

THE EUROPEAN CLUB OF THESSALONIKI SEMINAR ON THE "EUROPEAN ECONOMIC COMMUNITY AND GREECE"

The European Club of Thessaloniki organised, in cooperation with the National Greek Council for the European Movement, a Seminar on the problems arising from the association of Greece with the European Economic Community. The Seminar was held in Thessaloniki from 28-30 March 1965 and was attended by approximately 150 persons. Its original scope was to furnish to high-rank functionaries of the Greek Administration with adequate information on the E.E.C. and the Association of Greece with it, as well as to provide for a forum wherein the relative issues would be elucidated through discussions. However, when the Seminar was over it was realised that this original purpose was far too restrictive and that the overall scheme has turned to be a real congress where not only functionaries but scientists, specialists on the European Communities, members of the Thessaloniki Bar as well as students discussed for three days all the controversial issues of the association of Greece with the Common Market.

The subjects discussed during the Seminar were divided into three main sections, i. e. political economic and legal. In the political section, papers have been presented by Mr. G. P e s m a t z o g l o u, President of the National Greek Council for the European Movement, on "The causes that impose the necessity for European integration," and by Mr. G. K a s i m a t i s, Member of the Parliament and President of the European Club of Athens, on "The Actual state of the integration problem. Hopes and fears....". The economic section itself contained three subsections. Subsection I was considered with the private sector of the economy and papers have been presented thereupon by Prof. D. D e l i v a n i s, on "General appraisal of the economic problems which have emerged from the association of Greece with the E.E.C.," by Prof. A. D a m a s k i n i d e s, Vice-President of the European Club of Thessaloniki on "The impact of the association of Greece with the E.E.C. on the size, the organisation and the legal status of Greek enterprises," and by Mr. Z i g d i s, Minister of Industry, on "E.E.C. and Greek industry and handicraft." Subsection II was devoted to Greek agricultural problems in the necessary connection to the E.E.C. and three papers have been presented, by Prof. E. P a p a g e o r g i o u, and Associate Prof. A. A d a m o p o u l o s and G. K i t s o m b a n i d e s. Under subsection II, Mr. G. K o u t s o u m a r i s, General Scientific Manager of the Greek Centre for Planning and Economic Research, presented a paper on "The E.E.C. and Greek foreign trade," whereas Mr. J. P e s m a t z o g l o u, Deputy-Governor of the Bank of Greece, spoke about "The E.E.C. and the financing of Greek economy." Some legal

questions of the E.E.C. and of the Association Agreement have been dealt with under section three of the Seminar. Prof. D. K o n s t a n t o p o u l o s, Doyen of the Law Faculty of the University of Thessaloniki, presented a paper on "The legal status of the European Communities and of the Association of Greece with the E.E.C." The President of the European Club of Thessaloniki, Prof. Ch. F r a g i s t a s spoke on the subject "The private procedural law of Greece and the Common Market" whereas Prof. D. E v r i g e n i s, Member of the Administrative Council of the European Club of Thessaloniki, has dealt with the issue "The E.E.C. and Greek private law."

The formal opening of the Seminar took place in the Lecture Hall of the Society of Macedonian Studies and the inaugural addresses were followed by the two papers presented under section I, namely those of Mr. P e s m a t z o g l o u and of Mr. K a s i m a t i s. Both lectures have laid stress on the role of the E.E.C. within the defensive system of the West. Mr. P e s m a t z o g l o u, after examining the reasons for which Europe has decided to proceed to an economic integration, has specifically underlined that the political integration of Europe shall contribute to the evolution of the "defensive system of the free world" and shall render the functioning of the U.N.O. more effective. The speaker went on to conclude that the interest of small countries such as Greece lies in their adherence to larger geographical unions. Another issue raised by the speaker was whether the Association of Greece with the E.E.C. emerged from a political rather than from an economic necessity. The speaker himself submitted in this regard that political considerations prevailed over economic necessity.

Mr. K a s i m a t i s stressed out that European integration has been marked by a slow-down. His own argumentation as to the factors of a similar situation was based on three basic submissions, namely, that Europe accelerates its unification procedures only in the appearance of an external danger, that individualism is again prevailing on European thought and that the Europeans themselves have been unable to preserve their own common tradition. Furthermore the speaker submitted that problems of defence play a considerable role in the process of European integration and went on to affirm that N.A.T.O is a European organisation at least as significant for European unification as the European Communities themselves. Mr. K a s i m a t i s went on to conclude that vis-à-vis those fears, the hopes lay in the "awakening which is caused by the realisation of the danger."

