

Statistics of judicial activity of the Court of First Instance in 1999

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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 1997, 1998 and 1999¹

	1997		1998		1999	
New cases	644		238		384	
Cases dealt with	179	(186)	279	(348)	322	(659)
Cases pending	640	(1117)	569	(1007)	663	(732)

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 (1997, 1998 and 1999)^{1, 2}

Nature of proceedings	1997	1998	1999
Other actions	469	136	254
Intellectual property			18
Staff cases	155	79	84
Special forms of procedure	20	23	28
Total	644 ³	238 ⁴	384 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 28 cases concerned milk quota cases and 295 were actions brought by customs agents.

⁴ Of which 2 cases concerned milk quota cases and 2 concerned actions brought by customs agents.

⁵ Of which 71 cases concerned service-stations.

Table 3: Type of action (1997, 1998 and 1999)

Type of action	1997	1998	1999
Action for annulment	133	117	220
Action for failure to act	9	2	15
Action for damages	327	14	19
Arbitration clause	1	3	1
Intellectual property		1	18
Staff cases	154	79	83
Total	624	215	356
<i>Special forms of procedure</i>			
Legal aid	6	6	7
Taxation of costs	13	9	6
Interpretation or review of a judgment			
Rectification of a judgment	1	7	15
Revision of a judgment		1	
Total	20	23	28
OVERALL TOTAL	644	238	384

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

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

3 Of which 71 cases concerned service-stations.

Table 4: Basis of action (1997, 1998 and 1999)

Basis of the action	1997	1998	1999
Article 63 of regulation EC n° 40/94		1	18
Article 173 of the EC Treaty (now Article 230 EC)	127	105	215
Article 175 of the EC Treaty (now Article 232 EC)	9	2	14
Article 178 of the EC Treaty (now Article 235 EC)	327	13	17
Article 181 of the EC Treaty (now Article 238 EC)	1	3	1
Total EC Treaty	464	123	265
Article 33 of the CS Treaty	6	12	5
Article 35 of the CS Treaty			1
Article 40 of the CS Treaty			1
Total CS Treaty	6	12	7
Article 151 of the EA Treaty		1	1
Total EA Treaty		1	1
Staff Regulations	154	79	83
Total	624	215	356
Article 84 of the Rules of Procedure	1	7	15
Article 92 of the Rules of Procedure	13	9	6
Article 94 of the Rules of Procedure	6	6	7
Article 125 of the Rules of Procedure		1	
Article 129 of the Rules of Procedure			
Total special forms of procedure	20	23	28
OVERALL TOTAL	644	238	384

¹

Pursuant to the renumbering of the articles by the Treaty of Amsterdam, since 1st May 1999, the method of citation of the articles of the treaties was substantially modified. A Note in relation to the renumbering is published at page ... of this Report.

Table 5: Subject-matter of the action (1997, 1998 et 1999)¹

Subject-matter of the action	1997	1998	1999
Accession of new Member States			
Agriculture	55	19	42
Arbitration clause		2	
Association of Overseas countries and territories		5	4
Commercial policy	18	12	5
Common foreign and security policy			2
Company law	3	3	2
Competition	24	23	34
Environment and consumers	3	4	5
External relations	3	5	1
Freedom of movement for persons		2	2
Freedom to provide services			1
Free movements of goods	17	7	10
Intellectual property		1	18
Law governing the institutions	306	10	19
Regional policy	1	2	2
Research, information, education and statistics	1		1
Social policy	4	10	12
State aid	28	16	100
Transport	1	3	2
Total EC Treaty	464	124	262
Competition		8	
Iron and Steel	5		1
State aid	1	3	6
Total ECSC Treaty	6	11	7
Law governing the institutions		1	1
Total EAEC Treaty		1	1
Staff Regulations	154	79	86
Total	624	215	356

¹ Special forms of procedure excluded.

Cases dealt with

Table 6: Cases dealt with in 1997, 1998 and 1999

Nature of proceedings	1997		1998		1999	
Other actions	87	(92)	142	(199)	227	(544)
Intellectual property			1	1	2	(2)
Staff cases	79	(81)	110	(120)	79	(88)
Special forms of procedure	13	(13)	27	(29)	14	(25)
Total	179	(186)	279	(348)	322	(659)

1 Of which 5 concerned milk quota cases.

2 Of which 64 concerned milk quota cases.

3 Of which 102 concerned milk quota cases and 284 concerned actions brought by customs agents.

Table 7: Results of cases (1999)

