



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 1 march 2013

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ADDENDUM TO THE NOTE

Subject: Council Decision increasing the number of Advocates-General of the Court of Justice of the European Union
- Draft Joint Statement by the Council and the representatives of the member states meeting within the Council on the number of Advocates-General.

JOINT STATEMENT BY THE COUNCIL AND THE REPRESENTATIVES OF THE MEMBER STATES MEETING WITHIN THE COUNCIL ON THE NUMBER OF ADVOCATES GENERAL.

The Council recalls that according to Declaration n° 38 on Article 252 of the Treaty on the Functioning of the European Union regarding the number of Advocates-General in the Court of Justice, annexed to the Final Act of the Intergovernmental Conference which adopted the Treaty of Lisbon, in case the Council decides, on request of the Court of Justice, to increase the number of Advocates General by three, Poland will, as is already the case for Germany, France, Italy, Spain and the United Kingdom, have a permanent Advocate General and no longer take part in the rotation system, while the existing rotation system will involve the rotation of five Advocates-General instead of three.

The Council further recalls that the request from the President of the Court of Justice to increase the number of Advocates General envisages one of the additional Advocates General taking up his functions in July 2013 and the other two taking up their functions in October 2015, when the next partial replacement of Advocates General under the present rotation system will also take place.

Against that background, the representatives of the Member States meeting within the Council agree that, in line with the rotation system presently applicable¹, two additional Advocates General will be appointed with effect from 7 October 2015 who will be, respectively, of Czech and Danish nationality. They will be appointed at the same time as the Advocate General of Bulgarian nationality, Bulgaria being the Member State next in line for the rotation under the present system. They further agrees that the additional Advocate General to be appointed with effect from 1st July 2013 will be of Polish nationality.

¹ The rotation system, adopted on the occasion of previous enlargements, is set out in the Joint Declaration on Article 31 of the Decision of the Council of the European Union (95/1/EC, Euratom, ECSC) of 1 January 1995 adjusting the instruments concerning the accession of new Member States to the European Union (OJ L 1, 1.1.1995, p. 221).