

The role of the Advocate General of the Court of Justice

Source: Cour de justice des Communautés européennes- Luxembourg: Cour de justice des Communautés européennes [Prod.], 1998. La Cour de justice des Communautés européennes - Division de la Presse et de l'Information, Luxembourg. - VIDEO (00:00:56, Couleur, Son original).

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Last updated: 04/07/2016

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Neither Judge nor Prosecutor, the Advocate General is both a participant and a qualified and independent witness in the trial. Like the Judge-Rapporteur, he closely follows the progress of the case, listens to the pleas, cross-examines the parties concerned and draws up his conclusions. He then presents those conclusions in open court and proposes a solution to the case.

The Judges listen to him but are in no way compelled to adopt his recommendations. In the same way as the Judges, the Advocate General will have analysed the case in its legal context, and he may decide to express his view — a dissenting view, if need be — being limited only by his conscience. He may also decide, in a sense, to be History's impartial witness.