EUROPE:
A HUMAN ENTERPRISE

30 STORIES FOR 70 YEARS OF EUROPEAN HISTORY
1949 - 2019

COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

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30 stories for 70 years of history 1949-2019

Preface by Thorbjørn Jagland
and Gabriella Battaini-Dragoni
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Contents

Preface

Stories in history

Thorbjørn Jagland, Secretary General of the Council of Europe
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This is both a storybook and a history book. It covers a period of 70 years, from 1949 to 2019, during which Europe has changed profoundly, and – though we often fail to appreciate it – changed for the better. Decimated after two devastating world wars, our continent found within itself the strength and energy to rise from the ashes. Thanks to the courage of a handful of visionary politicians and supported by a civil society that embodied the ideal of a united Europe, we have managed to build in three generations an area of peace, stability and prosperity that is without precedent.

Through a selection of texts written by Council of Europe staff and prominent figures who have worked with the Organisation (ambassadors, parliamentarians, local or regional elected representatives, judges of the European Court of Human Rights), the reader is invited to take a journey through time and space. This begins in Strasbourg, in the remarkable summer of 1949. It ends in the same city, with the celebrations to mark the 70th anniversary of the first historic sessions of the Committee of Ministers and the Parliamentary Assembly and the 60th anniversary of the European Court of Human Rights. The book will take you the length and breadth of Europe, highlighting some of the events and achievements that have shaped its history – our history – over the past 70 years.

The texts gathered here are written in different styles, ranging from the anecdotal to the historical, illustrating a particular event or process and covering topics such as war and peace, violence and dialogue, and love and hate. What makes these stories special is the fact that they are personal, focusing on the human challenges we face, our successes and failures, and our ability to manage them. This is about creating a Europe that is equal to the men and women it serves, with respect for human rights, democracy and the rule of law as the cement that holds the whole of our continent together.

The beginning

Summer 1949 in Strasbourg

Félix Kappler

> *The Council of Europe was founded in London on 5 May 1949 by 10 countries on the initiative of France, the United Kingdom and the three Benelux countries. For many Europeans, anxious to turn their backs on the horrors of the past and build a united, democratic and prosperous Europe, it was a symbol of hope. One of those people, Félix Kappler, describes here how he was among the first to join the Council of Europe staff and what happened that historic summer of 1949".*

I first heard about the Council of Europe at the beginning of 1949 from one of my colleagues in the French Ministry of Foreign Affairs, who told me of the discussions taking place between France, the United Kingdom and the three Benelux countries, the founders, the previous year, of the Western European Union. A preparatory commission, chaired by the Europe Director of the French Ministry of Foreign Affairs at the Quai d'Orsay, Jacques-Camille Paris, was given the task of negotiating a draft treaty which would create a completely new organisation, with very broad powers (except defence!) and which should be nothing short of a matrix for the "United States of Europe". Best of all, I learnt at the same time that the head office of this Organisation was to be in my home region, so ravaged by conflicts – particularly during the two "Thirty Years' Wars" (those of the 17th and the 20th centuries) – and which would become a symbol of peace and reconciliation not only between France and Germany, but also between all the countries and peoples of our old continent.

This discussion over a cup of coffee would change the course of my life. I was not in any way responsible for following political affairs at the ministry, my duties being administrative and financial (I had joined in autumn 1945 as an administration secretary), but I took as close an interest as possible in the

development of the negotiations which, after being extended to five other countries (Denmark, Ireland, Italy, Norway and Sweden), would end with the signing of the Treaty of London on 5 May 1949, leading to the creation of the Council of Europe. Within the next few days, I requested an interview with Jacques-Camille Paris, who had been working very hard since the beginning of the year to make some progress with the huge task of which he was project manager: setting up the logistics which might enable the first sessions of the Committee of Ministers and the Parliamentary Assembly planned for August to be hosted! I volunteered to assist him in that endeavour, for which he thanked me, without, however, committing himself to anything.

It was, therefore, with some surprise that I received, on 30 June 1949, a letter from Mr Paris informing me that my application for a job in the Finance Department had been accepted and inviting me to go to Strasbourg the very next day to take up my new duties! To be perfectly frank, the letter pointed out that the job being offered to me was only temporary, for a very simple reason: the Council of Europe did not yet officially exist (the statute, which was subject to a requirement of seven ratifications, would not come into force until 3 August). The person who would be appointed a few weeks later as the first Secretary General of the Council of Europe expressed, nevertheless, "the hope that your job, which is uncertain at present, will later become permanent".

