

## Information Guide



## Court of Justice of the European Union

**A guide to information sources on the Court of Justice of the European Union (CJEU), with hyperlinks to further sources of information within European Sources Online and on external websites**

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## Introduction

On 4 December 2012, the Court of Justice of the European Union celebrated its 60th anniversary. Although 60 years amount to neither half nor three quarters of a century, the Court of Justice nevertheless decided not to let this anniversary pass unnoticed. Indeed, during the last 10 years the judicial system of the European Union has undergone major reforms which, viewed as a whole, constitute a real transformation. Reference can be made in this regard to the entry into force of the Treaty of Nice, two enlargements which resulted in the institution's workforce almost doubling and in multiplication of the languages of the case and working languages, the creation of the Civil Service Tribunal, substantial modernisation of internal working methods, the entry into force of the Treaty of Lisbon with the resulting extension of the Court's jurisdiction, the establishment of the urgent preliminary ruling procedure, and the computerisation of procedure with the launch of the e-Curia system.

From: Court of Justice of the European Union, [Annual Report 2012](#): The Court of Justice in 2012: changes and activity.

## Overview

The Court of Justice of the European Union (CJEU) rules on the interpretation and application of Union law. There is no appeal against a judgement from the Court. It is assisted by a General Court (previously the Court of First Instance - CFI), which deals with most cases of direct action and those concerning the administration of the EU institutions and competition law. Appeals to the CJEU against General Court rulings are allowed on points of law. A Civil Service Tribunal was created in 2004 to ease the workload of the CFI. Appeals to the General Court against Tribunal rulings are allowed on points of law.

The Court was - and is - often referred to as the European Court of Justice, with the abbreviation ECJ still frequently used in preference to CJEU.

The CJEU/ECJ is an EU institution and has no relation to the [European Court of Human Rights](#) (Council of Europe) based in Strasbourg, nor to the [International Court of Justice](#) (United Nations) in The Hague.

## History

The Court of Justice of the European Communities was set up in 1952 as part of the European Coal and Steel Community (ECSC). With the advent of the European Economic Community (EEC) and the European Atomic Energy Community (EAEC) in 1957, the Court was established as a common Court for all three Communities. Articles 251-281 of the Treaty on the Functioning of the European Union ([TFEU](#)) set out the main provisions concerning the Court.

The 1993 [Treaty on European Union](#) gave the ECJ power to 'impose a lump sum or penalty payment' if a Member State fails to comply with a judgement (a power first used in July 2000, when the judgement in case [Commission v. Greece \(C-387/97\)](#) ordered Greece to pay €24,600 for each day it delayed implementing an earlier judgement concerning waste disposal in Chania, Crete).

The TEU also extended the ECJ's right to review the legality of acts to include those adopted by the European Parliament, and brought the European Central Bank under the Court's jurisdiction.

The Treaty of Amsterdam (see [Summaries of EU legislation](#)) gave the ECJ new responsibilities, covering:

- fundamental rights
- asylum
- immigration
- free movement of persons
- judicial co-operation in civil matters
- police and judicial co-operation in criminal matters (with restrictions)

The ECJ has made a number of rulings which are significant for the Court itself and for EU law:

- The 1963 [Van Gend en Loos](#) judgement established the principle of 'direct effect', by stating that: 'independently of the legislation of Member States, Community law ... not only imposes obligations on individuals but is also intended to confer upon them rights which become part of their legal heritage.'
- In 1964, in [Costa v. ENEL](#), the Court ruled that Community law is supreme, taking precedence over national law: 'the law stemming from the treaty ... could not, because of its special and original nature, be overridden by domestic legal provisions ... without being deprived of its character as Community law and without the legal basis of the Community itself being called into question.'
- The 1991 judgement in the [Francovich](#) case gives individuals the right - under certain circumstances - to claim compensation for injury suffered where the State fails to implement EC Directives punctually and properly.

