

# Sharing the Dutch perspective

## *The essence of open specifications*

*Huib Moelker*

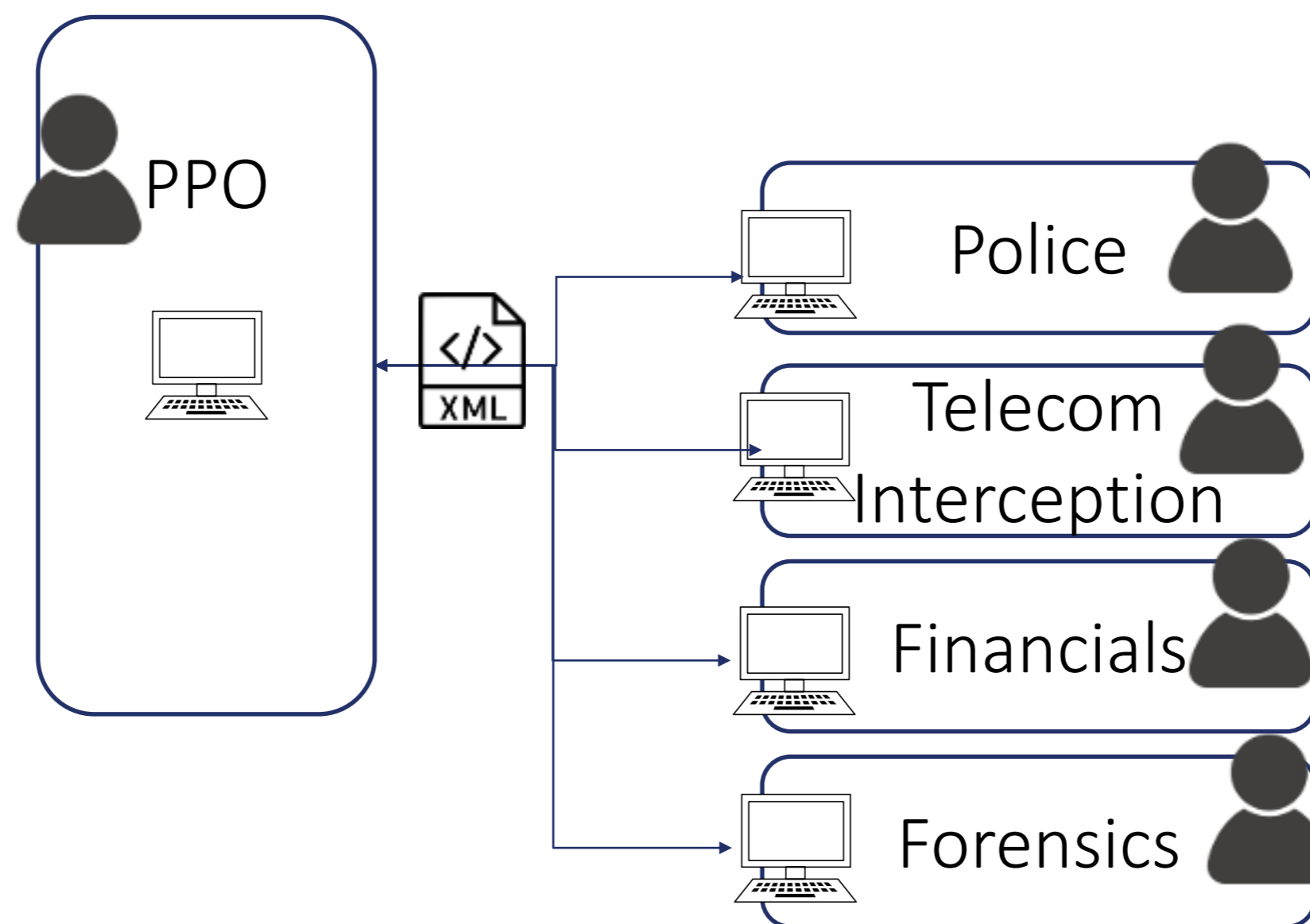
*Brussels, 22 January 2020*



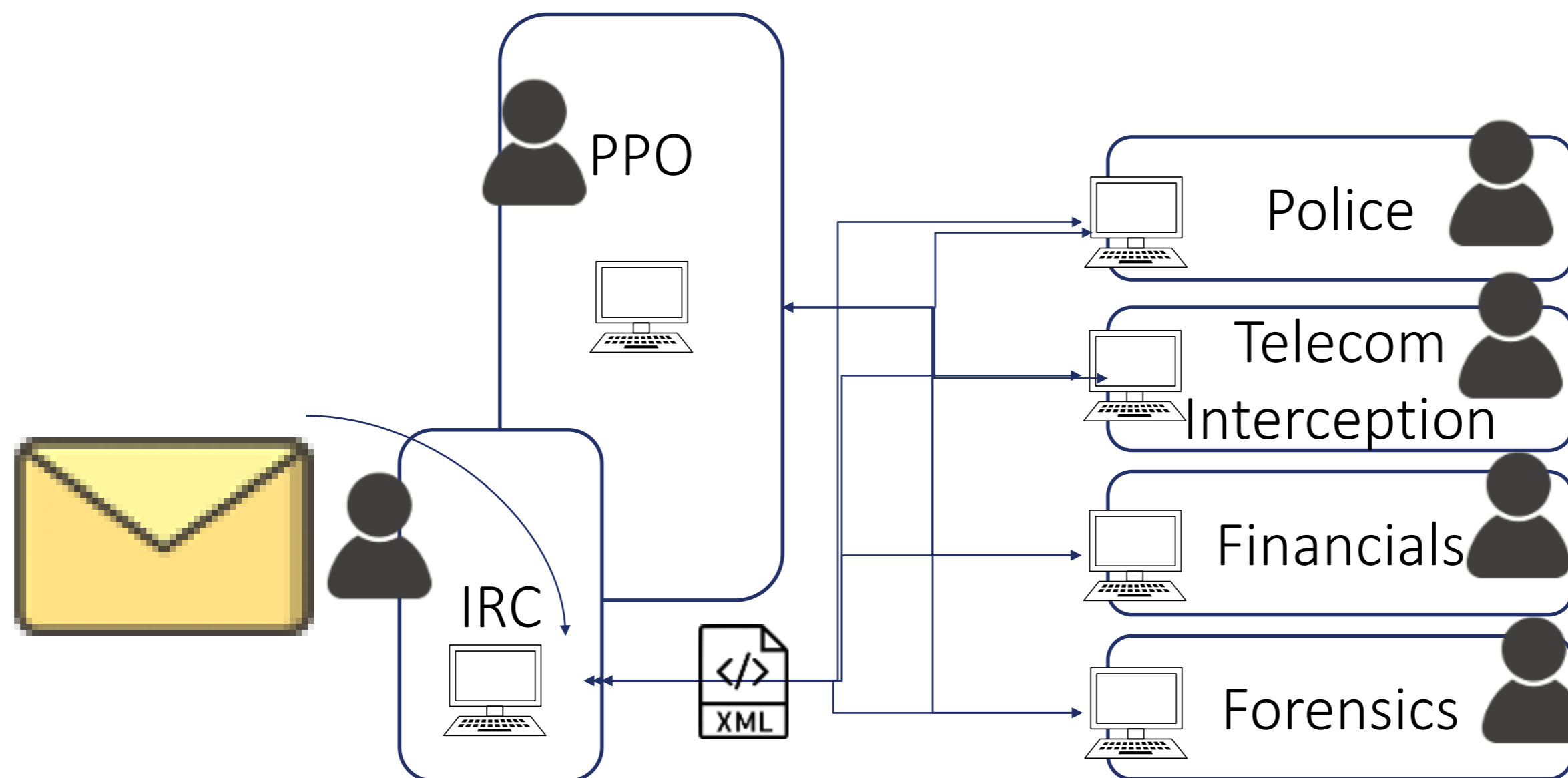
## NL took a different approach for EIO/MLA

- We chose to keep our existing application for the handling of EIO and MLA exchanges
- Also we chose not to implement the CEF Gateway product
- Still we are fully capable of participating in the cross-border procedures serviced by EU e-Justice
- We can do so, because the concept of e-CODEX is to standardize on specifications. Not on products
- ....Some history