I was faced with a dilemma: as the 24-hour period within which I was expected in Strasbourg ruled out applying for leave of absence or temporary secondment, accepting this offer meant that I would have to resign from the Ministry of Foreign Affairs where I had a safe career ahead of me. Without waiting a night to sleep on it, as common sense dictates, I did not hesitate and, in quick succession, I accepted the offer made to me and tendered my resignation with the Ministry of Foreign Affairs! The thrill of taking part in such a project, of becoming a linchpin, as humble as it was, of history in the making, was a major factor. However, I have to admit that another, more sentimental, reason also drew me to Strasbourg: a charming young lady called Marie, whom I had met a few months earlier at her uncle's place in Paris, had just returned to Alsace to be closer to her parents who, like me, came from the small village of Beinheim, about 50 kilometres to the north of Strasbourg on the border between France and Germany.

After a journey lasting several hours, begun at some unearthly hour (there was no high-speed train at the time!), I arrived in Strasbourg on 1 July to report to Georges Cunin, the future Head of the Buildings and Facilities Department, which occupied temporary offices in the Strasbourg prefecture. I was very excited to be returning to the capital of my home region, Alsace, which I had left when I enlisted in the navy in September 1939, at the outbreak of the Second World War, and which still bore the scars of the bombardments

and battles that took place there. Over the next few days, I met my new colleagues, a small team of around 50 people which was already multicultural, and united under the command of a charismatic leader.

Jacques-Camille Paris, a French Resistance fighter from the very beginning alongside General de Gaulle, had assembled some outstanding talent, European idealists and campaigners for human rights and democracy: the British diplomat, Aubrey Halford, future Deputy Secretary General; the Italian prince, Filippo Caracciolo, future Clerk of the Parliamentary Assembly; the Dutch lawyer, Arnold Struycken, future Political Director; the Belgian journalist, Paul Lévy, future Director of Information; the French Roger Clamer, who had been the linchpin in setting up the Council of Europe since his position as Director of Agriculture and Supplies at the Strasbourg prefecture; and the Belgian Arnaud Daussin, who would become the irremovable Director of Administration for nearly 30 years. I was not the only "token Alsatian": I remember Gilbert Fischer, Charles Zaegel and, of course, also Arsène Heitz who worked for the Council's internal postal service, but whose artistic talent would remain for posterity, as he was the designer, a few years later, of the European flag!

After working for a few days, I signed – retroactively – my first contract as accounts management assistant in the Finance Department, at grade B5. I was pleasantly surprised: the annual basic salary of 400 000 francs was nearly double the average salary in France at the time, and more than I had been earning at Quai d'Orsay! The Council of Europe turned out to be a rather generous employer, which it appears is still the case, but this was not a key factor for the "pioneers" that we were, as we did not count our hours of work or hesitate to give up our weekends for the benefit or our "holy cause". Nonetheless, such new prosperity was welcome at a time when I was about to marry the person who had drawn me to Strasbourg and who was to give birth, the following year, to the first of our two sons.

The first summer of the Council of Europe would remain an unforgettable time for all those who had the fortune of living through it, particularly on the inside. Stifling heat paralysed the whole of Alsace, except our little hive of intense activity in order to put in place, in temporary premises – just behind the Palais du Rhin – "stolen" from the Ingénieur en Chef des Ponts et Chaussés [Head Engineer of Bridges and Roads], everything needed to prepare for the first historic sessions of the Committee of Ministers and the Parliamentary Assembly: a telephone switchboard, a technical room for the copying of documents, basic equipment for interpreting into French and into English (the two official languages of the Council of Europe). We had barely a month to get everything ready to receive around a thousand people, members of ministerial or parliamentary delegations, journalists, as well as European

campaigners who came from all over the continent to be there when the dream of a united Europe would first be fulfilled.

It was a huge challenge: Strasbourg was only a provincial town at the time, still ravaged by the war, and was taking in large numbers of refugees – including the "Malgré-nous", Alsatians conscripted into the German army and returned from Soviet camps – and where finding housing was an almost impossible task. For many of us, the solution lay on the right bank of the Rhine, in Kehl and in the surrounding villages, which were "annexed" to France for a few years, the border being a few kilometres away within German territory. In addition to housing, it was necessary to arrange provisions, at a time when shortages were still rife: the effects of the "Marshall plan", launched two years earlier, were just beginning to be felt! But we were able to count on everybody joining forces, from the Mayor of Strasbourg, Charles Frey, to its enthusiastic citizens, proud to have all eyes upon them in Europe and the world, while including, of course, the services of the French state which worked tirelessly.