To help ease the workload of the ECJ, a Court of First Instance (CFI) was created by [Decision 88/591](#) (after the 1986 Single European Act had given the Council power to create such a court - see [Summaries of EU legislation](#)). The CFI began work on 25 September 1989 and heard its first case in November the same year.

In an article written to mark the 20th anniversary of the Court, Marc Jaeger, President of the CFI, wrote in [Is it time for reform?](#) that the creation of the Court:

pursued a threefold objective: to equip the European legal system with a court for hearing actions requiring close examination of complex facts; to establish a second court in order to improve the judicial protection of individual interests; and to enable the Court of Justice to concentrate its activities on its fundamental task of ensuring uniform interpretation of Community law. This is how, initially, the Court of First Instance was allocated the task of hearing, amongst others, cases on competition law.

The Treaty of Lisbon has extended the Court's jurisdiction in a number of areas, as summarised in the CJEU section of the [Draft General budget of the European Union for the financial year 2011](#):

The legal jurisdiction of the institution, and more specifically the jurisdiction of the Court of Justice and the General Court, has now been significantly extended in several fields (the area of freedom, security and justice, police and judicial cooperation in criminal matters, visas, asylum, immigration and other policies linked to the movement of persons, the common foreign and security policy ...). Furthermore, it is worth noting that, with the entry into force of the Treaty of Lisbon, the Charter of Fundamental Rights of the European Union becomes a binding legislative text and acquires the same legal status as the Treaties (the

Charter is however not binding on certain Member States to which derogations apply).

It is reasonably probable that this extension of the Court's jurisdiction will, sooner or later, have a direct effect on the Court's level of activity.

The impact of the application of the Charter of Fundamental Rights and of the Union's accession to the European Convention for the Protection of Human Rights and Fundamental Freedoms was highlighted in a January 2011 [Joint communication](#) from the CJEU and ECHR:

As regards the Charter, it was observed that it has swiftly become of primary importance in the recent case-law of the CJEU. Since 1 December 2009, the date on which the Treaty of Lisbon entered into force and the date on which that treaty conferred on the Charter the status of primary law of the EU, it has been cited in some thirty judgments. Thus the Charter has become the reference text and the starting point for the CJEU's assessment of the fundamental rights which that legal instrument recognises.

## Legal basis

Article 13 of the Treaty on European Union ([TEU](#)) identifies the Court of Justice of the European Union as one of the Union's institutions.

Article 19 of the TEU gives an overview of the Court, with 19(3) stating:

The Court of Justice of the European Union shall, in accordance with the Treaties:

- (a) rule on actions brought by a Member State, an institution or a natural or legal person;
- (b) give preliminary rulings, at the request of courts or tribunals of the Member States, on the interpretation of Union law or the validity of acts adopted by the institutions;
- (c) rule in other cases provided for in the Treaties.

In the Treaty on the Functioning of the European Union ([TFEU](#)), provisions on the CJEU are set out in Articles 251-281.

Articles 251-253 focus on the Court of Justice; Articles 254-256 concern the General Court; Article 257 sets out provisions on specialised courts which may be attached to the General Court; the remaining Articles address opinions, actions, penalties, jurisdiction and similar matters.

## Structure and composition

### Court of Justice

The [Court of Justice](#) currently comprises 28 judges - one per Member State - and eight Advocates-General. All are appointed by agreement between the Member States, for a six-year, renewable term; in common with the General Court, the membership of the Court of Justice is partially renewed every three years. Under Article 253:

The Judges and Advocates-General of the Court of Justice shall be chosen from persons whose independence is beyond doubt and who possess the qualifications required for appointment to the highest judicial offices in their respective countries or who are jurists of recognised competence;

The role of an Advocate-General is to act with complete impartiality and independence, and - under Article 252 - to:

make, in open court, reasoned submissions on cases which, in accordance with the Statute of the Court of Justice of the European Union, require his involvement.

