

AMENDMENT FORM

Suggestion for amendment of Article 20

By Ms Maria BERGER

Status: Alternate

Article 20 : ~~The Court of Justice~~ Judicial System of the European Union

1. The Court of Justice **of the European Union**, ~~including and~~ the High Court, shall ensure respect for the Constitution and Union law.
2. **In carrying out their responsibilities, the Courts shall be completely independent. In the discharge of their duties the judges shall neither seek nor take instructions from any government or other body.**
3. The Court of Justice shall consist of one judge from each Member State, and shall be assisted by Advocates-General. The High Court shall include at least one judge per Member State: the number shall be fixed by the Statute of the Courts ~~of Justice~~. The judges of the Court of Justice and the High Court, and the Advocates-General of the Court of Justice, chosen from persons whose independence is beyond doubt and who satisfy the conditions set out at Article [XX] of Part II, shall be appointed by common accord of the governments of the Member States for a term of ~~six years~~, ~~renewable~~. **nine years, non renewable in the case of judges at the Court of Justice and six years , renewable in the case of judges at the High Court.**
4. The Court of Justice **and the High Court** shall be competent for :
 - ruling on actions brought by the Commission, a Member State, an institution or a natural or legal person in the cases and according to the modalities foreseen in article [YY] of Part II;
 - preliminary rulings, at the request of Member State courts, on the interpretation of Union law or the validity of acts adopted by the institutions;
 - **the Court of Justice in addition for ruling on appeals on decisions given by the High Court or**

exceptionally reviewing these decisions under conditions laid down in the Statute of the Court.

5. The Member States shall provide rights of appeal sufficient to ensure **natural and legal persons** effective legal protection in the field of Union law.

Explanation (if any):