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FORMAL HEARINGS
of the
COURT OF JUSTICE
of the
EUROPEAN COMMUNITIES
1977

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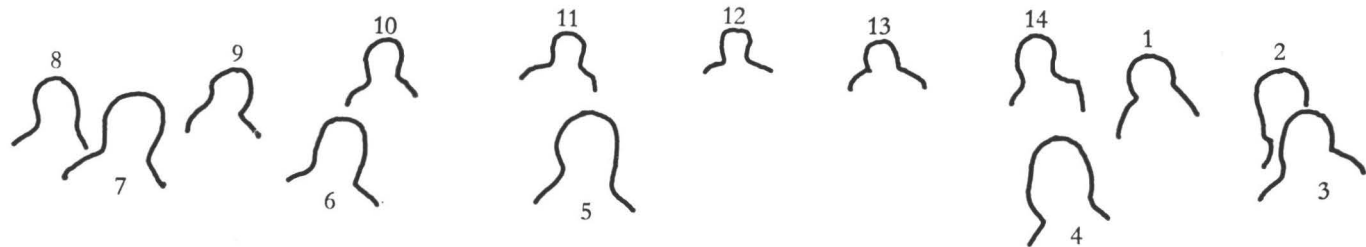
**Address by President Kutscher delivered on 11 January 1977
(Solemn declaration of the Members of the Commission)**

Mr President of the Commission,
Vice-Presidents and Members of the Commission,
Excellencies, Ladies and Gentlemen,

Four years ago, in January 1973, the members of a Commission representing the enlarged Community of nine States made the solemn declaration required by the Treaties in this same courtroom.

Was the accession of the three new States going to modify the character of the Community? Would the Community be different from then on? Such was the question asked at that time. Today we can answer it without reservation: the Community has kept its identity, and its purpose is, now as in the past, the ever closer union between the peoples of Europe, the economic and social progress of the Member States, and the elimination of the barriers which still divide Europe. That objective, at the same time economic, social and political, has not in any way been called in question by the accession of the new Member States. The fact that today a national of one of those three States is taking up the duties of the President of the Commission is yet further evidence of this. The Court extends to you, Mr President, Vice-Presidents and Members of the Commission, a very cordial welcome.

The ceremony today, just as the one in 1973, brings together in this courtroom a large number of eminent representatives of the Member States of the Community. I hope they will excuse me if I do not welcome them individually. Their presence emphasizes the solemnity and the extent of the undertaking that the Members of the Commission are about to make here. This ceremony marks, as you yourself said at the time, Mr Ortoli, the continuation of a tradition established by our predecessors, a tradition which symbolizes the close links established over the years between the Community and the Court. Let us consider it as evidence of the strength of the Community that today the Community is once again confirming the existence of such a tradition under which the holders



1 = Mr JENKINS (UK), *President*
 2 = Mr NOËL, *Secretary-General*
 3 = Mr BRUNNER (D)
 4 = Mr TUGENDHAT (UK)
 5 = Mr BURKE (IR)
 6 = Mr CHEYSSON (F)
 7 = Mr GUNDELACH (DK)

8 = Mr ORTOLI (F)
 9 = Mr NATALI (I)
 10 = Mr VOUEL (L)
 11 = Mr DAVIGNON (B)
 12 = Mr GIOLITTI (I)
 13 = Mr VREDELING (NL)
 14 = Mr HAFERKAMP (D)



Photograph by CEC

The Members of the Commission of the European Communities as constituted at 11 January 1977

of so important an office enter into a solemn undertaking before the judiciary, as in a number of great democracies.

That this tradition exists symbolizes, even though this is not its main purpose, the reciprocal relationships between the institutions of the Community.

It has often been said that the principle of the separation of powers as understood in its classical sense is foreign to the Treaties instituting the European Community. Among the reasons why this is said is that the legislative and executive powers are welded together in 'that pairing of executive and legislature constituted by the Council and the Commission'⁽¹⁾ and that the Parliament – although it is true that it possesses extremely important powers over the budget and powers of review and that its opinion carries weight – nevertheless lacks substantive legislative power.

On the other hand, there is no doubt that the Treaties have established an institutional system incorporating certain principles found in the classical system.