The submission - or opinion - of an Advocate-General is made in court at the end of the oral proceedings. It summarises the relevant legal issues and suggests how the case should be resolved. Although the opinion of an Advocate-General is not binding on the Court, it is usually a good guide to the final judgment.

Judges in both the Court of Justice and General Court elect a President to their respective Courts for a three-year term. The President administers the work of the Court, fixes dates and times of sittings, and presides at hearings and deliberations. A President is elected to each of the Chambers in which the Court sits. There are eight Chambers, which meet with either three or five judges. Presidents of the three-judge Chambers are elected for one year; those of five-judge Chambers for a three-year term.

Under terms first agreed in the Treaty of Nice, the Court of Justice may sit in a Grand Chamber comprising 13 judges (including the President of the Court and the Presidents of the five-judge chambers) that will generally deal with cases previously handled by the full Court in plenary session (used only in exceptionally important cases, such as where it must compulsorily retire the European Ombudsman or a Member of the European Commission who has failed to fulfil his/her obligations). Recently, for example, Grand Chambers have sat and ruled on preliminary references on an extremely important issue i.e. the legal basis upon which an EU citizen resident in another Member State for more than 10 years could be deported [Tsakourdis](#) (2010) and [P.I.](#) (2012).

Article 253 requires the [Rules of Procedure of the Court of Justice](#) (version of 25 September 2012) to be approved by the Council.

The [Statute of the Court of Justice](#) (March 2010 version) is laid down in a Protocol attached to the TFEU, as required by Article 281 of the Treaty. [Regulation \(EU, Euratom\) 741/2012](#) of 11 August 2012 'amending the Protocol on the Statute of the Court of Justice of the European Union and Annex I thereto' aimed to adapt the working methods of the General Court and to ensure better distribution of the Court's workload (see also Press Release [PRES/12/350](#) and European Parliament Library Briefing [Amendment of the Statute of the Court of Justice](#)).

## **General Court**

Article 254 of the TFEU states that the number of judges of the [General Court](#) (previously the Court of First Instance or CFI):

shall be determined by the Statute of the Court of Justice of the European Union. The Statute may provide for the General Court to be assisted by Advocates-General.

Under Article 48 of the [Statute](#) (March 2010 version), the General Court has 28 judges. It has no Advocates-General, but members (judges) may be asked to perform the task of an Advocate-General.

Article 254 of the TFEU requires that members of the General Court:

shall be chosen from persons whose independence is beyond doubt and who possess the ability required for appointment to high judicial office.

The General Court has eight Chambers, with judges usually sitting in Chambers of three or five judges, but occasionally as a single judge and sometimes as a Grand Chamber of 13 judges or - when justified by the legal complexity or importance of a case - as a full Court (plenary).

Under Article 254, the General Court establishes its [Rules of Procedure](#) (version of 1 July 2013) in agreement with the Court of Justice. The Rules require the approval of the Council.

### **Civil Service Tribunal**

In 2004, through [Decision 2004/752/EC](#), the Council established the [European Union Civil Service Tribunal](#), as a Judicial Panel attached to the CFI (now the general Court). Created to relieve the pressure on the CFI, the Tribunal started work in 2005 and immediately took over 117 staff cases pending before the Court.

The Tribunal comprises seven judges, who normally sit in Chambers of three. There are also provisions for the Tribunal to sit in a Chamber of five Judges or as a single Judge. Particularly difficult or important cases may be referred to the full court. Tribunal Judges elect a President for a renewable term of three years.

The [Rules of Procedure](#) (version of 1 July 2011) of the Tribunal were first adopted in 2007.

Following the entry into force of the Treaty of Lisbon, the Civil Service Tribunal is formally a 'specialised court', under Article 257 of the TFEU. Specialised courts are attached to the General Court and can be established by the European Parliament and the Council.

