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NOTE

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

Subject: European e-Justice Strategy 2024-2028
- Approval

1. The e-Justice Strategy and Action Plan for 2019-2023 are coming to a close and delegations have agreed that an e-Justice Strategy for the coming years would be useful for the advancement of the e-Justice field.

2. Over the 2019-2023 period the Council of the European Union, the European Commission and the European Parliament have made significant efforts to speed up the digitalisation process and to foster the use of digital services in e-Justice. The emphasis has been firmly placed on legislative action, concluding several legislative initiatives, such as the Regulation¹ on a computerised system for the cross-border electronic exchange of data in the area of judicial cooperation in civil and criminal matters (e-CODEX system), that provided an appropriate framework for exchanging judicial information through secure services; the Service of Documents² and Taking of Evidence³ Regulations establishing the use of the decentralised IT system with interoperable access points based on e-CODEX for relevant communications; the e-Evidence Regulation⁴; and, specially, the Regulation and Directive on the digitalisation of cross-border judicial cooperation and access to justice (the ‘Digitalisation Package’)⁵.
3. The abovementioned legislative initiatives, as well as other legislative acts fostering the digitalisation of justice, are accompanied by a number of non-legislative initiatives.
4. Delegations considered that an e-Justice Strategy would contribute to the implementation of the aforementioned legislative and non-legislative initiatives and allow for progress in new or complementary areas.

¹ Regulation (EU) 2022/850 of the European Parliament and of the Council of 30 May 2022 on a computerised system for the cross-border electronic exchange of data in the area of judicial cooperation in civil and criminal matters (e-CODEX system), and amending Regulation (EU) 2018/1726, OJ L 150, 1.6.2022, p. 1–19

² Regulation (EU) 2020/1784 of the European Parliament and of the Council of 25 November 2020 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents) (recast), OJ L 405, 2.12.2020, p. 40–78

³ Regulation (EU) 2020/1783 of the European Parliament and of the Council of 25 November 2020 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters (taking of evidence) (recast), OJ L 405, 2.12.2020, p. 1–39

⁴ Regulation (EU) 2023/1543 of the European Parliament and of the Council of 12 July 2023 on European Production Orders and European Preservation Orders for electronic evidence in criminal proceedings and for the execution of custodial sentences following criminal proceedings, OJ L 191, 28.7.2023, p. 118–180

⁵ To be adopted at the next JHA Council on 4 December 2023, respectively documents PE-CONS 50/23 and PE-CONS 51/23

5. Following up on a workshop organised by the Czech Presidency, the Swedish Presidency started discussions within the e-Justice Working Party, on the approach for the new e-Justice Strategy. These discussions continued under Spanish Presidency which took over the actual drafting and proposed it to the delegations within the e-Justice Working Party.
6. The new Strategy sets out the principles and objectives for e-Justice developments in the EU for the next 5 years, along with actions necessary to achieve the latter, while also setting out how the follow-up will be organised in the future.
7. The draft Strategy was discussed at technical level during three meetings of the e-Justice Working Party. Delegations agreed on the text of the Strategy at the last meeting and through an informal silence procedure during the week of 13 November 2023
8. In view of the above, the Permanent Representatives Committee is invited to:
 - confirm its agreement on the text; and
 - recommend that the Council approves the European e-Justice Strategy 2024-2028 as set out in the Annex below.

European e-Justice Strategy 2024-2028

I. INTRODUCTION

1. Title V of the Treaty on the Functioning of the European Union (Articles 67-89) provides for the creation of an area of freedom, security and justice, where the application of the Charter of Fundamental Rights of the European Union (the ‘Charter’) is of particular relevance.
2. As part of the area of freedom, security and justice, access to justice is a core fundamental right in the European Union, enshrined in both Article 6 of the European Convention on Human Rights and Article 47 of the Charter, which guarantees the right to an effective remedy and a fair trial.
3. The use of technological means and tools has increased in our societies in recent years, having been particularly accelerated by the COVID-19 pandemic, resulting in growing expectations with regard to digital services.
4. The justice system, as a provider of essential public services, embraces digitalisation and the associated challenges. The digitalisation of the justice system aims to facilitate and improve access to justice, make the justice system more effective and efficient, while facilitating the work of justice professionals¹, and bring it closer to citizens, thus offering better justice services to all.

¹ Justice professionals include all professionals acting in the justice domain, including legal practitioners.

