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General policy description

New technologies challenge traditional ways of conducting court proceedings. New technologies also provide tools to improve efficiency, flexibility and convenience for everyone involved - the courts, the parties to proceedings and also witnesses.

Videoconferencing - for whom and why?

Videoconferencing is a tool that has great potential in the context of the EU and its 27 Member States.

Many Member States have practical experience in organising videoconferences between authorities in different regions of the same country or with other countries.

In the framework of European e-Justice, the Member States of the EU have agreed to work together to promote the use of videoconferencing and to exchange experience and best practices. Such work takes place in the existing legal framework and respects the procedural safeguards in place at Member State and EU level.

In cross-border cases communication between judicial authorities of different Member States is crucial. Videoconferencing is one possible way of simplifying and encouraging such communication.

The use of videoconferencing equipment provides courts with greater flexibility for when and how witnesses or experts from other Member States are required to give evidence.

From the point of view of the witness or expert, it could be more convenient to give evidence without having to travel

For vulnerable or intimidated witnesses, it reduces the stress of facing a courtroom full of people

Interpretation could be provided by videoconferencing, where necessary

Videoconferencing also lowers the costs for everyone involved.

The legislative framework

There are numerous possibilities for organising crossborder videoconferences under existing European Union legislation, in particular for conducting witness, expert or victim hearings via videoconferencing, in accordance with legal instruments such as:

The [Convention on Mutual Assistance in Criminal Matters](#) between the Member States of the European Union (Article 10).

Council Regulation on cooperation between the courts of the Member States in the [taking of evidence in civil and commercial matters](#) (Article 10(4) and Article 17(4)).

Council Directive relating to [compensation to crime victims](#) (Article 9(1)).

Regulation of the European Parliament and of the Council establishing a [European Small Claims Procedure](#) (Articles 8 and 9(1)).

Council Framework Decision on the [standing of victims in criminal proceedings](#) (Article 11(1))

Directive of the European Parliament and of the Council on certain [aspects of mediation](#) in civil and commercial matters.

A short overview of the legal framework is provided in the attached booklet - more detailed information is contained in the [manual](#).

Future plans

The Member States have agreed that work on facilitating videoconferencing should continue. In the future, where appropriate, other tools should be placed in the European e-Justice Portal for that purpose. In particular, future plans could include:

links to EU legislation and legislation of the Member States regulating the use of videoconferencing;

consolidated information on all courts with videoconferencing facilities in the Member States;

tools for the practical arrangement of videoconferences (electronic forms, possibly a booking system in the long-term);

links to national instructions or manuals, where available;

a section on examples of videoconferencing in cross-border proceedings and a collection of best practices;

information on training and online training modules;

a link to the interconnected interpreters' databases.

Related Attachments

[Booklet](#)  (3073 Kb) 

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