2020/0345 (COD)

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on a computerised system for ~~communication in~~ *the electronic exchange of data in the context of* cross-border civil and criminal ~~proceedings~~*matters* (e-CODEX system), and amending Regulation (EU) 2018/1726

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 81(2) and Article 82(1) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Acting in accordance with the ordinary legislative procedure,

Whereas:

(1)   Ensuring an effective access of citizens and businesses to justice and facilitating judicial cooperation *in civil, including commercial, and criminal matters* between the Member States are among the main objectives of the ~~EU~~*Union*'s Area of Freedom, Security and Justice enshrined in Title V of the Treaty *on the Functioning of the European Union (TFEU)*.

(1a)   It is sometimes difficult to access justice systems for a number of reasons such as formalistic and expensive legal procedures, long procedural delays and high costs of using court systems.

(2)   It is thus important that appropriate channels are developed to ensure that justice systems can efficiently cooperate in a digital way. Therefore, it is essential to establish, at Union level, an information technology instrument that allows swift, direct, interoperable, *sustainable,* reliable and secure cross-border electronic exchange of case related data*, while always respecting the right to protection of personal data*. Such a system *should contribute to improving access to justice and transparency, by* ~~,~~ enabling citizens and businesses to exchange documents and evidence in digital form with judicial or other competent authorities, when provided ~~forby~~*for by* national or Union law~~.~~ *. This system* should ~~contribute to improving access to justice~~*increase mutual trust between Member States' judicial authorities and citizens' trust in the Union*.

(2a)   *Digitalisation of proceedings in civil and criminal matters should be encouraged with the aim of strengthening the rule of law and the fundamental rights guarantees in the Union, particularly by facilitating access to justice.*

(2b)   *This Regulation concerns electronic exchange of data in the context of cross-border judicial cooperation in civil and criminal matters. Judicial cooperation in civil and criminal matters and the respective competences of judicial or other authorities should be understood in accordance with the Union legal acts and the case law of the Court of Justice of the European Union.*

(3)   There are tools which have been developed for the digital exchange of case related data, without replacing or requiring costly modifications to the existing back-end systems already established in the Member States. The e-Justice Communication via On-line Data Exchange (e-CODEX) system is the main such tool developed to date.

(4)   The e-CODEX system is a tool specifically designed to facilitate the cross-border electronic exchange of ~~messages~~*data* in the ~~justice area~~*field of judicial cooperation in civil and criminal matters*. In the context of increased digitalisation of proceedings in civil and criminal matters, the aim of the e-CODEX system is to improve the efficiency of cross-border communication between the competent authorities and facilitate access to justice of citizens and businesses. ~~It has been managed up to date~~*Until the handover, it will be managed* by a consortium of Member States and organisations with funding from Union programmes*.*

(4a)   *Deleted*

(4b)   *The e-CODEX system provides an interoperable solution for the Justice sector to connect the IT systems of the competent national authorities, such as the judiciary, or other organisations. The e-CODEX system should therefore be viewed as the preferred solution for an interoperable, secure and decentralised communication network between national IT systems in the area of cross-border judicial cooperation in civil and criminal matters.*

(4b)   *For the purposes of this Regulation, electronic exchange of data includes any content transmissible in electronic form by means of the e-CODEX system, such as text or sound, visual or audio-visual recording, in the form of either structured or unstructured data, files or metadata.*

(4d)   *This Regulation does not provide for the mandatory use of the e-CODEX system. At the same time, nothing in this Regulation should prevent Member States from developing and maintaining pilot use cases.*

(4e)   *Deleted*

(5)   The e-CODEX system consists of two software elements: ~~the Domibus~~*a* gateway ~~software~~ for the exchange of messages with other gateways and ~~the Domibus~~ *a* connector ~~software~~, which provides a number of functionalities related to the transmission of messages between national systems. *Currently,* the gateway is based on the eDelivery building block maintained by the Commission, while the ~~operational~~ management of the connector is carried out by a consortium of Member States and organisations with funding from Union Programmes (the entity managing the e-CODEX system). The connector software provides functions such as verification of electronic signatures via a security library and proof of delivery. In addition, the entity managing the e-CODEX system has developed ~~templates~~*data schemas* for digital forms to be used in the specific civil and criminal procedures for which it has piloted the e-CODEX system.

(5a)   *Deleted*

(5b)   *Deleted*

(6)   Given the importance of the e-CODEX system for cross-border exchanges in the justice area in the Union, there should be a sustainable Union legal framework establishing the e-CODEX system and providing rules regarding its functioning and development. Such a legal framework should ***ensure the protection of fundamental rights as provided for in the Charter of Fundamental Rights of the European Union, in particular those outlined in Title VI and Article 47 thereof on the right to an effective remedy and to a fair trial. It should in no way undermine the protection of procedural rights that are essential for the protection of those fundamental rights. It should also*** clearly define and frame the components of the e-CODEX system in order to guarantee its technical sustainability ***and security*** . The system should define the IT components of an access point, which should consist of a gateway for the purpose of secure communication with other identified gateways and a connector for the purpose of supporting the message exchanges. It should also include digital procedural standards consisting of the business process models and ~~templates~~***data schemas*** defining the electronic format of the ~~documents used~~***data exchanged*** in the context of those procedures to support the use of e-CODEX access points for legal procedures provided for by legal acts adopted in the area of judicial cooperation ***in civil and criminal matters*** and to enable the exchange of information between the access points.

(6a)   ***Given that semantic interoperability, as one of the layers of interoperability, should be a contributing factor to achieving the objective of this Regulation of a standardised and meaningful interaction between two or more parties, particular consideration should be attributed to the EU e-Justice Core Vocabulary.***

(6b)   ***Deleted***

(7)   Since it is necessary to ensure the long term sustainability of the e-CODEX system
        and its governance while ~~taking into account~~*respecting* the independence of the
        national judiciaries, an appropriate entity for the ~~operational~~ management of the
        system should be designated. *. The independence of the national judiciaries, in the
        context of the governance of the e-CODEX system within the European Union
        Agency for the Operational Management of Large-Scale IT Systems in the Area of
        Freedom, Security and Justice (eu-LISA), established by Regulation (EU)
        2018/1726 of the European Parliament and of the Council*[1a]*, should be ensured.*

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        [1a] *Regulation (EU) 2018/1726 of the European Parliament and of the Council of 14
        November 2018 on the European Union Agency for the Operational Management of
        Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA),
        and amending Regulation (EC) No 1987/2006 and Council Decision 2007/533/JHA
        and repealing Regulation (EU) No 1077/2011 (OJ L 295, 21.11.2018, p. 99).*

(8)   The most appropriate entity for the ~~operational~~ management of the system is an agency, since its governance structure allows for the involvement of Member States in the ~~operational~~ management of the system through participation in the Agency's Management Board, ~~Advisory Groups and~~ Programme Management ~~Boards. The European Union Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (eu-LISA) established by Regulation (EU) 2018/1726 of the European Parliament and of the Council~~[1] *Board and Advisory Group. eu-LISA* has relevant experience in managing large-scale IT Systems. eu-LISA should therefore be entrusted with the ~~operational~~ management of the e-CODEX system. It is also necessary to adjust the existing governance structure of eu-LISA by adapting the responsibilities of its Management Board and by establishing an e-CODEX Advisory Group. Regulation (EU) 2018/1726 should therefore be amended accordingly. A specific *e-CODEX* Programme Management Board*, taking into account gender balance,* should also be established. *The e-CODEX Programme Management Board should advise the Agency's Management Board on the prioritisation of activities, including on developing digital procedural standards, new features and new software versions.*

(9)   According to Article 19 of Regulation (EU) 2018/1726 the role of the Management Board of eu-LISA is*, inter alia,* to ensure that all decisions and actions of the Agency affecting large-scale IT systems in the area of freedom, security and justice respect the principle of independence of the judiciary. The governance structure of the Agency and financing scheme further guarantee the respect of that principle. ~~It~~*It* is also important to involve the legal professions*, other experts and relevant* ~~and other~~ stakeholders in the governance of the e-CODEX system through *the Advisory Group and* the Programme Management Board. *The detailed arrangements and conditions as regards the involvement of the legal professions and other relevant stakeholders should allow them to participate effectively and be consulted effectively, namely by duly considering their feedback.*

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[1]   ~~Regulation (EU) 2018/1726 of the European Parliament and of the Council of 14 November 2018 on the European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA), and amending Regulation (EC) No 1987/2006 and Council Decision 2007/533/JHA and repealing Regulation (EU) No 1077/2011 (OJ L 295, 21.11.2018, p. 99)~~

(10)   Given eu-LISA's priority tasks of developing and managing the Entry/Exit System (EES), the European Travel Information and Authorisation System (ETIAS), the European Criminal Records Information System for Third Country Nationals (ECRIS-TCN), the revised Schengen Information System (SIS), the Visa Information System (VIS) and Eurodac, as well as the strategic task to establish a framework for interoperability between EU information systems, eu-LISA should ~~not~~ take over the responsibility for the e-CODEX system *no* earlier ~~than on 1 July~~*than 1 July 2023 and no later than 31 December* 2023.

