

Interview with Pierre Pescatore: relations between the three committees during the negotiations (Luxembourg, 10 September 2003)

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[Étienne Deschamps] We know that in Val Duchesse there were three committees: the Common Market Committee, the Euratom Committee and the ‘Legal Group’. What were relations among them like during the negotiations?

[Pierre Pescatore] As a rule, each committee worked on its own, and coordination took place at Head of Delegation level. But on occasions, as the Legal Group, we held joint meetings with the Common Market Group and with a group that had a strange name, the ‘groupe des préambulistés’ or preamble-writers’ group. At a certain point, towards the end of the negotiations, a group made up of members from the delegations — selected, I believe, on account of their imaginative skills, who had got together to work on a preamble to the Treaty of Rome — was referred to, among ourselves, as the preamble-writers. In this group, there was one person in particular that I would meet in the corridor and who made a strong impression on me — a quite special impression. This was Jean-François Deniau, a Finance Inspector who was obviously the brains behind the French Delegation, mainly informally, and he was part of this group of preamble-writers. When they had completed their work, we were invited, as lawyers, to participate in this group, and in this way I saw them in action. It was there too that I made the acquaintance of Jean-François Deniau, whom I already found to be very relaxed in his contacts with others and also imaginative. Later, I learned from him in confidence that it was mainly he who had drawn up the preamble, he who had been given the task of drafting it, and he had done so in one feverish night, which I imagine as being rather like Pascal’s *La Nuit*, because, after all, that was his level. He ended his career becoming a member of the *Académie Française* as a great writer, an extraordinary writer; he lived that life, according to the last work that he published. He has spent the last few years fighting illness, and despite this illness he still enjoys extraordinary influence. I saw it in its early stages, and it was basically his text that was completed during this meeting between the lawyers and the preamble-writers’ group. It was this atmosphere that gave rise to both the brevity of this preamble and its cogency. In the preamble, it is, of course, the clause that says: ‘RESOLVED to preserve and strengthen ... union among the peoples’ and States ... ‘the peoples’ and States, which has acted as the soil in which have thrived European democracy and this bipolarity between the activities of the Member States — diplomatic action and respect for individual rights and the growth of the European Parliament. All this was, therefore, already present intuitively and in draft form at that time, and we owe it in part to this happy formulation by Jean-François Deniau.

The other contact was with the Common Market Group, which was much more sedate, and it was started by the members of the Common Market Group, chaired at the time by von der Groeben — a member of the Commission later on and a quite remarkable man. It is to him that we owe the essential clauses dealing with economics in the Common Market Treaty. This was drawn up in an atmosphere when France was placing heavy emphasis on Euratom, which was quite the wrong track to follow, but it seemed at the time to be the great discovery. It was von der Groeben who directed the work on the substance of the Common Market. Later on, we were called in to talk to the Common Market Group, our group’s task being to give its reactions to the clauses and to endeavour to make it clear to our interlocutors that their clauses were obscure or contradictory. This was not taken in good part, because their reply was invariably: ‘But you are jeopardising the clever compromises that we have managed to secure.’ We understood that sometimes a contradiction, some vagueness or lack of clarity that was present in the wording of a Treaty, was a condition on which the agreement had been based. As a result, we were not able to do a lot in this area. I can remember the clauses, for example, on trade policy that, as lawyers, we would have preferred to express more forcefully and perhaps in closer conformity with GATT requirements, but we were not able to persuade them and the clauses were incorporated in the Treaty as they stood. These are my memories regarding the organisational structure at Val Duchesse. But all this has been rather ... what the English would call ‘superseded’, by personal recollections. Nonetheless, it was there that I saw — given the goodwill necessary to succeed — how extremely important the human bonds that link the negotiators are.