

Proceedings of the Court of First Instance (1997)

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Synopsis of the proceedings of the Court of First Instance

Table 1: General proceedings of the Court of First Instance in 1995, 1996 and 1997¹

	1995	1996	1997
New cases	253	229	644
Cases dealt with	197 (265)	172 (186)	179 (186)
Cases pending	427 (616)	476 (659)	640 (1117)

¹ In this table and those which follow, the figures in brackets represent the total number of cases, without account being taken of joined cases; for figures outside brackets, each series of joined cases is taken to be one case.

New cases

Table 2: Nature of proceedings (1995, 1996 and 1997)^{2 3}

Nature of proceedings	1995	1996	1997
Other actions	165	122	469
Staff cases	79	98	155
Special forms of procedure	9	9	20
Total	253 ⁴	229 ⁵	644 ⁶

Table 3: Type of action (1995, 1996 and 1997)

Type of action	1995	1996	1997
Action for annulment of measures	120	89	133
Action for failure to act	9	15	9
Action for damages	36	14	327
Arbitration clause	-	4	1
Staff cases	79	98	154
Total	244 ⁷	220 ⁸	624 ⁹
<i>Special forms of procedure</i>			
Legal aid	1	2	6
Taxation of costs	7	5	13
Interpretation or review of a judgment	-	2	-
Objection to a judgment	1	-	-
Revision of a judgment	-	-	1
Total	9	9	20
OVERALL TOTAL	253	229	644

² The entry "other actions" in this table and those on the following pages refers to all actions brought by natural or legal persons, other than those actions brought by officials of the European Communities.

³ The following are considered to be «special forms of procedure» (in this and the following tables): objections lodged against, and applications to set aside, a judgment (Art. 38 EC Statute; Art. 122 CFI Rules of Procedure); third party proceedings (Art. 39 EC Statute; Art 123 CFI Rules of Procedure); revision of a judgment (Art. 41 EC Statute; Art. 125 CFI Rules of Procedure); interpretation of a judgment (Art. 40 EC Statute; Art. 129 CFI Rules of Procedure); legal aid (Art. 94 CFI Rules of Procedure); taxation of costs (Art. 74 CJ Rules of Procedure; Art. 92 CFI Rules of Procedure); rectification of a judgment (Art. 84 of the CFI Rules of Procedure).

⁴ Of which 32 cases concerned milk quotas.

⁵ Of which 5 cases concerned milk quotas.

⁶ Of which 28 cases concerned milk quotas and 295 cases concerned actions brought by customs agents.

⁷ Of which 32 cases concerned milk quotas.

⁸ Of which 5 cases concerned milk quotas.

⁹ Of which 28 cases concerned milk quotas and 295 cases concerned actions brought by customs agents.

Table 4: Basis of action (1995, 1996 and 1997)

Basis of the action	1995	1996	1997
Article 173 of the EC Treaty	116	79	127
Article 175 of the EC Treaty	9	15	9
Article 178 of the EC Treaty	36	14	327
Article 181 of the EC Treaty	-	4	1
Total EC Treaty	161	112	464
Article 33 of the ECSC Treaty	3	10	6
Article 35 of the ECSC Treaty	-	-	-
Total ECSC Treaty	3	10	6
Article 146 of the EAEC Treaty	1	-	-
Article 148 of the EAEC Treaty	-	-	-
Article 151 of the EAEC Treaty	-	-	-
Total EAEC Treaty	1	-	-
Staff Regulations	79	98	154
Total	244	220	624
Article 84 of the Rules of Procedure	-	-	1
Article 92 of the Rules of Procedure	7	5	13
Article 94 of the Rules of Procedure	1	2	6
Article 122 of the Rules of Procedure	1	-	-
Article 125 of the Rules of Procedure	-	1	-
Article 129 of the Rules of Procedure	-	1	-
Total special forms of procedure	9	9	20
OVERALL TOTAL	253	229	644

