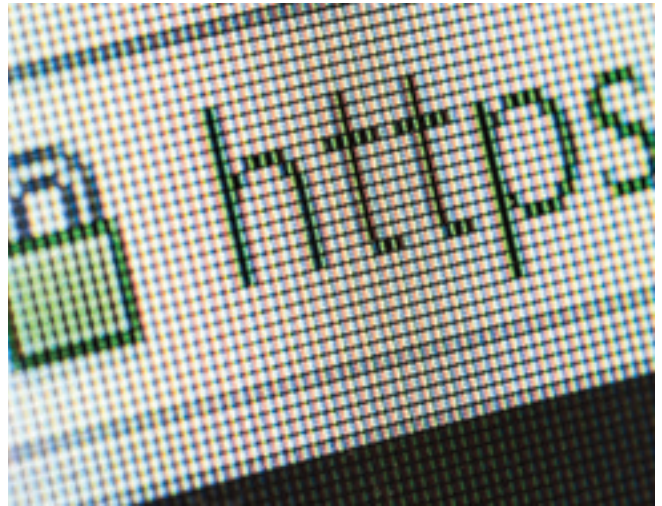
JUDICIAL ACTIVITY



A. A LOOK BACK AT THE IMPORTANT JUDGMENTS OF THE YEAR

PROTECTION OF PERSONAL DATA

Within the European Union, citizens are guaranteed the protection of their personal data. In October 2015, the Court of Justice was required to clarify the scope of that protection under the Charter of Fundamental Rights and Directive 95/46. Is the personal data of citizens of the European Union sufficiently protected within and outside the European Union?



An Austrian citizen, Mr **Schrems**, no longer wished the data from his Facebook account to be transferred to the United States, where he considered that the protection of personal data against surveillance by the intelligence services was insufficient. The supervisory authority in Ireland (where Facebook's European headquarters are located) considered that it was prevented, by a European Commission decision, from carrying out the relevant check. This prompted Mr Schrems to bring proceedings before the High Court of Ireland, which, in turn, requested the Court of Justice to rule on the scope and the validity of the Commission decision. The Court of Justice ruled that the Commission decision of 2000, according to which the level of protection afforded by the United States was sufficient for personal data to be transferred from the European Union to that country, was invalid. The Court of Justice concluded that the United States

'**Safe Harbour**' rules, on which the Commission had relied, apply only to United States undertakings and therefore do not guarantee protection against access by the United States authorities to data transferred from the Member States of the European Union. It further stated that, irrespective of the existence of a Commission decision, the national supervisory authorities have the task, at the request of a citizen or an undertaking, of examining whether a non-member country offers an adequate level of protection. Accordingly, it is for the Irish supervisory authority to check whether the United States affords a level of protection substantially equivalent to that guaranteed in the European Union, so that the data provided to Facebook by Mr Schrems as a subscriber may be stored on servers in the United States. (Judgment of 6 October 2015 in Schrems, C 362/14).

The Court of Justice also held that EU law precludes the **transfer of personal data** between two public administrative bodies of a Member State and its subsequent processing if the person concerned has not been informed in advance.

Ms Bara and other Romanian citizens had complained before the Romanian courts that the tax authorities had communicated their declared income to the National Health Insurance Fund, which then demanded payment of arrears of contributions to the health insurance scheme. On a reference from a Romanian court, the Court of Justice held that, under the directive on the processing of personal data, the authority in possession of the data must inform the person concerned that the data is being transferred elsewhere. Although a dispensation from that obligation may be provided for by national legislation, the latter must define both the transferable information and the detailed arrangements for transferring it.

The authority receiving the data must inform the person concerned of the purposes of the data processing and of his right to have access to and to rectify such data. (Judgment of 1 October 2015 in Bara and Others, C 201/14).



CONSUMER PROTECTION

To what extent can the depictions used on the packaging of a foodstuff mislead the consumer? Raspberries and vanilla flowers were depicted on the packaging of a fruit tea. In fact, although the list of ingredients on the packaging was correct, the tea did not contain any such natural ingredients. The Court of Justice pointed out that EU law requires the consumer to have **correct, neutral and objective information**. Where the labelling gives the impression that an ingredient is present when it is not in fact present, the purchaser may be misled, even though the list of ingredients is correct. (Judgment of 4 June 2015 in Teekanne, C 195/14).



The Court of Justice also clarified the rights of European consumers in respect of the **labelling of mineral water**. It confirmed that the sodium content shown on the packaging of bottles must reflect the total quantity of sodium in all its forms (table salt and sodium bicarbonate). The consumer might be misled if water were presented as being low in sodium or salt when it contains high levels of sodium bicarbonate. (Judgment of 17 December 2015 in Neptune Distribution, C 157/14).

Consumers are also protected in relation to the **purchase of consumer goods and the guarantees applicable to them**. A Netherlands national purchased a second-hand vehicle from a garage; three months later it caught fire during a journey. The Court of Justice confirmed that the national court may on its own initiative apply the relevant European legislation, which, inter alia, relaxes the burden of proof for consumers: any lack of conformity with the contract of sale which becomes apparent within six months of delivery of the goods is, in principle, to be presumed to have existed at the time of delivery. The consumer must prove that the lack of conformity exists, but is not required to prove its cause or to establish that its origin is attributable to the seller. (Judgment of 4 June 2015 in Faber, C 497/13).

In relation to **air transport**, the Court of Justice again clarified the scope of passenger rights. Where, for any flight originating at an EU airport, a computerised booking system offers several

routes, it must state at all times the final price with details of the price of each air service included. That information must be given for each flight offered and not just for the flight selected by the traveller. Consumers must be able to compare effectively the prices for the various air services. (Judgment of 15 January 2015 in Air Berlin, C 573/13).

In addition, the Court of Justice confirmed that, under a European regulation, the air carrier must pay compensation (of between EUR 250 and 600) to passengers if their flight is cancelled. That obligation also applies in the event of unforeseen technical problems with the aircraft, since even in such a case air carriers are required to compensate the passengers. Only in very exceptional cases (hidden manufacturing defects affecting the safety of flights, acts of sabotage or terrorism) can air carriers be relieved of their obligation. (Judgment of 17 September 2015 in van der Lans, C 257/14).

Finally, the Court of Justice ruled on the protection of consumers who have taken out **mortgage loans** in order to purchase their main residence. Where the agreement contains a clause providing for unlawful interest rates, the national court may either recalculate the interest rates or exclude the application of that clause if it considers it to be unfair. (Judgment of 21 January 2015 in Unicaja Banco, Joined Cases C 482/13 et al.).



