



MINUTES

EIGHTH JOINT MEETING OF THE TAKING OF EVIDENCE STEERING COMMITTEE AND THE SERVICE OF DOCUMENTS STEERING COMMITTEE

11 March 2026

I. WELCOME AND INTRODUCTORY REMARKS

The Commission welcomed everyone and introduced the Commission members joining this meeting. The Commission presented the agenda, and the Committee adopted the agenda.

II. MEMBER STATES' DEPLOYMENT AND GO-LIVE STATUS UPDATE

The Commission proposed the new approach of presenting the status of the Member States, starting with those that are not yet in production. Each Member State provided an update on their deployment and go-live status, sharing the potential issues that they are facing.

Currently, 21 Member States are in production:

- 17 Member States have all authorities live
- 4 Member States have some authorities live
- 6 Member States don't have any authorities live

Some authorities expect to go live by the end of March or in early April, provided that remaining technical or organisational issues are resolved. Other authorities indicated that they aim to go live before the end of April, while few are planning their deployment during May following completion of conformance testing, additional security checks and internal procedures.

Some authorities reported that technical issues related to CDB or internal coordination between competent authorities are currently being addressed. In certain cases, support from the technical support team may be required in order to resolve outstanding issues before going live.

Other authorities indicated that their systems are already technically functional and currently undergoing testing, including the exchange of testing messages with other Member States. These authorities expect to complete testing and move to production shortly thereafter.

One Member State informed the Committee about a planned temporary system downtime for maintenance purposes.

One Committee member pointed out that many authorities do not send a manual SoD Form D (acknowledgement of receipt) — only the automatic Form D is being sent. Regarding SoD Form K, it is often sent as an attachment to a message rather than via the standard Form K message. The Commission noted that these topics had been raised at EJM meetings and suggested they might be worth clarifying there. It emphasised the importance of sending a manual Form D for SODA, as it should include the reference number of the receiving authority, which allows for pre-filling in other forms. For SODB, there is no acknowledgement of receipt. In ToE cases, an acknowledgement of receipt is also crucial because the system does not send an automatic one.

Regarding SoD Form K, some Member States reported issues with sending it. The Commission explained that if there are any problems with case processing, authorities should first check the matter from a national perspective. If anything remains unclear and problems persist, they should then inform the Support Team. It was suggested that if problems persist, user roles could be reviewed (ensuring the validation chain is complete: Author – Reviewer – Sender) and that the user is assigned to the case as a Sender, as this may be why something is not working. The Commission reminded the Member State that if the PDF is scanned with a signature, it should be uploaded under a category of different type of signatures, not as an attachment.

III. PRESENTATION OF POLAND REGARDING THE IMPLEMENTATION AND USE OF THE REFERENCE IMPLEMENTATION

A representative of Poland presented the practical and organisational aspects of RI implementation and deployment. In Poland, the Court of Appeal in Wrocław is responsible for maintaining the e-CODEX platform, as well as deploying IT systems in Polish courts, including the videoconferencing system, electronic protocols, and the e-filing/delivery platform. The team is composed of 6 members, but they are planning to extend the team.

In 2023, a pilot implementation of e-EDES in criminal courts (covering EIO, MLA, and ITN instruments) was initiated. Preparation for deployment of SoD and ToE started in Q4 2024. The timeline was as follows: analysis and preparation phase, train-the-trainer (TTT) sessions, infrastructure preparation, acceptance environment installation, user list collection, testing, preparation of training materials and online training, and CDB data validation. Poland went live at the beginning of May 2025.

The challenges included the fact that Poland does not have a single central court dedicated to handling SoD and ToE requests. Instead, every district, regional, and appellate court—totalling 443 courts—must have access to the system. Polish courts operate under the principle of random

case assignment, meaning cases involving international cooperation are not assigned to a single designated (specialised) judge. Instead, they may be assigned to any judge within the civil or commercial division, depending on the case's subject matter. As a result a large number of accounts had to be created (for over 9 000 users), and the RI had to be integrated with Active Directory and the Identity Management System. Creating the profiles individually was a major challenge. Some judges were not comfortable using the system, leading to expectations of a decrease in user numbers.

