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2008

european and
international
courts
executive
research tour
reflections

Edited by
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European and International Courts Executive Research Tour 2008

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Delegates at Nouveau Palais de Justice, Lyon

(Photography: Emma Rowden)

(cover image): Nouveau Palais de Justice, Montpellier

(Photography: Jean-Paul Miroglio)

foreword

The Hon. Wayne Martin
Chief Justice of the
Supreme Court of WA

The extent to which any society can be said to be truly just depends not only upon the laws which govern that society, but also upon the quality of justice provided by its courts.

Practical access to justice, and the quality of justice delivered will depend significantly upon the physical spaces available to the court in order to discharge its functions. To take one obvious example, if those physical spaces do not provide adequate assurance for the physical safety of those involved in the court process, can it be said that the court is truly accessible? Less obvious but also important are the impacts which court architecture and design have upon the emotional condition of participants in the judicial process. Do the lighting and layout of the public areas and court room spaces put litigants, witnesses and observers

at ease? Does the architecture provide judicial officers with the opportunity to fully and effectively participate in proceedings, by optimising the audibility and visibility of all the participants in those proceedings? Does the architecture evoke appropriate respect for the rule of law, or is it intimidating? These are all important questions. They are questions which have been addressed in different ways in different jurisdictions.

The study tour recorded on this CD provided participants with a wonderful opportunity to see, firsthand, the ways in which these important issues have been addressed in a number of different ways and in different contexts. The diversity of courts visited, which included the most significant international courts operating in the world today, as well as the regional courts of different countries, provided a very broad canvas upon which to identify and sketch the features of good court architecture.

But the study tour was much more than a series of site inspections. Members of the study group were drawn from a variety of disciplines with a common interest in good court architecture. Members of the group included not only judges and architects, but also court administrators, legal practitioners and experts in other fields, including sociology and translation and language. For me, the insights and perspectives provided by the other members of the study group dramatically enhanced the benefit derived from the inspections which we undertook.

This CD provides an important permanent record of the study tour. It will be of benefit not only to participants in the tour, but also to anybody with an interest in good court architecture. The organisers of the tour are to be commended on their effort in compiling this CD.

European and International Courts Executive Research Tour 2008

introduction

Professor David Tait

The Court of the Future Network is pleased to present this record of a tour of European and international courts, plus three courts in the south of France, undertaken in 2008.

This was the second in a series of court architecture tours. The first, in September 2005, organised with the French Judicial Research Institute, was based in Paris, and involved courts in the north and east of France, including Nantes, Bordeaux and Pontoise. The third was in Melbourne in 2009, and included both classical and contemporary courts, as well as an indigenous court, and a neighbourhood justice centre. The fourth was in Sydney in 2010, as part of a Justice Environments Conference, and provided three themed tours of courts and other public buildings – the themes were sustainability, heritage and adaption, and safety and security. A fifth tour is being run in May 2011, in Barcelona and Luxembourg (week 1) and Düsseldorf and Berlin (week 2).

The court tours stimulate debate about court design and processes by bringing a diverse group of interested people to visit important examples of innovative and thoughtful architecture. Sometimes the buildings we visit are magnificent, such as the European Court of Justice and the European Parliament on this tour in 2008. Other places might be important because they show how courts can reach out into the community, such as the neighbourhood justice centre tucked into a housing estate in Montpellier. We meet architects and users of the courts wherever possible, gleaning from them the real story of the building's construction (always more interesting than the official account), the way the building has been adapted to new needs, and how the project team's intentions are realised in the daily realities of a busy court.

We have a particular interest in justice symbolism. We look at the messages the court gives out to the community, what balance the court building strikes between the needs of the public and those of professionals, how the dignity of the participants is expressed in the furnishings, the lighting and the volumes of courtrooms, jury rooms, remote witness rooms and mediation spaces.

We extend our warmest thanks to the following people for helping to facilitate the 2008 tour visits: Antoine Garapon, Institut des hautes études sur la justice, Jean-Paul Miroglio, Etablissement public du palais de justice de Paris, Bob Desiatnik (interpreter); and to the courts listed for their kind hospitality. Conference organisation was ably provided by Sharon Davis of Flying Colours in Melbourne.



European Parliament, Strasbourg (Photography: Ray Warnes)

European and International Courts Executive Research Tour 2008

program

part one

Sunday 30 March 2008

Strasbourg

Le Grand Hotel, Strasbourg

6pm Informal gathering to welcome delegates

Monday 31 March 2008

European Parliament

9.00am Guided tour of European Parliament

European Court of Human Rights

11.30am Welcome

11.45am Video about Court Press Room

12pm Meeting with Judge Egbert Myjer

1pm Hosted lunch

Tribunal de Grand Instance (local court)

3.30pm Guided tour of the Tribunal de Grand Instance

Tuesday 1 April 2008

Strasbourg- Luxembourg

European Court of Justice (ECJ)

11.30am Welcome and Presentation of the model of the court complex

1pm Hosted lunch

2.30pm Guided tour

4.15pm Managing the Court for a multi-lingual community, Mr Holstein, Mr Escobar, Mr Twidle.

