

# FI status and roadmap for the digitalisation of judicial cross border information exchange and procedures

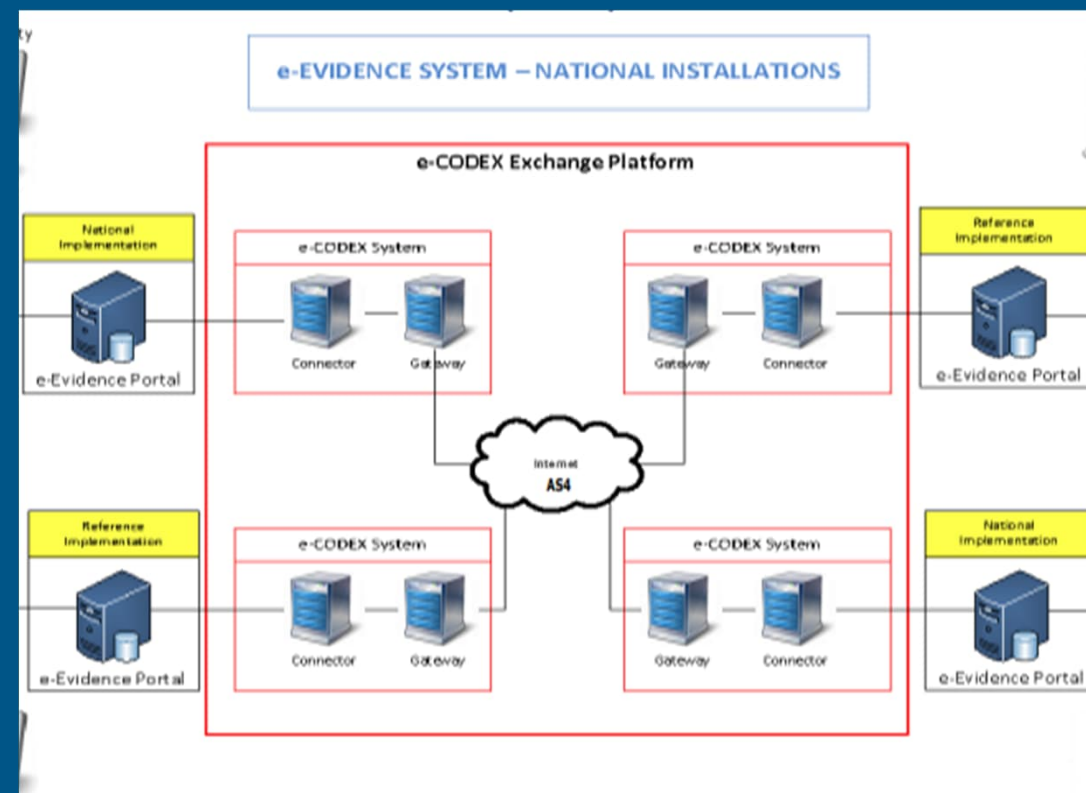
20.11.2023

# Background

- In recent years, EU has promoted the possibilities for electronic exchange of information in cross-border transactions and exchange of information
    - European Commission has supported e-CODEX project
    - Based on e-CODEX, Commission started the development of eEDES portal to support digital exchange of European Investigation Orders EIO's
    - So far 12 member states has joined the digital exchange of EIO's
  - On December 2021 European Commission adopted a legislative proposal package on digitalisation of judicial cooperation
    - The most comprehensive one is the so called **horizontal regulation package which includes 24 legislative instruments in the field of judicial cross-border cooperation and access to justice** in civil, commercial and criminal matters
    - The proposal was accompanied by a Commission proposal amending a number of directives and framework decisions as regards the digitalisation of judicial cooperation
    - In to force Q1 2024
- **The main purpose of the proposals were to oblige Member States to use, as a rule, digital channels for the cross-border exchange of information between national competent authorities and to oblige Member States to allow the use of digital means in cross-border procedures**
- E-CODEX
- Furthermore, regulation for e-CODEX (EU) 2018/1726, roles and responsibilities for operating e-CODEX