Form of decision	Other actions		Intellectual property		Staff cases		Special forms of procedure		Total	
<i>Judgments</i>										
Removal from the Register	1	(1)			1	(1)			2	(2)
Action inadmissible	4	(8)			3	(3)			7	(11)
Action unfounded	35	(55)			24	(25)			59	(80)
Action partially founded	15	(19)			9	(12)			24	(31)
Action founded	8	(8)	1	(1)	12	(17)			21	(26)
No need to give a decision										
Total judgments	63	(91)	1	(1)	49	(58)			113	(150)
<i>Orders</i>										
Removal from the Register	127	(414)			19	(19)			146	(433)
Action inadmissible	24	(26)	1	(1)	7	(7)	1	(1)	33	(35)
No need to give a decision	9	(9)							9	(9)
Action founded							2	(13)	2	(13)
Action partially founded							2	(2)	2	(2)
Action unfounded							9	(9)	9	(9)
Action manifestly unfounded	3	(3)			4	(4)			7	(7)
Disclaimer of jurisdiction	1	(1)							1	(1)
Lack of jurisdiction										
Total orders	164	(453)	1	(1)	30	(30)	14	(25)	209	(509)
Total	227	(544)	2	(2)	79	(88)	14	(25)	322	(659)

Table 8: Basis of action (1999)

Basis of action	Judgments		Orders		Total	
Article 63 of the regulation EC n° 40/94	1	(1)	1	(1)	2	(2)
Article 173 of the EC Treaty (now Article 230 EC)	36	(55)	52	(55)	88	(110)
Article 175 of the EC Treaty (now Article 232 EC)	5	(7)	5	(5)	10	(12)
Article 178 of the EC Treaty (now Article 235 EC)	4	(4)	103	(388)	107	(392)
Article 181 of the EC Treaty (now Article 238 EC)			2	(2)	2	(2)
Total EC Treaty	46	(67)	163	(451)	209	(518)
Article 151 of the EA Treaty	1	(1)			1	(1)
Total EA Treaty	1	(1)			1	(1)
Article 33 of CS Treaty	17	(24)	2	(3)	19	(27)
Article 35 of the CS Treaty						
Total CS Treaty	17	(24)	2	(3)	19	(27)
Staff Regulations	49	(58)	30	(30)	79	(88)
Article 84 of the Rules of Procedure			3	(14)	3	(14)
Article 92 of the Rules of Procedure			3	(3)	3	(3)
Article 94 of the Rules of Procedure			8	(8)	8	(8)
Article 125 of the Rules of Procedure						
Total Special forms of procedure			14	(25)	14	(25)
OVERALL TOTAL	113	(150)	209	(509)	322	(659)

Table 9: Subject-matter of the action (1999)¹

Subject-matter of the action	Judgments		Orders		Total	
Agriculture	8	(10)	109	(119)	117	(129)
Arbitration clause			1	(1)	1	(1)
Association of the Overseas Countries and Territories			3	(3)	3	(3)
Commercial policy	4	(5)	2	(2)	6	(7)
Company law			1	(2)	1	(2)
Competition	16	(33)	9	(10)	25	(43)
Environment and consumers	2	(2)	1	(1)	3	(3)
External relations	2	(2)	2	(2)	4	(4)
Freedom of movement for persons			1	(1)	1	(1)
Free movement of goods			4	(4)	4	(4)
Intellectual property	1	(1)	1	(1)	2	(2)
Law governing the institutions	4	(4)	15	(290)	19	(294)
Research, information, education and statistics			1	(1)	1	(1)
Social policy	2	(2)	5	(5)	7	(7)
State aid	7	(8)	7	(7)	14	(15)
Transport			1	(2)	1	(2)
Total EC Treaty	46	(67)	163	(451)	209	(518)
Competition			1	(2)	1	(2)
Iron and steel	11	(11)			11	(11)
State aid	6	(13)	1	(1)	7	(14)
Total CS Treaty	17	(24)	2	(3)	19	(27)
Law governing the institutions	1	(1)			1	(1)
Total EA Treaty	1	(1)			1	(1)
Staff Regulations	49	(58)	30	(30)	79	(88)
OVERALL TOTAL	113	(150)	195	(484)	308	(634)

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

Table 10: Bench hearing case (1999)

Bench hearing case	Total
President	1
Chambers (3 judges)	488
Chambers (5 judges)	160
Single judge	3
Not assigned	7
Total	659

