CONSEIL DE L'EUROPE

COUNCIL OF EUROPE

COUR EUROPÉENNE DES DROITS DE L'HOMME
EUROPEAN COURT OF HUMAN RIGHTS

GRAND CHAMBER

DECISION

AS TO THE ADMISSIBILITY OF

Application no. 56672/00
by SENATOR LINES GmbH
against
Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain, Sweden and the United Kingdom

The European Court of Human Rights, sitting on 10 March 2004 as a Grand Chamber composed of:

Mr L. WILDHABER, *President*,
Mr C.L. ROZAKIS,
Mr J.-P. COSTA,
Mr G. RESS,
Sir Nicolas BRATZA,
Mr G. BONELLO,
Mr L. CAFLISCH,
Mr I. CABRAL BARRETO,
Mr R. TÜRMEN,
Mr B. ZUPANČIČ,
Mrs N. VAJIĆ,
Mr J. HEDIGAN,
Mrs M. TSATSA-NIKOLOVAKAYA,
Mrs H.S. GREVE,
Mr E. LEVITS,
Mr K. TRAJA,
Mr S. PAVLOVSCHI, *judges*,
and Mr P.J. MAHONEY, *Registrar*,

Having regard to the above application lodged on 30 March 2000,

Having regard to the decision of 20 April 2000 of the acting President of the former Third Section, to which the case had originally been assigned, not to indicate an interim measure to the respondent Governments,

Having regard to the decision of 12 December 2002 by which the Chamber of the present Third Section relinquished its jurisdiction in favour of the Grand Chamber (Article 30 of the Convention),

Having regard to the decisions taken by virtue of Article 36 § 2 of the Convention to admit as third parties the European Commission, the Council of the Bars and Law Societies of the European Union ("CCBE"), the European Company Lawyers Association ("ECLA"), the Féderation Internationale des Ligues des Droits de l'Homme ("FIDH") and the International Commission of Jurists ("ICJ"),

Having regard to the observations submitted by the respondent Governments, the applicant company and the third parties, including the European Commission, and having regard also to the supplementary observations submitted by the respondent Governments, the applicant company and the European Commission,

Having deliberated, decides as follows:

THE FACTS

The applicant is a limited company under German law. Its registered office is in Bremen. It is represented before the Court by Ms U. Zinsmeister, and Mr D. Waelbroek, of Ashurst, lawyers in Brussels. A schedule setting out the representatives of the respondent Governments is attached. The European Commission was represented by Messrs A. Rosas, R. Lyal and C. Ladenburger; the CCBE was represented by its President, Mr R. Wolff, lawyer, of Salzburg; the ECLA was represented by Messrs Cleary, Gottlieb, Steen and Hamilton, lawyers, of Brussels, the FIDH was represented by its President, Mr S. Kaba, lawyer, of Paris, and the ICJ was represented by its Secretary-General, Ms L. Doswald-Beck.

A. The circumstances of the case

The facts of the case, as submitted by the parties, may be summarised as follows.

On 16 September 1998 the European Commission adopted a decision by which sixteen shipping companies, including the applicant, were fined for infringements of the competition rules of the European Community ("EC") Treaty. The applicant company was fined € 13,750,000, payable within three months of the date of notification of the decision. In a letter of

25 September 1998, the European Commission informed the applicant company that, if an appeal was made against the decision, the fine would not be executed immediately, on condition that the Commission be provided with a bank guarantee.

On 7 December 1998 the applicant company challenged the decision before the Court of First Instance of the European Communities ("the CFI"). On 16 December it requested a dispensation from the requirement to provide a bank guarantee. The request was refused on 10 February 1999. One of the reasons for the refusal was that Hanjin, the applicant company's dominant shareholder (also one of the companies referred to in the decision of 16 September 1998), must have been aware of the impugned infringements. A further reason was that the fine represented a small percentage only of the company's turnover. The European Commission considered that a bank guarantee could be provided by the dominant shareholder.

On 26 February 1999 the applicant company made a request to the CFI for suspension of the operation of the decision of 16 September 1998 under Article 242 (former Article 185) of the EC Treaty. The request was supported by the Government of Germany on 9 April 1999. The German Government noted that a "measure intended ... to be in the nature of security only would thus create, even before a decision of the Court in the main proceedings, a *fait accompli* which could no longer be reversed in the event of a later decision in favour of the applicant. The damage for the applicant would be serious and irreparable...".

