

**1. General activity of the Civil Service Tribunal —
New cases, completed cases, cases pending (2005–09)**



	2005	2006	2007	2008	2009
New cases	130	148	157	111	113
Completed cases	-	50	150	129	155 ⁽¹⁾
Cases pending	130	228	235	217	175 ⁽²⁾

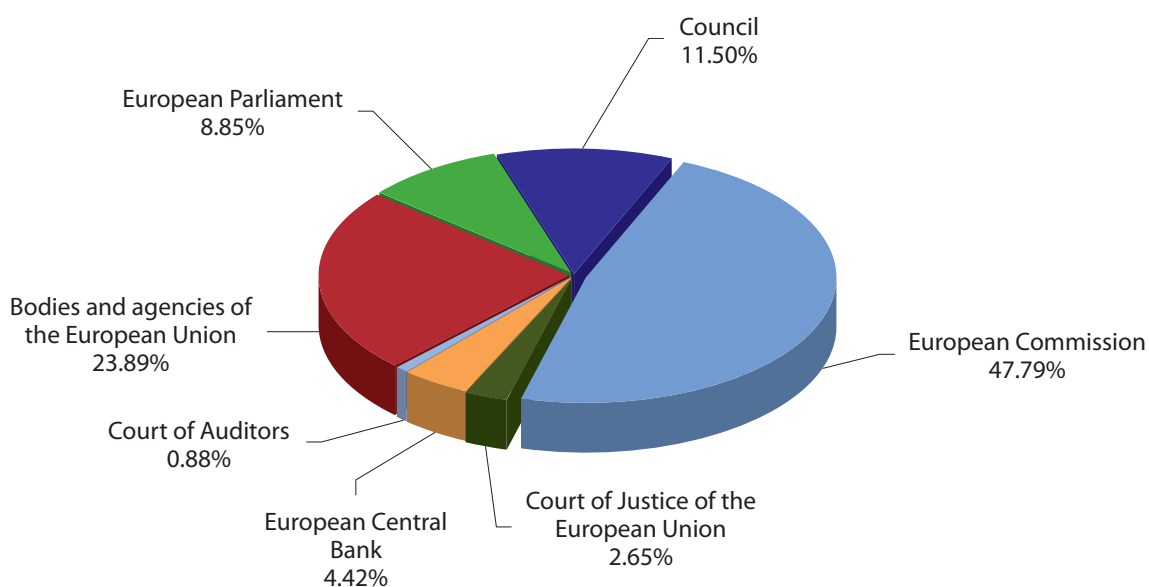
The figures given (gross figures) represent the total number of cases, without account being taken of the joinder of cases on the grounds of similarity (one case number = one case).

⁽¹⁾ Including 32 cases brought to a close following the judgment of 22 December 2008 in Case C-443/07 P *Centeno Mediavilla and Others v Commission* (18 cases are still pending).

⁽²⁾ Including 27 cases in which proceedings were stayed.

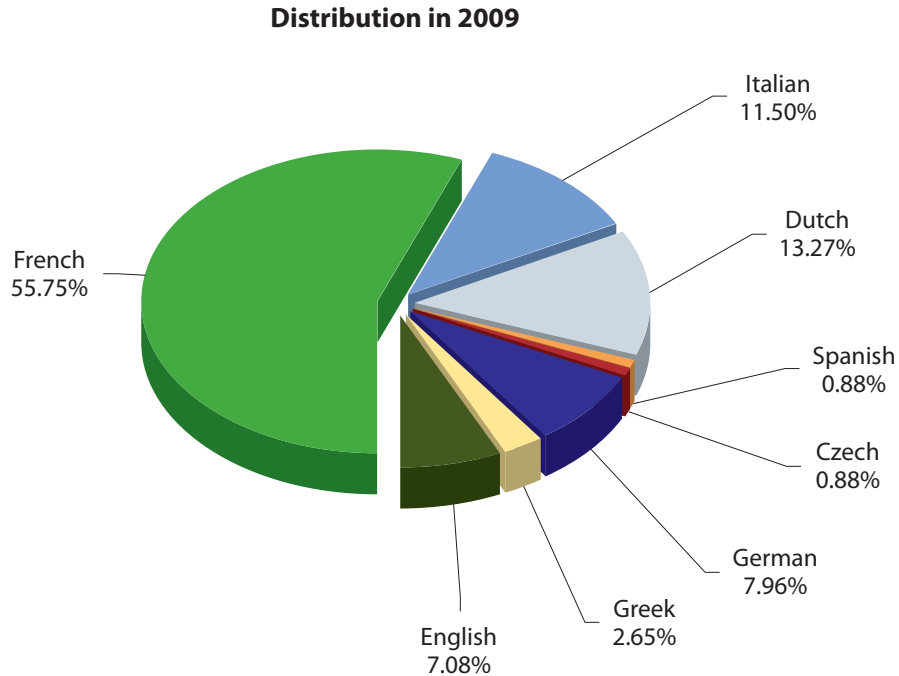
2. *New cases* — Percentage of the number of cases per principal defendant institution (2005–09)