And the result matched our expectations, and our efforts! History was in the making at the first session of the Committee of Ministers, from its opening on 8 August 1949 by Robert Schuman, who represented France as the host nation. The Chairman was Paul-Henri Spaak, Belgium being the first state in the English alphabetical order that had been adopted. At that meeting, the Committee invited three new states to join the 10 founding countries of the Council of Europe: Greece, Turkey and Ireland. As a result of that historic decision, a very wide geographical approach was chosen from the outset, as Europe was to stretch to Anatolia and to border on the American continent! Its reach would be fully felt following the fall of the Berlin Wall (followed by the implosion of the USSR), when the Council of Europe would take on unsuspected dimensions by including the Russian Federation and the three countries of the Caucasus.

Beneath the function room windows of the Town Hall of Strasbourg, where that historic meeting was taking place, thousands of people from Strasbourg celebrated the birth of a new Europe, rid of the old demons that had very nearly destroyed it. Even more (no less than 25 000) were to respond to the European movement's invitation to applaud, in a town decked with flags, the "father" of the Council of Europe, Winston Churchill, giving a historic speech (in French!) which ignited the crowd in Place Kléber where the notorious swastika flags had still been flying just five years earlier. The "Old Lion", an unforgettable hero of the Second World War, had come to take part in the 1st session of the Parliamentary Assembly, which met from 10 August in the "Aula" of the University of Strasbourg, and which elected as its first President… Paul-Henri Spaak. He had resigned the day before from his post as Belgian Foreign Affairs Minister and managed, therefore, to preside successively – within a space of two days – over both institutions of the Council of Europe!

The Assembly was a major innovation since it was the first time in history that an international organisation was not exclusively intergovernmental. Of course, the decision-making body remained the Committee of Ministers, but from the outset, the Assembly (which was still called "Consultative") was to give itself the mission of being the political engine of the Council of Europe. One of its first initiatives was to make the European movement project its own, drawn up following the "Congress for Europe" in The Hague in May 1948, which would become, a year later, the European Convention on Human Rights, adopted by the Committee of Ministers in Rome in November 1950. This was another political revolution – and a also legal one – since, through the creation of the European Court of Human Rights (which was set up in 1959), ordinary people would be given the opportunity to bring a complaint against their state of residence and secure a judgment against it if one of the fundamental rights protected by the Convention had been violated! Such a possibility for individual appeals was unprecedented in the history of humanity and still remains today a privilege offered solely to Europeans, whether by birth or adoption.

Another major historical event was Germany's return into the European family. By a strange coincidence, the stages that gave rise to the Federal Republic of Germany, in the western part of that country which was then divided, took place at the same time as those of the Council of Europe: adoption of the Basic Law in May 1949, followed by the first free elections in August, which brought Chancellor Konrad Adenauer to power in September. The leading advocate for the young republic was none other than Winston Churchill himself: "A united Europe cannot live without the help and strength of Germany!", he exclaimed on 12 August, when this matter was discussed for the first time in the Parliamentary Assembly. However, such enthusiasm was not shared by everyone, far from it: the holocaust caused by the Nazis was still too fresh in their memories! The joining of the FRG was carried out, therefore, in two stages: Germany first joined the Council of Europe as an associate member, in August 1950 (at the same time as the Saar region, whose status was still to be determined), which deprived it of any decision-making power as it did not sit on the Committee of Ministers; and it became a full member in May 1951, which seemed to all of us to be completely natural, as one month earlier the young Federal Republic of Germany had been – with France, Italy and the three Benelux countries – one of the founding members of the European Coal and Steel Community.

Those early years were a "golden age" for the Council of Europe, and for those of us who had chosen to serve it. We were happy and proud, and we would go every day to our "Maison de l'Europe", built within a few months at the edge of the Parc de l'Orangerie (on the site where the Palais de l'Europe stands today), with the feeling that we were striving for a better world, founded on peace, democracy and co-operation between states. The tragic loss of

Jacques-Camille Paris, in a car accident in July 1953, marked for many of us the end of that golden age. Without losing its relevance, the Council of Europe gradually withdrew from the limelight, for the benefit of the process of the European Communities which mobilised most of the resources of those who campaigned for the union of Europe… up until the fall of the Berlin Wall! But that's another story which I will leave for others to tell, since I have only followed it as someone who is retired.

Text written by Denis Huber,
based on an interview with Félix Kappler (May 2016).

