

Statistical information of the Court of First Instance (1998)

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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 1996, 1997 and 1998¹

	1996		1997		1998	
New cases	229		644		238	
Cases dealt with	172	(186)	179	(186)	279	(348)
Cases pending	476	(659)	640	(1117)	569	(1007)

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 (1996, 1997 and 1998)**^{1 2}

Nature of proceedings	1996	1997	1998
Other actions	122	469	136
Staff cases	98	155	79
Special forms of procedure	9	20	23
Total	229 ³	644 ⁴	238 ⁵

1 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.

2 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. 92 CFI Rules of Procedure); rectification of a judgment (Art. 84 of the CFI Rules of Procedure).

3 Of which 6 concerned milk quota cases.

4 Of which 28 concerned milk quota cases and 295 were actions brought by customs agents.

5 Of which 2 cases concerned milk quota cases and 2 concerned actions brought by customs agents.

Table 3: Type of action (1996, 1997 and 1998)

Type of action	1996	1997	1998
Action for annulment of measures	89	133	117
Action for failure to act	15	9	2
Action for damages	14	327	14
Arbitration clause	4	1	3
Staff cases	98	154	79
Total	220 ¹	624 ²	215 ³
<i>Special forms of procedure</i>			
Legal aid	2	6	6
Taxation of costs	5	13	9
Interpretation or review of a judgment	2	-	-
Objection to a judgment	-	1	7
Revision of a judgment	-	-	1
Total	9	20	23
OVERALL TOTAL	229	644	238

¹ Of which 6 cases concerned milk quotas.

² Of which 2 cases concerned milk quotas and 2 cases concerned actions brought by customs agents.

³ Of which 28 cases concerned milk quotas and 295 cases concerned actions brought by customs agents.

Table 4: Basis of action (1996, 1997 and 1998)

Basis of the action	1996	1997	1998
Article 173 of the EC Treaty	79	127	105
Article 175 of the EC Treaty	15	9	2
Article 178 of the EC Treaty	14	327	13
Article 181 of the EC Treaty	4	1	3
Total EC Treaty	112	464	123
Article 33 of the ECSC Treaty	10	6	12
Total ECSC Treaty	10	6	12
Article 151 of the EAEC Treaty	-	-	1
Total EAEC Treaty	-	-	1
Staff Regulations	98	154	79
Total	220	624	215
Article 84 of the Rules of Procedure	-	1	7
Article 92 of the Rules of Procedure	5	13	9
Article 94 of the Rules of Procedure	2	6	6
Article 125 of the Rules of Procedure	1	-	1
Article 129 of the Rules of Procedure	1	-	-
Article 129 of the Rules of Procedure	1	-	-
Total special forms of procedure	9	20	23
OVERALL TOTAL	229	644	238

Table 5: Subject-matter of the action (1996, 1997 et 1998)¹

Subject-matter of the action	1996	1997	1998
Accession of new Member States	1	-	-
Agriculture	30	55	19
State aid	18	28	16
Overseas countries and territories	-	-	5
Arbitration clause	-	-	2
Competition	25	24	23
Company law	-	3	3
Law governing the institutions	13	306	10
Environment and consumers	3	3	4
Free movements of goods	3	17	7
Free movement of goods - patent rights			1
Freedom of movement for persons	1	-	2
Commercial policy	5	18	12
Regional policy	1	1	2
Social policy	8	4	10
Research, information, education and statistics	-	1	-
External relations	3	3	5
Transport	1	1	3
Total EC Treaty	112	464	124
State aid	2	1	3
Competition	-	-	8
Iron and Steel	8	5	-
Total ECSC Treaty	10	6	11
Law governing the institutions	-	-	1
Total EAEC Treaty	-	-	1
Staff Regulations	98	154	79
Total	220	624	215

¹ Special forms of procedure excluded.

