



Despite the unprecedented constraints linked to the pandemic situation, the Court of Justice of the European Union maintained a high level of activity in 2020

The Court of Justice of the European Union successfully managed to maintain a high level of activity in 2020, in a context marked by teleworking and restrictions on movements which had made it impossible to hold hearings between 16 March and 25 May 2020. Since 25 May 2020 and in compliance with stringent health measures, the courtrooms have continued to remain open to the representatives of the parties and to the public, in the interests of the sound administration of justice and in accordance with the principle that hearings should be held in public.

That continuity of service has been made possible by the pre-existence of crisis structures and plans, the introduction of strict health protocols, an early strategy of providing staff with IT equipment for teleworking and the adaptation of working arrangements in compliance with the Rules of Procedure. As the President of the Court, Koen Lenaerts, notes, 'the crisis plans set in motion since the beginning of the lockdown, in close cooperation with the Chambers and the departments of the Institution, have ensured that the Courts have functioned as normally as possible and enabled the continuity of activity in the service of European justice'.

In particular, the Institution has ensured that the representatives of the parties (lawyers and agents representing the institutions and Governments of the Member States) unable to travel to Luxembourg are able to participate in hearings remotely. To that end, the Institution has devised a specific videoconferencing system enabling simultaneous interpretation potentially from and into the 24 official languages. In 2020, 40 hearings were held with videoconferencing before the Court of Justice and 37 before the General Court, some of which involved up to four parties participating remotely. That system continues to be employed in the context of the pandemic at the beginning of 2021.

All the abovementioned measures have enabled the Court of Justice and the General Court to deal with on-going proceedings, give decisions within time limits equivalent to those in normal circumstances, provide translations of judgments and Opinions in all the official languages of the European Union and ensure their publication and dissemination.

The lockdown measures and the restrictions intended to curb the pandemic, which have been adopted by most Member States, have, however, inevitably had some impact on economic activity and the activity of the courts of the Member States, thereby leading to a reduction in the number of new cases. **1 582 cases were brought** overall before the two Courts of the European Union, which is lower than the record figure for the previous year (1 905), but similar in magnitude to the figures for 2018 (1 683) and 2017 (1 656).

A similar trend may be observed as regards **completed cases**, which total **1 540**, that is a reduction of approximately 11% compared to 2019 (1 739), but a comparable level of activity to that seen in 2017 (1 594) and even a higher level of activity compared to 2016 (1 459). In order for the result to be properly assessed, it must be evaluated in the light of the fact that both Courts were precluded from holding hearings for over two months in 2020.

Lastly, the **duration of the proceedings** of cases disposed of before the two Courts in 2020 is at an historical low of an average of **15.4 months**, which is testimony to the constant pursuit of the objective of improving efficiency in the handling of cases.

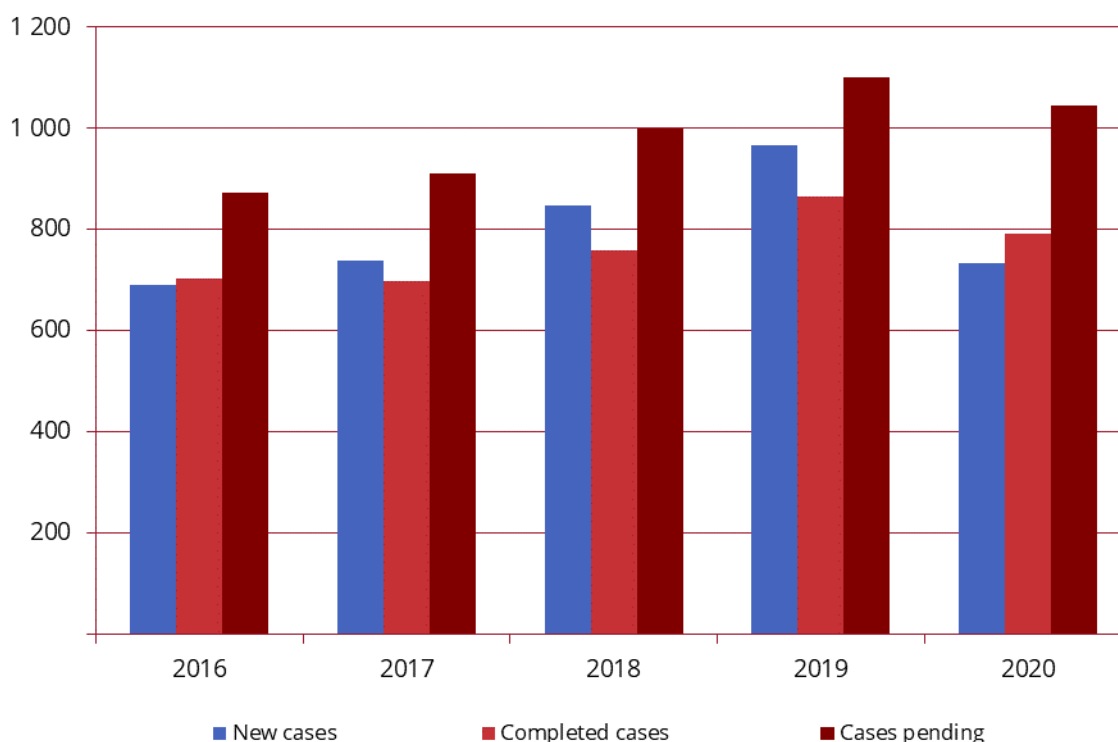
Court of Justice

From the point of view of cases brought (735), as in the two previous years, requests for a preliminary ruling account, in essence, for the lion's share of the new cases brought before the Court of Justice, totalling 556 (compared to 641 in 2019). Germany remains the Member State to have made the most references for a preliminary ruling (139 cases), followed this year by Austria (50), Italy (44) and Poland (41). The 131 appeals brought in 2020 are the second largest category of new cases brought, although they have decreased significantly (266 in 2019).