On 21 July 1999 the President of the CFI rejected the request. The President accepted that the applicant company was unable to provide a bank guarantee. As to the question of obtaining funds from the company's shareholders, the President considered that account should be taken of the group of undertakings to which the company belonged, directly or indirectly. The mere fact that the majority shareholder had passed a resolution not to provide assistance did not prevent such aid. As it appeared that the majority shareholder was financially healthy, the applicant company had not established that it was impossible to provide the guarantee.

In its appeal of 30 September 1999, the applicant company claimed that to take into account the assets of a third party, over which it had no control whatever, in determining whether to suspend the operation of the decision of 16 September 1998 was wrong, that it failed to strike the right balance of interests, that it failed to consider alternatives and that it was insufficiently reasoned. It also claimed that to refuse to suspend the fine before a Court hearing would be contrary to the presumption of innocence under the European Convention of Human Rights. The applicant company also referred to the rights to effective judicial recourse before an independent tribunal and to a fair hearing.

The applicant company's appeal was dismissed by the President of the Court of Justice of the European Communities ("the ECJ") on 14 December 1999. The President recalled that departure from the rule on providing a bank guarantee was to be made only in exceptional circumstances, and that it was permissible to have regard to the assets of the group of undertakings to which a company belonged. That approach was based on the idea that:

> "the objective interests of the undertaking concerned are not autonomous in relation to those of the natural or legal persons with a controlling interest in it and that, consequently, the serious and irreparable nature of the damage alleged must be assessed at the level of the group comprising those persons. In particular, given that the interests at stake overlap, the undertaking's interest in its own survival must not be viewed in isolation from the interest of those controlling it in prolonging its life indefinitely ... it seems altogether normal that the objective financial situation of the group should serve as the point of reference in assessing whether a risk of serious and irreparable damage is imminent."

In March 2001 the European Commission obtained an enforcement clause (*Vollstreckungsklausel*) in Germany by which it could take proceedings in Germany to enforce the fine. In April 2002, in the course of the proceedings before this Court, the European Commission stated that it would not enforce the fine while the Convention proceedings were pending.

On 30 September 2003 the Court of First Instance quashed the fine imposed on the applicant company and the other addressees of the decision of 16 September 1998. The parties did not appeal within the prescribed two-month period, and the judgment of 30 September 2003 became final.

B. Relevant European Community law and practice

The European Community has legal personality by virtue of Article 281 of the EC Treaty.

The European Commission has power to investigate agreements or conduct which are contrary to Article 81 and 82 of the EC Treaty, and to impose fines on undertakings guilty of infringements (Council Regulations 1017/68 and 4056/86).

Acts of the European Commission (including decisions taken under the above Regulations) are subject to review by the ECJ (Article 230 of the EC Treaty). Proceedings before the ECJ do not have suspensory effect, although the ECJ may order that the enforcement of an act be suspended if it considers that the circumstances so require (Article 242 of the EC Treaty).

Article 256 of the EC Treaty provides that enforcement of Council and European Commission decisions is governed by the rules of civil procedure in the territory of the State of enforcement. The order for enforcement is appended to the decision "without other formality than verification of the authenticity of the decision" by national authorities.

COMPLAINTS

The applicant company claimed that, in the light of the Court's judgment in the case of *Matthews v. the United Kingdom* ([GC], no. 24833/94, ECHR 1999-I, 18 February 1999), the Court was competent to rule on the compatibility of the decisions of the EC institutions with the Convention, that the respondent States were individually and collectively responsible for the acts of Community institutions, and that, by dismissing the requested interim relief, the EC courts were allowing a mere administrative body to force the applicant company into liquidation, in violation of the rights to a fair hearing, effective access to judicial recourse and the presumption of innocence, contrary to Article 6 of the Convention.

THE LAW

The applicant company claimed that the facts of the case disclosed a violation of its right of access to court, guaranteed by Article 6 of the Convention. Referring to the right to a fair hearing and the presumption of innocence, it contended that there is a violation of Article 6 where no suspensory effect is given to an appeal against a decision of the European Commission imposing a fine, as a result of which the addressee of the decision risks being driven out of the market before its case has been heard by a judge.

Article 6 of the Convention provides, so far as relevant, as follows:

> "1. In the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law. ...
>
> 2. Everyone charged with a criminal offence shall be presumed innocent until proved guilty according to law."

