



## **Statistics concerning judicial activity in 2016: the duration of proceedings continues its downward trend, to the benefit of citizens**

*A record number of questions referred to the Court of Justice for a preliminary ruling bears witness to the trust of national courts, while the reform of the judicial structure of the European Union is implemented at the General Court*

The past year was one of unflinching activity at the Court of Justice of the European Union. Thus, the overall number of cases completed in 2016 remained at a high level (1 628 cases). 2016 was also the final year of existence of the European Union Civil Service Tribunal.<sup>1</sup>

### **Court of Justice**

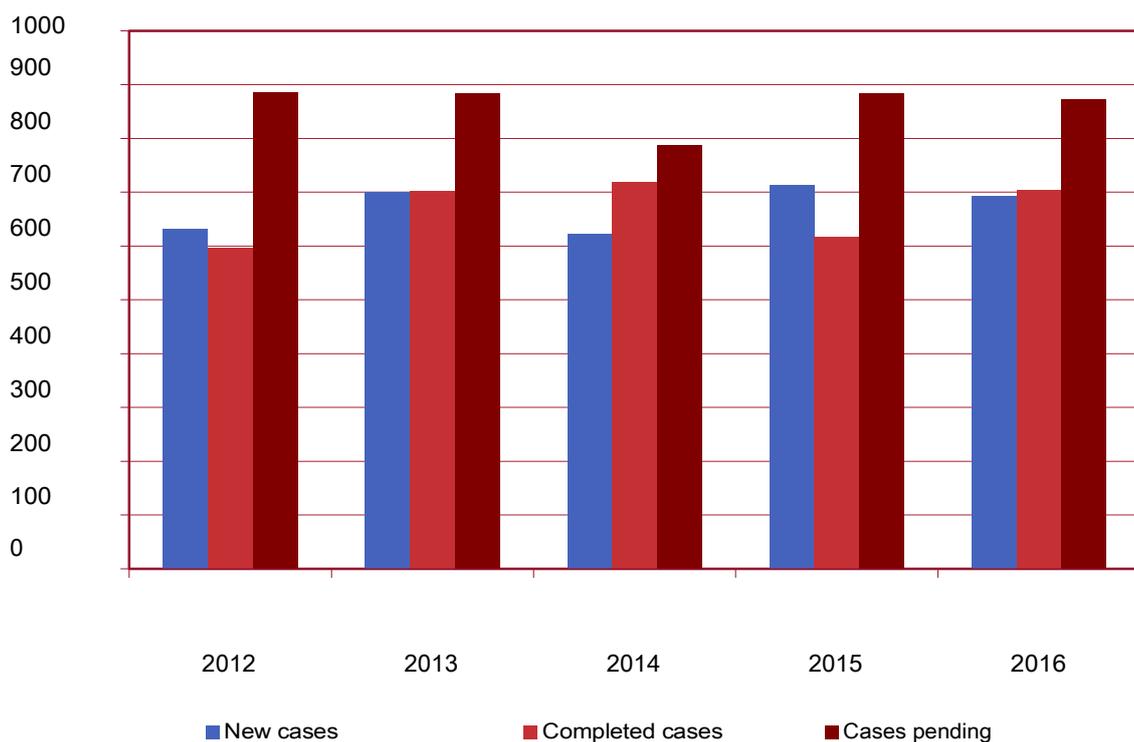
First of all, the Court of Justice was able to complete 704 cases in 2016 (a 14% increase compared with 2015). Thus, the Court completed more cases than it received in the course of the past year (692). These figures reveal remarkable productivity and resulted in a slight decrease in the number of cases pending on 31 December 2016 (872).

So far as concerns cases brought in 2016, 470 were requests from national courts for a preliminary ruling. This figure is a record in the history of the Court of Justice, and it reflects both the importance of the preliminary ruling procedure in developing EU law and the trust placed by national courts in this form of judicial cooperation with a view to the uniform interpretation and application of EU law.

Another striking trend of the past year relates to the average duration of proceedings before the Court of Justice. In the case of references for a preliminary ruling, in 2016 the average duration of proceedings was 15 months. **This constitutes the shortest duration recorded for more than 30 years.** The figure can be explained by the fact that the Court of Justice is constantly mindful of improving its efficiency by the rational use of all the possibilities open to it in this regard under the Rules of Procedure. As for appeals, the average duration was 12.9 months. This is the shortest duration since the General Court was created. The average duration of proceedings overall, whatever their subject matter, was **14.7 months**.

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<sup>1</sup> The Civil Service Tribunal was dissolved on 1 September 2016, jurisdiction at first instance over disputes between the European Union and its officials or other members of staff being transferred to the General Court of the European Union. From January to August 2016, 169 cases were completed by the Civil Service Tribunal.



	2012	2013	2014	2015	2016
New cases	632	699	622	713	692
Completed cases	595	701	719	616	704
Cases pending	886	884	787	884	872

## General Court of the European Union

Analysis of the statistics concerning the judicial activity of the General Court essentially reveals a dual phenomenon, that is to say, first, an increase in the number of new cases and of the number of cases pending and, secondly, **an appreciable reduction in the duration of proceedings.**

The number of new cases increased by 17%, from 831 cases in 2015 to 974 in 2016, to a very large degree because of the transfer of jurisdiction at first instance to hear disputes concerning the EU civil service (which account, by themselves, for 163 cases). The number of cases pending increased by a similar proportion, from 1 267 cases in 2015 to 1 486 cases in 2016.

The Court's productivity represents a continuation of the results achieved since 2013, the number of cases completed being one of the best three recorded by the Court since its creation (755 cases completed). The fall-off observed in comparison with 2015 and 2014 can be explained by the combined effect of the clearing of the backlog (in particular in 2015), of the three-yearly renewal of the membership of the Court, and of the Court's internal reorganisation made necessary by integration of the new judges – who cannot make a visible and substantial contribution to the Court's productivity during the first months of their terms of office.

In parallel, the major performance indicator consisting of the duration of proceedings continued its positive trend. The reduction in the duration of proceedings that has been observed since 2013 was confirmed once again, with an overall average of 18.7 months (cases disposed of by judgment or by order, whatever the subject matter), that is to say, a fall of 1.9 months compared with 2015 and of 8.2 months compared with 2013.

In addition, on account, in particular, of the reorganisation of the General Court and of the new possibilities opened up by implementation of the reform of the judicial structure of the EU, **the number of cases referred to a bench of five judges rose to 29 in 2016**, whereas the annual average for such referrals between 2010 and 2015 was below nine per year.

Finally, the points of note, so far as change in the type of proceedings is concerned, are the increase in intellectual property cases (up by 11%), the transfer of jurisdiction at first instance to hear cases concerning the EU civil service (123 actions transferred from the Civil Service Tribunal to the General Court on 1 September and 40 new actions up until 31 December 2016, that is to say, a total of 163 cases accounting for nearly 17% of new cases), the relative reduction in the number of cases concerning restrictive measures (28 cases brought in 2016), the continued high number of State aid cases (76 cases) – in particular so far as concerns Member State taxation – and the emergence of a new source of litigation, relating to the application of prudential supervision rules in respect of credit institutions.



	2012	2013	2014	2015	2016
New cases	617	790	912	831	974
Completed cases	688	702	814	987	755
Cases pending	1 237	1 325	1 423	1 267	1 486

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