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NOTE

From:	Working Party on e-Law (e-Law)
To:	Delegations
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Subject:	Draft Council Conclusions on the European Legislation Identifier

Delegations will find in the Annex draft Council Conclusions on the European Legislation Identifier, as revised according to comments made by delegations during the meeting of the Working Party on e-Law (e-Law) on 16 May 2017 and during the summer, in writing.

This text will be submitted to Coreper/Council for adoption as soon as possible.

**DRAFT COUNCIL CONCLUSIONS
ON THE EUROPEAN LEGISLATION IDENTIFIER**

I. INTRODUCTION

1. Article 67(1) of the Treaty on the Functioning of the European Union provides for the constitution of an area of freedom, security and justice with respect for fundamental rights and the different legal systems and traditions of the Member States.
2. A European area of freedom, security and justice in which judicial cooperation can take place requires not only knowledge of European law, but also mutual knowledge of the legal systems of other Member States, including national legislation.

II. THE EUROPEAN LEGISLATION IDENTIFIER

3. The European Legislation Identifier (ELI) aims at facilitating access to, sharing and interconnection of legal information published through national European and global legal information systems.
4. ELI is used to create a more open, direct and transparent system of access to legislation for citizens, businesses and administration at EU level and beyond.
5. Deploying the ELI identifier and structured metadata to reference and classify legislation guarantees easier access to legal information and facilitates its exchange and reuse. As an example, ELI is used to streamline the process by which national transposition measures are notified to the Commission and their publication by the Publications Office on the EUR-Lex website.

6. In particular, the ELI system:
- a) promotes interoperability between legal systems, thus facilitating cooperation on legal matters between national administrations and contributing to the creation of the European Union's area of freedom, security and justice;
 - b) acts as a driver for transparency and openness, reinforcing the legitimacy and accountability of the Member States that use it;
 - c) allows users to manually compose ELI URIs, providing them with a faster and easier way to access to the legislation they are looking for;
 - d) makes searching across legislation in different legal systems more efficient for citizens and legal professionals;
 - e) improves effectiveness of legal publishing workflows, thus leading to better quality, reliability of legislation as well as cost savings;
 - f) allows the smart reuse of legal data and creates opportunities for the development of new services by the private sector, thus contributing to the development of the Digital Single Market.
7. The Council is invited to adopt the following conclusions.

III. NEEDS

8. National and European Official Journals and Legal Gazettes portals provide access to information about legislation and other official publications.
9. Knowledge on the substance and application of European Union law can be acquired from EU legal sources and from national sources, in particular from national legislation implementing European Union law.
10. Cooperation within the European Union has increased the need for legal information originating from regional and national authorities to be identified and exchanged at European level. This need is partially met by making legal information digitally available and the widespread use of the internet. However, the exchange of legal information in electronic form is hampered by the differences that exist between the various national legal systems, as well as the differences in the technical systems used to store legislation and display it on national websites. This hampers interoperability between the information systems of national and European institutions, despite the increased availability of documents in electronic format.
11. The use of the European Legislation Identifier (ELI), based on the principle of voluntary and gradual adoption, helps overcome these problems. By opting to use unique identifiers, assign structured metadata to national legislation in Official Journals and Legal Gazettes and publish the metadata in re-usable format, Member States can enable effective, user-friendly and faster searching and sharing of information, as well as efficient search mechanisms for legislators, judges, legal professionals and citizens.

IV. SOLUTIONS

12. Each Member State should continue to operate its own national Official Journals and Legal Gazettes as it sees fit.
13. However, a common system for the identification of legislation and the structuring of the associated metadata is regarded as a useful means of facilitating the further development of interlinked national legislation and serving legal professionals and citizens in their use of these legal information systems.

