

THE IMPORTANCE OF STATISTICAL ANALYSIS OF THE ACTIVITY OF THE COURT OF JUSTICE OF THE EUROPEAN UNION WITH A FOCUS ON PRELIMINARY REFERENCES

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Abstract

This article examines the importance of statistical analysis in comprehending the development and consequences of preliminary references within the Court of Justice of the European Union. This study examines the distribution of preliminary references from 2018 to 2022, focusing on trends, legal domains, and the participation of Member States. The results underscore the growing dependence on the Court of Justice of the European Union for the elucidation and implementation of European Union legislation. These references encompass a wide range of topics, including fundamental rights, policy domains, economic harmonization, and social measures. The analysis aims to identify emerging trends and challenges, with a particular focus on the significance of harmonizing legal interpretations and achieving uniformity among Member States. Statistical analysis is an indispensable tool for policymakers and legal practitioners, as it offers valuable insights that facilitate informed decision-making, policy formulation, and the ongoing enhancement of the legal framework within the European Union. Through the augmentation of legal certainty and coherence, the European Union has the potential to foster a more unified and lucid legal framework, thereby bolstering the overall cohesion and integrity of the European Union.

Keywords: *statistical analysis, preliminary rulings, Court of Justice of the European Union (CJEU), legal trends, harmonization, EU law, coherence, uniformity.*

I. Introduction

The preliminary reference procedure is of paramount importance in guaranteeing the consistent interpretation and implementation of European Union (EU) law among member states. The mechanism of enabling national courts to seek guidance from the Court of Justice of the European Union (CJEU) on matters pertaining to EU law serves

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to foster legal consistency and facilitate the harmonization of legal practices across the European Union. To fully grasp the importance of preliminary references and their impact on the legal framework of the EU, it is imperative to conduct an analysis of statistical data pertaining to these references, including their patterns and changes observed over a period of time.

The primary objective of this comprehensive analysis is to examine the significance of conducting statistical analysis on preliminary references, while also investigating the emerging patterns and viewpoints they unveil within the European Union. Through the analysis of statistical data, it becomes feasible to discern recurring patterns, ascertain the extent of cooperation between national courts and the Court of Justice of the European Union, assess the efficacy of the CJEU, and obtain valuable insights into the domains of law that necessitate additional elucidation or scrutiny. An examination of the progression of preliminary references in the recent years, specifically from 2018 to 2022, offers a comprehensive outlook on the advancement of the Court of Justice of the European Union's legal decisions and its ability to adjust to the changing legal environment within the European Union. The European Union can occasionally be likened to a lighthouse, providing guidance amidst tumultuous circumstances¹.

Furthermore, conducting an analysis of the allocation of initial references across various domains and member states provides significant insights into the priorities and legal considerations of both individual member states and the European Union as a collective entity. Through the examination of these patterns, it is feasible to foresee potential obstacles that may arise during the execution of European Union law, as well as to pinpoint specific domains where the Court of Justice of the European Union may be required to intervene in order to guarantee coherence and consistency in the interpretation and application of said law. The objective of this analysis is to improve the ability to predict, comprehend, and make transparent the legislation and jurisprudence of the European Union. This will aid stakeholders in adjusting to and complying with legislative and judicial advancements. In light of these considerations, this paper aims to provide a comprehensive examination of preliminary references, their statistical analysis, and their implications for the EU legal framework. By delving into the trends and perspectives revealed by these references, it seeks to contribute to a better understanding of the functioning and effectiveness of the EU legal system and provide insights for further improvement.

§1. General Overview of Statistic

The utilization of statistical analysis is of great importance in comprehending the dynamics, trends, and perspectives of preliminary references within the legal framework

¹ V. Stoica, D. Bogdan, C. Pintiilie. *A possible and necessary dialogue: an introduction*, in CJUE and CCCR identities in dialogue, Universul Juridic, Bucharest, 2022, p. 22.

of the European Union. The analysis and interpretation of statistical data pertaining to preliminary references offer significant opportunities to gain valuable insights into the utilization, patterns, and implications of this crucial mechanism. Additionally, it allows for the observation of the level of integration² among member states within the European Union, which was the primary objective of the initial data collection effort. This section presents a comprehensive overview of the statistical analysis of preliminary references, highlighting its importance and the valuable insights it provides into the operation and efficacy of the European Union legal framework.

The examination of preliminary references through statistical analysis plays a crucial role in understanding the advancement and usage trends of European Union legislation, as well as in the interpretation of European Union law. This analysis enables the examination of the interactions between member states and the Court of Justice of the European Union, as well as the utilization of the preliminary reference mechanism by national courts to guarantee consistent interpretation and application of European Union law. Through the analysis of statistical data, it becomes feasible to discern patterns in the volume of preliminary references and the specific subject matters that capture the attention of national courts.

A sudden surge in the quantity of preliminary questions within a specific field could potentially signify a necessity for further elucidation regarding the legal framework or jurisprudence of the Court of Justice of the European Union pertaining to that particular domain. These observations indicate the potential for identifying initial challenges or practical barriers encountered by member states when implementing EU legislation. As a result, the utilization of statistical analysis plays a pivotal role in assessing the extent of cooperation between national courts and the Court of Justice of the European Union, thereby contributing to the effective operation of the legal framework within the European Union.

In addition, the utilization of statistical analysis allows for the investigation of the frequency of preliminary rulings according to the country of origin. This analysis can be employed to detect discrepancies among member states with regards to their individual legal frameworks and their degree of engagement in the interpretation and application of European Union legislation. This approach enables the identification of countries that may necessitate further support in addressing implementation challenges or strengthening collaboration with the Court of Justice of the European Union.

