

# The EPPO and the Digitalisation of criminal justice

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## Digital justice: Council adopts conclusions on digitalisation to improve access to justice

The Council today adopted conclusions on seizing the opportunities of digitalisation for access to justice.

The further digitalisation of the member states' judicial systems has enormous potential to continue to facilitate and improve access to justice for citizens throughout the EU. Digital tools can help to better structure proceedings and to automate and accelerate the handling of standardised and uniform tasks, thereby increasing the effectiveness and efficiency of court proceedings. The COVID-19 crisis has confirmed the need to invest and make use of digital tools in judicial proceedings.

In this context, the conclusions encourage member states to make increased use of digital tools throughout judicial proceedings and call on the Commission to develop a comprehensive EU strategy on the digitalisation of justice by the end of 2020. They also stress that using digital technologies should not undermine the fundamental principles of judicial systems, including the independence and impartiality of the courts, the guarantee of effective legal protection and the right to a fair and public hearing.

The conclusions also note the need to promote digital skills in the justice sector, to allow judges, prosecutors, judicial staff and other justice practitioners to use digital tools effectively and with due respect for the rights and freedoms of those seeking justice.

The text notes that the use of artificial intelligence in the justice sector is already being researched and developed and recognises that it has the potential to improve the functioning of justice systems. It underlines that the use of artificial intelligence tools must not interfere with the decision-making power of judges or judicial independence, or infringe the right to a fair trial and effective remedy.

On 13 October 2020, the Council [adopted conclusions](#) encouraging Member States to make use of digital tools throughout judicial proceedings. The Council called on the Commission to develop a comprehensive EU strategy on the digitalisation of justice by the end of 2020.



European  
Commission

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## Why?

Two reasons:


1. Move Member States towards the digital era.
2. Improve EU cross-border judicial cooperation between competent authorities.

December 2020: Adoption of a package modernizing  
EU justice systems


# What did the package entail?

## ■ Two main pillars:

1. Communication of the digitalization of justice in the EU
2. Strategy on European judicial training.



The screenshot shows the top navigation bar of the European Commission website. On the left is the European Commission logo. In the center, there is a language selector set to 'English' with a small 'EN' icon, followed by a search bar with a 'Search' button. Below the navigation bar is a dark blue banner with white text. The banner contains a breadcrumb trail: 'Home > Press corner > Modernising EU justice systems:'. Below the breadcrumb is a language selector icon and the text 'Available languages: English'. Further down, it says 'Press release | 2 December 2020 | Brussels'. The main headline of the press release is: 'Modernising EU justice systems: New package to speed up digitalisation of justice systems and boost training of justice professionals'.

The background of the slide features a blurred image of the European Union flag, which is blue with twelve yellow stars arranged in a circle. The flag is waving in the wind. There are also some faint, white, curved lines overlaid on the background, suggesting a digital or network theme.

The influence of  
COVID-19 on the  
package.

*‘The COVID-19 pandemic has brought to the fore the need for speeding up the digitalisation of justice. It has become evident that businesses and citizens must have access to justice also online, from their laptop at home.’*



## Communication on Digitalisation of justice in the European Union and Proposal for e-CODEX Regulation

Digital technologies have the potential to improve access to justice and the efficiency of justice systems. With the aim to reap the full benefits of digitalisation, the Commission put forward a package consisting of a Communication on Digitalisation of justice in the European Union, accompanied by a mapping of the current level of digitalisation, and a Proposal for a Regulation on a computerised system for communication in cross-border civil and criminal proceedings (e-CODEX system).

**Pillar 1: Communication on the digitalization of justice in the EU**

Provides a **toolbox** to promote the use of digital tools by Member States, in line with the principles of proportionality and subsidiarity.

To date, many judicial proceedings, including those that transcend borders, still take place with paper and by post. The European Commission will work on a legislative proposal to digitalise cross-border judicial cooperation procedures in civil, commercial and criminal matters. Adoption is planned for the end of 2021.

A person is seated at a desk covered with a blue cloth featuring the European Union flag. The person is wearing a dark jacket over a light-colored shirt. In the background, a larger European Union flag is visible against a wooden wall. The scene appears to be a formal meeting or press conference.