RIGHTS AND OBLIGATIONS OF MIGRANTS

The rules on the integration of nationals of non-member countries who have settled in the Member States are intended, in particular, to promote economic and social cohesion in those States. Under EU law, Member States may grant the status of long-term resident to nationals of non-member countries who have resided legally and continuously on their territory for five years prior to the submission of their application.

In the Netherlands, nationals of non-member countries are required, on pain of a fine, to pass a **civic integration examination** in order to demonstrate that they have sufficient knowledge of the Dutch language and Netherlands society. In answer to a question from a Netherlands court, the Court of Justice declared that Member States may require long-term residents to pass such an examination. However, the means of implementing that obligation (for example, the amount of the registration fees to sit the examination) must not jeopardise the achievement of the objective of social cohesion pursued by EU law. (Judgment of 4 June 2015 in P and S, C 579/13).

Furthermore, a European directive establishes that a national of a non-member country residing legally in a Member State may exercise the right to **family reunification** on certain conditions. The members of his family who wish to join him may, for example, be required to pass a civic integration examination. When asked by a Netherlands court whether that examination is compatible with the directive on family reunification, the Court of Justice confirmed that Member States may require nationals of non-member countries to pass a civic integration examination

before reunification can take place. However, the particular situation of a person who is unable to sit the examination or to pass it (for example, because of his age or for health reasons) must be taken into consideration in order to dispense him from that obligation. (Judgment of 9 July 2015 in K and A, C 153/14).

EU law also lays down rules, applicable in all Member States, which establish a framework for the detention and removal of nationals of non-member countries staying unlawfully on the territory of a Member State.

The Court of Justice was requested by an Italian criminal court to interpret the directive known as 'the return directive'. It ruled that a Member State may, subject to observance of fundamental rights, impose **criminal penalties** (such as a prison sentence of between one and four years, as in Italy) on a national of a non-member country who, after having been returned to his country of origin in the context of an earlier return procedure, unlawfully re-enters the territory of that State in breach of an entry ban. (Judgment of 1 October 2015 in Skerdjan Celaj, C 290/14).



PROTECTION OF WORKERS' RIGHTS

EU law seeks to maintain a fair balance between workers' employment-related obligations and their private life. Thus, it lays down a number of rules relating to the way in which contracts of employment are performed, for example in relation to the organisation of working time.

The fixing of a minimum wage is not, in principle, a matter for EU law, which may, however, lay down certain rules dictated by social and competition considerations.

As a general rule, the working week may not exceed 48 hours and each worker must benefit from minimum daily and weekly rest periods. In actions brought by the European Commission, which considered that Greece and Ireland had not complied with those rules, the Court of Justice found that Greece had in fact infringed EU law, as practice of the profession of doctor was not subject to either a maximum **weekly working time** of 48 hours or a daily and weekly **minimum rest period**.

On the other hand, the Commission did not succeed in proving that Ireland had failed to fulfil its obligations as regards the working conditions of junior hospital doctors. (Judgment of 9 July 2015 in Commission v Ireland, C 87/14, e Judgment of 23 December 2015 in Commission v Greece, C 180/14).

In answer to a question referred by a Spanish court, the Court of Justice stated that the journeys made by installation and

maintenance technicians without a fixed or normal place of work between their homes and the premises of the first or last customer of the day amount to working time. Thus, the travelling hours which those technicians — who are sometimes required to carry out work at premises more than 100 km from their homes — must spend in their vehicles cannot be regarded by their employers as rest hours. (Judgment of 10 September 2015 in Federación de Servicios Privados del sindicato Comisiones obreras, C 266/14).

The Court of Justice also held, in a German case, that the award of a public contract may be conditional on tenderers undertaking to pay the staff who are called upon to perform the services the **minimum wage** applicable in the Member State in which the public contract is to be performed. (Judgment of 17 November 2015 in RegioPost, C 115/14).



THE MAINTENANCE OF FREE COMPETITION

In order for the internal market of the European Union to function properly, free competition is essential. The Court of Justice of the European Union ensures observance of the rules designed to guarantee fair competition between undertakings within the internal market and to enable consumers to benefit from goods and services of higher quality at a more advantageous price.

Each year the Court of Justice and the General Court deal with many cases relating to practices which prevent, restrict or distort competition within the internal market, such as:

- ◆ State aid intended to favour certain undertakings;
- ◆ concentrations (acquisition or merger of undertakings, which becomes illegal if it creates or strengthens a dominant position that may lead to abuse);
- ◆ cartels (agreements between undertakings, relating, inter alia, to market-sharing, the fixing of production quotas or pricing).

In 2015, the General Court upheld the Commission's decision prohibiting the concentration between two companies active in the **financial markets** sector, namely Deutsche Börse (the operator of the German stock exchange) and NYSE Euronext (the operator of the New York, Paris, Amsterdam, Brussels and Lisbon stock exchanges). The proposed concentration could have given rise to a dominant or near-monopoly position, which would have been harmful to the other economic players. (Judgment of 9 March 2015 in Deutsche Börse v Commission, T 175/12)

In an appeal against the judgment delivered by the General Court a year earlier, which concerned a cartel on the market for liquid crystal display panels (LCD screens), the Court of Justice upheld the deterrent fine of EUR 288 million imposed on the Taiwanese company InnoLux. The Commission had correctly defined the market on which that company operated, namely the market for finished products incorporating LCD screens (computers, televisions) and not just the market for screens. Consequently, the Court of Justice upheld the judgment of the General Court and therefore the Commission's decision. (Judgment of 9 July 2015 in InnoLux v Commission, C 231/14 P)

Lastly, the General Court annulled the Commission's decision imposing fines amounting to approximately EUR 790 million on a number of airlines for having participated in a cartel in the air **freight market**. The anti-competitive conduct concerned the introduction of a 'fuel surcharge' and of a 'security surcharge' (which was introduced in response to the security measures imposed following the terrorist attacks of 11 September 2001). The General Court annulled these fines after finding that the Commission's decision had internal inconsistencies that undermined the airlines' rights of defence. (Judgments of 16 December 2015 in Air Canada and Others v Commission, T 9/11 et al.)

