



Brussels, 1 December 2023  
(OR. en)

16041/23

---

---

**Interinstitutional File:  
2021/0394(COD)**

---

---

**EJUSTICE 65  
JURINFO 16  
JAI 1571  
JUSTCIV 180  
COPEX 418  
CODEC 2280**

**'I/A' ITEM NOTE**

---

From: General Secretariat of the Council  
To: Permanent Representatives Committee/Council

---

Subject: Draft 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 (**first reading**)  
- Adoption of the legislative act

---

1. On 1 December 2021 the Commission submitted its proposal<sup>1</sup>, based on Articles 81(2)(e) and (f) and 82(1)(d) TFEU, to the Council.
2. The European Data Protection Supervisor delivered its formal comments on 25 January 2022<sup>2</sup>.
3. The European Economic and Social Committee delivered its opinion on 19 May 2022<sup>3</sup>.
4. On 23 November 2023 the European Parliament adopted its position at first reading on the Commission proposal. The outcome of voting in the European Parliament reflects the compromise agreement reached between the institutions and should, therefore, be acceptable to the Council<sup>4</sup>.

---

<sup>1</sup> 14850/21 + ADD1 to ADD4.

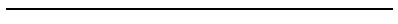
<sup>2</sup> [https://edps.europa.eu/system/files/2022-01/2022-01-25\\_edps\\_comments\\_justice\\_digitalisation\\_en.pdf](https://edps.europa.eu/system/files/2022-01/2022-01-25_edps_comments_justice_digitalisation_en.pdf)

<sup>3</sup> OJ C 323, 26.8.2022, p. 77.

<sup>4</sup> 15899/23.

5. The Permanent Representatives Committee is therefore asked to confirm its agreement and to suggest that the Council<sup>5 6</sup> approve the European Parliament's position, as set out in PE-CONS 50/23, as an "A" item at a forthcoming meeting.
6. If the Council approves the European Parliament's position, the legislative act will be adopted.

After being signed by the Presidents of the European Parliament and of the Council, the legislative act will be published in the *Official Journal of the European Union*.



---

<sup>5</sup> In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.

<sup>6</sup> In accordance with Articles 1, 2 and 4a(1) of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, and without prejudice to Article 4 of that Protocol, Ireland is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.