

THE CHALLENGE OF OPENNESS AS EUROPEAN UNION INFORMATION GOES ELECTRONIC*

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Abstract: Paralleling the development of the information society, European Union institutions are making more and more information available electronically. The progress of this process is reviewed. It is a process which contributes to the openness of the EU institutions. How effective are electronic media in providing access to information? It is concluded that the journalistic and library professions will continue to play essential roles in enhancing openness for EU citizens.

1. Introduction

Openness and electronic information are both high profile topics within the European Union. They are often linked together whenever the relationship between European institutions and the citizens they serve is discussed and progress towards the realisation of the information society is under review.

A major difficulty in writing a conference paper covering these topics is that they are the focus of extraordinarily rapid change as policies develop and technology advances. This paper has to be submitted by 1 May 1997 for a conference session on 3 September 1997. Between those dates I confidently expect, for example, a re-organisation of the European Commission's Directorate General within which I serve, the Directorate General for Information, Communication, Culture and Audiovisual. This re-organisation of DG X will help to emphasise the current priorities given to information access and electronic and multimedia tools. On the wider political scene, and at the highest level of Union decision making, the conclusion of the present Inter-Governmental Conference on the revision of the European Union Treaty will certainly bring renewed interest in the meaning of European citizenship in an enlarging Union. Parallel with such organisational and political changes, a number of new electronic European information services will be seeking to prove themselves in the global market place.

In such a dynamic and evolving situation it is always best to begin from fixed reference points. For me the essential benchmarks are found early in 1994 and 1995. On 8 February 1994 the European Commission adopted a code of conduct

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covering public access to Commission and Council documents. The WWW server EUROPA was launched by the Commission a year later, in February 1995, on the occasion of the G7 Ministerial Conference on the information society held in Brussels. Virtually all subsequent discussion of openness within the Union has been about the intent and effectiveness of the code of conduct. EUROPA has developed into an inter-institutional website and its success has generated an important internal institutional process of reflection and discussion about the roles of the Internet and electronic information and their impact on information dissemination generally. The core of this paper must therefore be a progress report on the implementation and working of the code of conduct and on the availability of electronic information services.

2. The Code of Conduct Covering Public Access to Documents

The general principle behind the code of conduct is that the public should have the widest possible access to documents held by the European Commission and the Council of the European Union, subject to public or private interests being protected.

In his preface to *“Access to Commission Documents: A Citizen’s Guide”* , published this year (ISBN 92-827-8315-4), the President of the Commission, Jacques Santer, writes:

“The policy of giving wider access to Commission documents has now been successfully practised for two years. The Commission intends to continue this policy and improve its application and to encourage European citizens further to exercise their rights under it”.

The fact that the number of requests for documents which have had to be treated formally by the Commission under the code of conduct procedures is surprisingly small (500 requests in 1996, 180 in 1994) is a tribute to the long-established and routine openness of the Commission. In addition to the volume of Commission material published and put on sale by the Office for Official Publications of the European Communities, notably the Official Journal, the Commission produces a wide range of free general information booklets and leaflets describing its objectives and policies. The free publications can usually be obtained by inquirers from Commission Representations in the Member States or Commission Delegations in non-Member States. Within the Union the Commission also supports an extensive network of information relays ready to respond to inquirers on a local or regional basis: Euro Info Points, the Rural Information Carrefours and the Local Urban Initiative Centres, for example.

Formal requests dealt with by the Commission under the code of conduct are therefore usually for internal documents, documents which have not been finalised or are not intended for publication. Anyone may request such a document regardless of his or her personal or professional status, and without having to give reasons for the request. A fee may be charged for documents supplied which run to more than 30 pages. Total charges must never exceed the cost price.

The grounds for refusing access to a document are clearly set out in the code of conduct and are applied on a case by case basis. They cover the following areas:

- (a) protection of the public interest (public security, international relations, monetary stability, legal proceedings, inspections and enquiries);
- (b) protection of the individual and of privacy;
- (c) protection of commercial and industrial secrecy;
- (d) protection of the financial interests of the Community;
- (e) protection of confidentiality if it has been requested by a supplier of information or, if the supplier is a Member State, because that country's legislation requires it;
- (f) protection of the confidentiality of the Commission's internal deliberations.

While the Commission's administration of the code of conduct has attracted little comment, the way in which the Council of the European Union interprets the exceptions to the right of access has been the subject of continuous press scrutiny, notably because of a case brought by John Carvel of the Guardian newspaper before the Court of First Instance of the European Communities, and the volume of requests and complaints submitted by Tony Bunyan of Statewatch magazine. The Information Group and the Committee of Permanent Representatives of the Council have developed procedures to meet all such requests in a way that responds to the different understandings and traditions of openness in the fifteen Member States. The Council's General Secretariat is also actively developing a public information programme.

