



Brussels, 17 February 2014

Summary report of the 28th Experts Group Meeting – European e-Justice Portal

PARTICIPANTS: 23 MEMBER STATES (CY, FR, HR, LU AND SI WERE EXCUSED), THE PUBLICATIONS OFFICE, COUNCIL SG AND THE COMMISSION.

1. WELCOME AND OPENING REMARKS

The European Commission (hereafter ‘the Commission’) welcomed the participants to the meeting. There were no comments on the report of the previous meeting and the agenda was adopted with no comments.

2. EUROPEAN E-JUSTICE PORTAL STATE OF PLAY

The Commission gave a state of play overview of the various on-going e-Justice activities.

- A new Release of the European e-Justice Portal (hereafter ‘the Portal’) went live in December 2013.
- The mobile version of the e-Justice Portal is now available on line.
- The Croatian language is also available in the e-Justice Portal, being the 23rd language of the Portal.
- On e-CODEX, the Commission noted that the plan is to have a working e-CODEX connection by June 2014 for a limited group of users and recalled that it is for now only a pilot project. The Commission reiterated its request for the support of Member States concerning the development of the Digital Signature (DSS) Applet and commented that feedback on certain signature national solutions is still lacking. ES asked the Commission to circulate a list of what is required on their side for the support of Spanish digital signatures. IT commented on the overall approach to digital signatures in the context of the Portal and, in this context, asked about the Commission's plans to offer support to users. The Commission replied that e-CODEX functionalities would initially be offered only to limited target groups, which the Commission expects to be able to support with its own internal resources, and that a contract with an external support provider to support users would have to be

established for a second phase when the system is available to the general public.

- The Commission noted progress made in the areas of ECLI, Find a Lawyer, Find a Notary, Court Database. On the Find a Notary project, work is commencing towards interconnecting the notary public professionals in the UK and Ireland.
- On the Land Registers study, the Commission noted that 12 responses were received regarding the designation of contact points and informed Member States that a questionnaire will be sent to the contact points indicated. A technical subgroup will be convened for the work to progress. The Commission also noted that a contact with the Permanent Cadastral Committee has been established.
- Most projects, like the Insolvency Registers Interconnection, Find a Lawyer and Find a Notary projects are subject to the adoption of Data Protection Decision which is still pending. AT and NL intervened on this issue and mentioned that the revision of the Insolvency Regulation, currently taking place, should be combined with the adoption of a legal instrument for e-Justice.

3. RESPONSIVE WEB DESIGN PRESENTATION

The Commission informed Member States about the specificities of the mobile version of the European e-Justice Portal. In particular, the Portal is now employing RWD technology to automatically support different mobile devices with different display resolutions. For the mobile version, the possibility to fill on line the dynamic forms was excluded. The desktop version has been also amended.

AT congratulated the good work and recommended addition of a link allowing switching between different versions of the Portal.

The Commission confirmed that the above, as well as some other enhancements and fixes (e.g. concerning issue with dynamic forms found by BE), is foreseen for the upcoming releases.

4. CONTENT ISSUES

The Commission informed the Member States about the following points:

- access to the Portal's Content Management System (CMS) was granted to the EJM contact points.

- the factsheets on access to justice in environmental matters (prepared in English) are being currently encoded in the CMS and translation in all other languages is in progress. All the factsheets have already been validated by the Member States, therefore, for the time being, no action on the Member States side is required.

- contracts on victims and defendants' factsheets have been terminated so these items become content topics under the sole responsibility of the Member States. Consequently, it is to be underlined that as from that moment, all the content items

in the Portal are managed only by the Member States, the EJM contact points and the Commission.

- the need for a constant revision of Member State content pages. In addition, the Commission asked PL, PT, FI, DK, EL and ES to provide feedback on the state of play of their pages on videoconferencing facilities.

- concerning the release that went live in December 2013, the Commission informed that from now on all notifications concerning updates of content contain a reference to the actor who triggered the update action. Also, Google Analytics code has been removed which implies that an in-house solution, so called Europa Analytics, will be used to report on statistics.

AT commented that concerning the content items on fundamental rights, an agreement has to be reached with the Fundamental Rights Agency in order to avoid duplication. The Commission replied that this issue will be discussed during the next meeting with the Fundamental Rights Agency.

PT asked for more information about the content and structure of the environmental factsheets. The Commission explained that the content of the pages is under the responsibility of the Member States and that if an element is considered to be irrelevant/obsolete/duplicated, Member States are free to amend it.

5. MACHINE TRANSLATION PRESENTATION

The Commission presented several development mock-ups.

Member States would be responsible to decide on whether machine translation should be enabled or disabled for their content pages (on the level of individual content items). The Commission informed Member States that practical examples will be given during the next meeting.

The EJM in civil matters decided not to opt for machine translations for its content.

6. COURTS AUTHORITY TABLES

The Commission noted that a document was circulated asking Member States for their feedback. As a reply to this document, 6 Member States (CY, DE, EE, MT, NL, SK) confirmed their agreement on using Authority Tables in the described manner, 4 Member States (BE, HU, LU and UK) provided comments and eighteen Member States have not sent a reply. In the response, FI confirmed its agreement and some delegations expressed a favourable opinion.

