

History and Objectives of the European Forum of Official Journals

A critical reflection

I

In 1998, having contemplated two very impressive, albeit very different, realities – a political and institutional one with the affirmation of European Union and a technological one with the spread of new information technologies – the INCM decided to sponsor the first Forum of European Union Official Journals in Lisbon, to which it invited the directors of the Official Journals of Spain, France, Italy and Greece and the director of the Official Journal of the European Communities.

From this pioneering Forum I recall our colleagues Vassiliki Tsiabida of Greece, Júlio Seage of Spain, Giuseppe Fiandanese of Italy and Lucien Emringer of the EU Official Journal. For a variety of reasons, they no longer represent their institutions, but their contributions to the Lisbon Forum were outstanding. Allow me also to take the opportunity to greet, in particular, Jean-Paul Bolufer of the French Official Journal, like myself a veteran of that inaugural Forum.

Some of the objectives set out in the conclusions of the Lisbon Forum, are still topical, such as the need to interconnect the different EU Member States' legal databases, the advantage of opening up the OJ databases to those set up by public and private entities with which it may have substantive links, the imperative need for reliable OJ content, the creation of a vocabulary "thesaurus" to lend rigour and unfailing equivalence to the concepts and terms of the Union's legal systems, legislative and documentary consolidation, the need to adopt technological solutions to enable information to flow between the portals of the different OJs, the emphasis on the role of the OJs as guarantors of the dependability and exactness of publications in various media – such as paper and the Internet – and of instruments which must be published as a way of conferring transparency on our countries' political, economic and administrative lives within the European Union.

II

The aims laid down in the record of the Lisbon Forum were developed and pursued by a wider body of participants at the Forum held in Paris in 2001 under the auspices of the French OJ and chaired by its Director, our friend Jean-Paul Bolufer.

III

In April 2003, as part of the events in Luxembourg commemorating the fiftieth anniversary of the Official Journal of the European Communities, led by its Director, our esteemed friend Thomas Cranfield, we proposed creating a Forum which would bring together all the OJs of the European Union.

The idea met with unanimous approval, and a working party was immediately set up. Albert Van Damme represented the Belgian OJ, Jean-Paul Bolufer the French, Francesco Nocita the Italian, Jirí Kaucký and Emil Horcicka the Czech Republic, Albrecht Berger the EU OJ and I myself represented the Portuguese as we took up the task of framing the statutes which we will put to the vote today.

IV

It is therefore a particular pleasure to be here today to contribute alongside everyone else here to the solemn founding of an association – the Forum of Official Journals of the EU – at the end of a journey which elicits some critical reflections on our shared future.

V

I am, of course, particularly keen to salute the good will of all the representatives of the OJs who saw fit to embrace this common cause.

In all honesty, for thousands of the most diverse and discrete reasons, Europe has not always been a haven of neighbourliness, sharing and convergence. Like thousands of Portuguese of my generation, I myself crossed the Equator before I crossed the Pyrenees to physically enter the presence of Europe in a centralising perspective in which I see myself reflected by history and culture.

We cannot hope to advance any consistent cause without taking due account of these essential vectors – culture and history – which are the bedrock of Europe and its touchstone in relation to other continents.

Who among us can fail to be moved by the Greeks' legacy of the divine art of reason? Who is not awed by the depth of German philosophy? Who is not stirred by the French revolution, the fountainhead of the freedoms of the modern State? For these very reasons, every one of us can say I am Greek, German or French or, for a thousand other equally valid reasons, can be proud to be Italian, English, Swedish or a native of any of the other countries which comprise our common cause.

And yet, how often have we been at odds! We have not always been wise in Europe, and no one can deny that the *raison d'être* of the European Union lies in the unbearable catastrophes which ravaged twentieth-century Europe, which — fortunately — some visionaries managed to redeem by creating our united Europe.

VI

Now, fired by history, culture and the example of our pre-eminent fellow citizens, our project must cut to the core: the EU will be built on thousands of worthy projects which will bring 450 million citizens together effortlessly, directly and, if possible coherently, just as we hope our project will, in terms of legislative principles, knowledge of the acts of public administrations and key judicial decisions, the acts which evince the pulse of every country's economic operators and contracts which have to be made public.

