



1982 and 1983

**FORMAL SITTINGS**  
of the  
**COURT OF JUSTICE**  
of the  
**EUROPEAN COMMUNITIES**  
1982 and 1983

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**FORMAL SITTING**  
of 9 February 1982



Van Houtte

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**Address delivered by Mr J. Mertens de Wilmars, President,  
on the occasion of the departure of  
Mr Albert Van Houtte, Registrar**

Your Excellencies,  
ladies and gentlemen,

On numerous occasions already – for such is the course of life – you have honoured with your presence solemn hearings at which, at the end of the term of office of a president, judge or advocate general, we express our gratitude to him and hear the oath of his successor.

Today, however, an event without precedent in the Court's history brings us together. The Registrar, Albert Van Houtte, is leaving us, after requesting to be relieved of the duties which he has performed without interruption since 1953, that is to say, since the very birth of the Court of Justice.

It is in keeping with the spirit which has always united the judges and the advocates general to their highest-ranked colleague – the only one who performs a duty expressly provided for in the Treaties themselves – that a sitting of the Court should emphasize, by the warmth of the remarks, our friendship, and by the solemnity of the proceedings, our appreciation for the exemplary manner in which the responsibilities on which the proper functioning of this Court so much depends have been carried out.

We thank you for your attendance; your rank and number, by themselves, testify to the friendship and esteem by which Albert Van Houtte was surrounded.

Mr Registrar and dear friend,

Of the generation which, after the Second World War, dreamed of European union and sought to transform that dream into reality, there are few who, as long and as constantly as yourself, have harnessed their talents and their devotion to that historic enterprise and whose career has been inseparably linked with the development of those institutions which ensure the success of that enterprise. It would not surprise me if, at any rate at the level of responsibility which you held, you have set an absolute record.

You were not even 40 years old when, in 1953, you were appointed the first Registrar of the Court of Justice of the European Coal and Steel Community. In making its choice the newly-formed Court provided the first convincing evidence of its wisdom, for in you it found the qualities and abilities which we, after so many years' experience, hope to find in your successor: a thorough legal training, experience in international institutions, and managerial skills.

As economic adviser to a large Belgian agricultural organization, as principal private secretary to a minister of agriculture, as a high official in the European office of the Food and Agriculture Organization in Rome and thereafter as the Belgian representative in that international institution, you had already proved that you possessed those qualities. The appointment of a specialist in agricultural law as Registrar of the Court of Justice of the European Coal and Steel

Community was perhaps one of those harbingers of fate whereby the destiny of that Court, itself eventually to become an expert in the intricacies of the law relating to the common organization of agricultural markets, was already decided. But at that time that was known to no-one.

Those who then appointed you were soon to discover that those professional qualities went hand in hand with other attractive characteristics which have charmed all those who have had dealings with you; a warm disposition, the ability to smooth rough edges, an understanding of human relationships, skill in negotiations and finally – a small point, but worthy of mention none the less – wide-ranging knowledge and taste as a gastronome and connoisseur. All that has led to a unique record: no less than five successive terms of office and an unbroken career as Registrar of the Court stretching over almost 30 years.

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Original text: Dutch.



Your first years in office were not the busiest in the history of the Court, and your constant desire for useful activity led you to play an important role in the establishment and development of the European Schools. Over 12 years, from 1953 to 1965, you performed the duties of representative – that is to say confidant and executive – of the Board of Governors of the European Schools, and in that capacity you became chairman of the Administrative Board of the schools which you had set up. In that field too, which is so important for the integration of officials and their families in the European working environment, you have shown yourself to be among the pioneers in the building of Europe.

Eventually, however, the development of the Court, parallel to that of the Communities, was to compel you to devote all your talents and dedication to the Court of Justice. As the Court's senior official under six presidents – Massimo Pilotti, André Donner, Charles Léon Hammes, Robert Lecourt, Hans Kutscher and myself – you have witnessed and promoted the transformation in the institutions: from the Court of the Coal and Steel Community to the Court of the European Communities, from the Court of the Community of six to the Court of the Community of ten. You have participated in the successive extensions in the Court's powers, the rise in the number of cases from nine in 1955 to 23 in 1960, to 79 in 1970 and 323 in 1981, as well as the increase in the number of languages used and the consequent extension in the administration involved.

\*The adaptation in the departments of the Court – the Registry and the departments which provide intellectual, administrative and logistic support – which was at first gradual and which has indeed never ceased during the last 15 years, placed a growing burden and wide responsibilities on your shoulders. The organization and proper functioning of departments, difficult negotiations with the budgetary authorities, the recruitment and training of officials, the smooth conduct of proceedings, the erection and furnishing of the building which houses our work, as well as the negotiations with the Luxembourg Government, which was in charge of the project, all this was largely in your hands and all those tasks were successfully accomplished.

In a word, Mr Registrar, this institution bears, and will long continue to bear, the stamp of your personality as a label of quality.

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\*Original text: French.

In my opinion, and undoubtedly in the opinion of Albert Van Houtte himself, the expression of these sentiments would be wholly incomplete if we failed to include in them Mrs Van Houtte. Members of the staff and members of the Court have all been beneficiaries of her kindness, her amiability and goodwill and her ever-present smile. In her splendid house, how many of us have enjoyed her generous hospitality, always equal to the reputation as a gourmet which the Registrar added to his other qualities.

To you, Mr Registrar, and to you, Mrs Van Houtte, the Court sends its warmest wishes for a pleasant retirement and continued happiness. *Ad multos annos.*

**Speech delivered by Mr A. Van Houtte, Registrar,  
on his retirement**

Mr President, Your Lordships, advocates-general,  
former Presidents and Members of the Court, Your Excellencies,  
ladies and gentlemen, dear friends:

This year the ECSC celebrates its 30th anniversary, and the European Community its 25th.

It has been my privilege to live through that inspiring chapter of European politics as Registrar of the Court of Justice.

You were kind enough to describe, Mr President, what those years meant for me. I thank you most warmly for the very generous comments you have made, as I thank you – perhaps even more – for the mention you have made of my wife. It was, I know, well deserved.

I thank the members of the Court for extending to me their esteem, confidence and friendship.

I thank the former Presidents and former Members of the Court, and their spouses, for having come to Luxembourg on this occasion. They do me a remarkable honour.

My thoughts turn also with gratitude to those Presidents and Members of the Court, and staff members, who are no longer with us.

When I took the oath before the Court 29 years ago the brief ceremony took place, not in an imposing courtroom such as this, but – as a result of an unfortunate fall by our President, Mr Pilotti – in the Visiting Room at the Clinique Sainte Zithe, with the door leading into the corridor wide open to mark the public nature of the event.

At that time, of course, the working premises of the Court were no more than 'provisional', as was the seat of the ECSC itself in Luxembourg.

It was there that the work of the Court slowly developed, in offices situated in three buildings, the central one being the Villa Vauban.

The first sittings of the Court were held in that building in the President's private office, which was transformed on each occasion into a courtroom. Judge Pescatore, as Agent for his government, was one of the first to plead there.

In 1954 the Court was able to have sittings in the hall at the Cercle Municipal where a rostrum already resembling the present form of the bench was erected on each occasion and dismantled afterwards. You yourself, Mr President, appeared before it in 1956 in an important case.

It was in that hall that I took the oath a second time, in October 1958, following the inauguration of the newly constituted 'single' Court with Mr Donner as President. That sitting was a most solemn occasion.

In 1959 the Court was able to instal itself in the building on the Côte d'Eich, which was well-appointed and suited to its needs. It had there its own courtroom and enough offices for all its members and its staff. The latter was at the time, it is true, extremely small, amounting to no more than 75 officials.

When in 1972, on the eve of the enlargement of the Community, the Court was able to move into the courthouse on Kirchberg, its premises on the Côte d'Eich had already become too small, an additional building having been rented in the meantime in the Grand-Rue. Enlargement of the Community, however, with the increase in the number of Members of the Court from 9 to 13 and the introduction of two new official languages, took the number of staff rapidly from 130 in 1972 to 230 in 1973, thereby practically filling to capacity the new building which had been designed 10 years earlier. Its design had been based at the time on a theoretical evolution of the work of the Court which was considered by some as vastly overestimated.

The building was inaugurated under the presidency of Mr Lecourt. It was President Kutscher who was to give the 'green light' for the renting of a floor in the Jean Monnet building and for the consideration of plans for a new building.

It is my earnest wish that you, Mr President, will be able to inaugurate the new building, which at the moment is no more than a blueprint. The Court has urgent need of it, since the number of Members increased to 16 in 1981 and the number of staff authorized for 1982 is 472 persons.

The history of its physical surroundings is, in a way, the history of the Court itself.

Whilst the beginnings of the Court were somewhat slow the Registry now receives one or even two new applications a day. In 1981 there were 323 applications, compared with 279 in 1980. The total number of applications lodged from 1953 to the present date during my term of office is 3 825 and I have authenticated almost 1 400 judgments. I have also been told that as far as my signature is concerned I have passed the 'million' mark!

From my privileged position I have been able to observe how the Court has established its authority; how it has won the confidence of the institutions, the Member States, the judiciary, the Bars, the public, teachers of law, universities and European institutes; and how it has attracted to an ever-increasing degree the interest of public opinion: in 1981 the Court received over 8 000 visitors.

Permit me to express the great pride I take in having belonged to this institution for so long and to thank the Court once more for allowing me this opportunity to do so.

Allow me too, Mr President, to bid farewell to the staff of the Court.

The number of officials still in service who were not established after my arrival may now be counted on the fingers of one hand. Mr Beck and Mr Hochstrass are without a doubt the longest in service. There is still lively debate between them as to which of the two was the first to mount the steps leading up to the entrance to the Villa Vauban in those early days in December 1952.