Cases dealt with

Table 6: Cases dealt with in 1996, 1997 and 1998

Nature of proceedings	1996		1997		1998	
Other actions	87	(98) ¹	87	(92) ²	142	(199) ³
Staff cases	76	(79)	79	(81)	110	(120)
Special forms of procedure	9	(9)	13	(13)	27	(29)
Total	172	(186)	179	(186)	279	(348)

Table 7: Results of cases (1998)

Form of decision	Other actions		Staff cases		Special forms of procedure		Total	
<i>Judgments</i>								
Action inadmissible	6	(9)	7	(8)	1	(1)	14	(18)
Action unfounded	30	(35)	31	(38)			61	(73)
Action partially founded	19	(20)	8	(8)			27	(28)
Action founded	12	(16)	12	(13)			24	(29)
No need to give a decision	2	(2)	1	(1)			3	(3)
Total judgments	69	(82)	59	(68)	1	(1)	129	(151)
<i>Orders</i>								
Removal from the Register	33	(74)	27	(28)	3	(3)	63	(105)
Action inadmissible	28	(31)	19	(19)			47	(50)
No need to give a decision	4	(4)					4	(4)
Action founded					9	(10)	9	(10)
Action partially founded					6	(7)	6	(7)
Action unfounded					6	(7)	6	(7)
Action manifestly unfounded	4	(4)	5	(5)			9	(9)
Disclaimer of jurisdiction	2	(2)					2	(2)
Lack of jurisdiction	2	(2)					2	(2)
Total orders	73	(117)	51	(52)	26	(28)	150	(197)
Total	142	(199)	110	(120)	27	(29)	279	(348)

¹ Of which 8 concerned milk quotas cases.

² Of which 5 concerned milk quota cases.

³ Of which 64 concerned milk quota cases.

Table 8: Basis of action (1998)

Basis of action	Judgments		Orders		Total	
Article 173 of the EC Treaty	52	(64)	47	(56)	99	(120)
Article 175 of the EC Treaty	4	(4)	4	(4)	8	(8)
Article 178 of the EC Treaty	10	(10)	19	(54)	29	(64)
Article 181 of the EC Treaty	3	(4)	1	(1)	4	(5)
Total EC Treaty	69	(82)	71	(115)	140	(197)
Article 33 of ECSC Treaty	1	(1)	1	(1)	2	(2)
Article 35 of the ECSC Treaty			1	(1)	1	(1)
Total ECSC Treaty	1	(1)	2	(2)	3	(3)
Staff Regulations	58	(67)	51	(52)	109	(119)
Article 84 of the Rules of Procedure			6	(6)	6	(6)
Article 92 of the Rules of Procedure			14	(16)	14	(16)
Article 94 of the Rules of Procedure			6	(6)	6	(6)
Article 125 of the Rules of Procedure	1	(1)			1	(1)
Total Special forms of procedure	1	(1)	26	(28)	27	(29)
OVERALL TOTAL	129	(151)	150	(197)	279	(348)

Table 9: Subject-matter of the action (1998)¹

Subject-matter of the action	Judgments		Orders		Total	
Agriculture	9	(9)	33	(77)	42	(86)
State Aid	10	12	5	(5)	15	(17)
Arbitration clause	3	(4)	1	(1)	4	(5)
Economic and social adhesion			1	(1)	1	(1)
Competition	22	(29)	12	(12)	34	(41)
Company law			1	(1)	1	(1)
Law governing the institutions	6	(6)	3	(3)	9	(9)
Environment and consumers	2	(2)	1	(1)	3	(3)
Free movement of goods	4	(5)	2	(2)	6	(7)
Freedom of movement for persons			2	(2)	2	(2)
Commercial policy	5	(6)	7	(7)	12	(13)
Social policy	4	(5)	3	(3)	7	(8)
Economic and monetary policy	1	(1)			1	(1)
External relations	2	(2)			1	(1)
Transport	1	(1)			1	(1)
Total EC Treaty	69	(82)	71	(115)	140	(197)
State aid	1	(1)			1	(1)
Competition			2	(2)	2	(2)
Total ECSC Treaty	1	(1)	2	(2)	3	(3)
Staff Regulations	58	(67)	51	(52)	109	(119)
OVERALL TOTAL	128	(150)	124	(169)	252	(319)

¹

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

Table 10: Bench hearing case (1998)

Bench hearing case	Total
Chambers (3 judges)	218
Chambers (5 judges)	127
Not assigned	3
Total	348

