

Appointments to the EU Court of Justice: sixth activity report of the Article 255 panel published

The advisory panel on judicial appointments established under Article 255 of the Treaty on the Functioning of the European Union today published its sixth activity report.

The panel's task is to give an opinion on candidates' suitability to perform the duties of judge and advocate-general of the Court of Justice and the General Court. Its opinions are intended to inform member states' governments before they decide on the appointments.

The activity report of the panel provides a summary of the panel's work from March 2018 until October 2019. It also includes detailed information on the procedures it has established for assessing the candidates and how it interprets the requirements set out in the Treaty.

During the period covered by the report, the panel delivered opinions on 43 candidates for the offices of judge or advocate-general at the EU courts. 29 opinions were related to first terms of office, which entailed extensive examination and hearings by the panel. In total, eight of the opinions were unfavourable. The panel's opinions were followed by member states' governments in all cases.

Regarding the working methods used by the panel, some new elements in the report include information on the detailed conduct of the hearings and the types of questions put to candidates, as well as on the panel's approach to the renewal of mandates.

Together with the publication of its sixth activity report, the panel today also launched its new website, which provides an overview of its activities.

Background

The Article 255 TFEU panel is composed of seven persons chosen from among former members of the Court of Justice and the General Court, members of national supreme courts and lawyers of recognised competence. The panel in office since 1 March 2018 has the following members:

- Christiaan Timmermans, former judge of the Court of Justice of the European Union (president of the panel)
- Simon Busuttill, former member of the European Parliament and member of Malta's House of Representatives
- Frank Clarke, Chief Justice of Ireland and President of the Supreme Court
- Carlos Lesmes Serrano, President of the Supreme Court and of the General Council of the Judiciary of Spain

- Maria Eugénia Martins de Nazaré Ribeiro, former judge of the General Court of the European Union
- Andreas Voßkuhle, President of the Federal Constitutional Court of Germany
- Mirosław Wyrzykowski, former judge of the Constitutional Tribunal of Poland

Candidates are assessed against six sets of criteria: their legal capabilities, professional experience, their ability to perform the duties of a judge, their language skills, their ability to work as part of a team in an international environment in which several legal systems are represented, and guarantees of their independence, impartiality, probity and integrity. The panel stresses, however, that its assessment of candidates is an overall assessment.

The panel's assessment of individual candidates is not disclosed to the general public. In order to inform the general public, however, the panel's activity reports provide detailed information on its working methods and approach to assessment.

The panel's secretariat is provided by the General Secretariat of the Council.