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## **Judicial statistics 2017: the number of cases brought has once again exceeded 1 600**

*The Court of Justice has consolidated its good results of recent years and the results of the General Court show both an increase in the number of cases closed and a noticeable reduction in the duration of proceedings*

For the second year in a row more than 1 600 cases have been brought before the Court of Justice and the General Court of the EU. In 2017, a total of 1 656 cases were brought before the two courts. The number of cases closed in 2017, both courts combined, remained close to the number of cases brought, namely 1 594.

### **Court of Justice**

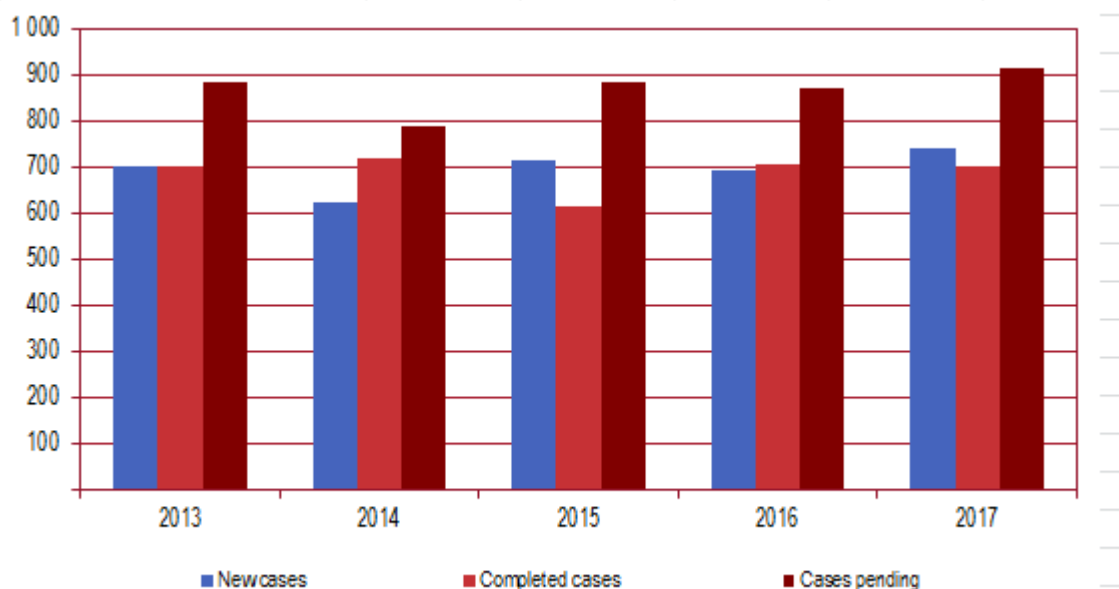
The first striking aspect regarding the statistics for 2017 relates to the overall number of cases brought before the Court of Justice. **739 cases were registered before the Court over the course of that year, which sets a new record in the history of the institution**, eclipsing the 713 cases registered in 2015. That record number is due in particular to the rise in the number of requests for a preliminary ruling (533, namely a 13% increase on the previous record set in 2016), which can largely be explained by the lodging of a series of similar cases (43) seeking an interpretation of the regulation concerning compensation to air passengers.<sup>1</sup> In parallel, the number of actions for failure of a Member State to fulfil obligations continued to rise (41 in 2017, compared with 31 in 2016). As regards appeals, the number lodged before the Court in 2017 (141) was lower than in the two previous years (206 in 2015 and 168 in 2016).

Another striking trend of the past year relates to the total number of cases completed by the Court: with 699 cases completed, the Court's productivity in 2017 was practically on a par with that of 2016 (704). Account being taken of the joining of the 40 or so cases concerning the rights of air passengers referred to above, which essentially concerned the same issue, 2017 was thus a balanced year.

So far as concerns the average duration of proceedings before the Court of Justice, the average duration of proceedings regarding requests for a preliminary ruling, although slightly up on 2016 (15 months, which was the lowest average duration recorded in the history of the Court), remained less than 16 months (15.7 months), which is still noteworthy in the light of the complexity of some of the legislation recently referred to the Court for interpretation. The increase was more pronounced with regard to the average duration of appeal proceedings (17.1 months compared with 12.9 months in 2016), which can be largely explained by the completion over the past year of complex competition law cases, of which 14 were appeal proceedings in a very large cartel case concerning bathroom fittings and fixtures manufacturers.

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<sup>1</sup> Regulation (EC) No 261/2004 of the European Parliament and of the Council of 11 February 2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights, and repealing Regulation (EEC) No 295/91 (OJ 2004 L 46, p. 1).