Table 5: Subject-matter of the action (1995, 1996 et 1997)¹

Subject-matter of the action	1995	1996	1997
Accession of new Member States	-	1	-
Agriculture	48	30	55
State aid	13	18	28
Economic and social cohesion	1	-	-
Competition	65	25	24
Company law	5	-	3
Law governing the institutions	8	13	306
Environment and consumers	1	3	3
Free movement of goods	2	3	17
Freedom of movements for persons	1	1	-
Commercial policy	10	5	18
Regional policy	-	1	1
Social policy	5	8	4
Economic and monetary policy	1	-	-
Research, information, education and statistics	-	-	1
External relations	1	3	3
Transport	-	1	1
Total Ec Treaty	161	112	464
State aid	1	2	1
Iron and Steel	2	8	5
Total ECSC Treaty	3	10	6
Protection of the general public	1	-	-
Total EAEC Treaty	1	-	-
Staff Regulations	79	98	154
Total	244	220	624

¹ Special forms of procedure excluded.

Cases dealt with

Table 6: Cases dealt with in 1995, 1996 and 1997

Nature of proceedings	1995		1996		1997	
Other actions	125	(186) ¹	87	(98) ²	87	(92) ³
Staff cases	61	(64)	76	(79)	79	(81)
Special forms of procedure	11	(15)	9	(9)	13	(13)
Total	197	(265)	172	(186)	179	(186)

Table 7: Results of cases (1997)

Form of decision	Other actions		Staff cases		Special forms of procedure		Total	
<i>Judgments</i>								
Actions inadmissible	8	(8)	5	(5)	1	(1)	14	(14)
Actions unfounded	24	(27)	31	(32)	-	-	55	(59)
Actions partially founded	4	(5)	5	(5)	-	-	9	(10)
Actions founded	4	(5)	10	(11)	-	-	14	(16)
Total judgments	40	(45)	51	(53)	1	(1)	92	(99)
<i>Orders</i>								
Removal from the Register	22	(22)	20	(20)	1	(1)	43	(43)
Actions inadmissible	17	(17)	4	(4)	1	(1)	22	(22)
No need to give a decision	5	(5)	3	(3)	-	-	8	(8)
Actions founded	-	-	-	-	5	(5)	5	(5)
Actions partially founded	-	-	-	-	2	(2)	2	(2)
Action unfounded	-	-	-	-	3	(3)	3	(3)
Actions manifestly unfounded	-	-	1	(1)	-	-	1	(1)
Discontinuance	3	(3)	-	-	-	-	3	(3)-
Total orders	47	(47)	28	(28)	12	(12)	87	(87)
Total	87	(92)	79	(81)	13	(13)	179	(186)

¹ Of which 55 cases concerned milk quotas.

² 8 of which are milk quota cases.

³ 4 of which are milk quota cases.

Table 8: **Basis of action (1997)**

Basis of action	Judgments		Orders		Total	
Article 173 of the EC Treaty	29	(32)	29	(29)	58	(61)
Article 175 of the EC Treaty	3	(3)	9	(9)	12	(12)
Article 178 of the EC Treaty	3	(4)	6	(6)	9	(10)
Total EC Treaty	35	(39)	44	(44)	79	(83)
Article 33 of ECSC Treaty	4	(4)	3	(3)	7	(7)
Article 146 of the EAEC Treaty	1	(2)	-	-	1	(2)
Staff Regulations	51	(53)	28	(28)	79	(81)
Article 84 of the Rules of Procedure	-	-	1	(1)	1	(1)
Article 92 of the Rules of Procedure			6	(6)	6	(6)
Article 94 of the Rules of Procedure			4	(4)	4	(4)
Article 125 of the Rules of Procedure	1	(1)			1	(1)
Article 129 of the Rules of Procedure	-	-	1	(1)	1	(1)
Total Special forms of procedure	1	(1)	12	(12)	13	(13)
OVERALL TOTAL	92	(99)	87	(87)	179	(186)