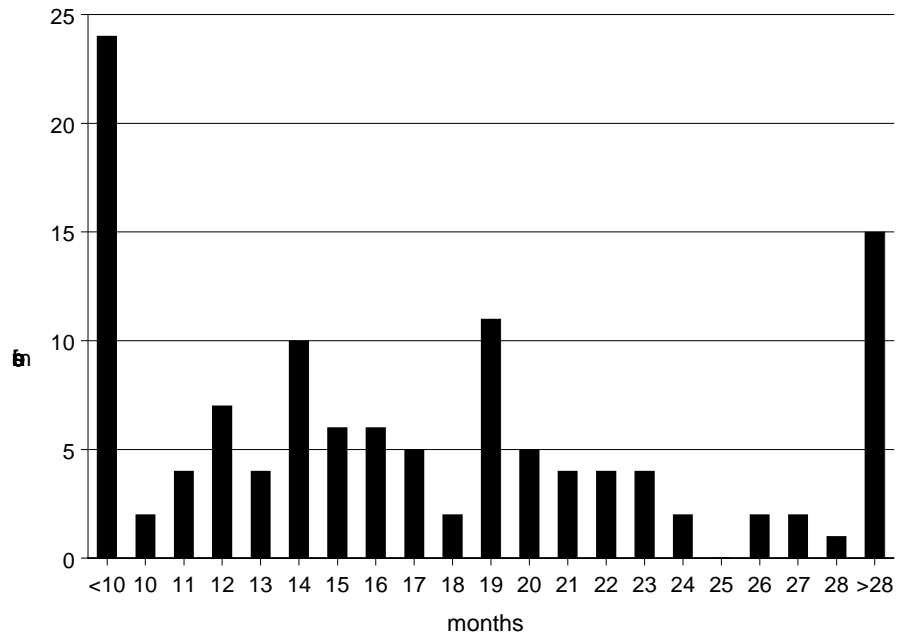
Table 11: Length of proceedings (1998)¹
(judgments and orders)

	Judgments/Orders
Other actions	20.0
Staff cases	16.7

¹

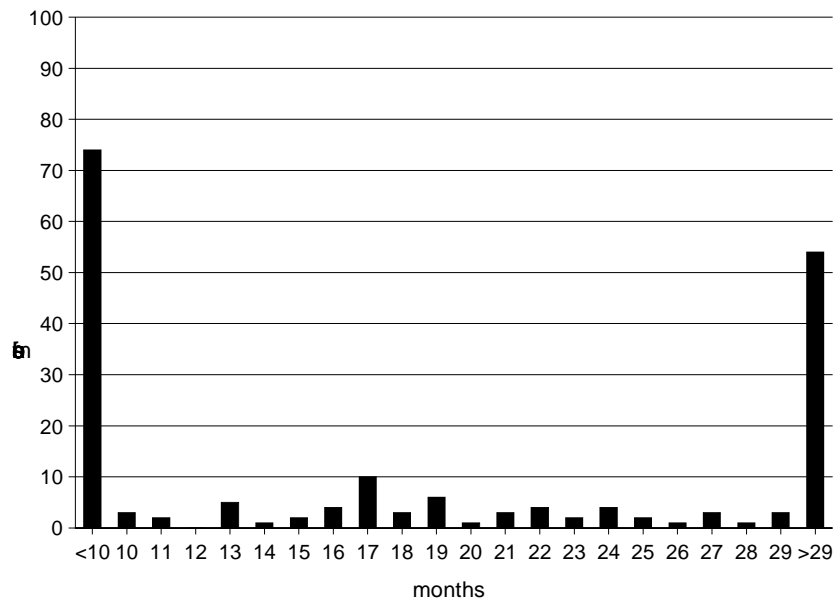
In this table and the graphics which follow, the length of proceedings is expressed in months and decimal months.

Figure I: Length of proceedings in Staff cases (judgments and orders) (1998)



Cases/ Months	<10	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	28
Staff Cases	24	2	4	7	4	10	6	6	5	2	11	5	4	4	4	2	0	2	2	1	15

Figure II: Length of proceedings in other actions (judgments and orders) (1998)



Cases/Months	10	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	29
Others actions	74	3	2	0	5	1	2	4	10	3	6	1	3	4	2	4	2	1	3	1	3	54

Cases pending

Table 12: Cases pending as at 31 December each year

Nature of proceedings	1996		1997		1998	
Other actions	339	(515) ¹	425	(892) ²	425	(829) ³
Staff cases	133	(140)	205	(214)	163	(173)
Special forms of procedure	4	(4)	10	(11)	5	(5)
Total	476	(659)	640	(1 117)	569	(1 007)

¹ Of which 229 are milk quota cases.

² Of which 252 are milk quota cases and 295 are cases brought by Customs agents.