I wish to pay warm and heartfelt tribute to the staff and its representatives. Thanks to their ability and acute awareness of the reserve with which the staff of any court of law must naturally conduct itself the Court has been able to function harmoniously and efficiently under all circumstances.

My only regret is that the rapid increase in the number of staff over these last years has made it impossible for me to maintain consistent personal contact with each member of the staff. However, they all knew that the door to my office was open to everyone, at all times. This 'open door' policy was doubtless an expression of my conception – rather 'paternalistic', it may be – of my administrative functions, but at the same time it was a reflection of my conviction that one cannot properly direct the work of groups of people of such diverse origins without warm and comprehensive human relationships extending beyond the letter of a set of Staff Regulations.

However that may be, I shall miss the almost daily meetings with the directors and heads of departments and my almost monthly meetings with the Staff Committee.

May I be allowed to express my special gratitude to Miss Séjournant, who has been my assistant for 27 years, and to the staff of the Registry of whom other assistants – Miss Massaro and Miss Culmann – have been members of this essential service of the Court for 25 years. It has always functioned well despite the complexity of the language system and the diverse nature of its duties.

I must thank many other people, colleagues and friends, who welcomed and placed their confidence in me in the context of numerous inter-institutional activities in which I had to participate. To them I owe a thorough acquaintance with the wheels of the Community machinery, which enabled me the better to carry out my administrative responsibilities to the Court.

I recall with gratitude and friendship all those whom I have met in the course of the meetings of the ECSC Common Interest Committee – an offshoot of the Committee of Presidents – and in the meetings of the Heads of Administration, the Staff Regulations Committee, the Management Committee of the Office for Official Publications, and in so many other different meetings.

Most of those meetings, however, could not have taken place without the efficient aid of a small secretariat of which Miss Bagnard has always been the heart and soul.

You were kind enough to refer to my role in the creation of the European Schools. I would like, Mr President, to extend my best wishes to the 11 000 pupils in the 10 European Schools and to the 5 000 students who have already left the schools equipped with the 'baccalauréat', and, through them, to all young people. They are the hope of the Europe of today and tomorrow.

Finally, I wish to express – equally on behalf of my wife – my gratitude to the Luxembourg authorities who gave us a most cordial welcome, both in my professional relations with local authorities and on a personal level.

I shall always remember the first official reception to which we were invited after arriving in Luxembourg, the occasion of the marriage between Their

Highnesses Grand Duke Jean and Grand Duchess Josephine-Charlotte; the most recent invitations we received were likewise connected with happy events in the Grand-Ducal family.

It was our privilege to live through a whole generation in the Grand Duchy and in its capital, the extraordinary development of which we have been able to observe during that period.

To my successor, Paul Emil Heim, go my heartfelt wishes for a long and fruitful career.

To you, Mr President, and to the members of the Court and their spouses, my wife and I express our gratitude and our affection.



**Paul Heim**



**Address delivered by Mr J. Mertens de Wilmars, President, on the occasion of the entry into office of Mr P. Heim, Registrar**

Mr Registrar, you have just heard the Court's appreciation of your predecessor and the regard which it has for the work which he has carried out for so long, for the greatest good of the institution.

It is thus no easy task to follow Mr Van Houtte as Registrar. The choice of his successor called for a great deal of care and in selecting you from a number of very worthy candidates the Court is confident that it has placed that succession in good hands.

A career of astonishing diversity from which law was, however, never absent, and varied judicial and administrative duties have provided a remarkable preparation for your work with a judicial institution which, in its judgments, endeavours to contribute to the establishment, with a view to a future worthy of free peoples, of a new legal order situated at the meeting-point of national legal orders each of which reflects a part of the particular genius of nations which have now decided to unite and remain united.

Your life in a sense mirrors the great and terrible disorders which preceded that desire for union. You were born in Austria in 1932, in Vienna, a city which, after being for centuries the capital of an empire, was overtaken by troubled times but has now become once again a citadel of spiritual freedom. At a very early stage, in flight from totalitarian persecution, you trod the paths of exile which led you through Cyprus and Kenya to the United Kingdom in 1950. Since your country of exile was a country of freedom it became your home. Following studies at the University of Durham you were called to the Bar in London as a member of Lincoln's Inn.

In 1955 you returned to Kenya where for 10 years you performed important judicial duties: Deputy Registrar, then Registrar and finally Principal Registrar of the Supreme Court of Kenya.

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Original text: French.

At the same time you were a judge of first instance in both civil and criminal matters, all this being interspersed with periods of study in Europe which led you, amongst other things, to follow the courses of The Hague Academy of International Law.

Your career then took a decidedly European turn. In 1965 you were appointed an assistant administrator in the Registry of the European Court of Human Rights in Strasbourg and subsequently an administrator with the European Commission of Human Rights. Thereafter you moved to the Secretariat of the Council of Ministers of the Council of Europe where you performed important duties in the Directorate of Political Affairs in the Secretariat. In 1969 you were appointed Deputy Chef de Cabinet of the Secretary-General of the Council.

However, the Europe of the 21 proved to be a stage on the way to the Europe of the Communities. In 1973 the European Parliament provided fresh scope for your talents. First of all you were head of one of the divisions of the Registry there and from 1975 you performed important and difficult duties as Director of the Parliamentary Sessions Service. In 1980 you were appointed Director of Sessions Service.

You have thus acquired extensive practical experience of national, international and Community institutions and your duties have involved alternating responsibilities of a judicial and administrative nature closely related to the political problems which are always present in schemes of great moment.

We are sure that the performance of these duties has fitted you for the performance of a task in which the lawyer which you are returns, as it were, after a long and fruitful journey, to his first love.

Mr Registrar, the Court presents its congratulations and welcomes you with pleasure and confidence. It presents its best wishes for success in your task and places great hopes in your talents, your devotion and sagacity. It includes Mrs Heim in its congratulations and best wishes.

May I now call upon you to take the oath prescribed for the taking-up of your duties.

**Curriculum vitae  
Paul Emil Heim**

**Registrar of the Court of Justice of the European Communities  
Born 23 May 1932  
Married, three children**

*Education*

1946-50 Prince of Wales School, Nairobi, Kenya  
1950-53 Kings College, University of Durham  
(Bachelor of Laws)  
1951-55 Lincoln's Inn, London  
(Called to the Bar)

*Career*

*HM Overseas Civil Service*

1955 Appointed Deputy Registrar, Supreme Court of Kenya  
Appointed, in addition, Magistrate (judge of first instance  
with criminal and civil jurisdiction)  
1961-62 Detached to study administration of courts of law of the  
United Kingdom and elsewhere  
1963 Appointed Senior Deputy Registrar  
1964 Appointed Acting Registrar, Supreme Court of Kenya  
Member of Rules Committee; Secretary to Council of Legal  
Education; Lecturer in charge of educational and training  
courses; Member of Law Reform Committee; Adviser to  
Medical Board; Official Government Law Examiner;  
Lecturer to Law Society on Practice and Procedure

*Council of Europe*

1965 Appointed Assistant Administrator in the Registry of the  
European Court of Human Rights, Council of Europe,  
Strasbourg  
1966 Appointed Administrator, European Commission of Hu-  
man Rights

- 1967 Administrator, Political Directorate, Secretariat of Committee of Ministers  
1968 Appointed Principal Administrator, Secretariat of Committee of Ministers  
1969 Appointed Deputy Head of the Private Office

*European Parliament*

- 1973 Head of Division of Minutes of Proceedings, with responsibility for matters relating to rules, practice, procedure, and following up action taken by other institutions on Parliament resolutions  
1975-77 (and on subsequent dates) appointed Director *ad interim*, Parliamentary Sessions Service  
1980 Appointed Director of Sessions Service

*Court of Justice of the European Communities*

- 1982 Appointed Registrar

**FORMAL SITTING**  
**of 6 October 1982**

**Speech delivered on 6 October 1982, by J. Mertens de Wilmars,  
President of the Court of Justice of the European Communities  
on the occasion of the departure of Mr Advocate General  
Francesco Capotorti, First Advocate General, Judge Adolphe  
Touffait, President of Chamber, and Judge Fernand Grévisse,  
and of the swearing-in of Messrs Kai Bahlmann, Federico Mancini  
and Yves Galmot**

Your Excellencies, ladies and gentlemen,

By your most welcome presence you are honouring a rather unusual event in the history of the Court which, to be frank, I hope will be the exception rather than the rule. In fact, it is the first time since 1958 that the composition of the Court has been altered to such an extent on one occasion.

We are losing three colleagues who enjoy our highest esteem and confidence and to whom we are bound by cordial friendship, stemming both from the pleasure of personal contacts and from the joint accomplishment of a task the importance and necessity of which have been for them, as for us, a constant preoccupation. We share with them the conviction that our task is beneficial to the peoples and the States which make up the Community. Links of that kind cannot be undone without regrets or without an opportunity being found for the Court to express its gratitude to those who are leaving and to give to those who are taking over an idea of what the Court hopes for and expects from them.

The Court's gratitude goes in the first instance to you, my dear Mr Capotorti. Amongst those who are leaving us you have performed your duties for the longest and you are the only one, in common with your predecessor, Mr Advocate General Trabucchi, to have experienced both sides of the Court's judicial activity: you have sat and deliberated as a judge and you have sat and delivered opinions as an advocate general. When you took office as advocate general we regretted losing your contribution to our deliberations, your

enlightened views and exemplary impartiality, your profound knowledge of the law, your exceptional analytical mind and the ease of your relations with your colleagues. In the exercise of the duties of your second office, you displayed, to the very great benefit of the Court, all those rare qualities and, in addition, the freedom which typifies and should typify the approach of an advocate general. Those qualities have never failed to illuminate your opinions, characterized as they are, in essence, by objectivity regarding matters of fact, flexibility and finesse, sometimes rather intricate reasoning but in all cases rigorous respect for the law. In addition, particular mention must be made of your innate, simple and unfailing instinct for the dictates of duty and dignity.