FOREIGN POLICY AND RESTRICTIVE MEASURES

‘Restrictive measures’ are a foreign policy instrument by which the European Union seeks to bring about a change of policy or behaviour on the part of a non-member country. Restrictive measures may take the form of an arms embargo, the freezing of assets, a prohibition on entering and travelling through the territory of the European Union, a ban on imports and exports, and so forth. They may target governments, companies, natural persons and groups or organisations (such as terrorist groups).

The Court of Justice and the General Court have already dealt with a number of cases relating to sanctions imposed on organisations and persons from various countries, such as Afghanistan, Belarus, Côte d’Ivoire, Egypt, Iran, Libya, Russia, Syria, Tunisia, Ukraine and Zimbabwe.



The General Court held that the Council may presume that a person is linked to the rulers of a country solely by virtue of his family connection with those rulers. Consequently, the General Court upheld the legality of the restrictive measures against **Mohammad Makhoul**, the uncle of the Syrian President **Bashar Al-Assad**. (Judgment of 21 January 2015 in Makhoul v Council, T 509/11)

On the other hand, the General Court held that the Council cannot freeze a person’s funds without specifying the facts alleged against him and his responsibility. Thus, the Council was not entitled to consider **Andriy Portnov** (one-time adviser to the former President of Ukraine, Viktor Yanukovich) responsible for the misappropriation of funds in Ukraine on the sole ground that he was the subject of a preliminary investigation in that country. (Judgment of 26 October 2015 in Portnov v Council, T 290/14).

Likewise, the General Court annulled most of the measures freezing the funds of the Belarusian football club **Dynamo-Minsk** since the Council did not show that the owners of the club support or benefit from the regime of President Lukashenko of Belarus (Judgments of 6 October 2015 in FC Dynamo-Minsk v Council, T 275/12 and T 276/12).



THE EURO AREA AND THE CRISIS

In order to put an end to speculation in respect of the debts of several Member States following the crisis in the euro area, the European Central Bank (ECB) decided to introduce in 2012 a new financial mechanism by promising to buy, without limits, the 'sovereign bonds' issued by the Treasury of a Member State in the event of exceptional disruption of monetary policy (the **outright monetary transactions** or OMT mechanism). The ECB intended in this way to prevent inflation of the interest rate demanded by the market to finance the debts of Member States weakened by the deterioration of their economic situation (such as Greece, Spain and Portugal). According to the ECB, the mere announcement of that programme was sufficient to obtain the desired effect (as the programme was never actually implemented).

In actions brought by a number of individuals opposed to the programme, the German Federal Constitutional Court asked the Court of Justice whether the ECB's OMT programme was compatible with EU law.

The Court declared that the ECB did have the power to adopt such a programme, since the programme formed part of the single monetary policy which the ECB must implement in order to maintain price stability. Nor had the ECB breached the prohibition of monetary financing of sovereign debt, laid down in EU law: although EU law prohibits all financial assistance from the ECB to a Member State, it does not preclude the possibility of the ECB purchasing from a State's creditors bonds issued by that State. (Judgment of 16 June 2015 in *Gauweiler and Others*, C 62/14).



B. KEY FIGURES CONCERNING THE JUDICIAL ACTIVITY

COURT OF JUSTICE

The Court of Justice deals mainly with:

- ◆ **requests for preliminary rulings**, when a national court is uncertain as to the interpretation or validity of an act adopted by the European Union. The national court stays the proceedings before it and refers the matter to the Court of Justice, which gives a ruling on the interpretation or the validity of the provisions in question. When the matter has been clarified by the Court of Justice's decision, the national court is then in a position to settle the dispute before it. In cases calling for a response within a very short time (for example, in relation to asylum, border control, child abduction and so forth), an urgent preliminary ruling procedure ('PPU') may be used;
- ◆ **appeals**, against decisions made by the General Court, a remedy enabling the Court of Justice to set aside the decision of the General Court;
- ◆ **direct actions**, which mainly seek:
 - annulment of an EU act ('action for annulment') or
 - a declaration that a Member State has failed to fulfil its obligations under EU law ('**action for failure to fulfil obligations**'). If the Member State does not comply with the judgment finding that it has failed to fulfil its obligations, a second action, known as an **action for 'twofold failure' to fulfil obligations**, may result in the Court imposing a financial penalty on it;
- ◆ requests for an **opinion** on the compatibility with the Treaties of an agreement which the European Union envisages concluding with a non-member State or an international organisation. The request may be submitted by a Member State or by a European institution (Parliament, Council or Commission).



713

Cases brought

436
including
4 PPU

Preliminary ruling proceedings

Main Member States from which the requests originate:

Germany:	79
Italy:	47
Netherlands:	40
Spain:	36
Belgium:	32

48 Direct
actions



including

34 actions for failure to fulfil obligations and
3 actions for 'twofold failure' to fulfil obligations