(10a)   *e-CODEX correspondents should be entitled to request and receive technical support under this Regulation and should support the operation of the e-CODEX system among Member States. The service level requirements for the activities to be carried out by eu-LISA should address the matter of the number of e-CODEX correspondents in Member States and in the Commission, in proportion to the number of the e-CODEX access points authorised by the Member States or by the Commission and of the digital procedural standards applied on them.*

(11)   The e-CODEX system can be used in cross-border civil and criminal ~~proceedings. However, given its open source nature, it could also be used in~~*matters. It should be possible to use the e-CODEX system and components of the e-CODEX system for* other ~~situations. This Regulation should not apply to any~~*purposes outside of the scope of judicial cooperation under national or Union law as long as such use does not impair the* use of the e-CODEX system*. This Regulation only applies to the cross-border exchange of data between connected systems via authorised e-CODEX access points, in accordance with the corresponding digital procedural standards* ~~which is not based on the legal acts listed in Annex I~~.

(12) eu-LISA should have responsibility for the components of the e-CODEX system, except for the ~~operational~~ management of the ~~Domibus~~ gateway software, since that software is currently provided on a cross-sectoral basis within the eDelivery building block by the Commission. eu-LISA should take over full responsibility for the ~~operational~~ management of the ~~Domibus~~ connector software and the digital procedural standards from the entity managing the e-CODEX system *until the handover*. Given that the ~~Domibus~~ gateway and the ~~Domibus~~ connector are integral components of ~~e-Codex~~ *e-CODEX*, eu-LISA should assure compatibility of the connector with the latest version of the gateway. To that end, the Commission should include eu-LISA *in the preparatory work undertaken before eu-LISA takes over the e-CODEX system and* in the relevant governance body of the eDelivery building block from the moment of the entry into force of this Regulation.

(13) In order to ensure uniform ~~conditions for~~ *conditions for* the implementation of this Regulation, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council[2]. The implementing acts adopted in that framework should establish the minimum technical specifications and standards, including on security *and methods for integrity and authenticity verification*, underpinning the components of the e-CODEX system; establish the service level requirements for the activities carried out by eu-LISA and other necessary technical specifications for these activities*, including the number of e-CODEX correspondents for the authorised access points, in proportion to the number of access points and digital procedural standards applied on them*; and establish the ~~modalities~~ *specific arrangements* of the handover/takeover process. Implementing acts ~~could~~ *should* also establish the technical arrangements supporting the use of the e-CODEX system in the procedures in the area of judicial cooperation *in civil and criminal matters*.

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2 Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers. (OJ L 55, 28.2.2011, p. 13).

(13a) ***The connector should be able to technically support all types of electronic seals and electronic signatures as provided for in Regulation (EU) No 910/2014. The minimum technical specifications and standards established by the Commission should include security operating standards regarding the connector. The security requirements on the functioning of the connector should take into account security standards for information security and existing Union legal acts, such as Regulations (EU) No 910/2014, (EU) 2016/679 and (EU) 2018/1725 and Directive (EU) 2016/680.***

(13b) ***Deleted***

(14) eu-LISA's specific responsibilities in relation to the ~~operational~~ management of the e-CODEX system should be laid down.

(14a) ***The tasks of eu-LISA include the addition of new features, if needed. One of such new features should be a feature in the connector allowing for the retrieval of relevant statistical data regarding the number of technical messages sent and received through each authorised e-CODEX access point.***

(14b) ***Deleted***

(15)   The Member States should maintain a list of authorised e-CODEX access points operated within their ~~territory,~~*territories* and communicate them to eu-LISA in order to enable ~~the interaction between them~~*them to interact with one another* in the context of the relevant procedures. The Commission should maintain a similar list of authorised e-CODEX access points operated by ~~the~~ Union institutions, bodies*, offices* and agencies for the same ~~reason. The entities operating the~~*purpose. The Commission should notify eu-LISA of the authorised e-CODEX* access points *on that list.* At national level*, public authorities or legal persons, such as* ~~may be public authorities,~~ organisations representing legal practitioners ~~or~~*and* private companies*, may be authorised to operate e-CODEX access points. At Union level, Union institutions, bodies, offices or agencies may operate e-CODEX access points. Entities operating authorised e-CODEX access points at national level are to comply with the data protection requirements and principles laid down in Regulation (EU) 2016/679 of the European Parliament and of the Council*[1b]*. Entities operating authorised e-CODEX access points at Union level are to comply with the data protection requirements and principles laid down in Regulation (EU) 2018/1725 of the European Parliament and of the Council*[1a]*. Having regard to.* ~~Bearing in mind~~ the decentralised nature of the e-CODEX system, while eu-LISA should ensure the ~~operational~~ management of the e-CODEX system, the responsibility for setting up and operating the authorised ~~e-CODEX~~*e-CODEX* access points should lie exclusively with the entities operating the relevant *e-CODEX* access points. ~~The entities~~*An entity* operating ~~the~~*an* authorised e-CODEX access point should bear the responsibility for any damage resulting from the operation of *that authorised e-CODEX access point, on the basis of the applicable law. The Member States and the Commission should verify that entities operating* ~~the~~ authorised ~~e-CODEX~~*e-CODEX access points have the necessary technical equipment and human resources in order to guarantee that the e-CODEX system functions properly and in a trustworthy manner. In the event that the aforementioned entities do not have the necessary technical equipment and human resources, their* access point *should lose its authorisation*.

(15a) *Member States should also supervise the authorised e-CODEX access points for which they are responsible, in particular when they are operated by entities that are not public authorities. Member States should ensure that adequate data security measures are in place.*

(15b) *Member States should inform the general public about e-CODEX, by means of a set of large-scale communication channels, including but not limited to, websites or social media platforms.*

(15c) *Deleted*

(15c) *While it is for each Member State to determine the digital procedural standards which each e-CODEX access point it has authorised is entitled to apply, each Member State should nevertheless ensure that all the digital procedural standards adopted through an implementing act under this Regulation apply on its territories.*

(16)   The national systems interconnected via the e-CODEX system*A mechanism* should allow for monitoring its efficiency and effectiveness by providing a mechanism*be put in place* to monitor the outputs, results and impacts*impact* of instruments that enable the transmission of electronic data in the context of cross-border civil and criminal proceedings*matters* in the Union. The systems connected to the*entities operating* authorised e-CODEX access points should therefore be able to systematically collect and maintain comprehensive data on the use of cross-border civil and criminal proceedings in accordance with the relevant provisions of the legal acts listed in Annex I*the e-CODEX system*. This should not only alleviate the work of the Member States in collecting the relevant data and ensure mutual accountability and transparency, but also significantly facilitate the ex-post monitoring of the legal acts adopted in the area of civil and criminal cooperation by the Commission. The collected information should only encompass aggregated data and should not constitute personal data.

(16a) *When providing technical support to e-CODEX correspondents in relation with the e-CODEX system, eu-LISA should act as a single point of contact, including for the gateway.*

(17)   eu-LISA should maintain a high level of security when carrying out its tasks. When undertaking further technical evolutions of software *or developing upgrades*, eu-LISA should implement the principles of security by design and data protection by design and by default, in accordance with Regulation (EU) 2018/1725. The entities operating the authorised e-CODEX access point should bear the responsibility for the security *and protection* of the data transmitted via their access points.

(18)   *Classified information, as defined in Article 2 of the Agreement between the Member States of the European Union, meeting within the Council, regarding the protection of*~~In case~~ classified information ~~needs to be processed using~~*exchanged in the interests of the European Union*[3]*, should not be transmitted via* the e-CODEX system, *unless the relevant conditions provided for in that Agreement, in other Union legal acts and national law, are fulfilled*~~the system would need to be accredited in accordance with eu-LISA information security rules~~.

(19)   In order to allow eu-LISA to prepare the takeover adequately, the entity managing the e-CODEX system should prepare by 31 December 2022 a handover document setting out the detailed arrangements for the transfer of the e-CODEX system, including the criteria for a successful handover process and its completion, in accordance with implementing acts adopted by the Commission pursuant to this Regulation. The handover document should cover the components of the e-CODEX system including the gateway, the connector and the digital procedural standards, as well as the relevant supporting *software* products*, documentation and other assets*. The Commission should monitor the handover/takeover process in order to ensure its compliance with the implementing acts and the handover document, and the takeover should only take place once the Commission has declared that the process has been successfully completed*, after consulting the entity managing the e-CODEX system until the handover*. After submitting the handover document and until the successful handover of the e-CODEX system to eu-LISA, the entity managing the e-CODEX system should not *perform changes to the system or* deliver any new *software* release ~~but should only~~*beyond what is necessary to* ensure *its* corrective maintenance ~~activities of the e-CODEX system.~~.

