Commission Communication "Digitalisation of justice in the EU – a toolbox of opportunities"

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The context

- **Digitalisation not a end in itself: twin objectives of ensuring access to justice and effective justice systems**

- **The impact of Covid-19: need to accelerate digital transformation**

- **Council Conclusions on Access to justice — seizing the opportunities of digitalization**

- **Addresses both national justice systems and cross-border judicial cooperation**

Problems identified – the mapping

The mapping reveals a different level of progress amongst the Member States:

- **individuals can access an electronic file of their ongoing cases in 10 Member States in all types of civil law procedure;**

- **in the context of criminal law, victims can access an electronic file in seven Member States and defendants in nine;**

- **evidence can be submitted to a court exclusively in digital format in the context of alltypes of criminal proceedings in 13 Member States;**

- **in civil and commercial law, digital evidence is admissible in all types of proceedingsin 10 Member States.**

The toolbox

- *Financial support to MS*
- *Legislative initiatives*
- *IT tools*
- *Promotion of national coordination and moni-toring instruments*

Financial support to Member States

- *National level:*
  - **Recovery and Resilience Facility**
  - **2021-2027 cohesion policy proposals**
  - **Technical Support Instrument**
- *EU level:*
  - **Justice Programme**
  - **Digital Europe Programme**

Cross-border judicial cooperation

- **Possible legislation to make the digital channel mandatory**

- **Electronic document must not be denied legal effect and admissibility as evidence in legal proceedings**

- **Electronic identification and signatures/ seals**

- **Basis for the processing of personal data**

- **Architecture of the underlying IT system**

Artificial intelligence

- **While the advantages of introducing AI-based applications in the justice system are clear, there are also considerable risks associated with their use**

- **Proposed actions:**

  - **Exchange best practices (Member States and the EU institutions, JHA agencies and bodies, and legal professional organisations)**

  - **Explore ways to increase the availability of relevant machine-readable data produced by the judiciary**

Interconnection of registers

- **Interconnections achieved: BRIS, ECRIS, IRI**

- **Land Registers Interconnection system (LRI) – should be extended to cover all EU by 2024**

- **MS to further develop videoconferencing**

IT tools for cross-border exchange

- **e-CODEX – the gold standard**
- **e-Evidence Digital Exchange System (eEDES)**
- **Reusable tools for the digitalisation of EU cross-border civil, commercial and criminal legal acts**

Digital criminal justice

- **JHA agencies and bodies such as the EPPO, Eurojust and Europol need to be suitably equipped to fulfil their mission, cooperate**

- **Modernise Eurojust's case management system (CMS)**

- **'hit/no-hit' connections between Eurojust's, Europol's and the EPPO's CMSs**

- **Legislative proposal on exchanges on digital cross-border terrorism cases**

- **Legislative proposal for a Regulation on a JIT collaboration platform**

My e-Justice space

- **Existing access to various services offered by the judiciary and public administrations, e.g. provision of certified copies of criminal records, birth certificates, wills**

- **A "My e-Justice space" should be established as an entry point with links to available national services**

- **On the e-Justice Portal – later possibility to make requests for documents directly from the Portal**

- **Access point to files small claims and requests for European Payment Orders on the Portal**

Cooperation, coordination and monitoring tools

- **Enhance the monitoring of progress on digitalisation at national level through the EU justice scoreboard**

- **Collect information on the e-Justice portal on national initiatives on the digitalisation of justice**

- **Digital Justice Ministerial Forum / regular stock-taking**

- **Research and foresight activities**

In conclusion

- **Imperative to harness the opportunities for digitalisation triggered by the Covid-19 crisis**

- **Need to keep up the momentum**

- **Bearing in mind that digitalisation is merely a means to end: more effective and efficient justice system, fully accessible to citizens and businesses**

Thank you for your attention.