215 Appeals against
decisions of the
General Court

3 Opinions



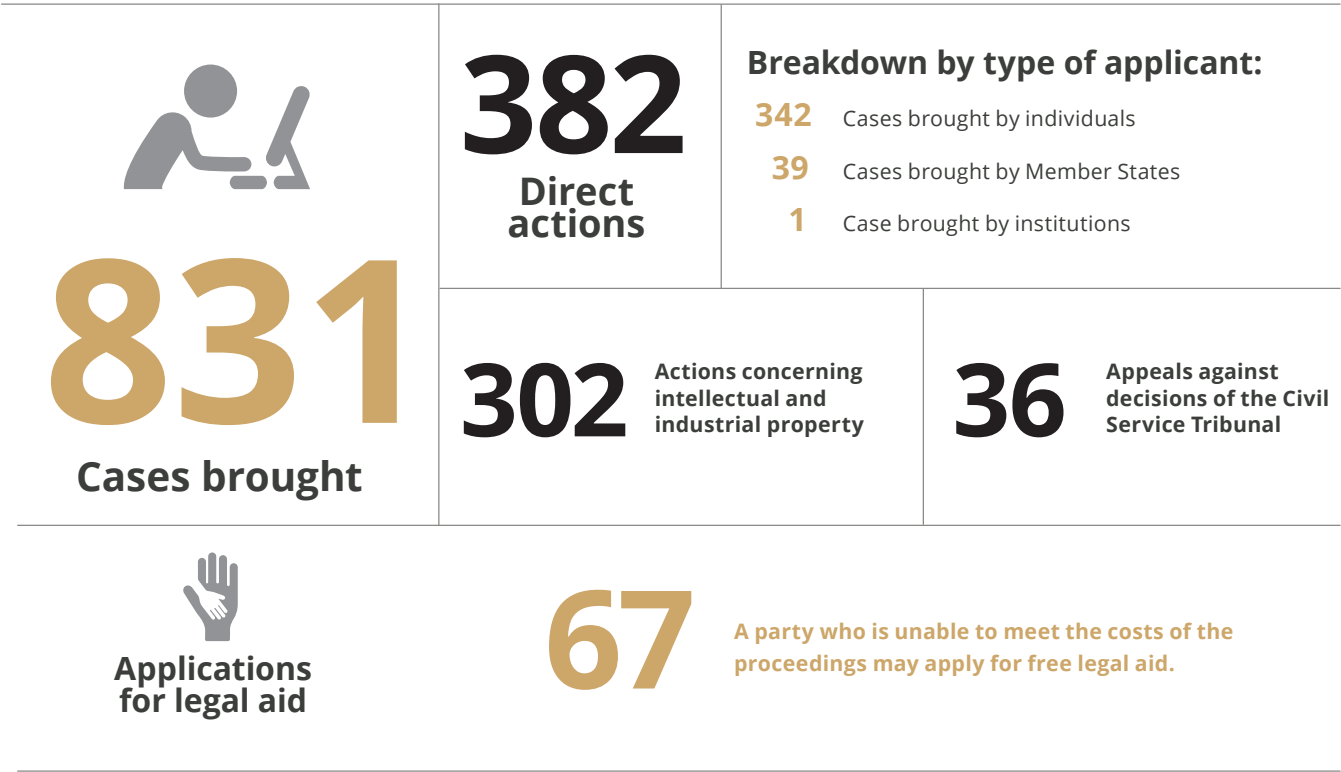
 616 Cases completed	404 Preliminary ruling proceedings	
	70 Direct actions	including 26 failures to fulfil obligations found against 13 Member States
		including 3 actions for 'twofold failure' to fulfil obligations
	134 Appeals against decisions of the General Court in 25 of which the decision adopted by the General Court was set aside	<div> 1 Opinion </div> <div>  15,6 months </div> <div> Average duration of proceedings </div> <div> Urgent preliminary ruling proceedings: 1,9 months </div>

Principali materie trattate:

Agriculture		20
Area of freedom, security and justice		49
Competition and State aid		49
Consumer protection		29
Environment		27
Freedoms of movement and establishment, and internal market		74
Intellectual and industrial property		51
Social law		44
Taxation		55

GENERAL COURT

The General Court hears actions brought by individuals and companies against EU acts which are addressed to them or which are of direct and individual concern to them, and also actions brought by the Member States. The disputes which it hears are mostly economic in nature, concerning competition and State aid, measures to protect trade and EU trade marks. The judgments of the General Court may be the subject of an appeal, limited to points of law, before the Court of Justice.





987

Cases completed

851

Direct actions

37

Appeals against
decisions of the Civil
Service Tribunal

in
14 of which the decision of the Civil
Service Tribunal was set aside

Average duration of
proceedings

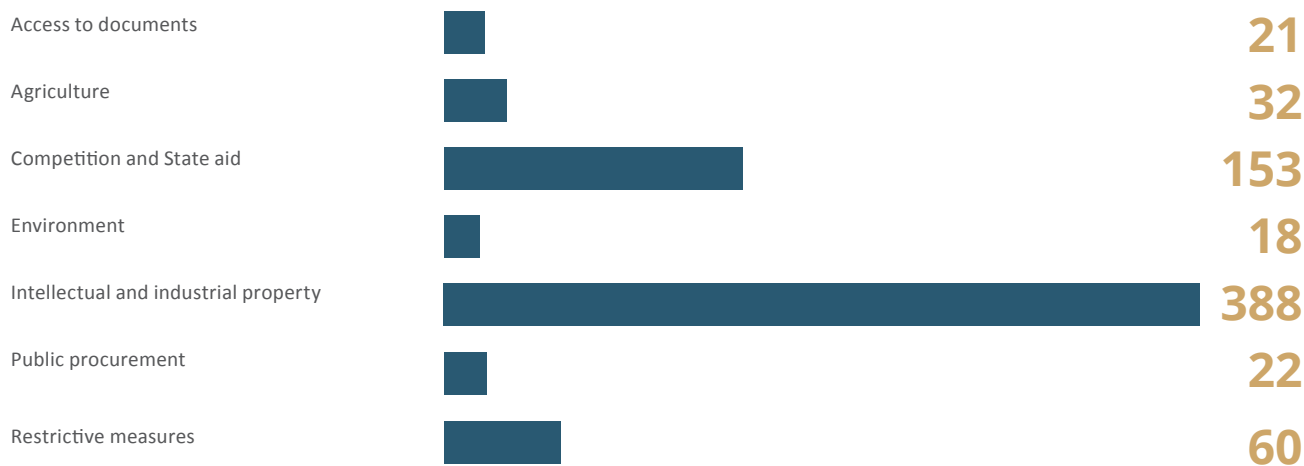


20,6
months

Decisions against which
an appeal was brought
before the Court of Justice

27%

Principali materie trattate:



CIVIL SERVICE TRIBUNAL

The task of the Civil Service Tribunal (CST) consists in deciding disputes between the EU institutions and their staff (around 40 000 persons, when all the institutions and agencies of the European Union are taken into account). These disputes mainly concern employment relationships in the strict sense and the social security scheme.



167

Cases brought



152

Cases completed



including
14

cases resolved by
an amicable settlement,

which is more than

9%



12,1
months

Average duration of proceedings

Decisions against which an appeal
was brought before the General Court

28%

3

A YEAR
OF OPENNESS AND EXCHANGES



A. IMPORTANT EVENTS

The dialogue which the Court of Justice of the European Union maintains with national courts and European citizens is not confined to judicial proceedings, but is sustained each year by many exchanges.

In that regard, 2015 saw a large number of meetings and discussions, which helped to disseminate and promote understanding of the law and case-law of the European Union.



17 April

Final of the European Law Moot Court Competition

The European Law Moot Court Competition, which for almost 30 years has been organised by the European Law Moot Court Society, is a 'mock trial' competition designed to promote knowledge of EU law among law students. It is considered to be **one of the most prestigious competitions in the world** and the final is held each year at the Court, where teams of students from all the Member States of the European Union, and also from the United States, compete in pleadings which take place before juries composed of members of the Court of Justice, the General Court and the Civil Service Tribunal.