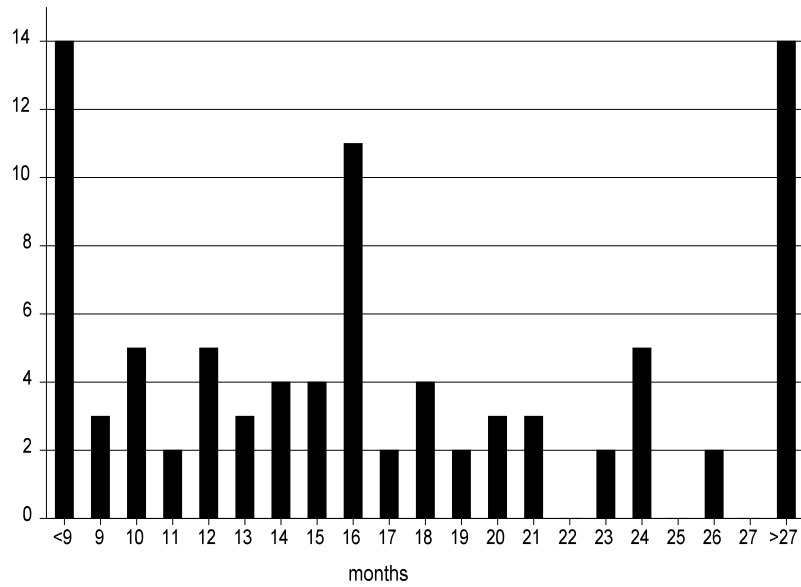
Table 11: Length of proceedings (1999)¹
(judgments and orders)

	Judgments/Orders
Other actions	12.6
Intellectual property	8.6
Staff cases	17.0

¹

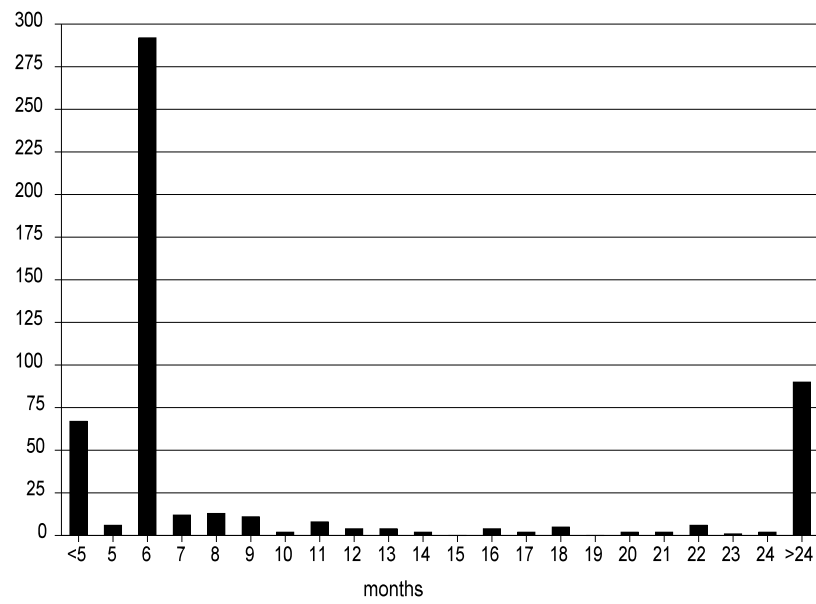
In this table, the length of proceedings is expressed in months and decimal months.

Figure I: Length of proceedings in Staff cases (judgments and orders) (1999)



Cases/ Months	< 9	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	> 27
Staff Cases	14	3	5	2	5	3	4	4	11	2	4	2	3	3	0	2	5	0	2	0	14

Figure II: Length of proceedings in other actions (judgments and orders) (1999)



Cases/ Months	< 5	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	> 24
Others actions	67	6	292	12	13	11	2	8	4	4	2	0	4	2	5	0	2	2	6	1	2	90

Cases pending

Table 12: Cases pending as at 31 December each year

Nature of proceedings	1997		1998		1999	
Other actions	425	(892) ¹	425	(829) ²	471	(538) ³
Intellectual property			1	(1)	17	(17)
Staff cases	205	(214)	163	(173)	167	(169)
Special forms of procedure	10	(11)	5	(5)	8	(8)
Total	640	(1 117)	569	(1 007)	663	(732)

¹ Of which 252 are milk quota cases and 295 are cases brought by Customs agents.

² Of which 190 are milk quota cases and 297 are cases brought by customs agents.

³ Of which 88 are milk quota cases, 13 are cases concerning customs agents and 71 are cases concerning service-stations.