Training also posed a challenge. Poland recorded an online tutorial, translated the user manual, and provided theoretical materials on SoD and ToE procedures. Additionally, they conducted online sessions for end users.

Key findings and training feedback:

1. Digital literacy gap: a significant portion of user issues stems from general digital competencies rather than system specific problems.
2. Need for legal context: users expect theoretical training on legal regulations and procedures in addition to technical system instructions.
3. Role-based vs. location-based training: sessions divided by professional roles were more effective than court-wide general training.
4. Content diversity: training materials must be diverse to accommodate different learning styles.
5. Refresher sessions: continuous learning is essential, training should be repeated or provided as 'refresher' courses to ensure knowledge retention.

Organizational challenges:

1. Electronic signature provisioning: the requirement to equip all judges with valid electronic signatures.
2. System workflow: the system lacks departmental granularity, preventing case delegation to specific individuals within a division – who should be Assigners.
3. The Assigner role is inconsistent: in some locations, it is performed by the Head of the department, while in others, it is handled by a Registry Office clerk.
4. Lack of integration with the system for random allocation of cases.

Poland is considering a shift to the national implementation (NI) in the coming years. Currently, there are over 12 700 users, with more than 2 500 cases sent and around 100 cases received. They hope in decreasing the number of users as the judges will get more familiar with the system.

The potential changes proposed by Poland included providing user manuals in all official EU Member State languages, and scheduling go-live dates for business days only.

The Commission explained that adjusting dates is not straightforward, as they are linked to the publication date of the underlying legal acts, which is beyond its control. However, it acknowledged that the concern was understandable. The Commission then asked about user activation, specifically whether there was any kind of automatic process for generating user accounts. Poland clarified that accounts are created as follows: a user submits a request to the

identity provider (IDP) system via their supervisor, who must approve it. The information from the IDP is then sent to another system, which automatically grants access. More technical details could be provided later if needed. Initially, when Poland received the list of judges and clerks requiring access, accounts were created manually. As the number of users grew, they integrated IDP systems to automate the process.

The Commission also asked whether they translated the user manual provided by the Commission. Poland confirmed that it had translated that user manual. When asked if the translation was being kept updated, Poland replied that it was not updated after subsequent modifications applied in the English version. End users often do not require access to the user manual and have not raised any complaints about its availability.

One Committee member asked about the plan to adopt a National Implementation (NI) and the reasoning behind considering this solution for the future. The representative of Poland agreed to align with the Ministry of Justice to clarify this point.

IV. RELEASE 4.0 ACTIVATION STATUS

The Commission presented a summary of the recent Release 4.0, including its major updates, as well as Hotfix 4.0.1, which addressed several issues. The activation of the new Protocol (version 3.0) was discussed at the last Steering Committee meeting, and as no opposition was raised, the plan will proceed. An important note is that during the protocol activation, both the RI and national implementations will be unavailable. Protocol switch will be done between 5-10 June. The Committee members were asked to inform the users. Any Member State that does not upgrade to the new Protocol will lose connectivity with those that do.

One Committee member pointed out that while half of the Member States providing feedback indicated they would have no issue with the Protocol switch, not all Member States are ready for a big-bang approach. This raises the risk that some may not complete the transition within the given timeframe. The Commission clarified that the current scenario assumes all Member States will proceed with the Protocol upgrade simultaneously. While postponing the date could be considered, no requests for a postponement had been made. The Committee member then asked how it could be certain that all Member States would switch to the new Protocol. The Commission responded that the information had been circulated to all Member States on multiple occasions and through multiple channels, and since no objections were raised, it assumed there were no major concerns about the proposed timeline.

One Committee member expressed uncertainty about whether the proposed timeline would work for their Member State. The Commission noted that the scripts had been corrected in Hotfix 4.0.1 and that the protocol activation plan had been presented not only at the recent Steering Committee meeting but also at every Technical Sub-Committee meeting — yet no feedback had been received indicating potential issues. While the rehearsal is not mandatory, testing with other member states was strongly encouraged. It was agreed that the next Steering Committee will decide if the protocol switch timeline needs to be postponed or can be kept. It was also emphasised that even if the

timeline is kept, there would be a necessity to check with Member States shortly before the planned switch whether every Member State can keep to the agreed timeline.

