

LEGAL DEVELOPMENT

A QUAGMIRE OF DELAYS AT THE EUROPEAN GENERAL COURT: ANY ESCAPE?

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§1. INTRODUCTION

The European General Court's inability to cope with an ever-expanding caseload has become an increasingly visible dilemma, with no simple solutions in sight. The rising workload stems from various sources. Since its creation in 1989, the General Court's jurisdiction has broadened a number of times. Initially limited only to competition proceedings, Community civil service cases, and actions for damages, the General Court is now also charged with, notably, hearing all direct actions brought by natural and legal persons against the EU institutions' acts. The number of cases before the General Court has also markedly grown due to the increase in trademark cases.¹ The EU's growing legislative activity has further contributed to the influx of cases.

The total number of new cases issued at the General Court has steadily increased in the past years, from 474 cases in 2007, to 722 cases in 2011, to an unprecedented 912 cases in 2014.² The General Court has been ill-equipped to deal with this mounting workload, often leading to long delays in delivering judgments that are frustrating to judges and parties alike. In response, a growing tide of complainants are pursuing compensation before the European Courts for damages resulting from prolonged proceedings.

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¹ Intellectual property cases represented 37% and 38% of cases before the General Court in 2013 and 2012. See Court of Justice of the European Union, *Annual Report 2013 (Synopsis of the work of the Court of Justice, the General Court and the Civil Service Tribunal)*, p. 177.

² Court of Justice of the European Union, *Annual Report 2014 (Synopsis of the work of the Court of Justice, the General Court and the Civil Service Tribunal)*, Section A – General Court, p. 1.