



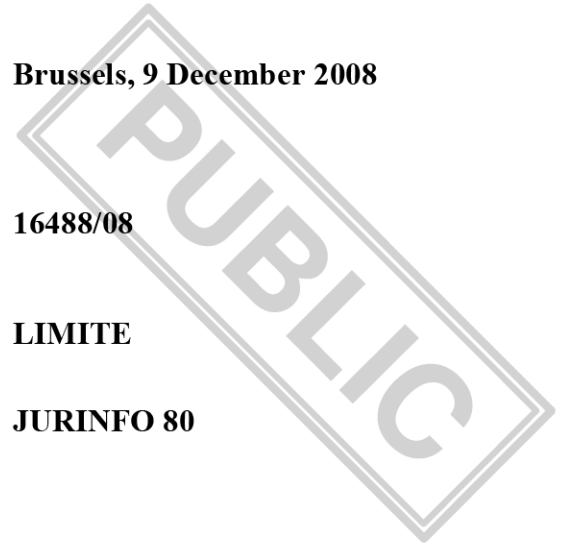
**COUNCIL OF  
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**NOTE**

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From:	Office for Official Publications of the European Communities
To:	Working Party on Legal Data Processing
Subject:	Future of the Official Journal

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The future of the Official Journal is to be considered in the general framework of the future of legal, juridical and administrative information in the European Union. Against this background the present document will expose:

- general principles,
- the related publication constraints,
- the technical and editorial means available.

As a conclusion, the status of the Publications office projects will be presented.

**A) GENERAL PRINCIPLES :**

The future of the Official Journal is to be considered in the general framework of the future of legal, juridical and administrative information:

- with a legal basis either in the Treaties or in the Secondary law,
- emanating from EU or national Institutions,
- concerning European Union citizens, economic operators among which (but not only) lawyers, public institutions and their members, European Institutions and their administration.

This first classification grid allows for structuring the mass of documents to publish and to tune the publication constraints accordingly.

A chronological grid can be superimposed to this classification to distinguish between the preparatory acts, the adopted acts and the subsequent acts or juridical decisions. For example, formal publication of competition notices for recruiting civil servants, results from regulation 259/68 from Council which was preceded by a series of preparatory acts (proposal from the Commission, Parliament opinion, Court of Justice opinion, etc.).

Finally, there are documents with direct legal application (regulations, competition notices, for example) and other the consequences of which are no less real but less direct (law cases for example).

These 3 criteria define broad categories of documents and one can then apply to them different publication modes with various degrees of reliability, security and so optimise the dissemination of the documents.

#### B) PUBLICATION CONSTRAINTS:

The adopted acts require the strictest publication constraints when the publication is a precondition to their entry into force and when they are of general application. This constitutes the first category of documents.

Publication constraints are then:

- multilingualism (and synoptism as a corollary),
- integrity (the document you get is exactly as it has been published),

- authenticity (the text emanates from the competent authority and has not been modified),
- publicity,
- time stamp,
- unique and unambiguous identification,
- long term archival.

At the other end of the range, there would be informations like, for example the list of public holidays in all Member states (published because it is foreseen by a regulation). There, the only constraints seem to be integrity and publicity, which does not mean that the publication of it should not be fully multilingual or archived indefinitely or clearly identified, simply this is not mandatory, it is a decision to take.

### C) TECHNICAL AND EDITORIAL MEANS:

#### 1. Technical means :

The available technical means are 'traditional' publication, meaning that the page remains as a way to organise the text be it on paper or on electronic media, publication on the Internet and database publishing on DVDs.

#### 2. Editorial means :

Editorial means are the Official Journal and EUR-Lex.

- 2.1. The Official Journal: on paper, as it is presently the case, it answers all the criteria of the first category; the Office is working on projects to bring the electronic version to the same status.

**Orientation:** making the publishing process even more reliable, taking into account that all the processes now are based on electronic transmissions; for the medium term, keep the paper version along with the electronic version as media having legal value. This will ensure that in any case, an act will be published one way or the other.

2.2. EUR-Lex publishes on the Internet the Official Journal, among other publications.

**Orientation:** this part of EUR-Lex need be made totally reliable and secure to answer the first category requisites. Although this is not the way that has been chosen, it must be said that the simultaneous publication on paper would have allowed lighter solutions. For example: a gap in the archive may be filled by digitising a paper copy from the paper archive.

EUR-Lex offers also a wealth of other possibilities:

- Documentary publications (directories, consolidation, etc.),
- links to the registers of the Institutions or to databases (e.g. TARIC),
- thematic indexation by key words (EUROVOC, the Office multilingual thesaurus is unique in the world) and juridical indexation (relations between different legal acts),
- **Orientations:** to expand the legal and juridical information in EUR-Lex by giving the history of an act legal processing as recorded in PRELEX and to broaden the coverage of EUR-Lex so as to guarantee access to a maximum number of documents from the European Institutions but also from the national law and jurisprudence related to European matters.

#### CONCLUSION:

In a very pragmatic way, the Office has undertaken the following projects:

- Make more reliable the production process starting in each Institution from the service with competency to publish in the Official Journal. Resources have already been foreseen to monitor the process, from the manuscripts arrival until the archival of the Official Journals. The new production contracts, in force as of 1 April 2009, contain extra provisions concerning reliability at the contractor's and also the delivery in an additional technical format PDF/A better suited for long term archiving;

- Institute a secure kernel within EUR-Lex for the daily publication of the Official Journal. To this end, a service level agreement, SLA, is being negotiated with the IT general directorate of the Commission, DIGIT. During the coming 2 to 3 years, the complete IT architecture of EUR-Lex will be renewed and the site itself to bring it up to the most modern standards and to offer simple but powerful search tools to the users. Last but not least, an electronic signature will be operational before mid-2009, so that a certified version of the Official Journal will be available alongside the ‘working document’ version;
- Enrich the editorial and contextual information concerning the acts published which is another way to make the Law more accessible to the citizen. New directories have been or will be created, one for the preparatory acts and one for the consolidated texts. Thematic dossiers will be published more frequently on topics of public interest ; they will be preceded by explanatory texts;
- Expand EUR6Lex coverage to include any relevant document or site like Prelex, history of the legislative processes, N-Lex, access to national legislation on European matters, TARIC, common customs tariff, etc. with the aim to make of EUR-Lex, the only portal to the European legislation and jurisprudence with this motto: EUR-Lex, Europe, your Law.

During the first quarter of 2009, the management committee of the Publications Office will invite the Institutions to decide on the legal value of the electronic edition of the Official Journal.