A. Context

5. The 2019-2023 e-Justice Strategy and Action Plan encompassed three strategic objectives that remain valid to this day, namely: access to information within the justice domain; electronic communications between judicial authorities, citizens, and justice professionals; and interoperability between judicial applications and domains.
6. The Communication from the European Commission on digitalisation of justice in the European Union² emphasises that access to justice and facilitating cooperation between Member States are among the main objectives of the European Union's area of freedom, security, and justice.
7. The Council of the European Union, the European Commission and the European Parliament have made significant efforts to speed up the digitalisation process and to foster the use of digital services in e-Justice in order to achieve these goals.
8. Following the Communication, the emphasis of the European Union's work on e-Justice has been firmly placed on legislative action.
9. The adoption of the Regulation on a computerised system for the cross-border electronic exchange of data in the area of judicial cooperation in civil and criminal matters (e-CODEX system)³ provided an appropriate framework for exchanging judicial information through secure services.

² Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on Digitalisation of justice in the European Union, a toolbox of opportunities, COM/2020/710 final.

³ Regulation (EU) 2022/850 of the European Parliament and of the Council of 30 May 2022 on a computerised system for the cross-border electronic exchange of data in the area of judicial cooperation in civil and criminal matters (e-CODEX system), and amending Regulation (EU) 2018/1726, OJ L 150, 1.6.2022, p. 1–19

10. The Service of Documents⁴ and Taking of Evidence⁵ Regulations establish a legal framework for the digitalisation of these two judicial cooperation instruments in civil and commercial matters under which the use of the decentralised IT system with interoperable access points based on e-CODEX for relevant communications will be mandatory from May 2025. The e-Evidence Regulation⁶ is a further cooperation instrument digitalising communication in criminal matters.
11. The Regulation and Directive on the digitalisation of cross-border judicial cooperation and access to justice (the ‘Digitalisation Package’)⁷ are key pillars on which e-Justice will be based in the coming years. The implementation of these legal acts will be the foremost priority for the period covered by this Strategy. Implementing acts for the 24 legal instruments covered by the Digitalisation Package will have to be discussed in committees with Member States’ representatives. The decentralised IT system for those instruments will have to be set up through national access points, connecting the instances of the reference implementation software and/or national solutions. At the same time, the principles of electronic communication as well as the European electronic access point set out in the Digitalisation Package should be considered a basis for any new legislative initiative in the European e-Justice field.

⁴ Regulation (EU) 2020/1784 of the European Parliament and of the Council of 25 November 2020 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents) (recast), OJ L 405, 2.12.2020, p. 40–78

⁵ Regulation (EU) 2020/1783 of the European Parliament and of the Council of 25 November 2020 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters (taking of evidence) (recast), OJ L 405, 2.12.2020, p. 1–39

⁶ Regulation (EU) 2023/1543 of the European Parliament and of the Council of 12 July 2023 on European Production Orders and European Preservation Orders for electronic evidence in criminal proceedings and for the execution of custodial sentences following criminal proceedings, OJ L 191, 28.7.2023, p. 118–180

⁷ Respectively PE-CONS 50/23 and PE-CONS 51/23

12. As a result of the Digitalisation Package, natural or legal persons and their legal representatives will be able to communicate electronically via the European electronic access point. Authorities will be able to exchange data on civil, commercial, and criminal matters with cross-border implications through secure and reliable digital channels.
13. The abovementioned legislative initiatives, as well as other legislative acts fostering the digitalisation of justice, are accompanied by a number of relevant non-legislative initiatives, including the consolidation of the use and development of the e-CODEX system, to be governed and maintained by eu-LISA after the European Commission declaration of the successful completion of the handover/takeover process in 2024.
14. The role of Member States will be equally important, as connection to e-CODEX remains a national prerogative. The interconnection of additional national systems through e-CODEX proves that competent authorities, legal professionals and natural or legal persons can interact in a fast, secure and reliable way. Building upon e-CODEX, the e-Evidence Digital Exchange System (eEDES) is maturing into the reference implementation software, and the exchange of instruments such as European Investigation Orders between various Member States is already a reality today.
15. All of the above shows the significant impetus that has been given to the e-Justice field and how it is progressively moving from an approach based on voluntary participation in digitalisation initiatives to a mandatory approach based on legislative acts that provide greater legal certainty. It also demonstrates the step forward that has been taken in enhancing the digitalisation of justice in the European Union.

