



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR JUSTICE AND CONSUMERS

The Director-General

Brussels
JUST.A.1/KE

H.E. Ambassador
Mr Aivo Orav
Permanent Representative of the
Republic of Estonia to the European
Union

BY E-MAIL

Subject: Digitalisation of Judicial cooperation Committee – designation of members

Dear Ambassador,

On 28 June 2023 the European Parliament and the Council of EU reached a political agreement ⁽¹⁾ on the Proposal for a Regulation on digitalisation of judicial cooperation and access to justice in civil, commercial and criminal matters ⁽²⁾. The final adoption of the Regulation is expected to take place by December 2023.

According to the political agreement, the Commission is mandated to establish, by means of implementing acts, the decentralised IT system and the European electronic access point which will be used for the communication pursuant to the 24 underlying legal acts in civil, commercial and criminal matters listed in an Annex to the Regulation. The scope of the implementing act and the procedure for its adoption are explained in the Annex to this letter.

After the entry into force of the Regulation, a corresponding committee will be established and included in the comitology register.

A total number of 24 implementing acts divided in 4 batches must be adopted in 5 years starting from the entry into force of the Regulation. This means that the work on adopting

⁽¹⁾ [https://www.europarl.europa.eu/RegData/commissions/juri/inag/2023/07-19/CJ03_AG\(2023\)752630_EN.pdf](https://www.europarl.europa.eu/RegData/commissions/juri/inag/2023/07-19/CJ03_AG(2023)752630_EN.pdf)

⁽²⁾ Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation, COM/2021/759 final.

the implementing acts for the different batches and the corresponding IT implementation will overlap and will therefore require significant resources and commitment not only on the part of the Commission but also on the part of Member States. In view of this ambitious timeline agreed by the co-legislators and in order to meet the legal obligations of the Regulation, we have started to prepare for this considerable task already now.

Therefore, we would appreciate if your Member State nominates the members of the committee to be established under the Regulation as soon as possible after receiving this letter, but not later than **15 January 2024**. I hereby kindly invite you to transmit this request to your relevant national authorities to nominate your members of the committee. Each Member State may appoint two members of the committee – one with legal expertise and one with technical expertise.

Please note that due to the wide range of issues in the area of civil, commercial and criminal law alongside with the technical issues that would need to be decided upon by the committee, the Commission is planning to organise subgroups reflecting the topic that would be included in the agenda of the meetings. Therefore, the committee members should be accompanied by experts with sufficient expertise in the issues falling under the scope of the underlying EU legal acts listed in the Annexes to the Regulation. The role of these experts would be to assist the designated committee members within their areas of expertise.

The first meeting of the committee is planned for **5 March 2024** as an in-person meeting in Brussels.

In addition to the meeting on 5 March, for 2024 we have planned the following meetings: 15-17 April (online meeting on criminal law instruments); 7 and 8 May (online meeting on civil law instruments); 5 – 7 June (online meeting on criminal law instruments); 27 and 28 June (online meeting on civil law instruments); 24 – 26 July (online meeting on criminal law instruments); 9 and 10 September (online meeting on civil law instruments); 30 September – 4 October (online meeting on civil and criminal law instruments).

Your authorities should please send their reply to JUST-E-CODEX@ec.europa.eu, providing the full identification and contact details of the committee members of your choice. Under this mailbox we can also provide any additional information required by your national authorities.

Lastly, please be informed that due to the large number of meetings (approximately 60 meetings for the next 5 years) we are planning to organise the online committee meetings through Microsoft Teams. Microsoft Teams is intended to be the platform where a common space for sharing documents and discussion will be established in order to enhance the collaborative work of the committee. We will appreciate if together with the notification of the committee members you could inform us expressly in case you have objections to the use of Microsoft Teams. Otherwise, we assume that you agree.

I thank you in advance for your support on this important initiative.

Yours faithfully,

Ana GALLEGO

Enclosure: Annex explaining the scope of the implementing act and the procedure of its adoption

c.c.: Staudenmayer, Dirk, KOIT, Haldi, FRANCO, Sveva, TERRONE, Anna, VALEK DERGAN, Sabina, MAZILESCU, Ioana, PETRI, Carl Gösta, BRECZEWSKI, Nicolas

ANNEX: Scope and procedure for adoption of the implementing acts

The implementing acts should set out the following:

- (a) the technical specifications on the methods of communication by electronic means for the purposes of the decentralised IT system;*
- (b) the technical specifications for communication protocols;*
- (c) the information security objectives and relevant technical measures ensuring minimum information security standards and a high level of cybersecurity for the processing and communication of information within the decentralised IT system;*
- (d) the minimum availability objectives and possible related technical requirements for the services provided by the decentralised IT system;*
- (e) digital procedural standards as defined in Article 3(9) of Regulation (EU) 2022/850;*
- (f) an implementation timetable laying down, inter alia, the dates of the availability of the reference implementation software, referred to in Article 12 of this Regulation, its installation by the competent authorities, and, where relevant, completion of the adjustments to national IT systems necessary for ensuring compliance with the requirements referred to in points (a) to (e) of this paragraph; and*
- (g) the technical specifications for the European electronic access point, including the means used for the electronic identification of the user at the assurance level high as defined in Article 8(2)(c) of Regulation (EU) 910/2014 and the retention period for storing information and documents.*

A comitology procedure will be used for this purpose, according to Article 16 of the political agreement on the Regulation, which states that:

- (a) The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.*
- (b) Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.*