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Resolution on the recasting of the EU's judicial framework and the planned abolition of the Civil Service Tribunal

Whereas :

- in order to reduce the excessive number of cases pending before the General Court, the Court of Justice of the European Union has asked the legislator to increase the number of the General Court's judges from 28 to 56;
- that doubling of the number of judges is presented as a remedy for the Member States' inability to agree, within the Council, on a method for the appointment of the additional judges if they are to be less than 28 in number;
- so that there can be 56 judges, the Civil Service Tribunal (CST) would be abolished and the civil service disputes would be moved into the purview of the General Court of the European Union.

The Congress of the Federal Union Syndicale hereby adopts the following Resolution. It :

1. deplores the attitudes of the Member States, which, adopting a strictly intergovernmental approach, have shown themselves to be incapable of agreeing on a method for the appointment of judges whenever they are to be fewer in number than the Member States;
2. deplores the haste with which the highest-ranking judges of the Court of Justice seek to comply with the wishes of the Member States and find a pretext for the creation of a "simplified", indeed over-centralised, judicial framework, which would in fact lose the advantage of specialisation;
3. deplores the absence of any formal dialogue between the Court of Justice of the European Union and the General Court of the European Union, which has drawn up an alternative proposal for the restructuring of the EU justice;
4. points to the absence of any legal basis in the Treaty for the abolition of a specialised court (in this case the Civil Service Tribunal) which was set up in accordance with Article 257 TFEU;
5. stresses that, if that plan were to be adopted, that Article of the Treaty would be a dead letter;
6. defends the existence of the Civil Service Tribunal, the judges of which are chosen taking account of their specialisation in Civil Service Law and Social Law, which specialisation would be lost if the civil service disputes were absorbed by the General Court;

7. warns against the devaluing of the civil service disputes within the General Court of the EU where they would appear as a poor relation of Economic Law cases;
8. points out that the disproportionate increase in the number of judges, together with the increase in their salaries and the reduction of the size of the staff of each judge's chambers, would adversely affect productivity and waste public funds;
9. invites the European Parliament to reject that plan and to study the document drawn up by the General Court entitled "The future of the Court System of the European Union", which proposes an alternative that complies with the Treaty, respects litigants' rights and offers a better cost/effectiveness ratio.