16. Unquestionably, the European Union still faces challenges in developing the digitalisation of justice further. These challenges are also an important opportunity, and Member States should be encouraged to continue their work to modernise justice systems. The solid legal framework and the increasing maturity of some of the key e- systems are crucial to this endeavour.

B. Scope

17. This Strategy applies to all Member States and should serve as an inspiration to all European Union actors involved in the process of digital transformation in the field of justice.
18. It applies from 2024 to 2028. Given the speed of technological developments, a review allowing for an adjustment of the strategic objectives and the related actions would be useful. An evaluation and possible revision should therefore be carried out in the second half of 2026, so as to adapt, if necessary, to evolving challenges and capabilities.

C. Purpose of the Strategy

19. This Strategy should guide the ongoing digital transformation in the justice domain across the European Union.
20. In particular, this Strategy aims to identify strategic and operational objectives and the principles that should be respected when carrying out this digital transformation process, to put in place organisational and methodological measures, to identify key enablers to facilitate and foster digitalisation, as well as to promote mechanisms to facilitate the coordination and follow-up of progress on e-Justice initiatives.

21. Specific actions relating to issues arising in the context of the digital transformation (video conferences, digital files, etc.) should be considered, while allowing for flexibility to incorporate new actions in response to the challenges and opportunities presented by emerging technologies such as artificial intelligence (AI).
22. In particular, these objectives should be pursued in parallel in civil and criminal justice, taking into account the specific implications for the digital transformation in these two areas of justice.
23. These objectives and the actions associated with them should be accompanied by a follow-up process to evaluate their implementation and effectiveness. Therefore, it would be useful to create a collaborative follow-up mechanism to analyse and evaluate progress. This collaborative exercise should allow progress to be tracked by collating information on relevant projects and initiatives that are either financed under European Union financial programmes or nationally funded, as well as facilitating the exchange of information between Member States.
24. While the digitalisation of justice offers concrete and lasting benefits by decreasing the costs related to access to justice and the functioning of judicial systems, investments in various actions may require funding. Member States should have the possibility to seek funding for actions related to the digitalisation of justice through the various financial instruments included in the Multiannual Financial Framework. At European Union level, access to financing should be facilitated.

II. PRINCIPLES

A. Substantial principles

a. Respect for fundamental rights and principles

25. Promoting digitalisation requires a strong focus on the effectiveness of the protection guaranteed by existing fundamental rights. Initiatives in the context of the digital transformation of justice need to respect judicial independence and comply with the rule of law, which is one of the core values on which the European Union is founded, under Article 2 of the Treaty on European Union, and which are common to the Member States. Such initiatives should be subject to a careful assessment of the extent to which they protect the rights of everyone. Action should be taken in particular in the criminal justice context, where the use of remote communication technologies could present serious risks to the basic rights of suspects and accused persons, in particular the right to a fair trial, the right to be present at the trial and the right of defence. Also, the emergence of innovative technologies may give rise to fundamentally new challenges and risks, for example, cybersecurity breaches, a deepening of the digital divide or unconscious discrimination due to biased algorithms or datasets.

b. Access to justice

26. Access to justice is a further fundamental right and a core element of the rule of law. The digital transformation has profoundly changed people's lives in recent decades and will continue to do so. Judicial systems are facing up to these evolving demands and are making the appropriate technological possibilities available to citizens. The further digitalisation of Member States' judicial systems, as well as the use of AI in justice systems, has enormous potential to continue to facilitate and improve access to justice for all throughout the European Union. For example, there are cases where AI can be used for low-risk purposes and be very helpful to citizens and judicial authorities alike.

c. People centricity

27. In line with the Declaration on Digital Rights and Principles for the Digital Decade⁸, any efforts in the area of the digitalisation of justice should be focused on the needs of the people. People are at the centre of the digital transformation in the European Union.

28. People-centred services are accessible to all, are tailored to people's needs and comply with high quality standards. The needs of all people, including those lacking digital skills or tools, should be met equally by enabling effective participation and engagement in judicial proceedings. Shifting the focus to the people's perspective and making justice systems more accessible, effective and transparent will therefore be essential for strengthening trust between the people and public institutions.