9 May

Open day at the institution

On Europe Day, celebrated on 9 May in all the Member States to commemorate the speech given by the French minister Robert Schuman on 9 May 1950, the Court of Justice of the European Union holds an open day. This enables citizens to discover the institution, its role and its operation, as well as its architecture and the works of art on loan from the Member States which it houses and which are an expression of European artistic and cultural traditions. The Court attracts no fewer than **3 791 visitors**, an unprecedented record attendance.



8 June

Colloquium held on the occasion of the presentation of a *liber amicorum* to Mr Skouris

A colloquium entitled 'The Court of Justice of the EU under the Presidency of Vassilios Skouris' is held on the occasion of the presentation of a *liber amicorum* to Mr Skouris, the President of the institution for 12 years. On this occasion, several presidents and former presidents of supreme courts of the Member States, as well as senior representatives of the European institutions, with Mr Sauvé, Vice-President of the French Council of State, kindly acting as chairman, express their views on the importance of the Court's case-law in maintaining **the rule of law and the unity of EU law**.



28 to 30 June

Judges' Forum

159 judges from various courts of the Member States take part in the forum, at which European and national judges discuss various matters connected with EU law. This annual event is designed to strengthen the judicial dialogue which the Court maintains with national courts, in particular in the context of requests for preliminary rulings, and also to promote the dissemination and uniform application of EU law, since the national courts are the first to apply such provisions to the disputes before them.



9 December

Ceremony to mark the official opening of the historical archives of the Court

An official ceremony takes place on the occasion of the depositing by the Court of its historical archives at the European University Institute in Florence. These archives, which consist of the institution's judicial and administrative documents dating from more than 30 years ago, such as the first speech of its first President or the registration of its first procedural document, thus relate the evolution of the institution. On the date of the ceremony, **3 539 files** are already in Florence, that is to say, 112 linear metres setting out the history of the building of Europe, seen in its judicial dimension.



Official visits to the Court

The Court had the honour of receiving various dignitaries from the Member States during 2015. Thus, **H.R.H. the Grand Duke of Luxembourg** visited the Court in October when the *Magna Carta* was being displayed. Miro Cerar, the Prime Minister of Slovenia, Martin Lidegaard, the Minister for Justice of Denmark, Rui Chancerelle de Machete, the Minister for Foreign Affairs of Portugal, and Laura Boldrini, the President of the Italian Chamber of Deputies, also met members of the institution during various official visits to Luxembourg, thus extending the judicial dialogue between the Court and the courts of the Member States in the context of an institutional exchange.

B. KEY FIGURES

A continuous dialogue with legal professionals

- Maintaining the judicial dialogue with national judges

1 627
judges attended seminars
held at the Court

- national judges received in the context of the annual Judges' Forum or of a 6- or 10-month placement in the chambers of a member
- seminars held at the Court
- contributions intended for national judges in the context of European judicial associations or networks
- participation at the formal reopening of national supreme and higher courts, and meetings with the presidents or vice-presidents of European supreme courts

- Promoting the application and understanding of EU law by legal professionals

597 groups of visitors

- events for lawyers or agents of the governments of the Member States
- events for the academic community

including

216



groups of legal professionals



252
trainees

lawyers received in the context
of their studies



1 583
external users

students, researchers and teachers who have
carried out research in the institution's library

An enhanced dialogue with European citizens



16 377

visitors
including
3 791
at the open day



155

press releases
(a total of
1 869
language versions)



280

tweets
sent via the Court's Twitter
accounts, with
24 000
'followers'



92

requests
for access
to administrative
documents and
to the historical
archives of the
institution

Around

20 000

requests for information per month

A regular official and institutional dialogue



23

official visits



11

courtesy visits by important
individuals from the Member
States or from international
organisations



3

formal sittings



4

ADMINISTRATION **IN THE INTERESTS OF JUSTICE**



A. EFFICIENT, MODERN AND MULTILINGUAL ADMINISTRATION



The Registrar of the Court of Justice, the Secretary-General of the institution, is in charge of the administrative departments under the authority of the President. He bears witness to the departments' commitment to providing support for the judicial activity, at the close of a particularly productive year.

The exceptional pace of the Court's judicial activity in 2015 was also reflected in a marked increase in the productivity of the departments. In order to achieve these results, the institution continues to explore all the avenues that enable it to meet to the maximum the fundamental objectives of quality and rapidity in dealing with cases.

Against the twofold background of an increase in the judicial activity and the obligation for each European institution to reduce its workforce by 5% over the period 2013-17, as required by the budgetary authorities of the European Union, the Court chose to preserve its core 'business' by strengthening the courts. This development should be emphasised at a time when the departments have to respond to challenges linked, in particular, with the increase in the number of judges of the General Court that was approved by the two branches of the legislative authority (the European Parliament and the Council of the European Union).

As this review amply illustrates, the institution's departments fully participate in the modernisation of working methods, in particular to the advantage of the parties, who benefit from the opportunities offered by the new methods of electronic transmission of procedural documents (e-Curia). This modernisation is also reflected in the implementation of management methods that promote equality between the sexes and in the commitment of the entire staff in favour of the environment. Last, the rational management of multilingualism means that the Court is able to deal with a case irrespective of the official language of the European Union in which it has been brought, and then to ensure that its case-law is disseminated in all the official languages.

The Court's annual Management Report, prepared in accordance with the provisions of the Financial Regulation applicable to the European institutions and published on the Court's website, provides numerous other examples of the involvement of the staff and departments in the efficient and dynamic performance of the tasks entrusted to the institution under the Treaties.

Alfredo Calot Escobar
Registrar



The rational management of multilingualism means that the Court is able to deal with a case irrespective of the official language of the European Union in which it has been brought, and then to ensure that its case-law is disseminated in all the official languages.