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

Basis of action	1997		1998		1999	
Article 63 of regulation CE n° 40/94					17	(17)
Article 173 of the EC Treaty (now Article 230 EC)	274	(294)	256	(279)	360	(383)
Article 175 of the EC Treaty (now Article 232 EC)	18	(18)	12	(12)	14	(14)
Article 178 of the EC Treaty (now Article 235 EC)	113	(549)	100	(498)	80	(123)
Article 181 of the EC Treaty (now Article 238 EC)	4	(5)	3	(3)	1	(2)
Total EC Treaty	409	(866)	371	(792)	472	(539)
Article 33 of the CS Treaty	16	(16)	29	(36)	14	(14)
Article 35 of the CS Treaty	1	(1)			1	(1)
Article 40 of the CS Treaty					1	(1)
Total CS Treaty	17	(27)	29	(36)	16	(16)
Article 146 of the EA Treaty			1	(1)	1	(1)
Article 151 of the EA Treaty						
Total EA Treaty		()	1	(1)	1	(1)
Staff Regulations	204	(213)	163	(173)	166	(168)
Article 84 of the Rules of Procedure			1	(1)	2	(2)
Article 92 of the Rules of Procedure	8	(9)	2	(2)	5	(5)
Article 94 of the Rules of Procedure	2	(2)	2	(2)	1	(1)
Article 125 of the Rules of Procedure						
Article 129 of the Rules of Procedure						
Total Special forms of procedure	10	(11)	5	(5)	8	(8)
OVERALL TOTAL	640	(1 117)	569	(1 007)	663	(732)

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

Subject-matter of the action	1997		1998		1999	
Accession of new Member States						
Agriculture	127	(298)	107	(231)	100	(144)
Arbitration clause	5	(6)	3	(3)	1	(2)
Association of Overseas countries and territories			5	(5)	6	(6)
Common foreign and security policy					2	(2)
Commercial policy	26	(28)	27	(27)	25	(25)
Company law	2	(2)	4	(4)	4	(4)
Competition	125	(132)	111	(114)	101	(104)
Economic and monetary policy	1	(1)				
Economic and social cohesion	1	(1)				
Environment and consumers	5	(5)	6	(6)	8	(8)
External relations	7	(7)	10	(10)	7	(7)
Free movement of goods	20	(20)	20	(20)	26	(26)
Freedom of movement for persons					1	(1)
Freedom to provide services					1	(1)
Intellectual property			1	(1)	17	(17)
Law governing the institutions	33	(308)	33	(309)	33	(34)
Regional policy	1	(1)	3	(3)	4	(5)
Research, information, education, and statistics	1	(1)	1	(1)	1	(1)
Social policy	8	(8)	10	(10)	15	(15)
State Aid	46	(47)	28	(46)	114	(131)
Transport	1	(1)	3	(3)	3	(3)
Total EC Treaty	409	(866)	372	(793)	469	(536)
State aid	15	(15)	10	(17)	9	(9)
Competition	1	(1)	7	(7)	6	(6)
Iron and steel	1	(11)	11	(11)	1	(1)
Total CS Treaty	17	(27)	28	(35)	16	(16)
Supply						
Law governing the institutions			1	(1)	1	(1)
Total EA Treaty			1	(1)	1	(1)
Staff Regulations	204	213	163	(173)	169	(171)
Total	630	(1 106)	564	1 002	655	(724)

Miscellaneous

Table 15: **General trend**

Year	New cases ¹	Cases pending as at 31 December	Cases decided	Judgments delivered ²	Number of decisions of the Court of First Instance which have been the subject of an appeal ³
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)
1999	384	663 (732)	322 (659)	115 (150)	60 ⁴ (177)
Total	3 199		1 904 (2 467)	812 (951)	317 (1 170)

¹ Including special forms of procedure.

² The figure in brackets indicate the number of cases decided by judgment.

³ 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.

⁴ This figure does not include the appeal introduced against the order of inquiry of 14th september 1999 in the case T-145/98. In fact, this appeal was declared inadmissible by the Court since the challenged decision was not subject of an appeal.

**Table 16: Results of appeals from 1 January to 31 December 1999
(judgments and orders)**

	Unfounde d	Appeal man ifestly unfounded	Appeal man ifestly inadmissibl e	Appeal man ifestly inadm issible and unfounded	Annulment and referred back	Annulmen t- not referred back	Partial annulment and referred back	Partial annulment - not referred back	Removal from the Register	Total
Agriculture	3	1		1		2		1		8
Competition	10			2	1	1		1	2	17
Free movement of goods				2						2
Free movement of persons				1						1
Law governing the institutions		2	2	2						6
Overseas countries and territories	1									1
Social policy				3	1				1	5
Staff Regulations	7	2	1	4		1				15
State aid		1								1
Supply	1									1
Total	22	6	3	15	2	4			3	57

¹ Termination by decision of the Court of Justice.