A. The submissions of the respondent States

The Governments' principal contention was that the complaints did not relate to sovereign acts by any of the individual respondent States, such that the acts complained of did not represent an exercise by the individual States of their jurisdiction within the meaning of Article 1 of the Convention. They referred to the case law of the European Commission on Human Rights to the effect that an application cannot be made against the European Communities as such, or against the member States jointly and/or severally (*CFDT v. the European Communities and their Member States*, application no. 8030/77, Commission decision of 10 July 1978, Decisions and Reports

(DR) 13, p. 231). They saw no contradiction between this position and the case law of the Court in which States have been held liable for acts which they performed in pursuance of international obligations or in the context of international obligations (the aforementioned *Matthews v. the United Kingdom* judgment), and pointed out that the European Community has legal personality, and neither it nor its organs in any way represents its member States.

In the alternative, the respondent States submitted that the Community's legal order in any event ensures respect for human rights. Consequently, the principle of subsidiarity should exclude a review by the Court of the acts at issue. They referred in this respect to the case of *M. & Co. v. Germany* (application no. 13258/87, Commission decision of 9 February 1990, DR 64, p. 138), in which the Commission accepted that it was permissible for States to transfer powers to international organisations provided that, within the organisation, fundamental rights receive an equivalent protection. The Commission found that the European Communities, through declarations and the existing case law of the ECJ, secured fundamental rights and provided for control of their observance. The respondent States pointed out that, since that decision, the human rights safeguards in the Community's legal order have been further strengthened by the inclusion in the Treaty on the European Union (the EU Treaty) of Articles 6 and 46 d, which refer expressly to fundamental rights, including the European Convention on Human Rights.

The respondent States underlined that the question of the requirement for a bank guarantee in the present case was examined by the Presidents of the CFI and the ECJ, that neither instance accepted the applicant company's arguments, and that those instances both offered a number of guarantees of a fair hearing.

The respondent States contended that the application is substantially the same as the matter which was under consideration in the ECJ, within the meaning of Article 35 § 2 (b) of the Convention, and that it should be declared inadmissible on that ground. Further, the States pleaded that the case is inadmissible as being manifestly ill-founded, within the meaning of Article 35 § 3 of the Convention as, at the material time, the substantive proceedings were in any event pending before a court which respects Article 6, notwithstanding the refusal to waive the bank guarantee. Finally, they contended that a decision to take into account the assets not merely of a company but also of its majority shareholder is compatible with Article 6 in circumstances such as the present, where there is a community of interest between the parent and the subsidiary companies.

Other objections to admissibility were made by one or more respondent States. These included a contention that the applicant company was not a victim of an alleged violation as the substantive proceedings were still pending at that time and, in any event, the applicant company could have

found, or been provided with, the funds necessary to pay the fine; that the way in which the ECJ considers companies in a group was similar to the way in which the European Commission of Human Rights dealt with shareholders; that the applicant company did not argue before the CFI that its parent company was prevented from assisting - accordingly the case was inadmissible for non-exhaustion of domestic remedies, and that to deal with the present case without affording the respondent States the opportunity to deal with the complaints in their own courts was a further ground of inadmissibility (again non-exhaustion), and itself showed the impossibility for the Court to deal with the case.

In connection with the CFI's quashing of the fine imposed on the applicant company, the respondent Governments noted that, far from merely having come to an end, the proceedings before the CFI have now terminated in a manner wholly satisfactory to the applicant. As a result of the judgment of 30 September 2003, which has now become final, the applicant company has been able to have its action fully determined, without any limitation on access to court whatever. Further, the fine – which formed an essential part of the applicant company's arguments that access to court had been denied – has been finally quashed. There was thus no act or omission which directly affected the applicant company and, if it ever had had the quality of a "victim" of a violation of the Convention, it no longer had it. Article 34 of the Convention does not provide for applications from "hypothetical" victims.

B. The submissions of the applicant company

The applicant company accepted that acts of the EC as such cannot be challenged before the Court, but contended that EC member States cannot be allowed, by delegating powers to EC institutions, to escape the judicial control system of the Convention. Such delegation, and erosion of the Convention system, would infringe States' obligations under international law. When a State transfers the power to exercise its sovereign rights, it does not transfer its sovereignty, as a State cannot divest itself of its responsibility to the people.

The applicant company distinguished the old case of the *CFDT v. France* (cited above) on the ground that that case was concerned with the internal sphere of the Community, and was not a case where a member State had delegated competencies for administering a particular subject matter to an authority which then exercised them in its domestic legal order.