The distribution of the powers conferred on the Community has given birth to an institutional balance. The Community obeys, and in this history is repeating itself, the principle of 'checks and balances'. The idea that Madison expressed in 'The Federalist' (No. XLVIII), according to which the departments of Government have to be so far connected and blended as to give to each a constitutional control over the others, by and large holds good for the Community also. What is more, this balance of powers, characteristic of the institutional structure of the Community, must be understood – and this indeed is how the Court has understood it – as a fundamental guarantee given by the Treaties and, one could even add, as a fundamental guarantee of the freedom of the nationals of the Community.

The institutional balance thus fulfils certain functions of the principle of the separation of powers. Naturally enough this balance will only exist provided each institution respects the reciprocal distribution of powers which constitutes the essence of the institutional balance. Again, this balance would be threatened if an institution were not to exercise the powers conferred on it to the full. Those who follow the evolution of constitutional law in certain Member States can observe that sometimes constitutional practice very quickly gives rise to a constitutional reality which, although it still just comes within the constitution, no longer corresponds exactly to the intentions or to the purposes underlying it. This is also true of the Community, and in particular of the relations between the legislative function on the one hand and the Court on the other.

⁽¹⁾ Cf. Boulouis-Chevallier, *Grands arrêts de la Cour de Justice des Communautés Européennes*, Volume 1, Paris 1974, p. 213.

I should like to mention an example as regards this. I have in mind the retarded state of Community legislation, what in German is called the 'Normendefizit' of the Community. It has often been noted that numerous problems await more detailed regulation on the part of the Community legislature. These include those problems relating to free circulation, to competition law, to aids granted by States, to fiscal law, to the adjusting of State monopolies of a commercial character, and to the relationships between the principle of the free circulation of goods and the protection of industrial and commercial property. However these problems arise without waiting for treatment by the legislature. When such problems arise in a dispute, the courts must resolve them. It is a fact that legislative inactivity forces the Court to pass judgment on questions and to deal with problems which should really be dealt with by the legislature. The 'legislative short-fall', the 'Normendefizit', experienced by Community law is one of the reasons which so often obliges the Court to refer to the purposes of the Community and to the general principles of law in its interpretation of Community law. It has been remarked that the state of the law contributes to the determining of the extent of the powers of the judiciary.

The case-law of the Court has frequently been criticized. It is said that by an unduly dynamic, evolutive interpretation, directed towards the purposes of the Treaty and favourable to integration, the Court has caused Community law to progress too rapidly, and has done so, moreover, in a manner which exceeds judicial powers. These criticisms are exaggerated, to say the least. Although it is undeniable that the case-law of the Court contributes to achieving the economic and social integration of the Member States and of their peoples, the effects of this case-law do not arise from the alleged fact that the Court has exceeded the limits of the judicial function by arrogating to itself certain functions of the legislative bodies, but result from the situation to which I have just alluded.

Under the Treaties, it is the task of the Commission to ensure that the provisions of the Treaty and the measures taken by the institutions pursuant thereto are applied. For its part, the Court is required to ensure that in the interpretation and application of the Treaty the law is observed. The authors of the Treaties have thus invested both the Commission and the Court with the function of guardians of the observance of the Treaties, each of these institutions having, however, to fulfil this function in different ways.

But the Commission also possesses other, still more important powers. To quote President Robert Lecourt, I would say that the rôle of the Commission is one of initiative and of action. It is to conceive, to prepare, to act and to execute. The rôle of the Commission has often been defined as being that of the motor of European integration. In the face of the pressures of centrifugal forces, the Commission must take particular care to ensure that the requirements of the common interest are respected.

Each of the Commissioners sitting on the new Commission has an outstanding experience of public affairs and of the exercise of governmental and diplomatic responsibilities. Each of them has great personal qualities and enjoys an authority that deserves our respect. The sum of this experience and eminent ability which is gathered within the Commission is the guarantee that the Commission will successfully undertake the weighty responsibilities conferred upon it.

Our best wishes go with you, Mr President, Vice-Presidents, and Members of the Commission in the accomplishment of your task.

