

AMENDMENT FORM

Suggestion for amendment of Article : 257 (ex Article 224), part III of the Constitution

By Ms / Mr : Teija Tiilikainen, Antti Peltomäki, Kimmo Kiljunen, Jari Vilén, Hannu Takkula and Esko Helle

Status : **Tiilikainen, Kiljunen, Vilén - Members**
 Peltomäki, Takkula and Helle - Alternates

Article III-257 (ex Article 224)

~~The number of Judges of the High Court shall be determined by the Statute of the European Court of Justice. The Statute may provide for the High Court to be assisted by Advocates General.~~

The members of the **High General** Court shall be chosen from persons whose independence is beyond doubt and who possess the ability required for appointment to high legal office. They shall be appointed by common accord of the governments of the Member States for a term of six years ~~after consultation of the panel provided for in [Article III 258 (ex 224(a))]~~. The membership of the **High General** Court shall be partially renewed every three years. Retiring members may be reappointed.

The Judges shall elect the President of the **High General** Court from among their number for a term of three years. He may be re-elected.

The **High General** Court shall establish its Rules of Procedure in agreement with the European Court of Justice. The Rules shall be subject to the approval of the Council.

Unless the Statute of the European Court of Justice provides otherwise, the provisions of the Constitution relating to the European Court of Justice shall apply to the **High General** Court.

Explanation (if any) :

The question concerning the number of Judges and the Court's Statute respectively is already addressed in Article I-28 paragraph 2, and there is no need to repeat them here.

Translations of the names of courts into different languages must not create any danger of confusion. Such a danger exists with the proposed 'High Court'. The other alternative, 'the General Court', also reflects better the role of the Court of First Instance as agreed in Nice.

We do not find it necessary to set up an 'advisory panel' (see Article III-256).

