

INTERVIEW WITH JIM CLOOS— FULL TRANSCRIPT

SR: Hello, today is 9 March 2022. We are in the Europa building of the Council of the European Union, and today we will speak with Jean-Pierre Cloos as part of the Council's Oral History project, carried out by the Council's Directorate-General for Communication and Information in collaboration with the Max Planck Institute for Legal History and Legal Theory in Frankfurt. We are of course thrilled that Mr Cloos has agreed to participate in this project and be the first person to be interviewed. You've been kind enough to send us some documents — transcripts of interviews you've done in the past for other projects. We'll look again at some of the points and episodes you've discussed previously. And of course, we'll try to contribute something new as well; we'll encourage you to reflect further, and possibly to divulge some more details. We'll start by looking at your life and career, in particular before joining the Council. That's quite important because, in some ways, your previous experience at the Luxembourg Ministry of Foreign Affairs, and in particular at the Permanent Representation of Luxembourg and then at the European Commission, helped you in your roles later on. We do believe that even though this project focuses on 'career paths in the Council', we cannot and should not skip this important part of your career, when you held quite important roles in the history of European integration. We'll start with your path in life. In your personal and professional life, what led you to become a European civil servant? You were born in Luxembourg on 19 August 1955. In the interviews we've read, you often say that, like Obelix, you fell into the 'magic potion' as a child. What does that really mean? Did your family already have an interest in Europe?

JC: Thank you very much. First of all, I'd like to say how delighted I am to be with you today to talk about my career, but above all to talk about Europe, which is indeed my passion. You called me Jean-Pierre, which is my Christian name, but not my real name. My name has always been Jim Cloos, and it's a name I'm very fond of. That's the name I go by.

When I said 'I fell into the magic potion as a child', I wasn't referring to my own family. I was talking about my Luxembourgish family — about the fact of being a Luxembourger. For historical reasons you are, as a matter of course, immersed in the magic potion that is Europe: first and foremost, because Luxembourg was a founding member of the European Community. And it's a very small country that needs to cooperate with other countries.

I hadn't planned my career. In fact, at first I wanted to become an English teacher. That's why I went to the UK. You know, at that time Luxembourg didn't have a university. We would all go abroad to study. And if you wanted to teach a language, you had to do a literature BA degree in a country where that language was spoken. That's why I went to Reading, in the UK. After the first two terms, I had to choose between three subjects. I'd studied English literature and also linguistics, and I'd added Russian, just because I was interested in learning that language. And in the end, I decided to focus on Russian and linguistics and dropped English literature. Because in the meantime I'd understood that my ambition in life wasn't to

spend my days teaching the niceties of English grammar to little Luxembourgers. And I wanted to do something different. I had a very profound formative experience: the British sent me to the Soviet Union for a year, to Voronezh State University. I stayed there for ten months straight, and by the end of my stay, I could speak Russian fluently. I then finished my BA degree in Reading. Afterwards, I took a diploma in advanced studies at Sciences Po under H       Carr     d'Encausse, whom you may know as a leading expert in East-West relations and as the current Perpetual Secretary of the Acad       fran      . Then I took a specialised graduate diploma in international trade at the Universit   Paris Dauphine. So I had a generalist education.

In Reading in 1976 I met V         Arnault, who would eventually become my wife. She had come over there for a year. We of course remained in contact, and I joined her in Paris later on. What happened was that in 1980 she became a diplomat at the Quai d'Orsay (the French Ministry of Foreign Affairs). And three months later, I passed the competition to become a Luxembourg diplomat. At that time, the question arose as to whether we could each have our own career. The answer — the only way to really do so — was to embrace the European cause and go to Brussels. So I first came to Brussels out of love for my future wife.

SR: But that's why I asked you the question about 'falling into the magic potion', because I imagine that European — and possibly federalist — youth movements were already active in Luxembourg at that time, given that the country is characterised by the presence of institutions, and by a certain environment. I imagine that in Paris too, there would have been those kinds of movements. Did you engage with those youth movements on European issues, and were you inspired by them?

JC: No, no, not at all. It was by coming to Brussels, of course, that I started to learn about the European Community — by getting some hands-on experience. I spent one and a half years in Luxembourg and then two years in Bonn as a diplomat. And then in 1985 I joined the cabinet of Nicolas Mosar, Luxembourg's Commissioner for Energy. I hadn't campaigned. My family environment wasn't very Europe-focused... My father was a teacher, and we had no particular contact with any European movements of either a federal or any other nature. I myself am not a federalist. It might be possible to explain why later on. But I'm a committed European. So I first discovered the European Community in 1985, and we've remained there ever since. V         became an official at the European Commission in 1983, and from 1985 onwards I moved between cabinets in the Commission and the Permanent Representation. And finally, the last 20 years of my career were spent at the General Secretariat of the Council.

SR: It wasn't common, I imagine, for a student to spend a whole year in the Soviet Union. If I understand it correctly, you were mostly dealing with issues relating to the Cold War at that time?

JC: Yes, that's right.

SR: So, as a young person, Europe was not a subject in which you had a great deal of interest at that time. You didn't have a professor at Sciences Po or at Reading – we're talking about the 70s... There were all the discussions on EU accession in the UK, plus a referendum – did that really have no effect on you? I'm not saying that you're a federalist, but you could very well have been involved in those discussions, as was very common at that time, when young people were very politically-aware?

JC: Yes, of course, I followed international and European politics very closely, as was evident in my choice to go abroad, and to spend time in the Soviet Union, etc. And while in Paris, I was in fact involved in writing a book on Europe and the Germans, in collaboration with one of my professors from Sciences Po, Renata Fritsch-Bournazel, and another colleague — I was responsible for the part about Europe¹. So there was already the seed of something that was starting to grow. Then, when I arrived in Luxembourg, I joined the Department for Economic Affairs, which was essentially the European department. And so, from that moment on, the die was cast. And as I said, along with trying to have my own career while my wife had hers, it made sense to do it in Brussels as a French diplomat and a Luxembourg diplomat. And so, in the end, all of those things made my career resolutely European.

SR: When you started out as a Luxembourg diplomat, did you have to sit a competition?

JC: Yes, of course.

SR: So you were already meeting people even at that early stage, during the first few years. In particular, you mentioned your Director, Joseph Weyland, and Adrien Meisch, who was the Ambassador in Bonn.

JC: Yes.

SR: Can you talk a little about those individuals, who must have had an impact on you – you said that a young diplomat might be inspired by them?

JC: Yes, absolutely. First of all, you should know that Luxembourg has a relatively small administration. This means that you are asked to take on responsibilities while you are still very young. I'd like to tell you a little story in that connection. I started work at the Ministry in early November 1981. Joseph Weyland was my director. After a week, he said: 'Jim, I'm going to send you to Brussels – there's a conference on audiovisual issues taking place there.' I was having some dealings with those issues – he was keen for me to familiarise myself with that area not only because it was important for Luxembourg, and for RTL, but also because, at the time, there was a European project involving direct broadcasting satellites that was being managed

¹ Renata Fritsch-Bournazel, André Brigot and Jim Cloos, *Les Allemands au cœur de l'Europe*, Les Cahiers de la Fondation pour les études de défense nationale, no. 28, 1984.

jointly by the Germans and the French. Luxembourg, however, had been placed on a different trajectory by Adrien Meisch, the former Ambassador to Washington. He had married his second wife, the daughter of a US telecommunications expert. And this expert said to Adrien Meisch, 'You should forget about broadcasting satellites.' They're too expensive, and there aren't enough channels – invest in telecommunications satellites, they do the same things. And Adrien Meisch sold this idea to the government. So the government launched a project in collaboration with the Americans, called Coronet. This was very unpopular amongst the other Europeans. So Joseph Weyland told me, 'You're going to Brussels.' He didn't tell me what I should say there, nor did he explain the context in any detail. 'Some of the delegations ... you'll see, you'll work it out for yourself.' So I arrived in Brussels. It was my first visit to the famous Hôtel Métropole in Brussels. The following day I attended the meeting at the Egmont Palace, and the only other people there were all at ambassadorial level, whereas I had only been at the Ministry for a week. And that wasn't all – once discussions had started I realised that, in fact, this was a conference aimed at blocking the Luxembourg project. So there were seven countries present: the Benelux countries, the Italians, the French, the Germans and another country – I can't remember which one now. And in fact it was six against one. So, I launched into the discussions. I had already studied this kind of subject. I was a little young and I wasn't faint-hearted. I fought my case. Even so, it was all rather extraordinary. I returned home. I said to Joseph Weyland, 'That was a bit much, that was a strange business you got me involved in – you could have warned me.' He told me, 'My dear Jim, that's how you learn'. And it was a wonderful education. I'd like to say a few words about Adrien Meisch, who subsequently became my Ambassador in Bonn. A great man, a great musician, and a very close friend of Rostropovich, whom he had helped a lot when he was an Ambassador to the Soviet Union. This April, we'll spend four days with his wife in Luxembourg to honour Adrien's memory, because unfortunately he died two years ago. He was an extremely talented man, who one day told me, 'I understand that you want to go to Brussels: I support you, that's where you must establish your career'. He helped me – in fact, he put me in touch with Mr Mosar, asking him to give me a job in his cabinet. So I have to say that I owe a great debt to Adrien Meisch.

SR: That's important because, as you say, these are people who in some cases are no longer with us, and your testimony also allows us to highlight the influence they may have had on you.

JC: That's right.

SR: In terms of ideas about Europe, would you say that everyone in Luxembourg had the same vision for Europe? Or were there different schools of thought within the diplomatic service?

JC: There are always differing views. Of course, the idea of belonging to the European Union – it wasn't yet called the European Union at the time – was undisputed. Certainly not in the diplomatic world. That said, as in every country, you had people who were more federalist and you had others who were more in favour of retaining a greater degree of national sovereignty. It's the same debate that we are still having today; at the end of the day, people have different views. It's a matter of individual choice.

In general, of course, Luxembourg has always been in favour of a more powerful Europe because, for a country like Luxembourg, sharing its sovereignty means strengthening it. For a very large country, sharing one's sovereignty can sometimes be seen as losing some of that sovereignty. For us, there is the example of the single currency. At the time we created it, we didn't have our own central bank. We had the Luxembourg franc, but it was tied to the Belgian franc and administered by the Belgians. When we created the euro, it was then that we created our own central bank in Frankfurt to represent us. In fact, it was a very significant net gain in terms of sovereignty.

SR: I see. I was wondering whether Joseph Weyland and Adrien Meisch – in what direction did they...

JC: Joseph Weyland was a realist. He wasn't a dreamer; he was a man who believed in the European Union, but he also believed in the defence of national interests. He thought that it all made perfect sense. So he was by no means a dreamer. Adrien Meisch had never truly been involved in European affairs – he was more a diplomat in the traditional mould, who spent his entire career in bilateral relations.

SR: I see. Now, if we turn to the years from 1980 to 1985, that was a turning point because you'd been shuttling between Bonn and Brussels for years – and this was when you joined Commissioner Nicolas Mosar's cabinet. However, as you have stated in other interviews, the role of the cabinets was not necessarily to monitor the files of interest to the Commissioner's directorate-general, but rather to monitor all the files.

JC: Exactly – the principle of collegiality.

SR: You first had experience of this when Jacques Delors was already in office. Can you talk a little about your first impressions? And particularly about relations with the Delors cabinet – with Pascal Lamy, for example? He was one of those people whom you would run into again later on, when you became Head of Cabinet of the President of the Commission. So I imagine that contacts would then become much closer, at least for the handover. What contributions do you think you made in the first few years, during the time of the Single European Act – or that the Commissioner also made, because he had to be at the forefront of these issues of collegiality?

JC: There are several things to say here. Firstly, 1985 was an interesting year, not because it was the year I arrived in Brussels. I wouldn't like to make myself out to be more important than I actually was. I was a young diplomat, and it was a significant period. It was a moment of European renewal. Why? Because one question had plagued us in the European Community for years – the infamous issue of the UK rebate. Thatcher's 'I want my money back.' However, that issue was resolved at the European Council in Fontainebleau in 1984. With that, one hurdle was removed.

Secondly, Delors (but not just him – it was based on proposals from industry, there was the British Commissioner, Cockfield) identified a project that united everyone, including the British. And that project was the single market.

