

Enabling Electronic Legal Infrastructure for the “On-line” Economy



The Case for the Establishment of the:

“Centralised E.U. Convention Causebook & Judgment Registry Database”

<http://www.cyberia.ie/~twinkle>

Which would converge and co-ordinate the E.U. Legal Systems (*which are territorial*) **for the Information Society** (*which is global*).

Illustrated Sample Print-out available at: <http://www.cyberia.ie/~twinkle>

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Subjects: Information Society: Access to legal rights - Convergence and co-ordination of legal Systems - Administration of Justice - Enforcement of Foreign Judgments - “On-line” economy - Investor protection - Consumer Protection - Information Storage and Retrieval Systems - Law - The Brussels Convention 1968 - Supporting Institutions - European Community - Global Access.

Abstract: The World has replaced the Nation in the context of the on-line Society.

The establishment of the “Centralised E.U. Convention Causebook & Judgment Registry Database” would create the required electronic infrastructure to converge and co-ordinate the European Union Community’s Legal Systems (which are territorial) to operate in our Common Judicial Area and adapt to the realities of the Global Marketplace (“on-line” economy) and thus:

Provide the Legal Infrastructure necessary for the European Community to utilise Global Electronic Commerce - the expected size of which will have risen from 7 Billion ECUs in 1997 (a tenfold increase from 1996) to up 300 billion ECUs in 2002. The “on-line” daily volume of foreign exchange deals worldwide exceeds 1,000 Billion ECUs.

Source: European Commission COM(98)50

There is a legitimate interest in having the core facts of litigation centrally available to citizens, for example:

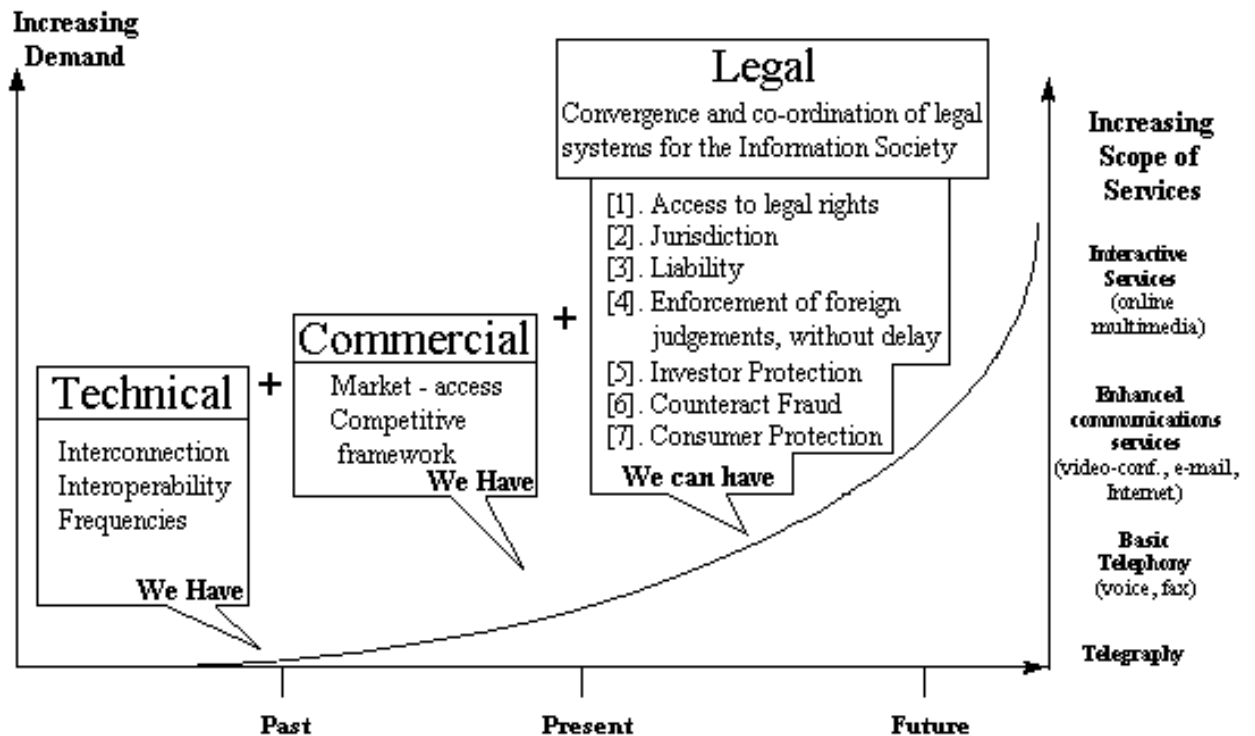
Certainty is created with respect to provisions on a basis on which investment and credit decisions can be made, and upon commencing litigation the parties will know whether or not other actions are pending or have been initiated in another contracting state.

Every year in Europe 40 million Citizens are injured in accidents involving Consumer

Products; 80,000 people are killed and 300,000 are annually left with a permanent disability.

Every year, with the growth of intra-EU commerce, an ever higher percentage of these people have a potential claim against a manufacturer based in an EU member-state other than their own. They remain at a disadvantage, in pursuing their claims, relative to those who “bought locally”.

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Source: Please Note that above diagram has been adapted and changed from COM(98)50 Fig 1. Entitled: “Enabling framework for the global marketplace” published by DG 13 at: <http://www.ispo.cec.be/eif/policy/com9850en.html> *Permission granted by Email dated 13.10.98 from Tim Fenoulhet <Timothy.FENOULHET@BXL.DG13.cec.be> who stated :

“Thank you for your request. We are delighted that you would like to use Fig 1, and would simply ask that you make an explicit reference to the source/author, i.e. European Commission - this would be sufficient.

We would like to remain in contact with you since we are now exploring in more depth many of the legal issues raised in our Communication.”

This database infrastructure, with Introduction by Me. Marco Darmon with the Permission of The Court of Justice, as you will see at <http://www.cyberia.ie/~twinkle> has already been vetted and endorsed by the International Bar Association (“IBA”) and the European Lawyers’ Union (“UAE”) amongst others and was selected for presentation by KnowRight for the 1998 IFIP World Computer Congress.