7pm Hosted dinner at La Fourchette à Droite

Wednesday 2 April 2008

Luxembourg - Antwerp

Palais de Justice, Antwerp

12pm Guided tour of Palais de Justice by President Moyersoen, Mme Van de Velden and Architect Paul Corbell

1pm Hosted lunch

Antwerp - The Hague

The Peace Palace, The Hague

3.45pm Guided tour of the Peace Palace by Mme Blairon

Thursday 3 April 2008

The Peace Palace (ICJ)

8am Breakfast function at the Peace Palace, hosted by the National Institute of Governance, Canberra

9.30am Dialogue with Chief Judge of ICJ, Dame Rosalyn Higgins

11am Technology issues for courts, presentation by Rod Louey-Gung

12pm Hosted lunch

1.30pm Architectural design exercise led by Graham Brawn and Diane Jones:

Confrontation of state parties court led by CJ David Smith and Jean-Paul Miroglio; War Crimes Courts led by CJ Wayne Martin and Thomas Schuster; Human Rights Courts led by Justice Margaret Wilson and Frank Greene;

3.45pm Presentations and discussions of architectural design exercise
Jury: Judge Hans-Peter Kaul (now 2nd Vice President of the ICC) and Judge Sang-Hyun Song (now President of the ICC)

Friday 4 April

International Criminal Tribunal for the former Yugoslavia (ICTY)

9am Court briefing and Q&A session

10am Hosted morning coffee and tea
Observation of War Crimes trial

11am Address by Judge Kevin Parker

12pm Final session

European and International Courts Executive Research Tour 2008

program

part two

Monday 7 April 2008

Montpellier

Nouveau Palais de Justice

9am Guided tour and discussion with
Architect Bernard Kohn

11am Discussion with Court officials

12.30pm Hosted lunch

2pm Visit to either old Palais de Justice or
neighbourhood justice centre

Tuesday 8 April 2008

Montpellier - Avignon

Nouveau Palais de Justice, Avignon

10.30am Guided tour of Palais de Justice
and discussion

12.15pm Lunch

Avignon - Lyon

Nouveau Palais de Justice, Lyon

3.30pm Guided tour of Lyon TGI and discussion

Tour end.



Delegates with architect Bernard Kohn in the Nouveau Palais de Justice, Montpellier (Photography: Jean-Paul Miroglio)

European and International Courts Executive Research Tour 2008

participants

Mme Marie Bels
Architect and Architectural Historian, Paris,
France

Emeritus Professor Graham Brawn
Emeritus Professor of Architecture,
University of Melbourne, Australia

Dr. Scott Chambers
Consultant Psychiatrist

Mr Bob Desiatnik
Translator, interpreter and language
consultant, Desiatnik & Associates, Sydney,
Australia

Mr Cody Eldredge
Events, Marketing and Membership Officer,
National Institute of Governance, University of
Canberra, Australia

Magistrate David Fanning
Foundation Magistrate, Neighbourhood
Justice Centre, Collingwood, Melbourne,
Australia

Mr John Grealy
Director, Architectus, Brisbane, Australia

Mr Frank Greene
Principal, Ricci Greene Associates, New York
City, USA

Mr John Hockings
Director, Architectus, Brisbane, Australia

Ms Diane Jones
Principal Director, PTW Architects, Sydney,
Australia

Mr Paul Katsieris
Katsieris Origami Architecture + Urbanism,
Melbourne, Australia

Mr Rod Louey-Gung
Co-Founder, ICE Design, Adelaide, Australia

Chief Justice Wayne Martin, AC
Supreme Court of Western Australia, Australia

Mme Christine Mengin
Course Co-ordinator, Contemporary
Architecture Program, University of Paris,
France

Mr Dennis McFadden
Design Principal, CO Architects, Los Angeles,
USA

M. Jean-Paul Miroglio
Project Leader, Etablissement Public du
Palais de Justice de Paris, France

Professor Linda Mulcahy
Professor of Law,
London School of Economics and Political
Science, UK

Judge Laurie Newhook
New Zealand Environment Court, Auckland, NZ

Ms Christina Noble
Architect, Gould Evans, Phoenix, Arizona, USA

Justice Robert Obsorn
Supreme Court of Victoria, Vic, Australia

Ms Emma Rowden
PhD Candidate in Architecture,
University of Melbourne, Australia

Mr Thomas Schuster
Project Director, International Criminal Court,
The Hague, The Netherlands

Mr James Simeo
Associate Principal, CO Architects, Los
Angeles, USA

Chief Justice David Duncan Smith
Chief Justice of New Brunswick, Canada

Judge Michael Strong
County Court of Victoria, Melbourne, Vic,
Australia
[Former Judge, now Director of the Office for
Police Integrity, Victoria]

Professor David Tait
Co-ordinator, Court of the Future
Network; Justice Research Group,
University of Western Sydney, Australia

Mr Ray Warnes
Acting Executive Director, Court Services,
Department of Justice, WA, Australia

Judge Alan Wilson
Planning and Environment Court, District
Court of Queensland, Australia

Justice Margaret Wilson
Supreme Court of Queensland, Australia

European and International Courts Executive Research Tour 2008

hosts

European Parliament, Strasbourg

M. Otmar Philip
Deputy Head of Information Office,

European Court of Human Rights, Strasbourg

Judge Egbert Myjer
Judge, European Court of Human Rights
Mr Roderick Liddell
Director of Common Services
Ms Anne Kennewell
Visitor's Unit