	2013	2014	2015	2016	2017
New cases	699	622	713	692	739
Completed cases	701	719	616	704	699
Cases pending	884	787	884	872	912

## General Court

2017 may be regarded as the first full year which put the new organisation of the General Court to the test. Its new organisation was designed to enable it better to deliver its mandate by simultaneously pursuing a number of ambitious objectives: speed, quality, coherence and, in short, authority of its case-law. Given the challenge posed by the integration of a considerable number of new judges, this first year of actual implementation of the reform can be deemed to have been highly satisfactory.

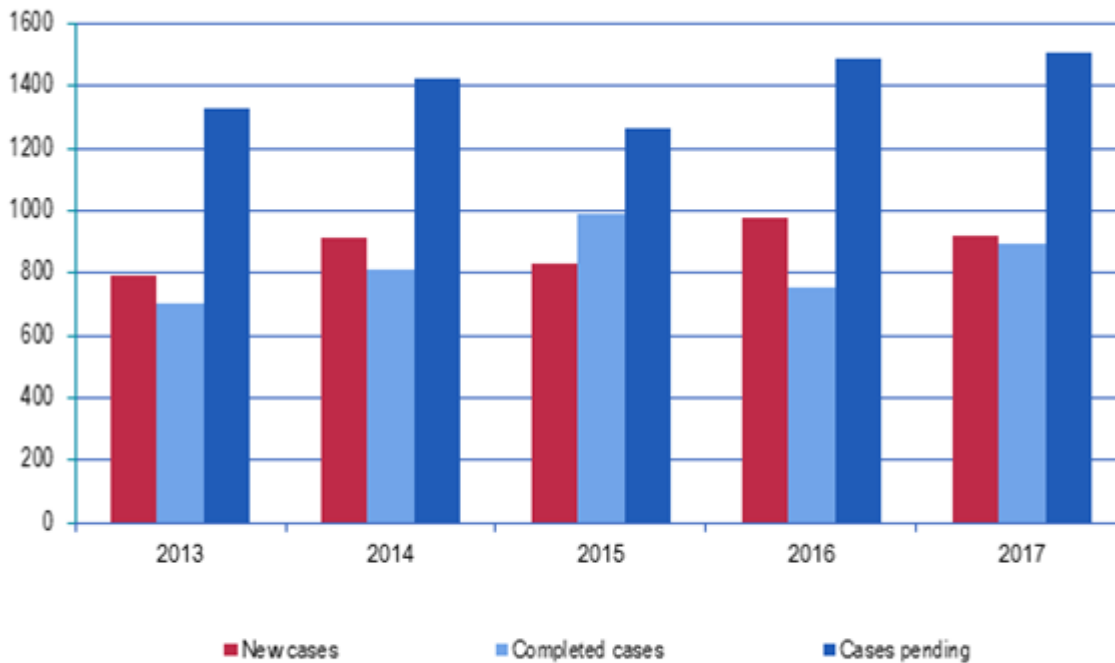
In spite of the lodging of an exceptionally large group of related cases in the field of banking and finance (in the region of 100 cases), the point of equilibrium between the number of cases brought and the number of cases closed was almost reached (917 cases brought, 895 cases closed).<sup>2</sup> In particular, the General Court's productivity increased considerably (140 more cases closed than in 2016, that is an increase of 18.5%) following the inevitable dip experienced by the General Court in the context of its triennial renewal and its internal reorganisation resulting from the reform. That productivity is set to grow further over the coming year, during which time the General Court should be reaching its new cruising speed.

Most importantly, **the duration of proceedings — which is a key indicator of performance — was once again reduced quite considerably**, with an average of 16.3 months in respect of cases decided by judgment or order (namely 13% shorter than in 2016). **The tendency witnessed for the past five years (a 40% decrease since 2013) thus became noticeably more pronounced and did so in respect of all contentious matters.**

Finally, it is worth underlining that the number of cases referred to an extended Chamber sitting with five judges increased very significantly (84 cases referred, 29 in 2016), which is illustrative of

<sup>2</sup> These totals do not take account of the 47 cases brought and the 53 cases closed before a judge hearing an application for interim measures.

one of the methods of organisation and operation chosen by the General Court to pursue its objective — which it set itself in the context of the implementation of the reform — of maintaining its quality standards. Accordingly, in respect of the number of cases lodged, the proportion of cases referred to an extended Chamber (five judges) bordered on 10% in 2017, which may be contrasted with the average number of such references made during the period preceding the reform of the judicial structure of the EU (from 2010 to 2015), which was in the region of 1%.



	2013	2014	2015	2016	2017
New cases	790	912	831	974	917
Completed cases	702	814	987	755	895
Cases pending	1 325	1 423	1 267	1 486	1 508

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*[Judicial statistics 2017 in 45 seconds \(EN\)](#)*