Percentage of number of new cases (2009)



	2005	2006	2007	2008	2009
European Parliament	7.69%	7.14%	13.38%	14.41%	8.85%
Council	6.92%	6.07%	3.82%	4.50%	11.50%
European Commission	77.69%	75.00%	50.96%	54.95%	47.79%
Court of Justice of the European Union	2.31%	3.57%	3.82%	-	2.65%
European Central Bank	2.31%	1.07%	1.27%	2.70%	4.42%
Court of Auditors	0.77%	1.79%	1.91%	5.41%	0.88%
Bodies and agencies of the European Union	2.31%	5.36%	24.84%	18.02%	23.89%
Total	100%	100%	100%	100%	100%

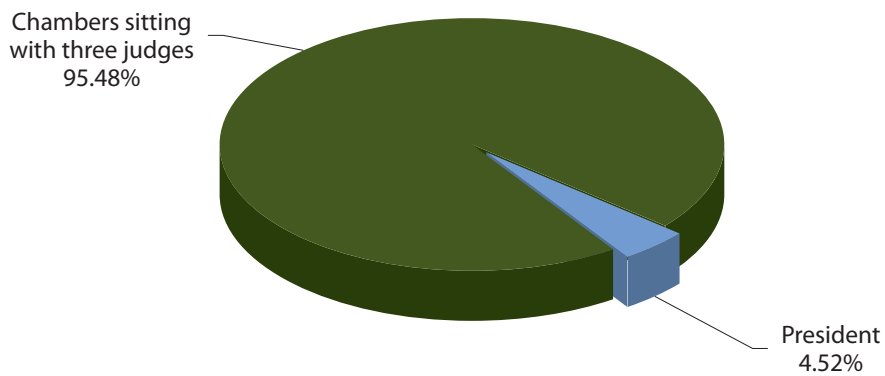
3. *New cases — Language of the case (2005–09)*



Language of the case	2005	2006	2007	2008	2009
Bulgarian	-	-	2	-	-
Spanish	1	1	2	1	1
Czech	-	-	-	-	1
Danish	1	-	-	-	-
German	3	2	17	10	9
Greek	2	3	2	3	3
English	5	8	8	5	8
French	113	113	102	73	63
Italian	4	10	17	6	13
Lithuanian	-	-	2	2	-
Hungarian	-	2	1	1	-
Dutch	1	7	3	8	15
Polish	-	-	-	1	-
Portuguese	-	-	-	1	-
Romanian	-	-	1	-	-
Slovenian	-	1	-	-	-
Finnish	-	1	-	-	-
Total	130	148	157	111	113

The language of the case corresponds to the language in which the proceedings were brought and not to the applicant’s mother tongue or nationality.

4. **Completed cases — Judgments and orders — Bench hearing action (2009)**



	Judgments	Orders terminating proceedings ⁽¹⁾	Cases brought to a close in other ways	Total
Full court	-	-	-	-
President	-	7	-	7
Chambers sitting with three judges	73	75	-	148
Single judge	-	-	-	-
Total	73	82	-	155

(¹) Including 2 cases brought to a close by amicable settlement.