### **Role**

The European Community is based on the rule of law. Its unique characteristic - which distinguishes it from other international organisations - is that it creates legislation with which members are bound to comply. In the words of the ECJ judgment in the case of [Van Gend en Loos](#) :

the Community constitutes a new legal order of international law for the benefit of which the [Member] States have limited their sovereign rights ...'

Under Article 19 of the [Treaty on European Union](#), the role of the Court is to:

ensure that in the interpretation and application of the Treaties the law is observed.

In clarifying and expounding EU legal rights, the Court has often adopted a more liberal and much wider interpretation of EU legislation than a mere literal reading would merit. Many of its decisions have had important consequences for the lives of individual citizens and businesses.

For example:

### **Employment rights**

The [Defrenne](#) case where the Court held that the Treaty provisions prohibiting discrimination were so fundamental that they could be enforced by an individual not only

vertically against their government but horizontally against their employer. Consequently, a Belgian air hostess was able to pursue a claim for equal pay for work of equal value compared to her male colleagues.

In [Dekker](#) the ECJ declared that a woman, who was refused employment because she was pregnant, had been directly discriminated against contrary to Community law. This ruling was expanded in the [Hertz](#) judgement to make it clear that it also applied during the period of pregnancy and maternity leave and in [Brown](#) where the Court ruled that dismissal of a woman employee during pregnancy for absences due to pregnancy related illness was unlawful discrimination.

[BECTU](#) in which the Court established that paid annual leave was the legal right of all employees including those on short-term fixed contracts and in the [Dominiguez](#) decision, which confirmed that such entitlement could not even be made conditional on a minimum period of 10 days' actual work.

### **The right to an effective judicial remedy**

In [Johnston](#) a woman officer in the Northern Ireland police force alleged sex discrimination arising out of a policy not to issue firearms to female staff purportedly on grounds of public safety. The procedure involved was by way of Ministerial certificate which claimed not to be challengeable before the courts. The policy led to the ending of full time contracts being offered to women. The ECJ ruled that excluding review of this procedure by the UK courts was contrary to the principle of a right to an effective judicial remedy.

### **Trade**

In the 1979 [Cassis de Dijon](#) decision the Court clarified the Community principle of the free movement of goods. As a result traders have the right to import into their own country any product coming from another Member State, provided that it was lawfully manufactured and marketed in the State of origin. The right is however, subject to some very strictly applied restrictions that may be necessary, for example, for the protection of health or the environment.

### **Professional Sport**

The [Bosman](#) decision in 1995 shook up the existing transfer regime in European soccer. The Court ruled that professional sport was an economic activity and so governed by the Community principle of the free movement of persons. Consequently, the exercise of that activity was not to be hindered by restrictive rules governing transfer or using quotas for players who were nationals of other Member States. The Bosman principle was expanded in later rulings to apply to professionals from third countries which had entered into an association agreement ([Deutscher Handballbund](#)) or a partnership agreement ([Simutenkov](#)) with the European Communities.

### **Services**

In [Cowan](#) a UK tourist who was seriously injured following an assault on the Paris Metro was according to the Court, as a tourist, a recipient of services and therefore could not be discriminated against on the grounds of nationality under the French criminal injuries scheme. Although the French rule denying compensation to non-French nationals did not itself act as barrier to free movement to provide/receive services, the Court ruled that non-discrimination in protection from harm had to be a corollary of that right. As a result he was entitled to claim the same criminal compensation as a French national.