European Convention on Human Rights – November 1950

René Cassin, symbol of the Europe of human rights

Guido Raimondi

In November 1950, barely a year-and-a-half after the creation of the Council of Europe, the Committee of Ministers adopted and opened for signature, in Rome, the European Convention on Human Rights. It was directly inspired by the Universal Declaration of Human Rights, adopted two years earlier. The Convention created a political and legal revolution, since it provided for the establishment of a Commission and a Court (which later merged into a single, permanent Court) to ensure member states' compliance and to allow individuals residing in member states to petition the mechanism. It was the realisation of the dream of René Cassin, the spiritual father of the Convention, who went on to become the President of the European Court of Human Rights in 1965 before receiving the Nobel Peace Prize in 1968. His distant successor, Guido Raimondi, pays tribute to him".

As with all my predecessors for over half a century, it is for me a great honour and responsibility to be a successor to René Cassin as President of the European Court of Human Rights. As I was not fortunate enough to have known him personally, I will not presume to talk about his life, but his career and struggles have given me a number of thoughts I would like to share, as I myself prepare to leave the Human Rights Building, the home of the Court which represents the last resort for the 830 million potential court users living in Europe.

The Court is the "home" of René Cassin, who was its President from 1965 to 1968. Not only because those who walk along the corridor leading to the President's office do so under his compassionate gaze, but also because this Court is his dream come true, and is something he fought for all his life. It is also because the Court continues to keep alive his humanistic message.

His life was exceptional in many respects but it was a life not exclusively made up of happy events. He was deeply committed to peace, but lived through two atrocious wars in his lifetime. In each of these world tragedies he played a major role.

It would be wrong to think of René Cassin as a "saviour". His rare forays into politics were not particularly successful, but he was the right man for the task.

He was the right man for the task, firstly, at the end of the First World War as the driving force behind reconciliation between the two sides. His idea of bringing French and German war veterans together was, at that time, totally revolutionary. Unfortunately, it took another even more devastating war to bring about this miraculous and necessary Franco-German reconciliation, of which Strasbourg, the European capital, was both the embodiment and the symbol.

Even if few remember, it was under the auspices of the International Labour Organization (ILO) that, on 2 September 1921, a conference began of which he was the instigator and which was one of the first illustrations of pacifism after the First World War. On a more personal level, having spent several happy years at the ILO, I see this as an additional reason to feel close to René Cassin. We all know that this organisation's role was crucial as its Director, Albert Thomas, had the same vision of peace and reconciliation as René Cassin.

Clearly, he also showed what he was made of in London where he was among the first to join General de Gaulle. He had no doubt at all that this was the right thing to do. We should not forget that René Cassin was a republican and a great patriot. But he considered himself not only French but also universalist. He was first and foremost convinced that France could play a role in improving the human condition. In his view, this was a role that France should play in an international organisation and in the context of solidarity between nations. I am certain that, if he were still with us today, he would continue to convey this message.

He was the right man for the task, after the Second World War, at the helm of the French Conseil d'Etat, which he reorganised and to which he gave fresh impetus, following the darkest hours of the Vichy regime, during which many judges had brought disgrace upon themselves by serving this government.

However, it was first and foremost as an architect of an international legal system that he accomplished his life's work. Because he was profoundly

French, everything stemmed from the 1789 Declaration of the Rights of Man and of the Citizen, and from the fact that it permanently established the idea that all human beings are born free and with equal rights. Transposing the declaration into the international system was one of his life's goals.

René Cassin thought that protecting human beings was crucial. He felt that true humanity meant putting each man and woman at the centre of everything and bringing together all human beings individually. At the same time, he focused on the role of the state, the natural guarantor of the rule of law, but which is also capable of becoming tyrannical, as was the case in several European countries during the dark years which led Europe into the Second World War.

Having been deeply and directly affected by the First World War and then by Nazism and totalitarianism, he fought tirelessly, throughout his life, to ensure that the state no longer had the right over the life and death of its citizens and that the latter could defend themselves by turning to a higher authority. To avoid descending into tyranny, there have to be checks and balances.

Democracy is precious but it is fragile. René Cassin witnessed this during the Second World War. Within just a few days, he saw the collapse of republican institutions. During the conflict, he was stripped of the French citizenship of which he had been so proud. Many of his family members, including his sister and brother-in-law, perished in Nazi concentration camps. This strengthened his belief that the world needed an organisation promoting peace. The state does not have the right to do exactly as it pleases, even within its own borders.

All individuals, who are at the heart of René Cassin's vision, must be able to turn to a higher authority, which protects even beyond borders and regardless of nationality. International supervision is vital. As he faced one of the century's greatest tragedies, he never wavered in his belief that establishing an international order based on human rights was an absolute necessity. That is what we are trying, more than ever, to uphold here in Strasbourg.

He brought this idea to the committee which drafted the Universal Declaration of Human Rights and he proved, once again, that he was the right man for the task. However, the text that was adopted did not go as far as René Cassin wished, as he felt that the declaration should have been supplemented by a mechanism for implementing human rights.