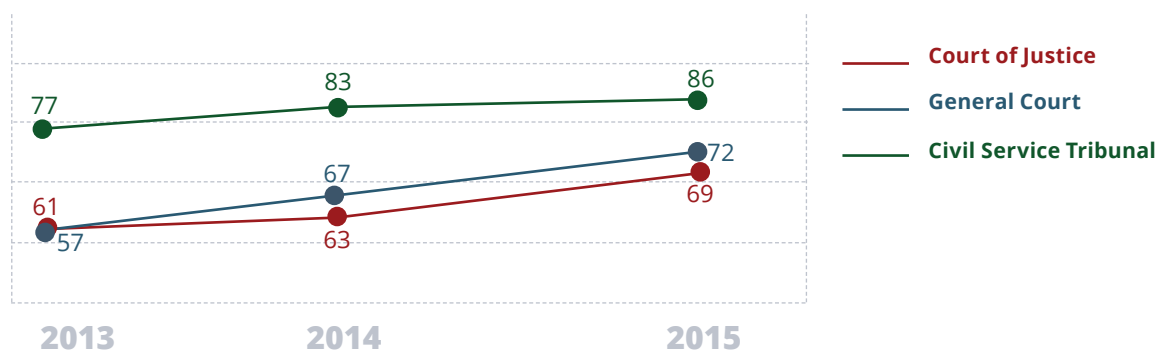


B. FIGURES AND PROJECTS

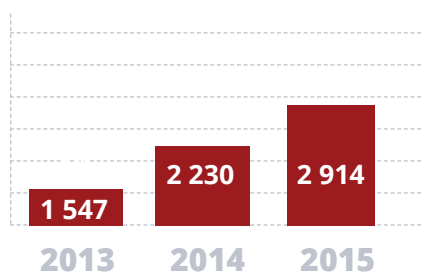
Digitalisation helping to improve judicial activity

Since 2011, the registries of the courts and the parties to proceedings have been able to correspond via a computer application called 'e-Curia', which was specifically developed by the staff of the institution to enable the secure electronic filing and transmission of procedural documents. As this application has proved to be increasingly successful with the representatives of the parties and of the Member States, a new version of e-Curia is being developed, in order to provide litigants and the courts of the European Union with an ever more effective and more efficient service.

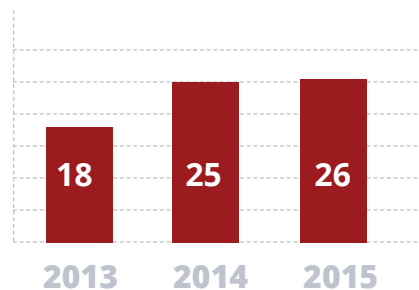
Percentage of procedural documents filed via e-Curia



Number of access accounts for the e-Curia application



Number of Member States using the e-Curia application



An institution working to achieve equality between men and women



2 122

officials and other staff
at 31 December 2015



Representation of women



53%

of posts as administrators



1 287
61%



835
39%

The proportion of women in positions of responsibility within the administrative organisation places the Court of Justice of the European Union above average among the European institutions. None the less, consultation was undertaken in 2015 with all women performing management functions, in order to identify the measures that might encourage women to apply for managerial posts and increase their long-term representation at all levels.



35%

of management posts
(middle and senior)



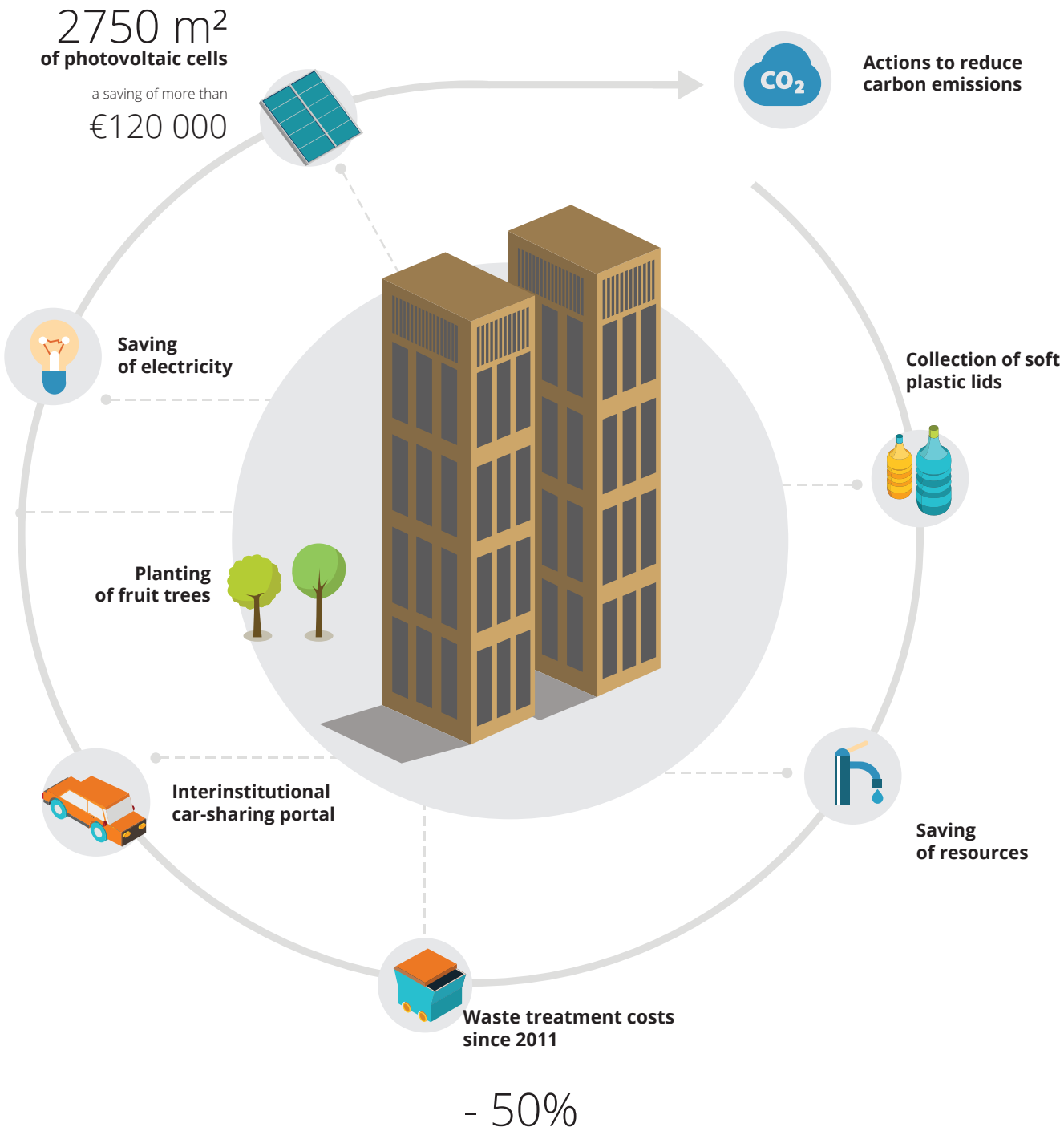


A firm commitment to the environment

The Court of Justice of the European Union has for several years been pursuing an ambitious environmental policy, designed to satisfy the most demanding standards in relation to sustainable development and protection of the environment.