Thirdly, Delors, who wasn't the first choice of the French at the time – but the British had blocked Cheysson – and who had a rather technocratic background, proved to be an excellent President of the Commission. Then, in 1986, there was the accession of Spain and Portugal. Some, particularly in France, were concerned about their agricultural industry. The accession of the Spaniards and the Portuguese, in my view, was something that energised the European Union, providing a better understanding of the extent to which the European Union was a response to dictatorships, whether left-wing or right-wing. We also saw this later on. In my view, these two countries contributed a great deal. So at that time it was a moment of real renewal. It must also be said that the economy was in the process of recovering from the multiple oil crises. And finally, way back in 1985, yet another very significant change took place. On top of the Community Treaties, five Member States created the Schengen Treaty to abolish border controls on persons. So many things all came together.

As for Mosar's cabinet, you have rightly said that energy wasn't the main reason I was there. There was a colleague in charge of energy, and everyone else dealt with collegiality. Émile Noël, who had long been a highly influential Secretary-General of the European Commission, had a nice way of putting it: 'The cabinets are those who tend to the gardens of collegiality'. Of course, I also had to follow the subject of energy, particularly around the time of the Chernobyl accident. And then I realised at a very young age that it's very difficult to manage crises when you don't really have the skills to do so. But everyone asks you to do so. So it was a time during which I learnt a great deal. All this helped me understand how the Community, and in particular the Commission, worked. I did that for two and a half years. Then I decided to go to the Permanent Representation, which was an instructive period. I was young and quite junior, so I didn't have much contact with Lamy at the time of course, with him being very senior to me. I worked with people in his cabinet, but that became much more important a few years later when I was a Head of Cabinet myself.

SR: So why did you decide to leave? That didn't seem logical, all the more so since, if I have understood correctly, your wife was also a Community official. Wouldn't it have been logical to continue in that post? After all, you were in the cabinet of a Commissioner who had a fairly important portfolio. Why didn't you stay?

SR: That's a good question. I felt that I'd completed my 'apprenticeship', and I was very aware that the European Union is much more than just the Commission. That's a common misconception in Brussels. And I'd always kept in touch with the PR, and an opportunity had arisen, especially as Joseph Weyland was the

Permanent Representative at that time. I was also somewhat dissatisfied with the way in which the cabinet was functioning. So I told myself, I've had that experience, now I'm moving on to something else.

SR: So it wasn't because there was some level of dissatisfaction with the Commission in general?

JC: No, not at all.

SR: OK, so you returned to the Luxembourg diplomatic service, to the Permanent Representation. During this period you were a member of the Antici Group. And during the Luxembourg Presidency, one of the most important contributions you made was the preparation of what would subsequently become the Maastricht Treaty. I believe I read in an interview that, in your opinion, a great deal had been achieved during the Luxembourg Presidency. And there were a number of individuals who, of course, were involved at that time. We can read about your experiences during that period in the book you co-wrote with Weyland².

JC: And with Daniel Vignes, who was a former member of the Council's Legal Service, as well as Gaston Reinesch and Yves Mersch (at the start, but in the end he withdrew from the project).

SR: Yves Mersch, who was subsequently at the European Central Bank.

JC: That's right.

SR: One of the questions I found very interesting is your reference to the Luxembourg Presidency's request to the Commission to work closely together?

JC: Yes.

SR: It's quite an important moment, I believe, for historians. Because my impression is that oral history sometimes opens up avenues which don't appear in written records. And you mentioned a meeting with Delors' 'left-hand man' – his right-hand man being Lamy – François Lamoureux, a top lawyer from the Commission's Legal Service. It's an important moment. Could you tell us about it again?

JC: Yes, of course. First of all, I would say that being involved fairly actively in the drafting of a treaty is in any case a great privilege for a young diplomat, and all the more so when it's a project like Maastricht, which, in my opinion, was the most important treaty after the founding treaties, for a number of reasons – that's the first thing.

² Jim Cloos, Gaston Reinesch, Daniel Vignes and Joseph Weyland, *Le Traité de Maastricht : genèse, analyses, commentaires*, Bruylant 1993.

You mention cooperation with the Commission at that time. It is indeed a very interesting point. As you know, the Treaties are negotiated through what is known as an IGC, an intergovernmental conference. It's the Member States that are sovereign in this area and which decide whether and to what extent they want to hand over sovereignty. The Commission, given its overall importance in the institutional process, has a very important role to play in this context, notably making proposals and suggestions and explaining how things can be done. But the Commission, unlike in the legislative area where it has the exclusive right to put forward proposals, does not have this role in an intergovernmental conference. And, for that matter, my experience over the years has always shown that, sometimes, for this type of thing, the Commission is more effective when acting behind the scenes instead.

This was done in a very intelligent way in 1985-1986 for the Single European Act. I wasn't directly involved on that occasion, but I know of course how things played out. The Commission worked extremely closely with the Luxembourg Presidency and often got its ideas through via the latter, which worked very well indeed in the case of the Single European Act. I was serving in the Antici Group at the time when Maastricht was being negotiated – that is to say, I was the Ambassador's right-hand man. Antici was the name of the Italian diplomat who chaired the group when it was set up. So it's a position of trust within the system. To this day, the Antici Group continues to play a very important role. Anyway, I was Joseph Weyland's right-hand man, and we put our heads together. And we said to ourselves, 'we're going to do it like they did in 1985'. We went to see Delors, and Joseph Weyland said, 'Well, we can do things like in 1985-1986'. Delors replied, 'Absolutely, it worked very well'. And so Joseph said, 'Listen, by January we also need to have the Commission texts. We're working with the Council Secretariat on the texts on external policy, but could you get us the texts to be published in the Presidency's name?' They accepted. January arrives. By that time we had worked with the Secretariat and got our own texts ready, but still nothing from the Commission. Joseph said to me, 'Go and see François Lamoureux', Delors' Deputy Head of Cabinet. I go to see François, and I ask him, 'François, where are the texts?' and François looks at me and says, 'What texts?'. I say, 'What do you mean?', and he replies, 'There is no text. We'll go and ask Delors if you want to know.' And at that moment, he opens his drawer and says 'the Treaty's there'. The Treaty – here I mean the part on political union. The part on monetary union had largely been prepared in the Delors Committee, but for the political union, there was nothing at that point in time.

I went back to Joseph Weyland and said to him, 'if we're not careful, they're going to leave us floundering about for three months. And then there'll be a comprehensive proposal on political union put on the table by Delors, *deus ex machina*, and we'll be left with egg on our faces. And what's more, it's not going to work', I told him, 'because, if you ask me, they are too keen to centralise things, especially for the CFSP pillar'. I'll come back to this. And so we said, 'we're not going to let that happen. We're going to get a first draft of the Treaty ready very quickly, and we'll do it with the people from the General Secretariat of the Council.' An excellent team. Niels Ersbøll, Secretary-General, Poul Christoffersen, his Head of Cabinet, Jean-Claude Piris, Legal Counsel, Thérèse Blanchet, who was already working with him, and

Jacques Keller-Noëllet, who dealt with the European Council and who I took over from much later. And so we worked together. David Williamson, Secretary-General of the European Commission, who was a friend of Joseph Weyland, came to our first meeting, because we invited the Commission all the same, and then he called us to say, 'I've been given orders not to come'. We retorted that we'd do it without the Commission.

What was really behind their attitude, hiding in the background, was one of the issues relating to a potential future foreign policy. As you know, for historical reasons, foreign and security policy issues had been left out of the Treaties in the 1950s, following the rejection of the European Defence Community by the French National Assembly in 1954. There had already been 'political cooperation' in the 1970s and 1980s, as acknowledged in the Single European Act, but we wanted to create a pillar – something more ambitious – in the Treaty. The question was whether we were going to create a separate, intergovernmental pillar, or whether we would try to do it within the Community system. We had sounded people out in advance, before the start of the Presidency. It was clear that the choice was not between communitisation of the CFSP and an intergovernmental CFSP; it was an intergovernmental CFSP or nothing. Nevertheless, the Commission and in particular François Lamoureux, who was a federalist, were pushing strongly for a Community approach. And he knew that we were going to go in the opposite direction. What's more, we were working closely with the French, in particular Pierre de Boissieu, who subsequently became a great friend, and who was France's personal representative in these negotiations at the time. It was he in fact, I believe, who came up with the idea of the pillar. So there was also a substantive issue behind it all.

In March, the Commission released a text on foreign policy. They could no longer publish a full draft, as we'd announced it for April. It was a bit difficult for the Commission. They therefore just presented the part on external policy, which under their draft would have been communitised, and the text was rejected. The Personal Representatives Group was done with it in 40 minutes, and not a single delegation supported the Commission's draft. Where Delors, and the Commission, were right though, of course, was that when you set up an intergovernmental pillar, you then risk contaminating the rest. So we did a number of things in collaboration with the Commission so as to include an introductory phrase explaining that the intergovernmental pillar was separate. And, as far as the justice and foreign affairs pillar was concerned, the idea was to move it inside the part on Community issues later on. We emphasised the fact that the Council was unique – there had previously been a Community Council, and an intergovernmental Council for political cooperation, which met from time to time in the capital cities. On these points, the Commission wasn't wrong, and we helped it to address this issue. But that had to be done using the three pillars. I have spoken at some length on this, because these are stories that people don't know. These events reflect both the status of particular individuals and the status of the institutions, and there was also a substantive issue at stake.

SR: It's very interesting. And that's why I asked about it again, because in one of your interviews I think you said that there was some dissatisfaction on the part of Delors about the Single European Act, if I remember correctly?

JC: Indeed. Which, between us, is very strange. But Delors was a man who was often dissatisfied. Which is also a good quality, as he always wanted to do better. After the Single European Act, Delors made this rather strong statement, saying, 'This is a very bad day for Europe. This is a failure.' And that was, I'm sorry to say – and I'm a great admirer of Jacques Delors – a critical mistake. The Single European Act has evidently been fundamental, and was the first step towards codecision. The first step towards the internal market and what, later, became the basis for the single currency, in relation to which Delors played a crucial role. So there, I think, if I may say so, his judgment was somewhat lacking. But in any case, I'm not sure to what extent Delors himself was behind the instruction not to cooperate with us. I think the cabinet may also have had something to do with it, in particular François, who was a most brilliant man – and a bit of a rebel. I would describe him as a person full of ideas, and I later worked very well with him, when he was Head of Cabinet for Édith Cresson in the Santer Commission. We have remained friends. But we disagreed about this at the time. I say it without acrimony; this kind of thing happens, it's the European Union. It's not a long peaceful river, it's a permanent negotiation, it's a debate. Sometimes a daily battle. That's what democracy's like.

SR: Yes, but at the same time, seeing as he had been at the Commission, and in the Legal Service for some ten years, he must theoretically have known how things worked, I imagine? And if I'm not mistaken, Delors also said in his memoirs that his favourite treaty was the Single European Act.

JC: He said that later on, yes!

SR: But at the time ... that's why I wanted to shed some light on this point. Recollections are not history; they are one element that helps historians. But you also have to compare accounts from the time and from later on, and from the various people who were present. Because you also mentioned another important point: the role played by Pierre de Boissieu.

JC: Yes, indeed.

SR: And then there were the other colleagues too?

JC: Yes, there was Piris, Ersbøll, the other colleagues from the GSC, and the personal representatives (who were in most cases the permanent representatives). It really was quite an impressive collection of people. There was de Boissieu for France, and Philippe de Schoutheete for Belgium; there was Westendorp for the Spanish, followed by Elorza; and there was Calamia (Italy), a great man, Ribberholt for the Danes, and John Kerr for the British. It was indeed a rather impressive team, I have to say. And, like I said before, for someone young like me, working with people of this calibre was a great privilege.

SR: But in a way it's de Boissieu you give credit to for the pillar structure. It's an idea that's now in general usage, and he was the one who first came up with it.

JC: There's never just one person. But that's the basic idea. And Pierre contributed a great deal to it. And if I may say so, it's a great success. Why do I say that? First, I have to say one thing about the CFSP: it will never be communitised. Not in a million years. Member States will never give up their sovereignty in this area, unless we become the United States of Europe, and I can't see that happening. That's the first thing. But the pillar made a big difference nonetheless by creating a High Representative. And then the external service was set up. So what I'm trying to say is, it was by no means an insignificant development. And the justice and foreign affairs pillar has since been almost entirely communitised. And Schengen was added to the Treaty on European Union under the Amsterdam Treaty, where I also had the opportunity to play a role, but behind the scenes, as per my views on the role of the Commission in an IGC. I can tell you a bit about that.

SR: We'll come to that in a moment. But the question related to the fact that, according to Stephen Wall, it was the British who were behind it, as also emerges from the papers I found in the British cabinets' internal records. They're very pleased to have kept the pillar structure.