He strongly believed that a commission should be set up to receive individual complaints. One that would protect individuals and not take into account only the interests of states. With this dream, the visionary that René Cassin was, sowed the seeds of individuals' right to petition an international supervisory body.

He solemnly reiterated this message in Norway after receiving the Nobel Peace Prize in 1968: in his opinion, proclaiming rights meant nothing without control mechanisms. In his address to the Norwegian Parliament he said that although states' powers regarding how they treat their citizens would always be of paramount importance, such powers would no longer be theirs alone: the powers must be transferred to certain bodies, in other words to humanity as a whole, brought together in a legally organised forum.

This is the system put in place by the Council of Europe, and we have seen that states have agreed to transfer some of their sovereignty to an international court. It was therefore only natural that part of René Cassin's life should be spent in Strasbourg, as a judge at the European Court of Human Rights, and then as its President.

René Cassin's message remains incredibly relevant today. He always found it regrettable that parts of Europe lay outside the protection of the Convention. I am sure that he would have been happy, today, to see that our Court protects human rights in 47 states which cover (almost) the whole of Europe.

To those who have been saying lately that our Court goes too far and criticise it because of this, we should remember that René Cassin considered that the European Court of Human Rights did not go far enough as it did not take into account economic and social rights.

He was convinced that the Convention should be a permanent pillar of positive progress. The visionary that he was did not see things as being set in stone. He would certainly have agreed with our Court in its view that the Convention is a living instrument which must be interpreted in the light of current living conditions.

René Cassin, who was born in the 19th century, accomplished most of his life's work in the 20th century and this work continues, here, in the 21st century. We are not only his successors, but every day we strive to build on his legacy. When we have gone, people will still be talking about René Cassin.

This is, undoubtedly, to borrow the title of a well-known play and film about Sir Thomas More, because René Cassin was a man for all seasons.

Adoption of the European flag – 1955

12 gold stars on a sky blue background

Charles Kohler

Adopted by the Council of Europe in autumn 1955, the European flag also became the banner of the European Communities 30 years later. More importantly, throughout the historical changes our continent has faced since the 1950s, it became a symbol of the values on which the European project is based: freedom, democracy, human rights and peace. Charles Kohler, tells us this fascinating story, whilst doing justice to his colleagues: Arsène Heitz, the designer of the flag, a modest official working in the mail office, and Paul Lévy, who led the project in his capacity as the first Director of Information of the Council of Europe".

When I joined the Council of Europe on 1 May 1960, I never thought that one day I would write an article on how, five years earlier, the "sky blue flag with 12 gold stars" had been adopted in two stages: a unanimous vote by the Parliamentary Assembly on 25 October 1955, followed by the Committee of Ministers' ratification on 8 December of the same year. The adoption of the European emblem was the result of a long process during which many proposals were considered, beginning in August 1950 – barely a year after the entry into force of the Council of Europe's statute – by a committee set up by the Consultative Assembly comprising members of parliament from the 12 and then 15 member states.

It was through philately, first of all, that I got to know Arsène Heitz, the "father" of the European flag, a colleague responsible for sorting mail within the administration, who had great artistic talents and was strongly committed to the European cause. Council of Europe stamps were issued on a regular basis with texts highlighting his contribution to devising some 20 proposals

for a flag at the request of Paul Lévy, the Director of Information, who had been tasked with submitting proposals to the relevant committee of the Assembly and to its rapporteur, Robert Bichet, member of parliament for the Franche-Comté region.

It was only much later that I had the opportunity to make a contribution and give some advice, as Director of the Private Office of Franz Karasek, the Secretary General, in connection with the procedure for choosing a flag launched by the European Parliament.

I was fortunate enough to finally get to know Arsène Heitz and become his friend shortly before he retired.

The adoption of the Council of Europe flag (1950-1955)

Jean-Marie Mouchot, my former colleague, witnessed the adoption of the European flag by the Council of Europe, having not only participated in the Consultative Assembly's first meeting at the University of Strasbourg, but also been Secretary to the Rules Committee in charge of proposing a new emblem. He described the events which led to its adoption as follows:

> *I was lucky enough to be among the small group of staff members from Paris, London, Rome, and Brussels, Copenhagen, and so on., sent to Strasbourg for the August 1949 session of the Council of Europe Assembly. I was put in charge of the Assembly Rules Committee whose elected chair was Frans van Cauwelaert, the then President of the Belgian Senate and Mayor of Antwerp, with whom I forged a lasting friendship.*
>
> *It was this committee which, one year later, received a proposal to give the Council of Europe its own flag to be placed next to those of the member states. The project was presented by Paul M. G. Lévy, Director of Information within the General Secretariat – a person with remarkable intellectual abilities and a staunch believer in the European ideal. Lost in endless discussions on a large number of projects from all parts of Europe, he asked Arsène Heitz, a humble Council of Europe staff member and talented artist, to draw several sketches, which were varied in terms of design and colours. Any similarity with a national flag or with a federalist connotation (in particular, stars and stripes) had to be avoided.*
>
> *After three years of discussions, in September 1953 the Assembly opted for a flag of 15 gold stars forming a circle on a sky blue background, representing the member states at the time. However, this design was turned down by the Committee of Ministers because of differences of opinion between France and Germany about the future of Saarland, which was then an associate member of the Council of Europe: Paris wanted its status to remain unchanged, while Bonn was pushing hard for the territory to be returned to the Federal Republic.*
>
> *After a year's indecision, a joint committee comprising three parliamentarians and three representatives of the member states was set up to find a solution.*

It was there that the idea of setting the number of stars at 12, symbolising unity and perfection, gained ground, after several other proposals had met with opposition from the member states' ambassadors, who were following the discussions closely. In September 1955, the matter was again referred to the Assembly's Rules Committee, which was asked to decide between two designs, both with gold stars on a sky blue background: a pattern of stars representing the capitals of the member states, with an additional star for Strasbourg, which was proposed by Salvador de Madariaga; and a crown of 12 stars, designed by Arsène Heitz, which, apart from the number of stars, was the same as the design adopted two years previously. The committee chose the latter, to the satisfaction of Frans van Cau*welaert, the rapporteur, Robert Bichet, and Paul Lévy.*

The proposal was presented to the Assembly which adopted it unanimously, and was then ratified by the Committee of Ministers without further ado. The European flag was officially presented at the opening of the Council of Europe's ministerial session in Paris on 13 December 1955 and then gradually became the easily recognisable symbol that it is today. A decisive step was taken when the European Parliament asked the Council of Europe for permission to adopt the same emblem – which was immediately granted: the European flag then became a symbol of the harmony between the countries of our old continent determined to put an end to historical quarrels and to work out their differences.

Paul Lévy and Arsène Heitz, the fathers of the European flag

The most striking aspect of the paths which led Paul Lévy and Arsène Heitz to meet around a common project – giving the Council of Europe a new emblem – is their close connection with the upheavals that Europe had to face through three successive wars. Born at the beginning of the 20th century before the First World War, on 27 November 1910 and 24 September 1908 respectively, they were both of Alsatian origin: Arsène Heitz was from Huttenheim, a small municipality on the outskirts of Strasbourg, and Paul Lévy was the son of a prominent member of the Jewish community in Rixheim, close to Mulhouse. Isidore Lévy, Paul Lévy's father, had a great scientific career which was crowned by his appointment to the Collège de France from 1932 to 1945 and to the Belgian Royal Academy. When they were very young, Arsène Heitz and Paul Lévy lived through the First World War and its consequences, an experience which they relived when they had just started their working lives two decades later.

Paul Lévy, who had converted to Catholicism, was not persecuted because of his Jewish origins but due to his opposition to Nazism. He was interned in the Fort Breendonk concentration camp in 1940 after the German army had occupied Belgium. He was freed from the camp in 1941 and placed under surveillance by the Brussels "Kommandatur"; he was able to reach London in July 1942, from where he spoke on BBC broadcasts to occupied Belgium. After

the war, he worked as a journalist and a professor in the Catholic University of Louvain before becoming, in July 1949, the first Council of Europe Director of Press and Information.

Arsène Heitz had not stayed in Alsace during the First World War, but had left his native Huttenheim, to join his uncle, Victor, a baker in Rouen. He learnt French with him, and between the two wars, he enrolled in the Rouen Academy of Art.

The good times and social progress were shattered by the Second World War; Arsène Heitz put his canvasses and paintbrushes away and joined the French army. He was taken captive during the Dunkirk disaster, but escaped and joined the "Agir" resistance network, which was established in 1944, and worked for the Intelligence Service. In 1944, the network provided information on the Germans' preparations to set up a large number of V-1 rocket launch pads. After the Normandy and Provence landings, Arsène Heitz rejoined de Lattre's first army and took part in the liberation of Alsace. After serving in the gendarmerie for some time, he joined the Council of Europe in February 1951, where he worked in the post room, which was under the responsibility of the Director of Information at the time.