More than once, when listening to you, I have been reminded of the expert hands of a brain surgeon, for you know how to handle with dexterity the most delicate threads of legal argument. One of the most significant aspects of your contribution to the development of Community law seems to me to have been your ability, as a renowned professor of international law and a perceptive adviser of your government on the legal problems of foreign policy, to identify and clarify what distinguishes and ought to distinguish Community law from international law as a whole. Many of your opinions, whilst remaining within the confines of the particular case before the Court in order to achieve a just solution (the first duty of a court), have provided and continue to provide guidelines for the way in which the Court's jurisprudence should develop.

Mr Advocate General, you are a man whose writings invite re-reading and, I assure you, we will re-read them with profit, which is one way, amongst others, of ensuring that you remain among us. Please accept our thanks and with them our sincerest and warmest wishes for success in your future activities which we hope will continue to enrich Community law and contribute to its development. We extend those thanks and wishes to Mrs Capotorti for we retain very pleasant memories of her kindness and wit from her appearances at your side.

May I now turn to you, my dear colleague Mr Touffait. You joined us in 1976 with an outstanding reputation as a man who had held the highest judicial offices in France, with the concomitant heavy responsibilities, which you discharged with brilliance and distinction, sometimes in dramatic conditions, and of which you bear and suffer with exceptional courage the physical traces: Public Prosecutor at the Tribunal de la Seine, Director of the Private Office of various ministers and in particular of the Minister of Justice, First President of the Cour d'Appel, Paris, and Public Prosecutor at the Cour

de Cassation. In carrying out those duties you perceived the future potential of Community law and in opinions which have become famous you gave it a decisive impetus within the legal system of your country. During your period of office at the Court of Justice you have fully justified that reputation and on your return to France that fact, added to an already exemplary curriculum vitae, will do honour to yourself and to the Court. On this occasion I shall refrain from indulging in the banter with which we amuse you or sometimes afflict you regarding your sporting past and your very lively interest in all matters of sport. There is that but there is also much more. I recall that, on my arrival at the Court, the President wisely gave me, in the first instance, a number of cases which were not too complicated, to cut my teeth on. I remember also that, just after your arrival, you were appointed Rapporteur for an important and finely-balanced case concerning restrictive practices. Some of us wondered how, as a newcomer, you would manage but you submitted to us a draft which formed the basis of one of the most remarkable landmarks in the case-law of this Court, by virtue both of its substance and of its literary qualities. We recalled then that you had – amongst many other duties – also sat on the Technical Commission on Agreements, Decisions and Concerted Practices, and Dominant Positions. You did not really need any instruction from us.

If I were to try to sum up, in a few words, your contribution to Community case-law I should say that you have brought to us the authority of experience and the experience of authority. Those who had the privilege of working with you know how beneficial the law is to mankind and its history, if it remains faithful to its aims. I would add that you have convincingly shown how beneficial, or rather how necessary, it is for the Court to have within it a number of the leading members of the judiciary of the various Member States.

You take with you our regrets, our friendship, our thanks and I am sure a pleasant memory of the Court of Justice.

I extend that gratitude, not without some emotion, to Mrs Touffait. We know how her constant, discrete and kindly presence at your side has helped you in the accomplishment of your duties with us. The necessarily formal nature of that compliment will not prevent me, my dear Lucie, from mentioning the cordial friendship which unites our families. That long friendship has been for my wife and for me one of the pleasures of our sojourn in the Grand Duchy and, together with the other Members of the Court, we fervently wish you happiness in a retirement which, knowing your husband, I am sure will be fulfilling.



My dear colleague Mr Grévisse, the tone of our gratitude must be shaded with other colours in your case. Too soon and too short! Even if we consider only the interests of the Court and the benefit which we have derived from your collaboration the conclusion is inescapable that you are leaving us too soon and we should have liked to see you extend your stay with us.

It needed few of the 12 months which you have spent in Luxembourg for us to appreciate the value of your contribution to the common task and for us to benefit from it: to that task you brought the calmness of a judge coupled with the wealth of experience in active administration, a mastery of public law and familiarity with its most up-to-date aspects, in particular its economic ramifications, your drafting ability which on occasion was so useful when it was necessary to make rapid progress with our deliberations, your openness to new aspects of the difficult art of enunciating a law which stems from the continual confrontation of different legal systems, your great urbanity and modesty which, fortunately, do not hide your talents. We respect the personal reasons for your not wishing to extend your term of office but that does not prevent us from extending our regret at your departure. You came to us in 1981 from that great institution, the French Conseil d'État, which for 30 years has, by the contribution of its members, enlivened the activity of our Court. You return there after an experience which, I am convinced, will contribute greatly to maintenance and reinforcement of the spirit of cooperation which exists between the Court of Justice and that great court, for, as you have seen, the desire to ensure mutual trust and respect between this Court and the great national courts is always uppermost in our minds. I should like to convey to you not only our thanks for the task accomplished but also our warmest wishes for success in your future career and I extend our thanks to Mrs Grévisse.

I hope that our three colleagues who leave us today will appreciate the profundity of our regret at seeing them leave us, the sincerity of our gratitude and the warmth of the wishes which we extend to them for their personal happiness and success in their future endeavours.

*After the speech delivered by Mr Advocate General Capotorti, the First Advocate General, the President speaks again.*

The new Members who, in a moment, will take their oath of office will have apprehended from what I have just said and from the views just expressed by Mr Advocate General Capotorti, that the task which they are now taking

on is commensurate with the talents and dedication to which their careers and the way in which they have discharged their duties testify.

In the first instance I address myself to you, Mr Ministerial-Direktor Bahlmann, since according to protocol and as a result of the golden rule of equality which prevails in relations between Members of the Court, age – by a few months – accords you seniority. Yours is a career where judicial and administrative experience and responsibilities have mingled harmoniously. Following legal studies in Cologne, Bonn and Freiburg you were, in 1956, appointed Assessor then, shortly afterwards, Gerichtsassessor at the Oberlandesgericht, in Cologne; in 1958 you became Wissenschaftlicher Mitarbeiter [Specialist Adviser] attached to the Bundesverfassungsgericht where you had an immediate opportunity of familiarizing yourself at first hand with the problems faced by a supreme constitutional court within a federal system. Then, in order to ensure that there were no gaps in your legal experience, you sat for two years in one of the great criminal chambers of the Landgericht Köln. In 1961 you moved from the judiciary to the executive. The Federal Ministry of Justice called upon your talents and it was within that great administration that you pursued your career, achieving rapid promotion and taking on new responsibilities. As Ministerial-Direktor you were put in charge of the department dealing with public law which, in the legislative and administrative spheres, has the task of studying and proposing solutions to problems of constitutional law, of public international law and of Community law and is responsible for the preliminary legal examination of draft laws and decrees.

I am tempted to repeat what I said to Mr Touffait; for you also law is action and more particularly, in your case, specific and beneficial action designed to maintain and develop structures of public law embodying democracy and safeguarding fundamental rights and liberties.

Those are concerns which are not alien – far from it – to the Community legal order. That aspect of Community law is not unknown to you, as is shown by a paper which you recently prepared on the protection of fundamental rights in the European Community. Your experience, your knowledge of public law and your familiarity with major institutional problems will be of great benefit to our Court and we welcome you with pleasure.

In the person of Federico Mancini we are joined, in the best Italian tradition, by a respected professor. Until now you have devoted yourself to university teaching and research but neither of one nor of the other have you made an ivory tower. You have joined in the constant battle to ensure that the

law does not remain static and when dramatic tensions threaten to call it in question you do not hesitate to raise your voice, as is evidenced by the work which you have recently published under the title 'Terroristi e Reformisti'. It was however labour law, one of the branches of legal knowledge which is the most oriented towards safeguarding the dignity of working men, which you chose as your principal sphere of action and study and your works in that field are authoritative.

After studying at the University of Bologna you taught labour law at the University of Urbino, then from 1963 at the University of Bologna and finally, from 1978, at the University of Rome. But your reputation crossed frontiers and you also taught in the United States, first at the University of North Carolina and then at Harvard.

In 1976, almost as if forewarned of the high judicial office which lay in store for you, you became a member of the Consiglio Superiore della Magistratura so that the problems faced by the judiciary became familiar to you.

You know how alert the Court is to problems of welfare law and industrial relations in the Community, regarding the free movement of workers, social security and equal pay and conditions of work for male and female workers. No one doubts that, particularly in those fields, your experience and your knowledge will be of great value. To you also we extend our welcome.

Mr Galmot, as Conseiller d'État, you are continuing a famous line: Maurice Lagrange, Joseph Gand, Alain Dutheillet de Lamothe, Henri Mayras, Fernand Grévisse. Those predecessors lead us to expect much from you but your qualities and the use which you have made of them in the service of the *res publica* allow us to entertain those high expectations with confidence.

After a brilliant career as a student, initially reading public law and political science, and after passing through that nursery of great administrators, the École Nationale d'Administration, in 1956, at the age of 25, you entered the Conseil d'État as an Auditeur. In 1962 you became Maître de Requêtes, in 1964 Commissaire du Gouvernement and in 1981 Conseiller d'État.