5. Completed cases — Outcome (2009)

	Judgments			Orders				Total
	Actions upheld in full	Actions upheld in part	Actions dismissed in full, no need to adjudicate	Actions/applications [manifestly] inadmissible or unfounded	Amicable settlements following intervention by the bench hearing the action	Removal from the register on other grounds, no need to adjudicate or referral back	Applications upheld in full or in part (special forms of procedure)	
Assignment/Reassignment	-	-	-	-	-	-	-	-
Competitions	1	1	6	1	-	2	-	11
Working conditions/Leave	-	-	1	1	-	-	-	2
Appraisal/Promotion	7	2	11	2	1	1	-	24
Pensions and invalidity allowances	-	-	4	3	-	1	-	8
Disciplinary proceedings	1	1	-	-	-	-	-	2
Recruitment/Appointment/Classification in grade	4	1	12	3	-	34	-	54
Remuneration and allowances	2	2	3	1	1	4	-	13
Termination of an agent's contract	1	1	3	-	-	-	-	5
Social security/Occupational disease/Accidents	-	1	2	6	-	1	-	10
Other	-	1	5	14	-	1	5	26
Total	16	10	47	31	2	44	5	155

6. *Interim measures adopted — Outcome (2006–09)*

Number of applications for interim measures granted		Outcome	
		Granted in full or in part	Dismissal
2006	2	-	2
2007	4	-	4
2008	4	-	4
2009	1	1	-
Total	11	1	10

7. *Completed cases — Duration of proceedings in months (2009)*

		Duration of full procedure	Duration of procedure, not including duration of any stay of proceedings
Judgments		Average duration	Average duration
New cases before the Civil Service Tribunal	70	17.7	17.5
Cases initially brought before the General Court ⁽¹⁾	3	51.3	44.8
Total	73	19.1	18.6

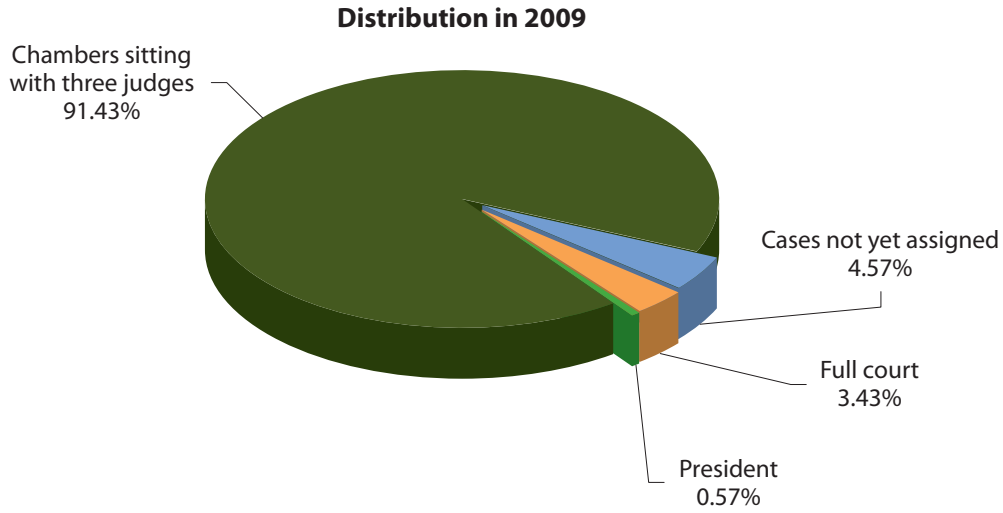
		Duration of full procedure	Duration of procedure, not including duration of any stay of proceedings
Orders		Average duration	Average duration
New cases before the Civil Service Tribunal	61	14.1	10.2
Cases initially brought before the General Court ⁽¹⁾	21	48.2	16.9
Total	82	22.9	11.9

OVERALL TOTAL	155	21.2	15.1
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The durations are expressed in months and tenths of months.