Tribunal de Grande Instance, Strasbourg

M. Bernard Bangratz
President
M. Jacques Louvel
Procureur de la Republique
M. Jacques Kieffer
Vice President

European Court of Justice, Luxembourg

M. Roger Grass
Registrar
M. Francis Schaff
Director General of Infrastructure
M. Patrick Twidle
Director of Interpreter Services
M. James Schwier
Architect
Mme Denise Louterman-Hubeau
Head of Protocol
Mme Deborah Spooner
Protocol

Palais de Justice, Antwerp

Mr Ivo Moyersoen
President, Gerechtsgebouw Antwerpen
Mrs Annick Van de Velden
Manager Toezicht en Beheer,
Gerechtsgebouw Antwerpen
M. Paul Corbell
Architect

International Court of Justice, The Hague

Dame Rosalyn Higgins
Chief Judge, International Court of Justice
M. Steven van Hoogstraten
Director, Carnegie Foundation
M. Siem Jonker
Civil Manager, Carnegie Foundation
Mme Laurence Blairon
Head of Information Department,
International Court of Justice
Judge Hans-Peter Kaul
Judge, International Criminal Court

International Criminal Tribunal for the Former Yugoslavia

Judge Kevin Parker
Deputy President, International Criminal Tribunal for the Former Yugoslavia
M. Christian Chartier
Head of Public Information Services

Nouveau Palais de Justice, Montpellier

M. Alain Mombel
President
M. Jean Philippe
Procureur
M. Bernard Kohn
Architect

Nouveau Palais de Justice, Avignon

M. Pierre Gouzenne
President
M. Raymond Morey
Procureur

Nouveau Palais de Justice, Lyon

M. Pierre Garbit
President
M. Xavier Richaud
Procureur

international justice settings court design exercise

Professor David Tait

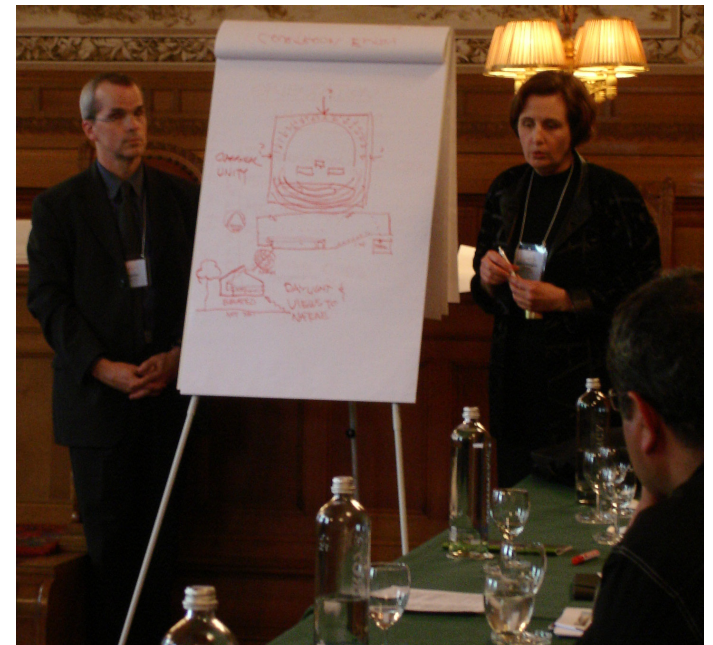
The court design exercise provided a chance for four participants to bring together some of the lessons from the international or European courts they had just seen – a Human Rights Court (the European Court of Human Rights), two courts where nations might confront each other (the European Court of Justice – one part of their jurisdiction - and the International Court of Justice) and War Crimes Tribunals (the International Criminal Tribunal for the former Yugoslavia). The exercise took place in the Peace Palace in The Hague, the home of the International Court of Justice, with participation from two judges of the International Criminal Court, and the project manager for the new facilities of that court.

Each team was allocated one of these three types of court. They were asked to develop design concepts for what they considered the 'ideal' court for this type of jurisdiction. Each team was led by a judge and an archi-

tect. They spent 90 minutes preparing their design, and 30 minutes defending it before the rest of the group.

The group that considered Human Rights Courts emphasized the values of equality and transparency of process. They discussed balancing public perceptions of authority and fairness, as well as the court as a bureaucratic entity and a public and open "hall". The focus of the scheme was on the courtroom, where an elevated public gallery could have clear visual access to both individuals pleading their case and the semi-circular ring of the judiciary.

The group looking at War Crimes Courts also focused on the design of the courtroom itself. A key issue was how to include the public in the process as fully as possible both to display the evenhandedness of international justice and emphasise the seriousness with which it addressed major crimes against humanity. The public was in a sense the world community, so technology was integral to the delivery of justice in this forum. A second major issue was inclusion of victims, both individuals and representatives of states or groups that had allegedly suffered as a result of the crimes being considered. Given the fear of some victims to come forward and the possibility of retaliation, protec-



European and International Courts Executive Research Tour 2008

international justice settings

tion of witnesses was critical, and measures were discussed to shield faces and sometimes voices of witnesses. However, it was a third issue which provoked the most debate – how to balance the presumption of innocence with security of the accused in court. This split the group along jurisdictional lines – Americans and members of international courts emphasized the priority of presenting the accused in as dignified a position as possible – placing the person at the Bar table. Australians in the group felt that security considerations required the accused to be placed in a dock. The participants agreed this was an issue that deserved fuller investigation and more debate.