3. Electronic Information Services

Just as the latest guide to the code of conduct is a useful introduction to the current state of openness in the European Union, so the 1997 edition of the "European Union Database Directory" (ISBN 92-827-8305-7) signals the dramatic progress being made in making more and more EU information available electronically. Now subtitled "A Guide to Electronic Information Services", the Directory introduces over 50 on-line and CD-ROM databases, Internet-based services and document delivery services produced by the European Commission, the European Parliament and other Union institutions.

The trend towards using the Internet as a distribution channel has made a very significant impact on the evolution and development of electronic information services. CELEX, the database created in 1971 to provide a comprehensive and authoritative information source on European Community law, is becoming much more user-friendly. RAPID, the database of daily European Union news briefings is constantly extending its coverage and is now available on the EUROPA Web site. EUR-OP is market-testing its new document delivery service EUDOR which will allow customers to see the title and other basic information relating to any document published in the Official Journal of the European Communities and to order the document by post, fax or by electronic file transfer.

The success of the EUROPA Web site merits particular note. It is now well established as an inter-institutional site and offers a rapidly growing amount of updated information on all aspects of European integration. Its presentation and content are increasingly multilingual and it is among the world's most frequently visited sites with around 5m. hits per month. EUROPA complements the CORDIS Web initiative of 1994 launched to cover Community research and development programmes. Two other well updated Commission sites, I.M Europe covering the market in electronic information services, and ISPO on information society projects, help to remind us that access to electronic information is part of a pattern of change which is transforming society and offering new economic opportunities.

The addresses (URLs) of the three Commission Web services referred to here are:

EUROPA: <http://europa.eu.int>

I.M Europe: <http://www.echo.lu>

CORDIS: <http://www.cordis.lu>

ISPO: <http://www.ispo.cec.be>

4. The Challenges Ahead

The reality of the European Union's commitment to openness and the dynamism of its engagement in electronic publishing and document delivery may be a matter of pride for the Commission's information professionals but there is no complacency about what is required to sustain this effort or the challenges posed by the information society.

One of the working definitions of openness which has emerged in the course of an inter-institutional review of editorial and publishing strategy is that the workings of the institutions should be as visible as possible to the people they serve and that European citizens have the right to know what exactly the institutions are doing and how and why they do it. To translate such an institutional attitude and

ambition into reality is much easier said than done. New technology will certainly be increasingly helpful but one must also be alert to the fact that change can sometimes have perverse effects and can put at risk levels of access and openness that have long taken for granted.

Let me give some examples. Electronic information is still only accessible to a privileged few. Access requires equipment, there are connection costs, and some training is required. Information on the Internet, which is often currently treated as if it were free, will cost more as the mechanisms of electronic charging become well-established. How public information should be priced is already an important question where print, database and CD-ROM media are concerned. Public libraries, which have long been the information reference points serving the least privileged in society, are finding it increasingly difficult to acquire the publications and equipment they need to maintain established standards of service.

The replacement of a print publication by an electronic one may thus mean less not more openness. The volume of information available electronically is also becoming a problem. Many of us feel we may become less informed rather than better informed because we find the screen version of a valued publication much less user-friendly than its print equivalent or we cannot afford the search time spent at a terminal to reach the page that used to arrive automatically in an in-tray. And then there is so much information available on-line it is often difficult to rate it in terms of relevance and quality. These are the symptoms of what we now call "information overload".

5. A Personal View

The openness of European Union institutions has to continue to be a political imperative if the ongoing development of the Union is to have the support and understanding of its citizens. This imperative must find expression in the attitudes of institutional leaders and public servants. It also requires the vigilance and sensitivity essential to ensuring that new methods and new technologies enhance rather than detract from current best practice. Openness and information should never be taken on trust, whatever the goodwill of politicians and public servants. Public libraries and a free press have played key roles in the development of the concept of democracy which is at the heart of the European Union and which draws the countries of Eastern and Central Europe to seek membership of it.

I believe that the mass and complexity of information relating to the Union, which is bound to increase as integration advances and the Union enlarges, will make more and more demands on the professionalism and integrity of librarians and

journalists in the years ahead. Much of the value of print has come to us through well managed collections. The effective summarising and interpretation of complex data by an un-named journalist often does more to alert and inform citizens than the instant value judgement of a named editorialist. Such library and press skills often pass unnoticed. I consider them to be essential features of openness in any evolving society and believe they are likely to become more rather than less important in the years ahead, no matter how professional the information and communication services provided by institutions may be.

It seems appropriate to conclude by paying tribute to two Commission activities making important contributions to openness. The information Directorate-General has over many years supported training programmes for European journalists. The Libraries Programme of the Directorate General for Telecommunications, Information Market and Exploitation of Research (DG XIII) contributes significantly towards equipping the libraries and librarians of the future to put new technology at the service of readers and researchers.

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