## Proceedings

### Court of Justice

The four most common types of proceedings brought before the Court of Justice are:

- Requests for a preliminary ruling. Preliminary rulings help ensure that Community law is interpreted in a standard way throughout the Member States. A 'preliminary ruling reference' is made by a national court or tribunal which needs a decision on a question of Community law before it itself can give a judgement. The ECJ's decision is then applied to the national case. The ECJ is responsible for ensuring uniform application of EU law within the EU and under the Treaty of Nice in principle retains competence for investigating questions referred for a preliminary ruling; however, pursuant to Article 256 of the [TFEU](#) the Statute may entrust to the General Court the responsibility for preliminary rulings in certain specific matters.
- Proceedings for failure to fulfil an obligation. The Commission can initiate these proceedings if it has reason to believe that a Member State is failing to fulfil its obligations under EU law. These proceedings may also be initiated by another Member State. In either case, the Court investigates the allegations and gives its judgment. The accused Member State, if it is found to be at fault, must set things right at once.
- Proceedings for annulment. If any of the Member States, the Council, Commission or (under certain conditions) Parliament believes that a particular EU law is illegal they may ask the Court to annul it. These 'proceedings for annulment' can also be used by private individuals who want the Court to cancel a particular law because it directly and adversely affects them as individuals. If the Court finds that the law in question was not correctly adopted or is not correctly based on the treaties, it may declare the law null and void.
- Proceedings for failure to act. The Treaty requires the European Parliament, the Council and the Commission to make certain decisions under certain circumstances. If they fail to do so, the Member States, the other EU institutions and (under certain conditions) individuals or companies can lodge a complaint with the Court so as to have this violation officially recorded.

The Court of Justice can only decide matters of EU law - it is not a court of appeal against decisions of national courts.

The working language of the Courts is French, which is used for judges' confidential deliberations. In preliminary rulings, the ECJ uses the same language as the referring court; in a direct action the language of the case is chosen by the applicant. The only 'authentic' text of a judgement is the one in the language of the case.

### General Court

The General Court (previously the European Court of First Instance) hears cases brought by 'natural or legal persons' in direct actions against EU institutions. It does not hear cases brought by the institutions or Member States. Initially, the ECFI's jurisdiction was limited to cases concerning competition, those involving staff of the Community institutions, and those brought against the European Commission under the ECSC Treaty which involved levies, production quotas, prices, restrictive agreements or concentrations. However, the Treaty on European Union and the Treaty of Nice extended the ECFI's jurisdiction.



Details of the current jurisdiction of the General Court are set out in Article 256 of the [TFEU](#). According to the [Court's website](#), the Court has jurisdiction to hear:

- direct actions brought by natural or legal persons against acts of the institutions, bodies, offices or agencies of the European Union (which are addressed to them or are of direct and individual concern to them) and against regulatory acts (which concern them directly and which do not entail implementing measures) or against a failure to act on the part of those institutions, bodies, offices or agencies; for example, a case brought by a company against a Commission decision imposing a fine on that company;
- actions brought by the Member States against the Commission;
- actions brought by the Member States against the Council relating to acts adopted in the field of State aid, 'dumping' and acts by which it exercises implementing powers;
- actions seeking compensation for damage caused by the institutions of the European Union or their staff;
- actions based on contracts made by the European Union which expressly give jurisdiction to the General Court;
- actions relating to Community trademarks;
- appeals, limited to points of law, against the decisions of the European Union Civil Service Tribunal;
- actions brought against decisions of the Community Plant Variety Office or of the European Chemicals Agency.

### **Civil Service Tribunal**

Under Article 270 of the [TFEU](#), the Tribunal has jurisdiction to hear disputes between the EU and its staff. Such disputes concern issues about working relations (e.g. pay, career progress, recruitment, disciplinary measures) and social security (e.g. sickness, old age, invalidity, accidents at work, family allowances).

According to the [Tribunal website](#), it also has jurisdiction:

in disputes between all bodies or agencies and their staff in respect of which jurisdiction is conferred on the Court of Justice of the European Union (for example, disputes between Europol, the Office for Harmonisation in the Internal Market (OHIM) or the European Investment Bank and their staff).

### **Workload**

Each year the Court provides a retrospective and selective overview of what it regards as the important judgements of the past year, across the range of its jurisdiction. This case summary and review, along with Statistical analysis of all cases (brought, completed and pending, subject matter, historical comparisons etc) is published in the [Annual Report](#) of the Court.