The effectiveness of the Court of Justice of the European Union can be assessed by analyzing statistical data pertaining to preliminary references and the duration of procedures. This data has the potential to offer valuable insights into the European Court of Justice's ability to effectively manage cases and address inquiries originating from national courts. The observation mentioned above may serve as a catalyst for a

² Alec Stone Sweet & Thomas L. Brunell (1998) *The European Court and the national courts: a statistical analysis of preliminary references, 1961-95*, "Journal of European Public Policy", 5:1, 66-97.

reevaluation and enhancement of the methodologies utilized by the Court of Justice of the European Union, with the objective of more effectively addressing the needs of national courts and promoting expeditious and effective administration of justice in the realm of European Union law implementation and clarification.

The utilization of statistical analysis of preliminary references serves as a crucial method for monitoring and assessing the efficacy of the European Union's legal framework. The utilization of this tool facilitates the identification of patterns and areas of concern, thereby promoting effective collaboration between national courts and the Court of Justice of the European Union. Moreover, it facilitates the establishment of an informed policy framework and enhances comprehension of the implementation of EU legislation and jurisprudence within a range of member states. This methodology aids in the anticipation of prospective challenges that may arise in the application of European Union law, as well as in the identification of domains where the Court of Justice of the European Union may be required to intervene in order to guarantee coherence and uniformity in the interpretation and execution of said law. As a result, it possesses the capacity to improve the foreseeability and clarity of the implementation of European Union law, thereby facilitating the adjustment and adherence of relevant parties to legislative and judicial advancements.

§2. Analyzing Trends and Perspectives

An analysis of the evolution of preliminary references from 2018 to 2022 offers a comprehensive insight into the development and adaptation of the practice of the Court of Justice of the European Union in recent years. This section provides a more comprehensive analysis of the development of preliminary references during this specific timeframe, placing emphasis on their dissemination across various domains and member states.

In order to enhance comprehension regarding the progression of preliminary references from 2018 to 2022³, it is imperative to take into account the quantity of references per annum. The data demonstrates a pattern of fluctuation in preliminary references, which can be attributed to the diverse shifts in dynamics and legal interests among member states and the European Union as a collective entity. An in-depth examination of the allocation of preliminary references across various legal domains and member states provides insights into the priorities and legal obstacles encountered by these entities. It also highlights the proactive engagement of national courts in resolving cross-border legal matters and upholding the consistency of European law.

Upon conducting a more in-depth examination of the distribution of preliminary references across various legal domains, it becomes evident that certain domains

³ M.A. Gaudissart, *Statistics concerning the judicial activity of the Court of Justice: "A brief overview of the main statistical trends over the past year"*, available online at: https://curia.europa.eu/jcms/jcms/Jo2_7032/en/.

exhibit a greater propensity for attracting references. Notably, domains such as the interpretation of laws, environmental policy, consumer protection, and social security stand out as drawing a higher volume of references. This observation suggests that these regions pose intricate legal obstacles that necessitate the participation of the CJEU in order to guarantee a uniform interpretation and implementation of EU legislation.

An additional critical aspect to consider when examining the development of preliminary references from 2018 to 2022 pertains to their allocation among member states. Upon examination of the provided data, it becomes apparent that there exists a disparity among member states in terms of the quantity of preliminary references they initiate. Germany, Italy, and Spain⁴ are responsible for a substantial proportion of preliminary references, whereas countries such as Malta and Cyprus initiate only a limited number of such references. The aforementioned distribution serves to underscore the variations in member states' interactions with the Court of Justice of the European Union and their engagement in resolving transnational legal matters, thereby upholding the consistency of European law.

Examining the allocation of initial citations in the year 2022 across various fields facilitates a more holistic comprehension of the juridical terrain. During the current year, a considerable volume of scholarly literature has been dedicated to the subjects of agriculture, legal harmonization, and freedom, security, and justice. The legislative framework of the European Union encompasses a wide range of policy areas, such as Union citizenship, trade policy, common fisheries policy, external relations, common security and defense policy, company law, competition, consumer protection, customs union, common customs tariff, economic and monetary policy, economic, social, and territorial cohesion, energy, environment, European Regional Development Fund, and EU external action. The provided information offers valuable insights into the priorities and legal considerations that are being addressed by the European Union and its member states.

A comprehensive understanding of the implementation of European Union political objectives in legal practice can be acquired through an analysis of the allocation of preliminary references across different domains in the year 2022. The growing body of literature on the topics of freedom, security, and justice is indicative of the European Union's endeavors to enhance collaboration in the domains of justice and internal affairs. This is exemplified by the request for a preliminary ruling from the Court regarding data protection, which encompasses the interpretation of the General Data Protection Regulation (GDPR)⁵. The observed disparity in the allocation

⁴ Arthur Dyevre, Monika Glavina & Angelina Atanasova (2020) *Who refers most? Institutional incentives and judicial participation in the preliminary ruling system*, "Journal of European Public Policy", 27:6, 912-930.

⁵ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (OJ L 119, 4 May 2016, p. 1).

of preliminary references across various domains in the year 2022 indicates the presence of difficulties in the interpretation and implementation of European Union law within specific nations. A smaller quantity of initial references pertaining to trade policy, such as in the case of legislation governing this area within the European Union, may suggest that the regulatory framework is unambiguous and readily implementable. On the contrary, an increased quantity of references pertaining to competition indicates the necessity for elucidation and establishment of a standardized legal framework that governs this domain.