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[3]   *OJ C 202, 8 July 2011, p.13*

(20)   The handover should also ensure that any intellectual property rights or usage rights relating to the e-CODEX system and the relevant supporting products are transferred so as to enable eu-LISA to carry out its responsibilities under this Regulation. However, for the main software components of the system, a contractual transfer should not be needed, as the ~~Domibus~~ software is open source and covered by the European Union Public Licence (EUPL).

(21)   In order for the Commission to be able to evaluate the e-CODEX system on a regular basis, eu-LISA should report to the Commission every two years on the technical evolution and the technical functioning of the e-CODEX system. In order to feed into that report, Member States should provide eu-LISA with the relevant information concerning the access points ~~operated~~*for the connected systems* in their ~~territory~~ **territories** and the Commission should provide similar information concerning the access points operated by Union institutions, bodies and agencies.

(21a)   The e-CODEX Advisory Group should provide eu-LISA with the necessary expertise related to the e-CODEX system, in particular by promoting the exchange of experiences and best practices. The Advisory Group may be involved in the development of new digital procedural standards, including those launched at the initiative of Member States.

(21b)   In order to enable the European Parliament and the Council, as the co-legislators, to assess the success of the transfer of the e-CODEX system and how well the e-CODEX system functions in general, the Commission should regularly produce overall evaluations of the e-CODEX system. The Commission should prepare the first such evaluation three years after eu-LISA takes over responsibility for the e-CODEX system and every four years thereafter.

(21c)   Deleted

(21d)   The term of office of the members of the Programme Management Board and their alternates is renewable, but due consideration should be given to the representation of different Member States on the Programme Management Board, which is to be promoted whenever possible so as to ensure participation of all Member States over time.

(21e)   *In fulfilment of its duties, the Programme Management Board should ensure that all measures taken by eu-LISA regarding the e-CODEX system, either technical (for instance, concerning infrastructure, data management and data separation) or organisational (for instance, concerning key personnel and other human resources), are in accordance with the guarantees of independence of the judiciary.*

(21e)   *Sufficient resources should be provided to eu-LISA in order to ensure that it is able to adequately carry out its new tasks as set out in this Regulation. The resources committed to the operation of the e-CODEX system in accordance with this Regulation should not be used for any other purpose.*

(21g)   *As regards the costs incurred in the performance of tasks laid down by this Regulation, nothing in the Regulation will prevent Member States from applying for funding for their national e-CODEX implementation from EU financing programmes.*

(21h)   *Insofar as permitted by national legislation, nothing in this Regulation prevents the submission of information to eu-LISA in an automated way, in particular the notifications provided for in this Regulation.*

(22)   This Regulation ~~should~~*does* not provide any specific legal basis for processing personal data. Any processing of personal data performed in the framework of this Regulation should be in accordance with the applicable data protection rules. Regulation (EU) 2016/679 ~~of the European Parliament and the Council[4] and Directive~~*and Directives 2002/58/EC*[35a] *and* (EU) 2016/680[36] of the European Parliament and the Council[5], apply to the processing of personal data carried out by e-CODEX access points, operated by authorised e-CODEX access points which are established within the **territories** of the Member States according to this Regulation.

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4   ~~Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).~~

5   ~~Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA (OJ L 119, 4.5.2016, p. 89).~~

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35a Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications) (OJ L 201, 31.7.2002, p. 37).

36 Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA (OJ L 119, 4.5.2016, p. 89).

(23)   Regulation (EU) 2018/1725 of the European Parliament and of the Council[61] applies to the processing of personal data carried out by Union institutions, bodies, *offices* and agencies in the context of this Regulation.

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1. 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 (Text with EEA relevance.) (OJ L 295, 21.11.2018, p. 39).

(23a)   Deleted

(23a)   It should be possible for international organisations or their subordinate bodies, governed by public international law, or other relevant entities or bodies, which are set up by, or on the basis of, an agreement between two or more countries, to participate in the e-CODEX system as relevant stakeholders after its operational management has been entrusted to eu-LISA. To that end, and in order to ensure the effective, standardised and secure operation of the e-CODEX system, it should be possible for eu-LISA to conclude working arrangements with those organisations pursuant to Regulation (EU) 2018/1726.

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6   ~~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 (Text with EEA relevance.) (OJ L 295, 21.11.2018, p. 39).~~

(23c) *Since the objectives of this Regulation, namely the establishment of the e-CODEX system at Union level and the entrusting of the system's management to eu-LISA, cannot be sufficiently achieved by the Member States but can rather, by reason of the scale and effects of the action, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary to achieve those objectives.*

(23d) *The Commission should study the feasibility of allowing third countries to participate in the e-CODEX system and, if necessary, present a legislative proposal to allow for such participation and to lay down rules and protocols to that end.*

(24)   In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.

(25)   In accordance with Articles 1, 2 and 4a(1) of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, and without prejudice to Article 4 of that Protocol, Ireland is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.

25a   *The seat of the Agency was established in Tallinn, Estonia, In view of its specific nature and characteristics, it was considered appropriate to develop and operationally manage e-CODEX in Tallinn, Estonia.*

(26)   ~~In accordance with Article 3 and Article 4a(1) of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Ireland has notified its wish to take part in the adoption and application of this Regulation.~~*Deleted*

(27)   The European Data Protection Supervisor was consulted and delivered an opinion on …[7],

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[7]   OJ …

HAVE ADOPTED THIS REGULATION:

CHAPTER 1

General Provisions

Article 1

Subject matter

This Regulation establishes ~~a decentralised IT system for cross-border communication~~*the legal framework* for the ~~purpose of facilitating electronic exchange of documents, requests, legal forms, evidence or other information in a secure and reliable manner in cross-border civil and criminal proceedings (e-Justice Communication via Online Data EXchange – e-CODEX system~~).

It lays down rules on the following:

(a)   the definition*, composition, functions and management* ~~and composition~~ of the e-CODEX system;

(b)   the ~~operational management~~*responsibilities* of the ~~e-CODEX system by the~~ European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (eu-LISA) *regarding the e-CODEX system*;

(c)   the responsibilities of the Commission, Member States and the entities operating authorised e-CODEX access points.

(ca)   the legal framework for the security of the e-CODEX system.

Article 2

Scope

This Regulation shall apply to the electronic ~~transmission of information~~*exchange of data* in the context of cross-border *judicial cooperation in* civil and criminal ~~proceedings~~*matters* by means of the e-CODEX system in accordance with the *Union* legal acts adopted in the area of judicial cooperation ~~listed in Annex I~~*in civil and criminal matters*.

Article 3

Definitions

For the purpose of this Regulation, the following definitions shall apply:

(-a)   *'e-CODEX system' (e-Justice Communication via Online Data Exchange in the area of justice) means a decentralised and interoperable system for cross-border communication for the purpose of facilitating the electronic exchange of data, which includes any content transmissible in electronic form, in a swift, secure and reliable manner in the area of judicial cooperation in civil and criminal matters;*

~~(a)~~*(b)*   'e-CODEX access point' means the ~~access point software~~*software packages* installed on a hardware infrastructure, able to transmit and receive information to and from other e-CODEX access points in a *secure and* trusted manner;

~~(b)~~*(c)*   'authorised e-CODEX access point' means an e-CODEX access point *authorised by a Member State or the Commission* which has been notified to eu-LISA in accordance with Article 5(4) or Article 7(1) ~~and which~~*andwhich* is operating a~~a~~*at least one* digital procedural standard **as defined in this Regulation**;

(ca)   *'e-CODEX correspondent' means a natural person, designated by a Member State or the Commission, who can request and receive technical support as referred to in Article 6(1), point (f), from eu-LISA concerning all the e-CODEX system components in accordance with Article 6(4).*

(c)*(d)* 'entity operating an authorised e-CODEX access point' means a ~~Union institution, body or agency, a national public authority or legal person~~*national public authority or legal person authorised under national law or a European Union institution, body, office or agency,* which is operating an authorised e-CODEX access point;

(d)*(e)* 'connected system' means an IT system which is connected to an e-CODEX access point for the purpose of ~~communicating~~*exchanging data* with other ~~e-CODEX access points~~*connected systems*;

(e)*(f)* 'central testing platform' means an e-CODEX ~~access point~~*system component* used exclusively for testing, that provides a set of functions which can be used by entities operating authorised e-CODEX access points to verify the correct operation of their access points and the correct use of the e-CODEX digital procedural standards in the connected systems ~~linked to these~~*associated with those* access points;

(f)*(g)* 'business process model' means a graphical and textual representation of a conceptual model of several related, structured activities or tasks, along with the relevant data models, and the sequence in which the activities or tasks have to be performed, in order to achieve a *standardised and* meaningful interaction between two or more parties;

(g) ~~'operational management' means all the tasks necessary to keep the e-CODEX system functioning in accordance with this Regulation.~~

(h) *'digital procedural standard' means the technical specifications on business process models and the data schemas based on the EU e-Justice Core Vocabulary defining the electronic structure of the data exchanged in the context of the e-CODEX system;*

Article 3a

Non-discrimination and respect for fundamental rights
The fundamental rights and freedoms of all persons implicated in the electronic exchange of information through the e-CODEX system, in particular the right to effective access to justice, the right to a fair trial, the principle of non-discrimination, the right to protection of personal data and the right to privacy, shall be fully observed and respected in accordance with Union law.