The historical expansion and growth of litigation at ECJ level can be gauged from the following table:

Year	ECJ - cases brought (cases completed) [cases pending]	CFI/General Court - cases brought (cases completed) [cases pending]
1970	79	-
1975	130	-
1980	279	-
1985	433	-
1990	384 (302) [583]	59 (82) [145]
1991	343 (288) [638]	95 (67) [173]
1992	440 (344) [734]	123 (125) [171]
1993	490 (792) [432]	596 (106) [661]
1994	351 (292) [491]	409 (442) [628]
1995	415 (287) [619]	253 (265) [616]
1996	423 (348) [694]	229 (186) [659]
1997	445 (456) [683]	644 (186) [1,117]
1998	485 (420) [748]	238 (348) [1,008]
1999	395 (543) [896]	384 (659) [732]
2000	503 (526) [873]	398 (344) [786]
2001	504 (434) [943]	345 (340) [792]
2002	477 (513) [907]	411 (331) [872]
2003	561 (494) [974]	466 (339) [999]
2004	531 (665) [840]	536 (361) [1174]
2005	474 (574) [740]	469 (610) [1033]
2006	537 (546) [731]	432 (436) [1029]
2007	581 (570) [742]	522 (397) [1154]
2008	593 (567) [768]	629 (605) [1178]
2009	562 (588) [742]	568 (555) [1191]
2010	631 (574) [799]	636 (527) [1300]
2011	688 (638) [849]	722 (714) [1308]
2012	632 (595) [886]	617 (688) [1237]

The problems posed by this substantial rise in workload (which slowed down the delivery of judgements) together with the prospect of additional countries joining the Union were addressed in a number of papers presented in the run-up to the [Intergovernmental Conference](#) (IGC) of 2000, prior to the adoption of the Treaty of Nice:

- An independent Working Party chaired by Ole Due - a former President of the ECJ - delivered a report on the future of the Communities' court system in February 2000 (the [Due Report](#)).
- In March 2000 an 'Additional Commission contribution to the Intergovernmental Conference on institutional reform - Reform of the Community courts' ([COM \(2000\)109](#)) was issued by the Legal Service of the Commission. It proposed greater responsibilities for the national courts in preliminary ruling procedures, extending the jurisdiction of the CFI in direct actions and modifying membership of the Courts.

Based on these papers and discussions, the Treaty of Nice (see [Summaries of EU legislation](#)) instituted major reforms to the Union's legal system, seeking to share tasks between the ECJ and the CFI more effectively by expanding the role of the CFI and leaving the ECJ to deal with more important issues.

In 2004, the Court proposed amendments to its Rules of Procedure, with a view to shortening the duration of proceedings. The amendments were adopted in July 2005, following a discussion within the Council, and entered into force in October 2005.

According to [The Court of Justice in 2005: changes and proceedings](#) (extract from the Court's Annual Report 2005):

The cumulative impact of the measures adopted to improve the effectiveness of the Court's working methods and of the arrival of 10 new judges following enlargement remains very evident in the statistics concerning the Court's judicial activity in 2005. A reduction of approximately 12% in the number of cases pending and a very substantial decrease in the duration of proceedings before the Court may be noted.

The Introduction of the Civil Service Tribunal in 2005 was a significant step towards freeing up the system, and was followed in 2007 by changes to the ECJ Statute and Rules of Procedure in order to establish an urgent preliminary ruling procedure, enabling questions relating to the area of freedom, security and justice referred for a preliminary ruling to be dealt with quickly. The new procedure entered into force early in 2008 (see extract from the Court's Annual Report 2007 [The Court of Justice in 2007: changes and proceedings](#)).