The applicant company did not accept that the effect of the aforementioned case of *M. & Co. v. Germany* was to ensure no more than a global review of the Community legal system - such a review would be entirely arbitrary. It is for the Court to determine in each case whether there has been a violation of the Convention, and a requirement of "clear

indications" of the absence of "equivalent protection" would require difficult subjective appraisals outside the proper adversarial system of a review of the individual case. The applicant company noted that, in the case of *Matthews v. the United Kingdom* (cited above, §§ 33 and 34), the Court may have overruled the "equivalent protection" doctrine in stating that rules of Community law have to comply with the Convention, and that it is the task of the Court to supervise the proper application of the Convention by the Community. It further considered that the effect of that case is not limited to primary law which cannot be challenged before the Community organs, as such a divide would give rise to different levels of human rights protection depending on the formal criterion of whether the contested rule or act was one of Community primary law or not. Such an approach would create a major loophole in human rights protection.

The applicant company did not accept that the case in Strasbourg is substantially the same as the case in Luxembourg and, in connection with the question of "victim" status, noted (at the time it made its observations) that enforcement was imminent. On exhaustion of domestic remedies, it underlined that the question as regards its dominant shareholder, Hanjin, was not whether it was able to assist, but whether it was willing to do so.

On the merits of the case, the applicant company underlined that the right of access to court cannot be limited to the mere initiation of actions: in the present context, it must require the completion of proceedings before the penalty is imposed. It did not accept that it is proportionate to have regard to the resources of parent companies in assessing whether to waive a requirement of a bank guarantee, as no public interest is thereby served. For example, if the applicant company had been put out of business by the fine, the Community, as a non-preferential creditor, would not have received the funds in any event, and over 500 employees would have lost their jobs worldwide, including 285 in Bremen. The applicant also underlined that Hanjin and itself are separate legal entities, and that Hanjin was also fined.

The applicant company saw no reason not to suspend payment of fines when an appeal is pending, and noted that in European legal systems in which there is no automatic suspension (the Swedish, Spanish and French systems), there is a strict separation between the investigating and the fining authority.

In connection with the CFI's quashing of the fine imposed, the applicant company noted that a measure does not have to be enforced in order to constitute a violation of the Convention, and that where a measure which allegedly violates the Convention (even if not enforced) is annulled, the applicant's "victim" status is only lost if the national authorities have acknowledged the existence of a violation and compensated any damages incurred. It referred to Convention case law in respect of each limb of its argument: In the *Soering v. United Kingdom* judgment of 7 July 1989, the applicant was able to claim to be a victim of a violation of the Convention

even before the contested extradition took place (Series A no. 161, §§ 87, 90 and 92). In the *Dalban v. Romania* judgment of 27 June 2000, the Court held that a decision or measure favourable to an applicant does not deprive him of his status as a "victim" unless the national authorities have acknowledged the breach of the Convention and afforded redress for it (*Reports of Judgments and Decisions* 1999-VI, p. 236, § 44). The applicant company underlined that in the present case, far from acknowledging the violation of the Convention and affording redress, the EC authorities and the 15 respondent States had not only denied the violation, but had also rejected the very competence of the Court to deal with the case. No compensation had been available for its precarious situation, with the permanent risk of bankruptcy proceedings and the substantial adverse publicity. Finally, the applicant company noted the costs position: if the Convention proceedings were terminated now, no compensation would be available in respect of its own legal costs before the Court.

C. The submissions of the third parties

1. The European Commission

The European Commission, agreeing with the respondent States, made further submissions on the way in which fundamental rights are observed and applied by the Community institutions. It also submitted that the approach of the European Commission of Human Rights in the *M. & Co. v. Germany* case is correct, in that the member States of the European Union are responsible for the procedure before the CFI and the ECJ, in the sense that they must ensure that provision is made for equivalent protection of fundamental rights in those courts. It added that, so long as such protection exists in general, the member States are not responsible for the manner in which those courts assess and decide issues of fundamental rights in individual cases. In the light of its submissions on the manner of protection of fundamental rights in the Community, the European Commission submitted that the application is incompatible with the provisions of the Convention.