The group that examined state confrontations felt that the emphasis should be to encourage mediation and open dialogue between state representatives. The driving principle behind the design of such a court

was that the court environment should be seen as a “neutral” zone that aimed to promote calm behaviour from all participants. A series of spaces were conceived as a progression along a central axis, the axis symbolising an “equality of arms” between the states in conflict. Moving from informal discussion spaces, to mediation rooms and if no other resolution can be found, a formal adjudication, or ‘courtroom,’ space. Supported and surrounded by nature, the spaces should be dignified to respect and preserve national pride.

(previous page, top to bottom): State vs. State and Human Rights groups presenting;

(this page, top to bottom): State vs. State and War Crimes groups deliberating

(Photography: Diane Jones)



expressions of justice

Professor David Tait

access and openness
serenity and sanctuary
technology
information/way-finding
security
sustainability
symbolism
nature



As public spaces, court buildings represent openness in various ways. In Avignon an elevated walkway draws the public to the main entrance of the court, with a glass canopy providing light and shelter, and a highly visible lift beckoning to those with reduced mobility to enter by the front door. In the Rogers-designed courthouse in Antwerp, in association with local Belgium firm VK Studio, trams and buses pass under the staircase leading up to the court providing convenient access to the halls of justice, while bicycles park at the foot of the steps. Each courtroom is open to the sky, with a soaring sail (assisted by a string of mirrors) scooping in whatever daylight a dull Belgian sky can offer; while several of the courtrooms provide a grand view of the public areas below them. The court is open also to the street, connecting visually with the boulevard beyond.

Photography: Emma Rowden (image 1); Diane Jones (images 2+4) and Laurie Newhook (image 3)

European and International Courts Executive Research Tour 2008

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Courts are not just sites of confrontation and judgment, they can also be places of sanctuary. The European Court of Human Rights in Strasbourg offers protection for individuals against violations of rights; the view from the court along a curved sculpted garden provides restful vistas to relieve stress, reassurance that order will eventually prevail. Meanwhile the nineteenth century local court a few kilometres away offers the perspective of a traditional urban skyline, a comforting reminder of continuity in a city experiencing an 'invasion' of European institutions. Sanctuaries for those working in the European Parliament include sheltered cones that provide a space for a private conversation. A similar meeting enclave in the Avignon Palais de Justice is located in the middle of the main public foyer, open to natural light from above and curved like a shell. Around it are large potplants, breaking up the void and creating a serene space organised, like medieval justice, around trees.

Photography: Jean-Paul Miroglio (image 1); Laurie Newhook (image 2); Emma Rowden (images 3+4)

European and International Courts Executive Research Tour 2008

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A War Crimes trial typically requires mountains of documents, more efficiently accessed in digital form. It also projects its hearings to the world, displaying accountability of former leaders for their actions. Video screens on almost every spare patch of desk space in an ICTY courtroom demonstrate the importance of information communication technologies. Part of the skill of an architect is to avoid technological clutter in order to conceal computers; Bernard Kohn does this successfully in Montpellier with built-in timber screens opening up also as a lectern, and folding away when not in use. Translation services are important for all European citizens to communicate with one another, often achieved by way of peripheral translation booths and requiring complex audio configurations. Sound and vision can be enhanced through sensitive architecture, as evident in the European Parliament, where lighting incorporated within waved perforated acoustic ceiling panels and louvres lining the back walls create excellent acoustic and visual comfort.

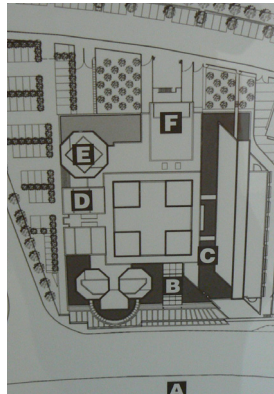
Photography: Jean-Paul Miroglio (image 1); Emma Rowden (image 2); Laurie Newhook (images 3+4)

European and International Courts Executive Research Tour 2008

expressions of justice

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While court buildings are everyday workplaces for court staff, security staff, judicial officers and lawyers, most people entering a court building will be doing so for the first time. How easily a new user can find the court to which they are due to appear, or even more everyday needs such as a water fountain or bathroom amenities can be critical aspects of their experience. Clearly defined signage and wayfinding diagrams showing court users information about the building, shown in a legible manner are obviously important to this. However, more important are the architectural features that aid orientation within the space. Spatial legibility can be achieved through elevated vantage points, such as those illustrated here in Antwerp and Montpellier, or through use of colour to highlight specific areas or information screens.

