E-justice

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In response to a request from the European Council and the European Parliament, the Commission has prepared this Communication on setting out an e-Justice Strategy, the purpose of which is to increase citizens' confidence in the European area of justice. Since the adoption of the Amsterdam Treaty, a European area of justice has become a reality. It is founded on a number of legislative acts that have been designed to guarantee mutual recognition of judicial decisions. They also set out to create a culture of cooperation between national and legal authorities. Placing information and communication technologies (ICT) at the service of judicial systems creates possible solutions by improving and contributing towards a streamlining of procedures. It also helps to reduce costs. e-Justice is an initial response to the threefold need: (i) to improve access to justice; (ii) to help cooperation between the legal authorities across the EU and (iii) to improve the effectiveness of the judicial system. As far as the Commission is concerned, e-Justice must:

- prioritise operational projects.
- emphasise decentralisation without neglecting European level cooperation.
- respect the existing legal framework by using ICT tools to improve the effectiveness of those acts that have been or will be adopted.

e-Justice is a specific field under the more general umbrella of e-Government. e-Government refers to the application of ICT to all administrative procedures. The Commission intends to promote a European Interoperability Framework (EIF) within the IDABC programme. On-going work on e-Signature and e-Identity is particularly relevant in the legal field where the authentication of acts is essential. For the Commission, e-Justices' primary objective will be to help the administration of justice across Europe. One of the key concepts of e-Justice is to strengthen the exchange of best practices at national level and to then strengthen European coordination in order to construct the European judicial area. The main priorities over the 2008-2013 period, therefore, will be:

A European e-Justice portal facilitating citizen and business access to justice in Europe: e-Justice will allow citizens, who have been the victim of a crime, to access information without being hindered by linguistic, cultural and legal barriers related to the multiplicity of systems. To allow for an efficient legal system the strategy envisages the creation of an e-Justice portal that should increase the visibility of European action and help improve access to justice in Europe. Ultimately, the portal will serve as the face of the European area of justice vis-à-vis citizens while also being one element of a general policy of communication via the internet. The portal will have at least three functions: (i) access to information; (ii) referral; and (iii) direct access to certain European procedures. The portal will have to provide European citizens, in their language, with data on judicial system and procedures. Ignorance of the rules in force in other Member States is one of the major factors preventing citizens from asserting their rights outside their home country.

e-Justice for more effective judicial cooperation: A further priority will be the development of electronic tools to accompany implementation of the EU's judicial cooperation instruments. To develop these tools, the Commission intends to use the two existing legal networks and Eurojust as a basis. The Commission will work closely within national and European training structures, in particular the European legal training network, in order to train legal professionals in the new e-Justice tools. Focus will be given to: continuing the interconnection of criminal records; creating a network of secure exchange for sharing information among judicial authorities; facilitating the use of videoconferencing; and offering aid for translation.

The report concludes by setting out a **European e-Justice action plan**. An annex sets out a detailed explanation of the action plan. To be effective, responsibility will be clearly allocated between the Commission, the Member States and all other actors involved in judicial cooperation. Thus, the Commission will design and set up the e-Justice portal which it will manage in close cooperation with the Member States. The Member States, in turn, will be expected to update the information on their judicial systems. The Commission will also continue work on interconnecting criminal records by (a) supporting the Member States with their modernisation efforts (b) the development of a reference system for exchanging information and (c) carrying out necessary studies and legislative proposals to develop the system.

From a **financial** point of view, e-Justice will be financed through two existing programmes namely Civil Justice and Criminal Justice.