³ Of which 190 are milk quota cases and 297 are cases brought by customs agents.

Table 13: Basis of action as at 31 December each year

Basis of action	1996		1997		1998	
Article 173 of the EC Treaty	216	(228)	274	(294)	256	(279)
Article 175 of the EC Treaty	21	(21)	18	(18)	12	(12)
Article 178 of the EC Treaty	69	(232)	113	(549)	100	(498)
Article 181 of the EC Treaty	4	(4)	4	(5)	3	(3)
Total EC Treaty	310	(485)	409	(866)	371	(792)
Article 33 of ECSC Treaty	27	(27)	16	(26)	29	(36)
Article 35 of the ECSC Treaty	1	(1)	1	(1)		
Total ECSC Treaty	28	(28)	17	(27)	29	(36)
Article 146 of the EAEC Treaty	1	(2)	-	-	-	-
Article 151 of the EAEC Treaty	-	-	-	-	1	(1)
Total EAEC Treaty	1	(2)			1	(1)
Staff Regulations	133	(140)	204	(213)	163	(173)
Article 84 of the Rules of Procedure	-	-	-		1	(1)
Article 92 of the Rules of Procedure	2	(2)	8	(9)	2	(2)
Article 94 of the Rules of Procedure	-	-	2	(2)	2	(2)
Article 125 of the Rules of Procedure	1	(1)	-	-	-	-
Article 129 of the Rules of Procedure	1	(1)	-	-	-	-
Total Special forms of procedure	4	(4)	10	(11)	5	(5)
OVERALL TOTAL	476	(659)	640	(1 117)	569	(1 007)

Table 14: Subject-matter of the action as at 31 December each year

Subject-matter of the action	1996		1997		1998	
Accession of new Member States	1	(1)	-	-	-	-
Agriculture	95	(266)	127	(298)	107	(231)
State Aid	32	(32)	46	(47)	28	(46)
Overseas countries and territories	-	-	-	-	5	(5)
Arbitration clause	4	(4)	5	(6)	3	(3)
Economic and social cohesion	1	(1)	1	(1)	-	-
Competition	125	(129)	125	(132)	111	(114)
Company law			2	(2)	4	(4)
Law governing the institutions	10	(10)	33	(308)	33	(309)
Environment and consumers	3	(3)	5	(5)	6	(6)
Free movement of goods	3	(3)	20	(20)	20	(20)
Free movement of goods - patent rights					1	(1)
Freedom of movement for persons	-	-	-	-	-	-
Commercial policy	16	(16)	26	(28)	27	(27)
Regional policy	-	-	1	(1)	3	(3)
Social policy	11	(11)	8	(8)	10	(10)
Economic and monetary policy	1	(1)	1	(1)	-	-
Research, information, education, and statistics	-	-	1	(1)	1	(1)
External relations	7	(7)	7	(7)	10	(10)
Transport	1	(1)	1	(1)	3	(3)
Total EC Treaty	310	(485)	409	(866)	372	(793)
State aid	16	(16)	15	(15)	10	(17)
Competition	1	(1)	1	(1)	7	(7)
Iron and steel	11	(11)	1	(11)	11	(11)
Supply	1	(2)	-	-	-	-
Law governing the institutions	-	-	-	-	1	(1)
Total EAEC Treaty	1	(2)	-	-	1	(1)
Staff Regulations	133	(140)	204	213	163	(173)
Total	472	(655)	630	1 106	564	(1 002)

Miscellaneous

Table 15: **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)
1998	238	569 (1 007)	279 (348)	130 (151)	67 (214)
Total	2 815		1 582 (1 808)	697 (801)	257 (993)

¹ Including special forms of procedure.

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 16: Results of appeals¹ from 1 January to 31 December 1998
(judgments and orders)

	Unfounded	Appeal manifestly unfounded	Appeal manifestly inadmissible	Appeal manifestly inadmissible and unfounded	Annulment and referred back	Partial annulment and referred back	Partial annulment - not referred back	Removal from the Register	Total
Agriculture	1								1
State aid	1			1					2
Overseas countries and territories	1				2				3
Competition	5	1					1		7
Company Law				1					1
Law governing the institutions	1		1		4			1	7
Energy	1								1
Commercial policy	1								1
Regional policy	1								1
Staff Regulations	3			7	1	1			12
Total	15	1	1	9	7	1	1	1	36

¹

Termination by decision of the Court of Justice.