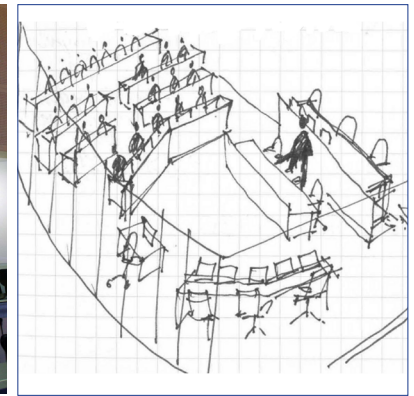
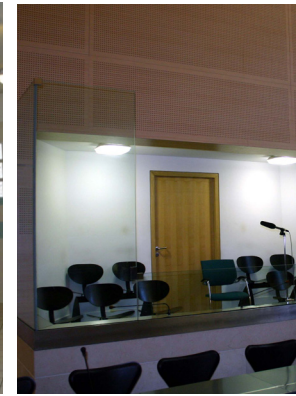
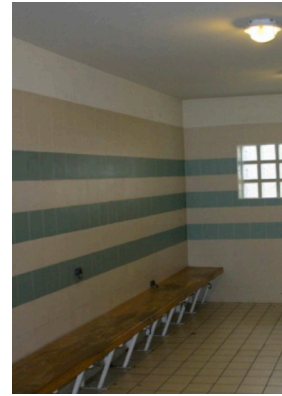
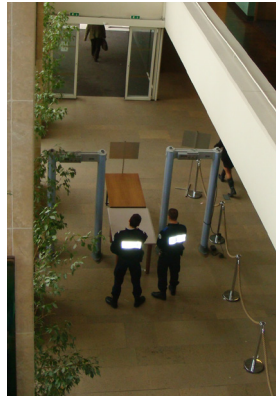
Photography: Emma Rowden (image 1); Ray Warnes (image 3) and Jean-Paul Miroglio (images 3+4)

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Entering a court building can be intimidating. In the new Palais de Justice in Lyon however visitors pass through a large atrium space. Bags are searched by gendarmes, not by machines. Natural light is also provided to detainees in the Montpellier courthouse, together with some colour to make the wait less stressful. Inside the courtroom the defendant in French courts, such as this one in Avignon, are increasingly being placed in a glass enclosure. This is in response to security concerns. In the ICTY by contrast, it is the public that is shielded from the courtroom participants by a glass screen.

Photography: Ray Warnes (image 1); Jean-Paul Miroglio (images 2+3); sketch by Paul Katsieris (image 4)

European and International Courts Executive Research Tour 2008

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Democratic organisations often need 'thick skins' to withstand public scrutiny. Public buildings are increasingly displaying thick skins to the world in the form of double glass walls with sophisticated shutters and shades, allowing them to embrace or deflect sunlight, regulate airflow and manage temperature. Such features allow buildings like the European Parliament, the European Court of Human Rights and the Nouveau Palais de Justice in Montpellier to reduce energy bills and provide a more naturally lit environment. These buildings also tend to be healthier, an outcome enhanced by internal and external gardens and plants.

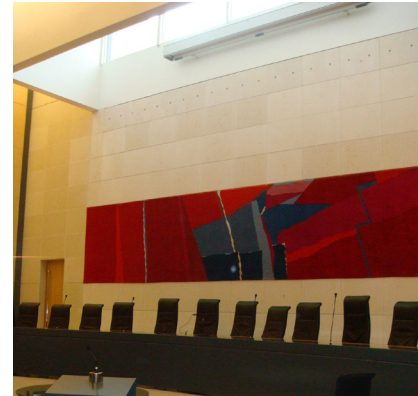
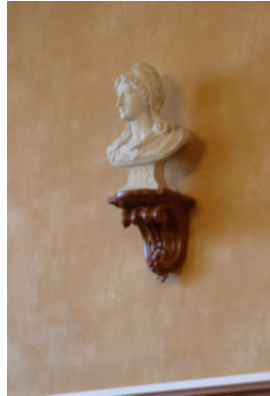
Photography: Diane Jones (image 1); Ray Warnes (image 2) and Emma Rowden (image 3+4)

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For the nation that emerged from the French Revolution, Marianne represented youth and hope. Newer courts in France avoid overt symbolism including human imagery. In Avignon, the shared authority of professional judges and lay jurors to decide on verdict and sentence is represented by the curved bench they share. The tapestry behind them indicates the confusion of social life that might be resolved by justice processes. Individual grievances can be addressed by court action. Less malleable are regional aspirations represented in the European Parliament building as an incomplete project.

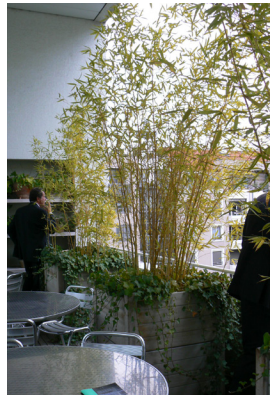
Photography: Diane Jones (image 1) and Ray Warnes (images 2 + 3)

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Bringing nature into justice environments can calm justice litigants and provide a healthy environment for all court users. In Lyon, nature is brought into a balcony meeting area in the form of planter-boxes and potplants to open the building up to nature, while providing a discreet screen of bamboo for privacy. In Montpellier, internal court spaces, with their lofty light lantern ceilings allow a sense of diurnal changes and a connection to the outside. Meanwhile, the courthouse opens onto a formal courtyard with a lawn enclosing a reflective pond. In the new Antwerp courthouse, users can gaze over an irregular shaped lawn, snaking between two wings of the building, and framed by a low hedge.