JC: That's for sure. I mentioned de Boissieu in particular, but there are always numerous issues and a lot of different people involved. One of the reasons is that the two major diplomatic powers, the French and the British, would never have communitised the CFSP. The British and the French were close on this point. It was clear that the British wouldn't have agreed to put this policy area inside the EU's sphere of competence – but many others wouldn't have either, it wasn't only the British.

And then, I don't know if I should tell this little story about our Dutch friends. But when the Dutch, incited by Delors, tried to put aside Luxembourg's project, after June 1991 and the Luxembourg European Council, they got a real kicking – at a Council meeting, I think it was on 30 September 1991, which, in the history of Dutch diplomacy, is called *zwarte maandag*, black Monday. Because, against the advice of their troops in Brussels, who had a very good understanding of the situation (Ambassador Peter Nieman and Guus Borchardt), in The Hague they imagined that they could transform the text entirely and create a unitary treaty. They had to withdraw it. But there was, ultimately, another episode to the story. The Dutch took the Luxembourg Treaty forward and they did a very good job of conducting negotiations, right up to the very end. And that's why it's called the Maastricht Treaty.

SR: I see. But the question I wanted to come back to, which you have addressed in part, relates to the Delors team, the staff of which was French, and close to the then President of the Republic, Mitterrand, and to Roland Dumas. Didn't they have the support of their country then? Was Pierre de Boissieu under instructions not to follow the Commission? Or are we in a different type of scenario, where there is another

power, which is sure to prevail – the power of the permanent representatives, as you say; and an administrative power, a political power which results in a consensus that is stronger than political will?

JC: Of course. As I said, the Commission's competence is very limited as regards foreign policy, even today. And so it is clear that on a fundamental issue, the French had their line and were not going to be dictated to, not even by Delors. It's to be expected. And it shows, for that matter, that our system of having an independent institution like the Commission in Brussels is a good thing. It also shows, on the other hand, that Delors didn't follow everything that came from Paris to the letter, which is also a very good thing. So what I'm trying to say is that this illustrates very effectively how the European system works. I'm spending a lot of time explaining it at the moment, because there are a lot of stupid things being said about the system. It's a system where none of the institutions can do anything alone. They sometimes want to give the impression that they can, but this is not the case at all. Things can happen only when all the institutions enter into a dialogue, when everyone plays their part. And the system we have isn't so badly designed. Its legitimacy derives, on the one hand, from the Member States, through the Council and the European Council, and on the other, from a directly elected Parliament. And then you have an institution like the Commission, a wonderful invention that acts independently to defend the common interest.

SR: It was Jean Monnet who was behind this.

JC: It's a great system, and I'm a conservative in that respect. I would like it to be kept as it is. I'm against what you might call the politicisation of the Commission. I can give a more detailed explanation, if you like. I believe that the Commission is stronger and works better if it sticks to its original mandate.

SR: But if I've understood correctly, during those negotiations Luxembourg didn't take the same line as countries, such as the Netherlands and Belgium, that historically followed this approach, the aim of which was to communitise not only external policy, but other areas too. Because it was about political union, not just external policy. You've spoken about those issues, I know. And of course, there was a risk of going backwards on other competences?

JC: Yes, but I'll tell you this: there are two points to make in that regard. The first is that when you have the presidency, you don't impose your own ideas, least of all if you're a small country like Luxembourg. You're there to serve the whole group. Luxembourg could have lived with a stronger Community approach. But it wasn't going to try to impose that on the French or the British. In any event, it was illusory. Which says something too. If you have the presidency, it's not the time to impose your national policies. Even the big countries don't succeed in doing that.

The second thing is that in Luxembourg there was also Joseph Weyland and a group that I would describe as more realistic; they thought that the Commission's approach in this area wouldn't work anyway.

SR: Juncker was one of those realists.

JC: Juncker dealt mainly – and brilliantly – with economic and monetary union. Political union wasn't an issue that he was especially bothered about. He had enough on his plate with economic and monetary union; the Commission had drawn up the draft treaty, and the Delors group and subsequently the Guigou group carried out highly commendable work. And in that case, the Commission also played its part to the full, as it was an area where its competency was much clearer than for political union.

SR: I noticed in your interviews that you speak about a level at the top of government, of the diplomatic corps, which represents long-term national interests.

JC: Absolutely.

SR: But then, on the other hand, there is a set of people at a certain level in politics who may see things somewhat differently. You mentioned, for example, the Belgian representative, de Schoutheete's, surprise at what the Commission was trying to do. But Belgium was generally aligned with the Commission and in favour of this type of communitisation. You could say that the circle of permanent representatives cultivates a different type of integration, and in a structural way. You mention in your written publications a number of individuals who have been permanent representatives: David Williamson, I believe, Ersbøll – many people who come to the Council have, like you, occupied that role.

JC: Not David Williamson, nor Ersbøll. But an awful lot of people, yes. And the body of permanent representatives has a central role to play. We saw it during the COVID-19 crisis. It's the only body which continued meeting in person throughout the crisis. And the reason for this is that it's the backbone of the system. It's a very important body. We can talk about it later, but it's extremely important. De Schoutheete followed the Belgian line, but he was also a thinker. And besides, you're one of a group when you're in Coreper or the European Council, and you have to listen to the others. So of course, what does a good permanent representative do? They do two things. First: they defend the country's national interests.

That's what they're paid for. Second: they defend the European perspective in their country. That's just as important.

SR: And to conclude on the Maastricht Treaty: the other important matter that, I believe, is still of interest to historians today relates to the potential renegotiation of the Presidency conclusions, which Lubbers tried to bring about, I understand, particularly as regards social issues. Could you shed some light on this?

JC: Of course. It's very simple, and it shows how important just a single word can be in the conclusions, as I'm sure you're aware. For example, you can have a long passage on a subject at the European Council meeting, and in the draft conclusions the Council 'welcomes' the initiative to be taken or the Commission's proposal. And then there's a long discussion. And at the end, the British, or someone else, says 'I accept

everything. There's just one very small change I want: instead of saying 'welcomes', we should say 'notes'.' There you are, it's a very small word, but it changes a lot.

And here's another case for you: when Luxembourg presented their draft treaty in June, which they'd got finished in six months – which is not bad going at all. And Mitterrand had said, 'For my part, I could accept everything.' And the British were also more or less on board. In the meantime, however, there had been the crisis in Yugoslavia, which had drawn everyone's full attention. And secondly, Major had just replaced Thatcher, who had fallen from power following the disagreement on the IGC. And Kohl had decided that they should be careful not to irritate or harry Major, and so he said, 'We'd better not push now, we'll do it at the end of the year.' But in the draft conclusions, Luxembourg had of course said that the draft presented by the Luxembourg Presidency would be the basis for the forthcoming negotiations. And all of a sudden, Ruud Lubbers puts up his hand and says, 'Jacques', or rather, 'President' – things were more formal at the time. He says to him, 'For my part, I'd say it's all very good, but put '*a* basis' instead.' The room fell silent. And Santer said, 'Could you explain?' He said, 'because, you know, with this kind of thing there are always other inputs'. 'Yes', said Jacques Santer, 'but there is all the same only one draft treaty'. It went on for half an hour. Lubbers came back to the subject several times, to the point that Jacques Santer, who was the nicest and most affable man in the world, said, 'That's enough. It's the basis, because we haven't worked with all the delegations for the past six months to say that it's one basis among others.' And so Lubbers had to back down.

What was behind all this? What was behind it was the fact that the Dutch, in my view partly pushed by Delors – but I don't know all the details of what happened – were looking to put aside the Luxembourg project with the pillars and draw up a treaty with a single overall structure. That's what it was, and that's why they wanted what they did. Despite the 'the' in the text, they still put their treaty on the table as early as July or September, which shows that they had prepared it beforehand. And then came *zwarte maandag*, 'black Monday'. And then it was over, after they started out on the right track. So that's what was behind it all.

SR: OK, but I was actually referring to the Treaty negotiations, which were intended – you might say – to make changes to the agreement on the opt-out for social issues, in order to allow direct ratification.

JC: But that's another matter. That relates to the debate with the British about the social protocol. We had decided to create a quite extensive social protocol and Major said, 'over my dead body', and an opt-out was negotiated for the British, who, under Blair, finally signed up to the protocol. It was a different debate, and in that instance, Lubbers dealt with the situation for the Presidency and found a solution, in the form of the opt-out.

SR: OK. That opt-out is remembered differently by the various people present: Lubbers, for example, says that it was Dewost, while the Commission had suggested having an opt-out for the social protocol.

JC: That may be the case.

SR: Moreover, you mention Piris, don't you, in the book you published?

JC: You know, in this kind of matter, the picture is never very clear in Brussels. It's almost impossible to say, 'it was this person or that'. You know who the main players are on either side, but you can't clarify things more than that. And Dewost (Director-General of the Commission Legal Service) and Piris spoke to each other all the time anyway. So there's no competition.

SR: It was just to identify the institution that had found the solution. So, coming then to the other very important period. In 1993, you became Head of Cabinet for the Commissioner for Agriculture. Why did you go back to the Commission then?

JC: After Maastricht, I was very happy – things were great, after all. I was then appointed Deputy Permanent Representative. That was really good too. And then when René Steichen became Commissioner, he called me and asked, 'How would you like to be Head of Cabinet?' And I said to myself, I was a junior just a few years ago and now I'm Head of Cabinet. It's agriculture, a Community policy area. I'd then been at the Permanent Representation for seven years. It was time for a change. It's as simple as that. I've never made a career plan. Many people say it, but it's true, one thing naturally led to another. And so I did indeed become Head of Cabinet for René Steichen, who was a good Commissioner.

It was a fascinating era. First, at that time agriculture still represented over 50 % of the Community budget. Today it's 33 %. It was as much as 60 % even back then. It's a Community policy area, so more or less everything goes through Brussels. It's therefore a policy area where you have to deliver results. It's a policy area where the Commission has a major role to play – working there is a real education. Secondly, the common agricultural policy, which I consider a historic success for the EU. It was such an exceptional policy that at one point we went too far. We set excessively high guaranteed prices and we had mountains of butter and enough wine to fill lakes, etc. Something had to be done, and the Delors Commission and Commissioner Mac Sharry, who were still in office at the time, architected a significant reform. That is to say, the second Delors Commission, in 1992. And it was René Steichen and I who were in fact responsible for implementing the reform. What I realised then was that it is often at least as difficult to implement a reform as to design it in the first place. It took us the whole of 1993, and it was all finally concluded in December of that year with an Agriculture Council that ran non-stop from Monday to Friday. It was very good training for me, for one of my last European Councils in 2020, which also lasted five days and four nights. You have to be resilient to do this job.

SR: And then afterwards you became Head of Cabinet for the new President of the Commission, Jacques Santer. It was he who decided to offer you the post, then? And it had nothing to do with the fact that you were close friends?

JC: No, not at all. I belong to the old school of civil servants, who believe that a civil servant shouldn't be a member of a political party. That's how I see things. In my opinion a civil servant is there to serve the State and the government, whichever government that may be. So I wasn't a Christian Democrat – I never have been. I've never been a member of any political party. I have my own personal opinions, of course, but that's another matter altogether. And Santer for his part certainly wouldn't have been interested in whether I was a Christian Democrat. I don't think being Head of Cabinet is a post you apply for. Jacques Santer knew me because I had been a civil servant when he was Prime Minister. He knew me from when I worked with Steichen, also a Christian Democrat by the bye, and so it was Santer who asked me, 'Do you want to become my Head of Cabinet?' I knew him but I wasn't a close friend. And so that's the offer he made. And, of course, you don't turn down a post like that. I was 39 at the time.

SR: Because the person who preceded you in that post, Lamy –

JC: Lamy, followed for a short time by Jean-Pierre Jouyet, for the last year.

SR: But Lamy wasn't a European official. He came from the political world, he was also an activist.

JC: Yes – that is to say, he wasn't so involved in politics, but he was a socialist activist.

SR: Yes, absolutely. There are some detailed studies describing the Delors cabinet, and that is more or less what they conclude. And Lamy had a premonition, you might say, which he shared with you. Could you tell us about it? What did he mean exactly? That the European Parliament already wanted to assert its power vis-à-vis the Commission in particular?

