Court of Justice of the European Union: statute (amend. Protocol and Annex I)

2011/0901A(COD) - 05/06/2012 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Legal Affairs adopted the report drafted by Alexandra THEIN (ADLE, DE) on the draft regulation of the European Parliament and of the Council amending the Protocol on the Statute of the Court of Justice of the European Union and Annex I thereto.

It recommends that the European Parliament's position adopted at first reading, under the ordinary legislative procedure, should be to amend the draft regulation as follows:

The text underlines that in order to increase the participation of all Judges in the decisions of the Grand Chamber of the Court of Justice, there should be an increase in the number of Judges who may participate in the Grand Chamber, and the automatic participation of all of the Presidents of Chambers of five Judges should cease.

The increasing responsibilities of the Presidents of the Court of Justice and of the General Court require the establishment in each of those courts of an office of Vice-President in order to assist the President in carrying out those responsibilities.

The amended regulation stipulates that the **Vice-President** shall assist the President in accordance with the conditions laid down in the Rules of Procedure. He shall take the latter's place when he is prevented from attending or when the office of President is vacant.

The Grand Chamber shall consist of 15 Judges. It shall be presided over by the President of the Court. The Vice-President of the Court , three Presidents of Chambers of five Judges and other Judges appointed in accordance with the conditions laid down in the Rules of Procedure shall also form part of the Grand Chamber.

Members propose that the European Parliament takes note that, having regard to the partial renewal of the Court of Justice on 7 October 2012 and the urgent need to find a solution guaranteeing a proper functioning of the Civil Service Tribunal, it is necessary for **the proposed modifications of the Statute relating to the Court of Justice, to the organisation of the General Court and to the Civil Service Tribunal to be adopted without further delay**, as pointed out in the letter of the President of the Court of Justice of the European Union of 8 May 2012.

Parliament should be able to reserve its right to **examine the part of the request on the membership of the General Court submitted by the Court at a later stage**.

It may also decide to hold a debate in Parliament in the near future on the merits of introducing the possibility of issuing dissenting opinions at the Court of Justice.