⁸ COM(2022) 28 final.

d. Bridging the digital divide

29. To promote a fair and balanced justice landscape across Europe, it is essential to reduce the digital divide that creates inequality in access to justice. This is not only a potential source of exclusion for citizens, but also an obstacle to the exercise of their rights. This principle also covers the need to work towards an aligned level of justice digitalisation in all EU Member States. By sharing best practices and efforts, we can collectively advance the digital transformation of justice, while maintaining a people-centred perspective, ensuring that everyone's rights are protected and upheld.

e. Digital empowerment of users

30. 46 % of European citizens⁹ currently lack basic digital skills and resources. To enable them to make full use of their rights and opportunities, they should be provided with the digital skills needed to access digital services. The digital transformation of justice must therefore include the digital empowerment of and capacity-building among users. Special attention should be paid to training for justice professionals. Promoting the use of digital tools and resources among justice professionals will enhance their ability to navigate both national and European legal frameworks effectively, thereby ensuring consistency.

f. Sustainability

31. Each e-Justice service should be implemented and operated in a sustainable way, meaning that its economic, environmental and social impact can be predicted and sustained in the long term.

⁹[https://ec.europa.eu/eurostat/databrowser/view/isoc_sk_dskl_i\\$DV_317/default/table?lang=en](https://ec.europa.eu/eurostat/databrowser/view/isoc_sk_dskl_i$DV_317/default/table?lang=en)

B. Operational principles

a. Once-only principle

32. The ‘once-only’ principle should be given particular consideration when providing judicial services, so as to avoid redundant procedures and unnecessary burdens on citizens and to seek to reuse, where possible, still valid information entered in the system. The once-only principle applies while respecting the right to data privacy and the right to be forgotten.

b. Digital by default

33. Embracing a ‘digital by default’ approach will streamline processes, reduce paperwork and enhance the overall efficiency of legal proceedings. Digitising legal services will pave the way for a more accessible and user-friendly justice system, benefiting both legal professionals and the general public. This new justice system should be conceived as a digital service, even though non-digital alternatives need to be maintained so as to provide those not fully participating in technological developments with effective legal protection and access to justice.

c. Interoperability and cybersecurity

34. In a world where information flows freely, ensuring interoperability between justice systems is crucial¹⁰. Prioritising interoperability will allow for seamless communication and data exchange between different systems, enhancing coordination and cooperation between various legal entities and institutions and thus breaking down barriers between the different national legal systems.

¹⁰ See in this regard the CEF interoperability framework and the principles of the European Interoperability Framework for European public services.

35. Furthermore, interoperability mitigates cybersecurity risks and lock-in effects that can be addressed by taking a coordinated approach among Member States. The use of digital technologies in the justice area is a highly sensitive matter, and therefore state-of-the-art-standards must be met with regard to information security and cybersecurity¹¹, and privacy and data protection legislation must be complied with in full.

d. Dynamic justice

36. Justice must be flexible and adaptive to the ever-changing needs of society. By considering the unique circumstances of individuals and institutions, including their capabilities and skills, and by effectively managing change, we can build a more resilient and responsive justice system that adapts to users' needs and expectations.

37. Digital technologies and data can play a major role in this process. Digitalisation, data analysis and AI are becoming increasingly embedded in justice services, with a view to enhancing efficiency and effectiveness. The COVID-19 pandemic has challenged the performance of justice services and accelerated the digital transformation of such services, while at the same time revealing the questions raised by such change.

e. Data-driven justice

38. The importance of data-driven decisions is beyond doubt. Therefore, initiatives should include data collection and data analysis, among other things, since these are key to adequately guiding action, while addressing possible associated risks such as data or technological biases.

¹¹ See also in this regard Directive (EU) 2022/2555 of the European Parliament and of the Council of 14 December 2022 on measures for a high common level of cybersecurity across the Union, amending Regulation (EU) No 910/2014 and Directive (EU) 2018/1972, and repealing Directive (EU) 2016/1148 (NIS 2 Directive).

39. The aim should also be to increase the level of transparency of justice systems, in order to increase people's confidence in justice. Encouraging access to open justice data can serve as a means of empowering people and businesses, thereby increasing, among other things, the possibilities for autonomous dispute resolution. Access to justice data can also contribute to the adoption of more targeted measures based on the needs and challenges identified, as well as help to explain the actions undertaken. It is important to open up justice data to allow for new initiatives and to foster synergies between such initiatives.
40. Adequate data protection and cybersecurity must, in any case, be ensured.
- f. Open source
41. There is growing recognition in the European Union and the Member States of the importance of creating and utilising software under open-source licences in the context of an appropriate data protection framework. The benefits of open source – such as lower total cost of ownership, innovation stimulation, and enhanced transparency and interoperability – are highly relevant for the justice sector. Moreover, open source can contribute to the scrutiny of, and trust in, law enforcement and judicial authorities.

