

AMENDMENT FORM

Suggestion for amendment of Article : 258 (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-258 (ex Article 224a)~~

~~A panel shall be set up in order to give an opinion on candidates' suitability to perform the duties of Judge and Advocate General of the European Court of Justice and the High Court before the governments of the Member States take the decisions referred to in [Articles III-256 and III-257 (ex-223 and 224)].~~

~~The panel shall comprise seven persons chosen from among former members of the European Court of Justice and the High Court, members of national supreme courts and lawyers of recognised competence, one of whom shall be proposed by the European Parliament. The Council shall appoint the members of the panel and establish its operating rules pursuant to a European decision adopted on a proposal from the President of the European Court of Justice.~~

Explanation (if any) :

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

In any case, nor do we support a provision according to which the appointment of members of the panel and the panel's operating rules shall be decided on a proposal from the President of the Court of Justice. The President is a member of the Court of Justice. The independence of the Court of Justice would be compromised if he could have an effect on the activity of the panel.

Furthermore, we do not find it appropriate that one of the members of the panel should be proposed by the European Parliament.