The European Commission considered that, even if the Court may deal with the complaint, the proceedings were compatible with Article 6 § 1. It underlined that Community law provides a mechanism before the European Commission for suspending fines on provision of a bank guarantee, and a further judicial mechanism for challenging a refusal to suspend in the course of which the CFI or ECJ may suspend the obligation to provide a bank guarantee if the company demonstrates that it is unable to do so. The European Commission also submitted that taking into account the assets of the applicant's parent company strikes the right balance between the interest of the undertaking in avoiding immediate payment of the fine, and the

public interest in ensuring that, if the fine is not paid immediately, there should at least be some assurance that the fine would ultimately be paid were the courts to uphold it. The rule that the parent company's assets are taken into account also recognises the economic reality of a company controlled by a parent holding.

In connection with the CFI's quashing of the fine imposed on the applicant company, the European Commission argued that, because the fine was quashed at the end of a full judicial process without the fine ever having been enforced, there is no violation left of which the applicant company can even claim to be a victim. The European Commission underlined the difference between cases where events occur which arguably make good the prejudice of a completed violation, and those where a violation never comes about. In the former circumstance, the Court's case law requires both recognition of the violation and adequate redress. In the latter, there is no violation which could call for redress.

2. CCBE

The CCBE submitted that fundamental human rights are not adequately protected in the European Union. It considered that the absence of access to the European Court of Human Rights, taken together with the absence of any standing in general for private individuals to challenge European Union acts, points to serious gaps in legal protection in the Union. These gaps become more serious every time that the EC and EU treaties are broadened.

3. ECLA

The ECLA argued that a transfer of powers from a member State to the EC cannot exclude that State's liability under the Convention with respect to the exercise of the transferred powers, and contended that, given the limited defence rights under EC competition procedure compared with domestic procedures, it cannot be said that the EC procedures offer "equivalent protection". It considered that the proceedings in the present case were criminal in nature. The ECLA asked for confirmation that new procedural rules envisaged by the European Commission must comply fully with Article 6 of the Convention.

4. FIDH

The FIDH considered that it is both necessary and justifiable to find that States which are parties to the Convention are answerable for all the consequences of acts adopted by international organisations that they have set up and to which they have given certain powers. They underlined that, under the general rules of public international law, a State may not absolve itself from its international responsibility by entering into successive treaties with different States on the same subject. They also considered that, once it

is accepted that the member States of an international organisation are responsible for the treaty establishing the organisation, it follows that the member States are also responsible for acts adopted by the organisation in the exercise of the powers attributed to it under the treaty.

5. ICJ

The ICJ took the view that the Court should accept the possibility of member States' responsibility for the conduct of organs of international organisations of which they are members. It considered that it would be unacceptable for violations of basic rights to go unredressed merely because the perpetrator is an international body established by the State, rather than the State itself. States should not be allowed to escape their obligations by transferring powers to international organisations. The ICJ submitted that this view is in conformity with general public international law and compatible with the existing Convention case law. The ICJ did not consider that the doctrine of "equivalent protection" applied by the Commission should be continued, as it is not clear how it operates in a number of circumstances.

D. The Court's assessment

The Court recalls that it is entitled under Article 34 of the Convention to receive application from persons, non-governmental organisations or groups of individuals "claiming to be the victim of a violation" by a High Contracting Party of the rights contained in the Convention and its Protocols.

In this connection, the Court reiterates that Article 34 requires that an individual applicant may claim actually to have been affected by the violation he alleges (see the *Klass and Others v. Germany* judgment of 6 September 1978, Series A no. 28, pp. 17-18, § 33). In a number of cases, the Court has accepted that an applicant may be a potential victim: for example, where he was not able to establish that the legislation he complained of had actually been applied to him on account of the secret nature of the measures it authorised; where a law prohibiting homosexual acts was capable of being applied to a certain category of the population which included the applicant, and where an alien's removal had been ordered, but not enforced, and where enforcement would have exposed him in the receiving country to treatment contrary to Article 3 or an infringement of his rights under Article 8 of the Convention. However, for an applicant to be able to claim to be a victim in such a situation, he must produce reasonable and convincing evidence of the likelihood that a violation affecting him personally will occur; mere suspicion or conjecture is insufficient (see generally in this context, *Segi and Gestoras Pro-Amnistia and Others v. Austria, Belgium, Denmark, Finland, France, Germany,*

Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain, Sweden and the United Kingdom (dec.), nos. 6422/02 and 9916/02, ECHR 2002-V, with further references, in particular to the above-mentioned *Klass and Others v. Germany* judgment, *Soering v. the United Kingdom*, judgment of 7 July 1989, Series A no. 161, and *Tauira and Others v. France*, no. 28204/95, Commission decision of 4 December 1995, DR 83-B, p. 130).