III. STRATEGIC AND OPERATIONAL OBJECTIVES

42. The overall objective of e-Justice must always be to improve the provision of justice services to the public with a view to facilitating the right to effective judicial protection. With this in mind, the following strategic objectives should be pursued:
- (a) Improve access to digital justice
 - (b) Enhance digital judicial cooperation
 - (c) Make digital justice more efficient
 - (d) Promote innovative digital justice

43. These strategic objectives can be broken down into the following operational objectives:

A. Improve access to digital justice

44. People-centred digital justice requires that all actors and their needs be considered, without leaving anyone behind. This strategic objective can be broken down into several operational objectives.

i. Promote universal access to digital justice

45. Access to justice is a fundamental right and one of the basic principles of the rule of law. Therefore, ensuring universal access to justice, including digital justice, in the European Union should be a key objective.

46. To facilitate access for all, the European e-Justice Portal¹² and all its ancillary services, including the forthcoming European electronic access point, are of great importance as a one-stop shop for digital justice services.

ii. Promote value-added digital justice services

47. Justice services should always be designed from the perspective of individuals and justice professionals, so that they are functional and offer real added value to users.

iii. Improve and promote the e-Justice Portal and EUR-Lex

48. The e-Justice Portal and EUR-Lex have proven valuable in facilitating access to justice and improving the efficiency of justice systems. They provide access to diverse information and host various online systems. They are accessible in all official languages of the European Union.

¹² <https://e-justice.europa.eu/home?action=home>

49. In the past, efforts focused on increasing the quantity of information available on the e-Justice Portal. Now, work needs to focus on improving the structure of the Portal so that the content is easily accessible for everyone, using plain language which everyone can understand. The aim is an attractive, streamlined and accessible e-Justice Portal. It is important that Member States and the European Commission continue communicating on and promoting the Portal to persons, businesses and justice professionals.

iv. Bridge the digital divide for access to digital justice

50. Universal access to digital justice services requires the elimination of all existing barriers that prevent such services being accessed by all people on equal terms.

51. Ensuring the accessibility of digital justice tools and non-discrimination in access to digital justice from the design phase on is of utmost importance in reaching this goal.

v. Empower persons, businesses and justice professionals

52. Capacity-building and training activities will help users to seize the opportunities presented by digital transformation, providing them with effective and high-quality public services in the field of justice. Special attention should be paid to the initial and continuing training given to justice professionals, supporting the development of digital professional skills, in line with European judicial training strategies.

B. Enhance digital judicial cooperation

53. Many of the main objectives of cooperative digital justice have been laid down in legal instruments, in particular in the Digitalisation Package.

54. A significant part of Member States' efforts will be necessarily dedicated, in the coming years, to compliance with the ambitious goals established in that Package, but additional challenges may arise in the context of further improving digital judicial cooperation.

- i. Improve cross-border interoperability
55. The digitalisation legislative acts, such as the Digitalisation Package and the e-CODEX Regulation, pave the way for cross-border judicial interoperability, proposing the digitalisation of more than 20 judicial cooperation instruments. The Digitalisation Package should serve as a reference for any further legislation in the area of e-Justice in the European Union.
56. In addition, the successful initiatives of Member States exchanging real cases over e-CODEX using either their national systems or the reference implementation software provided by the European Commission illustrate the pillars by which the digital transformation of judicial communications will be supported. In this light, interoperability at data and functional level between Member States' systems and also with the systems of European Union institutions, agencies and bodies is to be ensured.
57. As already mentioned, one of the priority tasks to be addressed will be the implementation of the Digitalisation Package. This will require the adoption of implementing acts for 24 legal instruments in civil, commercial, and criminal matters and the development of the corresponding decentralised IT systems consisting of a reference implementation and/or national implementations. These implementing acts will be adopted in four batches between now and the end of the Strategy period in 2028, and the corresponding IT systems will each go live two years after the adoption of the relevant batch. Achieving this will require considerable investment in terms of time and resources by the European Commission, the Member States and eu-LISA. It is crucial that all actors commit to this task and, among other things, appoint experts competent to discuss the digitalisation of the relevant legal instruments.
58. Lastly, the standardised digitalisation of judicial cooperation instruments will pave the way for the future interoperability of justice with other domains.

ii. Real-time communication services

59. In an evolving digital world, real-time communication services play a key role in enhancing digital judicial cooperation. One of these services is video conferencing, where progress is already being made by Member States either at national or European Union level.
60. The many challenges ahead, such as the identification of participants, and the importance given to video conferencing in the Digitalisation Package guarantee that this objective will continue to be important in the coming years. Another example is digital real-time interpretation using AI, which, while respecting the fundamental rights of the person being heard, could assist the judicial authorities in the context of in-person and remote hearings while avoiding costs, delays and difficulties in identifying interpreters.

