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Taking of evidence

If you initiate legal proceedings, it is usually crucial to present evidence to the court in order to prove your claim.

Please select the relevant country's flag to obtain detailed national information.

Taking of evidence in civil proceedings is not restricted to the boundaries of a Member State. Sometimes, it may be necessary to take evidence in a Member State other than the one in which you are resident. For example, it may be necessary to hear witnesses or experts in other Member States, or the court may have to visit a scene of occurrence situated in another Member State. With regard to cross-border taking of evidence within the European Union, judicial cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters is regulated by Regulation (EU) [2020/1783](#) of 25 November 2020, which replaced Regulation (EC) No [1206/2001](#) of 28 May 2001 as of 1 July 2022.

However, the decentralised IT system as an obligatory means of communication to be used for the transmission and receipt of requests, forms and other communication will only start applying from 1 May 2025 (the first day of the month following the period of three years after the date of entry into force of the [implementing act](#) referred to in Article 25 (for further details see Article 35 of Regulation (EU) 2020/1783)).

Related links

[Taking evidence – notifications of the Member States and a search tool helping to identify competent court\(s\)/authority\(ies\)](#)

[Taking evidence by videoconference](#)

[Practice guide for the application of the Regulation on the Taking of Evidence](#)  (74 Kb) 

[Practical guide on using videoconferencing to obtain evidence in civil and commercial matters](#)  (724 Kb) 

Last update: 03/04/2024

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