

## Deal on digitalisation of access to justice will benefit citizens

- New rules increase legal certainty, help decrease delays and undue costs for citizens
- Approximately 3.4 million civil and commercial court proceedings in 2018 had cross-border implications

**On Tuesday, Parliament and Council negotiators reached an agreement to make access to justice faster, cheaper and more user-friendly for EU citizens and businesses.**

The two pieces of legislation under negotiation between the two EU legislators, respectively on taking evidence and on service of documents, aim to make judicial cross-border cooperation between national courts more efficient through digitalisation in civil and commercial matters.

### Quotes

[Emil Radev \(EPP, BG\)](#) rapporteur for [Cooperation between the courts: taking of evidence in civil or commercial matters](#) said: “The provisions we have adopted will have a real impact on the everyday lives of our European citizens. Requests to take evidence will be transmitted between the courts of member states directly, rapidly and reliably, while encouraging the use of videoconferencing. This will save European citizens both time and money.”

[Franco Roberti \(S&D, IT\)](#) rapporteur for [Service of judicial and extrajudicial documents in civil or commercial matters](#) said: “This agreement is a step forward in the European judicial area in civil matters, based on the principles of mutual trust and mutual recognition of judgments. It removes administrative obstacles and offers legal certainty to citizens and businesses that documents have the same legal effects in any EU court. This was not an easy task, given the plurality of legal systems and traditions that coexist within the EU.”

Main elements of the agreement:

- **Courts will be able to exchange documents electronically:** changes in both regulations establish a decentralised IT system that will allow for faster, more secure and effective exchange of documents between member states;
- The **decentralised IT system** will be composed of national, interoperable IT systems, without involving any EU institutions;

- **Data protection:** information will be kept strictly confidential and personal data and privacy will be protected when documents are transmitted and evidence is being taken; personal data which is deemed irrelevant for a specific case will be deleted immediately;
- **Increased use of distance communication:** modern communication technologies, such as videoconferencing, that can lower costs and help evidence to be taken more quickly, will be used appropriately and with the consent of the person to be heard.

Greater legal certainty, combined with simple and digitalised procedures, will encourage individuals and businesses to engage in cross-border transactions, thereby boosting trade within the EU, and hence the functioning of the internal market.

### Next steps

Parliament and Council now need to endorse the final version of the agreement before it is published in the Official Journal of the European Union. The two regulations will enter into force 20 days following their publication.

### Background information

The two proposals constitute a package to modernise judicial cooperation in civil and commercial matters and [replace](#) the earlier international, more cumbersome system of the Hague Conventions between the member states.

The existing regulation on the service of documents puts in place a fast-track and standardised transmission procedure for the service of documents between courts and other parties in different EU countries. The regulation on taking evidence provides a framework for cross-border judicial assistance between EU countries by facilitating the collection of evidence across borders.

### Further information

[Committee on Legal Affairs](#)

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