Article 3b

Deleted

CHAPTER 2

Composition, functions and responsibilities in relation to the e-CODEX system

Article 4

Composition of the e-CODEX system

1. The e-CODEX system shall be composed of an e-CODEX access point ~~and~~, digital procedural standards *and the supporting software products, documentation and other assets, listed in Annex I*.

2. The e-CODEX access point shall be composed of:

    (a) a gateway consisting of a software, based on a common set of protocols, enabling the secure exchange of information over a telecommunications network with other gateways using the same common set of protocols;

    (b) a connector, making it possible to link connected systems to the gateway referred to in point (a), and consisting of a software, based on a common set of open protocols, enabling the following:

        (i) structuring, logging and linking of messages;

        (ii) the verification of their integrity and authenticity;

        (iii) the creation of time-linked evidences of receipt for the exchanged messages.

3. ~~A digital procedural standard shall consist of the business process models and the templates defining the electronic format of the documents used in the context of the procedures laid down by legal acts listed in Annex I.~~

Article 5

Responsibilities of the Commission

1.   By 31 December 2022 the Commission shall establish, by means of implementing acts:

(a)   the minimum technical specifications and standards, including on security **and methods for integrity and authenticity verification**, underpinning the components of the e-CODEX system referred to in Article 4;

(b)   the service level requirements for the activities to be carried out by eu-LISA in accordance with Article 6 as well as other necessary technical specifications for those activities**, including the number of e-CODEX correspondents** .

(c)   the specific arrangements of the handover/takeover process referred to in Article 9.

2.   The Commission may adopt**, by means of** implementing acts**, the digital procedural standards, unless the adoption of such** ~~establishing detailed technical specifications on the digital procedural~~ standards ~~defined in Article 4(3)~~**is foreseen in other Union legal acts in the area of cross-border judicial cooperation in civil and criminal matters**.

3.   The implementing acts referred to in paragraphs 1 and 2 shall be adopted in accordance with the examination procedure referred to in Article 17(2).

4.   The Commission shall maintain a list of authorised e-CODEX access points which are operated by Union institutions, bodies**, offices** and agencies, and the ~~cross-border civil and criminal procedures as well as forms~~**digital procedural standards** which each access point is authorised to apply. It shall notify the changes to eu-LISA without delay~~, without prejudice to the annual notification provided for in Article 14~~.

5.   The Commission shall designate ~~up to five~~*a number of e-CODEX correspondents in proportion to the number of* e-CODEX ~~correspondents. Only~~*access points authorised by the Commission and of digital procedural standards applied on these access points. Only those* e-CODEX correspondents shall be entitled to request and receive technical support referred to in Article ~~6(2)(f) from eu-LISA~~*6(1)(f)* in relation to the e-CODEX system operated by Union institutions, bodies*, offices* and agencies*, under the terms defined in the implementing act pursuant to paragraph 1 (b) of the present article*.

<center>*Article 6*</center>

<center>Responsibilities of eu-LISA</center>

1.   eu-LISA shall be responsible for the ~~operational management of the~~ components of the e-CODEX system referred to in Article ~~4(2)(b) and (3) and~~*4, with the exception* of the ~~supporting software listed in Annex II.~~*gateway and, in particular, for the following tasks:*

2.   ~~The operational management of the e-CODEX system shall consist in particular of the following:~~*Deleted*

   (a)   development, maintenance, bug ~~fixing~~*fixes and updates, including on security* and distribution to the *entities operating* authorised e-CODEX access points of the software products ~~referred to in paragraph 1~~*and other assets*;

   (b)   ~~development~~*preparation*, maintenance, *update and* distribution ~~and updates of all~~*to the entities operating authorised e-CODEX access points of the* documentation relating to the components of the e-CODEX system~~and~~*,* its supporting software products ~~referred to in paragraph 1 to the authorised e-CODEX access points;~~*and the other assets*

   (c)   development, maintenance, update and distribution to the *entities operating* authorised e-CODEX access points of a configuration file containing an exhaustive list of authorised e-CODEX access points, including the ~~procedures and forms~~*digital procedural standards that* each of ~~these~~*those* access points is authorised to apply;

(d)   technical changes ~~to e-CODEX~~ and addition of new features, published as new ~~versions of e-CODEX~~ *software versions*, in order to respond to emerging requirements*, such as* laid down by the implementing acts referred to in Article 5(2) or by ~~the~~ the e-CODEX Advisory Group;

(e)   support and coordination of testing activities, including connectivity, involving the authorised e-CODEX access points;

(f)   technical support for the e-CODEX correspondents in relation to the e-CODEX system;

(g)   *development, deployment,* maintenance*, update* and distribution to the *entities operating* authorised e-CODEX access points of the ~~business process models, of the templates defining the electronic format of documents referred to in Article 4(3) and of the underlying pre-defined collection of data models~~*digital procedural standards and of the EU e-Justice Core Vocabulary on which they are based*;

(h)   publication on the eu-LISA website of a list of the authorised e-CODEX access points, which have been notified to eu-LISA, and the ~~cross-border civil and criminal procedures~~*digital procedural standards that* each of ~~these~~*those* access points is authorised to apply;

(i)   respond to requests for technical advice and support from the Commission services in the context of the preparation of the implementing acts provided for in Article 5(2);

(j)   ~~preparation and distribution to the authorised e-CODEX access points of new business process models and templates defining the electronic format of documents referred to in Article 4(3)~~*evaluation of the need for, assessment and preparation of new digital procedural standards*, including by organising and facilitating workshops with the e-CODEX correspondents~~.~~*;*

(ja)   *development, maintenance, and update of the EU e-Justice Core Vocabulary on which the digital procedural standards are based;*

(jb)   *development and distribution of security operating standards, as provided for in Article 10;*

(jc)   *provision of training, including to all relevant stakeholders, on the technical use of the e-CODEX system in accordance with Regulation (EU) 2018/1726, including provision of online training materials.*

3.   eu-LISA shall be responsible for the following additional tasks:

(a)   provision, operation and maintenance in eu-LISA's technical sites of the hardware and software IT infrastructure necessary for carrying out its tasks;

(b)   provision, operation and maintenance of a central testing platform*, while ensuring the integrity and availability of the rest of the e-CODEX system*;

(c)   informing the general public ~~through the Internet~~ about e-CODEX, by means of a set of large-scale communication channels, ~~such as~~*including but not limited to,* websites or social media platforms;

(d)   preparation, update and online distribution of non-technical information relating to the e-CODEX system and the activities carried out by eu-LISA.

4.   *For the purposes of paragraph 1(f),* eu-LISA shall make resources available on an on-call basis during business hours to provide *e CODEX correspondents with* a single point of contact ~~to which the authorised e-CODEX access points can notify security issues. Following such notifications, eu-LISA shall analyse the security issue and, if necessary, inform the authorised e-CODEX access points impacted by that security issue~~*for technical support, including for the gateway*.

4a.   *Deleted*

Article 7

Responsibilities of the Member States

1. Member States shall ~~maintain a list of authorised~~*authorise* e-CODEX access points~~,~~ ~~operated within~~ *for the connected systems in* their ~~territory, and the cross-border~~ ~~civil and criminal procedures~~*territories in accordance with the applicable national and Union law and shall maintain a list of those access points* as well as ~~forms~~*of the digital procedural standards,* which each access point is authorised to apply. ~~They~~*Member States* shall *supervise their authorised e-CODEX access points, ensuring that the conditions under which authorisation was granted are continuously met, and* notify the changes to eu-LISA without delay~~, without~~ ~~prejudice to the annual notification provided for in Article 14~~. *Member States shall not operate their authorised access points in third countries*.

2. Each Member State shall designate ~~up to five~~*a number of e-CODEX correspondents in proportion to the number of* e-CODEX ~~correspondents~~*access points which it has authorised and of digital procedural standards applied on these access points*. Only those *e-CODEX* correspondents shall be entitled to request and receive ~~the~~ technical support *as* referred to in Article ~~6(2)(f)~~*6(1), point (f), in accordance with the terms set out in implementing acts adopted pursuant to Article 5(1), point (b). Each Member State shall communicate a list of the e-CODEX correspondents it has designated and any modifications thereto to eu-LISA*.

Article 8

Responsibilities of entities operating authorised e-CODEX access points

1. The entity operating an authorised e-CODEX access point shall be responsible for ~~its~~ ~~secure set up and operation. This~~*setting it up and operating it securely. That* responsibility shall include the necessary adaptations to the connector referred to in Article 4(2)(b) to make it compatible with any ~~connected systems and any other~~ ~~necessary technical adaptations to its~~ connected systems.