From 2008, the Court has attempted to improve efficiency by making 'wider use of the various procedural instruments at its disposal to expedite the handling of certain cases, in particular the urgent preliminary ruling procedure, priority treatment, the accelerated or expedited procedure, the simplified procedure and the possibility of giving judgment without an opinion of the Advocate General'. The possibility offered by Article 20 of its Statute of determining cases without an opinion of the Advocate General where they do not raise any new point of law', saw some 53% of judgments in 2012 delivered without an Opinion, compared to 46% in 2011 and 50% in 2010 (see [Annual Report 2012](#), Annual Report 2011 - [Proceedings of the Court of Justice](#) section). On 6 November 2012, [Recommendations to national courts and tribunals in relation to the initiation of preliminary ruling proceedings](#) was published in the Official Journal.

Celebrating the 20th anniversary of the CFI in September 2009, CFI President Marc Jaeger noted in [Is it time for reform?](#) that the CFI's workload poses a real challenge to the Court, which:

... must evolve and adapt to the new reality of the cases before it. This is absolutely vital if the Court is to be able to continue to perform fully the role assigned to it. Two avenues are available: the first would consist in radically redefining the Court's very conception of its decisions. It could condense them in the extreme, without setting out the multiple stages in reasoning or replying in detail to all of the arguments raised. To my mind, that cure would be worse than the disease. In the complex areas with which it deals, where much is at stake, the Court of First Instance has built its legitimacy on the intelligibility, transparency and reasoning of its case-law. In the background, there is the idea that a judicial decision must not only determine the dispute before the court, but also enable stakeholders, whether private or institutional, to understand, accept and adapt to the legal environment outlined by the court in interpreting and applying the law.

It is therefore the second avenue which should be explored, namely that of reforming the judicial structure. With regard to the Court of First Instance, the Treaties have laid down two mechanisms for meeting the pressing need to increase judicial productivity to a level which can be maintained: increasing the number of judges, and the staff at their disposal, or creating a new, specialist court with jurisdiction over a specific area, to be ceded by the Court of First Instance (similar to what has already happened, in 2005, with Community staff cases). Intellectual property litigation (in particular Community trade mark cases) could lend itself to such a transfer of jurisdiction.

The 2012 [Annual Report](#) reveals the following snapshot of the work of the two main courts:

### **Court of Justice**

The ECJ completed 527 cases in 2012 (net figures, that is to say, taking account of the joinder of cases), a drop compared with the previous year (550 cases completed in 2011).

Of those cases, 357 were dealt with by judgments and 168 gave rise to orders.

In 2012 the Court had 632 new cases brought before it (without account being taken of the joinder of cases on the ground of similarity), which although a decrease of some 8% compared with 2011 (688 new cases) still constitutes the second highest annual number of cases brought in the Court's history.

In 2012, the number of references for a preliminary ruling (404) was the second highest reached in the Court's history - the largest number being for 2011 (423; 385 in 2010; 302 in 2009).

The number of appeals lodged in 2012 was 136, which was fewer than the 162 in 2011, but still far more than the 97 lodged in 2010. The number of direct actions continued to fall: from 221 in 2007 to 73 in 2012.

The average time taken to deal with references for a preliminary ruling fell from 16.4 months in 2011 to 15.7 months in 2012.

The average time taken in 2012 to deal with direct actions and appeals was 19.7 months and 15.3 months respectively (compared with 20.2 and 15.4 months in 2011 and 16.7 and 14.3 months in 2010).

### **General Court**

In 2012, 617 new cases were registered at the General Court - compared to 722 in 2011 and 636 in 2010. Fewer cases were completed in 2012 (688) than in 2011 (714), but more than in 2010 (527).

### **Administration and location**

Each of the Courts and the Tribunal has its own Registrar, appointed for six years, whose duties include maintaining the files of pending cases and drawing up minutes of judgements, orders and other decisions. The Courts are supported by various [departments](#).