# e-CODEX and eEDES

- E-CODEX = e-Justice Communication via Online Data EXchange
- Includes two main building blocks - gateway / eDelivery application and Connector server
- De-centralized IT-system for secure data exchange in cross-border legal procedures between European judicial authorities
- eEDES reference implementation / portal = e-Evidence Digital Exchange System
- Developed by the Commission for EIO, however, will be expanded for all digitalized cross border instruments
- **MS has a freedom to choose will it use Commissions eEDES portal (reference implementation) or if it connects to the e-CODEX via interface from national case management system**
- **Finland will first deploy reference implementation, e-CODEX interfaces will be assessed further in time**



# E-CODEX Roadmap FI, estimation

	2023	2024	2025	2026	2027
<b>E-CODEX ja viitesovellus (eEDES-portaali)</b>	<b>Asennus ja testaus</b>	<b>Hyväksymistestaus, arvioinnit, käyttöönotto, arkkitehtuuri</b>	<b>Käytön laajentaminen</b>	<b>Käytön laajentaminen</b>	<b>Käytön laajentaminen</b>
<b>Eurooppalainen tutkintamääräys (EIO direktiivi 2014/14) ja MLA</b>		<b>Käyttöönotto</b> (SY ja poliisi)		TP säädös osana digitalisointisäädöspaketti, vaihe 1	
<b>Tiedoksianto- ja todisteluasetus siv.as. (SoD EU 2020/1784 - ToE EU 2020/1783)</b>			<b>Käyttöönotto 5/2025 DL</b> (yl. Tuomioistuimet)		
<b>Yhteiset tutkintaryhmät (JIT CP)</b>	<b>Asetus</b> (EU 2023/969)	<b>Täytäntöönpanosäädös</b>	<b>Käyttöönotto DL</b> (SY ja poliisi)		
<b>E-Evidence (esittämis- ja säilyttämismääräykset teleoperaattorit)</b>	<b>Asetus ja direktiivi</b> (EU 2023/1543 – EU 2023/1544)		<b>Täytäntöönpanosäädös</b>	<b>Käyttöönotto DL</b> (yl. Tuomioistuimet, SY, poliisi)	
<b>Terrorismitapauksia koskeva tiedonvaihto</b>			<b>Täytäntöönpanosäädös</b>	<b>Käyttöönotto DL</b> (SY ja poliisi)	
<b>Rikosoikeudellisten menettelyjen siirtäminen</b>			<b>Asetus?</b>		<b>Täytäntöönpanosäädös?</b>
<b>Oikeusalan digitalisointisäädöspaketti, 1 vaihe (mm. EIO, EAW)</b>		<b>Asetus</b>	<b>Täytäntöönpanosäädös</b>	<b>Toteutus</b>	<b>Toteutus</b>
<b>Oikeusalan digitalisointipaketti, 2 vaihe</b>		<b>Asetus</b>		<b>Täytäntöönpanosäädös</b>	<b>Toteutus</b>
<b>Oikeusalan digitalisointipaketti, 3 vaihe</b>		<b>Asetus</b>			<b>Täytäntöönpanosäädös</b>

# Digitalisation proposal, draft

## **First Batch (adoption of implementing acts 2025, operational 2028)**

- European Order for Payment (EPO)
- Small Claims (SC)
- European Arrest Warrant (EAW)
- European Investigation Order (EIO)
- Mutual recognition of freezing orders and confiscation orders

## **Second Batch (adoption of implementing acts 2026, operational 2029)**

- Protection Measures in Civil Matters
- European Account preservation Order (EAPO)
- Insolvency proceedings
- Legal Aid
- Protection Order
- Custodial Sentences