Table 9: **Subject-matter of the action (1997)**¹

Subject-matter of the action	Judgments		Orders		Total	
Accession of new Member States	-	-	1	(1)	1	(1)
Agriculture	9	(10)	13	(13)	22	(23)
State aid	3	(3)	10	(10)	13	(13)
Competition	10	(12)	9	(9)	19	(21)
Company law	-	-	1	(1)	1	(1)
Law governing the institutions	2	(2)	4	(4)	6	(6)
Environment and consumers	-	-	1	(1)	1	(1)
Commercial policy	4	(5)	1	(1)	5	(6)
Social policy	4	(4)	3	(3)	7	(7)
External relations	2	(2)	1	(1)	3	(3)
Transport	1	(1)	-	-	1	(1)
Total EC Treaty	35	(39)	44	(44)	79	(83)
State aid	3	(3)	-	-	3	(3)
Iron and steel	1	(1)	3	(3)	4	(4)
Total ECSC Treaty	4	(4)	3	(3)	7	(7)
Supply	1	(2)	-	-	1	(2)
Total EAEC Treaty	1	(2)	-	-	1	(2)
Staff Regulations	51	(53)	28	(28)	79	(81)
OVERALL TOTAL	91	(98)	75	(75)	166	(173)

¹ Special forms of procedure are not taken into account in this table.

Table 10: Bench hearing case (1997)

Bench hearing case	Total
Chambers (3 judges)	133
Chambers (5 judges)	48
Not assigned	5
Total	186

Table 11: Length of proceedings (1997)¹
(judgments and orders²)

	Judgments	Orders
Other actions	29,3	11,2
Staff cases	18,7	10,7

¹ In this table and the graphics which follow, the length of proceedings is expressed in months and decimal months.

² Other than orders terminating a case by removal from the Register, declaration that the case will not proceed to judgment.

Cases pending

Table 12: **Cases pending as at 31 December each year**

Nature of proceedings	1995		1996		1997	
Other actions	305	(491) ¹	339	(515) ²	425	(892) ³
Staff cases	118	(121)	133	(140)	205	(214)
Special forms of procedure	4	(4)	4	(4)	10	(11)
Total	427	(616)	476	(659)	640	(1 117)

¹ 231 of which are milk quota cases.

² 227 of which are milk quota cases.

³ 252 of which are milk quota cases and 295 are cases brought by customs agents.

Miscellaneous

Table 13: **General trend**

Year	New cases ¹	Cases pending as at 31 December	Cases decided	Judgments delivered	Number of decisions of the Court of First Instance which have been the subject of an appeal ²
1989	169	164 (168)	1 (1)	- -	- -
1990	59	123 (145)	79 (82)	59 (61)	16 (46)
1991	95	152 (173)	64 (67)	41 (43)	13 (62)
1992	123	152 (171)	104 (125)	60 (77)	24 (86)
1993	596	638 (661)	95 (106)	47 (54)	16 (66)
1994	409	432 (628)	412 (442)	60 (70)	12 (101)
1995	253	427 (616)	197 (265)	98 (128)	47 (152)
1996	229	476 (659)	172 (186)	107 (118)	27 (122)
1997	644	640 (1 117)	179 (186)	95 (99)	35 (139)
Total	2 577	- -	1 303 (1 460)	567 (650)	190 (774)

¹ Special forms of procedure included.

² The figures in italics in brackets indicate the total number of decisions which may be the subject of a challenge - judgments, orders on admissibility, interim measures and not to proceed to judgment - in respect of which the deadline for bringing an appeal has expired or against which an appeal has been brought.

Table 14: Results of appeals from¹ 1 January to 31 December 1997
(judgments and orders)

	Un- founded	Appel manifestly un- founded	Appeal manifestly inadmis- sible	Appeal manifestly inadmis- sible and unfounded	Annulment and referred back	Partial annulment - not referred back	Total
Agriculture	1	1	-	1	-	-	3
State aid	3	-	-	1	-	-	4
Supply	1	-	-	-	-	-	1
Competition	4	-	1	1	1	-	7
Law governing the institutions	1	-	-	1	1	-	3
Commercial policy	1	-	-	-	-	-	1
Social policy	1	-	-	-	-	-	1
External relations	-	-	-	-	-	1	1
Iron and steel	1	-	-	-	-	-	1
Staff Regulations	2	2	1	2	2	1	10
Total	15	3	2	6	4	2	32

¹ Termination by decision of the Court of Justice.