

**ÉTUDE DE FAISABILITÉ SUR L'ADMINISTRATION DU DROIT ÉTRANGER  
TABLEAUX ET GRAPHIQUES RÉSUMANT CERTAINES RÉPONSES AU QUESTIONNAIRE**

**VERSION FINALE**

*préparée par le Bureau Permanent*

\* \* \*

**FEASIBILITY STUDY ON THE TREATMENT OF FOREIGN LAW  
SUMMARY TABLES AND CHARTS OF CERTAIN RESPONSES TO THE QUESTIONNAIRE**

**FINAL VERSION**

*prepared by the Permanent Bureau*

*Document préliminaire No 9 B de mars 2008  
à l'intention du Conseil d'avril 2008  
sur les affaires générales et la politique de la Conférence*

*Preliminary Document No 9 B of March 2008  
for the attention of the Council of April 2008  
on General Affairs and Policy of the Conference*

**ÉTUDE DE FAISABILITÉ SUR L'ADMINISTRATION DU DROIT ÉTRANGER  
TABLEAUX ET GRAPHIQUES RÉSUMANT CERTAINES RÉPONSES AU QUESTIONNAIRE**

**VERSION FINALE**

*préparée par le Bureau Permanent*

\* \* \*

**FEASIBILITY STUDY ON THE TREATMENT OF FOREIGN LAW  
SUMMARY TABLES AND CHARTS OF CERTAIN RESPONSES TO THE QUESTIONNAIRE**

**FINAL VERSION**

*prepared by the Permanent Bureau*

**Table of contents**

Annex 1 – Summary of Responses to Questions 1 & 2 .....	4
Annex 2 – Summary of Responses to Questions 3 & 4 .....	6
Annex 3 – Summary of Responses to Questions 9 to 13.....	9
Annex 4 – Summary of Responses to Question 15.....	12
Annex 5 – Summary of Responses to Question 17.....	14
Annex 6 – Summary of Responses to Question 23.....	16
Annex 7 – Summary of Responses to Question 33.....	18

**Annex 1**

**Summary of Responses to Questions 1 & 2**

<b>Countries</b>	<b>London Convention</b>	<b>Montevideo Convention</b>	<b>Minsk Convention</b>	<b>Bilateral treaties (number)</b>
Argentina	No	Yes	No	Yes - 5**
Australia	No	No	No	Yes - 2
Austria	Yes	No	No	Yes
China – SAR Hong Kong	N/A	N/A	N/A	N/A
Croatia	No*	No	No	(no response)
Czech Republic	Yes	No	No	Yes - 29
Denmark	Yes	No	No	No
Egypt	No	No	No	Yes**
Estonia	Yes	No	No	Yes - 5
Finland	Yes	No	No	Yes - 4
France	Yes	No	No	Yes - 24
Germany	Yes	No	No	Yes - 1
Hungary	Yes	No	No	Yes - 26
Iceland	Yes	No	No	(no response)
Italy	Yes	No	No	No
Japan	No	No	No	No
Latvia	Yes	No	No	Yes - 9
Lithuania	Yes	No	No	Yes - 11
Malaysia	No	No	No	No
Netherlands	Yes	No	No	No
New Zealand	No	No	No	No
Poland	Yes	No	No	Yes - 30**
Romania	Yes	No	No	Yes - 30
Slovakia	Yes	No	No	Yes - 26
Slovenia	Yes	No	No	Yes - 13**
Sweden	Yes	(no response)	(no response)	(no response)
Switzerland	Yes	No	No	No
Turkey	Yes	No	No	No
United Kingdom	Yes	No	No	No
United States of America	No	No	No	No