The Rt. Hon. Roy Jenkins

**Speech at the Solemn Undertaking Ceremony: Court of Justice
Luxembourg: 11 January 1977**

The new Commission appears before you at a time when the idea of European unity is established but lacks dynamism. Therein is a challenge to the Community's institutions but therein is also an opportunity. The Commission's rôle, both in its pronouncements and proposals is essentially a political one. But its politics should be neither those of party nor of nation, but of the European interest as a whole. To achieve that sort of leadership requires independence both of judgment and action, and the solemn undertakings which I and my colleagues have entered into today are both the witness and the foundation of that independence. I certainly take them very seriously, and so I hope and believe do all my colleagues.

At the same time, as a political institution, the Commission's independence should never become a sterile isolation. Our proposals must be realistic and forceful and must move the political representatives of Member States in the Council to make binding and effective decisions. This we can only do with a vision at once wide and practical which both encompasses the aim of European unity, and has full regard to the diverse traditions of the peoples of our Community. Such a rôle occasionally produces tensions, even conflict, but this is not unique to the Commission. The Court must face the same dilemma. As the supreme judicial instrument of the Community you are the guardians not just of the legal provisions of the treaties but also of their inherent spirit. At the same time you are, by treaty, an integral part of the legal machinery of each Member State and the law you apply is not a distant abstraction but the day to day concern of the lives of ordinary citizens. And this is especially true of those countries, like mine, whose legal tradition is as a result of the accidents of time significantly different from that of the majority of its European partners.

The Community is not, in its origins, like the United States of America, a Federal State. But I am reminded of the way in which the United States Supreme



Photograph by Marce Tockert

The Rt. Hon. Roy Jenkins, President of the Commission of the European Communities

Court behaved in the early years of independence. The Justices of the Supreme Court were then required to go on circuit through the Thirteen States of the Union. They did this not without protest, and in August 1792 they sent to the President an urgent letter. They then said:

‘We, really, Sir, find the burdens laid upon us so excessive that we cannot forbear representing them in strong and explicit terms.

On extraordinary occasions, we shall always be ready, as good citizens, to make extraordinary exertions; . . .’

but

‘to require of the Judges to pass the greater part of their days on the road, and at inns, and at a distance from their families, is a requisition which, in their opinion, should not be made unless in case of necessity.’

No doubt their protest was more a reflection on American travelling and lodging conditions of the late 18th Century than a criticism of the purpose of their journeys. For despite their protest this peripatetic supreme judiciary greatly contributed to the binding together of the Union in its early years. They were visibly seen to bring justice to the people.

It has not been necessary for this Court, despite modern means of transport and communication, to emulate this peripatetic example. But the spirit of those travels, of trying to bring the individual states more closely together in that way, is one which the Court has, over the years, succeeded in achieving. The direct contact of the Community’s legal order with Community’s citizens is a vital element in the process of integration with which, no less than the Commission, the Court is charged. Despite the difficult process of having to absorb new systems of law, the Court has pursued its task with distinction. In the years ahead its rôle will remain fundamental.

The Community needs and expects a constructive lead from its institutions. We cannot give that lead in isolation from each other. The close partnership between the Court and the Commission is founded in the Treaty itself and in the obligation to ensure that its provisions are correctly applied. The presence of my colleagues and myself here today is, I believe, not simply a consequence of the legal requirements of the members of the Commission to give a solemn undertaking when entering upon their duties. It also is a firm expression of the high place of the Court in the Community and of the firm desire of the Commission to continue and strengthen our existing close links. Together with the Parliament, to which I shall speak this afternoon, we can, and I am sure will, play our full part in the interests of the peoples of the Community. I thank you, Mr President, for the encouragement given by your institution to the Commission in the past, for your present support; and I look forward to our future co-operation.

Speech in honour of the late Judge Otto Riese

The Court of Justice mourns the death of one of its former Members, Otto Riese, who died on 4 June this year in Lausanne at the age of 82. His death affects us all the more as all who saw Otto Riese recently retain the impression of his indomitable spiritual vitality, his warm concern for his neighbour, for his fellow man and their problems. We had hoped that in spite of his grave illness, of which he was aware, Otto Riese would remain amongst us for many years. Fate decreed otherwise. We have all to bow to our fate as Otto Riese bowed to his illness and accepted his death.