As has been the experience of so many members of that institution, your career has alternated between judicial responsibilities on the one hand and on the other administrative responsibilities discharged at the policy-making level

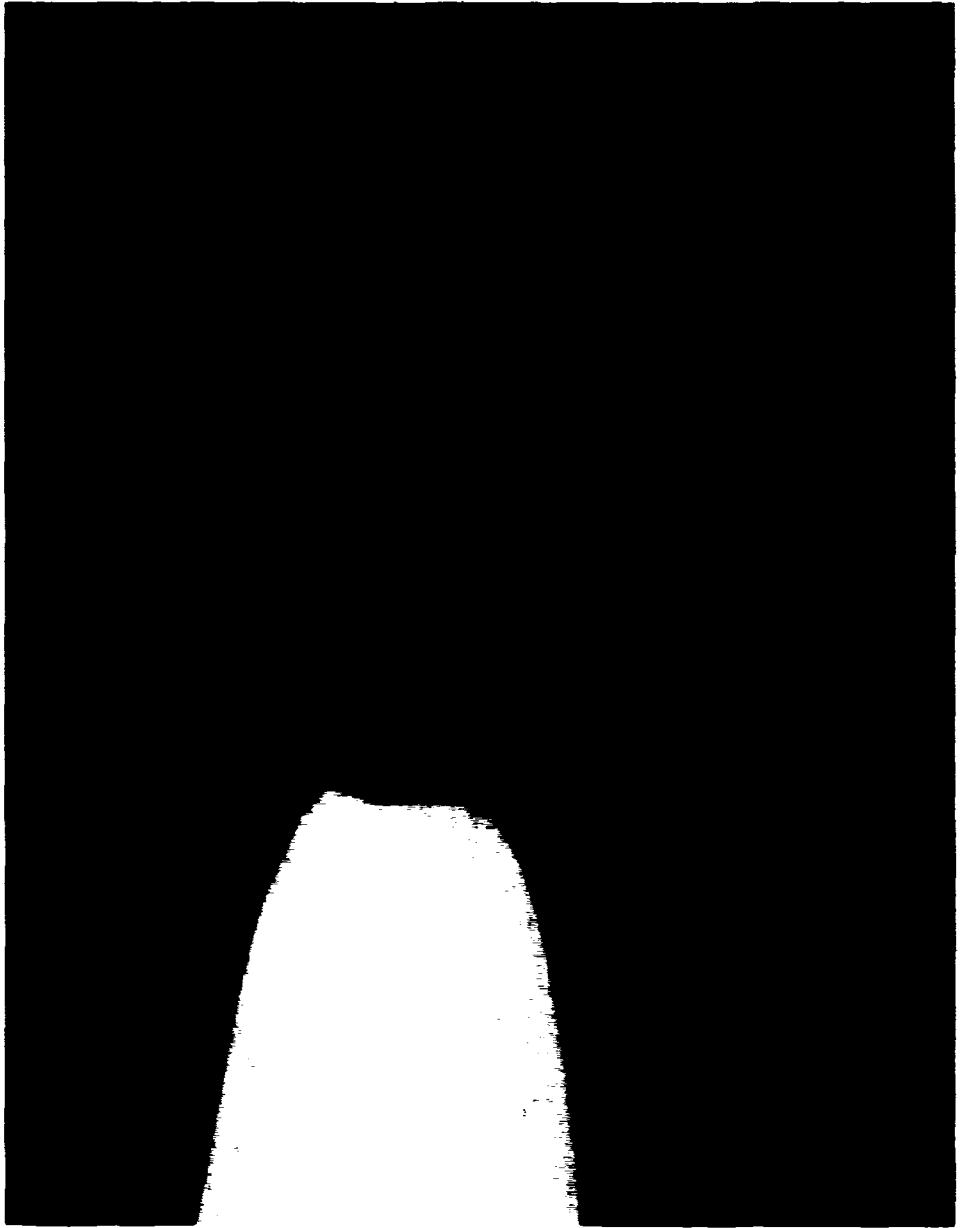
where they almost become political choices. In 1962 you were a representative of the Organisation Technique des Richesses du Sous-sol Saharien; you then became Secretary, and then Secretary-General, of the Entreprise Minière et Technique. In 1974 you were appointed Administrative and Financial Director of IRCAM and later Legal Adviser to ERAP. Those impressive abbreviations stand for institutions called respectively 'Institut de Recherche et de Coopération Acoustique-Musique' and 'Entreprise de Recherches et Activités Pétrolières'. Those appointments bear witness to your wide range of interests and abilities. More recently you became a government delegate to the Saint-Gobain-Pont-à-Mousson group, which makes us think that you must possess talents for negotiation and conciliation.

What strikes me about your career and what I think will be of greatest benefit to the Court is your dual experience as a judge experienced in the techniques of review which ensure respect for the law by institutions and as an administrator with experience of the public service in its most recent role in advanced industrial companies, those in which scientific and technological research and the management of new economic structures have become interwoven with the pursuit of the general interest. Community law is not confined to economic law – it covers a much wider field – but a very large part of it is represented by economic law in its most developed forms. Your experience in these fields will be welcome, as are you yourself from this moment.

May I end by quoting the words which President Donner addressed in 1964 to Judge Monaco and Mr Advocate General Gand when they took the oath of office. The words which he used are fine ones, full of meaning and perhaps one of you will repeat them in years to come to welcome another newcomer. 'The task which awaits you', he said, 'is worthy of the greatest efforts and talents of lawyers of your standing and it carries with it the promise of satisfaction inherent in the accomplishment of an important but difficult task. May that task,' said President Donner in conclusion, 'become as dear to you as it already is to us'.

I extend to Mr Bahlmann, Mr Mancini and Mr Galmot, in the name of the whole Court, our hearty congratulations and cordial wishes for success in the discharge of their duties in Luxembourg.

May I invite them to take the oath which marks their entry into office.



**Kai Bahlmann**

**Curriculum vitae**  
**Kai Bahlmann, Ministerialdirektor [Under-Secretary]**

Born 29 January 1927 in Düsseldorf married with three children

1934 to 1944 and 1946 to 1947	School
1944 to 1946	Soldier and prisoner of war
1947	School leaving certificate
1947 to 1951	Legal studies in Cologne, Bonn and Freiburg
5 April 1952	First State examination in Law, Cologne
1952 to 1956	Gerichtsreferendar [trainee lawyer] in the Oberlandesgerichtsbezirk Köln [Cologne higher regional judicial district]
20 March 1956	Second State examination in Law, Düsseldorf
1956	Gerichtsassessor [junior legal official] in the Oberlandesgerichtsbezirk Köln
September 1958 to September 1960	Scientific assistant at the Bundesverfassungsgericht [Federal Constitutional Court]
1959	Landgerichtsrat [Associate judge at the Regional Court] Cologne
From 1961	Official at the Federal Ministry of Justice – Public Law branch
12 June 1969	Ministerialdirektor: Head of Division IV Public Law (Constitutional law); Constitutional Court, public international law, Community law; Preliminary legal scrutiny of draft laws and orders



**Giuseppe Federico Mancini**

**Curriculum vitae**  
**Professor Giuseppe Federico Mancini**

Born in Perugia on 23 December 1927. Married, with two daughters.

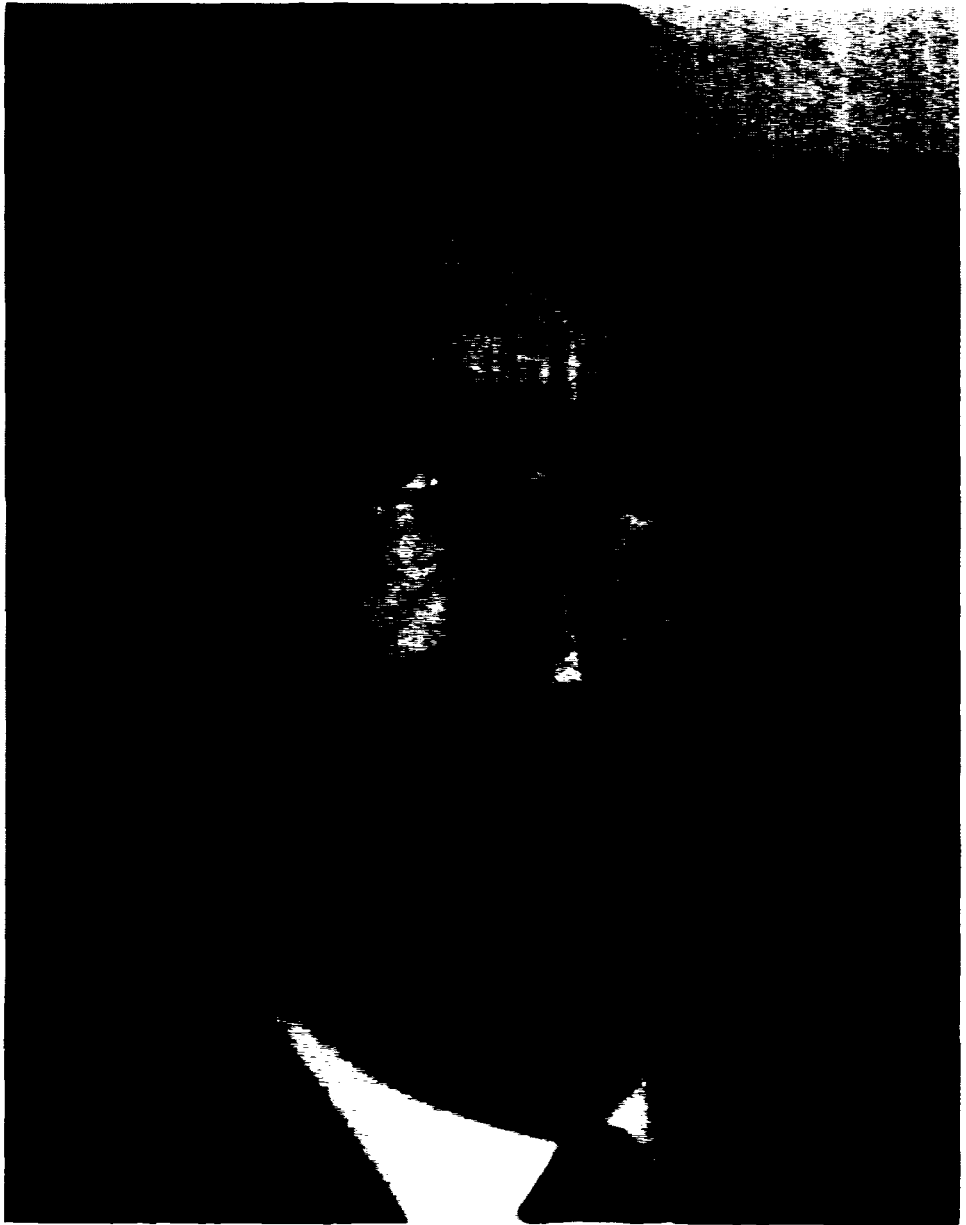
Graduated with distinction in Law at the University of Bologna in 1949. Lecturer [Liberò docente] in labour law in 1956. Lecturer appointed on an annual basis [Professore incaricato] at the University of Urbino from 1956 to 1962. In 1962, appointed supply lecturer [Professore straordinario] in labour law in the Faculty of Law at the University of Bologna. Appointed professor [Professore ordinario] in 1965, he moved to the Faculty of Political Science at the University of Rome in 1979. Intends to return to the University of Bologna as from 1 November 1982 to occupy the Chair of Private Comparative Law.