\* intention to become Party in the near future

\*\* intention to conclude new bilateral treaties

**Annex 2**

**Summary of Responses to Questions 3 & 4**

Countries	Number of requests received (2006)	Average time to respond	Number of requests made (2006)	Average time to receive response
Argentina	(no record)		(no response)	
Australia	Bilateral treaties - 0		Bilateral treaties - 0	
Austria	London Convention - 15	→ 2 weeks	London Convention - 20	→ 8 weeks
China – SAR Hong Kong	N/A		N/A	
Croatia	N/A		N/A	
Czech Republic	(no record)		(no record)	
Denmark	London Convention - 3	→ 8 to 24 weeks	London Convention - 2	→ 8 to 12 weeks
Egypt	(no response)		(no response)	
Estonia	Bilateral treaties - 15	→ 4 weeks	London Convention - 10 Bilateral treaties - 15	→ 2 to 8 weeks → 8 weeks
Finland	London Convention - 0 Bilateral treaties - 0		London Convention - 0 Bilateral treaties - 0	
France	London Convention - 2 Bilateral treaties - 2	→ 16 weeks → (no response)	London Convention - 1 Bilateral treaties - 1	→ 24 weeks → 4 weeks
Germany	London Convention - 31 Bilateral treaties - 0	→ 3 weeks	London Convention - 15 Bilateral treaties - 0	→ 20 weeks
Hungary	London Convention - 3 Bilateral treaties - 4	→ 12 weeks → 12 weeks	London Convention - 25 Bilateral treaties - 1	→ 16 weeks → 25 weeks
Iceland	N/A		N/A	
Italy	London Convention - 25		London Convention - 38	
Japan	N/A		N/A	
Latvia	(no record)		(no record)	
Lithuania	London Convention - 5 Bilateral treaties - 5	→ 4 weeks → 4 weeks	London Convention - 5 Bilateral treaties - 5	→ 9 weeks → 12 weeks
Malaysia	N/A		N/A	
Netherlands	London Convention - 0	→ (no record)	(no record)	
New Zealand	N/A		N/A	
Poland	London Convention - 5 Bilateral treaties - 5	→ 4 weeks → 4 weeks	London Convention - 7	→ no record
Romania	London Convention - 1 Bilateral treaties - 4	→ 4 weeks → 3 weeks	London Convention - 3	→ 12 weeks
Slovakia	London Convention - 15 Bilateral treaties - 10	→ 24 weeks → 24 weeks	London Convention - 15 Bilateral treaties - 10	→ 24 weeks → 24 weeks

<b>Countries</b>	<b>Number of requests received (2006)</b>	<b>Average time to respond</b>	<b>Number of requests made (2006)</b>	<b>Average time to receive response</b>
Slovenia	London Convention + bilateral treaties - 25	→ 1 week	London Convention + bilateral treaties - 42	→ 14 week
Sweden	(no record)		no record	
Switzerland	London Convention - 10	→ 2 to 6 weeks	(no response)	
Turkey	(no record)		(no record)	
United Kingdom	London Convention - 15	→ 13 weeks	N/A	
United States of America	N/A		N/A	



**Annex 3****Summary of Responses to Questions 9 to 13**

Countries	Online access to legislation (official government site)	Responses to written or oral requests for information on the content and / or application of the law	People in other States		
			Access	At same cost as residents	Increase in proportion in the future
Argentina	Yes**	Yes	Yes	Yes	Yes
Australia	Yes**	Yes	Yes	Yes	Yes
Austria	Yes*	Yes	Yes*	Yes	Yes
China – SAR Hong Kong	Yes	No**	No**	N/A	N/A
Croatia	Yes	Yes	Yes	Yes	Yes
Czech Republic	Yes	Yes	No	(no response)	(no response)
Denmark	Yes*	Yes	Yes	Yes	(no record)
Egypt	Yes**	Yes**	Yes	Yes	Yes
Estonia	Yes*	Yes	Yes*	Yes	Yes
Finland	Yes*	Yes	Yes*	Yes	No
France	Yes*/**	Yes	Yes	Yes	Yes
Germany	Yes *	No**	Yes	Yes	N/A
Hungary	Yes	No**	Yes*	Yes	No
Iceland	Yes	Yes	Yes	Yes	N/A
Italy	Yes	Yes	No	N/A	(no record)
Japan	Yes*	Yes	Yes*	Yes	Yes
Latvia	Yes**/*	Yes**	Yes*	Yes	Yes
Lithuania	Yes*	Yes	Yes*	Yes	Yes
Malaysia	No**	No	No	N/A	N/A
Netherlands	Yes	No**	Yes*	Yes	Yes
New Zealand	Yes	Yes	Yes	Yes	Yes
Poland	Yes**	Yes**	Yes**	Yes	Yes
Romania	Yes	Yes	Yes*	Yes	No
Slovakia	Yes**	Yes	Yes	Yes	(no record)
Slovenia	Yes	No**	Yes	Yes	Yes
Sweden	Yes*	Yes	Yes*	Yes	No

