



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 20 February 2013 (21.02)  
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**6675/13**

**JUR 81  
INST 86  
COUR 14**

**COVER NOTE**

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from: V. SKOURIS, President of the Court of Justice of the European Union  
dated: 13 December 2012  
to: E. KOZAKOU-MARCOULLIS, President of the Council of the European Union  
and of the Conference of the Representatives of the Governments of the Member  
States

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Subject: Civil Service Tribunal  
- Temporary Judges

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Delegations will find attached a copy of the above letter.

Luxembourg, 10 December 2012

*Ms Erato Kozakou-Marcoullis  
President of the Council of the European Union and of  
the Conference of the Representatives of the  
Governments of the Member States*

*Rue de la Loi, 175  
**B-1048 Brussels***

*Dear Madam President,*

*The Statute of the Court of Justice of the European Union, in the version resulting from the entry into force on 1 September 2012 of point 7 of Article 1 of Regulation No 741/2012 of the European Parliament and of the Council of 11 August 2012 amending the Protocol on the Statute of the Court of Justice of the European Union and Annex I thereto (OJ 2012 L 228, p. 1), provides for the possibility of attaching temporary Judges to the specialised courts in order to cover the absence of Judges who, while not suffering from disablement deemed to be total, are prevented from participating in the disposal of cases for a lengthy period of time.*

*It is also provided there that, in that event, the European Parliament and the Council are to lay down the conditions under which the temporary Judges are to be appointed, their rights and duties, the detailed rules governing the performance of their duties and the circumstances in which they are to cease to perform those duties.*

*For that purpose, on 25 October 2012 the European Parliament and the Council adopted Regulation No 979/2012 relating to temporary Judges of the European Union Civil Service Tribunal (OJ 2012 L 303, p. 83).*

*Article 1 of that regulation provides that the Council, acting unanimously on a proposal from the President of the Court of Justice, is to draw up a list of three persons appointed as temporary Judges. Those Judges are to be chosen from among former members of the Court of Justice of the European Union who are able to place themselves at the disposal of the Civil Service Tribunal. They are to be appointed for a period of four years and may be reappointed. The list also determines the order in which temporary Judges are to be called upon to perform their duties.*

*In those circumstances, please find below my proposal for a first list of three temporary Judges of the Civil Service Tribunal. The composition of that list has been guided in particular by the following considerations. First, by a concern to favour the appointment of persons who have recently performed the duties of Judge in matters relating to the civil service. Second, to take account of the interest in ensuring a balanced composition of the Civil Service Tribunal on as broad a geographical basis as possible from among nationals of the Member States and with respect to the national legal systems represented, as is recalled in relation to the composition of the Civil Service Tribunal in Article 3(1) of Annex I to the Statute of the Court of Justice. The list hereby submitted therefore includes a former Member of the Civil Service Tribunal who ceased to hold the office of Judge of that court in October 2011, a former Member of the General Court who ceased to hold office in 2010, and a former Member of the Court of Justice who, before performing the duties of Advocate General at the Court, performed the duties of Judge of the General Court.*

*Having regard to the aforementioned matters I would, moreover, suggest that those three persons should, if necessary, be called upon to perform their duties in the following order.*

*Mr Tagaras, of Greek nationality, former Judge of the Civil Service Tribunal*

*Mr Meij, of Netherlands nationality, former Judge of the General Court*

*Ms Trstenjak, of Slovenian nationality, former Advocate General of the Court of Justice and former Judge of the General Court.*

*Yours faithfully,*

*Vassilios SKOURIS*