Photography: Emma Rowden (images 1+2); Jean-Paul Miroglio (image 3) and Laurie Newhook (image 4)

European and International Courts Executive Research Tour 2008

segregation

Professor Linda Mulcahy
London School of Economics and
Political Science

Many hundreds of years ago there were no such things as court buildings. Courts were often held in the open and when they were contained by walls it was inaccurate to call these buildings courthouses. They were just houses or halls in which courts happened to be held. When used as courts two or more trials would often be held in the same hall at the same time and it was open to the public to wander between the two sets of proceedings. Dedicated circulation routes within the court and its environs were unheard of, as were separate offices or other facilities for court officials and the judiciary.

These practices changed dramatically in England during the nineteenth century as custom built sole use courthouses began to emerge. This development coincided with changes in the way people thought about public space. Industrialisation and rapid urbanisation led to

fears of civil unrest in these new societies of strangers and the large scale emergence of slums to fears of contamination by the 'dirty' poor. As a result it became standard practice to separate defendants, lawyers, witnesses and the public who were provided with discrete entrances into the building and dedicated circulation routes within it. The professionalisation of law also meant that lawyers increasingly agitated for private spaces within the courthouse such as special rooms for robing, consultations and dining. Segregation of participants remains one of the guiding principles of court design today and had led to the modern courthouse being viewed as one of the most complex of building types. We no longer question the practice of segregation. If new justifications need to be found they can all too easily be discovered in the prevailing discourse of security threats and risk management. When the public enter a modern courthouse they tend to enter a 'public' building in which they are excluded from its many private zones. It is not too dramatic to suggest that the public have no idea of how the majority of space in the courthouse is used and that for them it has become an unknown backstage.



European and International Courts Executive Research Tour 2008

segregation

Two courthouses on the European tour suggested that this conceptualisation of how participants relate to each other within the building could be radically disrupted. At the courthouse in Antwerp, designed by Richard Rogers, the judicial routes between the court and judicial facilities are constructed of glass with the result that while kept distinct the judges and public can see each other as they walk along their separate glass corridors on nearby walkways. The provision of separate corridors for the judiciary reminds us of their special status and the respect which should be accorded them. But the fact that they can be seen by those for whom they act, going about their everyday tasks, produces a powerful symbol of public service. At the European Court of Justice, spectators along with the central court and offices are separated from the judges chambers, and facilities for the latter form an outer ring around the court. The main building and judicial ring are only connected by a series of small and irregular enclosed bridges between the two. The outer ring is too high above the spectator walking



(previous page): European Court of Justice, Luxembourg, showing the 'outer ring.' (Photography: Emma Rowden)
(this page): Palais de Justice, Antwerp. (Photography: Emma Rowden (images 1+2) and Ray Warnes (image 3))

to the court for them to be able to see in but their attention is immediately drawn to the concept of separation as a design principle. At the very least the design prompts curiosity about the privileged who reside in the outer ring. These examples provide powerful reminders of the fact that architecture can continue to challenge fossilised design templates and find new ways for courthouses to acquire integrity as public spaces.

the european court of justice: a complex project management in an international environment

Thomas Schuster
Project Manager, ICC

One of the largest court renovation projects ever undertaken will be completed by the end of 2008. Expanded to meet the needs of a growing European Union, and restored to get rid of asbestos, the European Court of Justice (ECJ) is a striking building completely made over by celebrated French architect Dominique Perrault, known best for his National Library building in Paris. The old "Palais", housing the main lobby and the courtrooms, is being completely restructured and interior walls removed. It will be framed by a new ring-building and connected by bridges. Two adjacent 100m-high towers on the Kirchberg plateau will complete the ensemble and will be visible from the city centre. Steel mesh, one of Perrault's trademarks, is used as interior cover of the large hall as well as for the façades.

Total costs are estimated to be some €350 million, financed by the European Investment Bank and Luxembourg's Banque et Caisse d'Épargne de l'État. The Government of Luxembourg is guarantor for the loan and provides the land of 57,000 sqm. for 49 years at the symbolic rent of € 1 per year. After payment of the last leasing rent, the EU will be the owner of the building.

The area of the complex will be approximately 200,000 sqm for up to 2000 staff, resulting in a generous area of almost 100 sqm gross per capita, allowing for impressive architectural gestures such as spacious public areas, lobbies and stair cases.

While the architecture by Dominique Perrault is certainly remarkable, the governance arrangements for the building are equally impressive.

There are three main stakeholders: The European Union (EU), the host state Luxembourg and the Court itself. The EU, the client, mainly plays the role of financier of the organization and their premises. Luxembourg is the lender (through its official bank), guarantor and landlord. The project



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the european court of justice

is managed under the contracting authority of the Administration des Batiments Publics of Luxembourg and is being implemented under the supervision of the Public Works Ministry of Luxembourg. The ECJ, meanwhile is the final user.

Not only does the project ownership resemble a Lernaean Hydra, but also the project management and the architect's team are multi-headed entities. Architect Dominique Perrault works in association with Luxembourg architects Paczowski et Fritsch, and the contracting authority of the Public Works Ministry of Luxembourg is supported by Geprolux S.A., a local engineering and project management company. There are also more than 100 individual contracts for different trades and building parts, all of which have to be coordinated.

The complex governance structure requires special care by all involved parties. As the final user, but also as the linking element between the financier and the contracting authorities, the ECJ plays a key role in the decision making.