Moreover, there is a correlation between the allocation of initial references based on region in the year 2022 and the evolution of jurisprudence by the Court of Justice of the European Union. The inclusion of a significant number of initial references within a particular domain can enhance the clarity and consolidation of jurisprudence by the Court of Justice of the European Union in that specific field. Consequently, this fosters a standardized and homogeneous enforcement of European legislation among diverse member nations.

A comprehensive understanding of the European legal context can be obtained through an in-depth analysis of the distribution of preliminary references by domain in 2022. The document encompasses data pertaining to the formulation of political agendas, difficulties in the interpretation and implementation thereof, and the progression of CJEU legal precedents. Additionally, it examines the repercussions of the COVID lockdowns on the legal framework.

A more comprehensive understanding of the legal framework of the European Union can be obtained by conducting an analysis of statistical data, trends, and perspectives as indicated by preliminary references. This analysis underscores the significance of employing statistical analysis to acquire a deeper understanding of the operation and efficacy of the European Union's legal framework, identifying legal obstacles, and offering potential avenues for enhancement.

II. Analysis of the Impact of the Digitalization of the CJEU Registry

The implementation of digitalization in the registry of the Court of Justice of the European Union has resulted in notable transformations and improvements in the operational and procedural aspects of the court. The objective of this section is to conduct an analysis of the influence of digitalization on the CJEU registry, encompassing an exploration of its advantages, difficulties, and consequences for the operational aspects of the court. The Court of Justice of the European Union has experienced a significant transformation by adopting digital technologies, leading to a revolutionary change in the management and processing of legal documents.

One of the key benefits associated with the digitalization of the Court of Justice of the European Union registry is the enhanced accessibility and efficiency it provides.

The adoption of digital platforms has facilitated the efficiency of filing, managing, and retrieving legal documents, replacing traditional paper-based systems. The advent of electronic filing systems has facilitated the submission of pleadings, applications, and supporting documents by litigants and legal professionals through online platforms, thereby obviating the necessity for physical submission. The implementation of this system has not only alleviated the administrative workload for all parties involved but has also accelerated the overall proceedings by eliminating the time-consuming processes associated with physical document management.

In addition, the process of digitalization has facilitated the establishment of a centralized and easily searchable database by the Court of Justice of the European Union. This database provides convenient access to a wide range of legal materials, including case law, judgments, and legal documents. Through the process of digitization and indexing, the court has effectively increased its level of transparency and streamlined the accessibility of these resources for legal professionals, scholars, and the wider public. The ability to efficiently access pertinent data, examine previous rulings, and analyze the dynamic legal precedents of the Court of Justice of the European Union has enabled researchers to make valuable contributions to the advancement of European Union law.

The implementation of digitalization has resulted in notable advantages in terms of cost reduction and resource optimization for the CJEU registry. Through the elimination of the necessity for expansive physical storage facilities and the reduction of paper consumption, the court has successfully attained significant cost savings and demonstrated a commitment to environmental sustainability. The utilization of digital storage for legal documents guarantees their enduring preservation and convenient accessibility, mitigating the potential hazards associated with physical decay or misplacement. Furthermore, the implementation of electronic communication and document exchange systems has effectively reduced the reliance on postal services and the accompanying expenses, thereby enhancing the court's allocation of resources.

The implementation of digitalization in the registry of the Court of Justice of the European Union has brought about a significant transformation in the management of cases and the facilitation of collaboration among judges, legal practitioners, and court personnel. Digital platforms offer a means for judges and their teams to effectively handle their caseloads, retrieve pertinent documents, and engage in secure communication within a centralized system. This feature enhances the efficiency of collaboration by allowing judges to engage in remote work, exchange perspectives, and collectively engage in deliberations regarding legal cases. The implementation of digital tools by the Court of Justice of the European Union has significantly improved the court's capacity to handle a substantial caseload, thereby facilitating the prompt and efficient administration of justice.

Nevertheless, despite the myriad advantages that digitalization has brought, it has also presented certain obstacles that necessitate resolution for its efficient execution. One such challenge pertains to the imperative task of safeguarding data security and privacy, which has emerged as a matter of utmost significance⁶. In contemporary times, the storage and transmission of legal documents, sensitive information, and personal data have transitioned to electronic platforms, necessitating the implementation of rigorous safeguards to mitigate the risks associated with unauthorized access and cyber threats. The Court of Justice of the European Union has implemented sophisticated encryption protocols, robust authentication mechanisms, and stringent data protection regulations to ensure the confidentiality and integrity of the information processed within its digital infrastructure. Continuous monitoring and regular audits play a crucial role in the identification of vulnerabilities and the maintenance of a robust level of data security.

In addition, the process of digitalization necessitates a resilient technological framework that can effectively manage substantial quantities of data and guarantee uninterrupted functionality. The Court of Justice of the European Union has made substantial investments in information technology (IT) infrastructure, encompassing servers, databases, and network systems, with the aim of facilitating and advancing its digital transformation efforts. Furthermore, the implementation of comprehensive training programs has been undertaken to provide court staff, judges, and legal professionals with the requisite skills and knowledge to proficiently navigate digital platforms and effectively utilize the tools at their disposal. Ongoing training and regular updates are imperative in order to stay abreast of technological advancements and to ensure the optimal utilization of digital resources.

Consequently, the implementation of digitalization in the registry of the Court of Justice of the European Union has had a significant influence on the functioning of the court, resulting in improved accessibility, efficiency, and collaboration. The modernization of processes within the CJEU has been facilitated by the implementation of electronic filing systems, centralized databases, and digital tools. These advancements have resulted in the optimization of resource allocation and the enhancement of case management. Nevertheless, it is imperative to meticulously tackle obstacles such as data security and technological infrastructure in order to guarantee the prosperous execution and enduring viability of the digitalization endeavors. By effectively managing the advantages of digitalization while adequately addressing its challenges, the Court of Justice of the European Union can sustain its crucial position in the legal framework of Europe and promote a justice system that is more accessible and efficient.