V. RELEASE 4.1 IMPLEMENTATION STATUS

The Commission presented the items included in the plan for Release 4.1, which will be available in May. It was explained that there will be limited business upgrades (improvements) in subsequent releases due to the need to prioritise other essential updates, such as accessibility compliance, upgrade of UI framework and security enhancements.

One Committee member asked what the end date of supporting versions 4.0.1 and 4.0 is. The Commission said it requires internal alignment. There are a lot of Member States which use versions older than 4.0.

VI. DECISION ON FILE FORMATS

On previous Steering Committee meetings, there had been discussions related to acceptable file formats to be exchanged through the decentralised IT system and agreement that whitelisting (listing all approved formats) was the preferable approach. However, during Technical Sub-Committee meetings, no consensus was reached on the topic despite multiple discussions due to conflicting views. Therefore, it was decided to bring this back to the attention of the Steering Committee. A discussion paper was circulated, outlining three proposed strategies:

1. Maintain current situation
2. Implement blacklisting
3. Adopt whitelisting

Impact and outcome must be carefully considered. The Commission received one written opinion on the matter and invited Member States to share their views.

One Committee member asked whether the proposed solution for file extensions would affect other instruments, such as criminal cases, noting that users find it easier to handle various file formats. The Commission clarified that the change was currently being considered only for SoD and ToE and was not yet intended as a horizontal measure. The Steering Committee was being asked to decide solely on SoD and ToE instruments, though the solution could be explored for other instruments in the future if needed. The Committee member then questioned whether it would be technically feasible to distinguish between civil and criminal instruments and apply different solutions to each. The Commission confirmed that this was technically possible in principle, though the specifics would need further examination.

The Committee members expressed their need to consult their position internally, however it seemed that currently there is a wider support for option 3. The Commission noted the positions but reminded the Member States that Technical Sub-Committee was unable to reach an agreement on the list of formats.

Some committee members expressed in the chat that option 3 (whitelisting) would be acceptable for SoD and ToE, with some expressing a preference for a blacklisting approach to file formats due to security and national IT policy, few also supported status quo (also if no agreement can be found). At the same time, concerns were raised that an overly narrow whitelist could be problematic, and it was suggested that the list of accepted formats should be configurable per regulation to allow flexibility for future developments.

It was also noted that in current practice evidence is often converted into commonly used formats for court procedures while the original files are preserved in their original format. Some domestic systems already rely on whitelists with broader coverage of formats, and when evidence is in a format not included on the list, alternative transmission methods may be used. One Committee member indicated that additional internal consultation with technical experts is still required before confirming a final position.

There were concerns that converting files to other formats could result in the loss of metadata and other information due to potential downgrading during the conversion process.

One Committee member argued that a whitelist would be the best solution and emphasised the need to respect ISO standards. Regarding the TXT format, they asked whether it would be enabled. The Commission clarified that based on the current proposal TXT would not be included and would need to be converted to PDF instead.

One Committee member stated that the same rules should apply to all instruments, as users should be provided with a coherent solution that does not create contradictions between them. The Commission responded that, considering this, blacklisting might be the more appropriate approach. It added that the formats included in the whitelisting proposal had been provided merely as an example.

One Committee member asked what should happen if a receiving authority is unable to open a file which is a scenario that occurs frequently. They suggested the Steering Committee should agree on a procedure, such as introducing a fallback to sending requests on paper. The Commission acknowledged the known issues with opening ASIC containers (qualified digital signatures) but noted that there are websites available to open them. It therefore recommended using either dedicated software or such websites. From a legal perspective, the Commission pointed to SoD Recital 16, which addresses the conversion of documents and also noted that switching back to paper should not be the first fallback option. This topic would be further discussed at the upcoming EJM meeting in June.

One Committee member commented that the proposed options were highly divergent and that, given the lack of consensus, a majority decision should determine which solution to adopt.

One Committee member expressed support for option 3 (whitelisting). They noted that, before the go-live phase, their Member State had favoured a whitelist approach (when requests were still sent on paper). They asked whether adopting a whitelist would mean that other file formats would be outright rejected. They also highlighted that, under the eIDAS Regulation, any format meeting eIDAS standards must be accepted, adding another layer to the issue.