Otto Riese was born in Frankfurt am Main in 1894. The cosmopolitan atmosphere of that town, the birth-place of Goethe, certainly contributed to his character. In Frankfurt he commenced the study of law which subsequently took him also to Leipzig and Lausanne, a town which was to assume such an important place in his later life. He completed the examinations making him in quick succession 'Referendar', Doctor of Laws and 'Assessor'. The path to a brilliant career was open.

It began with work as a judge at the Local Court and the Frankfurt Regional Court, interrupted by a period of practical training in a banking institution in Hamburg and a two-year period in the Ministry for Justice in Berlin. This was followed by studies of English Law in London and an extensive journey to India and East Asia and in particular to Japan for which, from that time, Otto Riese had a particular love. For four years, until 1932, he returned to the Ministry for Justice finishing as Head of the Department for the Law of Nations and International Law. In 1934 he was appointed Ministerial Counsellor there. By that time however he had already taken up a teaching post at the University of Lausanne where he was to remain for 19 years, until 1951. In 1935 he became Reader, in 1949 Professor and in 1950 Dean of the Faculty of Laws there. After 1963 Otto Riese resumed his teaching activities in Lausanne. The wide scope of the subjects he taught bears witness both to the many facets of his interests and to his striving to transcend a purely national view of the law and to venture forward into international fields of law uniting nations: his university teaching



Photograph by Edouard Kutter & Fils

† Otto Riese
Judge at the Court of Justice of the ECSC
from 10.12.1952 to 6.10.1958
Judge at the Court of Justice of the European Communities
from 7.10.1958 to 5.2.1963

qualifications included not only German civil law and the law of civil procedure but also the law relating to negotiable instruments, the law of the air and traffic law as well as comparative law.

Otto Riese represented his country at many international conferences concerning amongst other things questions relating to the law of the sea and the standardization of the law of the air. From 1926 he was a member of the International Technical Committee of Legal Experts on Air Questions (CITEJA). After the Second World War he published his comprehensive study of the international law of civil aviation, which is still regarded today as a basic text. From 1949 Otto Riese participated in the conferences of the International Civil Air Organization (ICAO) and its Legal Committee. In 1952 he became a member of the International Committee for the Unification of the Law of the Sale of Goods; at the Hague Conference on the Law of the Sale of Goods in 1964 he led the German delegation. Uniform law of the sale of goods not only came into being with his co-operation but also became effective. Until 1973 he represented the Federal Republic of Germany on the Board of the International Institute for the Unification of Private Law in Rome (Unidroit) whose present director is our former colleague Riccardo Monaco.

His years in Lausanne enabled Otto Riese to develop his pedagogical capacities to the full. He was a talented jurist who found general recognition. However, above all he was an important teacher of law who was popular with his students and respected by them. He had a particular concern for the younger generation in general.

Although he had developed strong social and professional links in Lausanne Otto Riese did not refuse when it came to recreating the supreme German court in civil and criminal matters. In 1951 he became President of Senate at the Federal Court of Justice in Karlsruhe. In retrospect at any event the period he spent in Karlsruhe appears as the transition to the office which he regarded as the culmination of his professional career: in December 1952 he became a judge at the Court of Justice of the European Coal and Steel Community. He belonged to the first generation of judges of this Court and served it for more than ten years in a position to which, in his own words, he devoted himself with profound conviction. The basic principle underlying Otto Riese's work as judge has nowhere been described more accurately than by President André Donner who paid tribute to his departing colleague and friend with the following words: 'You are one of those gifted people for whom law is merely an adjunct of justice and for whom a division between law and morals, which in theory may be distinguished, is not possible in practice.' We are moved on reading today, in another part of the eulogy which André Donner addressed to him in 1963: 'In our work and,

what is perhaps more important, in our hearts, you have assumed such an important place that it is only with difficulty that we can imagine the Court of Justice without you.’

As an accomplished jurist, as a teacher of law, as ministry official and representative of his country at international conferences Otto Riese received in great measure the recognition he deserved from those sections of the public whom his work concerned. With few exceptions, however, the work of a judge in a collegial court of the type customary in Continental Europe remains anonymous. Therefore only his colleagues on the Bench can testify as indeed they have, to the influence of Otto Riese’s voice in the Deliberation Room and of his substantial contribution to the development of the European legal order.

