



Brussels, **XXX**
[...](2021) **XXX** draft

COMMISSION IMPLEMENTING REGULATION (EU) .../...

of **XXX**

laying down the technical specifications, measures and other requirements for the implementation of the decentralised IT system referred to in Regulation (EU) 2020/1783 of the European Parliament and of the Council

This draft has not been adopted or endorsed by the European Commission. Any views expressed are the preliminary views of the Commission services and may not in any circumstances be regarded as stating an official position of the Commission.

COMMISSION IMPLEMENTING REGULATION (EU) .../...

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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)¹, and in particular Article 25(1) thereof,

Whereas:

- (1) In order to establish the decentralised IT system for communication and exchange of documents for the purposes of taking evidence, it is necessary to define and adopt technical specifications, measures and other requirements for the implementation of that system.
- (2) There are tools that have been developed for the digital exchange of case related data, without replacing or requiring costly modifications to the existing IT systems already established in the Member States. The e-Justice Communication via On-line Data Exchange (e-CODEX) system is the main tool of this type developed to date.
- (3) The decentralised IT system should be comprised of the back-end systems of Member States and interoperable access points, through which they are interconnected. The access points of the decentralised IT system should be based on e-CODEX.
- (4) Once the decentralised IT system has been developed the steering committee will ensure the operation and maintenance of it. The steering committee should be established by the Commission in a separate act.
- (5) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 of the European Parliament and of the Council² and delivered an opinion on 24 January 2022.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Committee on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters,

¹ OJ L 405, 2.12.2020, p. 1.

² Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

HAS ADOPTED THIS REGULATION:

Article 1

Technical specifications of the decentralised IT system

The technical specifications, measures and other requirements for the implementation of the decentralised IT system referred to in Article 25 of Regulation (EU) 2020/1783 shall be as set out in the Annex.

Article 2

Entry into force

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.

Done at Brussels,

For the Commission
The President
Ursula VON DER LEYEN