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# La France à la loupe

## The Final Court of Appeal

The Final Court of Appeal was set up in 1790 as **the highest judicial court** in the country. Cases brought before this court are called “appeals to the highest instance”. Also known as the “**Supreme Court**”, the court is tasked with ensuring that the subordinate courts respect the legal rules. It is therefore not a third level of jurisdiction since **it judges the legal form** – legal compliance of judges’ rulings – **and not the substance of cases**. For example, it ensures **the uniform application of the law** throughout the French Republic, hence respecting the legal equality of French citizens.

The Final Court of Appeal is made up of professional magistrates: Senior Presiding Judge, presiding judges of chambers, judges of appeal, legal assistants, Director of Public Prosecution, Deputy Director of Public Prosecution, advocates-general, Chief Clerk and clerks of chambers. The Final Court of Appeal is divided into six chambers: three civil chambers, one commercial chamber, one social chamber and one criminal chamber.

**The Final Court of Appeal liaises with the European courts**, the Court of Justice of the European Communities sitting in Luxembourg and the European Court of Human Rights sitting in Strasbourg. Its rulings take into consideration the precedence of international law over domestic law (Article 55 of the Constitution of the 5<sup>th</sup> Republic) and especially the 1950 European Convention on Human Rights and the Community treaties.

The Final Court of Appeal forms part of a number of **European and International networks of supreme courts**, via associations such as the IASAJ\* and the AISBL\*\*, and has established privileged judicial co-operation links in particular with the Franco-British Judicial Co-operation Committee. The Final Court of Appeal is **twinned** with Morocco, Canada, Senegal, Egypt, Lebanon, Algeria, Benin and the Dominican Republic for exchanges of magistrates and civil servants, internships in each country’s courts, co-operation between the respective documentation and research departments, and conferences and symposia.

The Final Court of Appeal publishes an **annual report**, which presents suggestions for legislative and regulatory changes, an analysis of the main rulings handed down over the year and a study on a given subject. Technological innovation, truth, equality and liability are just some of the subjects addressed in recent years.

\*IASAJ: *International Association of Supreme Administrative Jurisdictions*

\*\*AISBL: *Association of the Councils of State and Supreme Administrative Jurisdictions of the European Union*

## To find out more

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### SITES

- Final Court of Appeal website:  
<http://www.courdecassation.fr/>
- Final Court of Appeal annual reports:  
<http://www.courdecassation.fr/rubrique36.html>
- French Judicial Organisation Code, Volume I  
<http://www.legifrance.gouv.fr/WAspad/UnCode?commun=&code=CORGJUDL.rcv>

### BIBLIOGRAPHY

- **La Cour de cassation** / Jean-François Weber - La documentation française, *Les Études* collection, 2006