Walter Strauss, who became the successor to Otto Riese as judge of the Court of Justice of the European Communities in 1963, prefaced the Festschrift in honour of Otto Riese on the occasion of his 70th birthday, to which many of his judicial colleagues made contributions, with a dedication in which he emphasized that Otto Riese had shown that even in our age of fragmentation of the law and the specialization of jurists it is possible to stand astride the borders of individual specialities and to retain an oversight over the law in its entirety.

No distinction could ever be drawn between Otto Riese the man and the jurist. He bore his last weeks with his characteristic exemplary calm and dignity. In this he died as he had lived. However his calm and dignity were merely one part of his rich and lovable personality. The sometimes rough exterior could never conceal the deep sensitivity, human goodness, understanding and helpfulness and profound worldly wisdom possessed by our deceased colleague. His rare qualities of ‘noblesse d’esprit et de coeur’ impressed everybody who came to know him – a nobility all the more invincible for being coupled with the great gift of humour. The picture is completed if we bear in mind Otto Riese’s receptiveness to all things beautiful, which is exemplified in his lovingly collected and deeply cherished collection of Japanese woodcuts.

On the occasion of Otto Riese’s 80th birthday – octogenario gratulamur – one of his pupils, Fritz Sturm, recounted that each page of the collection bore a small stamp with a few Japanese characters which – translated – could mean both ‘Otto Riese’ and also ‘to enrich the world’. What truth, exclaims Fritz Sturm, is contained in this twofold translation!

It is difficult for us who remain to find any consolation for our loss. Let us bear in mind that Otto Riese enjoyed a long, full, vigorous life and let us be proud that we were privileged to count him as one of us. The sorrow the Members

of the European Court of Justice feel is mitigated by the profound satisfaction that he was one of those who laid the foundations for our present work.

We bow before him in respect and gratitude.

**Address by President Kutscher delivered on 25 October 1977
(Solemn Declaration by the Members of the Court of Auditors)**

Members of the Court of Auditors,
Your Excellencies,
Ladies and Gentlemen,

For the first time the Court of Justice of the European Communities has the honour to receive the Members of the newly created Court of Auditors and to accept their declaration whereby they give a solemn undertaking that 'both during and after their term of office, they will respect the obligations arising' from their duties. It is the first time that Members of the Court of Auditors have given such a solemn undertaking but nevertheless there can be said to exist an established tradition. The Members of the Commission too have to make a solemn declaration when they enter upon their duties and it is customary for them to do so before the Court of Justice and in the presence of the general public. Finally it is provided that before taking up their duties the Judges and Advocates General are to take an oath in open court affirming their readiness to perform their duties impartially and conscientiously.

Accordingly our work for the European Community is preceded by a solemn declaration which takes place under the eye of the general public. The purpose of such a proceeding does not lie in the need of the persons concerned to demonstrate their rank and their importance to the public at large. Discretion and modesty are not the least of the virtues required of us. The reason is also not that the formal declarations constitute an indispensable guarantee for the fulfilment of our obligations; it is self-evident that any person who is called upon to hold high office within the Community is determined to do and capable of doing justice to it. The real significance of these proceedings becomes evident if we visualize the basic attitude which the Treaties – the Constitution of the European Community – require in largely identical terms from the Members of the Commission, the Court of Justice and henceforth the Court of Auditors.

Original text: German.



The Court of Auditors of the European Communities
Front row, from left to right: Messrs Gaudy, Johansen, Sir Norman Price, Mr Mart
Second row, from left to right: Messrs Angioi, Lelong, Leicht, Murphy, Middelhoek

Photograph by Marcel Tockert

The Court of Auditors was established by the Treaty of 22 July 1975 which entered into force on 1 June 1977. In the terms of that Treaty 'the Members of the Court of Auditors shall, in the general interest of the Community, be completely independent in the performance of their duties. In the performance of these duties, they shall neither seek nor take instructions from any Government or from any other body'. Not only each individual Member but the Court of Auditors itself must carry out its tasks in complete independence.