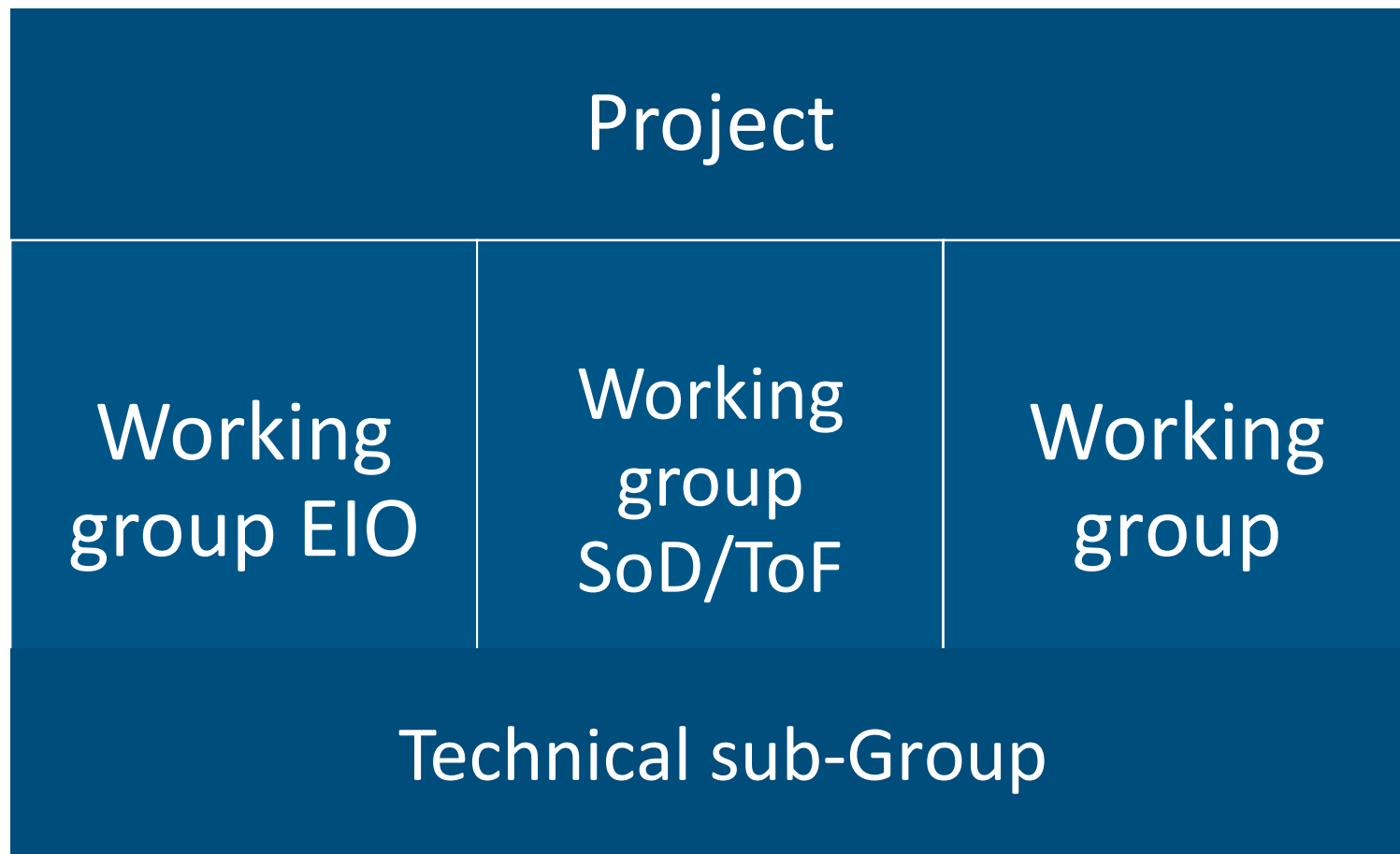
## **Third Batch (adoption of implementing acts 2027, operational 2030)**

