



**COUNCIL OF
THE EUROPEAN UNION**

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**JUR 221
COUR 41**

"I/A" ITEM NOTE

from: General Secretariat of the Council
to: Coreper/Council

Nos prev. docs: 7421/13 JUR 133 COUR 29
7422/13 JUR 134 COUR 30

Subject: Draft amendments to the **Rules of Procedure of the Court of Justice of the European Union** and to the **Rules of Procedure of the General Court**
= **Approval by the Council**

1. On 25 February 2013, the **Court of Justice**, pursuant to the sixth paragraph of Article 253 TFEU¹, submitted for approval by the Council a draft amendment to the Rules of Procedure of the Court of Justice (7421/13 JUR 133 COUR 29). On the same day, the **General Court**, pursuant to the fifth paragraph of Article 254 TFEU², submitted for approval by the Council a draft amendment to the Rules of Procedure of the General Court (7422/13 JUR 134 COUR 30).

¹ The sixth paragraph of Article 253 TFEU reads as follows : "*The Court of Justice shall establish its Rules of Procedure. Those Rules shall require the approval of the Council.*"

² The fifth paragraph of Article 254 TFEU provides that "*[t]he General Court shall establish its Rules of Procedure in agreement with the Court of Justice. Those Rules shall require the approval of the Council.*"

2. Both amendments would add Croatian to the list of languages of a case in, respectively, Article 36 of the Rules of Procedure of the Court of Justice and Article 35(1) of the Rules of Procedure of the General Court³ with effect from the date of entry into force of the Treaty concerning the accession of the Republic of Croatia to the European Union.
3. Pursuant to its Article 3, the Treaty concerning the accession of the Republic of Croatia to the European Union shall enter into force on 1 July 2013 provided that all the instruments of ratification have been deposited before that date. The process of ratification is still under way in a number of Member States.
4. However, it is imperative that the amended Rules of Procedure can enter into force on the day of accession of Croatia. To this effect, it is necessary for the Council to approve the draft amendments to the Rules of Procedure so that the Court of Justice and the General Court adopt the said amendments so that they enter into force at the same time as the Treaty concerning the accession of the Republic of Croatia to the European Union.
5. The **Permanent Representatives Committee** is therefore recommended to suggest that, as an "A" item on its agenda for a forthcoming meeting, the Council approve the texts of the amendments to the Rules of Procedure of the Court of Justice and of the General Court which appear, after finalisation by the legal/linguistic experts, in documents 8937/13 JUR 218 COUR 39 and 8938/13 JUR 219 COUR 40.

³ Pursuant to Article 7 of the Annex I to the Statute of the Court of Justice of the European Union, the provisions concerning the General Court's language arrangements shall apply to the Civil Service Tribunal.