

# Fifth SIRIUS Report



**euclid**

European Law Forum: Prevention • Investigation • Prosecution

**Cornelia Riehle**

## News

On 18 December 2023, Eurojust, Europol, and the European Judicial Network (EJN) [published](#) the 2023 edition of the SIRIUS European Union (EU) Electronic Evidence Situation Report.

The report provides an overview of the EU's electronic evidence landscape from the perspective of law enforcement, the judiciary, and service providers. It concludes with a series of recommendations aiming to improve existing processes and to prepare for the application of new rules. The 2023 edition especially focuses on the adoption of the EU's Electronic Evidence legislative package (→ [euclid 2/2023, 165-168](#)) consisting of:

- [Regulation \(EU\) 2023/1543](#) of 12 July 2023 on European Production Orders and European Preservation Orders for electronic evidence in criminal proceedings and for the execution of custodial sentences following criminal proceedings;
- [Directive \(EU\) 2023/1544](#) of 12 July 2023 laying down harmonised rules on the designation of designated establishments and the appointment of legal representatives for the purpose of gathering electronic evidence in criminal proceedings.

The report recommends the following initiatives for EU law enforcement agencies:

- Initiate preparations for implementation of the EU electronic evidence legislative package;
- Include training on cross-border access to electronic evidence in routine training programmes for investigators and first responders;
- Ensure active engagement of their Single Point(s) of Contact (SPoCs) in the SIRIUS SPoC Network.

The report calls on the judiciary to do the following:

- Enhance knowledge and build capacities on available legal instruments for cross-border access to electronic evidence;
- Prepare for the use of new instruments in conjunction with upcoming legislative changes related to the cross-border gathering of electronic evidence;
- Strengthen mutual trust and the exchange of expertise on the cross-border gathering of electronic evidence.

Lastly, service providers have been asked to initiate preparations for compliance with the new e-evidence legislation, to engage in international events organised by SIRIUS, and to share policy updates with the SIRIUS Team.

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