⁶ J. Bovenberg, D. Peloquin, B. Bierer, M. Barnes, B.M. Knoppers, *How to fix the GDPR's frustration of global biomedical research* in "Science 370" (6512), 40-42, 2020.

III. The Importance of Statistical Analysis of Preliminary References: Trends and Perspectives of the EU

The examination of preliminary references through statistical analysis is of paramount importance in comprehending the advancement, trends, and explication of European Union legislation. This section highlights the importance of employing statistical analysis to examine the dynamic relationship between the Member States and the Court of Justice of the European Union. It also underscores the role of national courts in utilizing the preliminary reference mechanism to guarantee a consistent interpretation and application of European Union law. The utilization of statistical analysis facilitates the discernment of patterns in the volume of preliminary references and the specific subject matters that capture the attention of national courts. The tool aids in identifying emerging concerns or practical challenges encountered by Member States during the execution of European Union legislation. The aforementioned analysis holds significant importance in the evaluation of the extent of collaboration between national courts and the Court of Justice of the European Union, the assessment of the effectiveness of the legal system of the European Union, and the improvement of comprehension and application of EU law within diverse Member States.

The utilization of statistical analysis on preliminary references yields significant insights pertaining to the patterns and domains of interest within national courts. Through an analysis of the number of initial references within particular domains, it is feasible to discern areas that require further elucidation of legal frameworks or CJEU jurisprudence. An abrupt surge in the quantity of citations within a specific field may suggest the necessity for further elucidation of the legal framework or case law established by the Court of Justice of the European Union pertaining to that particular domain. This implies the potential for detecting initial challenges or pragmatic barriers encountered by Member States when enacting EU legislation. Statistical analysis plays a crucial role in anticipating potential challenges in the implementation of European Union legislation and identifying areas of interest for national courts. This analysis aids in identifying situations where intervention from the Court of Justice of the European Union may be necessary to ensure coherence and consistency in the interpretation and implementation of EU laws.

The assessment of the degree of collaboration between national courts and the Court of Justice of the European Union is of utmost importance in ensuring the effective operation of the legal framework within the European Union. The utilization of statistical analysis facilitates the evaluation of the judicial discourse that takes place between national courts and the Court of Justice of the European Union. The presence of a substantial quantity of preliminary references has the potential to serve as an indicator of the level of trust that national courts place in the Court of Justice of the European Union and its acknowledged expertise in the interpretation and application

of European Union law. Through the examination of statistical data pertaining to the quantity of preliminary rulings, categorized by the country of origin, it becomes feasible to discern discrepancies among Member States in relation to their individual legal frameworks and the extent of their engagement in the interpretation and execution of European Union legislation. This approach has the potential to enhance the identification of nations that may necessitate supplementary support in addressing implementation challenges or enhancing their cooperation with the Court of Justice of the European Union.

The efficacy of the Court of Justice of the European Union can be assessed through the utilization of statistical information pertaining to preliminary references and the temporal duration of legal proceedings. This data offers valuable insights into the European Court of Justice's ability to effectively manage cases and address the demands made by national courts. The aforementioned observation has the potential to prompt a reassessment and enhancement of the procedures employed by the Court of Justice of the European Union, with the objective of more effectively meeting the demands of national courts and facilitating expeditious and effective administration of justice in the application and interpretation of EU law. Through the analysis of the initial reference statistics, which serve as a crucial instrument for monitoring and evaluating the efficacy of the legal framework within the European Union, it becomes feasible to identify patterns and areas of concern. This enables the promotion of effective collaboration between national courts and the Court of Justice of the European Union, ensuring efficiency in their joint efforts. Moreover, it enhances the facilitation of a more comprehensive policy framework and a heightened comprehension of the implementation of European Union legislation and case law across diverse Member States. This methodology has the potential to facilitate the anticipation of prospective obstacles in the execution of European Union legislation, as well as the identification of domains where the Court of Justice of the European Union may be required to intervene in order to guarantee coherence and uniformity in the interpretation and execution process. As a result, it possesses the capacity to improve the foreseeability and clarity of the implementation of European Union law, thus facilitating the adjustment and adherence of relevant parties to legislative and judicial advancements.

The utilization of statistical analysis on preliminary references is a crucial tool for the purpose of monitoring and assessing the efficacy of the legal framework within the European Union. This analytical approach enables the identification of patterns and the detection of areas that require attention. Statistical analysis plays a crucial role in enhancing the overall coherence, consistency, and predictability of the interpretation and implementation of European Union law. This is achieved through the examination of trends and areas of interest, evaluation of collaboration and confidence between national courts and the Court of Justice of the European Union, and assessment of the effectiveness of the CJEU. The aforementioned process enables

the recognition of prospective obstacles, the allocation of supplementary assistance to Member States, and the enhancement of the legal discourse between domestic courts and the Court of Justice of the European Union. Through the utilization of statistical analysis, the European Union has the potential to cultivate an effective, transparent, and standardized legal framework that guarantees the consistent implementation and advancement of EU legislation.

IV. The Evolution of Preliminary References in the Period 2018-2022: A Comprehensive and Detailed Perspective

The examination of the progression of preliminary references from 2018 to 2022 offers a thorough depiction of the manner in which the practice of the Court of Justice of the European Union has evolved and adjusted in the recent past. The purpose of this section is to provide a comprehensive review and analysis of the previously discussed preliminary references. Through an analysis of the comparative table depicting preliminary reference statistics over the course of the previous five years, one can acquire significant insights pertaining to the prevailing trends, patterns, and alterations in the dynamics and legal concerns of both the Member States and the European Union in its entirety.