It may be said certainly that this independence is self-evident for the Members individually and the Court of Auditors itself which constitutes the 'financial conscience' of the Community. Even without express provisions there can be no doubt that the Members of the Court of Justice, the 'legal conscience' of the Community, may take no instructions from others and that finally the Commission, which is to ensure compliance with the Treaties, can only fulfil its duties if its members maintain their independence from instructions from the Member States. Nevertheless it is fortunate that such provisions exist. They make clear something which was in danger of being forgotten because of various setbacks in recent years, that is that the Community is of a supranational character and that above the Member States there exists a European Community which is authorized and called upon to act independently, which has its own sovereign powers in order to achieve the objectives set out in the Treaty and must thereby lay the foundation of an ever closer union among the peoples of Europe. Accordingly the Treaties refer to the 'general interest of the Community' which we are bound to serve in the performance of our duties. It may be added that because of the autonomy (independence) of the Community it is no longer at the disposal of the States which created it.

The task of making this fact clear to the citizens of Europe is included in the duties which each of us must fulfil within the scope of our powers and opportunities. A ceremony such as that for which we are assembled here also, within prescribed limits, serves this objective. Unfortunately 'Europe' and the 'European Community' are abstract concepts for the citizens of our countries. We must show them and convince them that the European Community is not the concern of a few bureaucrats but a living, important and indispensable part of our life in Europe.

The history of the origins of the Court of Auditors confirms this view. The Preamble to the Treaty of 22 July 1975 points out that the budget of the Communities is financed entirely from the Communities' own resources and that for that reason a strengthening of the budgetary powers of the Parliament is required. It is however further emphasized in the Preamble that for the same reason the implementation of the budget should be more closely supervised. To that end

the Member States have substituted the Court of Auditors for the previous Audit Board and the auditors of the Coal and Steel Community. The scope of this measure is clear from a few outward indications. The new rules were laid down as an amendment to the Community Treaties and required the ratification of all nine Member States – an unusual and unfortunately also protracted process – before their entry into force. The Court of Auditors is mentioned in the fundamental provisions at the beginning of the Treaties and, like the Economic and Social Committee, included amongst the institutions of the Communities. Its tasks are described in greater detail, and, if I understand it correctly, are more extensive than those of its predecessors. For the first time the budgetary affairs of the Community are subject to continuous supervision. In the Treaty itself the status of the Members of the Court of Auditors is modelled on that of the Members of the Court of Justice. However before appointing them the Council must consult the Parliament.

Although in all these ways the new Court of Auditors is clearly distinguished from the bodies which have carried out the external supervision of the budget of the Community up to now, we must not be misled into undervaluing the work carried out by the Audit Board and the auditors of the Coal and Steel Community. It is certainly not for the *Court of Justice* to examine and assess the activities of those bodies. One conclusion may be drawn however: by their objectivity, their conscientiousness and their keen perception those bodies won high esteem and general recognition. It appears that the foundation which they laid will be of inestimable value to the new Court of Auditors.

It is no secret that the activities of the bodies responsible for supervision of budgets are not always a source of joy for those involved. That is in the very nature of things. It may perhaps be of some consolation for those who have been or who will be entrusted with such duties if I assure them that their fate is shared by the Judges and Advocates General of the Court of Justice. On behalf of the administration of the Court of Justice I may say that we have always taken very seriously any criticisms made of us although on the whole, they have fortunately been few and have not been on matters of any gravity. The same will be true of our co-operation with the Court of Auditors. No administration – and this is equally true for the administration of the Court of Justice – is completely immune to the temptation to go beyond what is financially reasonable because of laudable zeal, too great attention to its own problems, thoughtlessness or perhaps conceit. The fact that there exists and must exist a body which calls us to order in such cases is not to be accepted reluctantly but to be welcomed with gratitude.

Our best wishes accompany you, Members of the Court of Auditors, in the fulfilment of your highly responsible task.

Address delivered on the same occasion by Sir Norman Price, Member of the Court of Auditors

The very great privilege of replying to your very wise, but kindly, words has fallen to me. It so happens that I am the oldest of the nine Members of the Court of Auditors who have gathered in this splendid hall to be honoured by the Court of Justice. I know that I speak for all my colleagues when I say that this is a day that each of us will always remember. It is solemn – of course, it is; that is fitting and proper when we are about to embark upon the responsible task which you have outlined in such a clear and masterly fashion. But there is something else here too, – a sense of being welcomed into a great and exciting enterprise, and welcomed with warmth and kindness.

