



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 17 July 2012**

**12544/12**

**INST 464  
JUR 399  
COUR 46**

**NOTE**

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from:	General Secretariat of the Council
to:	Coreper (Part 2)

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No. prev. doc.:	11371/12 INST 414 JUR 338 COUR 34
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Subject:	<b>Partial renewal of the membership of the General Court of the European Union</b> - appointment of thirteen Judges (BG, CZ, DE, IE, ES, FR, IT, LV, LT, MT, UK, SL, SE)
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1. Pursuant to the second paragraph of Article 254 TFEU, every three years there is a partial renewal of the membership of the General Court.
2. In a letter dated 23 May 2012<sup>1</sup>, the President of the General Court informed the President of the Council of the European Union and of the Conference of the Representatives of the Governments of the Member States that the terms of office of thirteen Judges would expire on 31 August 2013.<sup>2</sup>

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<sup>1</sup> 11371/12

<sup>2</sup> Delegations' attention is also drawn to the fact that the term of office of the Judge of the General Court appointed from Croatia upon its accession to the European Union will, in accordance with Article 22(1) of the Act of Accession with the Republic of Croatia, also expire on 31 August 2013.

3. Pursuant to the second paragraph of Article 254 in conjunction with the first paragraph of Article 255 TFEU, the members of the General Court are chosen from persons whose independence is beyond doubt and who possess the ability required for appointment to high judicial office; they are appointed by common accord of the governments of the Member States, after consultation of a panel set up in order to give an opinion on candidates' suitability to perform the duties of Judge of the General Court.
4. In his letter, the President of the General Court of the European Union has stressed the importance of the appointments being made without delay and, accordingly, of having the Governments present their proposals before 15 November 2012.
5. To respond to the request for a prompt decision made by the President of the General Court of the European Union, the Member States are invited to submit their proposals for the vacant posts of Judge before **15 November 2012**. The list of Member States concerned is attached in Annex I.
6. With regard to the submission and processing of nominations, it should be pointed out that:
  - a. The governments concerned must send nominations for the post of Judge at the General Court of Justice to Mr Uwe CORSEPIUS, Secretary-General of the Council, for the attention of the Council Legal Service (office JL 20 40 GM 22).
  - b. Each nomination must be accompanied, in Annex I, by the candidate's *curriculum vitae* (which should not contain any personal data<sup>3</sup>) and a list of the candidate's published writings, if any.
  - c. The candidate's private address, e-mail and telephone number should be included in an Annex II.

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<sup>3</sup> e.g. marital status, family situation, private address or telephone number.

It should be noted that the information referred to in points (a) and (b) will appear in a document which will bear the distribution marking "LIMITE", used for unclassified Council documents whose distribution is internal to the Council.

To facilitate the nomination forwarding process, delegations are requested to send these documents not only by post but also by e-mail, preferably in Word format (not using PDF format) to:

**secretariat.groupe-cdj@consilium.europa.eu.**

7. Delegations will find in Annex II a draft letter from the Chairman of Coreper to the President of the General Court of the European Union, replying to the letter referred to above.
8. The Permanent Representatives Committee is requested to approve the text of this letter in accordance with Article 19(7)(k) of the Council's Rules of Procedure.

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Partial replacement of the Judges of the General Court of the European Union:

13 Judges

- Nominations to be processed

MEMBER STATE CONCERNED	JUDGE
BULGARIA	
CZECH REPUBLIC	
GERMANY	
IRELAND	
SPAIN	
FRANCE	
ITALY	
LATVIA	
LITHUANIA	
MALTA	
UNITED KINGDOM	
SLOVENIA	
SWEDEN	

DRAFT LETTER

Council of  
the European Union

Brussels,

Mr Marc JAEGER  
President of the General Court  
of the European Union

Subject: Partial renewal of the Members of the General Court

Sir,

In a letter dated 23 May 2012 to Mr Villy Søvndal, President of the Council of the European Union, you informed the Council that the terms of office of thirteen Judges of the General Court will expire on 31 August 2013 and stressed the importance of appointments to those vacant posts being made as soon as possible.

The governments of the Member States, which are responsible for nominating the Judges to the General Court, attach the highest importance to the proper functioning of the General Court. They will do all that is required to complete the partial replacement of Members of the Court of Justice in a timely manner.

I am now in a position to inform you that a deadline of 15 November 2012 has been set for the governments of the Member States concerned to transmit proposals to the General Secretariat of the Council. The proposals received will then be forwarded to the panel provided for in Article 255 TFEU so that it can begin examining them forthwith.

Please accept, Sir, the assurance of my highest consideration.

Kornelios S. Korneliou

Chairman of the Permanent Representatives Committee

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