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ANNUAL CONFERENCE
OF THE EUROPEAN COMMISSION
LEGAL SERVICE

REGISTER NOW

WELCOMING REMARKS

I. INTRODUCTION AND WELCOME

Ladies and gentlemen, dear colleagues,

It is an immense **honour and pleasure** for me to welcome you to our First Annual Conference of the Legal Service of the European Commission.

The Legal Service of the European Commission celebrates its **70th anniversary** this year, having come into being with the entry into force of the Treaty of Paris instituting the European Coal and Steel Community in the summer of 1953.

The Legal Service is one of the oldest services of the European Commission. It started with three lawyers of the High Authority, which preceded the present European Commission.

Our 70th anniversary provides us with a **great occasion to reflect** on the past, on the present and on the future of our (i) institution, of (ii) EU law and of (iii) the EU more broadly.

As the first president of the European Commission, Walter Hallstein, famously said: *“few organizations in the world are as reliant on the law as the European Union. The Community has no administrative infrastructure, no direct power of coercion, no army, and no police. Its only tool is the law that it establishes.”*

70 years of EU law is a very special moment It was celebrated through a very impressive array of initiatives. I want to mention the solemn event organized by the Court of Justice, which itself turned 70 years as well.

70 years of integration have greatly transformed Europe, the EU Member States and its citizens.

In 70 years, we have transitioned from a purely economic organization based on the joint management of coal and steel market to a political Union with citizens at its very center. All of this was achieved through EU law.

The EU constitutes a new legal order for the benefit of which Member States have limited their sovereign rights and the subjects of which comprise, not only Member States, but also their nationals.

At the heart of the European Project, there are three pillars:

1. The pursuit of peace
2. Freedom and
3. Solidarity

Jacques Delors used to refer to the

- Competition, that stimulates
- Cooperation, that strengthens and
- Solidarity , that unites

That is, in essence, a success story: how the EU has become a Union that delivers concrete benefits to its citizens using its most valuable and important instrument: EU law.

Today the Legal Service of the Commission remains committed to this noble mission: to advise and represent our institution before European Courts and international jurisdictions.

The Legal Service of the European Commission decided to write a book outlining all those benefits that EU law provides, in a reader-friendly way so that it is accessible to all EU citizens who are interested in learning more about how EU law affects their lives.

The book is available for free for any citizen. It will be published in all the EU official languages. This has only been possible through the invaluable help of the Office of Publications, who have assisted us throughout the editorial process, and DG Translate, who will translate the book into all of the EU's official languages. As far as I am aware of, this is the first time such a book is written.

DETAILS ABOUT THE BOOK

Let me share with you some details about the book:

- It has been written collectively by the different teams of the Legal Service, dealing with their respective area of expertise
- We feel very grateful and honoured that our Commission President **Ms. Von der Leyen** and the President of the European Parliament **Ms. Metsola** accepted to write a preface and a guest essay for our book.

Most importantly, I am so glad to announce that our book is **available for free to any citizen**. This has been possible through the invaluable help of the Office of Publications, who have assisted us throughout the editorial process, and DG Translate, who are currently in the process of translating the book into all of the EU's official languages.

Just in front of this Conference Room, and at the Welcoming Desk, you will find **Book Stands where you can get a paper copy of our Book** as our gift to you – so be sure to pass by!

III. THE FIRST LEGAL SERVICE ANNUAL CONFERENCE

Coming back to our Annual Conference: first of all, I want to thank you all again for honouring us with your presence today.

I understood from our Organising Committee that today we have the pleasure of welcoming **over 1500 participants**:

- over 700 in physical presence here in Brussels; and
- over 800 attending our web-streaming online.

Your registrations originated not only from **all EU Member States**, but from **all over the world**, with participants from North, Central and South America, from Africa as well as from Asia attending this Conference online.

In fact, the physical spaces to our conference were **fully booked in just 9 days** from the opening of registrations (practically the speed of a pop concert...).

Your commitment to be with us today shows that you share our belief in the **fundamental importance** of this Annual Conference.

Through this Annual Conference, we hope to **further the legal dialogue** between key legal players, institutions from the academic, private and public sectors and including, of course, Members of our Legal Service.

This legal dialogue concerns **topics that are essential to the future of the EU**, and to our world more broadly.

This year, as you know, these two topics are:

- **Internet and Platforms Regulation** under the Digital Markets Act and the Digital Services Act, which forms the subject of our morning programme; and
- **Intergenerational Justice and Climate Litigation**, which will be discussed during the afternoon session.

The **importance of these two topics** is widely recognized:

- Both the green and digital transformation are key priorities for the **Von der Leyen Commission**.
- Just a couple of weeks ago, the Court of Justice, recalled on the occasion of the publication of the Court's annual statistics that, these two topics have been raised in numerous cases before the European Courts, and that they involve very sensitive and complex questions and affect major issues of today's world.

IV. TOPIC 1: DIGITAL PLATFORMS REGULATION

With regard to the first topic, **Digital Platforms Regulation**, last year the EU confirmed its role as a global trend-setter by adopting 2 pieces of landmark legislation:

- First, the Digital Markets Act or **DMA**, which imposes obligations on so-called "*gatekeepers*" to ensure that markets for digital services remain open, fair and contestable.
- Second, the Digital Services Act or **DSA**, which imposes obligations on *online intermediaries* to ensure a safe digital space by tackling illegal online content.