A special unit, responsible for the management of the project, has consequently been established within the ECJ and is now coordinating the project from the user's perspective, organizing meetings and substantive translation and interpretation services.

The example of the European Court of Justice shows that management complexity is to a large extent inherent in international projects, and can hardly be avoided. However, it also illustrates the importance of clear lines of decision-making and responsibility, and the need to simplify the process and manage communications. The governance structure developed for the project provides a valuable insight into how such a process can be achieved.



European Court of Justice, Luxembourg.
(*previous page*): view down the new central spine linking the buildings within the project;
(*this page*): 'outer ring' above, and below one of two new towers to hold transcription services. (Photography: Emma Rowden)

new paradigms

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In a recent visit to French, Belgian, European and International Courts, the distinct differences between the European and American approaches to providing facilities for the justice system were clearly evident, as were the similarities – most notably, the common challenge for the courts to keep pace with a fast-changing multicultural society grown increasingly more reliant upon the legal system to resolve disputes at scales from domestic to international.

The new expansion of European Court of Justice now under construction in Luxembourg is a prime example of this mushrooming of purview, where a court that once served 6 nations will now serve the 27 countries of the European Union, with transcripts to be translated into 23(!) official languages. Of its 2000 employees, over 1000 are interpreters or translators, an enormous bureaucracy to communicate the proceedings of intramural disputes in the EU, but surely less costly than the wars that have consumed the continent throughout its history. Indeed a continuing theme through-

out these courts is the need to provide for the many different languages spoken by the people in the system.

At the scale of the regional or local courthouse, it has been noted by a number of American designers, Thom Mayne, Harry Cobb and Richard Meier most prominently, that the essential problem of the large courthouse is that the courtroom becomes buried in the web of separated circulation systems and loses its ability to be perceived as the figural element in the building composition. As the courtroom is obscured by the poche of associated support spaces, its significance is consequently diminished, and the opportunity to communicate a statement of transparency in the judicial system is lost. The sense of the courtroom housing a process that is visible and accountable to its community morphs to one where the process occurs solely within the domain of the bureaucracy that is responsible for administering it, with reduced opportunity for the public to view, understand and accept the validity of its outcomes.

In noteworthy attempts to address this dilemma, Thom Mayne's Eugene Courthouse pairs the courtrooms as towers linked by undulating ribbons of circula-

tion, and with only four courtrooms is able to achieve their formal expression, albeit in highly abstracted form. In his Islip and Phoenix courthouses, each with over twenty courtrooms, Meier is able to free only one courtroom from the block of the building, and proposes that courtroom as the symbol for the processes taking place in the other two dozen courtrooms. Cobb, after eloquently stating the case for restoring the courtroom to its figural place, is only able to make the entrance doors visible to the public realm in his Boston courthouse.

In the French and Belgian courthouses of Richard Rogers and Bernard Kohn, this conflict between figure and its necessary accretions is resolved in ways that stand in sharp contrast to current practice in the US. The expressive potential of the courtroom as symbol of an exalted process is exploited to perhaps its highest potential in Rogers' Bordeaux courthouse where the seven courtrooms are fully revealed as separate elevated objects. The inventive power of the scheme lies in the clarifying simplicity of its organization: the essence of the courthouse is reduced to two elements, courtrooms and administrative block, each set on opposing plinths and united by a hovering roof plane. The courtrooms are expressed as highly sculptural wooden vessels, set in contrast to the mute neutrality of the glass office block. Freed from the enveloping crust of support spaces typical of the American courthouse typology, each courtroom is a discrete monument announcing the building's purpose and meaning, without need of an intervening architectural overlay. The circulation elements that connect to the courtrooms – open bridges and stairs – emphasize the separation of the bureaucratic elements of the court

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from the courtroom, implying that all who enter the room do so openly and equally, without special advantage.

This perception may have special meaning in a French court, where judges participate in both the investigations and the jury deliberations, in a system that prioritizes the pursuit of justice over the protocol of due process as in American and English courts

In a more recent courthouse in Antwerp, Belgium, Rogers is able to maintain the dominant expression of individual courtrooms at the scale of a major urban courthouse, with over 30 courtrooms that announce their presence with soaring metal roof structures to capture light and dynamically shape each courtroom. The extensive program of administrative space is organized into two opposing sets of three wings linked by a glazed central hall. The slender fingers of offices set into the landscape bring daylight and natural ventilation to all the workspaces and are part of a sophisticated sustainability strategy typical of Rogers' practice. Like Bordeaux, the plan is characterized by an elemental clarity that reduces the complex program to its essence – central hall, office wings and courtrooms. The transform-

ing invention here is that all the courtrooms are placed on the roof above the three story plinth of offices, exalting their position symbolically and freeing them in section to be boldly and sculpturally expressed. Unlike Bordeaux, and perhaps more instructive from the perspective of US practice, the plan of the courtroom floor is somewhat more conventional, with shared meeting rooms embedded between the courtrooms, yet without inhibiting their individual expression.

These themes were first explored by Rogers in his European Court of Human Rights in Strasbourg France. The two courtrooms are expressed as metal clad drums flanking a central public hall with an open stair and elevator adding drama to the processional ascent to the courtroom. The office wings of the judges' offices are organized as long slender bars as in Antwerp, allowing for ample daylight and natural ventilation opportunities.

