section 4

The Institutions' Buildings

CHAPTER
11

The Former Buildings

The following is an overview of how the present Human Rights Building came into being. Much of what is written here is recorded in official documents held by the Council of Europe and/or mentioned on the Court's website (www.echr.coe.int). For the rest, the article draws on personal recollections that have been confirmed by others who worked at the former European Court and European Commission of Human Rights.

In the 1950s and until the mid-1960s the Court was housed in the main Council of Europe building, and the Commission in the Council's adjacent B-building. The fact that they had no separate housing symbolized the position of the institutions at the time in that they were visibly part of the Council of Europe.

From 1965 the Court and Commission had their own 'Human Rights Building', across the road from the Council, which was built by the architects B. Monnet and J. Aprill in the style of Le Corbusier (though that architect had nothing to do with it). It still stands, housing other services of the Council of Europe, and has three floors and a basement with all sorts of mysterious caverns. At the opening ceremony on 28 September 1965, various speeches were given, including one by René Cassin, then President of the Court. As Sture Petrén pointed out in his speech: 'Human rights now have a building of their own, close to Europe House but distinct from it.' By the early 1980s the ground floor was occupied by the Human Rights Directorate and Commission members, the first floor by the Court (with some 10 to 20 staff), and the second floor by the Commission's Secretariat (with only 30 to 40 staff). Previously the building had also housed the Council of Europe's Legal Directorate and its telephone exchange.

This former Human Rights Building is quite cleverly conceived. It is in the shape of a square with an interior courtyard. On each floor a corridor runs right around the building on the inner side, with full-length windows overlooking the central courtyard, in which there was a wonderful magnolia tree whose flowers were eagerly awaited every year. There is a small pond (at one time inhabited by a goldfish named after the Director of

Opposite above: The former Human Rights Building.

Opposite below: The landing between the Court's and the Commission's main rooms in the former Human Rights Building, with a view towards the courtyard and its magnolia and fish pond.

An usher in the former Human Rights Building.

Legal Affairs) and a stone bench on which – in theory – one could sit and relax, though in practice it was rarely used, not least because people from the corridors on every floor could clearly see anyone attempting to relax. The notion of a 'circular' corridor on each floor was excellent for communication. If you walked far enough you could pass the office of every colleague and eventually end up back in your own office. This layout is all the more appreciated when compared with the corridors in the current building, which are long and have dead ends.

The building had two meeting rooms – a grander one for the Court and a more modest, everyday one for the Commission – each with interpreters' cabins. There was also a library on the ground floor, carefully tended by the then librarian, Siegfried Bein. As space became limited, the so-called typing-pool (the people who typed the minutes of the hearings) was moved to the library's reading room. Once a month for a week, the librarian had a dozen typists hammering away at the typewriters in the library.

Eventually, the two floors no longer sufficed, and the Human Rights Directorate moved out to a new provisional building nearby, the Annex Boecklin. In addition, two floors of office containers were placed between the Human Rights Building and the canal, and the ground floors were used to house the judges and the Commission members during their alternating sessions. The first floor housed staff from the Commission's Secretariat. Up to that point, judges had not had any offices at all (they worked in the deliberation room), and Commission members shared cramped offices, often three members in one room. The new office containers were infamous for their electric heaters, which in winter stored the warmth at night and heated during the day, the results being tropical mornings and freezing afternoons.

By the mid-1980s – still well before the fall of the Berlin Wall and the merger of the Court and the Commission – it became clear to all concerned that the first Human Rights Building could no longer accommodate the Convention institutions and their staff. Unbuilt-on land beyond the Marne–Rhine Canal belonging to the town of Strasbourg appeared to be a perfect place for a new building.

Mark E. Villiger
Judge at the Court

THE INAUGURATION ...

After centuries of suffering the worst effects of enmity among men and among nations, after sustaining devastation and destruction time and time again, Strasbourg could indeed claim the honour to be the first to erect a building devoted to the protection of human rights. This building takes its place with the Peace Palace at The Hague, the *Palais des Nations* at Geneva and the other seats of fellowship at New York, Brussels and Luxembourg, all erected after murderous wars as confessions of our guilt and our repentance and also as monuments to that victory of good over evil, of justice over injustice, of which the Parthenon remains the eternal symbol.

Polys Modinos*
Deputy Secretary General of the Council of Europe, 1962–8
Registrar of the Court, 1959–63
Secretary to the Commission, 1954–9

... OF THE FIRST HUMAN RIGHTS BUILDING IN 1965

The European Court of Human Rights, for which I am acting as spokesman merely because my eminent predecessor, Lord McNair, has stepped aside, takes pleasure in associating itself with today's ceremony.

We should like first to express our gratitude to the city of Strasbourg, especially its mayor. Thanks to their generous support, the institutions and directorates whose task it is to safeguard human rights in Europe, and in general to work within the Council of Europe for progress in the legal relations between European States, are now worthily settled and concentrated in a building constructed especially for the purpose.

As a descendant of an Alsatian soldier in the Revolutionary Wars and having myself taken part in the struggle for human rights for many years, I am especially proud to think that Strasbourg, for centuries a frontier town, has, by the unanimous agreement of the nations of Europe, become the centre of the European institutions dedicated to the cause of peace. It is the first, and so far the only, regional capital in the world where the safeguard of human rights is organized at the highest level of judicial decisions given independently of the parties, after hearing a body set up to act as a disinterested spokesman of the collective conscience.

Humanity is indeed slow and niggardly in learning the lessons of past strife. The results obtained 15 years after the Universal Declaration and the Rome Convention of 1950 do not yet fully correspond to the radiant vision shared by so many human beings sacrificed in two world wars or to the efforts of those whose intention it has been to rebuild Europe on a foundation of respect for the human person and the ability of our peoples to conduct their affairs in a democratic manner. We do not imagine that the stones of the monument in which we are going to work as from today will in themselves be a sufficient bulwark of our institutions. The spirit of justice, feeling and respect for law, the desire to prevent disputes or settle them peacefully, these are what are important.

But a material seat does, in fact, encourage the spirit of justice. It is of value in itself, for it symbolizes the function of the site of justice and enables those suffering under injustice to turn their gaze hither.

We hope above all that the governments of the member countries of the Council of Europe will, in response to individual hopes, increase their confidence – which in some cases is still not unreserved – in law, so that Europe may be built by common effort on common principles and that they may show greater confidence in the institutions set up by the Rome Convention. For their part, the judges of the Strasbourg Court will continue to spare no effort to administer impartial justice in order to fulfil these hopes and justify this confidence.

René Cassin*
President of the Court, 1965–8

From 1959 to 1965 the Court would convene in the main Council of Europe building ***(left)****, which was subsequently demolished to make room for the current* Palais de l'Europe.