The Court further recalls that it has also had cause to consider on a number of occasions events subsequent to those which initially gave rise to the matters complained of. In such circumstances, the question may arise whether the applicant has lost the status of "victim". Thus in the *Dalban v. Romania* case, the conviction complained of was quashed by way of an application by the Procurator-General to the Supreme Court. The Court recalled that "a decision or measure favourable to the applicant is not in principle sufficient to deprive him of his status as a 'victim' unless the national authorities have acknowledged, either expressly or in substance, and then afforded redress for, the breach of the Convention". On the facts of the case, the Court found that the violation had been acknowledged, but that no adequate redress had been afforded (judgment of 28 September 1999, *Reports of Judgments and Decisions* 1999-VI, p. 236, § 44, with further reference). In *Constantinescu v. Romania*, the Court found that the acquittal of the applicant – again in proceedings which had been re-opened after an original conviction had become final – neither acknowledged the breach nor provided redress (judgment of 27 June 2000, *Reports of Judgments and Decisions* 2000-VIII, p. 38, §§ 42, 43).

The Court notes that the lines of case law referred to in the preceding two paragraphs are independent of each other. In the first, the question is of the nature and extent of the conditions for claiming to be a victim of a violation of the Convention, and whether those conditions have been met. In the second, the question is whether, where an alleged violation has already occurred, subsequent events can give rise to a loss of status of "victim" and, if so, under what conditions.

The Court observes that the present application concerns proceedings which had not ended when the application was introduced. The principal complaint was of a denial of access to court. The applicant company claimed that, if the fine imposed on it were enforced before the proceedings had been judicially determined, then its access to court would have been denied. In so doing, the applicant company was relying, in substance, on the above-mentioned *Segi and Gestoras Pro-Amnistia and Others* case law, namely that it had produced reasonable and convincing evidence of the likelihood that a violation affecting it would occur.

As events transpired, the fine imposed on the applicant company was neither paid nor enforced, and the applicant company's challenge to the fine (along with the related challenge by other companies) was not merely heard, but ended with the final quashing of the fine.

Accordingly, the facts of the present case were never such as to permit the applicant company to claim to be a victim of a violation of its Convention rights. By the time of the "final decision" in the case – the CFI's judgment of 30 September 2003 – it was clear that the applicant company could not produce "reasonable and convincing" evidence of the likelihood that a violation affecting it would occur, because on that date it was certain that there was no justification for the applicant company's fear of the fine being enforced before the CFI hearing.

It follows, whatever the merits of the other arguments in the case, that the applicant company cannot claim to be a victim of a violation of the Convention within the meaning of Article 34 of the Convention, and that the application is to be rejected, pursuant to Article 34 and Article 35 §§ 3 and 4 of the Convention.

For these reasons, the Court unanimously

Declares the application inadmissible.

Luzius WILDHABER
President

Paul MAHONEY
Registrar

Annex

LIST OF REPRESENTATIVES OF THE RESPONDENT GOVERNMENTS

Austria	Mr H. Winkler, Agent of the Government, Federal Ministry for Foreign Affairs
Belgium	Mr C. Debrulle, Agent of the Government, Federal Department of Justice
Denmark	Mr H. Klingenberg, Agent of the Government, Ministry for Foreign Affairs
Finland	Mr A. Kosonen, Agent of the Government of Finland, Ministry for Foreign Affairs
France	Mr R. Abraham, Agent of the Government, Ministry for Foreign Affairs
Germany	Mr K. Stoltenberg, Agent of the Government, Federal Ministry for Justice
Greece	Mr E. Volanis, Agent of the Government, Legal Council of the State
Ireland	Ms D. McQuade, Co-Agent of the Government, Department of Foreign Affairs
Italy	Mr F. Crisafulli, Co-Agent of the Government, Ministry for Foreign Affairs
Luxembourg	Mr L. Delvaux, Agent of the Government, Ministry for Foreign Affairs
Netherlands	Ms J. Schukking, Agent of the Government, Ministry for Foreign Affairs
Portugal	Mr J. M. da Silva Miguel, Agent of the Government, Ministry of Justice
Spain	Mr I. Blasco Lozano, Agent of the Government, Ministry of Justice

Sweden	Mrs E. Jagander, Agent of the Government, Ministry for Foreign Affairs
United Kingdom	Mr J. Grainger, Agent of the Government, Foreign and Commonwealth Office