

Speech by Pierre Werner (Luxembourg, 9 January 1973)

Caption: On 9 January 1973, Pierre Werner, Prime Minister of Luxembourg, presided over the inauguration ceremony of the new building of the Court of Justice of the European Communities located on the Kirchberg Plateau in Luxembourg. In his speech, he emphasises the solidity of the 'edifice of judicial decisions' that the Court has constructed during its twenty years of existence.

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Speech by Pierre Werner, Minister of State, Prime Minister of Luxembourg, on the occasion of the inauguration of the new building of the Court of Justice of the European Communities, Tuesday 9 January 1973, in Luxembourg.

Your Royal Highnesses,

I have the honour to be the spokesman of all who are present in thanking your Royal Highnesses for having agreed to preside at the presentation to the Court of Justice of the European Communities of the building which will henceforth house its courtrooms and its offices. We should like to consider your presence as a tribute both to the European Institution and to those who have created this magnificent building.

Today's ceremony strikes, if your Highness will permit the expression, two chords in your mind which is so open to the realities of the present-day world: on the one hand, the exceptional interest which you have for the construction of Europe and for the place of your country in the Community, on the other hand, the satisfaction of seeing the creation on our territory, in different spheres, of buildings which fulfil perfectly their functional vocation while, at the same time, bearing the aesthetic mark of our age. For this latter preoccupation, what finer field of action could one imagine than this Plateau of Kirchberg devoted to urbanist creations which will undoubtedly mark the present reign.

Your Excellencies,
Ladies and Gentlemen,

In the name of the Luxembourg Government, I wish to greet very cordially the representatives of the Governments of the countries of the Community, who have been so good as to accept the joint invitation of the Court of Justice and of the Luxembourg Authorities. I welcome in particular the Ministers of Foreign Affairs, the Lord Chancellor and the Ministers of justice as well as the Ambassadors. We experience a particular satisfaction in seeing the Presidents and Members of the Commission and of the European Parliament associated with this ceremony.

Mr President,
Members of the Court,

In everyday life the tenant of a building takes possession, as a rule, without any particular ceremony.

We considered that the occupation by the Court of the building constructed for its use, should in this respect depart from the normal. Far from wishing to proceed purely and simply to their daily business, the Court and the Government intend, on the contrary, to proclaim their mutual satisfaction at having seen the realization and at last the completion of a monumental endeavour, in whose conception the lessee has been associated throughout the period of preparation and of construction. I say this not to imply that we should wish to rid ourselves of part of our own responsibility, but to emphasize the quality and the continuity of the cooperation between the representatives of the Court and the services of the State. It must be admitted that the solicitude of the Luxembourg Authorities has gradually increased since the day now long ago when the Court of justice of the European Coal and Steel Community first started at the Villa Vauban, later concerted into the Municipal Gallery, until today's installation, via temporary accommodation in the Municipal Palace of the Place d'Armes and lastly by more functional accommodation in the rue du Casino. Beyond the immediate occasion for this ceremony, the opportunity arises, and it seems to me appropriate to take it, to pay tribute to the work accomplished by the Court of justice in the period of some 20 years that it has been established at Luxembourg.

While the other organs of the Communities have been disturbed by currents of European theory and conflicts of national interests, the Court, with discretion but firmness, has constructed, stone by stone, an edifice of judicial decisions which, meanwhile, has acquired a real dimension. The experience thus obtained as well as the quality of its opinions and judgments have won the attention of the national courts and the adoption by them of the body of law thus derived. At the present moment the Court faces without fear the assimilation into Community Law of the ideas of legal systems at first sight more removed from continental

ideas, such as the Common Law. The great scholarship and the deep *esprit de corps* which inspire the European judiciary will, I am sure, make it possible to solve as well these problems of assimilation and of synthesis.

The undeniable success of the judicial creation of the Communities is due both to the independence which the European judges have been able to show in relation to private or national interests, and to the carefully measured degree of their courage. It would not have been possible without the personal contribution and the profound devotion to the European Cause of its successive Presidents, of the Members of the Court, of the Advocates-General and of the Registry.

Would it be too daring or pretentious to suggest that the *genius loci*, the calm of the Luxembourg environment, count just a little in the success of an Institution which of its nature would not work well in an atmosphere of trepidation and harassment.

We have therefore wanted this building to be conceived in such a way as to express by its surroundings and its layout this desire for detachment, for tranquility, for distance in relation to what is simply contingent, a desire to encourage the inner journey of study and meditation. The rigidity of its framework in a special steel, naturally allergic to corrosion, as will be the body of European Law derived from your decisions, contrasts with the play of light and the myriad reflections from the great windows. With this luminous opening to the outside world, the Court will not be ignorant of the simple realities of Community life. All this creates an atmosphere of rigour and of respect, lightened by shimmering shapes and colours. I cannot express this unusual combination better than by inviting you to look at the artist's representation in this hall of the lady Justice, who, without brandishing a sword, but keeping a perfect poise, has the gracious gesture and the fresh look of a girl.

Resolutely have the architects Mr Conzemius, Mr Jamagne and Mr Vander Elst departed from the confines of conformity to create a building whose exterior may disconcert adherents to the classicism of the temples of Themis, but whose interior has acquired, by the use of modern materials and by the intelligent utilization of mass and of space, an atmosphere of sober opulence and of functional comfort. Such a creation demanded a special contribution from art. At the suggestion of the President of the Court, eminent artists from the Member States, Dambiermont, Grieshaber, Hambourg, Manzu, Wercollier, have contributed by remarkable works to the decoration of this house and of its surroundings.

I shall not fail to pay tribute to the patient work of the Ministry of Public Buildings and Works, to the firms, craftsmen and workmen who have contributed to the construction, which, although it has suffered delays, is today all the more successfully and solidly completed. My colleague, Mr Buchler, at the last stage of the work, has given himself body and soul to its completion before the enlargement of the Community. No one will be better placed than he to give you some more detailed explanations on the building.

Your Royal Highnesses,
Mr President, Excellencies,
Ladies and Gentlemen,

Since the Member States granted the city of Luxembourg the honour and the privilege of being included among the three provisional headquarters of the activities of the Communities, the Luxembourg Authorities have endeavoured to set up establishments worthy of its lofty calling. If this building answers to the expectations, we are proud and satisfied.

What seems to me particularly significant is to see this inauguration coincide with the beginning of the year 1973, a European year, a year on which the conference of Heads of State and Government held last October in Paris has placed enormous and manifold hopes. In this, as we hope, accelerated evolution, the enlarged Court of justice will know how to play its part which is particularly important for the implantation of the Community idea in our ways of thinking and in our ways of acting.

In handing over this building to the Court of Justice of the European Communities, I should like, in the

name of the Luxembourg Authorities, to express the wish, which is in any event suggested by the presence of representatives of the highest judicial authorities of the Community countries, that it may become, not only a judicial centre, but a house open to lawyers and a true home for European legal thought.