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## **ABSTRACT**

The Court of Justice was established in 1952 and is a particularly important and influential institution of European integration. The EU Court's task to ensure compliance with the law in the interpretation and application of the treaties. Under its statutes (the Maastricht Treaty on European Union, in 1992, the Charter of the Court approving the protocols signed in Paris in 1951 in relation to the European Community Court Coal and Steel Community (ECSC), Protocol of the 1957 Brussels in relation to the European Atomic Energy Community (Euratom) and the European Economic Community (EEC) and the procedural Regulation), the Court of Justice is one of the main organs of the Communities and the Union. We can say that compared to the European Council, the EU Council, the Commission and the European Parliament, the EU Court acts strictly as a specialized non political, legal institution.

The goal I am aiming to achieve in this paper is to highlight the history of the EU Court formation, the development of the judicial system, the structure of the CJEU ie the formation, composition, the organization of the Court's work, the jurisdiction of the institution, the decision-making process.

The EU Court acted as "guardian of European law and was appointed arbitrator in disputes between Member States and the institutions, bodies among themselves on all matters relating to the application of Community law '.

On 1<sup>st</sup> December 2009 with the entry into force of the Lisbon Treaty, the European Union assumed the responsibilities previously held by the European Community and as a result the Community law becomes 'Union law', also including all provisions issued in the past under the regime of European Union Treaties as it was prior to the Lisbon Treaty. In the following presentation, however, the term 'Community law' is used when referring to case law prior to the entry into force of the Lisbon Treaty.

The Lisbon Treaty contains several elements aimed at further democratization of the union. It sets, for the first time, the democratic foundations of the Union, which are based on three

principles: the principle of democracy, the principle of representative democracy and the principle of participatory democracy.

The common values of freedom and justice are the principles of the modern democracies of the EU and the aims of the Union in this field are:

1. To establish an area of freedom, security and justice (AFSJ) with respect for the legal systems and traditions of the Member States,
2. To ensure the absence of controls on persons at internal borders and to develop a common policy on asylum, immigration and external border control,
3. To ensure a high level of safety measures to prevent and combat crime, racism and xenophobia, coordination measures and cooperation between police and judicial authorities and other competent authorities and the mutual recognition of judicial decisions in criminal matters, and
4. To facilitate access to justice with the principle of mutual recognition of judicial and extrajudicial decisions in civil matters (Article 67 TFEU).

The European Union's internal structure includes five institutions, including the European Court of Justice. As a rule, when considering the current institutional issues referred about the EU political institutions (European Parliament, Council, and Commission). The ECJ has contributed significantly to the success of European integration and continues to play a particular role in the development of political and legal integration of the Communities. Thanks to the ECJ, the EU legal system of the Community regulates not only relations between States or EU institutions, but also directly protects the interests of individuals. As a result of the ECJ activities, it is able to ensure high reliability of its judgments, which have become one of the most important sources of law.

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<sup>6</sup> <http://eur-lex.europa.eu/legal-content/EL/TXT/HTML/?uri=URISERV:l14534&from=EL>

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<sup>7</sup> .433, 434, 435 - 2013,

<sup>8</sup> . 218 - 2013, . 435

<sup>9</sup> <http://eur-lex.europa.eu/legal-content/EL/TXT/HTML/?uri=URISERV:l14530&from=EL>

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<sup>11</sup> <http://eur-lex.europa.eu/legal-content/EL/TXT/?uri=URISERV%3A14530>

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<sup>13</sup> . 356 . <http://eur-lex.europa.eu/legal-content/EL/TXT/PDF/?uri=CELEX:12012E/TXT&from=EL>

<sup>14</sup> . 2011. . 263-286.

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<sup>19</sup> [http://www.europarl.europa.eu/atyourservice/el/displayFtu.html?ftuId=FTU\\_1.2.1.html](http://www.europarl.europa.eu/atyourservice/el/displayFtu.html?ftuId=FTU_1.2.1.html)

<sup>20</sup> Klaus-Dieter Borchardt,

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<sup>21</sup> <http://eur-lex.europa.eu/legal-content/EL/TXT/?uri=uriserv:l14533>

<sup>22</sup> , ( ) 26 2013, C-617/10 <http://eur-lex.europa.eu/legal-content/EL/TXT/?uri=celex:62010CJ0617>, 20.02.2016

<sup>23</sup> 2/13 ( ) 18 2014, <http://curia.europa.eu> 20.02.2016

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<sup>24</sup> Josephine Steiner, Lorna Woods, EU Law, 10<sup>th</sup> Edition, 2009, OXFORD University Press. Pp.3,4.

<sup>25</sup> Klaus-Dieter Borchardt, , 2011, .73



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<sup>26</sup><http://jurnal.org/articles/2013/uri120.html>  
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<sup>27</sup> Josephine Steiner, Lorna Woods EU Law, 10<sup>th</sup> Edition, 2009, OXFORD University Press. Pp.3

<sup>28</sup> Klaus-Dieter Borchardt, The ABC OF EUROPEAN UNION LAW, Europeanm Union, 2010, P.12

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<sup>30</sup> The Treaty of Amsterdam, by Philippe Manin // Columbia Journal of European Law. - 1998. - Vol. 4. - P. 1-26. [http://www.cjel.net/print/4\\_1-manin/](http://www.cjel.net/print/4_1-manin/)

<sup>31</sup> The Treaty of Nice and Convention on the Future of Europe, Petr Novak, 10/2015 [http://www.europarl.europa.eu/atyourservice/en/displayFtu.html?ftuId=FTU\\_1.1.4.html](http://www.europarl.europa.eu/atyourservice/en/displayFtu.html?ftuId=FTU_1.1.4.html)

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<sup>33</sup> μ μ :2009-2017, .5, 2009,  
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<sup>43</sup> [http://curia.europa.eu/jcms/jcms/Jo2\\_6999/](http://curia.europa.eu/jcms/jcms/Jo2_6999/)

<sup>44</sup> . . . . . 2011. . 201.