As at 31 December 2011 there were 2076 posts (civil servants, temporary and contract workers) authorised for the Court of Justice (see [the court in figures](#) )

All three courts sit in Luxembourg. The central postal address, telephone and fax numbers are:

Court of Justice of the European Communities L-2925 Luxembourg  
Tel: 00 352 4303 1  
Fax: 00 352 4303 2600 (switchboard)

A detailed contacts list is available via the [EU Who is who](#) directory.

## Information sources in the ESO database

Find updated and further information sources in the ESO database:

### [2.8 Court of Justice of the European Union \[all categories\]](#)

- [Key Source](#)
- [Legislation](#)
- [Policy-making](#)
- [Report](#)
- [Statistics](#)
- [News source](#)
- [Periodical article](#)
- [Textbook, monograph or reference](#)
- [Background](#)

#### [2.8.a European Court of Justice](#)

#### [2.8.b General Court](#)

## Further information sources on the internet

- Court of Justice
  - [Homepage](#)
    - [General presentation](#)
    - [Court of Justice](#)
    - [General Court](#)
    - [Civil Service Tribunal](#)
    - [Press releases](#)
    - [Annual report](#)
    - [Legal publications](#) (includes Judgments and Opinions, Texts governing procedure, and Library, Research and Documentation)
    - [Case law](#) (simple search)
    - [Case law](#) (advanced search)
    - [Case law](#) (browse by number)
    - [Digest of the case-law](#) (summaries)
    - [Reflets: Quick information on legal developments of Community interest](#) (in French only; issues since 2010 in English via the Association of the Councils of State and Supreme Administrative Jurisdictions of the European Union [website](#))
    - [Alphabetical Table of Subject-matter](#) (in French only)
    - [Annotations of judgments](#)
    - [Historic case-law judgments in the 2004 and 2007 accession languages](#)
    - [Application of Community law by national courts: a survey](#)
    - [Courts of the Member States of the European Union: state of the court systems as at 1 January 2007](#) (in French only)
- Europa
  - [The Court of Justice](#)
  - Europe on the move: [How the European Union works](#)
  - Policy areas: [Institutional affairs](#)
  - Summaries of EU legislation
    - [European and international courts](#)
    - [The decision-making process and the work of the institutions](#) (includes a sub-section on Enforcement of Community instruments, with links to a number of fact sheets, including: [The direct effect of European law](#), [Precedence of European law](#), [Proceedings for failure to fulfil an obligation](#),

[Proceedings for failure to act](#), [Action for liability](#), [The reference for a preliminary ruling](#))

- European Commission: DG Communication
  - [RAPID](#) press releases database - [Court of Justice's Documents](#) (pre-set search)
  - EU news: [Institutional affairs](#)
- European Union: EUR-Lex  
The text of proposed and adopted legislation relating to the Court of Auditors can be found via EUR-Lex:
  - [Proposed](#) - 01 General, financial and institutional matters - [01.40.50 Court of Justice](#)
  - [Adopted](#) (01 General, financial and institutional matters - 01.40.50 Court of Justice)
  - [Treaty on European Union](#) Articles 13, 19
  - [Treaty on the Functioning of the European Union](#) Articles 251-281
- Court of Justice of the European Union: Opinions and judgments since June 1997 (on the [search form](#), use appropriate terms in 'Words in the text' or search by 'Names of parties' using 'court of justice')
- European Parliament: OEIL  
[Homepage](#). Search by Words or phrases or (choose 'state and evolution of the Union' - 'Institutions of the Union' - 'Court of Justice, Court of First Instance')
- European Commission: PreLex  
[Homepage](#). In [standard search](#) use 'court of justice' or other appropriate term
- European Parliament
  - [Committee on Legal Affairs](#) (JURI)
- European Parliament: Fact Sheets
  - Fact Sheet on [The Court of Justice, the Court of First Instance and the Civil Service Tribunal](#) and on [Sources and scope of European Union law](#)

**Eric Davies**  
**ESO Information Consultant**  
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