

II

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is not obligatory)

DECISIONS

COUNCIL

COUNCIL DECISION

of 20 December 2007

amending the Protocol on the Statute of the Court of Justice

(2008/79/EC, Euratom)

THE COUNCIL OF THE EUROPEAN UNION,

refer to the expedited and accelerated procedures laid down in the Rules of Procedure of the Court of Justice,

Having regard to the Treaty establishing the European Community, and in particular the second paragraph of Article 245 thereof,

HAS DECIDED AS FOLLOWS:

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular the second paragraph of Article 160 thereof,

Article 1

The following Article shall be inserted after Article 23 of the Protocol on the Statute of the Court of Justice:

Having regard to the request of the Court of Justice of 11 July 2007,

'Article 23a

The Rules of Procedure may provide for an expedited or accelerated procedure and, for references for a preliminary ruling relating to the area of freedom, security and justice, an urgent procedure.

Having regard to the opinion of the Commission of 20 November 2007,

Having regard to the opinion of the European Parliament of 29 November 2007,

Those procedures may provide, in respect of the submission of statements of case or written observations, for a shorter period than that provided for by Article 23, and, in derogation from the fourth paragraph of Article 20, for the case to be determined without a submission from the Advocate General.

Whereas:

Provision should be made to allow derogations from certain provisions of the Protocol on the Statute of the Court of Justice with regard to the procedure governing urgent references for a preliminary ruling concerning the area of freedom, security and justice, and it is appropriate, for the sake of good order, that the provision authorising such derogations should also

In addition, the urgent procedure may provide for restriction of the parties and other interested persons mentioned in Article 23, authorised to submit statements of case or written observations and, in cases of extreme urgency, for the written stage of the procedure to be omitted.'

Article 2

This Decision shall enter into force on the first day of the second month following its publication in the *Official Journal of the European Union*.

Done at Brussels, 20 December 2007.

For the Council
The President
F. NUNES CORREIA