Subsection I of section II was held in the Lecture Hall of the Chamber of Commerce where all the next meetings of the Seminar took place. After the paper of Prof. D e l i v a n i s who offered an overall, ample view of the

economic impact of the Association upon the Greek economy, the floor was taken by Prof. A. D a m a s k i n i d e s who underlined the difference in the size of Greek enterprises in comparison to those of the E.E.C. and proceeded in examining whether the Association of Greece to the E.E.C. had any effect on the size of Greek industrial enterprises, concluding that in fact such a change has indeed taken place. Furthermore Prof. Damaskinides submitted that the average Greek industrial enterprise is usually organised on a non-rational basis and that this factor places it at an inferior position to that of a similar European unit. Nevertheless, as the speaker submitted, there exist some indications that new methods of organisation began to be applied in Greece, and that the Association became a starting point for a reappraisal of the role played by rational organisation methods in the economic development. Finally the paper was concerned with the legal status of Greek enterprises and Prof. Damaskinides submitted that although the individual or family enterprise is the most common phenomenon in Greece, there exist some indications that the form of corporation has begun to prevail.

The third paper of this subsection was presented by the Greek Minister of Industry, Mr. Z i g d i s, who *inter alia* stressed the necessity for an accelerated rythme of industrialisation in Greece and referred to the various methods that the Greek Government applies to this end.

The second day of the Seminar was devoted to papers which concerned subsection II of section II and three papers have been presented thereunder. The speakers referred to the agricultural problems emanating from the Association of Greece with the Common Market and submitted that Greek agriculture has to undergo fundamental changes in order to face successfully European competition.

Subsection III of section II started with the paper of Mr. G. K o u t s o m a r i s. The speaker stressed out that any prediction as to the long-term impact of the Association upon Greek foreign trade depends on whether other European countries will also adhere or associate themselves with the Common Market. He went on to say that the Association of Greece has emerged from the necessity to break the cycle of economic standstill but that the adequacy of such a measure depends on whether the free-market mechanism shall be automatically adapted to the new economic conditions. Mr. Koutsomaris forwarded some statistical data which proved that there did not occur any considerable changes since the Association, so far as the geographical orientation of Greek foreign trade is concerned. Moreover a similar conclusion can be drawn on the basis of the total volume and value of our trade with the E.E.C.; trade conditions have developed as if the Association never took place. The speaker

concluded that in Greece two opposite conceptions prevail, the optimistic and the pessimistic. The former suggests that the new enlarged market (Greece and E.E.C.) shall cause automatically the necessary structural changes within the Greek economy, which shall be thus able to face successfully the new competition factors. The latter, in which the speaker rather adhered, considers that structural transformations in underdeveloped economies as that of Greece, undergo very slow changes which can hardly meet short-term competition necessities.

Following Mr. Koutsomaris' paper, Mr. J. P e s m a t z o g l o u considered two main issues, namely a) the "Community's" sources of financing and b) the possibilities of domestic saving procedures so far as their adequacy for investment purposes is concerned. After examining the various institutional financing sources of the E.E.C. and the agreements that Greece has concluded with them, the speaker went to consider private financing procedures which do not fall within the Community's framework. Such foreign private capitals meet a considerable part of Greece's investment needs and so he suggested that the policy which is set to encourage their influx, should be continued. So far as domestic saving procedures are concerned, Mr. Pesmatzoglou has confirmed their increase during the last five years as well as their satisfactory contribution to private investments. More governmental encouragement for investing in productive units will accelerate, according to the speaker, the rythme of domestic investments in industry. The paper underlined that the contemporary state can intervene to the financing network of the economy through organised credit allowances to commercial banks for new premises, reorganisation and broadening of the capital market in such a way as to attract laymen's saving, direct intervention through State institutions such as the National Bank of Industrial Development, and establishment of State intervention to the service sector of the economy as well as encouragement and financing of professional training. M. Pesmatzoglou concluded that the Association Agreement is integrally linked with the economic development of Greece and that the financing problems can be solved only through negotiations with the Community's institutions.

Section III of the Seminar concerned the legal aspect of the Association of Greece with the E.E.C. Prof. D. C o n s t a n t o p o u l o s offered a general consideration of the legal structure of the E.E.C. His paper established two basic conceptions, namely that the E.E.C. should be considered as a real union, and that the Association Agreement may be assimilated to a pactum in contrahendo which provides for the future adherence of Greece to the Community.