I do not profess to know by what machinery it was that we nine were selected to initiate the Court of Auditors. It may be impolitic and unflattering to enquire. There was, I suppose, a substantial case for bringing here to-day nine highly qualified accountants who would have appeared before you with their pockets bulging with slide rules and calculators and accompanied by the subdued hum of computers. That was not the decision. It is true that some of us have had long careers in auditing but others come from the political field and others again from service with their National Governments. I think this is by no means a bad thing, for although our origins and our experiences are of different kinds, there is one thing which we have in common. All of us have been concerned with money – sometimes with vast quantities of it. We know how difficult it is to come by, how easy it is to spend – especially if it belongs to somebody else. I am confident that we shall be able to look upon our future work from many different points of view and that the sum total of what we have to offer will be of benefit in this important new work we have been appointed to undertake.

There are at present just nine of us and we constitute the whole strength of the Audit Court. We must build up staff before we can begin our work and here, of course, we shall be looking first to the Audit Board whose sterling work over the past years you, Sir, have so justly and appropriately commended. They were the trail-blazers and we are proud to follow them.

But there is a second task which we must undertake at an early point. Although we are new, the Communities are not. There are bridges to be built. It is vitally necessary for us to form and then cement our relationships with the other institutions; with the Council, with the Commission, with yourselves, Sir, and above all with Parliament. I come from one of the Member States where the relationship between the audit function and Parliament has been built up over many years and is now firmly established. It is a delicate and in some ways an odd one but speaking as somebody whose duty it used to be to appear regularly before the Public Accounts Committee to answer for my Department's sins, I can assure you that it works. Other Member States have other methods, other forms of relationship with Parliament. Today, I cannot possibly prophesy what form our own associationship will take – whether it will be like that of Country X, Country Y or Country Z or perhaps an amalgam of a number of systems. What *is* certain is that a stable relationship must be established at an early stage in our affairs. We recognise that to be one of our important first tasks to which we must commit ourselves soon.

It remains for me once again to thank you, Mr President, for giving the Court of Auditors such an auspicious start. The memory of it will live with us and sustain us through what lies ahead.

Composition of the Court of Justice of the European Communities for the judicial year 1977–1978

(Order of Seniority)

Hans KUTSCHER, President
Max SØRENSEN, President of the Second Chamber
Gerhard REISCHL, First Advocate General
Giacinto BOSCO, President of the First Chamber
Andreas DONNER, Judge
Josse MERTENS DE WILMARS, Judge
Pierre PESCATORE, Judge
Henri MAYRAS, Advocate General
Jean-Pierre WARNER, Advocate General
Lord Alexander John MACKENZIE STUART, Judge
Andreas O'KEEFFE, Judge
Francesco CAPOTORTI, Advocate General
Adolphe TOUFFAIT, Judge
Albert VAN HOUTTE, Registrar

Former Presidents of the Court of Justice

PILOTTI (Massimo) died 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 9 December 1967	President of the Court of Justice of the European Communities from 8 October 1964 to 8 October 1967
LECOURT (Robert)	President of the Court of Justice of the European Communities from 8 October 1967 to 6 October 1976

Former Members of the Court of Justice

PILOTTI (Massimo) died 29 April 1962	President and Judge at the Court of Justice from 10 December 1952 to 6 October 1958
SERRARENS (Petrus J. S.) died 26 August 1963	Judge at the Court of Justice from 10 December 1952 to 6 October 1958
VAN KLEFFENS (Adrianus) died 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)	Judge at the Court of Justice from 10 December 1952 to 17 May 1962
RIESE (Otto) died 4 June 1977	Judge at the Court of Justice from 10 December 1952 to 5 February 1963
ROSSI (Rino) died 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 24 August 1976	Judge at the Court of Justice from 10 December 1952 to 9 October 1967
HAMMES (Charles-Léon) died 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 4 October 1974	Advocate General at the Court of Justice from 8 October 1964 to 6 October 1970
STRAUSS (Walter) died 1 January 1976	Judge at the Court of Justice from 6 February 1963 to 27 October 1970
DUTHELLET DE LAMOTHE (Alain) died 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)	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 25 October 1976, President of the Court of Justice 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 of Justice from 9 January 1973 to 6 October 1976



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