Both acts represent **important milestones** in the regulation of digital markets and seek to **tackle the two major challenges** brought about by our increasingly digitalised societies:

- First, in our digital world internet platforms constitute the **unavoidable gateway** through which all digital services are channelled.
 - The **DMA** will prevent digital services from being controlled by a handful of large and powerful undertakings.
- Second, **European consumers and businesses use** the services of digital gatekeepers on a daily basis for some of their most important needs. Their consumer choices, political views and behaviour are strongly influenced by how information is presented to them online.
 - The **DSA** aims to tackle the spread of disinformation and other harmful behaviour and thereby to protect consumers and internet users.

In other words through, the **DMA and DSA** European Union is contributing to **shape the world's digital future**.

2023 marks a critical year for the DMA and the DSA, as this year, the Commission, national authorities and national courts will start applying and enforcing these new instruments.

During today's conference, we will discuss the **expectations and the difficulties** linked to these two new instruments. We are very honoured to have with us today a Panel of high-level specialists from (i) the European institutions, from (ii) national authorities, from (iii) the platforms themselves and from (iv) academia.

I understand that in today's Panel discussion, an **emphasis** will be put on **4 particularly relevant topics**:

- first, the Panel will discuss the ongoing preparation for the **implementation and enforcement** of the DSA and the DMA *by the Commission and by national authorities*;
- second, the Panel will consider the **preparation** for the DSA and the DMA *by platforms* to ensure compliance with their obligations;
- third, the Panel will examine the **relationship** between the DMA and traditional **competition law** instruments;
- and fourth, the Panel will discuss the expected **litigation** before *EU and national courts* and the possibilities for both platforms and third parties to ensure that the new rules are enforced.

V. TOPIC 2: INTERGENERATIONAL JUSTICE AND CLIMATE LITIGATION

In the second part of the Conference we will discuss another very important subject Intergenerational Justice and Climate Litigation.

In her most recent **State of the Union Address**, President Von der Leyen identified climate change as one of the **‘great challenges of this century’**, highlighting the need to cooperate with countries ‘near and far’ and the importance of mainstreaming Intergenerational Justice across all Union policies.

President Von der Leyen also expressed the willingness to **enshrine** the principle of Intergenerational Justice **in our Treaties**.

And indeed the **Treaties already reflect** such principle, as the *‘solidarity between generations’* and the *‘sustainable development of the Earth’* feature among the overarching objectives of the Union both in its internal and external action, right next to the protection and improvement of the quality of the environment.

This endeavour could not be more timely.

To ensure that countries live up to the Paris Agreement and related EU law obligations, citizens, NGOs and even cities throughout the world have **started to bring legal actions** in national courts (for instance in the Netherlands, Belgium, Czechia, France, Ireland and Germany) and international courts (for instance the Court of Justice of the European Union and the European Court of Human Rights).

But this year, the judicial review of States' climate obligations has even moved to the global level. The UN General Assembly may refer a request for an advisory opinion to the International Court of Justice, while the International Tribunal on the Law of the Sea has already been seized to clarify the obligations of State Parties to the UN Convention on the Law of the Sea in relation to climate change.

During today's conference, we will analyse and compare these most recent trends. Our second Panel will be composed of experts that represent **key players** when it comes to Intergenerational Justice and Climate Litigation: speakers from (i) national judiciary bodies, from (ii) climate NGOs, from (iii) the EU institutions and from (iv) academia.

In particular, I understand that the second Panel will address **5 important questions** in relation to Intergenerational Justice and Climate Change:

- first, the Panel will discuss the precise **legal nature** of the Paris Agreement, and more specifically its interaction with other rules of international law;
- second, the Panel will examine the question whether legal actions before ***national courts can be effective*** means to protect us against the *global* phenomenon that is climate change;

- third, the Panel will consider whether judges in climate litigation are merely *interpreting* rules or whether they are actually *creating* them, and – in the latter case - what their legitimacy is for creating these rules;
- fourth, the Panel will consider the manner in which different judicial levels, such as the national, regional and international levels of the judiciary interact with each other;
- and last but not least, the Panel will discuss the role of science in climate litigation.

VI. THANK YOUs

I am sure you will all agree with me that the importance of the topics we will discuss during our Conference today cannot be underestimated.

In view of the major importance of these two topics for our world's future, I feel all the more **honoured** that we have with us today such an **impressive and distinguished Panel of Speakers and guests**. Therefore, I would like to **thank all today's speakers** for agreeing to be here with us today and make the First Annual Conference of the Legal Service such a big success.

My very special thanks go out to our esteemed **Keynote Speakers**:

- **Commissioner Breton** and
- **President of the General Court Mr. Van der Woude**
for opening the first session of this Conference on Internet and Platforms Regulation; and
- **Commissioner Sinkevičius**, and
- **Vice-President of the Austrian Constitutional Court Ms. Verena Madner**
- **4 DGs of different Commission Services: DG COMP, CLIMA, CONNECT +LS**

Also, I am very grateful to my colleagues **Vittorio di Bucci** and **Marc van Hoof** who agreed to chair the two Panels of our conference and moderate today's discussions.

Finally, I would like to warmly thank the **Organising Team of our Legal Service** for working tirelessly over the past months in making this Conference possible, as well as **all other colleagues**, including all our new **trainees**, who offered their assistance in the organisation of today's event.

VII. CONCLUDING REMARKS

Ladies and gentlemen, dear colleagues,

This is a conference on EU Law, so allow me please to close with the words of the President of the Commission, Mrs von der Leyen. During her mandate, the Commission has been confronted with different challenges to the unity and primacy of EU law.

Our President has always reacted very firmly and decisively to those challenges. Her reason for this decisive stance is encapsulated in those words, which she forged on 9 May 2020:

“The European Union is a community of values and of law, which must be upheld and defended at all times. This is what keeps us together. This is what we stand for.”

I wish all of you a great conference, with fruitful discussions, and I hope to see you again next year, for our Second Conference edition!

Thank you very much.