The institution has therefore embarked on the procedure that will enable it to obtain Eco-Management and Audit Scheme (EMAS) registration.

This environmental management and audit scheme was established in 1993 by a European regulation which entitles organisations that satisfy strict conditions to obtain registration testifying to their environmental performance. To that end, the Court has drawn up a genuine environmental policy, which already enables it to measure the effects of its ecological commitment.

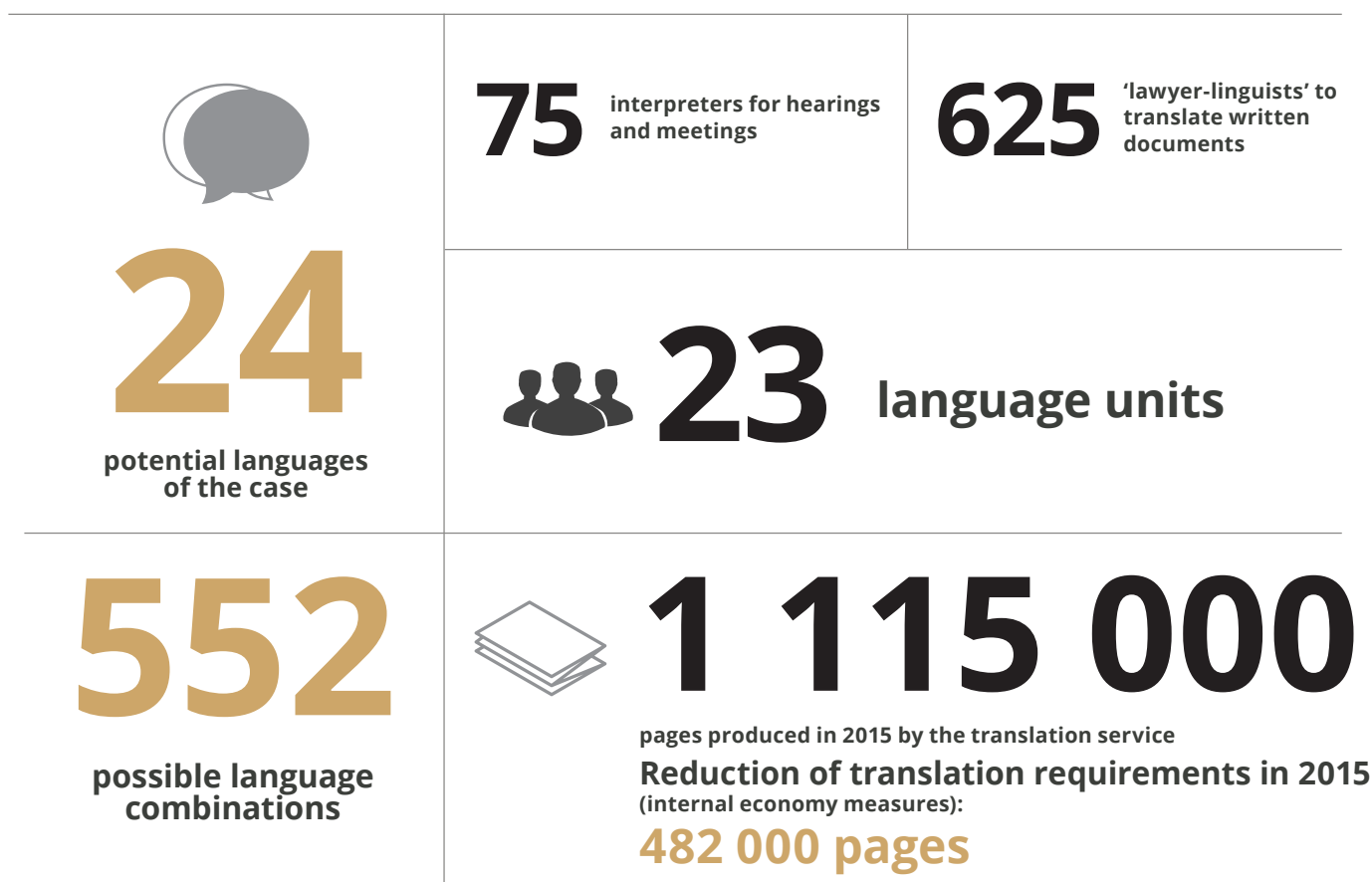


Rational management of multilingualism

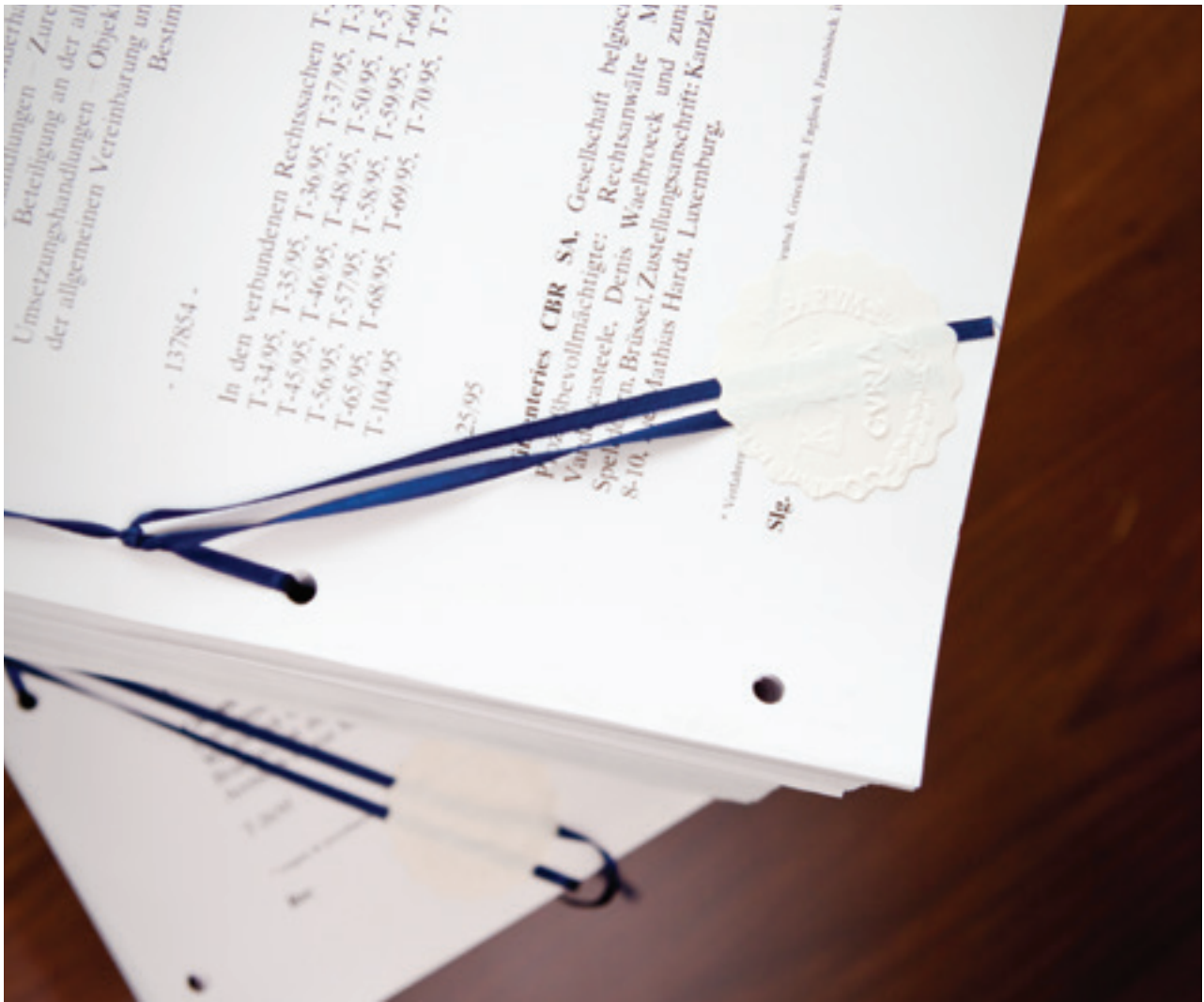
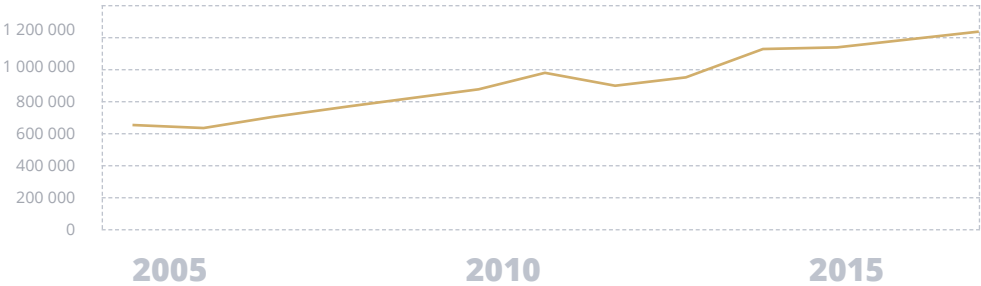
As a multilingual judicial institution, the Court must be able to deal with a case irrespective of the official language of the European Union in which it has been brought, and then to ensure that its case-law is disseminated in all the official languages.

Given the increase in the number of official languages (from 11 to 24 in 10 years), the strict control of the budgetary resources allocated to the institution and the constant increase in the number of cases brought before its component courts (up by 50% in 10 years), the preservation of multilingualism requires well-thought-out and pragmatic management. The Court has adopted numerous internal economy measures to limit the workload of the language departments, but it also employs new technologies to make gains in efficiency and rapidity.

The language departments in figures



Evolution of the number of pages to be translated



5

LOOKING AHEAD: **REFORM OF THE JUDICIAL STRUCTURE**





On 16 December 2015, the EU legislature adopted a regulation reforming the judicial structure of the Court of Justice of the European Union. The purpose of this reform is to respond to the immediate needs of the General Court — which had 28 judges in 2015 — and to enhance, on a lasting basis, the efficiency of the European judicial system as a whole.

56

judges for the General Court

2 judges per
Member State

The reform is to take place in three stages:

- ◆ an initial increase of 12 judges at the General Court, which was achieved in part in April 2016;
- ◆ in September 2016, that is to say, at the next partial renewal of the membership of the General Court, the number of judges will be increased by seven when the Civil Service Tribunal is incorporated within the General Court. The Court of Justice of the European Union will then be composed of only two courts (the Court of Justice and the General Court);