Bernard Kohn's finely crafted Montpellier courthouse recently constructed in the south of France represents a very different expression of the courthouse program. Utilizing the formal strategies and material vocabulary of his mentor Louis Kahn, the architect created a courthouse that



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successfully operates as urban infill within a dense medieval city, yet results in a building with the courtrooms articulated as figural elements, animated with abundant daylight and unified with clear and generous circulation. Although similar to Bordeaux in the plan relationship of object-courtrooms to administrative offices, this stone-clad concrete building takes a different view of the role of the courthouse in the city, eschewing monumentality and Bordeaux's exuberant expressionism for a more casual civility, perhaps consistent with its Mediterranean context. Expressed as a consistent horizontal mat of three stories, the building presents a finely scaled urban courtyard as its offering to the city, leaving the individual courtrooms to be expressed only upon entering the building.

The many examples of new French and European courthouses represent ambitious architectural projects that express a contemporary sensibility while often retaining traditional formal expressions of procession and monumentality. While many of the differences between these and American courthouses

can be attributed to programmatic variances resulting from dissimilar judicial systems, the forward looking, and even experimental nature of the architecture is in marked contrast with the contextual designs characteristic of most American public buildings. These designs are the product of a system primarily based on open competitions, that tend to reward designs that push the envelope of possibility.

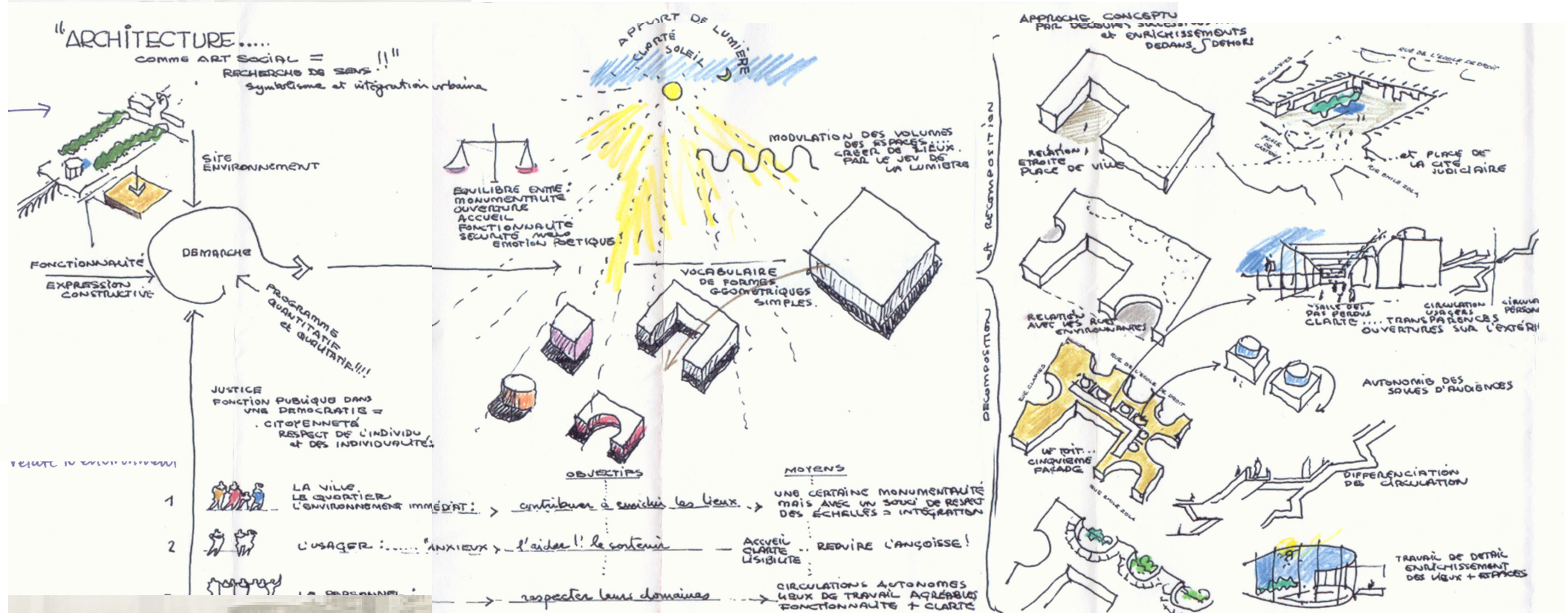
The GSA Design Excellence notwithstanding, American public building design tends to be heavily conditioned by the taste of public officials loathe to offend the sensibilities of an electorate often hostile to modern architecture. The challenge to designers to express the dignity and authority of the judiciary, while still communicating a contemporary sense of accessibility to the process parallels the architectural challenge of expressing these values in a building that speaks of our time.



(previous page): European Court of Human Rights - view showing two metal drums containing the courtrooms (Photography: Jean-Paul Miroglio); view looking towards ceiling of central circulation hall (Photography: Emma Rowden)
(this page): architect Bernard Kohn speaking to the delegation (Photography: Laurie Newhook)

montpellier sketches

Bernard Kohn
architect



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credits

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Delegates at Montpellier (old) Palais de Justice.
(Photography: Emma Rowden)