In 1969, member of the commission which drew up the Government bill on the statute of rights for workers (Law No 300 of 20 May 1970). Between 1976 and 1981, Member of the Consiglio Superiore della Magistratura [General Council of the Judiciary].

In 1950 and 1951, was awarded grants to study in France (Universities of Bordeaux and Paris) and in the United States of America (University of Chicago). In 1965, conducted a course at the University of North Carolina and, in the years which followed, conducted numerous seminars in the Department of Government at Harvard University. In 1979, delivered the eighth Chorley Lecture on 'Politics and the Judges – The European Perspective' at the London School of Economics and Political Science.

His principal publications include: *La responsabilità contrattuale del prestatore di lavoro*, Giuffrè, Milan 1958; *Il recesso unilaterale e i rapporti di lavoro*, Vol. I, Giuffrè, Milan 1962; Vol. II, Giuffrè, Milan 1965; *Costituzione e movimento operaio*, Il Mulino, Bologna 1976; *Lo Statuto dei diritti del lavoratori. Commentario* (with G. Ghezzi, L. Montuschi and U. Romagnoli), Zanichelli-Foro italiano, Bologna-Roma 1972; *Terroristi e Riformisti*, Il Mulino, Bologna 1981.





Yves Galmot

**Curriculum vitae**  
**Yves Galmot, Conseiller d'État**

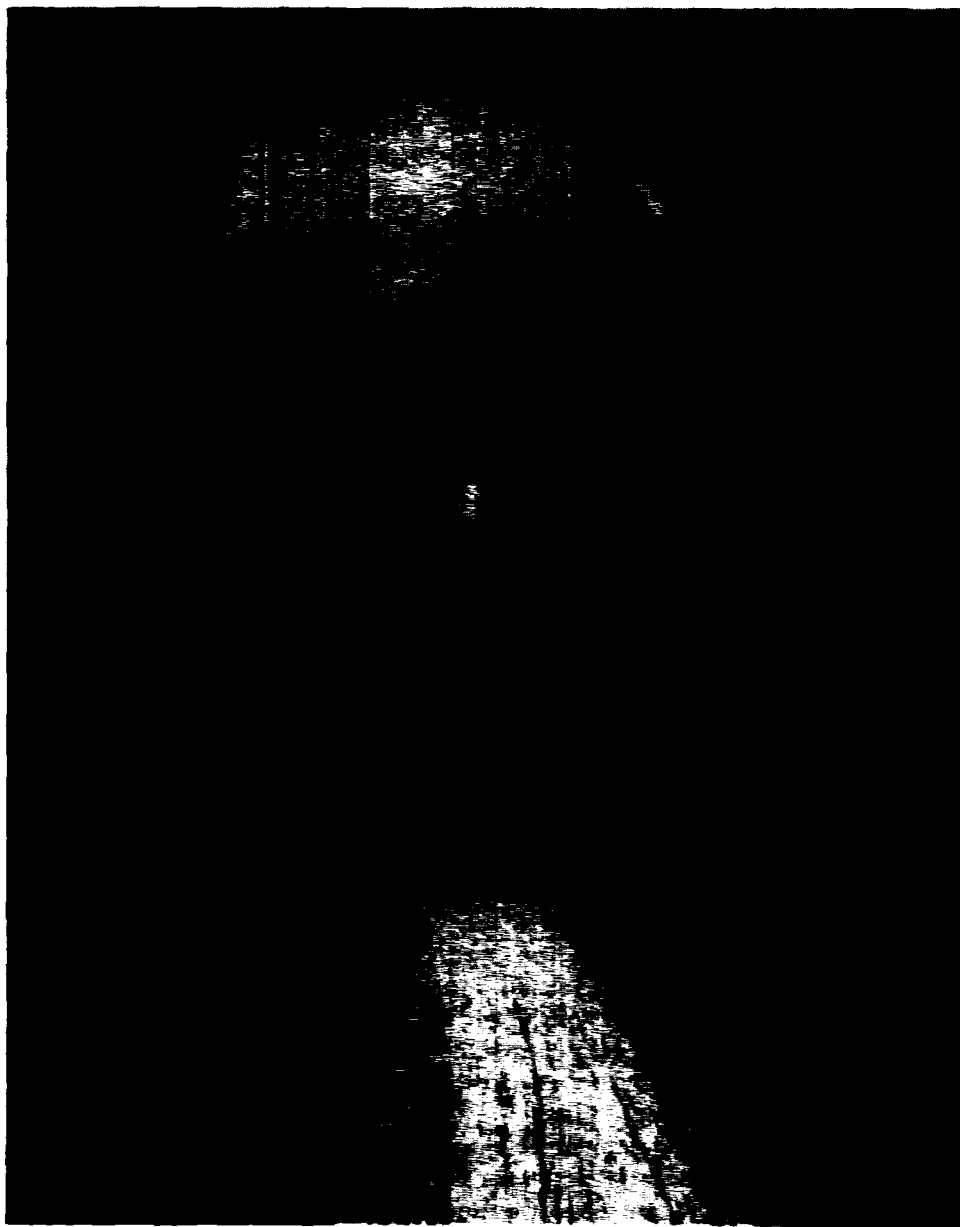
Born on 5 January 1931 in Paris, married, with two children.

*Qualifications*

Diploma of the Institut d'Études Politiques, Paris Degree in Law,  
Higher Diploma in Public law

*Career*

1954 to 1956 École Nationale d'Administration  
1956 Auditeur at the Conseil d'État  
1961 Chargé de Mission, later Technical Adviser at the office of  
the High Commissioner for Youth and Sport  
1962 Maître des Requêtes at the Conseil d'État  
1962 Representative in Paris of the Organisation Technique de  
Mise en Valeur des Richesses du Sous-sol Saharien [Techni-  
cal Organization for the Exploitation of the Mineral  
Resources of the Sahara]  
1964 to 1968 Commissaire du Gouvernement at the Assemblée du Contien-  
tieux of the Conseil d'État  
1970 to 1974 Deputy Secretary-General, later Secretary-General of the  
Entreprise Minière et Chimique [Mining and Chemical  
Corporation].  
Since 1974 Administrative and Financial Director of the Institut de  
Recherche et de Coordination Acoustique Musique [Insti-  
tute for Research in and Coordination of Musical Acoustics]  
at the Beaubourg Centre  
June 1981 Conseiller d'État  
July 1981 Government representative delegated to the Saint-Gobain-  
Pont-à-Mousson group of undertakings  
October 1981 Legal adviser to the Entreprise de Recherche et d'Activités  
Pétrolières [Petroleum Research and Development Corpora-  
tion].



Francesco Capotorti

**Speech delivered by  
Mr Advocate General Francesco Capotorti  
at the formal sitting on 6 October 1982**

Mr President,

In addressing you today, I am also representing Judges Adolphe Touffait and Fernand Grévisse, to whose friendship and trust I owe the honour of being, for the purposes of this formal sitting, in a certain sense the spokesman for this small group of retiring Members. I would first like to express our gratitude for the warm and flattering way in which you spoke of us in your farewell address to us. Among your very numerous qualities, there is undoubtedly, Mr President, that of knowing how to encourage your colleagues by stressing their virtues and of being indulgent towards their failings. Your address is a confirmation of this very kindly attitude.

Throughout the time I have spent at the Court, three aspects of the life of this institution have seemed to me particularly remarkable. In the first place the quality of the relationship between the members, characterized by a deep respect for each individual's freedom to think independently and, at the same time, by the common commitment to defend the autonomy of the Court, as well as its quality of being truly and consistently *super partes*. The diversity of the professional origins of each one of us, the different legal traditions in which we were brought up and our different nationalities have not prevented us all from sincerely desiring to join together in making our diverse contributions serve the unity of the Court. Even if the forms of dialogue between us and the methods of reflection on the arguments of others are inevitably different, in the relations between the judges and between the judges and the advocates general, there can be no doubt that all the members of the Court have always played their full part in that dialogue and that reflection. On this matter, may I say that I think it admirable – and at an international level, very rare – that decisions should be the result of reason and not of the force of dominant interests; perhaps only a judicial institution is capable of this. In reality the daily work of the Court consists of seeking,

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Original text: French.

patiently and honestly, the most reasonable solution to the disputes which are brought before it, in the sole interest of the respect of Community law.