In order to enhance comprehension regarding the progression of preliminary references from 2018 to 2022, it is imperative to take into account the quantitative analysis of preliminary references for each respective year. The number of preliminary references exhibited fluctuations over the years, with 568 references recorded in 2018, followed by an increase to 641 in 2019. Subsequently, the figure decreased to 557 in 2020, before experiencing a slight rebound to 567 in 2021. Finally, the number of preliminary references declined to 546 in 2022. The presented data illustrates a pattern of fluctuation in initial citations over a period of time, indicating diverse shifts in the dynamics and legal concerns of both the Member States and the European Union as a collective entity.

A more comprehensive examination of the allocation of initial references across legal domains and Member States throughout the period from 2018 to 2022 provides valuable insights into the focal areas and legal considerations of both the Member States and the European Union as a whole. Upon careful analysis of the provided table, it becomes evident that there are notable discrepancies in the quantity of preliminary references across various Member States. For example, Germany, Italy, and Spain recorded a substantial quantity of preliminary references, whereas countries such as Malta and Cyprus initiated only a limited number of preliminary references. The aforementioned distribution serves to emphasize the variations in the level of engagement exhibited by Member States with the Court of Justice of the European Union, as well as their participation in the resolution of legal matters that transcend national borders and the promotion of consistency within European legal frameworks.

Prior to conducting a comprehensive analysis on the evolution of preliminary questions, this paper aims to present a reconstructed comparative table of preliminary references statistics from the past five years.

	2018	2019	2020	2021	2022	Total
Belgium	40	38	36	36	30	180
Bulgaria	20	24	28	58	43	173
Czech Republic	12	5	9	8	13	47
Denmark	3	1	6	6	4	20
Germany	78	114	140	106	98	536
Estonia	2	3	3	2	4	14
Ireland	12	10	5	11	14	52
Greece	3	5	2	2	4	16
Spain	67	64	30	35	41	237
France	41	32	21	23	23	140
Croatia	3	10	4	5	4	26
Italy	68	70	44	46	63	291
Cyprus	1	1				2
Latvia	5	12	17	12	4	50
Lithuania	6	7	7	15	6	41
Luxembourg	4	6	3	5	2	20
Hungary	29	20	18	17	20	104
Malta		1				1
Netherlands	35	28	18	27	28	136
Austria	35	37	50	37	34	193
Poland	31	39	41	34	39	184
Portugal	15	14	17	20	28	94
Romania	23	49	20	38	29	159
Slovenia	2	5	2	7		16
Slovakia	6	10	6	2	7	31
Finland	6	7	7	10	6	36
Sweden	7	11	6	5	2	31
United Kingdom	14	18	17			49
Total	568	641	557	567	546	2879

The identification of trends and implications pertaining to the evolution of preliminary references within the EU legal system and its Member States between 2018 and 2022 holds significant importance. There is a discernible pattern characterized by a rise in the quantity of preliminary references across diverse legal domains, which signifies an escalating demand for elucidation of European legislation. The observed prevalence of preliminary references in specific fields, such as environmental policy, consumer protection, and social security, indicates the need for enhanced cooperation between national courts and the Court of Justice of the European Union in order to achieve a uniform application of European regulations.

The significance lies in the extensive range of legal aspects that were addressed through preliminary references during the period spanning from 2018 to 2022. This statement underscores the intricate and multifaceted legal challenges encountered by the Member States and the Court of Justice of the European Union in the context of a progressing European Union. The examination of initial sources suggests that the establishment of judicial communication between domestic courts and the Court of Justice of the European Union is of utmost importance in dealing with cross-border legal matters and promoting the consistency of the legal framework within the European Union.

Moreover, a comprehensive analysis of the allocation of preliminary references among Member States demonstrates varying levels of engagement in the preliminary reference procedure. States that exhibit a substantial quantity of preliminary references, such as Germany, Italy, and Spain, showcase a diligent approach and enthusiastic dedication to fostering judicial dialogue with the Court of Justice of the European Union. In contrast, nations exhibiting a lower frequency of preliminary references may indicate a more prudent stance or a possible deficiency in understanding the preliminary reference mechanism and its role in promoting harmonization of European law.

The time span encompassing 2018 to 2022 was characterized by the development of case law within the Court of Justice of the European Union, which demonstrated a convergence with emerging legal patterns. The Court of Justice of the European Union utilized preliminary references as a means to establish and elucidate elements of European law that were previously uncertain or necessitated uniform interpretation across Member States. Preliminary references have played a substantial role in bolstering and advancing the legal framework of the European Union, thereby improving the coherence and predictability of European regulations for both citizens and economic entities.

Nevertheless, the growing⁷ number of preliminary references in distinct legal domains and the active involvement of Member States also give rise to inquiries regarding the deficiencies of the preliminary reference system. For instance, from

⁷ E. Grippini-Fournier, *Preliminary References and the Workload of the Court of Justice: "Eh Bien, Dansez Maintenant!"*, "Maastricht Journal of European and Comparative Law" 21 (4), 771-781, 2014.

1995 to 2011, the Court was presented with more than 5,000 preliminary questions⁸. Additional analysis is required in order to comprehensively comprehend the factors contributing to the disparities among Member States in relation to the quantity of preliminary references and their strategies for resolving transnational legal matters. This topic concerns the assessment of the ability of national courts to effectively employ the preliminary reference mechanism, as well as the necessity for enhanced judicial communication between the Court of Justice of the European Union and national courts.

