

Interview with Pierre Pescatore: relations between the Legal Group and the Heads of Delegation (Luxembourg, 10 September 2003)

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[Étienne Deschamps] How did the Heads of Delegation receive the texts that had been drawn up by the Legal Group? Can you, for instance, recall any bargaining or political arbitration that proved particularly delicate or difficult?

[Pierre Pescatore] No, I can recall nothing of the sort, and for a good reason: the lawyers soon acquired a certain aloofness. As lawyers, we all shared a common mentality; our negotiations took place without direct pressure from other interests. That was the advantage of having a Legal Group alongside the Common Market Group and the Euratom Group, so that matters that really concerned economic policy or pure politics remained at that level. In this way, we were able to work with complete legal objectivity, and in the last analysis we instinctively settled our differences at our own level, because we wished to avoid a situation where our texts, with alternatives, parentheses or brackets still present, would be sent up to the Heads of Delegation level, and we would then lose control of our own work. So it was better to reach an agreement at our own level, and we succeeded in doing so in every case. I cannot recall any instance where an issue was submitted in the form of a question, an alternative or a disagreement at Heads of Delegation level. In my opinion, this is one of the reasons for the legal soundness of the Rome Treaties.