2. The entity operating an authorised e-CODEX access point shall provide ~~for a mechanism in its connected system(s) allowing for the retrieval of relevant data on the use of cross-border civil and criminal procedures in accordance with~~ *to the Member State which has authorised the access point the statistical data defined in Article 14 (1) and (2) (a) and in* the relevant provisions of the *Union* legal acts ~~listed in Annex I~~*adopted in the area of judicial cooperation in civil and criminal matters*.

3. The responsibility for any damage resulting from the operation of an authorised e-CODEX access point and any connected systems shall be borne*, on the basis of the applicable law,* by the entity operating that authorised e-CODEX access point.

Article 9

Handover and takeover

1. The entity managing the e-CODEX system *until the handover* shall, by 31 December 2022———— at the latest, submit a common handover document to eu-LISA specifying the detailed arrangements for the transfer of the e-CODEX system, including the criteria for a successful handover process and completion and related documentation, as established by the implementing acts *adopted* pursuant to Article 5(1)(c)~~, including~~. *The handover document shall also include* provisions on intellectual property rights or usage rights relating to the e-CODEX system and the supporting software *products, documentation and other assets,* listed in Annex ~~II~~*I* enabling eu-LISA to carry out its responsibilities in accordance with Article 6.

2. ~~During not more than six months after~~*Within the six-month period following* the delivery of the handover document referred to in paragraph 1 a handover/takeover process shall take place between the entity managing the e-CODEX system and eu-LISA. ~~During that period~~*Until the handover*, the entity managing the e-CODEX system shall retain full responsibility for ~~the e-CODEX system~~*it* and shall ensure that ~~only corrective maintenance activities are performed in~~*no changes to* the system~~, excluding any other types of changes to the system. It shall, in particular, not deliver any new release~~ *are made or any new release is delivered other than for the purpose of carrying out corrective maintenance* of the ~~e-CODEX~~ system.

3.   The Commission shall monitor the handover/takeover process in order to ensure that the detailed arrangements of the process are correctly implemented by the entity managing the e-CODEX system *until the handover* and eu-LISA, on the basis of the criteria referred to in paragraph 1. *The Commission shall update the European Parliament and the Council by 31 July 2023 on the handover/takeover process.*

4.   eu-LISA shall take over responsibility for the e-CODEX system. *The handover will take place* at the date when the Commission ~~has declared~~*declares* the successful completion of the handover/takeover process referred to in paragraph 2 ~~and not~~, *no* earlier than ~~on~~ 1 July 2023 *but no later than 31 December 2023, after consulting the entity managing the e-CODEX system until the handover and eu-LISA*.

Article 10

Security

1.   After the successful takeover of the e-CODEX system, eu-LISA shall be responsible for maintaining a high level of security *throughout the process* when carrying out its tasks, including the security of the hardware and software IT infrastructure referred to in Article ~~6(3)~~ *7(1)*. In particular, eu-LISA shall ensure that an e-CODEX security plan is established and maintained and that the e-CODEX system is operated according to this security plan, taking into account the classification of the information processed in e-CODEX and eu-LISA information security rules. Such a plan shall provide for regular security inspections and audits including software security assessments of the e-CODEX system with the participation of the entities operating an e-CODEX access point.

2.   When carrying out its responsibilities, eu-LISA shall implement the principles of security by design and data protection by design and by default. ~~Classified information shall not be transmitted via e-CODEX, unless eu-LISA accredits the system and the competent national security authorities of the Member States accredit the access points.~~

3.   The entity operating an authorised e-CODEX access point shall have the exclusive responsibility for ~~the security of that access point~~ *its secure set-up and operation*, including the security of data transmitted through it*, taking into consideration the technical standards set out under Article 5(1)(a), as well as the security rules and guidance laid down in paragraph 6 of this Article*.

4.——— ~~It~~*Entities operating an authorised e-CODEX access point* shall without delay notify any security ~~issue~~*incident* to eu-LISA and to the Member State that maintains the list of authorised e-CODEX access points where that access point is listed, or, in the case of an access point operated by a Union institution, body*, office* or agency, to the Commission.

5.   *Following the detection of any vulnerabilities or security incidents by eu-LISA or the notification of security incidents provided for in paragraph 4, eu-LISA shall analyse the security incident and inform without delay the entities operating authorised e-CODEX access points impacted by it and the Advisory Group.*

6.   eu-LISA shall develop security rules and guidance regarding e-CODEX access points. The entity operating an authorised e-CODEX access point shall provide eu-LISA with statements proving its compliance with the ~~rules for the~~ security *rules* of e-CODEX access points. Those statements shall be updated on a yearly basis, or whenever a change is otherwise required.

Article 11

e-CODEX Advisory Group

1.   As from 1 January 2023, the e-CODEX Advisory Group established pursuant to Article 27(dc) of Regulation (EU) 2018/1726 shall provide eu-LISA with the necessary expertise related to the e-CODEX system, in particular in the context of preparation of its annual work programme and its annual activity report. ~~It shall also follow up on the state of implementation in the Member States. The Advisory Group shall be informed of any security issues.~~*The Advisory Group may set up sub-groups, composed of some of its members, for the purpose of examining specific matters, including specific digital procedural standards*.

1a.   *The Advisory Group shall, in particular:*

   (a)   *follow up on the state of implementation in the Member States;*

   (b)   *evaluate the need for, assess and prepare new digital procedural standards;*

   (c)   *promote knowledge sharing;*

   (d)   *monitor eu-LISA's compliance with the service level requirements set out in the implementing act adopted pursuant to Article 5(1)(b);*

   (e)   *provide an opinion on a draft version of the report provided for in Article 15.*

~~2~~3.   During the handover/takeover process the e-CODEX Advisory Group shall meet regularly, at least every second month, until the takeover process is successfully completed, *and at least every six months thereafter*.

3.   The e-CODEX Advisory Group shall report after each meeting to the Programme Management Board. It shall provide the technical expertise to support the tasks of the Programme Management Board ~~and shall follow up on the state of implementation in the Member States~~.

4.   The e-CODEX Advisory Group shall involve *relevant stakeholders and experts* in its work, *including members of the judiciary, legal practitioners and professional organisations* ~~the professional organisations and other stakeholders~~, which ~~participated in the management of the e-CODEX system at the time of its handover~~ *are affected by, use or participate in the e-CODEX system*.

Article 12

Programme Management Board

1.   By 1 January 2023, the Management Board of eu-LISA shall establish ~~an~~*a permanent* e-CODEX Programme Management Board. *It shall advise the Management Board of eu-LISA on the long-term sustainability of the e-CODEX system, in particular during the handover and takeover process, with regard to the prioritisation of activities, and other strategic commitments, ensure the adequate management of the system and monitor the guarantees of the independence of the judiciary, prompting preventive or corrective action, where necessary. The Programme Management Board has no mandate to represent the* ~~composed of ten~~ members *of the Management Board*.

2.   The Programme Management Board shall be composed of ~~eight~~*ten* members ~~appointed by the Management Board,~~*:* the Chair of the Advisory Group*,* referred to in Article 11*, eight members appointed by the Management Board,* and one member appointed by the Commission. *Each member shall have an alternate.* The Management Board shall ensure that the members ~~it appoints to~~*of* the Programme Management Board *and their alternates* have the necessary experience *including in the justice field* and expertise regarding the ~~e-CODEX system~~*performance of their tasks*.

2a.   *The term of office of the members and their alternates shall be four years and shall be renewable.*

3.   eu-LISA shall participate in the work of the Programme Management Board. To that end, ~~representatives~~*one representative* of eu-LISA shall attend the meetings of the Programme Management Board in order to report on work regarding the e-CODEX system and on any other related work and activities.

4.   The Programme Management Board shall meet at least once every ~~three~~*six* months, and more often when necessary. ~~It shall ensure the adequate management of the e-CODEX system, in particular during the handover/takeover process and with regard to the implementation of the acts adopted pursuant to Article 5(2).~~ The Programme Management Board shall submit written reports regularly and ~~if possible~~*at least after* every ~~second month~~*meeting* to the Management Board of eu-LISA on the ~~progress of the project. The Programme Management Board shall have no decision-making power nor any mandate to represent the members~~*status and progress* of the ~~Management Board~~*e-CODEX system*.

5.   The Programme Management Board shall establish its rules of procedure which shall include in particular rules on:

    (a)   choice of the ~~chair~~*chairperson and of the deputy chairperson and their term of office*;

    (b)   meeting venues;

    (c)   preparation of meetings;

(d)   admission of *stakeholders and* experts to the meetings, including ~~professional organisations and other stakeholders, participating in the management of the e-CODEX system at the moment of its handover;~~*members of the judiciary, legal practitioners, and professional organisations which are affected by, use or participate in the e-CODEX system*

(e)   communication plans ensuring that non-participating members of the Management Board are kept fully informed.

