

Closing ceremony for the CARDS 2004 Twinning Project to support the Administrative Court of the Republic of Croatia

Welcome address of the project leader Dr. h.c. Eckart Hien
Former President of the German Federal Administrative Court

Dear Mrs. State Secretary, dear ambassador of Germany. Dr. Fischer, dear colleagues,
Ladies and gentlemen,

This meeting has two different sides for me and is ambivalent:

- As a project leader I am happy that we can present the results of our work and that we achieved all benchmarks in due time.

- Out of my personal view I am also a little bit sad, because my time in Croatia also ends now. In the last almost two years I learnt to estimate and to appreciate Croatia, its culture, its people, its cafes and restaurants and so on...

Well, it can now not be my task as a project leader, to evaluate the results of our work, because I am – of course – biased.

But it is my task, to thank all participants of the project – our Austrian partner, represented by Prof. Tretter, chairman of the Ludwig Botzmann Institut of Human Rights, my German colleagues, on top our brave “front man” Klaus Hage, but especially our Croatian colleagues from the Administrative Court. Here my special thanks go to the President of the court, Mr. Kujundic, who strongly supported our work, also the Vice-president Missis Karlovcan-Durovic and the lady judges Marusic-Babic, Kosovic-Markovic, Lovricevic-Stojanovic and Vezmar-Barlek.

We were together engaged in many working groups and many sessions, discussing all aspects of the Croatian administrative and legal system, the possibilities to amend the structure and the procedure of the administrative court system.

I can tell you – this was hard work, especially to formulate the draft of a new law. To make these difficulties very clear to you, I will refer to two old stories, old myths:

The first story is of the Bible, the story of the construction of the tower of Babylon. You remember – this was the occasion when God created the big confusion of languages in a way, that people could hardly understand each other.

In our working groups we got the real feeling, that God made this confusion to **punish** mankind.

Of course, the official language of the project is English, which is only one language. But often it was necessary, that our Croatian colleagues had to debate some questions in their mother language Croatian, and the same was true correspondingly for the German and Austrian colleagues. But if you think, German and Austrian experts speak the same language, you are – at least partially – wrong. Because in the field of legal terms our languages are sometimes quite different.

The difference from our working groups to Babylon was, that we always came – in the end – to a good understanding and that the language confusion was not really a punishment for us, but on the contrary also a source of fun. Yes, I now reveal a little secret: We had hard work – but also a lot of fun and laughter, especially when we recognized after – say – half an hour of most controversial discussions that we did not have a real problem in the content, but only a linguistic problem because of a wrong or misleading translation.

Now to the second story, the myth of Sisiphos. This was the tragic hero, who constantly rolled a big rock up to the top of a hill, and when he achieved this hard work, the rock tumbled down to the valley and he had to begin his work again and again and again

When we were working on the draft of a new law, I was sometimes remembered to Sisiphos. Because we had to discuss and to reformulate certain problems again and again and again... But you probably know the French author Albert Camus and his novella about the myth of Sisiphos. In the very last sentence of this book Camus writes: "You have to imagine Sisiphos as a **happy** man".

In this sense we are now happy men – and of course women.

Well. The work of the twinning project is done – but the work for the Croatian authorities is just now beginning: You have to discuss our proposals in the competent bodies, especially in the Parliament and the Ministry of Justice.

Perhaps you will change our proposals in some points. But if you do so, you should always be aware of the fact, that many aspects of the new law are connected in a way that they cannot be taken away without damaging the rest.

It is similar to a mosaic: If you look only at some single or separate stones, you will not see the whole picture. And if you change some isolated stones, which **seem** to be not so important, you are nevertheless in the danger to spoil the picture.

In this sense I wish you good luck for the implementation of the new structure and procedure of the administrative court system.

I wish Croatia the very best for the future – also because it is our common future in Europe.