Countries	Online access to legislation (official government site)	Responses to written or oral requests for information on the content and / or application of the law	People in other States		
			Access	At same cost as residents	Increase in proportion in the future
Switzerland	Yes	Yes	Yes*	Yes	(no response)
Turkey	Yes	Yes	Yes	Yes	Yes
United Kingdom	Yes	Yes	No	N/A	N/A
United States of America	Yes	Yes **	Yes	Yes	Yes

\* Provided also in a non-official language

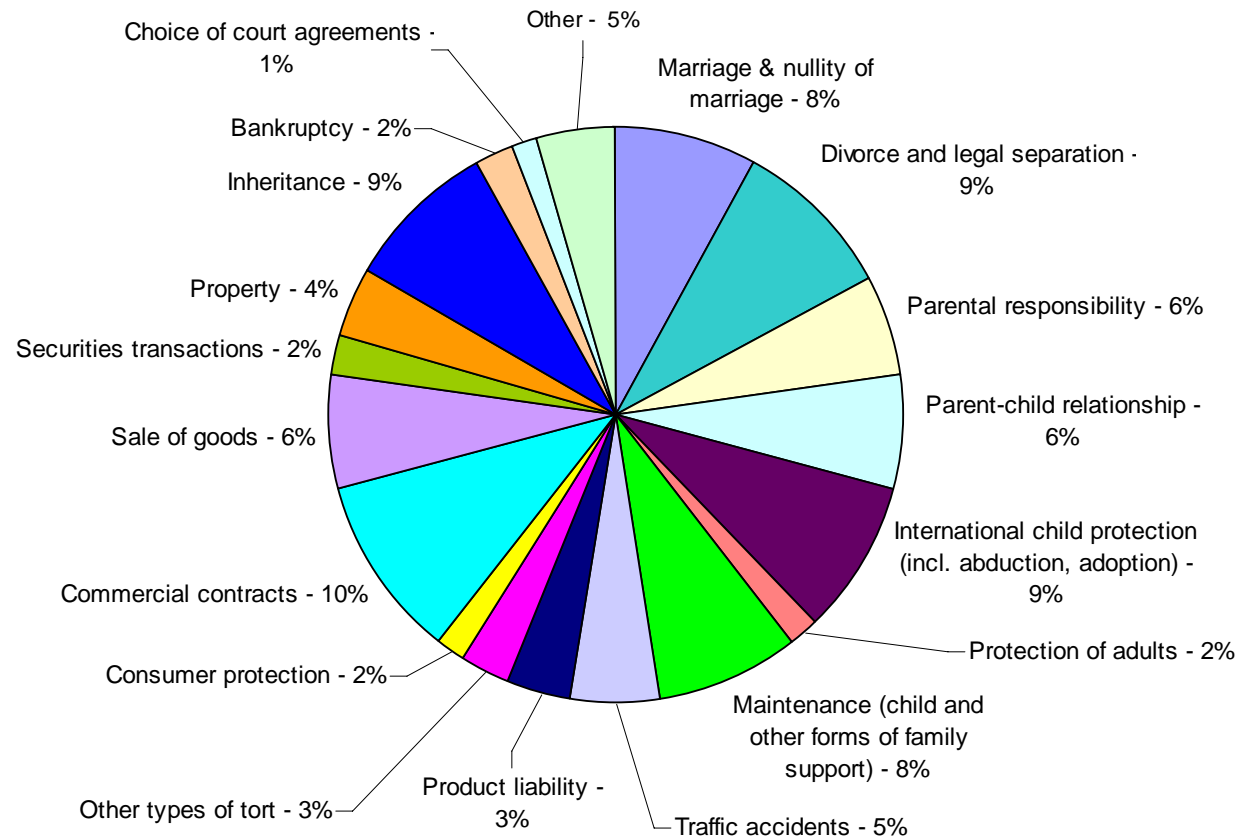
\*\* Non-governmental bodies or organisations may provide this information