The second aspect of this institution which deserves to be mentioned is its consistency, its fidelity to certain principles, which are those proclaimed in the Treaties and whose numerous implications have been gradually clarified by the decisions of the Court. Sadly, one feels obliged to remark that other Community institutions sometimes give the impression of groping their way along, of being reduced to a day-to-day policy, torn between the desire to establish new and ambitious objectives and the reality of the eclipse of a true Community spirit. The Court has an advantage in so far as its function requires it to reaffirm daily the rules of the Treaties, and through these rules, the ideas which were their inspiration. Nevertheless this function is not discharged simply in order to comply with an obligation but rather with the aim of completing the edifice of European integration on the foundations of the Treaties. It is surely true that the aim of integration, which from the point of view of *realpolitik* must now be considered utopian, has been brought closer, in the field of law, by our Court and also by the large number of judges and lawyers of our countries who have adopted the same approach, with the result that the European legal community seems stronger today than the political community. In the worst moments one may at least hope that the legal community will stoutly resist the danger of turning back the clock and will maintain intact the conditions without which a renewed drive for integration is impossible.

Finally, Mr President, I would add a few words about the third aspect of the life of the Court which has contributed to its prestige: the discreet, reserved style of its activity, both internally and in its external relations, an activity which rarely attracts the attention of the mass media, which is not subjected to the influence of approval or criticism, and which does not involve any feeling of a need for wide publicity. I can say that the most important decisions in the case-law of the Court were taken during the period in which the governments of the Member States were scarcely aware of its existence. Moreover, I do not know whether those governments, except on those occasions where the Court places them in difficulties by holding them to be in the wrong on questions of particular importance, really appreciate the place which the Court occupies in the Community structures and in the legal life of Europe. National egotism and myopia go together, and no rhetoric can succeed in masking them.

Before concluding, I would like to recall the debts of gratitude which we owe to those who have worked the most closely with us – again I am speaking on behalf of the three retiring members. We have been assisted by excellent

legal secretaries – Messrs Gori, Chevallier, Saggio, Spitzer, Maidani, Marty-Gauquie – who have drawn unsparingly on their learning, intelligence and the wealth of their ideas in order to render our chambers equal to the task which faced them and to remedy our personal inadequacies. At the same time we have benefited from the diligence, the patience, the precisions and the sense of duty of our assistants and secretaries; in their hands, sheets of paper covered with hurried scribble were transformed into a neat sequence of well-typed lines, complete with references and quotations, ready to be read and digested! We would also like to express our warm thanks to the chauffeurs whose consummate skill has allowed us to choose between the pleasure of reflection and that of admiring the view whilst being driven at speeds a fraction below the authorized limits. In addition, we would like to thank all the staff of the Court under the direction and authority of the Registrar; every official has always done his best to meet our requests and to satisfy the requirements of a close and courteous collaboration.

This address concludes, Mr President, our experience at the Court. It is an experience which will remain in our memory as a particularly important period in our lives, full of satisfaction and inspired by the knowledge that we were working for a good cause. To you, Mr President, to all our colleagues, their wives and their families we present our very best wishes for the future, together with the sincere expression of our gratitude and our friendship.

**FORMAL SITTING**  
**of 1 December 1982**



Alexandros G. Chloros



**Funeral oration  
for Alexandros Chloros, President of Chamber,  
delivered by J. Mertens de Wilmars, President  
of the Court of Justice, on 1 December 1982**

Your Excellencies,  
ladies and gentlemen,

When after the deliberations on Friday 12 November the Members of the Court parted, who would have believed that Alexandros Chloros was taking leave of us for the last time?

When he left us, he seemed to be in good health. On Saturday we learned to our surprise, though without real apprehension, that he had been taken ill and admitted to hospital. Subsequently we heard with growing anxiety that his condition had worsened. Later still, we learned to our astonishment that he had died on Monday in the aircraft in which he was being taken to London in the hope that a complicated surgical intervention might still save his life.

Sophocles, Aeschylus and Euripides taught us many centuries ago that life and death are inextricably interwoven and that the former paves the way for the latter; that is what our religious beliefs and philosophy tell us to this day. Yet it is impossible to escape the conclusion that on this occasion fate has surpassed itself in cruelty by striking down the harvester while he was still reaping the harvest.

The death of Alexandros Chloros is a severe trial for his courageous wife who, through her work, is also involved in the European venture and it is a grievous blow to his children and step-children who formed a model family around him.

His passing also leaves the Court of Justice with a profound sense of loss.

Less than two years ago, on 12 January 1981, I invited our colleague to take the oath of office when he took up his appointment as a judge of the Court

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Original text: French.

of Justice – an appointment conferred upon him by the Council of Ministers on the accession of Greece to the European Community – and I spoke then of the talents, qualifications and merits which had earned him the approbation of the governments of the Member States. 'A period of two years' membership of the Court might at first sight seem very short, if not fleeting. We must however evaluate, not calculate'. It was in those words that Hans Kutscher, President of the Court at the time, honoured the memory of our former colleague Judge Cearbhall Ó'Dálaigh who had resigned from the Court in 1975 to become President of Ireland. Those words are also a fitting tribute to Alexandros Chloros, President of Chamber. He combined so many gifts and talents that he immediately rose to prominence amongst us. The contributions which he made during deliberations or when presenting draft judgments in his capacity as judge-rapporteur bear eloquent witness to his sound legal reasoning, which was complemented by a thorough knowledge of various legal systems and, above all, was absolutely free from those subconscious prejudices which may at times undermine legal arguments which are to all appearances faultless. He was by nature fair and objective, yet passionately concerned with the need to safeguard fundamental rights and liberties and particularly anxious to ensure that the decisions of the Court had tangible results, especially in cases which decided the fate of those who were more vulnerable than others to the vagaries of life.

A great sense of balance, valuable experience acquired in the negotiations which led to the accession of the Hellenic Republic to the European Community and an instinct for sound achievements were the hallmarks of his firm yet cautious approach to Europe. He was convinced that Community law had a decisive role to play as the welding force of integration which he anticipated would provide substantial benefits for his own people as well as for those of the other Member States. Thus he devoted himself body and soul to his new duties, not as a brilliant though impersonal technocrat but as a lawyer and a citizen placing his talents at the disposal of a great cause.

There were also the personal qualities which he displayed in his private life: his capacity for friendship, his directness, culture, impeccable manners, sensitivity in relation to others and, a most uncommon attribute, the ability to be witty without being unkind.

As we contemplate the sudden vacuum left by his death, we cannot but regret that we have been prematurely deprived of his so many fine qualities which could have served us so well in our task of ensuring compliance with the law within the Community.

The Court of Justice wishes to express once again its deep and heartfelt

sympathy to Mrs Chloros and to our colleague's children and to assure them of its attachment to the memory of a man whose intelligence, qualities and character have left their mark on the Court in spite of the all too brief period in which he held office.

The sitting is suspended as a sign of mourning.

**FORMAL SITTING**  
**of 14 March 1983**



Constantinos Kakouris

Speech delivered by Mr J. Mertens de Wilmars, President,  
on 14 March 1983  
on the occasion of the entry into office of  
Judge Constantinos Kakouris

Your Excellencies,  
ladies and gentlemen,

As I welcome our new colleague, you will forgive me, as I know he will, for taking the opportunity to recall the sorrow which was felt by the members of this institution at the untimely death of Alexandros Chloros. By appointing him to be the first Greek judge to sit at the Court of Justice, the governments of the Member States strengthened and enriched our institution and during the year and more in which he performed his duties he made a considerable contribution to the accomplishment of the task entrusted to the Court by the Treaties. It is not easy to take the place of such a man but you, my dear Mr Kakouris, are fully qualified to do so. The Court and all those who believe in the fundamental importance of the law in the process of uniting our countries and our peoples welcome you with the same confidence, respect and friendship which they bestowed on Alexandros Chloros.

The Court of Justice includes lawyers from many different backgrounds and disciplines: eminent judges, senior civil servants, diplomats, university professors and people from the world of politics. Specialists in international law work alongside specialists in public and administrative law, economic law, civil law and even – a recent phenomenon – specialists in Community law, a field in which the first generations of judges and advocates general were self-taught. Alexandros Chloros was a professor and an internationalist; you, Mr Kakouris, are a member of the highest administrative court in your country, the State Council, and you therefore bring to us both the *knowledge* of a specialist in public and administrative law and the *experience* of a judge whose duty, by definition, is to review the legality of measures adopted by the public authorities.

You were born in 1919. In 1940, at the age of 21, you finished your law studies at the University of Athens and were called to the Bar. In 1951 you

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Original text: French.

were appointed an Auxiliary Judge at the State Council; in 1962, Assistant Judge and in 1970, a full member. In the meantime, from 1953 to 1955 you studied public law at the University of Paris, revealing your interest in constitutional law and comparative public law. That is an interest which you will have many opportunities to pursue in the course of your new duties.

Since your appointment as a member of the State Council, in addition to your duties in that court you have assumed various responsibilities all of which bear witness to the confidence which is placed in you as a distinguished judge, chosen not only for your wide knowledge but also for your independent spirit. You have been a member of the special disciplinary appeals committee for teachers in higher education, President of the tribunal adjudicating on objections of bias against members of the higher courts and tribunals, Chief Assessor for the Administrative Tribunals, a member of the High Council of the Judiciary and, most recently, Chairman of the committee responsible for the preparation of a draft law on the protection of privacy and the prevention of automatic processing of personal data.

The latter undertaking is indicative of the kind of man you are, a jurist dedicated to the respect of fundamental liberties, who knows that in a democratic society public law is intended to protect those liberties and only permits the exercise of power in so far as the public authorities respect them. In that regard, you will not be disappointed in your new duties because you have joined a Court of Justice which since its creation has striven and will continue to strive to ensure that the European Community is, is seen to be and remains a community based on respect for the law.

I hope you will forgive me for adding what in your modesty you have not told us but what all your compatriots already know, namely that during the period when liberty was restricted in your country, you, both as a citizen and as a judge, stood up for the defence of liberty and you paid the price for that act of courage. Your presence here is rendered more significant by that fact.

