

Interview with Hubert Ehring: the ECSC Special Council of Ministers and its Legal Service (Uccle, 25 October 2006)

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[Étienne Deschamps] In 1954, you joined the Secretariat of the ECSC's Special Council of Ministers in Luxembourg. What was the role of that new body, which had only been created quite recently, and how did it operate?

[Hubert Ehring] My duties in that new body were essentially determined by the role of the Council in relation to the High Authority. It was important that the Council had more or less joint powers with the High Authority, which clearly implied the existence of relations between the High Authority and the Council. Mr Monnet, however, preferred these powers to be exercised by the members of the High Authority and by the members of the Council, in other words the Ministers themselves.

He was not at all keen on this joint exercise of power being prepared by lengthy discussions in the Council committees, whether with or without the participation of officials from the High Authority. He even secured undertakings from the Member States not to maintain representative missions in Luxembourg. Our Ministry only had a little office with one typist. The institution of a body of permanent representatives, of course, was still a very long way off; such a body was ultimately established by the EEC Treaty. And accordingly, ... you know, there were, of course, Council meetings where the national officials had prepared position papers for the Ministers, but these papers did not ... I would say they almost never contained a mandate for the Legal Affairs Department.

That period was marked by a certain professional disillusionment, I must admit, but work was going on outside the Council. In the Council too, there was ... for example, I drafted the Statute and drafted a set of Rules of Procedure for the Council, and I took part in the drafting of the Staff Regulations, which was the task of the presidents of the four institutions — the Court, the Assembly, the High Authority and the Council — but, other than that, there was nothing for the Council as such. We did, however, engage in work outside the prescribed sphere of competence.

There was a precedent, you know, in the Val Duchesse negotiations. These were negotiations or discussions — I cannot recall their exact status — that took place in Paris with a view to the creation of a political Community. They were chaired by Mr Bourguignon, a Belgian official from the Secretariat. I was detached to Paris for a long period, during which we laboured hard to come up with a succession of new formulas that might stand a chance of being accepted by the largely wary governments. It was not a very satisfying task, but we were certainly not idle until it all came to a fruitless end and we went back to Luxembourg.

And then, at the end of 1955 — that was before Val Duchesse — we began in Brussels, in the Rue de la Charité. Thereafter, I spent my time in Brussels — only working days, of course; at weekends I was back in Luxembourg riding my horse. I would say that the work I did in the Council, as legal adviser to the ECSC, had come to an end when I left the Ministry of Economics.