



Council of the
European Union

Brussels, 4 December 2020
(OR. en)

**Interinstitutional File:
2020/0345(COD)**

**13709/20
ADD 1**

**ECODEX 2
EJUSTICE 103
JUSTCIV 147
JAI 1070
COPEN 368
DROIPEN 117
IXIM 132
DATAPROTECT 146**

PROPOSAL

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	3 December 2020
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2020) 712 final
Subject:	ANNEXES to the Proposal for a Regulation of the European Parliament and of the Council on a computerised system for communication in cross-border civil and criminal proceedings (e-CODEX system), and amending Regulation (EU) 2018/1726

Delegations will find attached annexes to the document COM(2020) 712 final.

Encl.: Annexes to COM(2020) 712 final



Brussels, 2.12.2020
COM(2020) 712 final

ANNEXES 1 to 2

ANNEXES

to the

**Proposal for a Regulation of the European Parliament and of the Council
on a computerised system for communication in cross-border civil and criminal
proceedings (e-CODEX system), and amending Regulation (EU) 2018/1726**

{SEC(2020) 408 final} - {SWD(2020) 541 final} - {SWD(2020) 542 final}

ANNEX I

Legal instruments falling within the scope this Regulation

Instruments in the area of judicial cooperation in civil matters

- (1) Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters¹
- (2) Council Decision of 28 May 2001 establishing a European Judicial Network in civil and commercial matters (2001/470/EC)²
- (3) Council Regulation (EC) No 1206/2001 of 28 May 2001 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters³
- (4) Council Directive 2002/8/EC of 27 January 2003 to improve access to justice in cross-border disputes by establishing minimum common rules relating to legal aid for such disputes⁴
- (5) Council Regulation (EC) No 2201/2003 of 27 November 2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility, repealing Regulation (EC) No 1347/2000⁵
- (6) Regulation (EC) No 805/2004 of the European Parliament and of the Council of 21 April 2004 creating a European Enforcement Order for uncontested claims⁶
- (7) Regulation (EC) No 1896/2006 of the European Parliament and of the Council of 12 December 2006 creating a European order for payment procedure⁷
- (8) Regulation (EC) No 861/2007 of the European Parliament and of the Council of 11 July 2007 establishing a European Small Claims Procedure⁸
- (9) Regulation (EC) No 864/2007 of the European Parliament and of the Council of 11 July 2007 on the law applicable to non-contractual obligations (Rome II)⁹
- (10) Regulation (EC) No 1393/2007 of the European Parliament and of the Council of 13 November 2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents), and repealing Council Regulation (EC) No 1348/2000¹⁰

1 OJ L 12, 16.1.2001, p. 1.
2 OJ L 174, 27.6.2001, p. 25.
3 OJ L 174, 27.6.2001, p. 1.
4 OJ L 26, 31.1.2003, p. 41.
5 OJ L 338, 23.12.2003, p. 1.
6 OJ L 143, 30.4.2004, p. 15.
7 OJ L 399, 30.12.2006, p. 1.
8 OJ L 199, 31.7.2007, p. 1.
9 OJ L 199, 31.7.2007, p. 40.
10 OJ L 324, 10.12.2007, p. 79.

- (11) Directive 2008/52/EC of the European Parliament and of the Council of 21 May 2008 on certain aspects of mediation in civil and commercial matters¹¹
- (12) Regulation (EC) No 593/2008 of the European Parliament and of the Council of 17 June 2008 on the law applicable to contractual obligations (Rome I)¹²
- (13) Council Regulation (EC) No 4/2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations¹³
- (14) Council Regulation (EU) No 1259/2010 of 20 December 2010 implementing enhanced cooperation in the area of the law applicable to divorce and legal separation¹⁴
- (15) Regulation (EU) No 650/2012 of the European Parliament and of the Council of 4 July 2012 on jurisdiction, applicable law, recognition and enforcement of decisions and acceptance and enforcement of authentic instruments in matters of succession and on the creation of a European Certificate of Succession¹⁵
- (16) Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (recast)¹⁶
- (17) Regulation (EU) No 606/2013 of the European Parliament and of the Council of 12 June 2013 on mutual recognition of protection measures in civil matters¹⁷
- (18) Regulation (EU) No 655/2014 of the European Parliament and of the Council of 15 May 2014 establishing a European Account Preservation Order procedure to facilitate cross-border debt recovery in civil and commercial matters¹⁸
- (19) Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings¹⁹
- (20) Council Regulation (EU) 2016/1103 of 24 June 2016 implementing enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions in matters of matrimonial property regimes²⁰
- (21) Council Regulation (EU) 2016/1104 of 24 June 2016 implementing enhanced cooperation in the area of jurisdiction, applicable law and the recognition and

11 OJ L 136, 24.5.2008, p. 3.

12 OJ L 177, 4.7.2008, p. 6.

13 OJ L 7, 10.1.2009, p. 1.

14 OJ L 343, 29.12.2010, p. 10.

15 OJ L 201, 27.7.2012, p. 107.

16 OJ L 351, 20.12.2012, p. 1.

17 OJ L 181, 29.6.2013, p. 4.

18 OJ L 189, 27.6.2014, p. 59.

19 OJ L 141, 5.6.2015, p. 19.

20 OJ L 183, 8.7.2016, p. 1.

enforcement of decisions in matters of the property consequences of registered partnerships²¹