6.   ~~The chairmanship of the Programme Management Board~~*Article 21(1) of Regulation (EU) 2018/1726* shall ~~be held by a Member State which is fully bound by the legal acts listed in Annex I and using e-CODEX within their scope, as well as fully bound by the legal acts governing the development, establishment, operation and use of all the large-scale IT systems managed by eu-LISA~~*apply mutatis mutandis as regards the chairperson and the deputy chairperson of the Programme Management Board*.

7.   All travel and subsistence expenses incurred by the members of the Programme Management Board shall be *reasonable and proportionate and be* paid by eu-LISA~~.~~ ~~Article 10 of the eu-LISA~~ *in accordance with its* Rules of Procedure ~~shall apply mutatis mutandis~~.

8.   The Programme Management Board's secretariat shall be ensured by eu-LISA.

Article 13

~~Training~~*Deleted*

~~eu-LISA shall perform tasks related to the provision of training on the technical use of the e-CODEX system in accordance with Regulation (EU) 2018/1726, including provision of online training material.~~*Deleted*

Article 13a

Independence of the judiciary

1. *When carrying out their responsibilities under this Regulation, all entities shall respect the principle of the independence of the judiciary, having regard to the principle of separation of powers.*

2. *For this purpose, eu-LISA shall commit the resources provided to it for the e-CODEX system in their entirety to its operation under the present regulation, and ensure the involvement of justice representatives in the management of the e-CODEX system, pursuant to Articles 11 and 12.*

Article 14

Notifications

1. By 31 January of every year after the successful takeover of the e-CODEX system by eu-LISA, Member States shall notify eu-LISA of the following information:

   (a) ~~the list of authorised e-CODEX access points which are operated within their territory, and the cross-border civil and criminal procedures and forms which each e-CODEX access point is authorised to apply, as referred to in Article 7(1);~~*Deleted*

   (b) ~~a list of the cross-border civil and criminal procedures for which they use the e-CODEX system, and the extent to which the e-CODEX system can be used for each of these procedures;~~*Deleted*

   ~~(c)~~*(a)* the number of *technical* messages sent and received ~~by~~*through* each authorised e-CODEX access point ~~operating~~*for the connected systems* within their ~~territory~~*territories*, grouped by corresponding authorised e-CODEX access point and ~~cross-border civil and criminal~~*digital procedural standard, unless an equivalent notification* procedure *applies under other Union legal acts*;

   (d) the number and type of incidents encountered by entities operating authorised e-CODEX access points *for the connected systems* within the territory of the Member State and impacting the security of the e-CODEX system*, unless an equivalent notification procedure applies under other Union legal acts*.

2. By 31 January of every year after the successful takeover of the e-CODEX system by eu-LISA, the Commission shall notify eu-LISA of the following information:

(a) ~~the list of authorised e-CODEX access points that are operated by Union institutions, bodies and agencies, and the cross-border civil and criminal procedures and forms that each e-CODEX access point is authorised to apply, referred to in Article 5(4);~~*Deleted*

(b) ~~a list of the cross-border civil and criminal procedures for which they use the e-CODEX system, and the extent to which the e-CODEX system can be used for each of these procedures;~~*Deleted*

~~(c)~~*(a)* the number of *technical* messages sent and received ~~by~~*through* each authorised e-CODEX access point ~~operated by Union institutions, bodies and agencies~~*for the connected systems within their territories*, grouped by corresponding authorised e-CODEX access point and ~~cross-border civil and criminal~~*digital procedural standard, unless an equivalent notification* procedure *applies under other Union legal acts*;

~~(d)~~*(b)* the number and type of incidents encountered by entities operating authorised e-CODEX access points that are operated by Union institutions, bodies*, offices* and agencies and impacting the security of the e-CODEX system~~.~~*, unless an equivalent notification procedure applies under other Union legal acts;*

2a. *The notifications under paragraphs (1) and (2) shall confirm whether the list of authorised e-CODEX access points and the list of the digital procedural standards which they are authorised to apply are up to date.*

Article 15

Monitoring and reporting

1. For the first time two years after it takes over responsibility for the e-CODEX system, and every two years thereafter, eu-LISA shall submit a report to the Commission on the technical functioning and use of the e-CODEX system, including the security of the system.

2. eu-LISA shall consolidate the data received from the Commission and the Member States pursuant to ~~Article~~*Articles 5(4), 7(1) and* 14 and provide the following indicators as part of the report provided for in paragraph 1:

(a)   the list and number of ~~cross-border civil and criminal procedures~~*digital procedural standards* for which the e-CODEX system has been used during the reporting period;

(b)   the number of authorised e-CODEX access points for each Member State and for each ~~civil and criminal procedure~~*digital procedural standard*;

(c)   ~~the steps of the cross-border civil and criminal procedures for which the e-CODEX system can be used, for each Member State;~~*deleted*

(d)   the number of *technical* messages sent through the system for each ~~civil and criminal procedure~~*digital procedural standard* between each of the authorised e-CODEX access points;

(e)   the number and type of incidents impacting the security of the e-CODEX system and compliance information with the e-CODEX security plan.

3.   For the first time, three years after eu-LISA takes over responsibility for the e-CODEX system, and every four years thereafter, the Commission shall produce an overall evaluation of the e-CODEX system. That overall evaluation shall include an assessment of the application of this Regulation and an examination of results achieved against objectives, and may propose possible future actions. ~~At the time~~*On the occasion* of the ~~first evaluation~~*evaluations*, the Commission shall also ~~reexamine~~*re-examine* the role of the *e-CODEX* Programme Management Board and its continuation *based on objective grounds and shall propose improvements, if necessary*. The Commission shall transmit the evaluation report to the European Parliament and the Council.

Article 15a

Cooperation with international organisations

1.   *eu-LISA may conclude working arrangements with international organisations or their subordinate bodies, governed by public international law, or other relevant entities or bodies, which are set up by, or on the basis of, an agreement between two or more countries, in order to allow them to receive technical support when using the e-CODEX system. Those working arrangements shall be concluded in accordance with Article 43 of Regulation (EU) 2018/1726.*

2. *The working arrangements referred to in paragraph 1 may allow for the designation of one e-CODEX correspondent per international organisation, body or entity that shall be entitled to receive technical support as defined in Article 6(1)(f) in accordance with the terms defined in the implementing act pursuant to Article 5(1)(b), provided that they do not affect the costs referred to in Article 18 paragraph 1.*

Article 16

Amendments to Regulation (EU) 2018/1726

Regulation (EU) 2018/1726 is amended as follows:

(1)   in Article 1, the following paragraph 4a is inserted:

"4a.   *"*The Agency shall be responsible for the development, operational management, including technical evolutions, of the computerised system for ~~communication in~~ *the electronic exchange of data [...] in the context of* cross-border *judicial cooperation in* civil and criminal ~~proceedings~~*matters [...]* (e-CODEX system.)*"*;

(1a)   in Article 1, paragraph 5 is replaced by the following:

The Agency may be made responsible for the preparation, development or operational management of large-scale IT systems in the area of freedom, security and justice other than those referred to in paragraphs 3, 4 and 4a of this Article, including existing systems, only if so provided by relevant Union legal acts governing those systems, based on Articles 67 to 89 TFEU, taking into account, where appropriate, the developments in research referred to in Article 14 of this Regulation and the results of pilot projects and proofs of concept referred to in Article 15 of this Regulation."

(2)   the following Article 8b is inserted:

"Article 8b

Tasks related to the e-CODEX system

In relation to the e-CODEX system, the Agency shall perform:

(a)   the tasks conferred on it by Regulation (EU) No XXX/20XX of the European Parliament and of the Council*;

(b)   tasks relating to training on the technical use of the e-CODEX system, including provision of online training materials.

_____

*———on a computerised system for ~~communication in~~ *the electronic exchange of data in the context of* cross-border civil and criminal ~~proceedings~~*matters* (e-CODEX system), and amending Regulation (EU) 2018/1726 (OJ L …).*'';"*

(3)   in Article 14, paragraph 1 is replaced by the following:

"1.   The Agency shall monitor developments in research relevant for the operational management of SIS II, VIS, Eurodac, the EES, ETIAS, DubliNet, ECRIS-TCN, e-CODEX and other large-scale IT systems as referred to in Article 1(5).

(3a)   In Article 17, paragraph 3 is replaced by the following:

"3.   The seat of the Agency shall be Tallinn, Estonia.

The tasks relating to development and operational management referred to in Article 1(4) and (5) and Articles 3, 4, 5, 6, 7, 8, 9 and 11 shall be carried out at the technical site in Strasbourg, France.

The tasks relating to the development and operational management of the e-CODEX system referred to in Articles 1(4a) and 8b shall be carried out in Tallinn, Estonia.

A backup site capable of ensuring the operation of a large-scale IT system in the event of failure of such a system shall be installed in Sankt Johann im Pongau, Austria."