C. Make digital justice more efficient

61. Efficiency has many facets, but they all lead to a better, more sustainable European Union.
- i. Promote data-oriented justice
62. Creating data-oriented justice should be seen as a cross-cutting goal of key importance from many perspectives. Data presents great opportunities to improve the efficiency and quality of the justice sector:
- a) From a general perspective, opening up justice data, while taking data protection rules into account, fosters transparency, which is a fundamental value in the European Union.
 - b) From an economic perspective, open data allows for the generation of new business models, since data feeds most of our key digital enablers, such as AI.

- c) The development of AI systems depends, to a large extent, on the comprehensive availability of large, structured and machine-readable data sets. When deciding to make this data public, attention must be paid to mitigating unintended biases to the greatest extent possible and minimising the risk of inadvertent discrimination.
- d) From a technological perspective, orienting justice applications and services to data eases interoperability.
- e) From an administrative perspective, orienting initiatives to data contributes to informed decision-making and a better choice of priorities.
- f) From a social perspective, orienting initiatives to data helps to highlight the benefits of digital justice (for example, reduction of carbon emissions, reduction in travelling, etc.).

ii. Technologies for the efficiency of digital justice

63. Technologies exist which clearly improve efficiency in the justice domain. As a non-exhaustive list of tools for successfully increasing efficiency, it is worth highlighting technologies such as the anonymisation of court decisions, automatic case allocation, transcription tools for the recording of proceedings and evidence gathered by the court, robot process automation, and online dispute resolution tools.

64. These technologies and many others help to improve existing processes and increase the efficiency of justice, freeing up court workers to tackle tasks with higher added value.

iii. Promote the digitalisation of some face-to-face activities in justice

65. The world is fast evolving towards full digitalisation, and the justice domain must adapt to this reality. In this regard, as a non-exhaustive list of examples, face-to-face assistance to citizens, mandatory face-to-face administrative procedures or entirely face-to-face judicial procedures may need to be rethought.

66. This does not mean that face-to-face channels should be abandoned. Face-to-face contact is essential in certain cases and creates an impression of human justice. However, digital channels should be more widely used.

D. Promote innovative digital justice

67. New technologies must not impair the rights of individuals, and they must be used in full respect of the right to a fair trial and the right of defence as enshrined in Articles 47 and 48 of the Charter, as well as in Article 6 of the European Convention on Human Rights.

68. In that sense, the European Union has taken a leading role in reconciling transformative technologies with fundamental rights and freedoms and ensuring safeguards against possible risks.

i. Leverage of innovative technologies

69. Embracing innovative technologies as opportunities to bring justice closer to citizens, to enhance the functioning of courts and to assist judges in their daily work, among other examples, is a fundamental objective. This should be done in a responsible way that respects the European Union's rules and values.

ii. Promote the exchange of innovative experiences

70. Innovation is not only about disruption and emerging technologies. Doing things differently is also a type of innovation, especially if it leads to improvements in the justice domain.

71. Therefore, promoting the exchange of innovative experiences among Member States can be mutually beneficial both at national and European level. For example, the conferences organised by the rotating Presidencies of the Council, as well as the webinars organised by the European Commission on different uses for AI in the justice domain or other fora involving experts, have been very successful.

72. All this should result in tangible benefits for all (justice professionals, businesses, citizens, Member States and the European Union), accelerating the digital transformation, enhancing efficiency, leading to the collection of valuable experience, improving access to judicial information, facilitating the processing of cross-border judicial cases and harmonising judicial concepts and procedures across the European Union.
73. The preparatory body of the Council of the European Union dealing with e-Justice has established itself as a forum for the discussion of important questions relating to legal and factual challenges. The exponential advances in the legal tech market have the potential to transform the way in which society and specifically the justice system function. Fundamental questions relating to the application and use of transformative technologies should be addressed in the relevant Working Party.

