



Séance académique « 25 années de droit  
européen en ligne »  
23 novembre 2006  
Hémicycle, Luxembourg

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### Access to EU law and eLaw – visions and challenges

Your Royal Highness, ladies and gentlemen

We are here celebrating the 25 years of EU law online. This quarter of a century has not always been an information highway. It has been a long and winding road - and a success story in providing access to EU law for millions of users.



As we have noticed in the press release of this celebration, “ignorance of the law is no excuse” is still a valid principle. “Ignorantia juris non excusat” is a rule of Roman law and very suitable for EU law online. Other principles of Roman law, such as “in dubio pro reo”, are found in the judgments of the European Court of Justice in electronic CELEX and EUR-Lex systems. When the first electronic system on EU law got its name, it was a Latin name *Communitatis Europae LEX* – to reach harmony and unity in the multilingual community. The Finnish Broadcasting Corporation has had since the late 1980s a weekly news broadcast in Latin – showing that the Latin language still prospers. The Finnish EU presidency supports this tradition with the weekly EU news in the presidency website [www.eu2006.fi](http://www.eu2006.fi) in Latin language.

The old rules and principles are important when discussing the **future visions** and **challenges** of EU law. The Roman law principles were clear and logical and easy to implement – in theory. Today we live in a different world, but still EU law needs the same approach – with clear



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language and logical legislation. It was agreed already in 1998 in the interinstitutional agreement that Community legislative acts shall be drafted “clearly, simply and precisely”. I am not sure that we have reached this goal in all sectors of legislation yet.

It is an objective also at the national level. Last year the European Commission adopted a communication on **better regulation**, which aims to improve the efficiency of the measures for better regulation at both the Community and the national level, as part of the Lisbon Strategy. In Finland we have a national plan of action for better regulation (PARSA, in direct translation: asparagus).

It is a difficult task to predict the future of EU law, especially EU law online. I would like to discuss two future visions – technical and human. **Technology changes, but we humans don't change.** The technological progress has been rapid. As recently as eleven years ago we were not able to use CELEX on the Internet – I am sure that only few of you know that CELEX was first available via the Finnish legal data bank FINLEX in March 1996! Thereby we can also celebrate today the first ten years of CELEX on the Internet.

What do we have in next ten years, in 2016? We are probably still using EUR-Lex, but we not necessarily notice that it is EUR-Lex. It will be a built-in service **inside** a number of technical tools – all kinds of pods, mobile toys, word processors and microchips. It is certain that the future of EU law is eLaw – **eLaw meaning law which is electronic, efficient, ergonomic and European law.** The Official Journal of the Union in 2016 is probably an authentic electronic journal, with some paper copies distributed to the Member States.

In 2016, the **EU law will certainly be more connected to national law.** From the current N-Lex service, giving access to national law in a single portal, we are moving towards a new Legal Information Network in Europe. This kind of LINE network gives access not only to law, but also





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to judgments of national courts, preparatory acts and legal literature in the Member States. eLaw will coexist with eJustice.

What is the human vision? **Access to law and transparency of decision-making** will be as important as they are today. It is not only **getting** the texts of documents but also **understanding** the contents of the document. Access to various preparatory documents of EU institutions will be of utmost importance. The **public document registers** of the EU institutions serve as a starting point for further development.

**In 2016, the citizens and professional users have easy access to consolidated texts of legislation.** The consolidated, that is updated texts of original acts, are the most usable texts for all users of legal information – for the citizens, public authorities and the practitioners of law. The original text of any thirty-year old directive is nothing without the amendments incorporated into it. Already today we have access to a large number of consolidated acts, but by 2016 the coverage will be 100%.

**Understanding is based on language.** Today we have EU law in twenty languages, after two months in 23 languages. The **multicultural challenge** to all of us is the transformation of the compromised legal language (some call it eurospeak) to the language of the citizens. The Austrian philosopher Ludwig Wittgenstein has stated that “The borders of my language are the borders of my world”. How very true. We live in a world which we perceive according to our cultural framework. We need to remember that “No directive is an island”.

( In Finland the courts need to compare different language versions of directives, in order to find the “correct meaning” of the law. For the citizen, this kind of daily analysis is practically impossible. I hope that the online services of EU law will be of assistance in this problem, by providing for example summaries of legislation and a useful ABC of EU law, explaining the terminology. )





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Another challenge is the **massive flow of information and the complexity of decision-making**. Last year a total of 700 new EU regulations, 800 decisions and 100 directives were published. Even if the number of legislative acts could be smaller in 2016, it will be a challenge to keep pace with this flow. Therefore we need some kind of filter or a messenger, selecting the relevant pieces of legislation for us. The Lex Alert service in EUR-Lex, with user profiles and e-mail alerts on new legislation, is the first step in this direction.

( For those who want to know the current phase of any act in the decision-making process, we need **a monitoring tool**, showing the exact phase in process. In 2016 we will probably have access to the second generation version of PreLex service.)

As we have noticed, there are huge challenges in the future of EU law. We can still be optimistic about the future. We have the **common European objectives** of better regulation, striving towards simplification and consolidation of EU legislation. We also have the excellent tools for accessing the EU law, with EUR-Lex, N-Lex and PreLex. **“Where there is a will there is a way”** applies to the future of EU law online as well. And today we are sure that there is the will.