- ◆ in the autumn of 2019, at the following renewal of the membership of the General Court, the number of judges will finally be increased by nine, bringing the total number of judges to 56; the General Court will then have two judges per Member State. The governments of the Member States are requested to bear in mind the importance of equality between men and women when nominating the judges.

By virtue of the number of judges of the General Court being doubled in a three-stage process extending until 2019, that court will be in a position to cope with the increase in litigation and to fulfil its task in the interests of European litigants, while meeting the objectives of quality, efficiency and rapidity of justice.

The reform was accompanied by the drafting of new Rules of Procedure of the General Court, which entered into force on 1 July 2015 and which will strengthen its capacity to deal with cases within a reasonable period and in compliance with the requirements of a fair hearing.

6

FOLLOW WHAT IS HAPPENING **AT THE INSTITUTION**



Access the portal for research of the case-law of the Court of Justice, the General Court and the Civil Service Tribunal via the Curia website:



curia.europa.eu

Follow the new case-law and institutional news:



- by consulting press releases, at the address: curia.europa.eu/jcms/PressRelease
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- by following the institution's Twitter account: @CourUEpresse or @EUCourtPress
- by downloading the CVRIA App for smartphones and tablets

To learn more about the activity of the institution:



- consult the page for the 2015 Annual Report: curia.europa.eu/jcms/AnnualReport
- download the report on the Judicial Activity: curia.europa.eu/jcms/judicialactivityen
- download the Management Report: curia.europa.eu/jcms/managementreporten

Access the documents of the institution:



- historical archives: curia.europa.eu/jcms/archive
- administrative documents: curia.europa.eu/jcms/documents

Visit the seat of the Court of Justice of the European Union:

the institution offers to those interested programmes of visits specially designed according to the interest of each group (attend a hearing; guided visit of the buildings or the works of art; study visit):



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For all information concerning the institution:



- write to us via the contact form: curia.europa.eu/jcms/contact

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