IV. ACTION PLAN

A. Purpose

74. This action plan aims to identify the actions necessary to achieve the objectives outlined in the Strategy. To this end, it enables the dynamic incorporation of actions to align with both ongoing activities and activities scheduled for the forthcoming years or yet unknown. In addition, it establishes a mechanism enabling regular updates of the initiatives undertaken to fulfil the objectives set out in section 3 of this Strategy.
75. The action plan identifies ongoing and expected actions and working areas. All actions, projects and initiatives, whether included in the action plan or planned for inclusion, should aim at achieving these objectives while upholding the principles set out in section 2 of this Strategy.

76. e-Justice projects and initiatives are founded on the principle of voluntary action, except in cases where a specific legal instrument imposes obligations. Both mandatory actions (those that originate from legal acts), and non-mandatory actions are linked to one or more working areas.
77. The action plan intends to guarantee the continuation of efforts initiated under the previous action plan (Action Plan 2019-2023), while adopting a more flexible approach. Instead of listing specific projects and initiatives, it focuses on identifying the actions within which different projects and initiatives could be included.
78. This approach aims to better structure the work in terms of synergies, coordination, monitoring and reporting, in order to facilitate overall governance and maintain flexibility.

B. Identification of working areas and actions

79. The key working areas that have been identified in the e-Justice domain are the following:
- 1) e-CODEX: further development of the decentralised IT system, including interoperability and security profiles and features
 - 2) e-Justice Portal: information services and interconnections with external sources
 - 3) Electronic access points: procedural portals and related user interface services
 - 4) Real Time (RT) Applications: video conferencing, machine transcription and translation, interpretation and other RT application services
 - 5) Data: law and case-law; legal and judicial data
 - 6) AI and other innovative IT services in the justice domain
 - 7) Other working areas

80. These working areas thematically group the actions to be undertaken in order to meet the objectives of the Strategy.
81. The general fundamental criterion for identifying a new action is its alignment with a strategic and operational objective. Actions should be geared towards achieving those objectives.
82. Without prejudice to the future inclusion of new actions, the following table presents a comprehensive list of the identified actions, categorised by working areas, which are either existing or expected in the short term. Given that a significant proportion of the forthcoming efforts for Member States and European Union institutions and bodies in the coming years derive from legal acts, certain actions are directly derived from them.
83. Without prejudice to the actors referred to in the fifth column, it must be taken into account that in accordance with its mandate, the competent Working Party should follow up on the various European Union initiatives in the field of the digitalisation of justice.

Strategic objectives	Operational objectives	Main working area	Actions	Actors involved
A. Improve access to digital justice	A.i. Promote universal access to digital justice	2, 3	Design, implement and operate the European electronic access point and national electronic access points	COM ¹³ /MS ¹⁴
	A.ii. Promote value-added digital justice services	All	Assess benefits for end-users Collect user feedback	COM/MS
	A.iii. Improve and promote the e-Justice Portal and EUR-Lex	2, 5	Improve the content, accessibility and operability of the e-Justice Portal	COM/MS
		2, 5	Improve the content, accessibility and operability of EUR-Lex	Publications Office of the European Union

¹³ European Commission

¹⁴ EU Member States

	A.iv. Bridge the digital divide for access to digital justice	7	Improve the accessibility of national portals and other e-Justice services	COM/MS
		2, 3, 4, 6	Assist users through conversational assistants (chatbots, including AI-powered ones), facilitating citizens' access to judicial information	COM/MS
		All	Support access to IT material means for users	MS
		7	Ensure equal access to digital justice services across the EU	COM/MS
	A.v. Empower persons, businesses and justice professionals	7	Train justice professionals	COM/MS
		7	Activities to enhance users' skills in order to improve access to justice by digital means	COM/MS

B. Enhance digital judicial cooperation	B.i. Improve cross-border interoperability	1	Design and test new use cases facilitating interoperability	MS
		1, 3, 4	Implement applicable legislation on cross-border judicial cooperation (for example, the Digitalisation Regulation and its implementing acts and other current or forthcoming EU legislation)	MS
		1, 3	Deploy e-CODEX access points	MS
		5	Interconnect registers	COM/MS
		1, 2, 5	Promote the use of the European Case Law Identifier (ECLI ¹⁵)	COM/MS
	B.ii. Real-time communication services		Promote digital court rooms	MS
		4	Improve video conference interoperability (e.g. common requirements, standards or tools for conducting remote hearings)	COM/MS

¹⁵ Taking as a reference the Council Conclusions on the European Case Law Identifier (ECLI) and a minimum set of uniform metadata for case law [https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52019XG1024\(01\)](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52019XG1024(01))