⁽¹⁾ When the Civil Service Tribunal commenced work, the Court of First Instance (now the General Court) transferred 118 cases to it.

8. Cases pending as at 31 December — Bench hearing action (2006–09)



	2006	2007	2008	2009
Full court	6	3	5	6
President	4	2	2	1
Chambers sitting with three judges	207	205	199	160
Single judge	-	-	-	-
Cases not yet assigned	11	25	11	8
Total	228	235	217	175

9. *Cases pending as at 31 December — Number of applicants (2009)*

The 10 pending cases with the greatest number of applicants in a single case

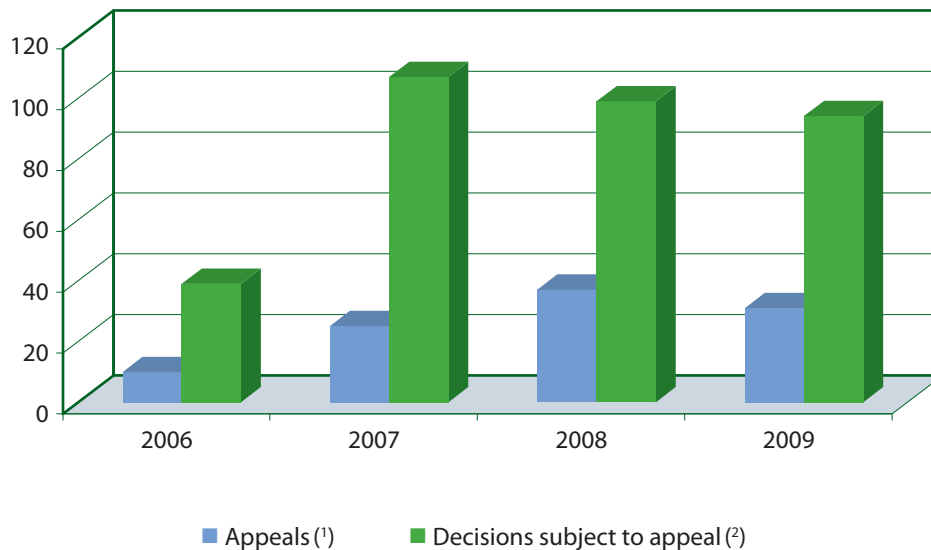
Number of applicants per case	Fields
114	Staff Regulations — Application of a legal status different from that of members of the temporary staff — Compensation for material damage sustained
59	Staff Regulations — Promotion — Promotion year 2005 — Additional grades provided for by the new Staff Regulations
20	Staff Regulations — Reclassification — Candidates placed on the reserve list in an internal competition for change of category before the entry into force of the new Staff Regulations — Decision on classification in grade under less favourable provisions — Transitional provisions in Annex XIII to the Staff Regulations — Loss of promotion points
14	Staff Regulations — Members of the contract staff — Clause terminating a contract where the member of staff is not included on a reserve list of a competition — Termination of the contract of a member of staff
13	Staff Regulations — Member of the auxiliary staff — Member of the temporary staff — Conditions of engagement — Duration of contract
13	Staff Regulations — Reclassification in grade following the entry into force of the new Staff Regulations — Transitional provisions in Annex XIII to the Staff Regulations
10	Staff Regulations — Members of the contract staff — Members of the temporary staff — Conditions of engagement — Duration of the contract
10	Staff Regulations — Appointments — Lawyer-linguists placed on a reserve list before the new Staff Regulations entered into force — Discrimination compared with lawyer-linguists recruited by other institutions
6	Staff Regulations — Promotion — Promotion year 2005 — Illegality of Article 2 of Annex XIII to the Staff Regulations — Additional grades provided for by the new Staff Regulations
6	Staff Regulations — Reclassification — Candidates placed on the reserve list in an internal competition before the new Staff Regulations — Classification in grade under less favourable provisions — Transitional provisions in Annex XIII to the Staff Regulations — Loss of promotion points

The term 'Staff Regulations' below means the Staff Regulations of Officials of the European Union and the Conditions of Employment of other servants of the Union.