**Annex 4**

**Summary of Responses to Question 15**

## Most common areas of foreign law applied by or invoked before the judicial authorities

\*based on responses from 24 of the 30 responding Members (excluding the EC)

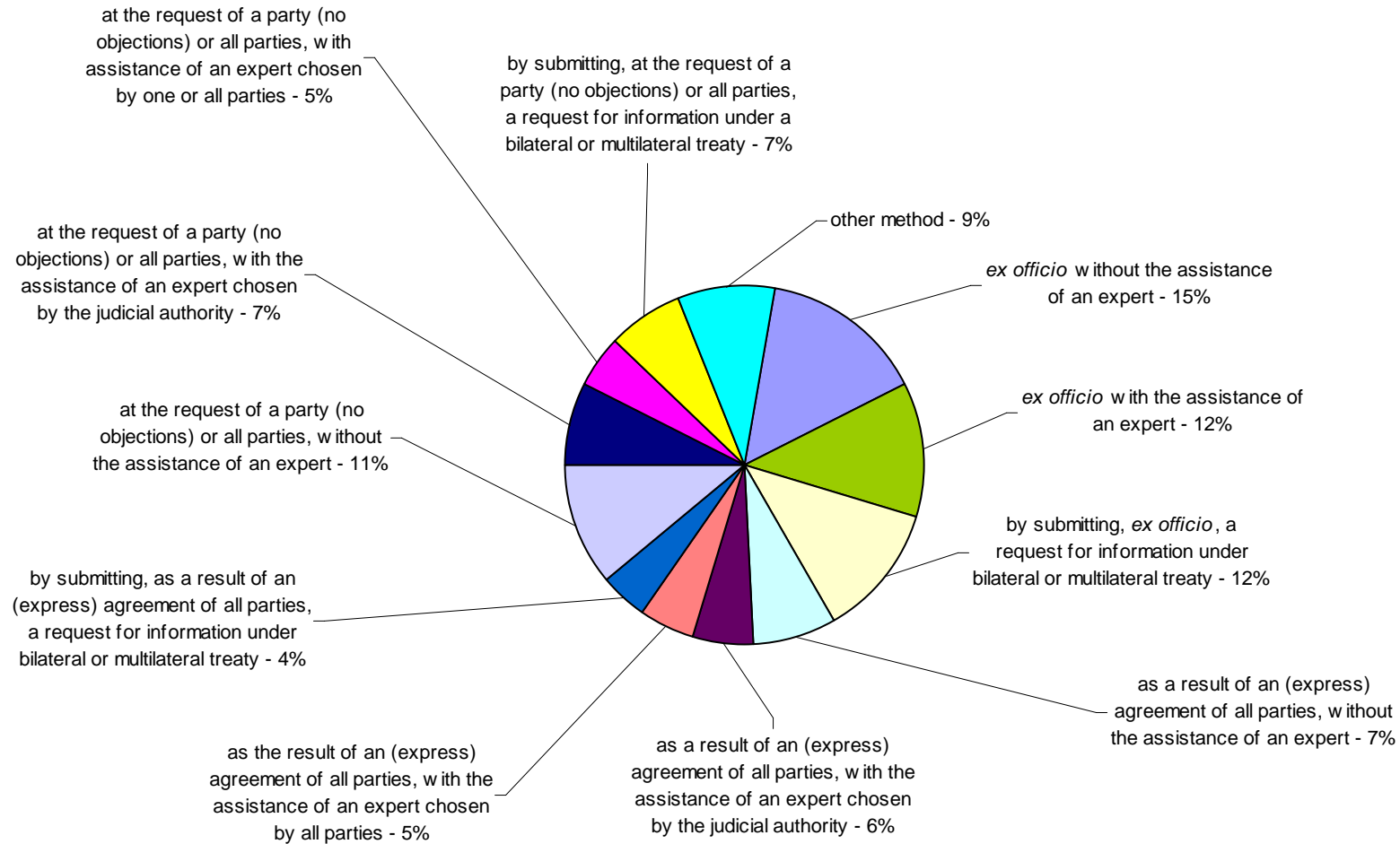


**Annex 5**

**Summary of Responses to Question 17**

## Methods used by the judicial authority to ascertain foreign law

\* based on responses from 27 of the 30 responding Members (excluding the EC)