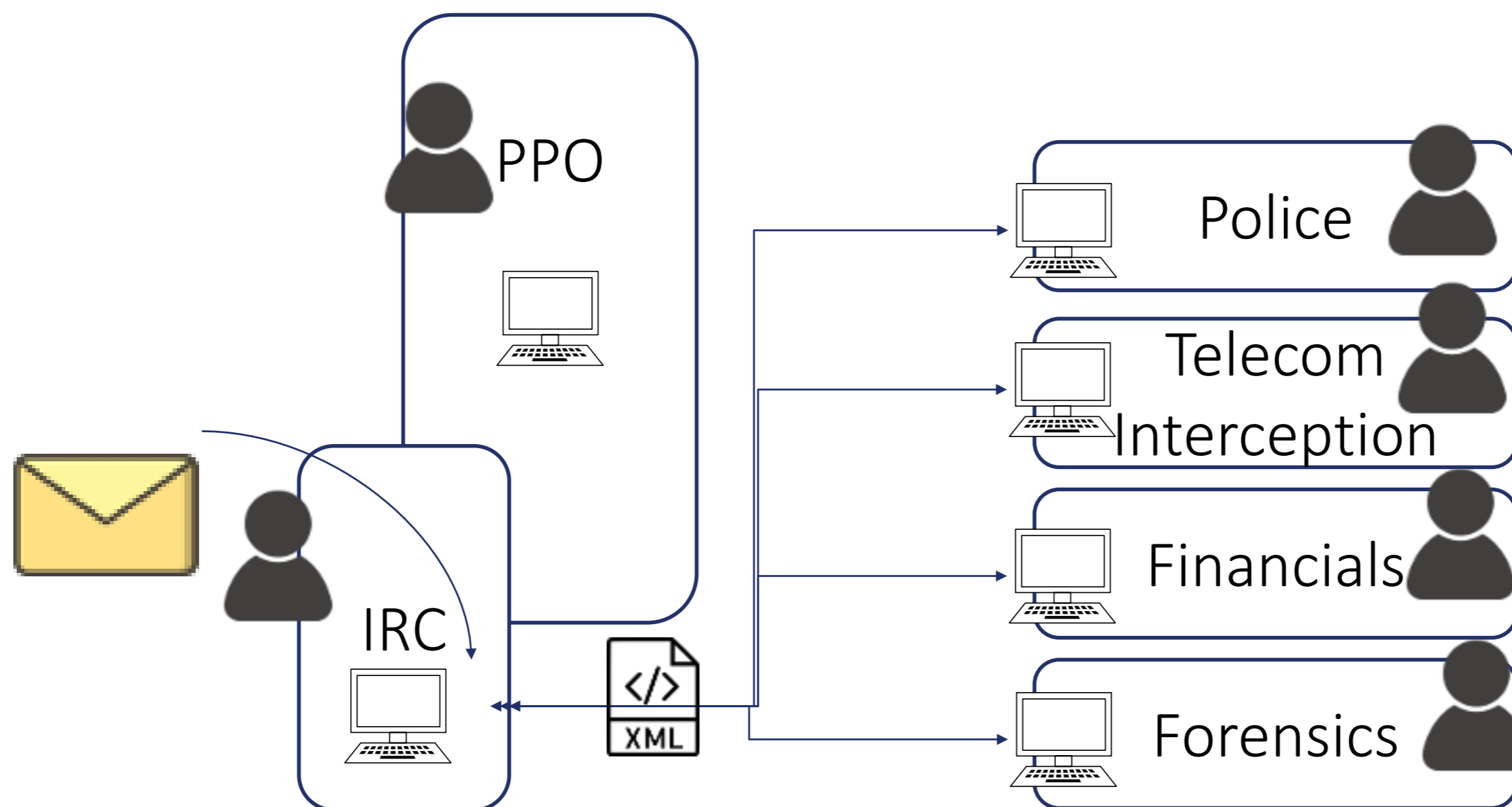
## Domestic process



## International process before 2016



## International process since 2016



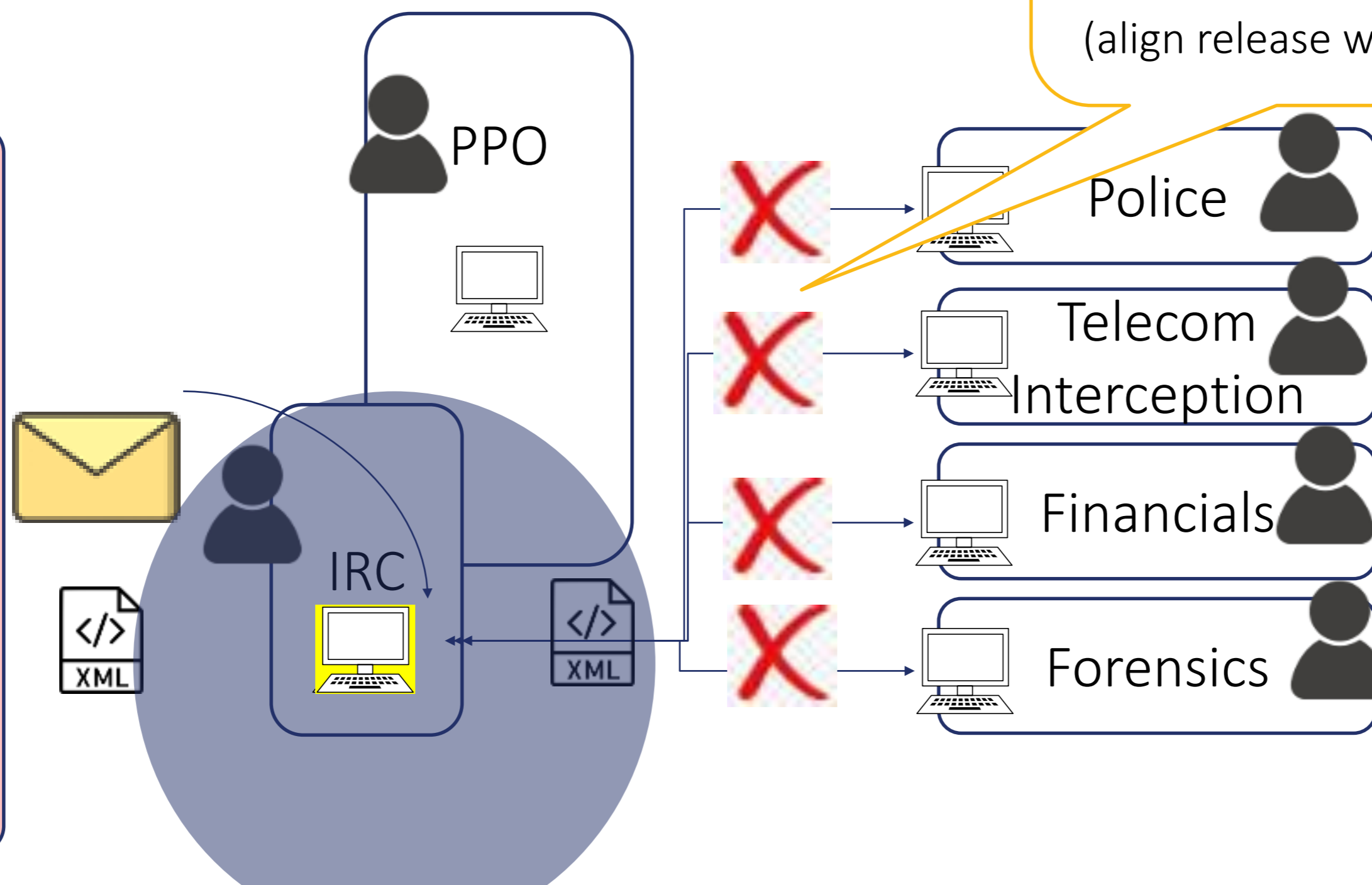
# Replacing the IRC application

Preserves domestic implementations

Also requires replacement of the domestic process collaborations  
(align release windows!!!)



COMMON SPECIFICATIONS  
PROCESS & DATA



## Some considerations

- The XML structures are not only to express the cross-border messages. Having the required information in structured manner in your databases, allows you to dispatch the information automatically and digitally to the actual actors in the domestic procedure
- New releases for the cross-border application, may imply the necessity of new releases in the organizations of your domestic partners
- PPO / IRC staff is used to and comfortable in using their current system
- Our current implementation should be capable of supporting the EU side, whilst preserving the national side

## Align multiplicity of instruments

- Mr Tavares: “one size fits all” does not apply
- Mr. Espina: Case life cycle > domestic procedure initiates international procedure
- EU judicial instruments, Bi-lateral and multi-lateral treaties, council decisions
- Mr. Cannataci: Joined-up thinking
- Focus on **COMMON SPECIFICATIONS** rather than **COMMON IMPLEMENTATIONS**



## What do common specifications entail?

- **Process design**

- What tasks are executed in what sequence and under what (legal and operational) conditions?
- It creates mutual state alignment between partners
- It creates **PREDICTABLE BEHAVIOUR**