The second paper was presented by Prof. C h. F r a g i s t a s and was concerned with the issues of international jurisdiction and the recognition of foreign judgments. After explaining what is meant by the term "international jurisdiction" the speaker referred to the cases in which the adjudicating Greek court seems to have international jurisdiction and mentioned that there must exist a link between the pending case and the Greek court in such a way as to create a competence in locus. Nevertheless, according to Prof. Fragistas, Greek jurisprudence overlooks this prerequisite and Greek courts usually ground their jurisdiction on the Greek nationality of the defendant. Furthermore the speaker considered the Draft Convention for the recognition and enforcement of foreign judgments which has been elaborated under the auspices of the E.E.C. This draft abolishes any grounding of jurisdiction on nationality by adopting the principle of domicile. According to this text a court may assume jurisdiction only in the case that the defendant has his domicile in the country in which the court adjudicates. Thus, the speaker concluded, should Greece participate in the conclusion of the above convention, a Greek court will not be able to assume jurisdiction on nationality grounds. Nevertheless this obligatory alteration of Greek jurisdictional conceptions is not at all harmful, according to the speaker, since not only domicile provides the actual link to a legal system but justice in the E.E.C. countries can be considered at last as of an equal standing as that in Greece. Prof. Fragistas proceeded to explain that so far as the recognition of foreign judgments is concerned, Greek courts discriminate against foreign defendants as the Greek judge is not entitled to impeach on the merits of the foreign judgment unless the defendant is of Greek nationality. The Draft Convention mentioned already abolishes any such discrimination by providing that a foreign judgment is unimpeachable. Thus Greece will be obliged to abandon this additional procedural guarantee which she offers to her nationals. Anyhow, the Greek draft code for civil procedure adopts the solution of the draft convention. The speaker's final conclusion was that the participation of Greece to the E.E.C. convention will help her to get rid of procedural concepts which are not harmonised with present day realities.

The final paper was presented by Prof. D. E v r i g e n i s, who discussed at the beginning the issue raised by the papers of Mr. Pesmatzoglou and Mr. Kasimatis, namely whether the association of Greece with the Common Market emerged from a political or from an economic necessity. The speaker explained that present day realities do not permit the absolute separation of economics and politics. According to his opinion, there exists a continuous interplay of economic and political factors and any attempt to divert the latter from the former and vice versa is at least romantic. Prof. Evrigenis submitted that this argument applies most of all upon the E.E.C. whose drafters not only

framed the economic activity of the six member-States within a common institutional framework, but aspired as well to the preparation of a political union, adopting the functional and not the federal method for its realisation. Furthermore the speaker underlined that despite the fact that political considerations prevail also in the Association Agreement, the very nature of this agreement permits to Greece to orientate its political aspirations in accordance to her national interests. Prof. Evrigenis referred to the legal difficulties which impede the realisation of the economic union in Europe and the methods which have been applied by the E.E.C. for their elimination. In this respect he referred to those provisions of the Treaty of Rome which are applicable ipso facto within the territories of Member-States and went on to analyse the provisions of the above Treaty which regulate competition and free establishment. As to the impact of such provisions upon Greek law the speaker concluded that though Greek legislation and Greek legal thinking should be harmonised to the common community conceptions, the exact changes which will take place within the Greek legal infrastructure cannot be easily foreseen.

The final conclusions of the Seminar, which were drafted on the basis of the papers and of the debates that followed, underlined the necessity for structural changes in Greek economic, agricultural and legal methods in order to meet the new reality which emerged from the Association of Greece with the Common Market.

Institute for Balkan Studies

KRATEROS M. IOANNOU

JAHRESTAGUNG 1965 DER SÜDOSTEUROPA-GESELLSCHAFT

In der Bonner Beethovenhalle mitten in einer Grünanlage am Rheinufer fand vom 3. bis 5. Mai d. Jhrs. die Jahrestagung 1965 der Münchener Südosteuropa-Gesellschaft statt.

Das Thema der Tagung: "Aktuelle deutsch-südosteuropäische Wirtschaftsprobleme" stellte den Versuch dar, im Kreise von Fachleuten die Möglichkeiten der zukünftigen Gestaltung der Wirtschaftsbeziehungen zwischen den mittel- und westeuropäischen Ländern und den südeuropäischen Staaten zu erörtern.

Prof. Dr. Hermann Gross, Universität München, sprach über *Die Wirtschaftssysteme und die Wirtschaftspolitik der südosteuropäischen Staaten* und wies darauf hin, dass diese seit 1945 sehr verschieden sind und die Aussenwirtschaftsbeziehungen entscheidend beeinflussen. Griechenland und die Türkei