The importance of your arrival at the Court and the contribution which you will make to the accomplishment of its task is underlined by the solemnity of this hearing and by the presence of numerous distinguished representatives of the Member States, of the other institutions and of the many bodies which have consistently supported our institution. I should like to thank them and tell them how much the Court appreciates the fact that they have once again accepted its invitation.

In particular I should like to greet the representatives of the Luxembourg authorities who are here today. Their presence is a confirmation of something

which is of special importance to us, namely the cooperation and trust which exist between them and the Court. If it were not established in Luxembourg, the Court of Justice would not be what it is. It has always been able to rely on the understanding and the unfailing support of the Grand-Ducal Government for everything necessary for the accomplishment of its task. For this we shall always be grateful.

All those who are gathered here join the Court of Justice in congratulating you, Mr Kakouris, and in wishing you the greatest success in your new appointment. I extend those congratulations to Mrs Kakouris, herself a lawyer, who, both as such and as a wife, now has a special reason for taking an interest in Community law.



## **Curriculum vitae of Mr Constantinos Kakouris**

- 1919 Born in Pyrgos (Ileia), Peloponnese, Greece  
1935 Secondary school leaving certificate  
1940 Graduated in law from the University of Athens  
1942 Called to the Bar in Athens  
1951 Auxiliary Judge at the State Council  
(first place in the entrance competition)  
1953 to 1955 Studied Public Law at the Faculty of Law of the University  
of Paris  
1962 Assistant Judge at the State Council  
1970 to 1983 Member of the State Council  
1974 to 1975 Member of the special disciplinary appeals committee for  
teachers in higher education  
1975 President of the tribunal adjudicating on objections of bias  
against members of the higher courts and tribunals  
1975 to 1976 Member of the Special Supreme Court (Article 100 of the  
Greek Constitution)  
1976 to 1977 Chairman of the jury making awards for proposals on  
reforming services in the public sector  
1977 to 1979 Chief Assessor for the Administrative Tribunals  
1978 to 1983 Chairman of the disciplinary appeals committee for staff of  
the State Electricity Undertaking  
1982 to 1983 President of the High Council of the Diplomatic Corps of  
the Ministry of Foreign Affairs  
1983 Chairman of the committee responsible for preparing a draft  
law on the protection of information (protection of privacy  
and the prevention of automatic processing of personal data)

Several times a member of the High Council of the Judiciary and chairman or member of other councils and committees.

Various articles and reviews published in legal (and philosophical) journals

Contributions to various conferences and international seminars on public law

Courses in administrative law and general jurisprudence in Athens for students of Temple University, USA

Courses in contentious administrative law for members of administrative courts and tribunals

Representative of the Greek State Council on the Permanent Committee responsible for organizing round table conferences of representatives of the higher instances of administrative law of the Member States of the European Communities

Greek delegate to meetings held by various international institutions

Member of the Board of the Association of Peloponnesian Studies and of other cultural associations

As rapporteur, drafted the first judgments of the State Council in demotic Greek

Under the dictatorship of 1967 to 1974 he consistently spoke out for, and acted in furtherance of, respect for personal freedom and the general principles of the rule of law

Married, no children. His wife, a lawyer, is a legal adviser at the Paribas Bank in Athens

## Composition of the Court

### Order of seniority

from 1 January to 9 February 1982

Josse MERTENS DE WILMARS, President  
Francesco CAPOTORTI, First Advocate General  
Giacinto BOSCO, President of the First Chamber  
Adolphe TOUFFAIT, President of the Third Chamber  
Ole DUE, President of the Second Chamber  
Pierre PESCATORE, Judge  
Lord Alexander J. MACKENZIE STUART, Judge  
Gerhard REISCHL, Advocate General  
Andreas O'KEEFFE, Judge  
Thymen KOOPMANS, Judge  
Ulrich EVERLING, Judge  
Alexandros CHLOROS, Judge  
Sir Gordon SLYNN, Advocate General  
Simone ROZÈS, Advocate General  
Pieter VERLOREN VAN THEMAAT, Advocate General  
Fernand GRÉVISSE, Judge  
Albert VAN HOUTTE, Registrar

#### *Composition of the First Chamber*

Giacinto BOSCO, President  
Andreas O'KEEFFE, Judge  
Thymen KOOPMANS, Judge

#### *Composition of the Second Chamber*

Ole DUE, President  
Pierre PESCATORE, Judge  
Alexandros CHLOROS, Judge  
Fernand GRÉVISSE, Judge

#### *Composition of the Third Chamber*

Adolphe TOUFFAIT, President  
Lord Alexander J. MACKENZIE STUART, Judge  
Ulrich EVERLING, Judge

#### *Advocatus General*

Francesco CAPOTORTI, First Advocate General  
Gerhard REISCHL, Advocate General  
Sir Gordon SLYNN, Advocate General  
Simone ROZÈS, Advocate General  
Pieter VERLOREN VAN THEMAAT, Advocate General

from 10 February to 6 October 1982

Josse MERTENS DE WILMARS, President  
Francesco CAPOTORTI, First Advocate General  
Giacinto BOSCO, President of the First Chamber  
Adolphe TOUFFAIT, President of the Third Chamber  
Ole DUE, President of the Second Chamber  
Pierre PESCATORE, Judge  
Lord Alexander J. MACKENZIE STUART, Judge  
Gerhard REISCHL, Advocate General  
Andreas O'KEEFFE, Judge  
Thymen KOOPMANS, Judge  
Ulrich EVERLING, Judge  
Alexandros CHLOROS, Judge  
Sir Gordon SLYNN, Advocate General  
Simone ROZÈS, Advocate General  
Pieter VERLOREN VAN THEMAAT, Advocate General  
Fernand GRÉVISSE, Judge  
Paul HEIM, Registrar

from 7 October to 15 November 1982

Josse MERTENS DE WILMARS, President  
Andreas O'KEEFFE, President of Chamber  
Ulrich EVERLING, President of Chamber  
Alexandros CHLOROS, President of Chamber  
Simone ROZÈS, First Advocate General  
Pierre PESCATORE, Judge  
Lord Alexander J. MACKENZIE STUART, Judge  
Gerhard REISCHL, Advocate General  
Giacinto BOSCO, Judge  
Thymen KOOPMANS, Judge  
Ole DUE, Judge  
Sir Gordon SLYNN, Advocate General  
Pieter VERLOREN VAN THEMAAT, Advocate General  
Kai BAHLMANN, Judge  
Federico MANCINI, Advocate General  
Yves GALMOT, Judge  
Paul HEIM, Registrar

*Composition of the First Chamber*

Andreas O'KEEFFE, President  
Giacinto BOSCO, Judge  
Thymen KOOPMANS, Judge

*Composition of the Second Chamber*

Alexandros CHLOROS, President  
Ole DUE, Judge  
Kai BAHLMANN, Judge

*Composition of the Third Chamber*

Ulrich EVERLING, President  
Pierre PESCATORE, Judge  
Yves GALMOT, Judge  
Lord Alexander J. MACKENZIE STUART, Judge

*Composition of the Fourth Chamber*

Andreas O'KEEFFE, President  
Pierre PESCATORE, Judge  
Giacinto BOSCO, Judge  
Thymen KOOPMANS, Judge  
Kai BAHLMANN, Judge

*Composition of the Fifth Chamber*

Ulrich EVERLING, President  
Lord Alexander J. MACKENZIE STUART, Judge  
Ole DUE, Judge  
Alexandros CHLOROS, Judge  
Yves GALMOT, Judge

*Advocates General*

Simone ROZÈS, First Advocate General  
Gerhard REISCHL, Advocate General  
Sir Gordon SLYNN, Advocate General  
Pierre VERLOREN VAN THEMAAT, Advocate General  
Federico MANCINI, Advocate General

from 17 November 1982 to 31 December 1982

Josse MERTENS DE WILMARS, President  
Pierre PESCATORE, President of Chamber  
Andreas O'KEEFFE, President of Chamber  
Ulrich EVERLING, President of Chamber  
Simone ROZÈS, First Advocate General  
Lord Alexander J. MACKENZIE STUART, Judge  
Gerhard REISCHL, Advocate General  
Giacinto BOSCO, Judge  
Thymen KOOPMANS, Judge  
Ole DUE, Judge  
Sir Gordon SLYNN, Advocate General  
Pieter VERLOREN VAN THEMAAT, Advocate General  
Kai BAHLMANN, Judge  
Federico MANCINI, Advocate General  
Yves GALMOT, Judge  
Paul HEIM, Registrar

*Composition of the First Chamber*

Andreas O'KEEFFE, President  
Giacinto BOSCO, Judge  
Thymen KOOPMANS, Judge

*Composition of the Second Chamber*

Pierre PESCATORE, President  
Ole DUE, Judge  
Kai BAHLMANN, Judge

*Composition of the Third Chamber*

Ulrich EVERLING, President  
Lord Alexander J. MACKENZIE STUART, Judge  
Yves GALMOT, Judge

*Composition of the Fourth Chamber*

Andreas O'KEEFFE, President  
Pierre PESCATORE, Judge  
Giacinto BOSCO, Judge  
Thymen KOOPMANS, Judge  
Kai BAHLMANN, Judge

*Composition of the Fifth Chamber*

Ulrich EVERLING, President  
Lord Alexander J. MACKENZIE STUART, Judge  
Ole DUE, Judge  
Yves GALMOT, Judge

From 1 January to 13 March 1983

Josse MERTENS DE WILMARS, President  
Pierre PESCATORE, President of the Second Chamber  
Andreas O'KEEFFE, President of the First Chamber  
Ulrich EVERLING, President of the Third Chamber  
Simone ROZÈS, First Advocate General  
Lord Alexander J. MACKENZIE STUART, Judge  
Gerhard REISCHL, Advocate General  
Giacinto BOSCO, Judge  
Thymen KOOPMANS, Judge  
Ole DUE, Judge  
Sir Gordon SLYNN, Advocate General  
Pieter VERLOREN VAN THEMAAT, Advocate General  
Kai BAHLMANN, Judge  
G. Federico MANCINI, Advocate General  
Yves GALMOT, Judge  
Paul HEIM, Registrar