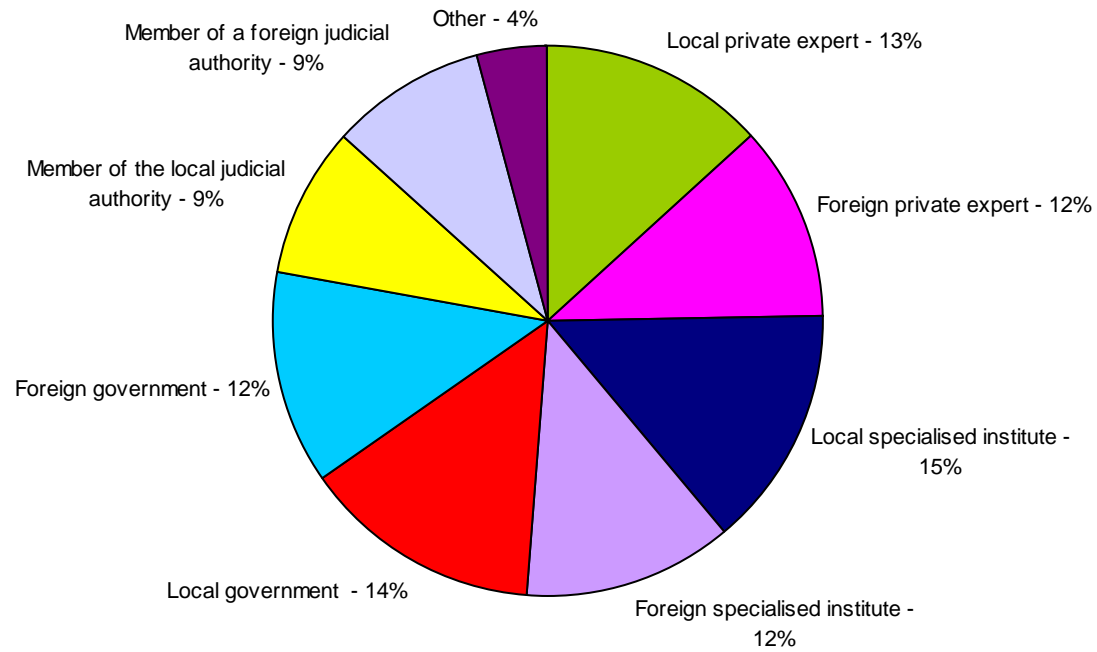
**Annex 6**

**Summary of Responses to Question 23**



### Assistance of an "expert"

\* based on responses from 20 of the 30 responding Members (excluding the EC)



**Annex 7**

**Summary of Responses to Question 33**

### Subjects for which online information on the content of law would be most valuable

\*based on responses from 7 of the 31 responding Members (including the EC)