Tool 1: Making digital the default option in cross-border judicial cooperation

## Transmission of information



### Tool 2: Fighting cross-border crime:

Eurojust relies on a smooth flow of case-related information from national authorities in the Member States to coordinate Europe's fight against serious cross-border crime. To this end, relevant authorities are required to provide Eurojust with information relating to joint investigations (JIAs) as well as other specific information that may help the agency undertake its core task of facilitating coordination and communication between investigating and prosecuting authorities.

With this information, Eurojust can cross-check for links to cases in the Eurojust Case Management System, offer assistance to Member States at an early stage, and provide operational and strategic feedback to national authorities. The transmission of information during cross-border terrorism cases is facilitated by a Counter-Terrorism Register (CTR), which was launched at Eurojust in 2019.



The Case Management System of Eurojust, which allows the Agency to cross-check different cases to coordinate the EU fight against serious cross-border crime including terrorism, needs to be updated.


Obligations for Member States

Terrorism-related information

Breaches of EAW time limits


The Eurojust Regulation provides a general obligation for Member States to provide Eurojust with any information it requires to carry out its task of facilitating judicial cooperation and coordination. Within this obligation, specific conditions apply regarding the type of information that should be transmitted by the competent authorities, and how and when it should be transmitted. In particular, Member States/



An aerial photograph of a city, likely London, showing a dense urban landscape with various buildings and green spaces. The image is overlaid with a semi-transparent blue rectangular box on the left side, which contains white text. The background is slightly blurred, and there are decorative curved lines in the top left and bottom right corners.


## Effect of amendments to Europol mandate

The amendments to the Europol mandate will introduce a **hit/no-hit link** between EPPO and Europol. Thanks to these “**hit/no hit connections**” between their case management systems, Eurojust, Europol and EPPO will be aware of ongoing investigations and prosecutions.




**Tool 2  
continued:  
fighting cross-  
border crime**

In 2021, the Commission will also present legislative initiatives on digital information exchange on cross-border terrorism cases and on the establishment of a **Joint Investigation Teams Collaboration Platform**.



**Tool 3:  
Better  
access to  
information**



Electronic databases are easy to consult, they minimise costs for users and are resilient to crises. Therefore, Member States should strive to digitalise their registers and work towards their interconnections.





## **Tool 4: IT tools for cross- border cooperation**

e-CODEX (e-Justice Communication via Online Data Exchange) is the main tool for secure cooperation in civil, commercial and criminal law proceedings across borders. To date, only some Member States use e-CODEX.





**e-CODEX  
enables cross-  
border justice**

→ [Read our story](#)

e-CODEX

[e-codex.eu](https://e-codex.eu)






## Tool 4 continued...

Another digital tool is eEDES (e-evidence digital exchange system), which some Member States use to swiftly and securely exchange European Investigation Orders, mutual legal assistance requests and associated evidence in digital format instead of by post.



## **Pillar 2: European judicial training**

**The 2020 Annual Report on the European Judicial Training** shows that in 2019 more than **180,000 justice professionals** – 12.9% of all EU justice professionals – were trained in EU law or in the law of another Member State. All in all, since the adoption of the first Judicial Training Strategy in 2011, **1.2 million justice professionals** were trained in EU law.



**What does the second edition of the EU Strategy on Judicial Training do?**

It broadens the scope of the EU training offer to justice professionals to new policy areas, such as digitalisation and artificial intelligence, equipping them with the knowledge and skills needed to face the challenges of the 21<sup>st</sup> century.





**Continued...**

It also sets out ambitious goals: by 2024, 65% of judges and prosecutors and 15% of lawyers shall be trained yearly on EU law. The strategy also supports justice professionals in the Western Balkans and in other EU partner countries, in Africa and Latin America.

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English EN

Home > Trainings, judicial networks and agencies > Training of justice professionals > European training platform

## European training platform

Search tool for justice practitioners to find training courses and self-training resources on EU law. Legal practitioners and justice professionals can find in the ETP application, training courses and self-learning material on a great variety of topics.

In addition, justice professionals will be able to look for training courses on EU law via the [European Training Platform](#), launched on the same day, for a first test phase and planned to be fully operational in the course of 2021.





The toolbox set out in the Communication of digitalisation justice will be further discussed with the public administrations, judiciary, legal professional organisations and other stakeholders to ensure prompt and tangible follow-up.

What are the next steps for the toolbox?