*Composition of the First Chamber*

Andreas O'KEEFFE, President  
Giacinto BOSCO, Judge  
Thymen KOOPMANS, Judge

*Composition of the Second Chamber*

Pierre PESCATORE, President  
Ole DUE, Judge  
Kai BAHLMANN, Judge

*Composition of the Third Chamber*

Ulrich EVERLING, President  
Lord Alexander J. MACKENZIE STUART, Judge  
Yves GALMOT, Judge

*Composition of the Fourth Chamber*

Andreas O'KEEFFE, President  
Pierre PESCATORE, Judge  
Giacinto BOSCO, Judge  
Thymen KOOPMANS, Judge  
Kai BAHLMANN, Judge

*Composition of the Fifth Chamber*

Ulrich EVERLING, President  
Lord Alexander J. MACKENZIE STUART, Judge  
Ole DUE, Judge  
Yves GALMOT, Judge

*Advocates General*

Simone ROZÈS, First Advocate General  
Gerhard REISCHL, Advocate General  
Sir Gordon SLYNN, Advocate General  
Pieter VERLOREN VAN THEMAAT, Advocate General  
G. Federico MANCINI, Advocate General

From 14 March 1983 to 6 October 1983

Josse MERTENS DE WILMARS, President  
Pierre PESCATORE, President of the Second Chamber  
Andreas O'KEEFFE, President of the First Chamber  
Ulrich EVERLING, President of the Third Chamber  
Simone ROZÈS, First Advocate General  
Lord Alexander J. MACKENZIE STUART, Judge  
Gerhard REISCHL, Advocate General  
Giacinto BOSCO, Judge  
Thymen KOOPMANS, Judge  
Ole DUE, Judge  
Sir Gordon SLYNN, Advocate General

Pieter VERLOREN VAN THEMAAT, Advocate General  
Kai BAHLMANN, Judge  
G. Federico MANCINI, Advocate General  
Yves GALMOT, Judge  
Constantinos KAKOURIS, Judge  
Paul HEIM, Registrar

*Composition of the First Chamber*

Andreas O'KEEFFE, President  
Giacinto BOSCO, Judge  
Thymen KOOPMANS, Judge

*Composition of the Second Chamber*

Pierre PESCATORE, President  
Ole DUE, Judge  
Kai BAHLMANN, Judge

*Composition of the Third Chamber*

Ulrich EVERLING, President  
Yves GALMOT, Judge  
Constantinos KAKOURIS, Judge

*Composition of the Fourth Chamber*

Andreas O'KEEFFE, President  
Pierre PESCATORE, Judge  
Giacinto BOSCO, Judge  
Thymen KOOPMANS, Judge  
Kai BAHLMANN, Judge

*Composition of the Fifth Chamber*

Ulrich EVERLING, President  
Lord Alexander J. MACKENZIE STUART, Judge  
Ole DUE, Judge  
Yves GALMOT, Judge  
Constantinos KAKOURIS, Judge

*Advocates General*

Simone ROZÈS, First Advocate General  
Gerhard REISCHL, Advocate General  
Sir Gordon SLYNN, Advocate General  
Pieter VERLOREN VAN THEMAAT, Advocate General  
G. Federico MANCINI, Advocate General



From 7 October 1983 to 31 December 1983

Josse MERTENS DE WILMARS, President  
Thymen KOOPMANS, President of the First Chamber  
Sir Gordon SLYNN, First Advocate General  
Kai BAHLMANN, President of the Second Chamber  
Yves GALMOT, President of the Third Chamber  
Pierre PESCATORE, Judge  
Lord Alexander J. MACKENZIE STUART, Judge  
Gerhard REISCHL, Advocate General  
Andreas O'KEEFFE, Judge  
Giacinto BOSCO, Judge  
Ole DUE, Judge  
Ulrich EVERLING, Judge  
Simone ROZÈS, Advocate General  
Pieter VERLOREN VAN THEMAAT, Advocate General  
G. Federico MANCINI, Advocate General  
Constantinos KAKOURIS, Judge  
Paul HEIM, Registrar

*Composition of the First Chamber*

Thymen KOOPMANS, President  
Lord Alexander J. MACKENZIE STUART, Judge  
Giacinto BOSCO, Judge

*Composition of the Second Chamber*

Kai BAHLMANN, President  
Pierre PESCATORE, Judge  
Ole DUE, Judge

*Composition of the Third Chamber*

Yves GALMOT, President  
Ulrich EVERLING, Judge  
Constantinos KAKOURIS, Judge

*Composition of the Fourth Chamber*

Thymen KOOPMANS, President  
Kai BAHLMANN, Judge  
Pierre PESCATORE, Judge  
Andreas O'KEEFFE, Judge  
Giacinto BOSCO, Judge

*Composition of the Fifth Chamber*

Yves GALMOT, President  
Lord Alexander J. MACKENZIE STUART, Judge  
Ole DUE, Judge  
Ulrich EVERLING, Judge  
Constantinos KAKOURIS, Judge

*Advocates General*

Sir Gordon SLYNN, First Advocate General

Gerhard REISCHL, Advocate General

Simone ROZÈS, Advocate General

Pieter VERLOREN VAN THEMAAT, Advocate General

G. Federico MANCINI, Advocate General

## Former Presidents and members of the Court of Justice

### *Former Presidents*

PILOTTI, Massimo (died on 29 April 1962)	President of the Court of Justice of the European Coal and Steel Community from 10 December 1952 to 6 October 1958
DONNER, Andreas Matthias	President of the Court of Justice of the European Communities from 7 October 1958 to 7 October 1964
HAMMES, Charles-Léon (died on 9 December 1967)	President of the Court of Justice of the European Communities from 8 October 1964 to 7 October 1967
LECOURT, Robert	President of the Court of Justice of the European Communities from 8 October 1967 to 6 October 1976
KUTSCHER, Hans	President of the Court of Justice of the European Communities from 7 October 1976 to 30 October 1980

### *Former members*

PILOTTI, Massimo (died on 29 April 1962)	President and Judge at the Court of Justice from 10 December 1952 to 6 October 1958
SERRARENS, Petrus J.S. (died on 26 August 1963)	Judge at the Court of Justice from 10 December 1952 to 6 October 1958
VAN KLEFFENS, Adrianus (died on 2 August 1973)	Judge at the Court of Justice from 10 December 1952 to 6 October 1958
CATALANO, Nicola	Judge at the Court of Justice from 7 October 1958 to 7 March 1962
RUEFF, Jacques (died on 24 April 1978)	Judge at the Court of Justice from 10 December 1952 to 17 May 1962
RIESE, Otto (died on 4 June 1977)	Judge at the Court of Justice from 10 December 1952 to 5 February 1963
ROSSI, Rino (died on 6 February 1974)	Judge at the Court of Justice from 7 October 1958 to 7 October 1964
LAGRANGE, Maurice	Advocate General at the Court of Justice from 10 December 1952 to 7 October 1964
DELVAUX, Louis (died on 24 August 1976)	Judge at the Court of Justice from 10 December 1952 to 9 October 1967
HAMMES, Charles-Léon (died on 9 December 1967)	Judge at the Court of Justice from 10 December 1952 to 9 October 1967, President of the Court from 8 October 1964 to 7 October 1967

GAND, Joseph (died on 4 October 1974)	Advocate General at the Court of Justice from 8 October 1964 to 6 October 1970
STRAUSS, Walter (died on 1 January 1976)	Judge at the Court of Justice from 6 February 1963 to 27 October 1970
DUTHEILLET DE LAMOTHE, Alain (died on 2 January 1972)	Advocate General at the Court of Justice from 7 October 1970 to 2 January 1972
ROEMER, Karl	Advocate General at the Court of Justice from 2 February 1953 to 8 October 1973
Ó DÁLAIGH, Cearbhall (died on 21 March 1978)	Judge at the Court of Justice from 9 January 1973 to 11 December 1974
MONACO, Riccardo	Judge at the Court of Justice from 8 October 1964 to 2 February 1976
LECOURT, Robert	Judge at the Court of Justice from 18 May 1962 to 27 October 1976, President of the Court from 8 October 1967 to 6 October 1976
TRABUCCHI, Alberto	Judge at the Court of Justice from 8 March 1962 to 8 January 1973, Advocate General at the Court from 9 January 1973 to 6 October 1976
DONNER, Andreas Matthias	Judge at the Court of Justice from 7 October 1958 to 29 March 1979, President of the Court from 7 October 1958 to 7 October 1964
SØRENSEN, Max (died on 11 October 1981)	Judge at the Court of Justice from 9 January 1973 to 8 October 1979
KUTSCHER, Hans	Judge at the Court of Justice from 28 October 1970 to 30 October 1980, President of the Court from 7 October 1976 to 30 October 1980
WARNER, Jean-Pierre	Advocate General at the Court of Justice from 9 January 1973 to 26 February 1981
MAYRAS, Henri	Advocate General at the Court of Justice from 22 March 1972 to 18 March 1981
VAN HOUTTE, Albert	Registrar at the Court of Justice from 26 March 1953 to 9 February 1982
CAPOTORTI, Francesco	Judge at the Court of Justice from 3 February 1976 to 6 October 1976, Advocate General from 7 October 1976 to 6 October 1982
TOUFFAIT, Adolphe	Judge at the Court of Justice from 26 October 1976 to 6 October 1982
GRÉVISSE, Fernand	Judge at the Court of Justice from 4 June 1981 to 6 October 1982
CHLOROS, Alexandros (died on 15 November 1982)	Judge at the Court of Justice from 12 January 1981 to 15 November 1982



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