Hence, conducting a thorough examination of the development of preliminary references from 2018 to 2022 yields significant observations regarding emerging patterns, legal focal points, and obstacles within the legal framework of the European Union. Through an analysis of the distribution of preliminary references across various legal domains and Member States, a deeper comprehension of the European law's context and evolution can be attained. Data analysis plays a significant role in the identification of areas of concern, potential avenues for improvement, and the overall advancement of the legal framework within the European Union. The evolution of preliminary references exemplifies the dynamic characteristics of the legal system in the European Union and the continuous endeavors to guarantee consistent interpretation and application of European law among its Member States.

V. Trends and Implications of the Evolution of Preliminary References in the Period 2018-2022: In-depth Analysis and Broad Perspective

The period spanning from 2018 to 2022 witnessed notable developments in the realm of preliminary references, which carry profound ramifications for the legal framework of the European Union and its constituent Member States. The objective of this section is to present a thorough examination of the patterns and consequences resulting from this transformation, presenting a comprehensive viewpoint on the advancements and obstacles within the legal framework of the European Union.

Upon conducting an analysis of the trends pertaining to preliminary references over the period spanning from 2018 to 2022, a number of noteworthy observations can be made. To begin with, it is evident that there has been a consistent upward trend in the total quantity of preliminary references over time, which signifies a growing dependence on the Court of Justice of the European Union for the elucidation and implementation of European Union legislation. The aforementioned phenomenon demonstrates the increasing intricacy of legal matters emerging within the Member States and the necessity for the Court of Justice of the European Union to provide consistent guidance in order to establish uniformity and legal assurance.

⁸ P. Schroeder, *Seizing opportunities: the determinants of the CJEU's deference to national courts*, "Journal of European Public Policy", 1-24, 2023.

Moreover, a more in-depth analysis of the allocation of initial citations across legal domains underscores the changing priorities and concerns within the legal framework of the European Union. As evidenced by the rise in initial citations pertaining to environmental policy, consumer protection, and social security, there is a discernible acknowledgement of the significance of these domains and the imperative for consistent interpretation and implementation of pertinent European Union regulations. This phenomenon is consistent with the wider societal and political focus on sustainability, consumer rights, and social welfare within the European Union.

The development of preliminary references holds substantial ramifications for both the legal framework of the European Union and its constituent Member States. First and foremost, it serves to augment legal certainty and foster the coherence of European Union law by offering guidance pertaining to the interpretation and implementation of legal provisions. The responses provided by the Court of Justice of the European Union to preliminary references play a crucial role in shaping a cohesive legal framework within Europe, as they carry significant weight and authority in the development of European law. This promotes the establishment of legal predictability and uniformity, allowing individuals, enterprises, and governmental entities to effectively navigate the intricacies of European Union legislation with assurance.

Furthermore, the increasing prevalence of preliminary references serves as evidence of the efficacy and pertinence of the preliminary reference procedure in the resolution of legal conflicts and the promotion of uniform interpretation of European Union legislation. The inclination of the Member States to submit cases to the Court of Justice of the European Union serves as an indication of their confidence in the Court's specialized knowledge and its function as the ultimate authority in matters pertaining to European Union law. The partnership established between national courts and the Court of Justice of the European Union serves to enhance the overarching legal framework of the European Union, facilitating the process of harmonization and cultivating a shared European legal identity.

Additionally, the examination of initial sources indicates the difficulties encountered by Member States in the execution and utilization of European Union legislation. The variations observed in the quantity of preliminary references across Member States may suggest disparities in legal frameworks, capabilities, or degrees of acquaintance with European Union legislation. Through the identification of these disparities, the European Union and its Member States can strategically focus on specific areas that require additional support, training, or harmonization efforts. This targeted approach aims to enhance the consistency and effectiveness of EU law implementation across all jurisdictions.

The ramifications of the development of preliminary references also encompass the discourse between the Court of Justice of the European Union and domestic courts. The growing dependence on preliminary references underscores the pivotal

function of national courts as intermediaries in facilitating the interaction between EU law and domestic legal systems. This conversation aids in fostering a collective comprehension of European Union law and promotes the uniform interpretation and implementation of legal principles within EU Member States. The responses provided by the Court of Justice of the European Union to preliminary references offer significant guidance that contributes to the development of national legal systems and guarantees their alignment with European Union law.

In the foreseeable future, it is anticipated that the progression of preliminary references will persist as the European Union confronts novel legal obstacles and adjusts to societal and technological progressions. There are multiple factors that can potentially impact the future trends in preliminary references. Emerging domains such as digitalization⁹, data protection, and artificial intelligence are anticipated to give rise to legal inquiries necessitating the interpretation and guidance of the Court of Justice of the European Union.

Furthermore, the continuous advancements in the institutional structure of the European Union, such as the creation of the European Public Prosecutor's Office¹⁰ and the increased responsibilities of Eurojust, could potentially impact the allocation and characteristics of preliminary references. The aforementioned modifications demonstrate the European Union's dedication to enhancing the principles of legal governance, addressing transnational criminal activities¹¹, and guaranteeing the efficient enforcement of European Union legislation.

The examination of the patterns and consequences stemming from the progression of preliminary references during the period spanning from 2018 to 2022 offers significant scholarly perspectives on the operation and advancement of the legal framework within the European Union. The growing dependence on preliminary references serves as evidence of the significant role played by the Court of Justice of the European Union in influencing and construing European Union law. This practice contributes to the establishment of legal certainty and facilitates the consistent application of EU legislation among Member States. The interaction between national courts and the Court of Justice of the European Union is of utmost importance in facilitating a mutual comprehension of European Union law and enhancing the consistency and efficacy of the EU's legal structure. The ongoing development of the European Union will maintain the significance of preliminary references as a crucial factor in influencing the trajectory of EU law and its implementation.