The Commission clarified that files in unacceptable formats would indeed be blocked. It suggested that a new EU survey could be conducted to allow Member States to vote on the matter. The Commission also emphasised that this should be treated as a business (policy) issue rather than a technical one, given its significant impact on users.

One Committee member said the most likely consequence is that some relevant files will be unable to be sent via the system and will instead have to be sent by other means. The Commission argued that using alternative methods would not resolve the issue of file formats. From a policy perspective, whatever solution is adopted, relying on other means should only occur in exceptional cases. If the list of accepted formats is too restrictive, many Member States will continue to avoid using the system.

VII. PLANNING OF NEXT RELEASES

The Commission outlined the timeline for implementing improvements, with Release 4.2 scheduled for November 2026 — the last planned release of the year. An earlier date is not feasible due to the activation of EPOC and EPOC-PR in production in August.

Some items remain unplanned at this stage, including:

1. the addition of a signing module (horizontal), currently under internal discussion (early stage),
2. a corrigendum for SoD Form K, which still requires further implementation work.

The team will also address the maximum file size issue, with a view to including it in Release 4.2. The discussion will be opened at the Technical Sub-Committee which is working on the technical solution and the Commission reminded that the file size should be 20 MB. The Commission explained that a parametrised solution would be introduced, as the Connector's current capabilities are limited. The file size limit may be adjusted incrementally, starting from 20 MB.

One Committee member asked what the current status was, given that no formal decision had been taken. The Commission clarified that, at present, there is no general limitation in place, and no changes have been made within the RI. However, eu-LISA recommends that messages should not exceed 20 MB to minimise the risk of e-CODEX Connector blockages.

One Committee member asked whether the decision would be taken by the Steering Committee. The Commission confirmed that no restriction would be implemented in the system without first informing the Steering Committee. When asked how users would be notified about the limit, the Commission explained that the RI would alert them during file upload, preventing messages that exceed the size limit from being sent. The planned design would be presented to the Technical Sub-Committee for review.

A further Committee member asked whether practitioners would have sufficient time to prepare for these changes, noting that some requests already exceed the 20 MB limit. They stressed that

practitioners needed guidance on how to handle such situations. The Commission advised that the fallback solution should not involve paper but rather splitting the documentation into smaller messages, followed by a service message with attachments, or using cloud-based storage solutions (such as FFTP upload, OneDrive, Dropbox etc). The fallback process should remain electronic.

The Commission reminded follow up meetings with several Member States on current topics, emphasized readiness to support all Member States and encouraged them to raise their concerns proactively. There will be an internal discussion in the Commission about the horizontal approach.

One Committee member raised the suggestion to verify if the file size has already caused the risk. The Commission noted the point.

VIII. NEXT STEPS AND PLANNING OF NEXT MEETINGS

From a technical perspective, the Commission followed up with some Member States regarding issues they had encountered. It encouraged Member States to take a proactive approach on topics that concern them and welcomed further feedback. The Commission also noted that its resources are limited, with current priorities focused on the final stages of SoD and ToE deployment for Member States, the roll-out of EPOC and EPOC-PR and addressing vulnerability reports. The next meetings are scheduled for: 23 April (rescheduled to 16 April), 2 July, 15 October.

IX. ANY OTHER BUSINESS

One Committee member highlighted that there were many topics to discuss and good practices to share. They proposed establishing a sub-group for national practitioners as an additional forum for exchanging solutions and approaches. The Commission responded that, under the Implementing Decisions establishing the Steering Committees, these Steering Committees are already the designated forum for discussing the operation of the decentralised IT system and sharing best practices. The Commission proposed establishing a practical subcommittee and asked the Member State to raise their objections, if any, within a deadline of 2 weeks. If the subcommittee is established the Commission would organise a “trial” meeting after Easter as a lunchtime webinar of 2h.

LIST OF PARTICIPANTS

Commission

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Bulgaria

Croatia

Czechia

Denmark

Estonia

Finland
France
Germany
Greece
Hungary
Ireland
Italy
Luxemburg
Malta
Netherlands
Poland
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Romania
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