

AMENDMENT FORM

Suggestion for amendment of Article :

Suggestion for protocol :

By Ms / Mr :

Status : - Member - Alternate

PART I OF THE CONSTITUTION

TITLE IV: The Union's Institutions

Article 20 : The Court of Justice of the European Union

1. The Court of Justice, including the High Court, shall ensure respect for the **TREATY** [**DELETE:** Constitution] and Union law **AND SHALL RESPECT THE NATIONAL CONSTITUTIONS AND THE EUROPEAN CONVENTION OF HUMAN RIGHTS AS INTERPRETED BY THE NATIONAL HIGH COURTS AND THE COURT OF HUMAN RIGHTS IN STRASBOURG.**

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

2. 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 Court 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 years¹, renewable.
3. The Court of Justice shall be competent for :

¹ For the Court of Justice the Discussion Circle, chaired by Mr Vitorino, also examined the possibility of a non-renewable mandate of 9 or 12 years.

- 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;
- 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.

Explanation (if any) :