

Court of Justice, Rules of Procedure: language rules applying to the review procedure

2008/0801(CNS) - 13/02/2008 - Legislative proposal

PURPOSE: to amend the Rules of Procedure of the Court of Justice to specify the language rules applicable to the review procedure.

PROPOSED ACT: Council Decision.

CONTENT: the purpose of this proposal is to amend the Rules of Procedure of the Court of Justice to specify the language rules applicable to the review procedure.

The purpose is to incorporate into the Rules of Procedure the provisions necessary to govern the conduct of the review procedure provided for in the second paragraph of Article 225 of the EC Treaty and the second paragraph of Article 140a of the EAEC Treaty, the principles governing which are set out in Articles 62 to 62b of the Protocol on the Statute of the Court of Justice (exceptional review procedure by the Court of Justice of decisions of the Court of First Instance where the latter has given a ruling on actions brought against a decision of a judicial panel or has given a ruling on questions referred for a preliminary ruling in specific areas laid down by the Statute of the Court of Justice).

Article 64 of the Statute provides that the rules governing the language arrangements applicable at the Court of Justice may be amended only in accordance with the procedure laid down by the Treaties for amending the Statute, that is to say, by decision of the Council, acting unanimously at the request of the Court of Justice and after consulting the European Parliament and the Commission.

The object of the proposed Council Decision is to insert a provision in the Rules of Procedure of the Court of Justice relating to the use of languages in the review procedure.

The proposal for a decision shall be subject to consultation by the European Parliament.