



HCCCH

HAGUE CONFERENCE ON
PRIVATE INTERNATIONAL LAW
CONFÉRENCE DE LA HAYE
DE DROIT INTERNATIONAL PRIVÉ

The Hague Conference Judgments Project

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- Conférence de La Haye de Droit International Privado
- Persidangan Hague tentang Undang-Undang Antarabangsa Persendirian
- Conférence dell'Aja di diritto internazionale privato
- Хашка конференција за меѓународно приватно право
- Διάσκεψη της Χάγης για το Ιδιωτικό Διεθνές Δίκαιο
- Гаазька конференция з міжнародного приватного права
- Хашка Конференција за Меѓународно Приватно Право
- Haagi Rahvusvahelise Eraõiguse Konverents
- Haagin kansainvälisten yksityisoikeuden konferenssi
- Haagkonferensen för internationell privaträtt
- Conférence e Hages per te drejten nderkombetare private
- Comhdháil na Háige um dhíl príobháideach idirnáisiúnta
- Conférence ta' The Hague dwar il-Ligi Internazzjonali Privata
- Haagkonferensen for internasjonalt privatrett
- Conférence da Haia de Direito Internacional Privado
- Conférence de la Haga de Drept International Privat
- Conférence da Den Haag dal drejt privat internazzional
- Haagska konferencia medzinarodného práva súkromého
- 海牙国际私法会议
- 헤이그 국제사법회의
- へーグ国際私法会議
- Hagos tarptautinė privatinės teisės konferencija
- Haška konferencija o medunarodno privatnom pravu
- Haška konferenca za mednarodno zasebno pravo
- Haška konferencija za medunarodno privatno pravo
- Haag-rådsteftnan um alþjóðlegan einkmálarétt
- Хашка Конференција по Меѓународно Частно Право
- Гагская Конференция міжнароднага приватнага права
- Гагская конференция по международному частному праву
- Haager Konferenz für Internationales Privatrecht
- Haagse Conferentie voor Internationaal Privaatrecht
- Haagská konference mezinárodního práva soukromého
- Haager-konferenzen for international privatret
- مؤتمر لاهاي للقانون الدولي الخاص
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- Háigai Nemzetközi Magánjogi Konferencia
- Lahey Uluslararası Özel Hukuk Konferansı
- Háigay Starptautiskā privāttiesību konference
- საერთაშორისო კერძო სამართლის ჰააგის კონფერენცია
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- சமஸ்தமம் லாபகரணம் கிரகம் சமஸ்தமம் லாபகரணம்

Background

- **Since 1993, the Hague Conference has been working towards a global instrument on foreign judgments in civil and commercial matters**
- **This work is known as the ‘Judgments Project’**
- **The Judgments Project has so far produced the Choice of Court Convention**
- **A broader draft instrument on jurisdiction and recognition/enforcement was unable to achieve consensus at the 2001 Session of the Hague Conference**

Continuation of the Judgments Project

- **In 2010, the Permanent Bureau provided a document to Members of the Hague Conference inviting consideration of the possible continuation of the Judgments Project.**
- **The document highlighted the following issues requiring consideration:**
 - what is needed by international litigants and judicial actors dealing with international cases?
 - what could be the basis for future work?
 - what is feasible for future negotiations?

Continuation of the Judgments Project

- **The document presented three options for possible future work:**
 - **Option 1:** A binding instrument on specific common grounds of jurisdiction *and* recognition/enforcement
 - **Option 2:** A binding instrument focusing on recognition/enforcement alone
 - **Option 3:** A non-binding instrument on jurisdiction and recognition/enforcement (or the latter alone)
- **The document suggested convening an expert group to advise on areas where it might be feasible to resume work, and where consensus might be possible**

Continuation of the Judgments Project

- **In 2011, the Council agreed that a small expert group should be set up to explore the background of the Judgments Project and recent developments with the aim to assess the possible merits of resuming the Judgments Project.**
- **In 2012, the expert group met for the first time and found that further work on cross-border litigation was desirable and recommended that:**
 - work be undertaken by a Working Group towards a future binding instrument making provision for the recognition and enforcement of judgments; and
 - the expert group reconvene to consider matters of direct jurisdiction (including parallel proceedings).

