



Brussels, 11 December 2013
DG JUST B2 / MM

**Report of the
9th meeting of the subgroup on the European Case Law Identifier (ECLI) of the
Group of technical experts on the European e-Justice Portal
Brussels – 20 November 2013**

1. WELCOME AND INTRODUCTORY REMARKS

The meeting started at 14:00 with opening remarks by the European Commission. With regard to the report of the previous meeting **Belgium** asked for a correction on page 3, where the sentence should read as follows: “**Belgium** noted that national numbers would also be used less often with the gradual adoption of ECLI”. The agenda was adopted.

2. PROGRESS SINCE THE LAST MEETING

The Commission gave a brief overview of its activities in the implementation of the ECLI search engine as part of the European e-Justice Portal (‘the Portal’). **The Commission** reported that regrettably the availability of the production ECLI environment had been delayed by approximately one or two months. However, **the Commission** noted that the test environment was already available.

3. NATIONAL IMPLEMENTATION OF ECLI – TOUR DE TABLE

A brief “*tour de table*” regarding the state of play of the implementation of ECLI in the participating Member States / organisations had the following outcome:

- The **Czech Republic** informed the group that they had addressed all outstanding issues and were awaiting further feedback from ARHS. The data from the Constitutional Court would be introduced by the second quarter of 2014.
- **Spain** stated that all issues had been addressed and that they were ready to transmit their entire dataset.
- The **Court of Justice of the European Union (CJEU)** announced that until now the schedule has been respected. The sitemap files are located on a server at the Commission, but as ARHS Developments has no access to that server, CJEU has sent some samples to ARHS and is waiting for the test results.
- The **European Patent Office (EPO)** noted that a first analysis was ready, but the integration had to be postponed to February 2014.
- **Finland** informed the group that they were a bit behind schedule. By January 2014, Finland would be able to assign an ECLI to and provide 300.000 documents.

- **Italy** stated that work on the introduction of ECLI was on-going. Initially ECLI would be assigned within the courts dealing with civil law matters, followed by the criminal law courts in 2014.
- **Belgium** noted that regarding ECLI, two court codes had to be changed. Belgium also stated that as a result of new planned legislation there was on-going work towards the creation of a national competent body which would also be responsible for dealing with the implementation of ECLI.
- **The Netherlands** reported that there was now a decision to proceed with the project and provide ECLI information as of early 2014.
- **Slovenia** noted that some bug fixing had been done and the publication process had already been fully automated. **Slovenia** reported that they were ready for production operation.
- **Estonia** explained that they planned to join the project at the beginning of 2015 following the introduction of a new court system in 2014.
- **The Publications Office** informed the group of no major developments.
- **The Network of the Presidents of Supreme Courts** confirmed their observer status. Their search engine did not presently allow the use of ECLI.
- **ACA-Europe** announced that all technical issues encountered by the contractor had been resolved and that around 80 decisions from **NL, FI and CZ** were now published.

4. PORTAL IMPLEMENTATION

ARHS Developments gave a presentation on:

- The ECLI search system
- The integration of providers and
- Open points addressed to participants

On the ECLI search system, **ARHS Developments** reported that all functionalities had been implemented. The project was now in its transition phase which would finish in March 2014. This was followed by a short presentation of recent changes of interest.

Belgium made a remark concerning the lack of clarity of the text indicating the non-availability of the names of specific fields of law in certain languages. **The Commission** clarified that only fields of law specified in the ECLI conclusions would be translated and stated that they would improve the wording in this regard.

On the integration status of providers, **ARHS Developments** suggested to review the status of all participating providers.

In this respect, **Germany** said that new cases had been automatically published since August 2013 – currently there are 17.000 cases available with an estimated growth to 20.000 decisions in the first quarter of next year. Germany noted that on 6 November 2013 ECLI was introduced to *Länder* during a conference and that there were medium-term plans for the introduction of ECLI on federal level.

Spain commented that they intended to soon publish approximately 5 million decisions.

ACA-Europe had so far published decisions from **CZ, NL and FI**. Decisions of other countries (e.g. **ES, DE, FR**) would be published by ACA-Europe as soon as ECLI identifiers

were assigned to decisions of these countries. **ACA-Europe** would soon publish around 500 decisions, and start the daily publication of decisions.

Slovenia stated that the whole set of decisions (around 100.000 decisions) were already published and searchable in the demo environment. Regular publication would start, with an expected amount of 100 decisions per week. Slovenia did not expect major validation errors in the published data as a pre-validation is performed when new decisions were being added.

Concerning the **Czech Republic**, **ARHS Developments** noted that the errors identified in mid-October had been solved. Czech Republic reported that about 80.000 decisions would be provided once all technical problems had been resolved.

France - DILA was not present at the meeting and could therefore not report on its progress. **ARHS Developments stated that** initial samples of their sitemap files and sitemap index files were sent in September 2013.

Concerning the **Court of Justice of the European Union (CJEU)**, **ARHS Developments** reported that sitemap files were not publicly available at that time, but that they had already validated samples delivered by e-mail. The **CJEU** stated that they intended to publish 35.000-40.000 decisions.

The European Court of Human Rights (ECHR) was not present. **ARHS Developments** noted that examples of sitemap files had been already communicated. The estimated end date for development for the **ECHR** was set for the end of November.

The **Commission** noted that discussions with **Austria** (not present) were on-going and that **Austria** was working on the national introduction of ECLI.

The Netherlands reported that they would resume their work on the publication of decisions at the beginning of 2014. There were 1,5 million decisions with an assigned ECLI. 300.000 of those decisions were available on their public website, 250.000 decisions were in commercial databases and around 1 million decisions are in the judiciary's internal database. **Germany** asked who was responsible to assign ECLI to commercially available decisions, and the Netherlands answered that it was the responsibility of the judiciary.

ARHS Developments reminded participants of the Java sitemap generation and validation tool. Version 2 of this tool had been uploaded to CIRCABC in October.

On open points, **ARHS Developments** invited participants to provide the name which they would like to use in the system and raised the question whether these names should be translated. **The Netherlands** asked whether it was possible to display the original name along with a translation in brackets. The Commission replied that this was feasible and asked the group to decide in this regard. Participants were in favour of the Netherlands' suggestion on displaying the name in its original language(s) along with its translation.

ARHS Developments commented that the production infrastructure of providers currently integrating with the system should be ready early next year. Finally, on patent numbers, **ARHS Developments** noted that there was a request by the **EPO** on the possibility to include patent numbers as part of the reference metadata. **EPO** stressed the importance of having this

reference indicated. **Belgium** proposed that there would be two separate reference types - for patents and patent applications respectively. This was agreed.

5. AOB

In conclusion, **the Commission** thanked participants and informed them that the next sub-group meeting would take place at the end of January/beginning of February 2014.

Cc: Meeting participants, e-Justice Portal expert group, Ms Lotte Knudsen (JUST Director B)