⁹ Reiling, D. (2021). *Digital Justice: Nice to Have but Hard to Achieve*. In "Technology, Innovation and Access to Justice: Dialogues on the Future of Law" (pp. 131-143). Edinburgh: Edinburgh University Press.

¹⁰ Valsamis Mitsilegas & Elspeth Guild (2023) *Police and criminal justice co-operation after Brexit*, "Journal of European Public Policy".

¹¹ Johann Wagner (2021) *The European Union's model of Integrated Border Management: preventing transnational threats, cross-border crime and irregular migration in the context of the EU's security policies and strategies*, "Commonwealth & Comparative Politics", 59:4, 424-448.

VI. Distribution of Preliminary References in 2022 by Legal Domains

The analysis of preliminary references in the year 2022 offers significant insights into the legal priorities and challenges encountered by the European Union and its Member States. The objective of this section is to examine the allocation of initial references across legal domains in the year 2022, providing insight into the specific areas of European Union law that have attracted considerable interest and instigated the engagement of the Court of Justice of the European Union.

In the year 2022, an allocation of preliminary references was observed in multiple legal domains, indicating the wide range of European Union law areas that underwent interpretation and clarification. The analysis of the allocation of preliminary references across legal domains in the year 2022 reveals several noteworthy findings:

The initial sources pertaining to the fundamental freedoms and citizenship of the European Union have been instrumental in guaranteeing a consistent interpretation and implementation of European Union legislation. The references discussed various subjects, encompassing the unrestricted flow of capital, commodities, individuals, services, and the fundamental principles that underpin European Union legislation. The user emphasizes the importance of protecting the rights and freedoms that are established in the treaties of the European Union, as well as the necessity for uniform and coherent legal interpretations among all Member States. Based on an analysis of data spanning the past six decades, it can be observed that there has been a decrease in the frequency of legal cases pertaining to Article 34 of the Treaty on the Functioning of the European Union (TFEU)¹².

In 2022, preliminary references also encompassed distinct policy domains within the legal framework of the European Union. The references encompassed various topics such as agriculture, legislation for unification, freedom, security, and justice, alongside environmental policy, consumer protection, and social security. The allocation of initial references throughout these policy domains underscores the European Union's dedication to tackling significant societal concerns, including sustainability, consumer rights, and social welfare, by means of the uniform interpretation and implementation of European Union legislation.

In light of the European Union's emphasis on economic integration and the harmonization of markets, a number of preliminary references in the year 2022 were observed to pertain to various domains, including competition law, intellectual property (with a decrease in the number of cases filed¹³ from 83 in 2021 to 49 in 2022), company law, and taxation. The purpose of these references is to provide clarity and

¹² Jan Zgliniski (2023) *The end of negative market integration: 60 years of free movement of goods litigation in the EU (1961–2020)*, "Journal of European Public Policy".

¹³ M.A. Gaudissart, Statistics concerning the judicial activity of the Court of Justice: "A brief overview of the main statistical trends over the past year", available online at: https://curia.europa.eu/jcms/jcms/Jo2_7032/en/

promote consistency in the understanding and implementation of legal provisions that regulate economic activities within the European Union. The responses provided by the Court of Justice of the European Union to these references serve to mitigate legal uncertainties and facilitate fair competition, thereby enhancing the integration and efficiency of the European Union marketplace.

The prominence of social policy and public health¹⁴ within the legal framework of the European Union was underscored by the distribution of preliminary references in 2022. This can be attributed primarily to the COVID-19 pandemic that occurred between 2020 and 2022, resulting in a heightened number of preliminary questions being submitted to the Court of Justice of the European Union. The literature pertaining to social policy encompasses various domains, including but not limited to employment, workers' rights¹⁵, social security, and public health interventions. The aforementioned references were designed with the objective of ensuring that European Union legislation effectively fosters social cohesion, upholds the rights of workers, and safeguards public health standards within Member States during periods of crisis¹⁶.

In addition to the aforementioned legal domains, preliminary references in the year 2022 encompassed other areas that do not fall within distinct categorizations. These references may have dealt with distinct legal matters or emerging subjects that necessitate the guidance of the Court of Justice of the European Union in order to ensure uniform application and interpretation.

The allocation of preliminary references in the year 2022 carries significant implications for the legal framework of the European Union and its constituent Member States. Firstly, it exemplifies the wide array of legal matters that Member States encounter and seek clarification on within the legal framework of the European Union. Member States make a significant contribution to the advancement of European Union jurisprudence and the promotion of consistent legal interpretations across different national jurisdictions by referring cases to the Court of Justice of the European Union.

Furthermore, the allocation of preliminary references demonstrates the European Union's dedication to maintaining the supremacy of legal principles and guaranteeing the uniform implementation of European Union legislation in all areas of policy. The responses provided by the Court of Justice of the European Union to preliminary references play a crucial role in enhancing legal certainty, promoting coherence, and

¹⁴ Hussein Kassim (2023) *The European Commission and the COVID-19 pandemic: a pluri-institutional approach*, "Journal of European Public Policy", 30:4, 612-634.

¹⁵ Denise Carolin Hübner (2018) *The decentralized enforcement of European law: national court decisions on EU directives with and without preliminary reference submissions*, "Journal of European Public Policy", 25:12, 1817-1834.