From the point of view of completed cases, which total 792, that number is exceptional even if lower than the record figure for 2019 (865), since, despite the constraints linked to the pandemic situation, it is markedly higher than that for the years 2018 (760) and 2017 (699).

Furthermore, the number of cases pending has fallen appreciably, standing at 1 045 cases at the end of 2020, compared to 1 102 cases at the end of 2019.

The Court of Justice was able to meet its commitments in terms of procedural time limits, which, notwithstanding a very slight increase for certain types of action (15.8 months for references for a preliminary ruling as against 15.5 months in 2019), remain overall at the level of the figures achieved in 2019.



| | 2016 | 2017 | 2018 | 2019 | 2020 |
|-----------------|------|------|-------|-------|-------|
| New cases | 692 | 739 | 849 | 966 | 735 |
| Completed cases | 704 | 699 | 760 | 865 | 792 |
| Cases pending | 872 | 912 | 1 001 | 1 102 | 1 045 |

General Court

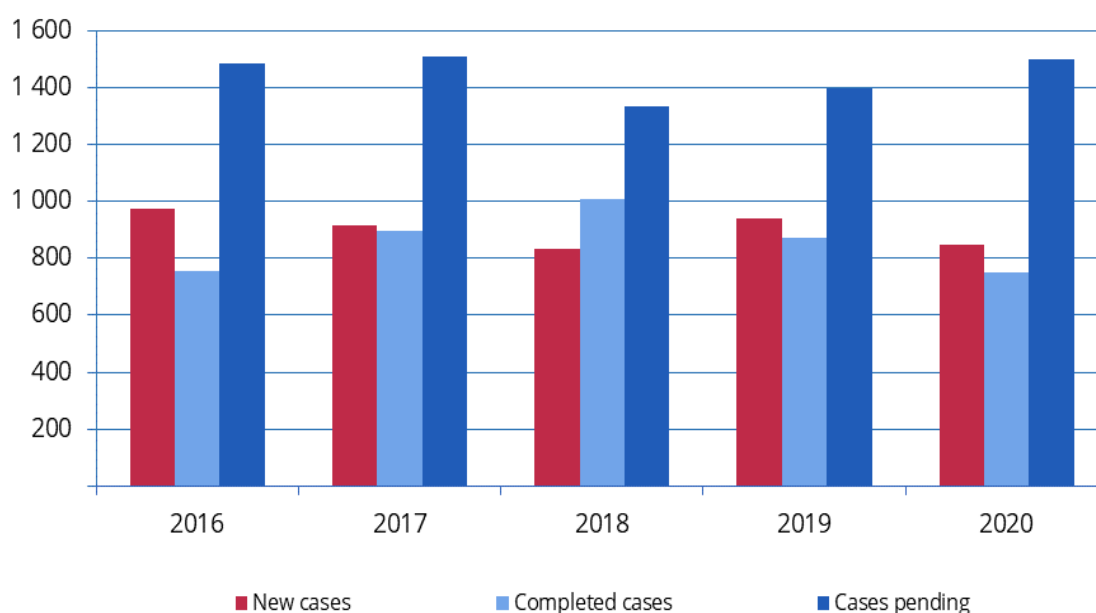
The General Court saw a reduction in the number of new cases brought in 2020, which totalled 847 compared to 939 in 2019. The number of intellectual property cases remains the highest (282) and the remaining cases concern for the most part the application of the Staff Regulations (120), the law governing the institutions (65) and State aid (42).

In terms of completed cases (748), 237 of those cases concern intellectual property, 127 the law governing the institutions and 79 are EU staff cases. One aspect which is to be highlighted is that the number of cases adjudicated upon by Chambers of five judges almost doubled between 2019 and 2020 (from 59 to 111), which contributes to high-quality justice and further enhances the authority of the judgments delivered by the General Court.

The average duration of proceedings continued to fall, down to a record duration of 15.4 months for all case categories combined. The objective of reducing the length of proceedings set by the General Court has, therefore, been achieved.

The number of cases pleaded in 2020 is exceptional, as this reached 335 (of which 275 between May and December 2020) as against 315 in 2019, despite several weeks in which hearings were suspended.

As the President of the General Court, Marc van der Woude, notes, the General Court 'has constantly reviewed its internal working arrangements in detail in order to adapt to the uncertainties of the crisis' and to the new constraints affecting litigants.



| | 2016 | 2017 | 2018 | 2019 | 2020 |
|-----------------|-------|-------|-------|-------|-------|
| New cases | 974 | 917 | 834 | 939 | 847 |
| Completed cases | 755 | 895 | 1 009 | 874 | 748 |
| Cases pending | 1 486 | 1 508 | 1 333 | 1 398 | 1 497 |

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