



ACA-EUROPE TRIBUTE UPON THE RETIREMENT OF PRESIDENT TJEENK WILLINK

Mr Vice-President,
Herman,

The Council of State of the Netherlands is kindly hosting the Board meeting and the meeting of the working group on the EU Charter of Fundamental Rights, which is being headed up by your Council of State, and I wanted to take advantage of this to say a few words of thanks for the work you have done, for over ten years, for our association, now known under its new acronym ACA-Europe.

If my memory serves me correctly, we first met at a meeting between the Councils of State of the Benelux countries and France, which was held in Brussels on 22 November 1998 to mark the two hundredth anniversary of the French Council of State. I was introduced to you at the reception in the Fine Arts Museum, and we discussed an initiative that had just been launched by the Belgian Council of State and unanimously approved at a Colloquium in Stockholm a few months before, namely, the creation of a European association of Councils of States and Supreme Administrative Courts. You let me explain my ideas, barely saying anything and not complaining, but your twinkling eyes betrayed your interest because in actual fact, you were already won over. Indeed, just a few weeks after the Stockholm Colloquium, you wrote a letter to the late Mr Gustaaf Baeteman, First President of the Belgian Council of State, to tell him which roles you thought the secretariat of the new association should have. From the very beginning, you were one of the group of pioneers whose makeup is still reflected in the makeup of ACA-Europe today: people from different countries and backgrounds who are nonetheless united in their enthusiasm for the project. These pioneers included, to name but a few, a number of incumbent Presidents like Clemens Jabloner and Pekka Hallberg, but also some "veterans" like the charming Giovanni Paleologo, who had attended the very first meeting between the Councils of State of Italy and Belgium 30 years before. This meeting was to be the first of the biennial colloquia between Councils of State and Supreme Administrative Courts which were the predecessors of our association. Our group also included "young guns" like our brilliant colleague Martine de Boitsdeffre from the French Council of State, and many others besides.

With an eye to the founding meeting in Vienna on 10 May 2000, you wrote a joint memorandum for the Councils of State of the Benelux countries in the aim of enshrining the advisory activities of the Councils of State in the new statutes of association; later you went on to organise two special seminars on these advisory activities in 2004 and 2006. Incidentally, I think we will have to be careful not to lose sight of this area of our work in future.

After serving as the Vice-President of the association from 2000 to 2002, you became President. You had to come to terms with my Belgian nonchalance while I, in turn, got to grips with your Dutch thoroughness. You laid your cards on the table immediately: you wrote that in your view, we needed to "make the leap from a loosely structured forum where the presidents of the member institutions met once every two years in a festive way, to a true association characterised by the existence of working relationships, regular common activities, an animated exchange of ideas and brisk cooperation on various levels". (Newsletter issue 11, p. 5)

Aided by your loyal right-hand man, Mr Albert Heijmans, you spared no effort. One of your main concerns was the creation of an efficient, professional general secretariat and until this aim was achieved, you did not hesitate to have some tasks performed by your own Council. You have permanently shaped our association: you introduced efficient working methods, like written preparation of working documents for Board and General Assembly meetings. You developed new forms of information, like a regular newsletter, which you published yourself for the first few years. You promoted the creation of the database, you forged stronger links with the European institutions and you encouraged greater involvement by organising seminars aimed not only at judges, but also at members of research and documentation departments – and these are just a few examples of all the work you have done!

In the Netherlands, you breathed new life into the Council of State, that venerable institution that was created in 1561 – almost 500 years ago – by Charles the Fifth. Just as the Council's old buildings were renovated in a resolutely modern style, you managed, while still preserving the glory and prestige of yesteryear, to transform the Dutch Council of State into an institution in the forefront of progress, notably by developing new procedures that will undoubtedly be used as models in numerous other European courts. These reforms went far beyond the introduction of a modern management style; rather, they were the result of much deep thought, like the reflections you provide in the "General Considerations" which introduce the annual reports of your Council of State and cover much more than just technical and legal matters. These Considerations also explain the high esteem in which you are held in your country, which is further demonstrated by the trust that Her Majesty the Queen places in you and the important positions, such as that of government *informateur*, that you have recently held.

You have used your intellect to the great benefit of ACA-Europe, while continuing to foster that which is the true secret of the association's success: a spirit of friendship between its members, to the extent that some quite happily refer to it as "one big family". These close ties are evidenced by the presence of not only Mr Jean-Marc Sauvé, Vice-President of the Council of State of France, and Mr Georges Ravarani, President of the Administrative Court of Luxembourg, but also of various other eminent members of our "big family" who preceded or succeeded you as President. Here tonight are Mr Clemens Jabloner, President of the Austrian Administrative Court and Founding President of our association, Mr Pekka Hallberg, President of the Finnish Supreme Administrative Court, and Mr Eckhart Hien, Honorary President of the German Federal Administrative Court, and their wives, who are giving us the pleasure of their company this evening as we pay tribute to you. And so we could apply Jean Monnet's famous words – which you quoted on various other occasions – to ACA-Europe too: "we are not forming coalitions of states, we are uniting men".

Mr Vice-President, Herman, I read that the Dutch press sometimes nicknamed you "the Deputy King of the Netherlands". Since ACA-Europe is not a monarchy, we are unfortunately unable to give you such an illustrious title. However, we can certainly give you other titles, and although they are more modest, they may still be more precious. You will go down in the history of our association under the titles of "friend" and "model".

I would like to thank you for all you have done for this association and wish you and Quintus all the best in the new life you will soon be enjoying.

Yves Kreins
Secretary-General