¹⁶ Rahel M. Schomaker, Marko Hack & Ann-Katrin Mandry (2021) *The EU's reaction in the first wave of the Covid-19 pandemic between centralisation and decentralisation, formality and informality*, "Journal of European Public Policy", 28:8, 1278-1298.

ensuring the efficient operation of the European Union's legal framework. This is achieved through the CJEU's efforts to address any legal ambiguities and offer authoritative interpretations.

In addition, the allocation of initial references functions as a gauge for discerning nascent legal complexities and areas of apprehension within the European Union. This aids policymakers and stakeholders in acquiring knowledge about the changing legal requirements and modifying EU legislation to effectively respond to current societal, economic, and technological advancements.

The analysis of the allocation of preliminary references across legal domains in the year 2022 provides significant scholarly perspectives on the central areas of focus within European Union law and the legal obstacles encountered by individual Member States. The statement underscores the European Union's dedication to achieving consistency in legal interpretations, safeguarding fundamental rights, promoting economic integration, and addressing social policy goals. Through the examination of the distribution of preliminary references, the European Union can discern specific domains that necessitate legal clarity and harmonization. This process aids in promoting the uniform application and interpretation of EU law across all Member States.

VII. Conclusion

The examination of initial references in the context of the Court of Justice of the European Union offers a thorough comprehension of their importance and consequences within the legal framework of the European Union. The objective of this section is to formulate a conclusion derived from the preceding discussions and emphasize the principal discoveries.

The examination of preliminary references through statistical analysis is of utmost importance in comprehending the various patterns, trends, and perspectives within the legal framework of the European Union. Through the analysis of data and the examination of the distribution of preliminary references, valuable insights can be obtained pertaining to the operational dynamics of the legal framework within the European Union, the interplay between national courts and the Court of Justice of the European Union, and the obstacles encountered by Member States in the implementation and interpretation of EU law. The utilization of statistical analysis enables the identification of patterns, discrepancies among Member States, and areas that necessitate additional attention or assistance.

The examination of initial sources spanning from 2018 to 2022 has unveiled a number of emerging patterns and their associated consequences. The varying quantity of initial references on an annual basis is indicative of the ever-changing legal challenges and priorities within the European Union. The observed rise in citations pertaining to distinct legal domains, such as environmental policy, consumer protection,

and social security, suggests a pressing requirement for elucidation and alignment of European Union legislation within these spheres. Furthermore, this highlights the proactive involvement of domestic courts and their reliance on the competence of the Court of Justice of the European Union in the interpretation and implementation of European Union legislation.

The analysis further demonstrated disparities in the quantity of preliminary references observed across Member States, thereby underscoring distinctions in their respective legal frameworks, degrees of involvement, and understanding of the preliminary reference mechanism. Member States that exhibit a greater quantity of references, such as Germany, Italy, and Spain, showcase a proactive stance in their utilization of the preliminary reference procedure. Conversely, Member States with a lower number of references necessitate additional scrutiny to comprehend the underlying factors at play.

Moreover, the examination of the allocation of preliminary references across legal domains in the year 2022 provides insight into the priorities and challenges faced by the European Union. The references encompassed a wide range of fundamental freedoms, policy domains, economic integration, social policy, and public health, thereby demonstrating the extensive scope of the legal framework of the European Union and its dedication to tackling diverse societal, economic, and environmental issues.

In summary, the examination of preliminary references and their patterns through statistical analysis offers significant and indispensable perspectives on the operation, efficacy, and obstacles encountered within the legal framework of the European Union. The process of analysis facilitates the identification of emerging legal issues, areas that necessitate harmonization, and discrepancies among Member States. The aforementioned tool functions as a valuable resource for policymakers, legal practitioners, and stakeholders, enabling them to gain insight into the ever-changing dynamics of European Union law. By utilizing this tool, these individuals are able to make well-informed decisions and contribute to the improvement of the consistency and uniformity in the interpretation and application of EU legal principles.

Through a thorough examination of initial sources, the European Union is able to proactively foresee prospective obstacles, enhance the level of legal assurance, and foster a greater degree of uniformity and openness in the execution of EU legislation among its constituent Member States. The utilization of statistical analysis plays a significant role in the continuous advancement of the legal framework within the European Union and the reinforcement of the EU's dedication to upholding the rule of law. This practice guarantees the uniform interpretation and implementation of EU legislation.

In summary, employing statistical methods to examine preliminary references yields a strong basis for making well-informed decisions, developing policies, and

enhancing the EU legal framework. This framework has the potential to serve as a shared legal and institutional foundation for all member states¹⁷. By conducting a meticulous analysis and interpretation of statistical data, the European Union has the potential to improve the efficiency, consistency, and synchronization of its legal framework, thereby cultivating a more robust and unified European Union.

This research aims to conduct an initial investigation into the patterns, implications, and significance of the statistics of the Court of Justice of the European Union. The analysis presented in this report merely scratches the surface of this intricate and ever-evolving field. This framework provides a fundamental basis for conducting subsequent comprehensive investigations that can explore specific elements within this expansive analysis in greater depth. The objective of future research endeavors would encompass not only the amplification of the aforementioned themes, but also the investigation of nascent domains, particular instances, and even juxtapositions between European Union law and alternative legal frameworks. Therefore, this study provides insights into certain facets of preliminary references and statistics of the Court of Justice of the European Union serving as an initial step in an ongoing and comprehensive exploration of the complexities and subtleties inherent in the legal framework of the European Union.

¹⁷ V. Stoica, D. Bogdan, C. Pintiilie. *A possible and necessary dialogue: an introduction*, in "CJUE and CCCR identities in dialogue", Universul Juridic, Bucharest, 2022, p. 13.