JC: When Jacques Santer asked me (in July 1994) to become his Head of Cabinet, the first thing I did was to call Lamy, who was at the time at the French bank Crédit Lyonnais. I said to him, 'Pascal, I'm coming to Paris. I'll need you to show me the ropes.' Which he very kindly did. And so we had lunch together and talked about all sorts of things; it was very informative for me, and very interesting. And then, at the very end he said to me, 'Jim, there's something I have to tell you: I don't think the Santer Commission will make it to the end of its term, I think it'll fall at some point.' I ask him why. He says, 'It's a political thing, it's the Parliament. Don't forget that the Parliament has already tried to bring Delors down on a couple of occasions.' But by then Delors had become too strong. It was in the 1990s, towards the end of his term of office. And he said, 'It's in a politician's nature. Parliament needs to bring the Commission down once to make sure it stays in line.' And this is indeed what happened, and the Commission eventually resigned in 1999.

I don't want to talk about it too much, but it was political more than anything else. All those stories about fraud and all that. I'll tell you one thing, and I'm ready to stand by this in front of anyone. In terms of clientelism or fraud, the Santer Commission was probably the cleanest Commission of all. What happened

was that, back when Jacques Chirac was conducting nuclear tests, in relation to which we had no competence, Parliament began to attack the Commission. As Lamy had observed: it was looking for a pretext. Then there was BSE, mad cow disease, which started in our second year in office. Jacques Santer got dragged through the mud for decisions that had been taken at Delors' time. It's what happens. I don't hold it against Delors at all, because mad cow disease was considered to be an animal disease that could not be transmitted. Then there was a case or two and it was blown up out of all proportion. We could see that it was greatly exaggerated, but there you go. We dealt with those crises and we survived. Then came the crisis, well, let's say, the business with Cresson – and it was, let it be clear between us, a very small thing – but she shouldn't have done it. She employed a friend who was a dentist in the Poitou region to represent her. I think it was a five-month contract. But she made the mistake of denying it. She brought a case against Quatremer (the journalist from the French newspaper Libération who wrote about the case), which was a serious mistake. You should never do that. Especially when the basic facts were known, even if things had later been exaggerated. She never wanted to resign. At the time, the President couldn't make someone step down. This was the only element mentioned in the much-vaunted report from the Committee of Independent Experts that had any link to Santer's handling of matters. Everything else related to irregularities that dated from before 1995. And again, I'm not saying this to imply that Delors did anything wrong. Not at all. Delors was right. With the introduction of programmes like Phare and TACIS for eastern European countries, the Commission had been given a huge task to accomplish but no administrative means by which to do so. So they used some of the budget funding earmarked for the Commission's own running costs to recruit people. It wasn't fraud, it was a slight irregularity that we subsequently tried to correct. It was blown up out of all proportion and the Commission was accused of being totally corrupt. If you read the Committee's report – and honestly, it doesn't make for especially interesting reading, you probably have other things to do – but if it interests you, read the body of the report and tell me if the Commission should have had to step down. On no account. There was nothing there, apart from perhaps the business with Cresson.

But what happened is that certain individuals used unofficial channels – which I won't talk about as even now it's too delicate – to slip things into the report at the last minute. The Committee Chair let Jacques Santer read the report the Sunday before its publication, and Santer came back to the office afterwards and said to me, 'Here's what they've written'. I said to him, 'well, we're in the clear, we just need to say that it wasn't ok what Cresson did, that she has to apologise, or to go even'. But on the Monday, when the report came out, it contained a foreword that they hadn't shown Santer, and which had probably been drafted later by certain people. It sounded the death knell for the Commission with statements such as, 'We did not meet a single person in the Santer Commission who took responsibility for their actions.' Which is an outrageous claim to make. There were three statements like that. I don't remember the others any more. But three lethal statements dropped in to bring the whole Commission down. Rather than having one Commissioner leave.

SR: And the context for Parliament's demands in this instance was something of a *casus belli* then. What you have just described was essentially a *casus belli* in the struggle for power between the institutions. Who are these people at the European Parliament who have remained so keen since Lamy's time? Is there a group, or are there specific individuals?

JC: Yes, of course, like there always is. But you know, a democratic parliament will always try to increase its powers. There's nothing reprehensible about that in itself – it's part of the power game in a democracy. And that's why Jacques Santer has never been resentful. Because he's very much the politician. For a civil servant like me, it was more difficult to swallow. But what did Jacques Santer do? He stood in the European Parliament elections, and spent five years as a backbencher in that same parliament that had brought him down. He's a remarkable man, Jacques Santer. So I don't want to get into recriminations or the like, it was politics. I personally think that those who brought him down did the EU no service. But that's my point of view. The Santer Commission was clearly treated unfairly, and I think did good work on all the major issues, such as the euro, Agenda 2000 and the Amsterdam Treaty. But I don't want to talk about it too much, because you know, when you plead your own cause, and as I was Head of Cabinet, not everyone will believe me. So on that subject, you'd be better off asking other people rather than me.

SR: But even so, you made an important contribution to European integration, from a fairly important position. So it's natural that we would want to hear your version of the facts and your view of that period. You mentioned at one point that it was mainly the European People's Party, of which Santer had been a founding member. In particular, you say that Kohl might not have done enough to put an end to the hostilities that existed at that time. I'm mentioning those aspects mostly with a view to future research on those issues, which is now starting because the archives are beginning to open up.

JC: I'll just tell you one thing, which is that, as is often the case in situations like this, there are political factors at play. One of the political factors was that the German Christian Democrats lost the September 1998 elections, and the German EPP members in the EP therefore regarded themselves as 'in opposition'. And there was no Christian Democratic Commissioner at the time. All of this plays a role in this kind of thing. And while Jacques Santer was one of the founding members of the EPP, I do think that the EPP, and above all the Germans, played a significant role in bringing him down. But that's life. I don't think that Kohl himself pushed for it, but I'm not sure about that. I don't know all the details. But at some point, he did let it happen. That much is clear.

But to come back to somewhat more positive things, because you want me to say a few words on politicians I will do so very briefly with three examples that say something about Jacques Santer. Because if there's one thing that I'm happy to talk about today, it's the following: Jacques Santer never wanted to use the argument that the mistakes back then came from the previous Commission. He said, 'There's only one Commission. I don't want you to use that argument.' I'm saying this now, but I do so without judging

Delors. I'll explain why he acted as he did. He was right. So I'll give you three examples of the man's behaviour. And you'll tell me what you think, in comparison with many politicians who we're familiar with. The first example is Agenda 2000. Why was it called Agenda 2000? Let me remind you what Agenda 2000 was: it was a multiannual agreement. Do you remember that the first multiannual financial framework was adopted in 1988? What was it called? The Delors I package. Then there was the Delors II package. So, when we started working on this, I had a Cabinet meeting with the President. I uttered the words 'Santer package'. I said, 'Listen, we need to prepare the "Santer package".' Santer didn't say anything, but after the meeting he came to my office. He told me, 'Jim, I will say one thing: find me another name. What is this "Santer package"? I'm just the President of the Commission – find me another name.' Agenda 2000. That was the first example.

The second example of his way of working was the euro. At the beginning of 1995, we hadn't yet agreed on the name. The matter was on the table in Madrid at the end of the year. When we arrived at the Commission in early 1995 along with Yves de Silguy, the Commissioner dealing with the euro, it became clear that between the entry into force of Maastricht and 1995, very little had been done to facilitate the introduction of the euro. And we thought that if we didn't start working on it immediately, it wouldn't be possible to keep 1999 as the cut-off date for the adoption of the euro. Yves de Silguy said, 'We'll draw up a green paper on how to achieve this.' That was in the spring of 1995. And then at some point the Bundesbank suddenly woke up and said, 'What's going on here? A French Commissioner writing a green paper — we can't let that happen'. Trouble was brewing. And if the Bundesbank came out and said, 'We won't accept this', then we'd be dead. There'd be no more single currency. Jacques Santer then called Hans Tietmeyer, President of the Bundesbank, whom he knew very well, and who was on holiday near an Austrian lake, I think. He said, 'Hans, you have to come to Brussels, we need to talk.' So he came over, and we all had lunch together – Jacques Santer, myself and Alex Italianer, who worked on the euro in our Cabinet, and who later became Secretary-General. And Tietmeyer was also with us, and we tried to talk; Yves de Silguy, who'd agreed to all this, hadn't been invited because one of the problems was mistrust of a French Commissioner. So Tietmeyer spoke, he explained his problems, etc. And then Jacques Santer said, 'But I understand you, this isn't what we're going to do, I'll find a way to address your concerns.' So what did we do? We wrote a foreword for the green paper, with Silguy of course. We worked very well together, with him and his Head of Cabinet Larnaudie-Eiffel. And in this foreword, Tietmeyer and the Bundesbank were never mentioned, but their fears were addressed. It was done in such a way that when the green paper came out the Bundesbank certainly didn't warmly congratulate us; they didn't dance on the streets of Frankfurt, but they didn't attack us. That was enough for us. It helped to unlock the path towards the euro. And Jacques Santer is far too modest to say this kind of thing. That's why I've decided to say it now. The third thing – and here I'm returning to the subject of managing a treaty, specifically Amsterdam. I told you about the model used for the Single European Act. I told you what happened with the Commission on Maastricht, and we decided that under the Santer Commission we'd use the Single European Act model. So

Santer didn't make any grand declaration – we put forward our opinion on just the future treaty. He was under pressure from the Parliament, which said, 'Unlike Delors, no-one listens to you. You don't get to tell Member States what to do, etc.' But what we did was different. We worked behind the scenes, and I can tell you now that myself and Carlo Trojan, the Secretary-General of the Commission, each spent three days in a castle in the middle of Ireland with our Irish friends, who wrote the first draft of the Treaty of Amsterdam. Nobody ever knew. So, what's the best way to defend the Commission's interests? I'm asking you this question. Because, of course, we were loyal to the Irish, who held the presidency at that time. But when we worked together on texts, we obviously took the opportunity to champion the Community aspect to ensure that the Commission could be satisfied with the results. These were the three examples. And I'm telling you about these not only in relation to Jacques Santer himself, but also because they were three of the fundamental policies of the Santer era. So I've covered both topics to some extent.

SR: Exactly, because with the Amsterdam Treaty, there was the whole issue of the High Representative and the Political and Security Committee, etc. All of the institutions that would subsequently play a very important role.

JC: So it was a continuation of Maastricht. As I said, Maastricht was fundamental. Why? Firstly because, with the single currency, it represented the crowning achievement of economic integration. It was citizenship, which Felipe González had worked hard on – the Spanish were very committed on that point. And then there were the three pillars. It was the start of the codecision procedure. In that sense it was very important. And I have spoken previously about Joseph Weyland. I don't know if I've said it somewhere, or if you've read about it – you spoke about the role of the Permanent Representatives, including in relation to their governments. Well, you know that there are so many Europeans in Luxembourg who are not Luxembourg citizens and that the right to vote in elections for foreign citizens was a real problem in my country. That's understandable. And at some point we received instructions from the Minister for Foreign Affairs, Jacques Poos, a socialist, that we should not put anything in the draft treaty on that point. And we were very annoyed, and at some point Joseph Weyland decided that he couldn't follow this instruction because it would have completely undermined the Luxembourg Presidency. There was a large majority in favour of it, and so we did put it in. Fortunately, both Mr Poos and, above all, Mr Santer (then Prime Minister), forgave us for this.

SR: We're now going to move on to the Council. We touched on this earlier when we asked you to recount some of the most noteworthy episodes of your career. On the treaty, I didn't go into the details because I know that you participated in writing a book about it. It's clear that this book was a collective account of what happened, and that you all worked on the text in some way. In it, we learn something about your memories of that treaty and those who were involved in it. You worked on this book, *National Leaders and*

the Making of Europe: key episodes in the life of the European Council (De Boissieu, Cloos et al., John Harper Publishing 2015). Do you want to add anything else about working on this book?

JC: Without false modesty, I find it a useful book. Why? Because it was written by real practitioners, mainly former or still active at the time, from the General Secretariat of the Council. The GSC is a very good place if you really want to know how the European Union works, because in the GSC — and we'll talk about this later — you have neither the desire nor the need to be in the spotlight. The less it's seen, the better it works.

SR: Absolutely. You also mention in other interviews that you have quite precise documentation of the part of your career before you joined the Council. I imagine that you made use of this to contribute to this book.

JC: I have kept a diary since 1987.

SR: That's good to know. I'll now give the floor to my colleague for the second part of the interview.