14. ELI shall guarantee cost-effective public access to reliable and up-to-date legislation and is subject to voluntary and gradual introduction. To this end:
- a) ELI creates a unique identifier for the legislation, which is readable by both humans and computers, and which is compatible with existing technological standards ('ELI pillar 1');
 - b) ELI proposes a set of metadata elements to describe legislation in compliance with a reference ontology ('ELI pillar 2');
 - c) ELI permits a greater and faster exchange of data: when these metadata are embedded in the respective webpages of the Official Journals and Legal Gazettes or legal information systems, information can be exchanged automatically and efficiently, thanks to the benefits from the emerging architecture of the semantic web, which enables information to be directly processed by computers and humans alike ('ELI pillar 3').
15. ELI gives the Member States and the European Union a flexible, self-documenting, consistent and unique way to reference legislation across different legal systems. ELI URIs are a stable means of uniquely identifying any legislative act throughout the European Union, while taking into account the specificities of national legal systems¹.
16. ELI takes into account not only the complexity and specificity of regional, national and European legislative systems, but also changes in legal resources (e.g. consolidations, repealed acts etc.). It is designed to work seamlessly on top of existing systems using structured data and can be taken forward by any national legislation publisher at European level and beyond at their own pace.

¹ The European Case Law Identifier (ECLI) ¹, applicable on a voluntary basis, provides a European system for the identification of case-law. ELI identifies legislative texts which have different and more complex characteristics, and the two systems are complementary. The Council requested the introduction of the European Case Law Identifier and a minimum set of uniform metadata for case law by way of conclusions (OJ C 127, 29.4.2011, p. 1).

17. Apart from Member States, candidate countries, Lugano States² and others are encouraged to use the ELI-system.

V. STATE OF PLAY

18. Following the Council Conclusions of 26 October 2012, the following recommendations have been put into practice:
- a) The ELI system has been deployed in a number of national legislation publishing systems (pillar 1 and/or pillar 2 and/or pillar 3). The list of implementing national legislation publishers can be found in the ELI registry: <http://eurlex.europa.eu/eli> ;
 - b) ELI has been applied to European Union legislation which can be found in the *Official Journal of the European Union* and the EUR-Lex portal operated by the Publications Office of the European Union;
 - c) The Publications Office of the European Union, acting in accordance with Decision 2009/496/EC³, has integrated ELI into the EUR-Lex portal;
 - d) The Publications Office of the European Union hosts and maintains on its EUR-Lex portal a register of national ELI coordinators, information on the format and use of ELI in the participating countries, and other useful documentation.

VI. CONCLUSION

19. The Council welcomes the initiative of a number of Member States to implement ELI on a voluntary basis at national level.

² Iceland, Norway and Switzerland.

³ OJ L 168, 30.6.2009, p. 41.

20. The “Task Force European Legislation Identifier”, short "ELI TF", is the body created by the eLaw/eLaw Working Party of the Council of the European Union to define ELI-related specifications and to ensure their future evolution and maintenance in a structured framework:
- a) The ELI TF drafts specifications that together form the ELI standard are accessible on the Publications Office of the European Union internet site:

<http://publications.europa.eu/mdr/eli/> ;
 - b) The ELI TF defines a set of processes to change and maintain the ELI specifications foreseeing the involvement of interested ELI stakeholders, ensuring evolutions are backward compatible to guarantee that existing implementations are not impacted;
 - c) The ELI TF drafts a number of best practice guides and developed a number of resources, which are accessible from the ELI registry:

<http://eurlex.europa.eu/eli/> ;
 - d) The ELI TF aims to help governmental legislation publishers wishing to adopt ELI by sharing knowledge and expertise;
 - e) The ELI TF is composed of the European countries that have implemented ELI.
21. The expert group of the Working Party on e-Law (e-Law) on ELI should drive forward this initiative by
- a) allowing Member States to exchange experiences and good practice on the deployment of ELI;
 - b) inform Member States about the work of the ELI TF;
 - c) report to the working party on e-Law the concerns and needs of the Member States in the light of ELI;
 - d) report the content of the meetings to the working party on e-Law.

