

## Introduction

The Court of Justice of the European Union is the judiciary of the European Union. It is made up of three courts; the Court of Justice, the General Court and, the Civil Service Tribunal. The courts are responsible for ensuring EU law is applied correctly across the union. The Court of Justice is commonly referred to as the European Court of Justice (ECJ). In areas covered by EU law, the Court of Justice is the highest court in the EU, outranking national supreme courts. Its judgements can affect member states, companies and individuals, and it is the referee between member states, institutions, businesses and individuals in disputes relating to EU law.

## History

The Court of Justice of the European Coal and Steel Community was set up under the Treaty of Paris (1951) to implement the legal framework. In 1957, under the Treaty of Rome, it became the Court of the European Communities. When the European Union was created under the Maastricht Treaty (1992), the court's powers were again expanded to cover the whole European Union.

The number of cases sent to the court has grown dramatically since the institution was established. As a result, two more bodies were created. A Court of First Instance was set up in 1989 to assist by dividing the workload. It rules on cases when an EU law is believed to violate EU treaties or fundamental rights. The Court of First Instance was renamed the General Court in the Lisbon Treaty. In addition to this, the Civil Service Tribunal was set up in 2005 to sort out disputes between the EU and its civil service.

The Treaty of Lisbon, which came into force in 2009, gave the court system its current name, the Court of Justice of the European Union, and the Court of Justice of the European Communities was renamed as the Court of Justice.

## How do the courts work?

The Court of Justice is made up of one judge from each member state, supported by 11 Advocates-General, who deliver legal opinions on each case. All members of the court are nominated by their national governments and serve for six-year terms. Cases are usually heard before chambers of three to five judges. Full sessions with all 28 judges are only held for exceptional cases. The court has a President, currently Koen Lenaerts, who was elected by all the court's judges in 2015.

The Court of Justice mainly makes judgements in cases relating to the failure of a member state or EU body to fulfil its treaty obligations, reviews laws passed by EU bodies and provides preliminary rulings on cases referred to it by national courts.

The General Court, which also consists of 28 judges, one from each member state, works alongside the Court of Justice. Its primary role is to hear all actions brought by individuals or companies when they believe laws affecting them breach EU treaties, while the Court of Justice focuses on disputes with member states and EU institutions.

Rulings by the Court of Justice of the European Union are binding across EU nations and have supremacy over national courts. For example, in the case of the Commission vs. France (1997), the European Court of Justice ruled that French police should enforce EU law and ensure the free movement of goods. This ruling means that all member states have to instruct their national police forces to enforce EU law.

In 2014, the Court of Justice completed 632 cases with only one full court session and had 787 cases still pending. Of these cases, 57 were brought against member states for failing to fulfil EU obligations. The same year, the General Court completed 814 cases with 1,423 cases pending.