(4)   in Article 19, paragraph 1 is amended as follows:

(a)   point (ff) is replaced by the following:

"(ff)   adopt reports on the technical functioning of the following:

(i)   SIS pursuant to Article 60(7) of Regulation (EU) 2018/1861 of the European Parliament and of the Council* and Article 74(8) of Regulation (EU) 2018/1862 of the European Parliament and of the Council**;

(ii)   VIS pursuant to Article 50(3) of Regulation (EC) No 767/2008 and Article 17(3) of Decision 2008/633/JHA;

(iii)   EES pursuant to Article 72(4) of Regulation (EU) 2017/2226;

(iv)   ETIAS pursuant to Article 92(4) of Regulation (EU) 2018/1240;

(v)   ECRIS-TCN and of the ECRIS reference implementation pursuant to Article 36(8) of Regulation (EU) 2019/816 of the European Parliament and of the Council***;

(vi)   the interoperability components pursuant to Article 78(3) of Regulation (EU) 2019/817 and Article 74(3) of Regulation (EU) 2019/818;

(vii)   the e-CODEX system pursuant to Article ~~14(1)~~*15* of Regulation (EU) XXX of 20XX [this Regulation]

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*Regulation (EU) 2018/1861 of the European Parliament and of the Council of 28 November 2018 on the establishment, operation and use of the Schengen Information System (SIS) in the field of border checks, and amending the Convention implementing the Schengen Agreement, and amending and repealing Regulation (EC) No 1987/2006 (OJ L 312, 7.12.2018, p. 14).

** Regulation (EU) 2018/1862 of the European Parliament and of the Council of 28 November 2018 on the establishment, operation and use of the Schengen Information System (SIS) in the field of police cooperation and judicial cooperation in criminal matters, amending and repealing Council Decision 2007/533/JHA, and repealing Regulation (EC) No 1986/2006 of the European Parliament and of the Council and Commission Decision 2010/261/EU. (OJ L 312, 7.12.2018, p. 56).

*** Regulation (EU) 2019/816 of the European Parliament and of the Council of 17 April 2019 establishing a centralised system for the identification of Member States holding conviction information on third-country nationals and stateless persons (ECRIS-TCN) to supplement the European Criminal Records Information System and amending Regulation (EU) 2018/1726 (OJ L 135, 22.5.2019, p. 1)." ;"

(b)   point (mm) is replaced by the following:

"(mm)   ensure annual publication of the following:

(i)   the list of competent authorities authorised to search directly the data contained in SIS pursuant to Article 41(8) of Regulation (EU) 2018/1861 and Article 56(7) of Regulation (EU) 2018/1862, together with the list of Offices of the national systems of SIS (N.SIS) and SIRENE Bureaux pursuant to Article 7(3) of Regulation (EU) 2018/1861 and Article 7(3) of Regulation (EU) 2018/1862 respectively;

(ii)   the list of competent authorities pursuant to Article 65(2) of Regulation (EU) 2017/2226;

(iii)   the list of competent authorities pursuant to Article 87(2) of Regulation (EU) 2018/1240;

(iv)   the list of central authorities pursuant to Article 34(2) of Regulation (EU) 2019/816;

(v)   the list of authorities pursuant to Article 71(1) of Regulation (EU) 2019/817 and Article 67(1) of Regulation (EU) 2019/818;

(vi) the list of authorised e-CODEX access points pursuant to Article ~~6(2)(h)~~*6(1)(h)* of Regulation (EU) XXX of 20XX [on the e-CODEX system – this Regulation];*";*"

(5) in Article 27(1), the following point (dc) is inserted:

"(dc) e-CODEX Advisory Group;."

CHAPTER 3

Final provisions

Article 17

Committee procedure

1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

Article 18

Costs

1. The costs incurred in the performance of the tasks referred to in Article 6 shall be borne by the general budget of the European Union.

2. The costs for the tasks referred to in Article 7 and Article 8 shall be borne by the Member States ~~and~~*or* the entities operating authorised e-CODEX access points ~~respectively~~.

Article 19

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 European Parliament　　　*For the Council*

The President　　　　　　　　　*The President*

Annex I

~~Legal instruments falling within the scope this Regulation~~Deleted

~~Instruments in the area of judicial cooperation in civil matters~~ *Deleted*

(1)   ~~Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters~~[1]*Deleted*

~~OJ L 12, 16.1.2001, p. 1.~~

(2)   ~~Council Decision of 28 May 2001 establishing a European Judicial Network in civil and commercial matters (2001/470/EC)~~[2]*Deleted*

~~OJ L 174, 27.6.2001, p. 25.~~

(3)   ~~Council Regulation (EC) No 1206/2001 of 28 May 2001 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters~~[3]*Deleted*

~~OJ L 174, 27.6.2001, p. 1.~~

(4)   ~~Council Directive 2002/8/EC of 27 January 2003 to improve access to justice in cross-border disputes by establishing minimum common rules relating to legal aid for such disputes~~[4]*Deleted*

~~OJ L 26, 31.1.2003, p. 41.~~

(5)   ~~Council Regulation (EC) No 2201/2003 of 27 November 2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility, repealing Regulation (EC) No 1347/2000~~[5]*Deleted*

~~OJ L 338, 23.12.2003, p. 1.~~

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[1]   ~~OJ L 12, 16.1.2001, p. 1.~~

[2]   ~~OJ L 174, 27.6.2001, p. 25.~~

[3]   ~~OJ L 174, 27.6.2001, p. 1.~~

[4]   ~~OJ L 26, 31.1.2003, p. 41.~~

[5]   ~~OJ L 338, 23.12.2003, p. 1.~~

(6)   ~~Regulation (EC) No 805/2004 of the European Parliament and of the Council of 21 April 2004 creating a European Enforcement Order for uncontested claims~~[6]*Deleted*

~~OJ L 143, 30.4.2004, p. 15.~~

(7)   ~~Regulation (EC) No 1896/2006 of the European Parliament and of the Council of 12 December 2006 creating a European order for payment procedure~~[7]*Deleted*

~~OJ L 399, 30.12.2006, p. 1.~~

(8)   ~~Regulation (EC) No 861/2007 of the European Parliament and of the Council of 11 July 2007 establishing a European Small Claims Procedure~~[8]*Deleted*

~~OJ L 199, 31.7.2007, p. 1.~~

(9)   ~~Regulation (EC) No 864/2007 of the European Parliament and of the Council of 11 July 2007 on the law applicable to non-contractual obligations (Rome II)~~[9]*Deleted*

~~OJ L 199, 31.7.2007, p. 40.~~

(10)   ~~Regulation (EC) No 1393/2007 of the European Parliament and of the Council of 13 November 2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents), and repealing Council Regulation (EC) No 1348/2000~~[10]*Deleted*

~~OJ L 324, 10.12.2007, p. 79.~~

(11)   ~~Directive 2008/52/EC of the European Parliament and of the Council of 21 May 2008 on certain aspects of mediation in civil and commercial matters~~[11]*Deleted*

~~OJ L 136, 24.5.2008, p. 3.~~

(12)   ~~Regulation (EC) No 593/2008 of the European Parliament and of the Council of 17 June 2008 on the law applicable to contractual obligations (Rome I)~~[12]*Deleted*

~~OJ L 177, 4.7.2008, p. 6.~~

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[6]   ~~OJ L 143, 30.4.2004, p. 15.~~

[7]   ~~OJ L 399, 30.12.2006, p. 1.~~

[8]   ~~OJ L 199, 31.7.2007, p. 1.~~

[9]   ~~OJ L 199, 31.7.2007, p. 40.~~

[10]   ~~OJ L 324, 10.12.2007, p. 79.~~

[11]   ~~OJ L 136, 24.5.2008, p. 3.~~

[12]   ~~OJ L 177, 4.7.2008, p. 6.~~

(13)   ~~Council Regulation (EC) No 4/2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations[13]~~*Deleted*

~~OJ L 7, 10.1.2009, p. 1.~~

(14)   ~~Council Regulation (EU) No 1259/2010 of 20 December 2010 implementing enhanced cooperation in the area of the law applicable to divorce and legal separation[14]~~*Deleted*

~~OJ L 343, 29.12.2010, p. 10.~~

(15)   ~~Regulation (EU) No 650/2012 of the European Parliament and of the Council of 4 July 2012 on jurisdiction, applicable law, recognition and enforcement of decisions and acceptance and enforcement of authentic instruments in matters of succession and on the creation of a European Certificate of Succession[15]~~*Deleted*

~~OJ L 201, 27.7.2012, p. 107.~~

(16)   ~~Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (recast)[16]~~*Deleted*

~~OJ L 351, 20.12.2012, p. 1.~~

(17)   ~~Regulation (EU) No 606/2013 of the European Parliament and of the Council of 12 June 2013 on mutual recognition of protection measures in civil matters[17]~~*Deleted*

~~OJ L 181, 29.6.2013, p. 4.~~

(18)   ~~Regulation (EU) No 655/2014 of the European Parliament and of the Council of 15 May 2014 establishing a European Account Preservation Order procedure to facilitate cross-border debt recovery in civil and commercial matters[18]~~*Deleted*

