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**"I/A" ITEM NOTE**

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from:	the Presidency
to:	Coreper/Council
Subject:	Cooperation between the website of the European Judicial Network in criminal matters and e-Justice - Council conclusions

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**I. INTRODUCTION**

1. Cooperation between the website of the European Judicial Network in criminal matters and the e-Justice Portal has been under consideration via informal contacts during successive semesters.
2. This issue was further discussed at the annual plenary meeting of the EJN contact points in The Hague on 26 February 2013 and subsequently at the meeting of the correspondents of EJN network website on 19 March 2013. The issue was also considered at the meeting of the Working Party on e-Law (e-Justice) on 7 May 2013. As a result of these discussions, the EJN Secretariat submitted this matter for approval to the plenary meeting of the EJN in criminal matters on 19 June 2013.
3. The annexed document contains the final consolidated version of the agreement on this cooperation approved at the EJN plenary meeting on 19 June 2013.
4. Coreper/Council is invited to endorse this agreement as set out in the Annex.

## I. INTRODUCTION

1. The European Judicial Network in criminal matters (hereafter referred to as "EJN") was created by Joint Action 98/428/JHA of 29 June 1998<sup>1</sup>. From 24 December 2008, a new legal basis entered into force, namely the Council Decision 2008/976/JHA of 16 December 2008<sup>2</sup> on the European Judicial Network, which reinforced the legal status of the EJN. The network's activities include the development and management of a website created to provide useful and practical information, primarily to practitioners in the field of international judicial cooperation in criminal matters.
2. The framework for e-Justice activities at EU level is the European e-Justice action plan.<sup>3</sup> One of the objectives is the development of a uniform European e-Justice Portal, which was launched on 16 July 2010. The European e-Justice Portal is conceived as a "one-stop-(electronic)-shop" for information on European justice and access to European judicial procedures and is targeted at citizens, businesses, legal practitioners and the judiciary. Following the division of competences on the basis of the action plan, the Commission is carrying out the technical work in close coordination with the Member States.

## II. COOPERATION BETWEEN THE EJN AND E-JUSTICE

3. Cooperation between both parties will enable the judicial authorities in criminal matters to have access to the EJN website through the e-Justice Portal and, simultaneously, to access e-Justice content such as related case law, harmonised information on the judicial courts, information on training and projects regarding justice in criminal matters. It will also provide access to glossaries containing criminal law terminology.

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<sup>1</sup> OJ L 191, 7.7.1998, p.4

<sup>2</sup> OJ L 348, 24.12.2008, p.130

<sup>3</sup> OJ C 75, 31.3.2009, p. 1

4. Having the EJM pages in the e-Justice Portal will allow the Portal to cover the important area of judicial cooperation in criminal matters: it will contain information for national judicial authorities and IT tools with operational profiles developed by practitioners.
5. The EJM pages will enjoy increased visibility and will, hence, reach more practitioners, increasing their added value as an important and useful tool for the judicial authorities in the Member States.
6. Initial discussions about possible cooperation between the two sites were held both within the Working Party on e-Law (e-Justice) and with the representatives of the EJM<sup>1</sup> in the course of 2011 and 2012. After discussions between both parties and respective groups, it was agreed to propose the methodology set out in paragraph 7.
7. The approach chosen with respect to the EJM website mirrors the specificities and requirements of the EJM in criminal matters. The methodology will be clearly stated and explained in a common paper related to this cooperation, as referred to in paragraph 9. It is clearly understood that the autonomy of the information of the EJM in criminal matters should be fully maintained and respected by all parties involved. The process should respect the following conditions:
  - (a) EJM pages should enjoy a high level of visibility on the e-Justice Portal. Therefore, the EJM logo shall be clearly visible on the homepage of the e-Justice Portal and shall appear before the topic has been chosen, thus guaranteeing that the users of the EJM website are able to find the information they need as easily as before;
  - (b) The EJM shall retain sole responsibility for the EJM information pages. In practice, the existing working methodology and decision-making process will continue. The Contact Points, i.e. the Tool Correspondents, shall continue to update and decide upon the content and the EJM Secretariat shall remain the administrating body of the EJM pages;

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<sup>1</sup> 9195/12 EJUSTICE 110 JUSTCIV 193 JUSTPEN 13 COPEN 254

- (c) Moreover, the structure and presentation of the EJM pages on the e-Justice Portal shall be as similar as possible to the existing structure and presentation of the EJM website with which practitioners have been familiar for years;
- (d) EJM pages shall display a dedicated banner (containing the EJM logo); access to the EJM pages shall be set up in a way that gives the EJM contact points direct access to the EJM pages in the e-Justice Portal;
- (e) Reserved sections of the website shall be maintained;
- (f) The EJM shall be granted access to the Content Management System of the e-Justice Portal in order to modify/update its content;
- (g) The European Commission is responsible for the translation process, respecting the methodology of the EJM and with active participation of the contact points;
- (h) Mechanisms and procedures with the full participation of the EJM should be set up in order to ensure consistency with other information on the e-Justice Portal and that there is no information conflicting with other information on the e-Justice Portal; the same applies with regard to the presentation of EJM website pages;
- (i) Subject to the other conditions set out in this document, any existing or newly created EJM content should adhere to the European e-Justice Portal's drafting guidelines as set out in 11340/2/09 REV 2 JURINFO 93. In any case, EJM pages shall not be shortened and should maintain their existing content and design, as specified in the common paper referred to in paragraph 9;
- (j) The e-Justice portal shall provide clear statements on the ownership of information provided; the EJM shall be responsible for keeping its content up to date. Queries about the accuracy of content on EJM pages will be directed to the e-justice contacts of the relevant Member State who will liaise, as appropriate, with their EJM contact point. Citizens addressing requests for information to the e-Justice Portal should receive an automatic reply stating that general questions concerning national law and legal questions regarding individual cases will not be answered.

8. The implementation of this cooperation will be ensured by representatives of the EJM Secretariat, Eurojust, the Commission, the representatives of the Council and a limited number of EJM contact points.
9. Relevant and practical information on the implementation process related to the EJM technical requirements shall be indicated in the common paper drafted by the EJM Secretariat, the Commission and the Council Secretariat.
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