

RULES OF PROCEDURE FOR THE SPECIAL GROUP TAKING OF EVIDENCE STEERING COMMITTEE

THE TAKING OF EVIDENCE STEERING COMMITTEE,

Having regard to Regulation (EU) 2020/1783 of the European Parliament and of the Council of 25 November 2020 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters (taking of evidence) (recast)¹ and in particular Article 25(1)(e) and Commission Implementing Decision (EU) 2025/919 on establishing the Taking of Evidence steering committee²,

HAS ADOPTED THE FOLLOWING RULES OF PROCEDURE:

Point 1

Operation of the Steering Committee

The Steering Committee shall act at the request of its Chair with the agreement of DG JUST.

Point 2

Convening a meeting

1. Meetings of the Steering Committee are convened by the Chair either on its own initiative, or at the request of a simple majority of members.
2. Joint meetings of the Steering Committee with other committees and groups may be convened to discuss matters falling within their respective areas of responsibility.
3. In principle, meetings of the Steering Committee shall be held on Commission premises or virtually, depending on the circumstances.

Point 3

Agenda

1. The Chair shall draw up the agenda and submit it to the Steering Committee.
2. The agenda shall be adopted by the Steering Committee at the start of the meeting.

¹ OJ L 405, 2.12.2020, p. 1

² OJ L, 2025/919, 21.5.2025

Point 4

Documentation to be sent to Steering Committee members

1. The Chair shall submit the invitation to the meeting, the draft agenda and documents on which the Steering Committee is consulted to the Steering Committee members well in advance of the meeting and no later than fourteen calendar days before the date of the meeting.
2. In urgent or exceptional cases, the time limits for sending the documentation mentioned in paragraph 1 may be reduced to five calendar days before the date of the meeting.

Point 5

Opinions of the Steering Committee

1. As far as possible, the Steering Committee shall adopt its opinions, recommendations or reports by consensus.
2. In the event of a vote, the outcome of the vote shall be decided by simple majority of the members. The members that have voted against or abstained shall have the right to have a document summarising the reasons for their position annexed to the opinions, recommendations or reports.

Point 6

Sub-committees of the Steering Committee

The Steering Committee may set up sub-committees for the purpose of examining specific questions on the basis of terms of reference defined by the Steering Committee. Sub-committees shall report to the Steering Committee. They shall be dissolved as soon as their mandate is fulfilled.

Point 7

Third parties and experts

1. Representatives of acceding countries shall be invited to attend the meetings of the Steering Committee as from the date of signature of the Treaty of accession.
2. The Chair may decide to invite representatives of other third parties or other experts to talk on particular matters, on his/her own initiative or at the request of a member of the Steering Committee. However, a simple majority of the members of the Steering Committee may oppose their participation in the meeting.
3. Representatives of third parties and experts referred to in paragraphs 1 and 2 shall not be present at and shall not participate in voting of the Steering Committee.

Point 8

Observers

1. Organisations and public entities other than Member States' authorities may be granted an observer status by direct invitation.
2. Organisations and public entities appointed as observers shall nominate their representatives.
3. Observers and their representatives may be permitted by the Chair to take part in the discussions of the Steering Committee and its sub-committees and provide expertise. However, they shall not have voting rights and shall not participate in the formulation of recommendations or advice of the Steering Committee and its sub-committees.

Point 9

Written procedure

1. If necessary, the Steering Committee's opinion or recommendation on a specific question may be delivered via a written procedure. To this end, the Chair shall send the Steering Committee members the document(s) on which the Steering Committee is being consulted.
2. However, if a simple majority of the Steering Committee members asks for the question to be examined at a meeting of the Steering Committee, the written procedure shall be terminated without result and the Chair shall convene a meeting of the Steering Committee as soon as possible.

Point 10

Secretariat

DG JUST shall provide secretarial support for the Steering Committee and any sub-committees.

Point 11

Minutes of the meetings

1. Minutes on the discussion on each point on the agenda and on the opinions delivered by the Steering Committee shall be meaningful and complete. Minutes shall be drafted by the Chair. The minutes shall not mention the individual position of the members in the Steering Committee's discussions.
2. The members of the Steering Committee shall have the right to ask for their position to be recorded in the minutes. The Chair shall send the minutes to the Steering Committee members without delay and no later than one month after the meeting.
3. The members of the Steering Committee shall send any comments they may have on the draft minutes to the Chair in writing. If there is any disagreement, the matter shall be discussed by the Steering Committee. If the disagreement persists, the relevant comments shall be annexed to the final minutes.

Point 12

Attendance list

At each meeting, the Chair shall draw up an attendance list also specifying, where appropriate, the organisations, Member States' authorities or other public entities to which the participants belong³.

Point 13

Correspondence

1. Correspondence relating to the Steering Committee shall be addressed to DG JUST, for the attention of the Chair.
2. Correspondence for the Steering Committee members shall be sent to the e-mail address which they provide for that purpose.

Point 14

Transparency

1. All relevant documents, including the agendas, the minutes and the participants' submissions, shall be made available on a dedicated Commission website.
2. In particular, the agenda and other relevant background documents shall be published in due time ahead of the meeting, followed by timely publication of minutes.
3. Exceptions to publication shall only be possible where it is deemed that disclosure of a document would undermine the protection of a public or private interest as defined in Article 4 of Regulation (EC) No 1049/2001 of the European Parliament and of the Council⁴.

Point 15

Access to documents

Applications for access to documents held by the Steering Committee shall be handled in accordance with Regulation (EC) No 1049/2001.

³ The names of the representatives of organisations, Member States' authorities or other public entities may be included only subject to their prior freely given, specific, informed and unambiguous consent, in compliance with Article 3(15) and Article 7 of Regulation 2018/1725.

⁴ Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).

Point 16

Deliberations

The Steering Committee may, by simple majority of its members, decide that deliberations shall be public.