

Letter from Massimo Pilotti to Victor Larock (22 June 1958)

Caption: Letter sent by the President of the Court of Justice of the European Coal and Steel Community, Massimo Pilotti, on 22 June 1958, to the President of the Council of the European Economic Community, Victor Larock, on the occasion of the position taking of the presidents of the institutions of the European Communities concerning the choice of the seat of the Communities.

Source: Lettre de Monsieur Massimo Pilotti, Président de la Cour de Justice, en date du 22 juin 1958, à Monsieur Victor Larock, Président du Conseil de la Communauté Economique Européenne, Objet: Avis des Présidents des Institutions des Communautés Européennes concernant le choix du siège des Communautés. 617 f/58. Bruxelles: Conseil de la Communauté économique européenne; Conseil de la Communauté européenne de l'énergie atomique, 23.06.1958. 2 p.

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22 June 1958

Mr President,

In your letter dated 20 June 1958, and pursuant to the decision taken by the Ministers for Foreign Affairs at their meeting of 6 and 7 January 1958, you asked me for my opinion concerning the applications submitted in connection with the seat of the Communities and set out in Chapter II of the Report of the European Committee of Urban Planning Experts.

(1) May I say, first of all, that I am familiar with all the cities in question and am appreciative of the extreme diligence and impartiality which the experts brought to their work. Moreover, one might add a few details, in the light of the comment already made by the Political Affairs Committee of the Parliamentary Assembly, to the effect that ‘in the case of the Court of Justice, the Investment Bank and the Joint Nuclear Research Centre provided for in the Euratom Treaty, a measure of decentralisation would be acceptable if it helped to resolve the question of a single seat.’ Milan and Turin are already ‘European’ cities by virtue of the fact, *inter alia*, that Milan is home to a major business school, whilst Turin has the University Institute of European Studies and the European Municipal Credit Community.

(2) Taking as my starting point the Ministers’ decision that there should be a single seat for the Community institutions, I would offer you the following thoughts:

I am not convinced that it makes sense to take a final decision on the seat of the Communities at this point, whatever the merits and advantages of the various cities which have submitted applications.

We do not know what tomorrow’s Europe will look like, or which other states may, perhaps, join the Six. Future geographical expansion will, no doubt, depend on what the Communities actually achieve.

And whilst the European Coal and Steel Community has completed its transitional period and operated with remarkable efficiency in Luxembourg, the two new Communities have only recently embarked on the tasks entrusted to them. I feel that no final commitments should be entered into concerning the seat until the end of the start-up period. The choice can then be made on the basis of the needs identified. In the interim, each of the institutions should retain its provisional seat, that is to say, Luxembourg for the European Coal and Steel Community and Brussels for the European Economic Community and the European Atomic Energy Community.

Some Community organs, however, are autonomous or have a field of activity which may dictate the choice of seat in their case. I am thinking, for example, of the European Investment Bank, which obviously needs to be based in a city which is a commercial and financial centre and which favours economic research and exchanges with other countries.

(3) As for the Court of Justice, there are excellent arguments both in favour of having it established in the same place as the other institutions and in making a clear separation between the Court and the other Community bodies.

The final decision on this matter — it seems to me — should depend on the character of the seat. If a ‘European district’ is created, the Court should obviously be a part of that, together with the other institutions. But if the seat of the institutions is located in a city without being given a special status, physical separation of the Court from the other institutions would not present any major obstacles to the performance of its duties.

Yours faithfully,

(sgd) Massimo Pilotti