We do not know how the Director of Information of the Council of Europe came up with the idea of asking his colleague in charge of sorting mail to work with him on the project of creating a European flag. There is, however, an account by a cousin of Arsène Heitz,[1] which, referring to conversations held on the subject with him, describes the moment when his director put him in charge of designing a flag:

> *Arsène joined the Council of Europe in February 1951 and worked in the post room under the responsibility of Paul Lévy. One morning, Mr Lévy went to see him and said: "Listen, there is talk of a European flag. Try to give me a design." "A European flag? You mean an emblem recognised by all the peoples, cultures and religions… An emblem that will bring people together, that can be accepted by everyone with full and deep respect for their beliefs and differences…?" Then his voice became serious, almost religious, when he told me, "You know "Männele",[2] that is when I saw before my eyes the Miraculous Medal from the Rue du Bac, the one that the Blessed Virgin gave to Catherine Labouré. I knew this image. It was on the "Herrgottswinckel"[3] at home.*
>
> *The lady with a crown of stars, from the Apocalypse. 12 stars forming a circle. I liked the order of the design. Not rows of stars like the American flag, but a circle, bringing to mind a perfect geometric figure. The tips of the stars do*

1. A. Bingert, Arsène Heitz's first cousin on his mother's side, living in Erstein (Bas-Rhin).
2. "Little man".
3. Altar with a crucifix and holy pictures which was found in a corner of the living room in Catholic households.

not touch, they are facing each other and are set out in a free space. 12, the symbol of perfection and fulfilment. And I said to myself: wouldn't it be a wonderful symbol? I had found inspiration in my faith, my devotion to the Virgin Mary, which I had grown up with and which I shared with my family and my ancestors. We had always prayed to this "Queen of Peace" at home, and I thought that she was the perfect guardian and protector of this new-found, fragile peace in our war-scarred Europe. And I said to myself, do not talk about it … keep it to yourself … You mustn't bring anybody on board or make anyone uncomfortable, but I drew my blue square with my stars without any further explanation. And I handed in my design. It was selected from among many others. Since then, this flag has been flown wherever men want to build a peaceful future together.

Arsène Heitz's design was selected in the end, but not without having been changed several times on his supervisor's instructions, as the emblem presented, which was in competition with those submitted by other countries, had to symbolise unity among states and their outstanding co-operation, while avoiding any similarities with existing symbols such as rings, which called to mind the Olympic Games, or rows of stars like the American flag. The artist's source of inspiration was never mentioned, either before the Assembly or before the Committee of Ministers. Arsène Heitz's successive original drawings, which are very well preserved, can be found in the Council of Europe's archives and they show the progression of his work, which led to the both symbolic and vexillological representation of the flag as it was adopted in the end.

The adoption of the Council of Europe flag by the European Union

At the beginning of the 1980s, the European Parliament, which had just been elected by universal suffrage for the first time, decided to adopt an emblem which European citizens could identify with. I do not wish here to go over all the exchanges and discussions on the choice made by the European Parliament to adopt the flag drawn by Arsène Heitz, but rather more prosaically, to describe a conversation that I had, as Director of Private Office, with Franz Karasek, the then Secretary General.

Franz Karasek was Secretary General of the Council of Europe from 1 October 1979 to 30 September 1984. In this capacity, he met regularly with his friend, Kai Uwe Von Hassel, the Rapporteur of the European Parliament's committee in charge of making proposals for a European Community flag. I remember that after one of those visits, he asked for my advice on whether the community should have a new flag or whether it would be better for it to adopt the Council of Europe's flag. I replied that, in my opinion, there was no reason why the institutions of the community should not adopt the Council of Europe's flag, as the community's member states were also Council of Europe members. I also stressed that although many of the responsibilities

assigned to the Council of Europe in its statute were not yet part of the European Community's activities, for instance, our activities in the health field and the pharmacopoeia, the two organisations nevertheless shared responsibilities regarding regional authorities and local self-government. As there were no financial issues, I told him that if the European Community were to adopt a new flag, people would not understand it. In the end, that was the position which the Secretary General – in keeping with his European ideals – defended, namely the adoption of the Council of Europe's flag by the European Community so as to avoid setting the different European institutions and organisations against each other, and instead ensure that they strove to achieve the same goals.