VF: After another brief spell at the Permanent Representation, on 1 November 2001, you arrived in the General Secretariat of the Council, which you already knew. There you find people with whom you've already worked and who you've even referred to as your friends: de Boissieu, Keller-Noëllet, Christoffersen, Piris, the Legal Counsel. Could you tell us a bit about how you were appointed? And what it meant to you?

JC: Well, the first thing I should say, and here again I'm briefly going back to the time of the Santer Commission to talk about the accusations of 'cronyism', etc. — the matter of whether we were shady or corrupt. In my cabinet, I told my staff right from the start: 'First, you will stay for the full term of office without exception, and second, you will not be promoted directly from the cabinet.' None of the members of my cabinet were promoted from the cabinet to director-general or director. Compare that with the other Commissions, that's all I have to say. In addition, I personally blocked friends who were Heads of Cabinet of a Commissioner (but who were not officials but temporary agents) who wanted to be appointed director or director-general in their own DG. I blocked them all. With one exception, which was actually justified; that always happens, but otherwise nobody. That was the Santer Commission. Nor did I try to appoint myself. You take a look around you to see how it works. I had decided that, whatever the case, I wouldn't do that. Of course, when the Commission had to resign, I wasn't in a very nice position. Well, let's not exaggerate either. I was still a Luxembourg official, so I was obviously not going to die of hunger. And because of my passion for Europe and the dual career situation with my wife, I decided to stay in Brussels.

And then, what happened was that Solana (the new HR and SG) and de Boissieu (Deputy SG of the Council) were in the process of setting up a political unit to support Javier Solana as HR. I knew him quite well, because without anyone knowing, Jacques Santer and I would have breakfast with Javier fairly often when he was NATO Secretary-General. But since relations weren't supposed to be formal at the time, it was never made public. So I knew him, and he also knew me a little. So an idea emerged that I could have that political unit. But that didn't happen: de Boissieu called me one day saying 'Jim, if it's a matter of competence, you'll get it, but if it's a question of nationality, you won't get it'. I said, 'Thank you Pierre, so I won't get it!'. Because, well, the Germans had decided that they wanted the position. And that's perfectly legitimate. That's not meant as a criticism in any way. And they appointed someone who was a very good fit for the position — Christoph Heusgen, who went on to have a very successful career with Angela Merkel. But then de Boissieu said to me, 'I talked to Javier about it. We want you to come to the General Secretariat. We'll find a job you can apply for, but it'll take some time.' And so I talked to the Luxembourg minister, Lydie Polfer, saying 'Listen Lydie, I don't want to return to the Luxembourg diplomatic circuit, but there is something you can do for me. Make me an hors classe adviser or something like that at the PR — I'll be very discreet. Just to enable me to wait for a transfer to the GSC. I'll take notes for you, I'll do whatever you want. It won't be for more than a year.' It lasted just over a year in fact, a year and a half in the end. So that's what we did. And then I was appointed Director of Transatlantic Relations, so human rights, counter-terrorism, the Americas and all that, in DG E. And that was interesting, because Solana knew me even though he wasn't really working directly with the secretariat in the DG, but with Heusgen's political unit.

But on transatlantic issues, I was his interlocutor. And so I worked very closely with Javier Solana in that capacity. I accompanied him very often on his trips to the United States. And, as a former NATO Secretary-General, doors opened to him wherever he went – he was always meeting with Senator Biden, for example, who was a friend. I was often in meetings with him, so from that point of view, it was a very good thing for us. And I loved working with Solana, who was a very good High Representative.

VF: So, in the General Secretariat of the Council, you were in charge of a directorate with very broad and diverse responsibilities. You mentioned the transatlantic relations with Solana, but also Latin America, the United Nations, human rights, the fight against terrorism and – from 2004 onwards – even files relating to trade, enlargement, development and Africa. Could you explain to us, in a nutshell, how that directorate worked? And lastly, what were your specific tasks?

JC: Yes, what you've read out makes it sound enormous — but let's not overstate it either. Let me explain: first, remember that the main role of the General Secretariat in all these areas is to help the chair of the Foreign Affairs Council to find solutions. So, with all those areas, I wasn't the top expert in all those areas – that's just not possible. My forte was understanding the Council, how to manage meetings, how to do briefings, how to reconcile positions. That long list may therefore be misleading. The second point is that the title 'Director of Transatlantic Relations' has a very nice ring to it. But the job in itself was a small job. Why? Why, because transatlantic relations is for the highest level, '*Chefsache*', as the Germans say. Not even the foreign ministers deal with transatlantic relations — that is the purview of the heads of state or government. So, in itself, being a minor director in the General Secretariat of the Council does not amount to much. But I always look at the situation, whatever it is, to see where I can bring added value. And in that situation, I said to myself, there are two or three things that need to be done. The first was that I went to see the number two at the US mission. I asked him 'Who are your contacts at the General Secretariat of the Council?'. He answered 'I don't have any', to which I replied 'That's going to change, now you have me. But not for me to get involved, but to tell you who you have to talk to in the General Secretariat. And if you have any doubts, get back to me.' I also played on the fact that I was quite close to Solana. Of course, that gave me the leeway to do that.

The second thing is that, when we talked about external relations, in every aspect of foreign policy, there was a transatlantic element. Often it was as if the Americans were also sitting at the table. And so, in such meetings, I always mentioned the transatlantic aspect whenever I gave my opinion. So I exploited that. And lastly, I took part in the major debates inside the secretariat on all important foreign policy issues, and so I tried to make something of that.

And thirdly, I tried to play a somewhat more active role than the Secretariat usually did in some working groups, such as COTRA, which was a rather low-level group, but where in particular after 2003, with Guantanamo and the Americans' behaviour on humanitarian law, I worked a lot behind the scenes, so that at least the Europeans were raising these issues by asking the Americans 'What are you doing?'. And I

managed to create a dialogue with them. In fact, I knew that many US diplomats at the State Department were very unhappy about what Bush was doing. And so it was actually what they wanted – they were waiting for the Europeans to tell them ‘What you’re doing is not on’. I like to think I had something to do with that.

VF: In fact, you were dealing not just with transatlantic relations, but also with the fight against terrorism. And you took up your post just a few weeks after 9/11. Moreover, it’s during your time at the head of that directorate that the Madrid and London attacks take place. In the archive documentation, I saw that, in 2005, you helped to create a network of experts on terrorism in cooperation with Frontex and Europol. Could you tell us more about how you worked on those issues?

JC: Yes. To be completely honest, first of all, I was in charge of the external aspects. I wasn't responsible for counter-terrorism: that's the interior ministers. That was the job of Gijs de Vries and then Gilles de Kerchove as the EU Counter-Terrorism Coordinator. I didn't by any means play a comparable role, so I don't want to go into too much detail. I played a small role from time to time. I gave my opinion; I followed COTER, which is the Council's committee that speaks about these issues. But to be honest, I certainly wouldn't want to give the impression that I was one of the key players in the fight against terrorism. Of course, I was involved later on when the European Council discussed it and we drafted the conclusions. All of that, yes, but we shouldn't attach too much importance to that.

VF: Also, at that time the EEAS was beginning to take shape. Could you explain to us how the work of your directorate was linked to the complex institutional machinery of the CFSP-European Council/Council?

JC: Yes, but it was between 2001 and 2006 that I was with Solana, in external relations. At the time there was no EEAS. There was the High Representative and his political unit which was at the GSC. We worked very well together; of course, naturally our problem was liaising with the Commission. That was one of the reasons for certain tensions. Because, you know, Javier Solana was High Representative and Secretary-General of the Council. And for the first time the General Secretariat of the Council had a substantive role and did not just manage the Council. That fact complicated our relations with the Commission, because the Commission had aspirations to lead on policy. And so that resulted in a certain rivalry that's entirely normal at bureaucratic level. One of the reasons for setting up the EEAS was to say we're putting everyone together. I didn't think it was the best possible solution. But well, that was because there were indeed some tensions between Patton and Solana. When all was said and done, they worked fairly well together, especially towards the end. And, in my opinion, the difficulties were greatly exaggerated. Today there are

more difficulties between the EEAS and the Commission than there were between us and the Commission at the time. So that issue with the EEAS was during my incarnation as Director of General Policy Issues and my role in relation to the European Council and Coreper. And all of that was afterwards. It came later.

VF: And another responsibility of your directorate at the time was enlargement. But precisely at the time of the biggest enlargement in the history of the European Union, did your directorate contribute to the Council's work on enlargement?

JC: Once again, I apologise, but I feel I have to dispel some myths. Because, at some point, Robert Cooper had asked me to keep an eye on the enlargement dossier. He told me that he couldn't appoint me as Deputy Director-General, but he wanted to give me that role de facto. So he also told me to monitor enlargement, but I wasn't directly in charge of it. It was another directorate, another unit, that was responsible for enlargement. So again, I followed that much more closely when I was in the other job, from 2006, when I held that very horizontal job linked, among other things, to the European Council. But during my time with Solana, I didn't deal much with enlargement.

VF: You were working in the General Secretariat with Solana. Transatlantic issues are those that...

JC: That was the focus of my mandate, my work.

VF: And what about the rest? In the archives, there's no shortage of correspondence between you and Mr de Boissieu on foreign policy issues during that period. Did the question of relations between Poland and

Russia arise at any time, for example? There's also documentation in which you take that matter up with Mr de Boissieu. Did transatlantic relations really come first?

JC: I think I know what you're referring to, but I'm not sure. I wonder wasn't that when I was already in the post of Director of General Policy Issues. Because there, I sort of covered everything because of the link to the European Council and because I was in charge of Coreper 2 and Coreper 1. But I don't think that was really the case when I was with Solana. When I was with Solana, transatlantic relations was by far my main activity. I invested a lot in it. Of course, I followed everything else too. I certainly took notes, as did my colleagues. But that was the focal point of my activity for the five years I spent in DG E.

VF: So on 1 May 2006 you took up the post as Director of General Policy Issues, a department directly linked to the cabinet. And if I'm not mistaken, it's from then on that you were in charge of the European Council conclusions, an activity about which you've already expressed your admiration as, and I quote, 'a unique political exercise in the world'. Can you shed some light on that for us?

JC: Yes. So it was de Boissieu who asked me to take up that post. A job that suited me very well because it was a completely horizontal post. It covered what was referred to as general policy issues, which meant

following the General Affairs Council, Coreper 2 and Coreper 1. That also meant that the Secretary-General's Antici was with me and that the Secretary-General's Mertens was with me. Most importantly, I dealt with the European Council and had a rather special role in the conclusions. Today, my successor, Didier Seeuws, does that. That, of course, gives you an extremely broad field of vision, especially if you bear in mind that there are no national civil servants at the European Council. There are very few officials in the room. The officials present sit behind the President of the Commission, the Secretary-General of the Commission – just one person – and behind the President of the European Council, there is our Legal Counsel to the European Council and the Council, at the time Thérèse Blanchet, the Director-General of GIP, Didier Seeuws – before that was me, the President of Coreper to maintain the link with the rotating Presidency, and the Head of the PEC Cabinet. And when it's also about foreign affairs, there's the Secretary-General of the EEAS, currently Stefano Sannino. The Secretary-General of the Council sits at the Heads' table next to the PEC. Between 2006 and 2020, I was in the room at all meetings of the European Council. That, of course, gives you a very broad overview, if I may say so.

The conclusions exercise is really very interesting. As I'm sure you know, the European Council, unlike the other institutions, was not created by the Treaty. It created itself in 1974. The Heads of State or Government saw that that community was starting to do important things, was becoming very important. They said 'Everyone has a role – our agriculture, foreign affairs and transport ministers are always talking to each other. What about us?'. And so they started to hold summits. And then, at one point, Giscard d'Estaing convened a summit in Paris in 1974 and said: 'Listen, we need to meet regularly.' The French pushed it for the reason I've just mentioned, but also because in France there was a strong feeling that there was a need for a Member State counterpart to a somewhat federal Commission. Their thinking was that there was also a need for political leadership at that level. So Giscard said: 'Listen, I'm simply proposing that we meet about four times a year, that we ask our foreign ministers to prepare these meetings and that we draw up conclusions.' So you know, when you do that, you have de facto created an institution. Especially if the people on the inside are the Heads of State or Government of the Member States, plus the President of the Commission. And therefore, without any legal basis or decision-making power, the European Council had a huge influence from the very beginning. And that influence was exerted via conclusions, which at the time were called the conclusions of the Presidency, but which were always negotiated by consensus. Those conclusions had an immediate media impact due to the composition of the European Council.