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<sup>45</sup>Art. 19(1) TFEU. The Court of Justice of the European Union. Michal Bobek. Department of European Legal Studies. Research Paper in Law, 02/2014

<http://www.oxfordhandbooks.com/view/10.1093/oxfordhb/9780199672646.001.0001/oxfordhb-9780199672646-e-11>

<sup>46</sup>[http://www.europarl.europa.eu/atyourservice/el/displayFtu.html?ftuId=FTU\\_1.3.9.html](http://www.europarl.europa.eu/atyourservice/el/displayFtu.html?ftuId=FTU_1.3.9.html)

<sup>47</sup> .527-529 2013,

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<sup>49</sup> [http://curia.europa.eu/jcms/jcms/Jo2\\_7024/el/](http://curia.europa.eu/jcms/jcms/Jo2_7024/el/)

<sup>50</sup> Klaus-Dieter Borhardt, , 2011, .76

<sup>51</sup> [http://curia.europa.eu/jcms/jcms/Jo2\\_7024/](http://curia.europa.eu/jcms/jcms/Jo2_7024/)

<sup>52</sup> μ μ μ ,  
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<sup>54</sup> <http://curia.europa.eu/jcms/upload/docs/application/pdf/2010-04/rp.el.pdf>

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[http://eur-lex.europa.eu/legal-](http://eur-lex.europa.eu/legal-content/EL/TXT/?uri=CELEX%3A32008Q0129(01))

<sup>55</sup> Klaus-Dieter Borchardt,

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<sup>57</sup> .520-521

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<sup>58</sup> [http://www.europarl.europa.eu/atyourservice/el/displayFtu.html?ftuld=FTU\\_1.3.9.html](http://www.europarl.europa.eu/atyourservice/el/displayFtu.html?ftuld=FTU_1.3.9.html)

<sup>59</sup> Josephine Steiner, Lorna Woods, EU Law, 10<sup>th</sup> Edition, 2009, OXFORD University Press. Pp.43-44

<sup>60</sup> 253

<sup>61</sup> 19  
[http://curia.europa.eu/jcms/upload/docs/application/pdf/2012-10/staut\\_cons\\_el.pdf](http://curia.europa.eu/jcms/upload/docs/application/pdf/2012-10/staut_cons_el.pdf)

<sup>62</sup> . . . , . . . μ μ :2009-2017, . 5 , 2009, .10. ( . . . , — : , , » , 2009. .10. «

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<sup>65</sup> . 8 .4 μ

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<sup>67</sup> Klaus-Dieter Borchardt,

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<sup>75</sup> [http://curia.europa.eu/jcms/jcms/T5\\_5230/](http://curia.europa.eu/jcms/jcms/T5_5230/)

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<sup>79</sup> . 10- 11, 18  
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<sup>89</sup> Klaus-Dieter Borchardt, . . . 2011, . . . 104

<sup>90</sup> . . . 271

<sup>91</sup> <http://eur-lex.europa.eu/legal-content/EL/TXT/PDF/?uri=CELEX:12012E/TXT&from=EL>

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<sup>96</sup> Les Verts,  
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<sup>99</sup> [http://curia.europa.eu/jcms/jcms/Jo2\\_7024/](http://curia.europa.eu/jcms/jcms/Jo2_7024/)

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<sup>101</sup> The Court of Justice. Composition, jurisdiction and procedures, 2010. 2015 <http://bookshop.europa.eu/en/the-court-of-justice-pbQD3010472/>

<sup>102</sup> The Court of Justice Composition, jurisdiction and procedures. 2015 <http://bookshop.europa.eu/en/the-court-of-justice-pbQD7005423/>

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<sup>103</sup> . 270

<sup>104</sup> **Ton Heukels, Alison McDonnell**, The Court of First Instance now has exclusive jurisdiction to hear all claims for compensation against the Community brought by individuals. *The Action for Damages in Community Law, Boston, London, 1997. P.2*

<sup>105</sup> . 340

<sup>106</sup> .597 , , , , , - 2013,

<sup>107</sup> Douglas-Scott, Sionaidh. *Constitutional Law of the European Union*. Enland: Longman, 2002.P.388



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<sup>110</sup> The Court of Justice. Composition, jurisdiction and procedures, 2010. <http://bookshop.europa.eu/en/the-court-of-justice-pbQD3010472/>

<sup>111</sup> <http://eur-lex.europa.eu/legal-content/EL/TXT/HTML/?uri=URISERV:l14552&from=EL>

<sup>112</sup> [http://curia.europa.eu/jcms/jcms/Jo2\\_7024/#competences](http://curia.europa.eu/jcms/jcms/Jo2_7024/#competences)

<sup>113</sup> 267/2

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préliminaire d'urgence).

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<sup>116</sup> Case 26/62, N.V Algemene Transporten Expeditie Onderneming Van Gend en Loos v. Nederlandse Administratie der Belastingen [1963] ECR 1; [1963] CMLR 105.

<sup>117</sup> . Case 6/64, Flaminio Costa v. Enel (194) ECR 585, (1964) CMLR 425, 593

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