C. Make digital justice more efficient	C.i. Promote data-oriented justice	5	Improve legal and judicial data collection and use	MS/Publication's Office
		5	Provide open data and transparency	MS/Publication's Office
	C.ii. Technologies for the efficiency of digital justice	2, 3	Implement and promote the use of electronic signatures and seals	COM/MS
			Handle user identification and authentication	COM/MS
			Handle user consents	COM/MS
		2, 3	Allow for solutions enabling electronic payment of fees	COM/MS
		All	Automate justice activities	MS
	C.iii. Promote the digitalisation of some face-to-face activities in justice	7	Develop and promote remote digital procedures in justice (where possible)	MS

D. Promote an innovative digital justice	D.i. Leverage of innovative technologies	6	Identify fields of application and safely apply AI in the justice domain, including but not only: for the anonymisation and pseudonymisation of judicial decisions; as a transcription tool for the recording of proceedings and the documentation of evidence gathered by the court (speech-to-text and text-to-speech); for translation; for legal analysis of e.g. case law and big data sources; for calculating entitlements to compensation, e.g. passenger rights or similar	COM/MS
	D.ii. Promote the exchange of innovative experiences	All	Share best practices within the competent Council Working Party and within other fora	MS
		All	Facilitate and exchange information about national and multi-country projects	MS
		All	Facilitate mutualisation and reuse of digital solutions among MS	MS
		All	Create a newsletter for the sharing of experience on ongoing initiatives, best practices and latest developments	MS/PCY ¹⁶

¹⁶ Presidency of the Council of the European Union.

C. Identification of projects and initiatives

84. The criteria for inclusion of a project or initiative in support of an action are as follows:
- a. The project or initiative must actively contribute to the achievement of the Strategy's objectives and be related to a specific action.
 - b. The project or initiative will be hosted within the corresponding working area linked to the operational objective. If the working area does not exist, it will be categorised under 'other working areas'.
 - c. The project or initiative must yield benefits within its designated working area to as many Member States as possible. This implies that the results and lessons learned should be shared with all Member States participating in the working area.
 - d. The project or initiative should adhere to the reporting, monitoring and coordination rules specific to its respective working area.
85. This approach moves away from the methodology of the previous action plan, which included an exhaustive list of projects. Instead, it prioritises the ability to promptly respond to shifting circumstances such as the introduction of new legal acts, technological innovations or unforeseen obstacles.

V. Follow-up mechanism

86. This Strategy intends to establish the groundwork for a follow-up mechanism that sets out pertinent criteria for monitoring projects and initiatives. While this entails active engagement by Member States and the relevant European Union institutions and bodies, it should be designed in such a way as to avoid imposing an undue administrative burden.

87. Incorporating a uniform follow-up mechanism for all projects and initiatives will enhance coordinated actions. Furthermore, it will streamline progress monitoring, priority establishment, and planning and coordination among Member States and/or European Union institutions or bodies while minimising the duplication of efforts.
88. When a project or initiative is identified, it should be included in the follow-up mechanism under the corresponding strategic objective, operational objective, and action. The information to be provided for each project or initiative should include, at least:
- a. Description
 - b. Scope and purpose
 - c. Corresponding strategic and operational objective
 - d. Corresponding working area(s)
 - e. Expected benefits
 - f. Participating Member States and/or organisations, with a brief description of the roles and responsibilities of each party (especially where they have different roles)
 - g. Timelines
 - h. Funding sources (EU funding or other)
 - i. Interdependencies and potential synergies with other projects (if applicable)
 - j. Status
89. This information should be updated by the persons and entities responsible for each project or initiative, at least annually. This should be done without prejudice to reporting obligations applicable in other contexts (for example, the Justice Scoreboard) or provided for in legislative acts, and duplication of efforts should be avoided.

90. The rotating Presidency of the Council of the European Union should regularly inform the competent Working Party on the progress and results of the projects and initiatives included in the follow-up mechanism. This should serve to provide guidance on e-Justice work, in accordance with this Strategy.
 91. A collaborative follow-up tool should be made accessible for reporting purposes in order to minimise the administrative burden. The General Secretariat of the Council should assist the Presidency by hosting and ensuring the functioning of the follow-up tool.
 92. Proposals to include projects or initiatives in the follow-up mechanism should be analysed and decided by the competent Working Party of the Council.
 93. The European Commission should also be invited to inform Member States about the state of play and results of its projects or initiatives.
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