The European Councils, through their conclusions, have therefore become a defining element of the European Union. And if you want to understand what's happening in the European Union, where it's heading, you should read the conclusions of the European Council. In the end, that was more or less formalised in Article 15 of the Treaty on European Union, the Treaty of Lisbon, which states that the European Council defines the general political directions of the European Union. It's a rather general formulation that provides scope to do a lot of things.

In fact, the European Council is doing a lot of things. It has a prime vantage point; then, of course, there's always talk of rivalry between the Commission and the European Council, but that's nonsense! Delors never worked to undermine the European Council. What Delors was very good at doing was when he wanted something political, he told them how to do it. That's what the Commission should do. I've been in Brussels since 1985, and there's not a single major development of European integration that has no link with the European Council: it either requests it, approves it or finds the political agreement itself. It was the European Council that said 'We will create a European Monetary System', way back in the 1970s. It was the European Council that said 'We are going to revise the Treaties'. In the case of COVID, it was the European Council that said 'We would like to create a Recovery and Resilience Facility'. Then the Commission makes a proposal. That works very well. Sometimes we hear 'Why is the European Council interfering? They're not competent, etc.'. But 'interfering'? They are the most legitimate representatives of our national democracies after all, which gives them the right to have their say, does it not?

I was therefore part of that system. So, I get the question, 'You were in charge of the conclusions?'. Yes, in charge to a small extent. It's true that the draft version was in my computer, just as it's in Didier Seeuws's now. But I wasn't the owner of the conclusions. It's the Heads of State or Government who own them.

But we can help a lot. We can come up with formulations. The General Secretariat is really skilled at that. We know how to draft those texts and how to find solutions. And that's very exciting.

VF: Let's talk a little more about the Directorate for General Policy Issues. What are those general policy issues? What are the files?

JC: Historically speaking, my predecessor was a member of the Secretary-General's Cabinet. Then, at some point, a directorate was created which was directly attached to the Secretary-General. I took over that directorate in 2006 — the directorate was in charge of institutional and policy issues, at horizontal level. And the director was in charge of the functioning of Coreper 2 and 1³ — obviously together with all the Directors-General working in their respective sectors — the General Affairs Council and the preparation of the European Council. In 2010, this directorate was made a directorate-general, and I was in charge of it. Today, there's a Directorate for General Policy Issues in that DG which is responsible for managing the GAC, Coreper, everything that is horizontal, etc. There's a Directorate for Interinstitutional Relations dealing with relations with the Parliament, and especially the horizontal aspects of co-decision. And then there's a unit directly attached to the Director-General, which is the European Council Unit. That unit is responsible for handling the conclusions, preparing for the European Council and now for PEC briefings, together with the

³ Coreper 2 = Permanent Representatives; Coreper 1 = Deputy Permanent Representatives

PEC. It does — and coordinates — all the briefings for the PEC. That's what GIP does today: General Institutional Policy.

VF: Over the years, the administrative structure of the Council has also changed considerably. Especially in 2010, following the Lisbon Treaty, which saw the arrival of a new President of the European Council and a new High Representative for Foreign Affairs, alongside the Secretary-General. In the past you've also mentioned having worked closely with Mr Van Rompuy, who became the new President of the European Council in 2010. Could you explain to us how your work in the Directorate for General Policy Questions was linked to these different cabinets, i.e. with the PEC's Cabinet, the Secretary-General's Cabinet, etc.?

JC: Well, I'll begin by explaining how it used to work. Before Lisbon, there was no permanent President of the European Council – we had the rotating presidency. That meant that we were there to serve the rotating President of the European Council. But of course, many political contacts were made from the capitals, directly with others, so basically our main purpose was to keep the wheels turning: Coreper, the GAC and the European Council, the conclusions, etc.

When full-time President Herman Van Rompuy arrived in 2010, on top of our role of providing support for the presidency, we had to add a second role at every level. We had to provide the administration for the PEC, since there was none. Of course, he had his cabinet, which was responsible for policy direction and communication. But as a department, it was administered by the General Secretariat of the Council. So we had to become – dare I say it – more political. We had to provide briefings that were not only focused on managing meetings and agreements, but which also became more political, because the President of the European Council did, after all, have his ideas, which he defended. That gave the General Secretariat of the Council an additional role. Naturally in very close cooperation with the cabinet. As is often the case in bureaucracies, there were sometimes petty squabbles, but it generally worked very well. The cabinet wanted to take care of the working groups, but we said no, it's the General Secretariat that does that. But obviously, where the European Council is concerned, we are politically under the authority of the President of the European Council and his cabinet.

Lastly, as regards the preparations for the conclusions, I'll tell you what happens. The first draft is usually done by us, the European Council Unit (led by Jan Van Elst, now under the authority of my successor Didier Seeuws), in very close cooperation with the Secretary-General, Jeppe Tranholm-Mikkelsen. Between us we produce a draft, which is then sent either by the Secretary-General or by the Director-General of GIP to the Cabinet. Then we meet with the cabinet and reach agreement. Once there's agreement, the cabinet submits the draft to the President of the European Council, who arbitrates. He is master of the draft. Then, when the PEC approves the draft, on the Friday before the conclusions are issued, GIP sends it to the

Commission, to the PR of the Presidency and to the EEAS for consultation. The same procedure applies to the annotated draft agenda and to the directions. And here again, the procedure is the same. I would send it to the Secretary-General of the Commission and to the Head of Cabinet of the President of the Commission, to the Chair of Coreper 2, and to the Secretary-General of the EEAS. Because this must of course be done in consultation with the Commission, the EEAS and the rotating Presidency. Because if you want to put it in the conclusions of the European Council, that you want to have a proposal or an agreement on such and such a date, the other institutions must be involved. And the Presidency of the Council must say yes, I'll plan for that.

It's therefore an ongoing discussion. They send us their comments on the Monday morning. Most of the time we take on board the proposed amendments, but we're under no obligation to do so, as the conclusions are issued under the authority of the PEC. Far too often, we would receive things that aimed to highlight the role of the Commission, the EEAS or the Presidency. That's to say, a tendency we saw a lot of in the 1980s and 1990s, when the conclusions were very long and the Presidency was given to blowing its own trumpet. Instead of saying 'we'll decide this', we would say 'we'll decide this on the basis of this excellent Commission proposal'. There's no point in saying that, that's their job. For legislative texts, we can work only on the basis of a Commission proposal. So we would say no. We consult, but we don't negotiate word by word. In the end, the text goes out under the authority of the President of the European Council and is then discussed in Coreper and at the General Affairs Council, etc.

Today it's a well-oiled machine, which works rather well. Over the years, and especially since the Lisbon Treaty's entry into force, we've shortened the conclusions and we focus more on what is actually discussed in the room. Things went overboard in the 1990s at the Madrid European Council: I think that, in 1995, including the annexes, there were 130 pages. Now that's a bit ridiculous, because how can you then explain to the people that the Heads of State or Government drafted everything in a few hours of discussions? We've tightened things up a lot and now it's much closer to what the leaders themselves discuss. This is a very good thing and I have to say that, personally, I always fought for shorter, clearer conclusions, reflecting more closely what was said in the room.

VF: So, in your personal opinion, during your years of service at the Council, what were the strengths of administrative procedures and practices and what were the weaknesses? What worked well? What has been improved?

JC: That question is a bit too general for my liking because, to answer it, I'd have to do a course in administrative and operational law. That said, I'll tell you how I see it. What's very important in a modern administration is the optimal use of IT. We've come a long way, and it took us a while because it's not that easy. Above all, the General Secretariat has always been a very competent administration, but it's also been somewhat conservative. It had to be because, given our role, we need to be solid and down to earth. We've significantly modernised the management side of things over the years. Over the past fifteen years, we've

involved the directorates-general much more in the drafting of the European Council conclusions. Times have changed. Today, through the Secretary-General and the Director-General of GIP, we involve the other directorates-general much more. As a result, there are far more information flows in the Secretariat. Traditionally, the Secretariat operated in silos. Each directorate-general treated 'its' Council, its Council configuration. There's still a slight tendency to do that. You also have that at the Commission. But we tried to get away from that with the arrival of a permanent President of the European Council. That forces you to take a broader view of things. That's how I see it. Secondly, the civil service is modernising. With all sorts of gadgets, often from the English-speaking world. I tend to take a rather dim view of that. Sometimes it works, sometimes it's over the top.

SR: Maybe you're referring to the modernisation undertaken by Uwe Corsepius?

JC: No, not in particular. I'm speaking in general terms. I find that we talk an awful lot about protecting the official. I'm not opposed to that, but sometimes I find that we make too big a deal of it. After all, we're paid

and, in my view, well paid to do the job. So the well-being of officials, I want that, I'm all for it, because in my experience, if you have motivated, happy people, then they work better. But the main task of the employer, which is the General Secretariat of the Council, is not the personal happiness of every official. It's up to them to manage their lives. So there you are, I think that we sometimes do too much in that regard. But well, I'd say that I'm a bit 'old school'.

SR: The rotations, for example? The Commission have already been doing it for some time, and now rotations have been introduced at the GSC ...

JC: Let me tell you, this is a difficult issue and I don't have a fixed view on it. I believe that an administration should never tie its hands completely. We can have guidelines, principles, but fixed rules, for example five years maximum in a post –, that's something I'm totally against. There are cases where you have people who have such expertise – who come to your administration because they have that expertise. They stay in the job for three, four or five years. And then we say to a top expert on the euro or financial issues 'Right, now you're going to do agriculture'; that's not necessarily a good idea.

On the other hand, if people stay in their posts for too long, in their comfort zone, that's not very good either. That's why mobility is needed. And I think the younger you are, the greater the need for mobility, also because it enables you to have a better career. You don't become director – let alone director-general – if you've always stayed in the same post. And so, in my opinion, the younger staff are, the more we need to encourage rotation. The higher up you are or for some extremely important posts, I'd be somewhat flexible. I know of a case where someone was in energy for a very long time. He had such a high level of expertise! At one point, they were saying 'he has to move too'. Yes, but then there'll be a gap there. Right, then you can reply that people shouldn't be left stay so long somewhere that it creates a vacuum when

they leave. On the other hand, the assessment should be on a case-by-case basis. Therefore my conclusion is: have some principles, yes, but not absolute rules. You should always leave room for manoeuvre.

VF: Do you think the General Secretariat has its own specific administrative culture? You said that 'in the Secretariat-General, the more invisible we are, the better we work'

JC: Not on the inside, but vis-à-vis the outside. I was very visible, on the inside, I think you have to be. But not vis-à-vis the outside.

VF: But compared to the other institutions for which you've worked, do you see a genuinely specific administrative culture?

JC: Yes, I think I do, up to a point. We all have the same status as European officials, so that's one thing – the same rules apply to us all. We're all working for the same cause. We often work on the same files. But I think there is a specific culture. If you work at the Commission, there's the technocratic work. And then there's the work via the cabinets. But often DGs too – there's a need to champion politicians, Commissioners and Presidents, etc. That's an even stronger imperative in Parliament.

At the General Secretariat of the Council, what I've always liked is that our job is not to make individual ministers look good. They're not our leaders, the ministers on the outside. This is truer of the PEC although it's slightly different. But it's not at the same level, however, because that's the role of his cabinet in particular. And so you can focus entirely on the substance. That trains you up since at the General Secretariat of the Council you probably have more people who dare say what they think behind the scenes, in closed meetings. At the Commission, that can be difficult. Take, for instance, the Commission's Legal Service, which is directly under the authority of the President. The Council's Legal Service is more independent. It's a different kettle of fish, because the Commission's Legal Service, at a certain point in time, obviously has a political direction to take. This is far less true for our own Legal Service. That doesn't mean though that our Legal Service just does whatever, that it simply focuses on the purely legal and forgets politics – that's not at all the case. But it's less immediate, it's less direct. Their opinions are more independent.

On the preparation and training of future presidencies, in 2010 I created a whole new system, a unit to train future presidencies. And that's absolutely crucial. It's an extremely important service. We built it up slowly. We start, three to four years before a presidency, to work with the country in question. This allows the General Secretariat to explain a lot of things to them. And I would often tell them 'I'll always tell you the truth – and the same goes for your Minister or Prime Minister. But I'll tell you, only you'. In other

words, someone well placed in the General Secretariat of the Council can tell a French or German minister things that their own staff sometimes find it more difficult to say because they take direct orders from the minister. And in that way, yes, I do believe there is a specific culture in the General Secretariat of the Council.