22. The Council notes that each pillar of ELI (i.e. unique identifiers, ontology and metadata) is subject to voluntary, gradual and optional introduction.
23. The pillars of ELI can be implemented independently of each other, but the combination of all of them will give the full benefits of ELI. The Council invites the Member States who decide to introduce ELI on a voluntary basis:
- a) to apply ELI to pieces of national legislation which can be found in national Official Journals, Legal Gazettes or legal information systems operated by Member States;
 - b) in the manner they consider technically most feasible, when publishing pieces of national legislation in national Official Journals, Legal Gazettes or making them available in their legal information systems:
 - i. to assign a unique identifier to each piece of legislation, based on a template using some or all of the components set out in the specifications;
 - ii. to include some of the metadata and ontology as set out in Annex 1 under 3. ELI Referential Sites;
 - iii. to serialise that metadata on the webpages of the Official Journals and Legal Gazettes.
 - c) to appoint a national ELI coordinator;
 - d) to share and disseminate information on ELI;
 - e) to discuss each year in the Council Working Party on the progress made with the introduction of ELI and metadata for national legislation.

Main elements of information and references

1. On national implementation

1.1. The national ELI coordinator

1. Each country using ELI must appoint a single national ELI-coordinator.
2. The national ELI-coordinator is responsible for:
 - a) reporting on the ELI implementation status;
 - b) sharing and reporting on the applicable URI template(s);
 - c) sharing and reporting available metadata and its relationship to the ELI metadata schema (if applicable);
 - d) providing the above information to the ELI TF e and the Expert Group for publishing on the ELI-Register website.

1.2. Implementation

1. The implementation of ELI is a national responsibility.
2. ELI may optionally also be used within the published form of the legislative act itself, to facilitate easy referral.

1.3. ELI within the EU

1. The ELI coordinator for the implementation of ELI at the level of the European Union is the Publications Office of the European Union.
2. Where appropriate 'country' or 'Member State' should be read as 'EU'.

2. Elements of ELI

The following elements of ELI address these requirements on a technical basis (ELI pillars). The ELI pillars can be implemented independently of each other, but the combination of all of them will give the full benefit of ELI.

2.1. Identification of legislation — ways to uniquely identify, name and access national and European legislation ('pillar 1')

ELI uses 'HTTP URIs' to specifically identify all online legal information officially published across Europe. These URIs are formally described by machine-readable URI templates (IETF RFC 6570), using components that carry semantics both from a legal and an end-user point of view. Each country will build its own, self-describing URIs building as far as possible on the described components described and taking into account its own specific language requirements. Countries are free to select and arrange the components in the way that best suits their requirements.

The components are more fully defined and available on the internet sites cited in point 3 "ELI reference sites".

2.2. Properties describing each legislative act ('pillar 2')

While a structured URI can already identify acts using a set of defined components, the attribution of additional metadata established in the framework of a shared syntax will set the basis to promote and enhance interoperability between legal information systems. By identifying the metadata describing the essential characteristics of a resource, countries will be able to reuse relevant information processed by others for their own needs, without having to put into place additional information systems.

Therefore, while countries are free to use their own metadata schema, they are encouraged to follow and use the ELI metadata standards with shared but extensible authority tables, which allow for specific requirements to be met. The ELI metadata schema is intended to be used in combination with customised metadata schemas.

An ontology represents a formal description of a set of concepts and relationships in a given domain. Describing the properties of legislation and the relationships between different concepts makes a shared understanding possible and avoids ambiguities between terms. Being a formal specification, an ontology is directly machine-readable.

The ELI metadata is formalised through the ELI ontology, building on the well-established model for 'Functional requirements for bibliographic records' (FRBR, <http://archive.ifla.org/VII/s13/frbr/>), aligned with other current standardisation initiatives in the field.

The maintenance of the ontology is governed by the ELI TF.

2.3. Making the metadata available for data exchange ('pillar 3')

For the data exchange to become more efficient, ELI metadata elements may be serialised in compliance with the W3C recommendation 'RDFa in XHTML: Syntax and Processing' (RDFa). Member States may choose to add further serialisation formats in addition to RDFa.

3. ELI reference sites

The EUR-Lex portal hosts the register of national ELI coordinators, information on the format and use of ELI in the participating Member States and other useful information:

<http://eurlex.europa.eu/eli>

The reference version of the ELI ontology is maintained by the ELI Task Force. This version, including all previously published versions and their release notes, are freely accessible in the Metadata Registry (MDR) hosted by the Publications Office of the European Union:

<http://publications.europa.eu/mdr/eli>