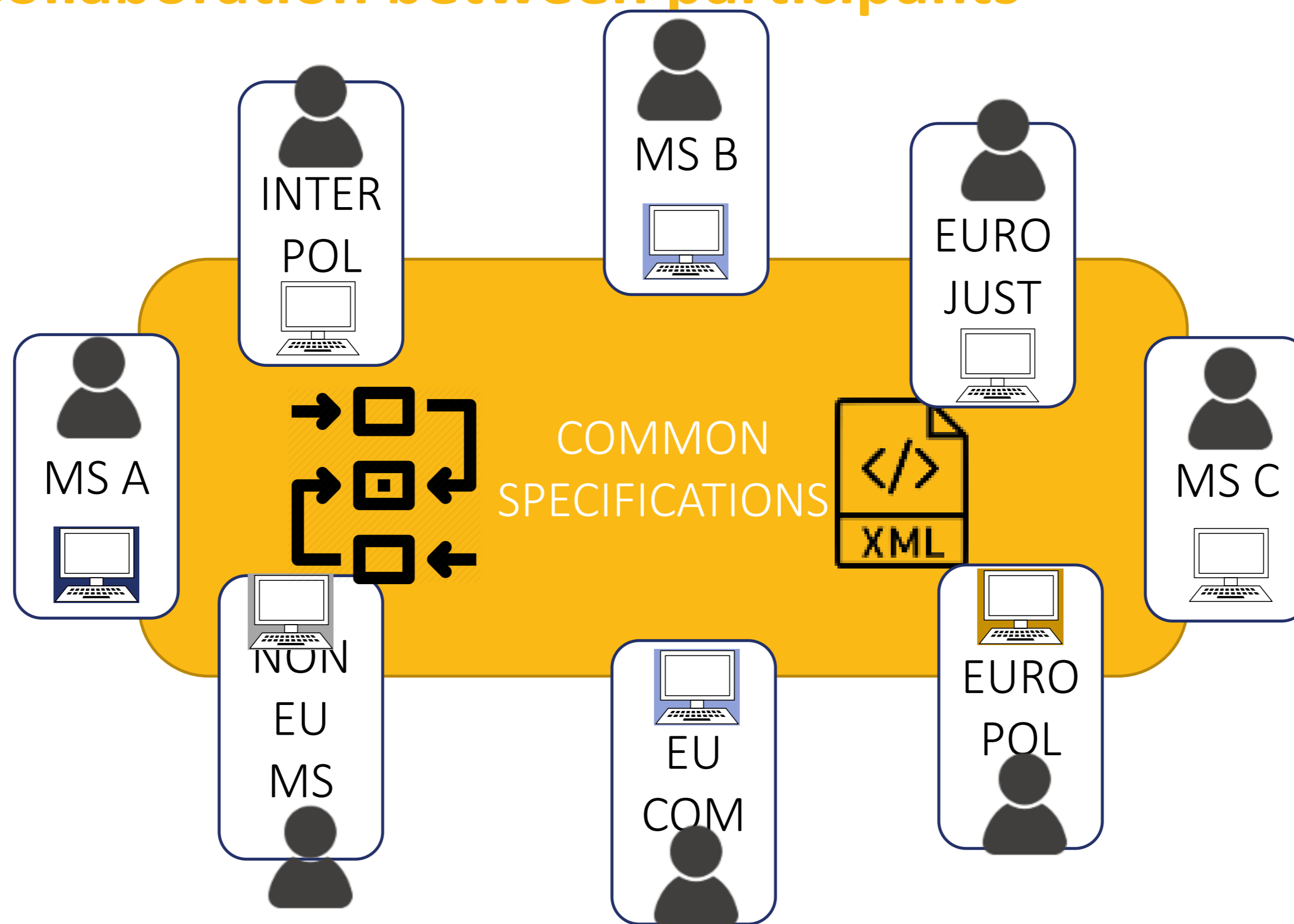
The result of  
“joined up thinking”  
*(mr Cannataci)*

- **Information requirements**

- For each task that is to be executed the participants define **THEIR** information requirements
- Again based on **EU legal base, national legal base** and **organizational demands and constraints**

“The more professional you set up the process, the more likely it is that you can be serviced”  
*(mr. Schubert)*

## Collaboration between participants



## Looking ahead

- Co-creation in establishing the supporting building blocks for new cross-border business collaborations is essential!
  - European Arrest Warrant
  - European Account Preservation Order
  - FD-909
  - Service of Documents
- In NL the policy will remain the same. “Is the current implementation for the procedure fit for purpose?”
  - If so, NL will again join in on the common specifications.

“Joined up thinking” has our full attention  
in hand-over and governance

- From previous e-CODEX initiatives process & XML design already exists.
- Obviously open for co-creation to tailor new needs

# Questions

**Huub Moelker**

**[h.moelker@justid.nl](mailto:h.moelker@justid.nl)**

**+31-6-20059399**