VF: Let's talk about the key figures who worked at the Council and at the General Secretariat during those years. Who had an influence on you?

JC: Yes, of course, many did. But that's a bit tricky. Because I don't want to start singling out certain people and not others. I would say that, overall, I've talked a lot about Pierre de Boissieu because our relationship goes back a long way. Of course I got on well with all the secretaries-general, and with the cabinets. There are differences – you get on better with some people than with others. But that's life. I don't want to go into details. I'd say that, in general, I've always found the atmosphere in the General Secretariat of the Council – which is rather collegial – easier than in the other institutions. We're also a smaller institution. Yes, there are arguments, and sometimes there are bureaucratic problems, as in every bureaucracy, but I got the impression there were fewer at the Council. And that, in general, we worked quite well as a team. I really enjoyed the 20 years I spent at the General Secretariat of the Council. In fact, in terms of the approach, we were a very good fit.

VF: To what extent was your previous experience important for your work, since you already knew quite a few of the key figures before?

JC: That's crucial. And I have a piece of advice. In my view, people shouldn't spend their entire career in one institution – it really is a handicap. There are wonderful people in the Commission, but who know only the Commission, who have only the Commission's vision of things. But once you arrive at the Council, it's another world. Many people in the Commission are in constant contact with the Council, that's true, but that depends on where you are. The Deputy Secretary-General who does Coreper knows everything that's happening in the Council. There's no problem there. He's one of us. But that's not always the case. But, all the same, I see that thanks to the nine years I spent in cabinets at the Commission, I understand the system. I know what makes them tick. I know a little about how things work. During my career, I worked a lot not at the Parliament, but with the Parliament. I was already doing the Parliament when I was with Mosar, and then, as Head of Cabinet, I had a lot of contacts. I worked extensively with EP Secretary-General Klaus Welle on ESPAS (forecasting analysis). I was in charge of co-decision, so I've always talked a lot and worked a lot, and I believe that's a real asset that helps the Council.

As I've said, in our system, we need all the institutions. The European Council is the most powerful, obviously. But if there's no follow-up, nothing happens since, apart from making a few appointments, the European Council has no decision-making power. The Commission can make whatever proposals it wants. It's very free to do so. But if it doesn't prepare the ground upstream with the Member States or the

European Council, nothing will happen, there'll be no mandate in the Council to negotiate with the Parliament. Parliament now plays a very important co-decision role with the Council. But if the Council doesn't define a position in advance, no negotiations are opened. If Parliament isn't on board for co-decision, there's no agreement. Not to mention the role of the Court of Justice, which is fundamental. The EU system is a sophisticated one which, I believe, works quite well. When I see what we can do from a legislative point of view, it's an everyday wonder. That's why, as a practitioner, I see the glass as always half full. If you go to academia, think-tanks and the like, the glass is always half empty. Why? It's because they often have an idealised picture of the European Union. And if the European Union doesn't meet that criterion, it's bad. So we have a very different view. I get my hands dirty all the time. I know what it is to unite 27 Member States, to find consensus or a majority, and then to find an agreement with the other institutions. I know what that takes, and I say to myself it's extraordinary what we can achieve. If your starting point is that the European Union should be the US government or the United States of Europe, then why not send in a European army? Well, because we don't have one and because we don't have the powers to do so. It's very simple: Read the Treaty. Perhaps we can change that in the long term, with everyone's agreement and subject to ratification in all the Member States. But not for the time being. There are areas where the European Union has exclusive competence, such as trade, the single currency and agriculture, where we can do a lot. Then there are areas of mixed competence (most policy areas), others where EU competence is complementary (without the right to legislate, such as in health or education), where what we can do is limited. That was the big debate about health. Healthcare management is national or regional, and so the EU cannot be asked to manage it centrally. In my view, that would be a mistake anyway, it would never work. What we can do first and foremost is establish the Community framework. Secondly, we can do so, under the authority of the European Council, which – let's not forget – is a kind of 'Übervater' (if I may use the German word) of the Council; it reigns supreme, but it's also a club of national leaders. They can say what they want and they can say 'okay, the Commission will put forward a proposal on that. We'll try to find an agreement with the Parliament. And in that case, it's a national competence, but we, the 27 Heads of State or Government, are going to put so much money on it.' Or 'the management of the vaccination certificate is a purely national sovereignty, but we'll do it together – you don't need to change the treaty, and we'll do it.' And we're doing lots of things that way. That's why people are wrong to say that the need for unanimity or consensus blocks everything. Look at everything we've achieved since 1985. If you want me to give you a list, we'll be here all night!

SR: If I can come in on this point, after listening to you at some of the conferences and presentations that you've given as Secretary-General of the Trans European Policy Studies Association (TEPSA), I've noticed that you emphasise the difference between your experience inside the institutions over 20 years and academic thinking, where this movement does not exist, maybe in contrast to the United States. You bring up an issue that has been on the table regarding one of the historical figures you cited, Valerie Giscard

d'Estaing, who created the European Council and who would go on to be one of the fathers of a united Europe as Chairman of the Convention on the future of the European Union. There are all these questions about a lack of democracy. I'm under the impression that now you want to play a particular role, one that I believe is completely legitimate, and it consists of defending and demonstrating the reality of a Europe largely built upon institutions like the Council. In your opinion, this vision of Europe is closer to reality than the one in the academic world, where there is debate on new-intergovernmentalism. There is some level of

judgment on the relevance or the value of a non-federal Europe, like the Rainsy trial. So do you think that we're making big mistakes when we're trying to deal with disaffection and the people who challenge the idea of Europe? From an institutional point of view, how can we deal with this? We have broadcast Council meetings online. The issue of transparency has become very important, and it has also been exploited in a somewhat partisan manner, such as when the Santer Commission resigned. It is also linked to lobbying and backroom dealings, and to some extent those issues also fuelled Brexit. So am I mistaken when I say that this is very important to you?

JC: No, you're not mistaken at all. On Europe, I am in fact a big proponent of telling it how it is. That doesn't mean that we can't aspire to a Europe that's different, or better. That's not the issue. The issue is that we're starting from where we are now and with what we've already done, because I find that it's very difficult to reform a system if you haven't understood the existing one. That's the first thing.

You mentioned new-intergovernmentalism — I know the people who came up with that concept. I once said to one of those people, who is a very good friend I won't name, 'It's nonsense, it doesn't mean anything because there's nothing new to it.' There has always been an intergovernmental aspect: as long as you haven't transferred all competences to the EU, what remains is necessarily intergovernmental. It's very simple. You shouldn't make up categories that don't mean anything. That kind of thing really gets on my nerves. And she replied, 'You're right, but you know, in the academic world you have to invent categories otherwise you won't be taken seriously', which is a very astute observation. In the EU, the academic world tends to have a very Westphalian view of the world — that is, the Treaty of Westphalia of 1648, signed at the end of the Thirty Years' War, which ravaged a large part of Europe. I'm simplifying things a bit, it's more complicated than that. But I will say that the Westphalian system is based on the state. Democracy is exercised inside sovereign states, and cooperation between states can only be intergovernmental. So through this lens, people see the EU either as a state or as an intergovernmental organisation. So they quarrel about that. But there's no answer to that question. Why? Because the EU, with its structure and the way it works, is neither a state nor a conventional intergovernmental organisation. Or you could say that it's both those things at the same time. It depends on the area. If you're talking about the single currency,

it's very federal with the European Central Bank etc. If you're talking about business or agriculture, that's also the case. If you're talking about defence or coordination, it's completely intergovernmental. And there are mixed competences that lie somewhere in between.

There is something I always say, in fact I said it recently about an excellent book edited by Helen Wallace and others, the eighth edition of 'Policy-Making in the European Union'. I said that there was one thing that

bothers me, which is that they start off with a chapter discussing the theory of neo-functionalism, neo-intergovernmentalism and neo-I-don't-know-what! I said, 'Do me a favour, in the next edition start with a back-to-basics approach and explain things very simply.' First of all, the competences: the EU doesn't have a *Kompetenz-Kompetenz*, as the Germans would say. Sovereignty still belongs to the Member States, but they can decide to transfer part or all of it, a little or none at all. Based on the degree to which competences are transferred, they are managed according to either the Community method or the intergovernmental method. This is nothing new, and there's no contradiction between the two approaches. People say that the intergovernmental method is bad, and the Community method is good, but we couldn't use the Community method to save Greece. There wasn't enough money — we needed money from the Member States. If we had to wait for a Community response on defence or health, we would solve 15% of the problem — and then what? So we need to stop seeing things in such an ideological manner. Now, of course you could say, and I do say, that based on our experience of the joint procurement of vaccines and the management of the health crisis it would make sense to strengthen the health competences and make more use of the Community method. Well, that would then be discussed at an intergovernmental conference with subsequent ratification by the 27 Member States.

One more thing: you haven't used this exact term but you've talked about a democratic deficit. I categorically reject that term. I've always done so and I'll tell you why. That term came about in a very specific context. It originated in the context of the institutions — and in particular the EP — trying to gain a bit more power. The European Parliament wants more powers, which it actually obtained for budgetary matters — along with the Council it is now the budgetary authority in the codecision procedure, which isn't a bad thing at all. But at some point there was a need to say the words, 'This democratic deficit, we need to do something about it.' What did that mean? It meant that the European Parliament did not act like a national parliament, that there was a democratic deficit. I categorically reject that. It's unfortunate that the same term has been so enthusiastically taken up by anti-Europeans, the Farages of the world, Eurosceptics. Of course, everyone is free to believe what they want. I don't agree with them but I'm not saying that they're bad Europeans, as some do. They're Europeans whose views are different from mine. They believe in the Westphalian system, where there is only the state, and at most there can be cooperation between states, and so they talk about a democratic deficit. That's the exact opposite of what the federalists are

concerned about, but both use the same term and so everyone talks about a democratic deficit as if it were an objective fact.

Every time I'm at a conference and someone talks about a democratic deficit, I say, 'Stop! You're using this term – please could you explain it?' And half the time people don't know what to say. So I say, 'Could you please explain the democratic deficit?' And some people have nothing to say. There are others who say, 'Well the Commission isn't directly elected...', and I say, 'Oh, really? Do you know how the US government is appointed? Is it legitimate or not?' Yes, it's legitimate — it derives its legitimacy from the President, who is elected. No one in the US government has been elected. When she became Secretary of State, Condi Rice had never been elected, not even to a town council. She derived her legitimacy from the President and Congress. That's not democratic? So, how is the Commission appointed? Tell me. First of all, there is a list of candidates proposed by the national governments based on the political situation in that country. And then the Council has to approve the list as a whole. Then the Parliament organises hearings – which, by the way, are not provided for in the Treaty and are slightly contrary to the principle of collegiality. But they got away with it, so that's all that matters. And most importantly, at the end the Parliament has to vote on the Commission. First just on the President, and then on the rest of the Commission. So tell me where the structural deficit is – I don't understand.

I'll tell you how I see it. We have created a new legal order. The European Union is something that doesn't exist anywhere else in the world. It's neither a state nor an intergovernmental organisation; it's a new legal order, a democratic union of democratic states. I would suggest reading two things: first, the works of Jaap Hoeksma, who has written a lot on this subject, and so I would suggest googling him and reading some of his articles as he explains things very well. And second, I would suggest reading the report that the Committee of the Regions sent to the Conference on the Future of Europe. The Committee had created a High Level Group chaired by Herman Van Rompuy, and I worked with them as one of five Senior Expert Advisers. You should read that report on European democracy, because it makes some interesting points that you wouldn't normally come across in this kind of report in Brussels. And that's the point – we need to understand that, at national level, all the Member States are democracies. It's a precondition for being in the system. You'll tell me that there are problems — I'm not saying that there aren't any problems with our democracy. Western democracy is in crisis. That's another matter, but that's not specific to Europe. There are debates on the rule of law, I know all of that. But, broadly speaking, our Member States are democracies. That is democracy in Europe. And then, there is democracy at the European level. We are a union of states and peoples – that's two forms of legitimacy. The Member States meet and take decisions. They are all represented by their heads of government or by democratically elected ministers who work under the supervision of their national parliaments; it's all very democratic. So a Spaniard can shape European politics by voting for their representative in the Council, but they can also directly vote for their representatives in the European Parliament. Where is the structural deficit? We almost have too much democracy. So I absolutely reject this argument and I can't stand it when people from the

Commission and the Parliament use this term. It's incredible, we should be defending our system. Once we are clear on that, I respect someone who personally believes that this should lead to a United States of Europe. I have absolutely no problem with that, but I do have a problem with people like Verhofstadt who are always criticising the European Union because it isn't currently what they think it should be. I'm sorry.