Continuation of the Judgments Project

- **In 2012, the Council agreed for work to proceed towards a new instrument on cross-border litigation. The following two-track working method proposed was mandated:**
 - a working group prepares proposals on provisions relating to recognition and enforcement of judgments
 - the expert group reconvenes to consider and make recommendations on the desirability and feasibility of making provisions relating to matters of jurisdiction (including parallel proceedings)

Agreeing on the process going forward

- Should work on recognition and enforcement be prioritised?
 - Secretariat's suggested answer: yes (Process Paper issued in August 2013)
- What does it mean in practice?
 - Working Group meets and makes progress until its mandate is sufficiently advanced/completed.
 - Experts' Group work is delayed to a later stage (yet to be addressed as mandated by Council)
- Solid research and preparations as the basis for further work
 - Wuhan conference as a forum for consultations among Asia Pacific States; and
 - now this seminar in Russia.

Progress of the Working Group

• February 2014 Working Group Meeting

- Progress made on the drafting of provisions related to:
 - schemes for recognition and enforcement of judgments
 - the categories of judgments to which a future instrument would apply
- Two additional Working Group meetings are planned for October 2014 (Hong Kong) and February 2015 (The Hague)
- Work between the meetings focuses on subjects such as:
 - judgments related to tort & contract claims
 - judgments rendered in proceedings for collective redress (including class actions)
 - consumer and employment matters
 - Intellectual property matters

(Tentative) Timeline

◦April 2012

Council gives mandate to re-launch work on Judgments Project

◦Feb 2013

Back-to-back meetings of Working Group and Expert Group

◦April 2013

Council notes work and ongoing consultations of the Working Group and Experts' Group

◦February 2014

Meeting of the Working Group

◦April 2014

Council notes progress of the Working Group and ongoing support for the Judgments Project from Member States

October 2014 - February 2015

Two more contemplated meetings of the Working Group Hong Kong and The Hague

◦Late 2015

Possible convening of a Special Commission in order to consider proposals submitted by Working Group.

Judgments Project Section

◦ More information available on the **Judgments Project section** of the Hague Conference website

The screenshot shows the website for the Hague Conference on Private International Law (HCCH). The header includes the HCCH logo and the text "The World Organisation for Cross-border Co-operation in Civil and Commercial Matters" and "L'Organisation mondiale pour la coopération transfrontalière en matière civile et commerciale". Navigation links include "Contact", "About HCCH", "FAQ", "Help", "Disclaimer", "Français", and "Other languages".

The main content area is titled "The Judgments Project". It features a search bar and a navigation menu on the left with links to Home, HCCH Members, Non-Member Contracting States, Conventions, Specialised sections, Authorities, Publications, Work in Progress, Centre, News & Events, Vacancies / Internships, and a "GO" button.

The "About the Judgments Project" section states: "The 'Judgments Project' refers to the work undertaken by the Hague Conference since 1992 on two key aspects of private international law in cross-border litigation in civil and commercial matters: the international jurisdiction of courts and the recognition and enforcement of their judgments abroad."

It continues: "Initially, the Judgments Project focussed on developing a broad convention, which was subsequently scaled down to focus on international cases involving choice of court agreements. This led to the conclusion of the *Hague Convention of 30 June 2005 on Choice of Court Agreements* ('Choice of Court Convention'). For more information on the Choice of Court Convention, see the specialised 'Choice of Court Section'."

The "Mandate" section notes: "In 2011, the Hague Conference on Private International Law was mandated to assess the possible merits of resuming the Judgments Project (i.e., beyond the Choice of Court Convention). In 2012, the Members of the Hague Conference agreed to re-launch work on the Judgments Project."

The "Chronology of the Judgments Project (including relevant documentation)" section lists: "Recent developments (2010 onwards)", "Focus on international litigation involving choice of court agreements (2002-2003)", "Response to the preliminary draft convention (2000-2001)", "Preparation of a preliminary draft convention (2000-2001)", "Preliminary work (1992-1996)", and "The originating proposal (1992)".

The "Bibliography" section states: "A bibliography relating to the Judgments Project is available [here](#)."

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Thank you

Questions?