This inclusive approach was supported by the European Parliament, which adopted the Council of Europe's flag in a resolution dated 11 April 1983, recommending that it also become the emblem of the European Communities and all their institutions. Pierre Pflimlin, another Alsatian and former Mayor of Strasbourg, played a key role as President of the European Parliament (from July 1984) in persuading Jacques Delors, the President of the European Commission, and the members of the "Ad Hoc Committee on a People's Europe" chaired by Pietro Adonnino, a former Italian MEP, to follow this path. The final report of the Adonnino Committee – approved by the European Council at the Milan Summit at the end of June 1985 – therefore recommended the adoption not only of the flag, but also of the European anthem ("Ode to Joy", an excerpt from Beethoven's 9th symphony), which had been chosen earlier by the Council of Europe. The institutions of what is now the European Union have been using them since 1 January 1986, the date on which – by coincidence – the European Community grew to 12 member states, with the accession of Spain and Portugal.

Ownership of the European flag by the governments and citizens of Europe

A few years later, I got to know Arsène Heitz while I was Deputy Director of Administration. In all our meetings (philatelic and other), I could see his pride in being the artist who had designed the European flag and in being – together with Paul Lévy – the Council of Europe staff member who had brought the project to fruition. Considering the price asked by communication specialists for devising the tiniest logo these days, we can only admire Arsène Heitz's selflessness in believing that he had only done his duty as a Council of Europe staff member by using his artistic talents for a project of the Organisation for which he worked. It is all the more unfortunate that he did not receive due recognition while he was still alive.

Shortly before his retirement, Arsène Heitz came to me and handed me a file entitled "12 gold stars on a sky blue background". He asked me always

to defend the role he had played in the procedure for adopting the flag between 1951 and 1955. Since leaving the Council of Europe, I have had no problem doing so, being proud myself of the fact that two Alsatians – one, a staff member in charge of sorting mail in the Organisation, and the other, Director of Information – were responsible for the European flag which was adopted successively by members of parliament, then by the states and lastly by the European institutions and the citizens of our continent.

I have often had the opportunity to recount the story of the design and adoption of the European flag by the Council of Europe. My fondest memory is that of my meetings with primary school children, several years in a row, on Europe Day. I would talk with them about the principles enshrined in the European Convention on Human Rights, whose text, like the European flag, was drawn up and adopted at the beginning of the 1950s. We also discussed the principles contained in the United Nations Convention on the Rights of the Child. I would also talk to them about the European flag, about the artist who had designed it, and I would show them – much to their delight – how, by replacing the stars with little men, they could make sure that the flag was flown the right way up over their school or town hall. But my determination to talk about Arsène Heitz, whenever I have the opportunity, is a minor accomplishment compared to what the Council of Europe could do in this regard, in particular by staging a permanent exhibition on the history of the flag for those visiting the Palais de l'Europe.

Since the adoption of the flag, the Council of Europe, the European Social Fund and the numerous European Union institutions have adopted their own logos. Very few of them have decided not to use the 12 stars; without being exhaustive, I will mention various examples here to highlight the number of different designs adopted using the stars in the form developed by Arsène Heitz and/or the blue of the flag: the European Commission, the European Central Bank, the European Court of Auditors, the European External Action Service, the European Economic and Social Committee, the European Committee of the Regions, the Translation Centre for the Bodies of the European Union and many agencies whose acronyms are as varied as they are incomprehensible, such as ACER, ENISA, CEPOL, EASA, ECHA, EMSA, EFSA, ESMA and EASO, and so on. You will also find a reminder of the European flag in the logo of many not-for-profit organisations such as the Europe Houses and in the European organic certification logo; although the use of the flag is governed by European regulations, they are interpreted very liberally.

The Marian origins of Arsène Heitz's project, which have sometimes been attacked by upholders of militant secularism, have faded away all the more easily since they were never actually proclaimed. The European flag took on another dimension when heads of states and governments and parliaments

in European Union member states began combining it, in turn, with their national emblems when making public announcements or statements. Most important, however, is the extraordinary way in which the citizens of Europe have made the European flag their own, just as they had already done with the European anthem. It is important to note here that this goes beyond the borders of the European Union itself: in Belgrade during the dark days, in Tbilisi during the "Rose Revolution" and in Kyiv on Independence Square in the middle of winter 2014, the pro-democracy activists gave it a new meaning. Today, the European flag has become a symbol of the principles and ideals upheld and promoted by the Council of Europe since it was established: Human Rights, Freedom and Peace. When people demonstrate to defend these values, they do it bearing the European flag designed by Arsène Heitz for the Council of Europe in the 1950s. The Council of Europe's emblem has not only become that of the European Union but also, and especially, that of Europeans: it is the flag of the peoples of Europe, the emblem of a Europe which was said to have "always existed", and which "is increasingly united".

As for Arsène Heitz, my friend and compatriot on three counts (European, French and Alsatian), the last campaign that I want to wage for him is to persuade the city of Strasbourg to name one of its streets or squares after him, to finally give credit to the most famous anonymous person in Europe!