That's not what the Treaties say. In my opinion, the Treaties are the Bible. Changing the Treaties – good luck with that. It requires unanimity, as well as ratification by both the European Parliament and the national parliaments. I think we've achieved quite a good balance, and the COVID crisis has shown that we can do great things within that framework.

SR: You've said and written many times that the Lisbon Treaty still allows us to do things. Events have proven you right.

VF: Actually, I wanted to ask you a question about the COVID crisis. The COVID crisis coincided with the end of your career. I wanted to ask you how this was managed in your directorate-general in the General Secretariat of the Council, and what strengths and weaknesses did the crisis highlight?

JC: Yes, that's a very good question. I would maybe start by talking more generally about the crises that we've faced since 2008. We've had several existential crises. You know what they are, I won't list them. Looking back at our crisis management, I do recognise that we made some mistakes. But I would also point out that in a broad sense, Europe has managed crises rather well and has improved its crisis management, which is already something.

I'd also like to note that each of those crises revealed a number of weaknesses in our system. I'll give you an example, going back to Maastricht. At that time we knew that the gap between the single currency, a very centralised pillar — I'm still using the term 'pillar' — and the management of the economy was too wide. The system worked very well until 2008, and then the crisis in 2008 – which didn't originate in Europe and wasn't caused by that gap – revealed that it could be a weakness. What did we do? We strengthened the system. And interestingly, because the British were trying to coerce everyone into changing the Treaty, we created a separate Treaty outside of the existing system, the Treaty on Stability, Coordination and Governance. As a result of that purely intergovernmental treaty, we gave the Commission more powers to manage the economy. That's quite something, don't you think? It's really quite something.

If you look at all the crises, after each one the EU has moved forward on integration in every single area. Because of those crises we are more integrated than we were in 2008 in some areas. Obviously COVID sped things up. As always with crises, there's chaos at first. Everybody is all over the place, and because we don't have a centralised government to quickly get a grip on things, it gives the impression that we're floundering. Even more so when action needs to be taken immediately. When Italy was having problems they couldn't wait for an agreement in Brussels. They had to take action, and it fell within their

competence. So that made the beginning of the crisis very difficult. And everyone said, 'Europe is rubbish, it's nowhere to be seen.' Normally what happens in our system is that the European Council would meet very quickly and it would decide on stop-gap measures, crisis measures. That's what happened via video

conference on 10 March, 17 March and 26 March. It defined the framework for the response. I would suggest reading the joint statement of 26 March and the conclusions by the President of the European Council from the first two meetings. They're very interesting. They defined the framework for tackling the pandemic and its effects. That was the first thing to be done: stabilise the situation. The Commission did a very good job, for example in keeping borders open for goods. It's quite extraordinary that despite that crisis we never had problems in supermarkets. It wasn't a given, it was very complicated to manage all of that. So, we did that. And later on the European Council also delegated. At one point we decided that we needed to do something about the socio-economic effects of the crisis. The first step was to ask the Eurogroup on 26 March 2020 to take charge of that. We asked them to submit some proposals. They met, and they managed to agree on the creation of three instruments: SURE for unemployment, help for businesses from the European Investment Bank, and the possibility of using the European Stability Mechanism for Member States if necessary. But they couldn't agree on the idea of a Recovery and Resilience Facility (RRF). So we went back to the European Council.

On 23 April, the European Council politically approved the three agreements and requested that the ordinary legislative procedure be used to put them into action. And then it asked the Commission to submit a proposal on the RRF and the MFF, which it did on 28 May⁴. Without the European Council to break the political deadlock, we would never have had a majority in the Council to do that, let alone the unanimity required. And the Commission was smart enough to suggest the joint procurement of vaccines when some Member States started to organise buying vaccines together. In my opinion it was a great success. A shortage of vaccines isn't the reason that there are still people who aren't vaccinated – it's actually that unfortunately some people don't want to get vaccinated. On that too, we beat ourselves up about things. I kept hearing, 'The British are doing better than us because they aren't in the EU' – and of course they didn't hold back in using this argument, what with the brazenness of their current government. 'The Israelis, everyone is doing better than us', 'Europe is a disaster'. In fact, we had only one real problem. And that was AstraZeneca's behaviour, which was in part encouraged by the British. To be very frank, it didn't behave properly at all, and at the beginning at least, it failed to honour its vaccine delivery commitments. And it was a disaster. 'The Commission is rubbish', etc. But very quickly, everything came together. We produce the most vaccine doses in the world and export the most as well. The Americans started out by embargoing vaccine exports. But it's the European Union that's criticised.

⁴ Political agreement on funds worth EUR 750 million at the July 2020 European Council.

So there you go, I say it as it is. Obviously not everything is perfect, and I'm fully prepared to criticise the European Union, but not like that. I think we managed it rather well, along with the RRF and the EU Digital COVID Certificate, that was put in place very quickly. It would seem easy, a simple certificate that works in 27 Member states. But it wasn't as easy as that. It was a technological achievement and we did it. So I am positive, but within reason. I also think that, with the Ukrainian crisis, we're starting to understand that the European Union can and must do things. I'm a strong believer in strategic autonomy, with limits. We shouldn't become autarchic or protectionist. At the moment, everything is being somewhat driven by emotion, which is a very good thing. But unity is easier when you're emotional than it is in the long term. Now we need to work out how to manage this over the long term. How do we do things without Russian gas? There are still very important questions. What have we done about inflation? I have a lot of concerns. But overall I think that the EU has matured since 2008.

VF: Exactly. My last point was about the crisis in Ukraine, but in a way you've already answered the question. What I wanted to ask you in fact – and here it's for your opinion as a specialist, given both your academic background in Russian studies and your career in the EU – is to what extent the crisis in Ukraine presents challenges or even opportunities for the European Union?

JC: I was afraid you were going to ask me, 'What's going to happen?', as, by definition, experts are the people least capable of predicting the future. The best economists get it wrong every time. There is a wonderful book by Taleb, *The Black Swan* – it's worth reading because he rather makes fun of economists and experts. What you're asking me, I can try to answer.

I wasn't expecting Putin to do what he's done. And I read in Russian, I was following it all. I didn't think it was possible. But here we are. There's no right solution for the time being. I think it will be very difficult. And yes, there are huge challenges. Because it's very easy to say that we're going to cut ourselves off from Russian gas. But 40 % of our gas – you can't do that from one day to the next. That is, not without causing a recession. So it's a real challenge. We need to work together. I hope we'll see the Russians withdraw from Ukraine. But for the moment it's not looking likely.

There are 'positives' of course. As in any crisis, you see that things can be done that would otherwise never have been considered possible. The fact that EU funds are being used to finance weapons is extraordinary. A huge leap was made in the space of three days. The European Defence Fund is now part of the budget and things are moving forward, progress is being made. But there are huge challenges. Migration will present a major challenge. Even now, it's always the same. We're very happy to see the Ukrainians get a boost. I am too. But at the same time, you already have people saying that it's scandalous, that we're treating Ukrainians better than Syrians, etc. I'm a bit fed up of all these superficial arguments. Yes, in a way

we are giving them preferential treatment. But I'll say one thing: and that is that it's not unusual to adopt different measures for a country that is a direct neighbour than for the rest of the world. Moreover, who played the role of neighbouring country during the crisis in Syria? It was Türkiye, which granted temporary protection to 3 million Syrians. And that's what we're doing now for Ukrainians. We have invoked temporary protection. It's the only way to manage the situation. We saw more Ukrainian refugees arrive in the EU in twelve days than in the whole of 2015. And yet we know that there were already a lot. Managing all that through asylum procedures alone would be impossible. Back then we took a chance on it – no temporary protection was given to the Syrians. It could have been considered. It wasn't done for fear of creating a pull effect – if you offer protection, then you'll have people coming in from Afghanistan, from Africa, from everywhere. And once someone's got into the EU, they won't be made to leave again. What's more, Syrians accounted for only a quarter of the people arriving at that time. So it was thought that everything could be managed via asylum procedures. With the Ukrainians who are arriving now, we haven't got time for that. So offering temporary protection is the right approach. It's what needs to be done. The idea being that you can handle a lot more that way. Secondly, the idea is also that, given that their country, their homeland borders the EU – and heaven knows they're fighting for their homeland – it's not out of the question that after a year, two years or three years, they might return to their country, in the same way Syrians have left Türkiye. So I think that in this case too, the EU is doing what needs to be done. I support its actions.

SR: OK, I think we're coming to the end of the time we'd allowed for questions. There are other questions, of course – I'll just run through them quickly. Since leaving the Council, you've expressed various views, one of which is that compromises are central to the work here. Why do you say this? You put forward a positive vision of seeking compromises, even where unanimity is required. Because that's how we arrive at more sustainable solutions. So you could say this encapsulates the culture of the institution.

JC: For me, 'compromise' isn't a dirty word. That said, it's true that our culture of compromise doesn't always make for easy communication. Why? Because you have to be careful not to offend anyone. Because we are constantly in the process of negotiating. So if a particular country has lost on one issue, next time it will want to get its way. In addition, we communicate in 24 official languages. In the United States, the debates are heated and the country is currently very divided. But notwithstanding that, on major issues, especially external affairs, at some point it's the president who speaks. Then everything is black or it's white, it's very simple. For us, everything is grey. It's more difficult to communicate, but I think it's in our DNA. It's what makes the European Union great, and I agree with you.

I often hear people ask, with regard to external relations (the CFSP part of external relations), 'why don't you move to qualified majority voting?' I'm against the idea, I can tell you that. I'm against it for a very simple reason: because I work on the assumption that Member States want to retain a certain level of sovereignty as regards foreign policy. I'm talking about the big countries. And I'm not talking about trade.

When people say to me that we should vote by qualified majority on major policy lines like these, I ask a question. Should we vote against Greece on Türkiye, or against the Baltic States on Russia? This would make things a bit difficult, I think, in terms of the sustainability of our system. So for the time being, I don't believe it's the solution. I'd prefer us to do everything we can to try to find a consensus. Look at the European Council, what we've managed to find by way of consensus. At the end of the debate, we do often arrive at something. It's a bit laborious, sometimes even a bit ridiculous. But I prefer it to be like that, yes. I talk to students a lot, and I almost always accept when someone's writing a thesis, etc., because that's how we can have an impact, albeit very small, on the world. I very often say to students, 'One thing you need to understand about the European Union is that you can have an issue where two countries are diametrically opposed. And both are right, or both are wrong.' I'll give you an example – that of posted workers. The idea is that you have a company in Poland that follows the rules in Poland, but it can post workers to France or elsewhere, for example to work on building sites in France. The French protest that this completely undermines social security. They're right. And Poland will say, 'Thanks for nothing! You saddled us with 70 000 pages of legislation, with the promise that if we comply, we'll be in the internal market and we'll benefit from it. And now we have a comparative advantage and say you it's not ok.' Poland is also right. So what did we do? You have to find a solution. We found one. It's a compromise that allows workers to be posted in this way, but only for a limited time. It can't be done systematically or for a very long period. Fraud must be avoided. That's how the EU works.

SR: The other point which I believe is important for a project like ours on the oral history of the Council, and in particular of the General Secretariat – you've often written and said that it's a service and not an institution, and so the idea of giving intellectual and political value to decisions has become ever more important. From this point of view too, you brought a message about the evolution of the General Secretariat, that rather than working for the institution, we work for the European Union.

JC: Yes, that's right. I hate it when people speak as if their institution was the only one. When I talk about the EU, I always talk about all the institutions. The Council is particularly close to my heart because I worked here for 20 years. But I always try to see it in a wider context. Because the Council doesn't work without the Commission. The Council doesn't work without the Parliament. The Council certainly doesn't work without the European Council. And vice versa. So, yes, in this regard I put a lot of emphasis on that. I feel that we have invented a fairly intelligent system that makes it possible to reconcile things that are difficult to reconcile. As far as the General Secretariat is concerned, I would like it to provide more background information to really explain things. Because if you go to the Commission, they're often spinning you a line. I'm sorry to say it. And the Parliament is very political. Member States talk themselves up – it's a negotiating tactic. And so I often feel that, as General Secretariat, we should provide background information – but not in the form of official documents, because we don't have a strong identity. I

encourage colleagues to do it more often. And now, as I'm retired, I don't miss any opportunity. I no longer provide background information, I can talk on record. There you go.

SR and VF: Thank you very much.