Total number of applicants for all pending cases

	Total applicants	Total pending cases
2006	1 652	228
2007	1 267	235
2008	1 161	217
2009	461	175

10. *Miscellaneous* — Decisions of the Civil Service Tribunal on appeal to the General Court (2006–09)



	Appeals (1)	Decisions subject to appeal (2)	Percentage of appeals (3)	Percentage of appeals including amicable settlements (4)
2006	10	39	25.64%	22.22%
2007	25	107	23.36%	21.93%
2008	37	99	37.37%	34.91%
2009	31	94	32.98%	32.29%

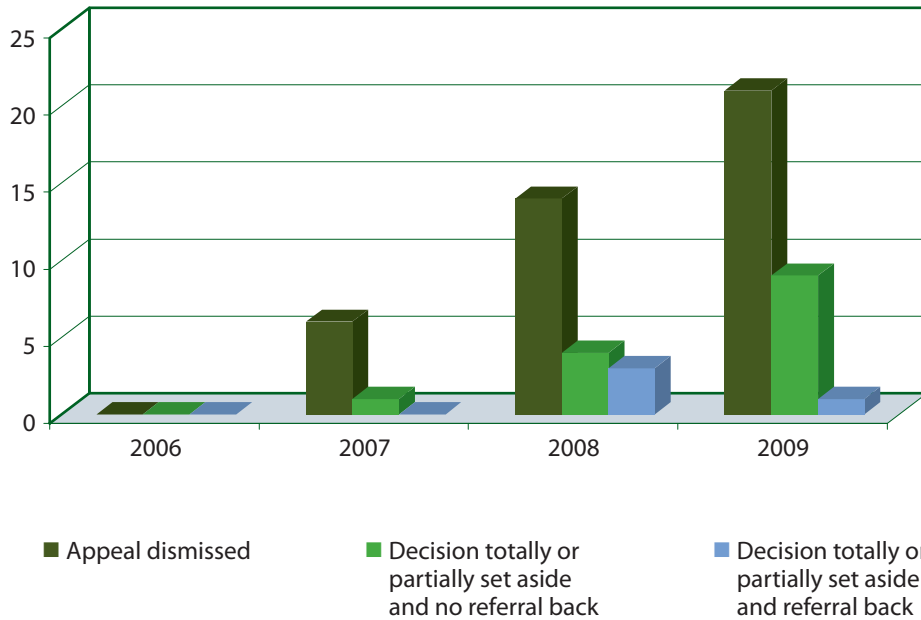
(1) Decisions appealed against by several parties are taken into account only once. In 2007, two decisions were each the subject of two appeals.

(2) Judgments, orders — declaring the action inadmissible, clearly inadmissible or clearly unfounded, orders for interim measures, orders that there is no need to adjudicate and orders refusing leave to intervene — made or adopted during the reference year.

(3) For a given year this percentage may not correspond to the decisions subject to appeal given in the reference year, since the period allowed for appeals may span two years.

(4) The Civil Service Tribunal endeavours to answer the legislature’s appeal for the facilitation of the amicable settlement of disputes. A certain number of cases is closed in this way each year. Those cases do not give rise to ‘decisions subject to appeal’ on the basis of which the ‘percentage of appeals’ is traditionally calculated in the Annual Report, inter alia for the Court of Justice and the General Court. In so far as the ‘percentage of appeals’ may be considered to represent the ‘rate of challenge’ of the decisions of a court, that percentage would reflect the position better if it was calculated so as to take account not only of decisions subject to appeal but also those which are not precisely because they have brought the dispute to a close by amicable settlement. The result of that calculation appears in this column.

11. *Miscellaneous* — Results of appeals before the General Court (2006–09)



	2006	2007	2008	2009
Appeal dismissed	-	6	14	21
Decision totally or partially set aside and no referral back	-	1	4	9
Decision totally or partially set aside and referral back	-	-	3	1
Total	-	7	21	31