- Succession regulation, Matrimonial Property regimes, Regulation on Property Consequences of Registered Partnership, Freezing Order, Financial Penalties, Confiscation Order, Jurisdiction in Criminal Proceedings

## **Fourth Batch (adoption of implementing acts 2028, operational 2031):**

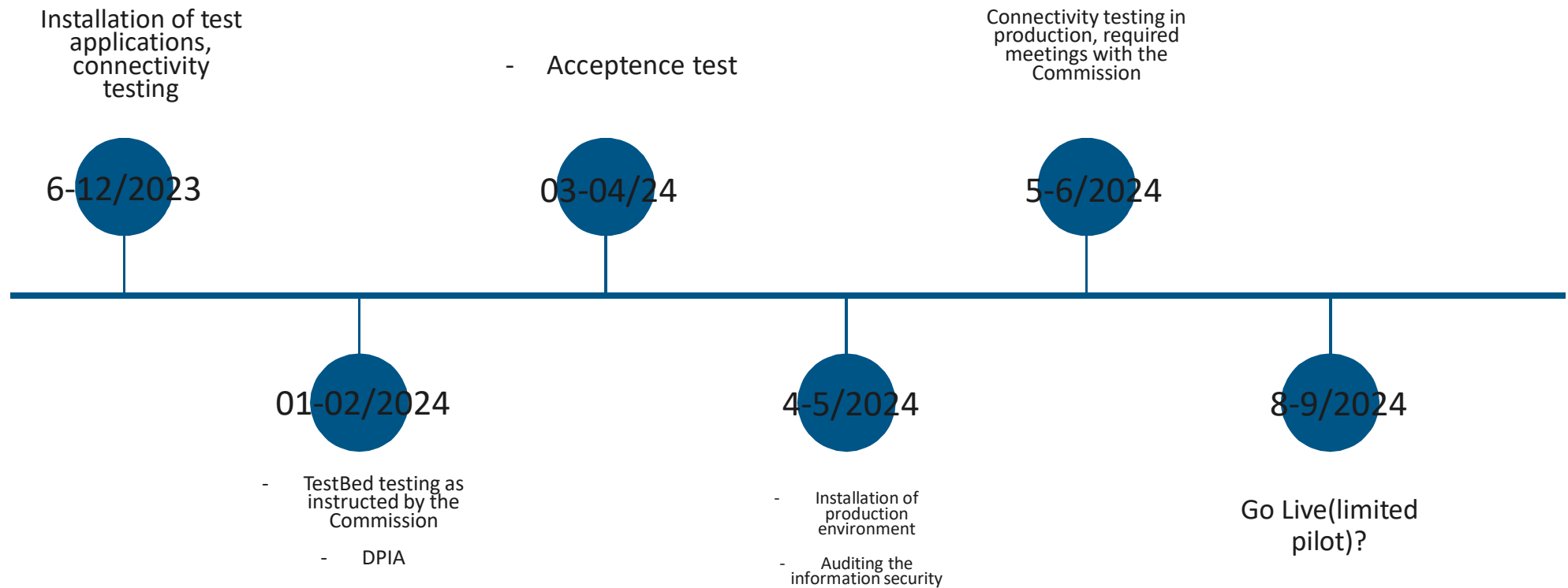
- Enforcement Order, Maintenance Regulation, Brussels Ia, Brussels IIb, Alternative sanctions, Protection Matters Civil Matters

# Organisation of the FI project



## eEDES/e-CODEX estimated technical timeline

- E-CODEX installed
- eEDES installation in progress



# Aim of the FI TREIO training

- Issuing and executing an EIO by digital means using the e-Evidence Digital Exchange System (eEDES)
- Training of trainers method - which got good reviews from Finnish participants in Swedish training
  
- Furthermore, informative purpose
  - Gaining and distributing knowledge about the new eEDES system and the forthcoming change in the cross-border judicial information exchange
  - Gain experience for the national eEDES implementation
  - Brief survey after the training to support our national eEDES/e-CODEX deployment project