

Proposals to Modernise EU Cross-Border Judicial Cooperation via Digitalisation

News

Anna Pingen

On 1 December 2021, the Commission adopted [two proposals](#) to improve the digitalisation of cross-border judicial cooperation:

- Proposal for a Regulation laying down rules on digital communication in judicial cooperation procedures in civil, commercial and criminal matters;
- Proposal for a Directive aligning the existing rules on communication with the rules of the proposed Regulation.

The Commission acknowledged that most data exchanges in cross-border judicial cooperation to date are still paper-based. By means of this digitalisation initiative, the Commission aims to increase the efficiency and resilience of EU cross-border judicial cooperation through enhanced digitalisation in civil (including family), commercial, and criminal matters. The Commission further intends to improve access to justice for citizens and businesses. The new legislation therefore makes mandatory the use of a digital channel for all Union-wide, cross-border judicial cooperation communication and data exchanges between the competent national authorities.

By using national IT portals, or a European Access point hosted on the European e-Justice Portal, citizens and businesses will have the opportunity to communicate with courts and other judicial authorities of the Member States electronically using a qualified or advanced electronic signatures and/or seals. Judicial fees will be payable electronically.

Under certain conditions, the new legislation will make oral hearings able to be held remotely using videoconferencing, in both civil and criminal cases. It comes along with a proposal on a better digital information exchange in terrorism cases and a proposal for the establishment of a special IT platform to support the functioning of Joint Investigation Teams (→ separate news items). For details on this digitalisation initiative, see also the [contribution by EU Commissioner for Justice, Didier Reynders](#), published on the eucrim website on 22 December 2021.

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