The Commission presented the project's background, described the current state of play and replied to the questions raised prior to the meeting by BE, HU, LU and UK.

Several delegations (ES, HU, IT and PT) took the floor and asked additional questions. The Commission addressed all of them and concluded that in order to reach a formal conclusion before the upcoming e-Justice Working Party, it would expect the outstanding Member States to provide their opinion. To this end, it was agreed that a detailed email, addressing all doubts and concerns of the Member

States, will be disseminated after the meeting. Consequently, the Member States will be given one week to come up with the final decision on their side.

7. EUROPEAN CASE LAW IDENTIFIER PRESENTATION

The Commission gave a presentation on the progress and the steps necessary for the implementation of ECLI. A demonstration of the ECLI search engine took place and the Commission noted that case law is already being received from some Member States and organisations.

UK questioned whether there is a way to have access to a test environment. The Commission replied that the relevant link will be sent to the Member States.

8. E-CODEX/DSS APPLLET PRESENTATION

The Commission presented the state of play since the last meeting and made a demonstration of the latest version of the DSS Applet and of the current state of the e-CODEX integration into the e-Justice Portal. The Commission noted that two different contractors are working on the two topics.

IT commented on the approach chosen for the e-Signature in the e-Justice Portal, remarked that using it demands a certain technical prowess and pointed out some potential problems from their own experience when relying on Java solutions. IT also conceded, of their own accord, that an easier solution would have been impossible given today's state of the support for e-Signature. The Commission took note of the comments and referred to the current landscape and the legal requirement of using electronic signatures.

IT further commented on the 5MB limit imposed by the Portal on attachments and asked for this to be customisable for each Member State, which the Commission confirmed it would do.

Finally, IT, AT and the Commission had a discussion on the fact that DG Justice's electronic signature would feature, in addition to the user's electronic signature, into the form that is submitted to the court. The Commission explained the technical reasons why the electronic signature of DG Justice is unavoidable. IT, however, maintained its concern that this may lead to possible difficulties when the claim reaches the judge.

ES asked the Commission to keep the disclaimer that the user has to accept before being able to submit a claim via e-CODEX very short, given the importance of the fact that the user needs to understand from the disclaimer message that the email address he provided on the Portal will function as an "electronic legal mailbox". Following another related question from ES, the Commission clarified that the documents submitted by the user would not be sent to this email-address, but they would be accessible on the e-Justice Portal, in the user's account.

AT welcomed the progress achieved by the Commission and stressed that work on the e-CODEX pilot project should continue via e-SENS. The Commission explained that there is a clear commitment from DG CONNECT that the e-SENS project would not reinvent the same building blocks that were already developed by previous projects, such as e-CODEX, but indeed strive for reuse and convergence of the e-Document, e-Signature and e-Delivery-projects.

9. STATISTICS AND PROMOTIONAL ACTIVITIES

The Commission presented an update for December 2013 and noted that there have been around 150.000 visits. The Commission stated that statistics will be made available via CIRCABC.

A *tour de table* concerning information about promotional activities in each Member State took place. Most Member States had nothing new to report vis-à-vis promotional activities already carried out and on-going.

IT announced that an e-Justice promotional conference will take place in Rome during the Italian Presidency.

UK noted that a direct link to the dynamic forms is part of their website in order to promote the e-Codex pilot project.

AT referred to the e-Justice conference that took place in January 2014.

FI commented that two promotional tools have been finalised, a national intranet system and the possibility of creating links to the European e-Justice Portal.

SE announced its plans to host a promotional conference on e-Justice in early June 2014 and asked about information brochures for that purpose. The Commission stated that apart from specific on-line materials no printed promotional content has been produced so far.

10. ANY OTHER BUSINESS

AT noted leading an informal subgroup about videoconferencing. A first meeting took place in January 2014 attended by 10 Member States, the Council, the Commission and the European Court of Justice. The aim was to define some relevant projects and to improve cross-border organisation by discussing all technical problems. AT announced that a questionnaire will be sent out to all participants and the next meeting will take place on 3 April 2014. The Commission asked whether members of the AVIDICUS project partners were represented in this subgroup to which NL replied in the affirmative.

The Commission announced the schedule of meetings for 2014 and noted that the next two experts' meetings will take place in June and October 2014, the next three ECLI meetings will take place in 12 February, April or May (to be confirmed) and June or July (to be confirmed).

Finally, the Commission referred to an Experts' meeting related to Land Registers Interconnection that will take place in May 2014. The aim of the meeting will be to inform participants about the deliverables of the related feasibility study. In principle, for this meeting the contact points involved in the feasibility study will be invited. The two main deliverables that will be submitted for examination are a report on Land Registers and a document presenting several possible architectures for an interconnection. These documents will undergo further revisions after the experts' meeting on Land Registers Interconnection and then they will be submitted to the Working Party on e-Law (e-Justice) for further discussion.