~~OJ L 189, 27.6.2014, p. 59.~~

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[13]   ~~OJ L 7, 10.1.2009, p. 1.~~
[14]   ~~OJ L 343, 29.12.2010, p. 10.~~
[15]   ~~OJ L 201, 27.7.2012, p. 107.~~
[16]   ~~OJ L 351, 20.12.2012, p. 1.~~
[17]   ~~OJ L 181, 29.6.2013, p. 4.~~
[18]   ~~OJ L 189, 27.6.2014, p. 59.~~

(19)   ~~Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings~~[19]*Deleted*

~~OJ L 141, 5.6.2015, p. 19.~~

(20)   ~~Council Regulation (EU) 2016/1103 of 24 June 2016 implementing enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions in matters of matrimonial property regimes~~[20]*Deleted*

~~OJ L 183, 8.7.2016, p. 1.~~

(21)   ~~Council Regulation (EU) 2016/1104 of 24 June 2016 implementing enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions in matters of the property consequences of registered partnerships~~[21]*Deleted*

~~OJ L 183, 8.7.2016, p. 30.~~

(22)   ~~Regulation (EU) 2016/1191 of the European Parliament and of the Council of 6 July 2016 on promoting the free movement of citizens by simplifying the requirements for presenting certain public documents in the European Union and amending Regulation (EU) No 1024/2012~~[22]*Deleted*

~~OJ L 200, 26.7.2016, p. 1.~~

(23)   ~~Directive (EU) 2019/1023 of the European Parliament and of the Council of 20 June 2019 on preventive restructuring frameworks, on discharge of debt and disqualifications, and on measures to increase the efficiency of procedures concerning restructuring, insolvency and discharge of debt, and amending Directive (EU) 2017/1132 (Directive on restructuring and insolvency)~~[23]*Deleted*

~~OJ L 172, 26.6.2019, p. 18.~~

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[19]   ~~OJ L 141, 5.6.2015, p. 19.~~

[20]   ~~OJ L 183, 8.7.2016, p. 1.~~

[21]   ~~OJ L 183, 8.7.2016, p. 30.~~

[22]   ~~OJ L 200, 26.7.2016, p. 1.~~

[23]   ~~OJ L 172, 26.6.2019, p. 18.~~

Instruments in the area of judicial cooperation in criminal matters *Deleted*

(1)   Convention drawn up on the basis of Article K.3 of the Treaty on European Union, relating to extradition between the Member States of the European Union[24]*Deleted*

OJ C 313, 23.10.1996, p. 12.

(2)   Convention drawn up on the basis of Article K.3 of the Treaty on European Union, on simplified extradition procedure between the Member States of the European Union[25]*Deleted*

OJ C 78, 30.3.1995, p. 2.

(3)   Convention established by the Council in accordance with Article 34 of the Treaty on European Union, on Mutual Assistance in Criminal Matters between the Member States of the European Union[26]*Deleted*

OJ C 197, 12.7.2000, p. 3.

(4)   Protocol established by the Council in accordance with Article 34 of the Treaty on European Union to the Convention on Mutual Assistance in Criminal Matters between the Member States of the European Union[27]*Deleted*

OJ C 326, 21.11.2001, p. 2.

(5)   Council Framework Decision 2002/584/JHA of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States[28]*Deleted*

OJ L 190, 18.7.2002, p. 1.

(6)   Council Framework Decision 2002/465/JHA of 13 June 2002 on joint investigation teams[29]*Deleted*

OJ L 162, 20.6.2002, p. 1.

(7)   Council Framework Decision 2003/577/JHA of 22 July 2003 on the execution in the European Union of orders freezing property or evidence[30]*Deleted*

OJ L 196, 2.8.2003, p. 45.

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[24]   OJ C 313, 23.10.1996, p. 12.
[25]   OJ C 78, 30.3.1995, p. 2.
[26]   OJ C 197, 12.7.2000, p. 3.
[27]   OJ C 326, 21.11.2001, p. 2.
[28]   OJ L 190, 18.7.2002, p. 1.
[29]   OJ L 162, 20.6.2002, p. 1.
[30]   OJ L 196, 2.8.2003, p. 45.

(8)   ~~Council Directive 2004/80/EC of 29 April 2004 relating to compensation to crime victims~~[31]*Deleted*

~~OJ L 261, 6.8.2004, p. 15.~~

(9)   ~~Council Framework Decision 2005/214/JHA of 24 February 2005 on the application of the principle of mutual recognition to financial penalties~~[32]*Deleted*

~~OJ L 76, 22.3.2005, p. 16.~~

(10)   ~~Council Framework Decision 2006/783/JHA of 6 October 2006 on the application of the principle of mutual recognition to confiscation orders~~[33]*Deleted*

~~OJ L 328, 24.11.2006, p. 59.~~

(11)   ~~Council Framework Decision 2008/909/JHA of 27 November 2008 on the application of the principle of mutual recognition to judgments in criminal matters imposing custodial sentences or measures involving deprivation of liberty for the purpose of their enforcement in the European Union~~[34]*Deleted*

~~OJ L 327, 5.12.2008, p. 27.~~

(12)   ~~Council Framework Decision 2008/947/JHA of 27 November 2008 on the application of the principle of mutual recognition to judgments and probation decisions with a view to the supervision of probation measures and alternative sanctions~~[35]*Deleted*

~~OJ L 337, 16.12.2008, p. 102.~~

(13)   ~~Council Framework Decision 2009/299/JHA of 26 February 2009 amending Framework Decisions 2002/584/JHA, 2005/214/JHA, 2006/783/JHA, 2008/909/JHA and 2008/947/JHA, thereby enhancing the procedural rights of persons and fostering the application of the principle of mutual recognition to decisions rendered in the absence of the person concerned at the trial~~[36]*Deleted*

~~OJ L 81, 27.3.2009, p. 24.~~

[31]   ~~OJ L 261, 6.8.2004, p. 15.~~
[32]   ~~OJ L 76, 22.3.2005, p. 16.~~
[33]   ~~OJ L 328, 24.11.2006, p. 59.~~
[34]   ~~OJ L 327, 5.12.2008, p. 27.~~
[35]   ~~OJ L 337, 16.12.2008, p. 102.~~
[36]   ~~OJ L 81, 27.3.2009, p. 24.~~

(14) ~~Council Framework Decision 2009/829/JHA of 23 October 2009 on the application, between Member States of the European Union, of the principle of mutual recognition to decisions on supervision measures as an alternative to provisional detention~~[37]*Deleted*

~~OJ L 294, 11.11.2009, p. 20.~~

(15) ~~Council Framework Decision 2009/948/JHA of 30 November 2009 on prevention and settlement of conflicts of exercise of jurisdiction in criminal proceedings~~[38]*Deleted*

~~OJ L 328, 15.12.2009, p. 42.~~

(16) ~~Directive 2011/99/EU of the European Parliament and of the Council of 13 December 2011 on the European protection order~~[39]*Deleted*

~~OJ L 338, 21.12.2011, p. 2.~~

(17) ~~Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA~~[40]*Deleted*

~~OJ L 315, 14.11.2012, p. 57.~~

(18) ~~Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the European Investigation Order in criminal matters~~[41]*Deleted*

~~OJ L 130, 1.5.2014, p. 1.~~

(19) ~~Regulation (EU) 2018/1805 of the European Parliament and of the Council of 14 November 2018 on the mutual recognition of freezing orders and confiscation orders~~[42]*Deleted*

~~OJ L 303, 28.11.2018, p. 1.~~

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[37]   ~~OJ L 294, 11.11.2009, p. 20.~~
[38]   ~~OJ L 328, 15.12.2009, p. 42.~~
[39]   ~~OJ L 338, 21.12.2011, p. 2.~~
[40]   ~~OJ L 315, 14.11.2012, p. 57.~~
[41]   ~~OJ L 130, 1.5.2014, p. 1.~~
[42]   ~~OJ L 303, 28.11.2018, p. 1.~~

(20)   [Proposal for a Regulation (EU) on European Production and Preservation Orders for electronic evidence in criminal matters[43]]*Deleted*

COM(2018) 225 final (The proposal is in the legislative process).

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[43]   COM(2018) 225 final (The proposal is in the legislative process).

~~Annex II~~

Software products, documentation and other assets and related documentation to be handed over to eu-LISA under Article 9

(1)   Central Testing Platform (software product that provides a set of functions which can be used to verify the correct operation of e-CODEX access points and the correct use of the ~~e-CODEX~~*e-CODEX* digital procedural standards in the connected systems linked to these)

(2)   Configuration Management Tool (software product used to assist in the performance of the task defined in Article ~~6 (2) (c))~~*6(1)(c)*

(3)   Metadata Workbench (software product used to assist in the performance of parts of the tasks defined in Article 6)

(3a)   EU e-Justice Core Vocabulary (asset for reusable semantical terms and definitions used to ensure data consistency and data quality over time and across use-cases)

(3b)   Architecture documentation (documentation used to provide technical and informative knowledge to relevant stakeholders on the choice of standards to which other assets of the e-CODEX system must comply)