For this reason, a judicious balance will always have to be struck between the Official Journal of the Union and the Member States' journals, in the knowledge that these will always guarantee close relations between the citizens of every country, but it falls to every one of us to create the network which will bring us closer and the portal which will reveal us to all and drive us towards broadly uniform criteria.

VII

Everyone of us knows that the acts published in the OJs are not owned by the Journals themselves but by their originators, whether individuals or sovereign bodies, but we all have an inalienable responsibility for the complete reliability of our publications, whether they appear on paper, in electronic or any other form.

The way in which we are called to build our common future starts out from a rigorous knowledge of each other, in terms of institutions, content and the technologies and media used.

The Working Group set up at the meeting in Luxembourg has carried out important ground-breaking work in this regard, on the strength of the survey distributed to all the OJs, the responses to which have given us the first broad based, valuable and reliable information to guide our steps in the future.

Speaking of this work, we cannot overemphasise the tireless hard work of our colleagues László Kodela of the Hungarian OJ and Albrecht Berger of the EU OJ, which I heartily commend to you.

VIII

I am bound, however, to voice my apprehension at the oppressive weight acquired in this day and age by one concept – the market – which is sure to be the major decision-making area in future.

We cannot disguise the real importance of this reality with a clear conscience; we have to point out its shortcomings and the reductive perspective which it has of mankind itself: the market sees every individual essentially as a consumer or a mere economic operator.

The content of the information which we put across is aimed, fundamentally, at human beings as citizens, as the bearers of rights and obligations, and the Official Journals can guarantee them an area of security, truth and transparency.

At the dawn of the twenty-first century, we all know that information is an important product of the market and a fundamental instrument of power.

We have to relocate the fluidity and reliability of this information, not within the economic confines of the market but within the bounds of national or European citizenship supported by the institutions which we represent here as the emanation of the Member States of the European Union.

IX

The statutes which we will vote on today are the fruit of the efforts of the Working Group set up in Luxembourg in April 2003, whose members are due our thanks. Their mission, now achieved, today comes to a natural end.

These statutes should stress, in particular, the aim of giving the Forum a very simple organic structure, with an annual presidency rotating among all the Official Journals and briefed by two figures: the President's predecessor and his successor in office. The EU Official Journal will provide a permanent secretariat, guaranteeing technical support of which no one else can provide the equivalent, and will also have an important role as the documentary record of the Forum.

X

At this point, without prejudice to the future course of our Forum, I dare to propose one more small step, that of committing ourselves to creating an Internet portal providing access to all the OJs which we represent here, thus generalising a procedure which some of us, including the Portuguese Official Journal, have already adopted.

In this way, no other entity can set out to outstrip us or to usurp the fundamental role which we cannot decline and which we must fulfil.

XI

To conclude, let me say that I have no misgivings about the fact that our Official Journals reflect very disparate economic and technological weights. I have no qualms that the more powerful might set out to lord it over their smaller peers. In these days and in this context, this will be a non-issue. Europe knows from bitter experience that this is unsustainable, a dead end. No, the wise course is to encourage the convergence of creative minds with whom we can face the future as a concerted project. A metaphor comes to me from my rugby playing youth: we all know that a good rugby team has to have players of very different statures and weight and that there are no individual plays as a rule. No sport, in fact, demands such cooperation, such a sporting ethic and such team spirit to succeed.

And it is with this metaphor that I would like us to embark on the common project which the future holds for us: the Forum of the OJs of the EU.

May I say in passing that we would have been hard pressed to choose a better place to formalise this than Vienna, the capital of music, the art to which, Jorge Luis Borges said, all other arts aspire and in which form and substance are absolutely inseparable. I therefore wish to thank the Austrian authorities, and Mr Schissel in particular, and to wish him the greatest success as President and offer him my constant loyal cooperation. Thank you for the wonderful opportunity to meet in Vienna, where we have played our part in setting up a new body which will be our shared responsibility and will, I trust, be inspired by everyone from the very first act, by which it was created.

Thank you

João Esteves Pinto
Imprensa Nacional-Casa da Moeda - Lisbon