

## AMENDMENT FORM

### Suggestion for amendment of Article : Title IV

By Ms / Mr : Jan Kohout

Status : - Member

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#### 20. The Court of Justice

1. The Court of Justice, comprising of High Court and Court of First Instance, shall ensure respect for the Constitution and 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 one judge per Member State. 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.
  3. The Court of Justice 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, including the Constitutional Treaty, 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.
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#### Explanation (if any) :

20 : *The article lacks any provision on Court's Statute.*

20.2 : *number of judges should strictly correspond to the number of Member States (one or two per state). Longer mandate should be considered, as well as partial renewal of one third or half of judges in order to ensure continuity of the Court's decision making.*