- (22) Regulation (EU) 2016/1191 of the European Parliament and of the Council of 6 July 2016 on promoting the free movement of citizens by simplifying the requirements for presenting certain public documents in the European Union and amending Regulation (EU) No 1024/2012²²
- (23) Directive (EU) 2019/1023 of the European Parliament and of the Council of 20 June 2019 on preventive restructuring frameworks, on discharge of debt and disqualifications, and on measures to increase the efficiency of procedures concerning restructuring, insolvency and discharge of debt, and amending Directive (EU) 2017/1132 (Directive on restructuring and insolvency)²³

Instruments in the area of judicial cooperation in criminal matters

- (1) Convention drawn up on the basis of Article K.3 of the Treaty on European Union, relating to extradition between the Member States of the European Union²⁴
- (2) Convention drawn up on the basis of Article K.3 of the Treaty on European Union, on simplified extradition procedure between the Member States of the European Union²⁵
- (3) Convention established by the Council in accordance with Article 34 of the Treaty on European Union, on Mutual Assistance in Criminal Matters between the Member States of the European Union²⁶
- (4) Protocol established by the Council in accordance with Article 34 of the Treaty on European Union to the Convention on Mutual Assistance in Criminal Matters between the Member States of the European Union²⁷
- (5) Council Framework Decision 2002/584/JHA of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States²⁸
- (6) Council Framework Decision 2002/465/JHA of 13 June 2002 on joint investigation teams²⁹
- (7) Council Framework Decision 2003/577/JHA of 22 July 2003 on the execution in the European Union of orders freezing property or evidence³⁰

21 OJ L 183, 8.7.2016, p. 30.

22 OJ L 200, 26.7.2016, p. 1.

23 OJ L 172, 26.6.2019, p. 18.

24 OJ C 313, 23.10.1996, p. 12.

25 OJ C 78, 30.3.1995, p. 2.

26 OJ C 197, 12.7.2000, p. 3.

27 OJ C 326, 21.11.2001, p. 2.

28 OJ L 190, 18.7.2002, p. 1.

29 OJ L 162, 20.6.2002, p. 1.

30 OJ L 196, 2.8.2003, p. 45.

- (8) Council Directive 2004/80/EC of 29 April 2004 relating to compensation to crime victims³¹
- (9) Council Framework Decision 2005/214/JHA of 24 February 2005 on the application of the principle of mutual recognition to financial penalties³²
- (10) Council Framework Decision 2006/783/JHA of 6 October 2006 on the application of the principle of mutual recognition to confiscation orders³³
- (11) Council Framework Decision 2008/909/JHA of 27 November 2008 on the application of the principle of mutual recognition to judgments in criminal matters imposing custodial sentences or measures involving deprivation of liberty for the purpose of their enforcement in the European Union³⁴
- (12) Council Framework Decision 2008/947/JHA of 27 November 2008 on the application of the principle of mutual recognition to judgments and probation decisions with a view to the supervision of probation measures and alternative sanctions³⁵
- (13) Council Framework Decision 2009/299/JHA of 26 February 2009 amending Framework Decisions 2002/584/JHA, 2005/214/JHA, 2006/783/JHA, 2008/909/JHA and 2008/947/JHA, thereby enhancing the procedural rights of persons and fostering the application of the principle of mutual recognition to decisions rendered in the absence of the person concerned at the trial³⁶
- (14) Council Framework Decision 2009/829/JHA of 23 October 2009 on the application, between Member States of the European Union, of the principle of mutual recognition to decisions on supervision measures as an alternative to provisional detention³⁷
- (15) Council Framework Decision 2009/948/JHA of 30 November 2009 on prevention and settlement of conflicts of exercise of jurisdiction in criminal proceedings³⁸
- (16) Directive 2011/99/EU of the European Parliament and of the Council of 13 December 2011 on the European protection order³⁹
- (17) Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA⁴⁰
- (18) Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the European Investigation Order in criminal matters⁴¹

31 OJ L 261, 6.8.2004, p. 15.

32 OJ L 76, 22.3.2005, p. 16.

33 OJ L 328, 24.11.2006, p. 59.

34 OJ L 327, 5.12.2008, p. 27.

35 OJ L 337, 16.12.2008, p. 102.

36 OJ L 81, 27.3.2009, p. 24.

37 OJ L 294, 11.11.2009, p. 20.

38 OJ L 328, 15.12.2009, p. 42.

39 OJ L 338, 21.12.2011, p. 2.

40 OJ L 315, 14.11.2012, p. 57.

- (19) Regulation (EU) 2018/1805 of the European Parliament and of the Council of 14 November 2018 on the mutual recognition of freezing orders and confiscation orders⁴²
- (20) [Proposal for a Regulation (EU) on European Production and Preservation Orders for electronic evidence in criminal matters⁴³]

41 OJ L 130, 1.5.2014, p. 1.

42 OJ L 303, 28.11.2018, p. 1.

43 COM(2018) 225 final (The proposal is in the legislative process).

ANNEX II

Software products and related documentation to be handed over to eu-LISA under Article 9

- (1) Central Testing Platform (software product that provides a set of functions which can be used to verify the correct operation of e-CODEX access points and the correct use of the e-CODEX digital procedural standards in the connected systems linked to these)
- (2) Configuration Management Tool (software product used to assist in the performance of the task defined in Article 6 (2) (c))
- (3) Metadata Workbench (software product used to assist in the performance of parts of the tasks defined in Article 6)