## The EPPO and the Digitalisation of criminal justice

Proff.ssa Ubertazzi

Jean Monnet Course Coordinator

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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 <u>adopted</u>
<u>conclusions</u> 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.

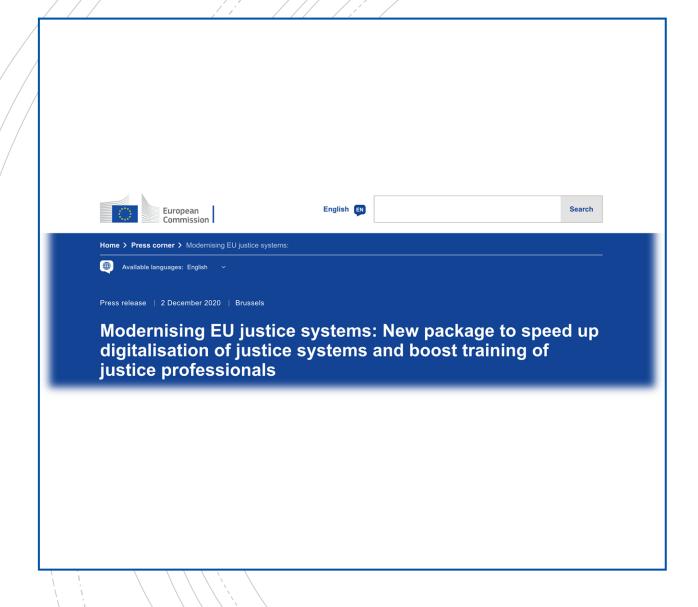


### Why?

#### 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:

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







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## 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.

judicial To date, many 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 planned for the end of 2021.



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#### **Transmiss**



# Tool 2: Fighting cross-border crime:

at an early stage, and provide information during cross-bord launched at Eurojust in 2019.

flow of case-related information from ember States to coordinate Europe's fight crime. To this end, relevant authorities are with information relating to joint well as other specific information that may a core task of facilitating coordination and gating and prosecuting authorities.

ust can cross-check for links to cases in the System, offer assistance to Member States ional authorities. The transmission of ter-Terrorism Register (CTR), which was





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

Obligations for Member States

Terrorism-related information

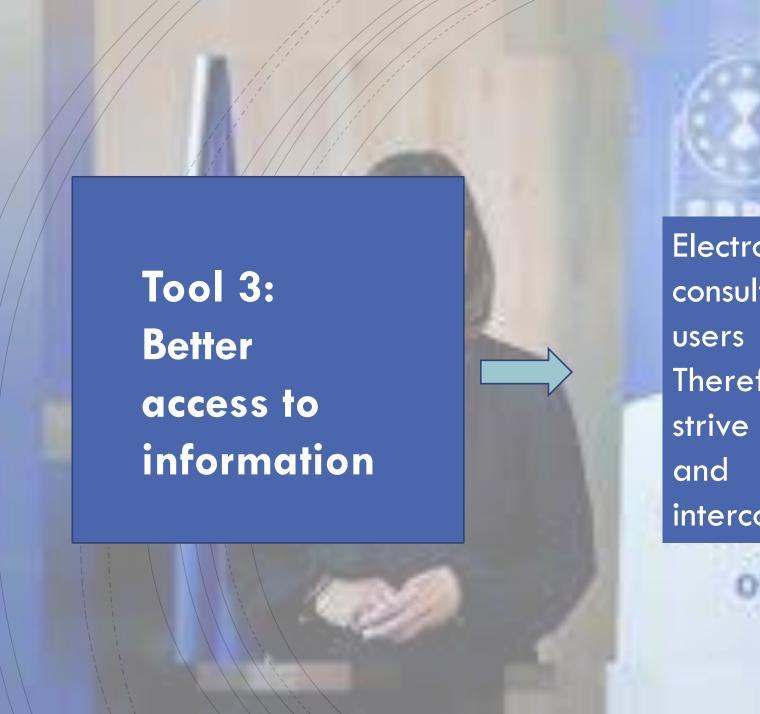
Breaches of EAW time limits

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

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, Europust, Europol and EPPO will be aware of ongoing investigations and prosecutions.

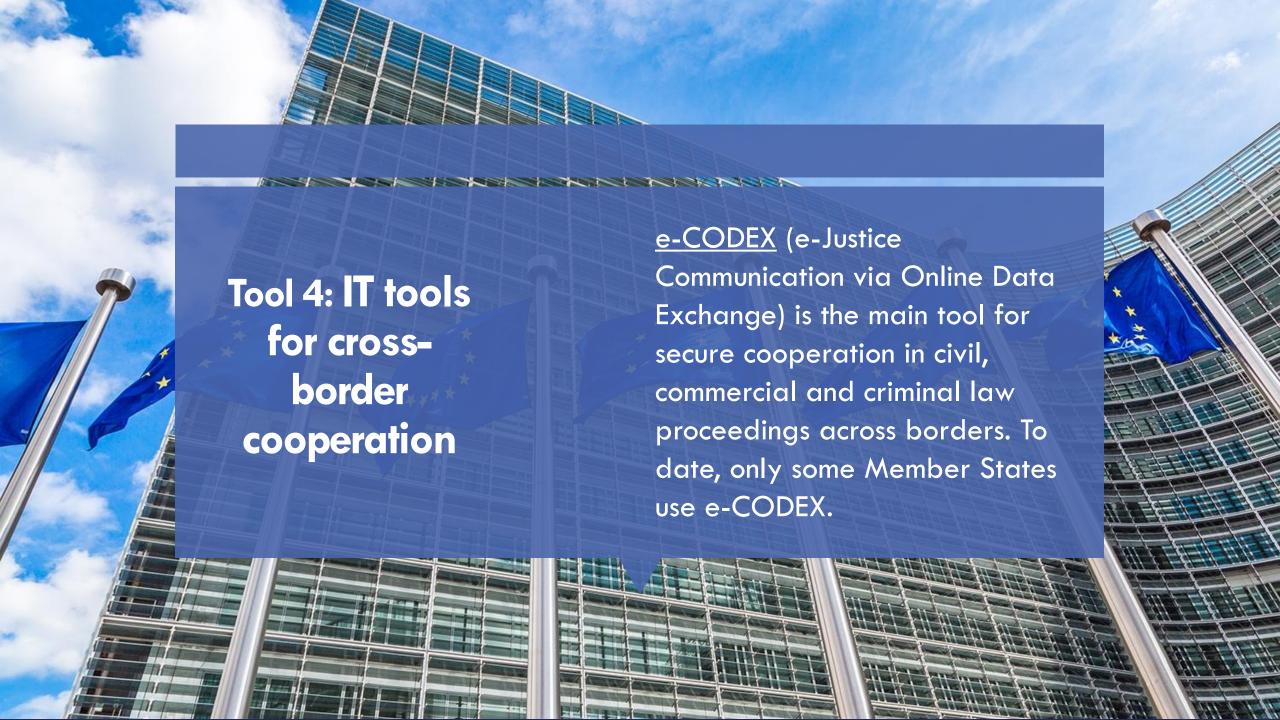




PROSECUTORS

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.

Office of the EU







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.





### Continued...





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#### **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 <u>European</u>

<u>Training Platform</u>, 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?