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**QUESTIONNAIRE DE SEPTEMBRE 2008 PORTANT SUR LA
CONVENTION DE LA HAYE DU 25 OCTOBRE 1980 TENDANT À FACILITER
L'ACCÈS INTERNATIONAL À LA JUSTICE
(CONVENTION ACCÈS À LA JUSTICE)**

établi par le Bureau Permanent

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**QUESTIONNAIRE OF SEPTEMBER 2008 RELATING TO THE
HAGUE CONVENTION OF 25 OCTOBER 1980 ON
INTERNATIONAL ACCESS TO JUSTICE
(ACCESS TO JUSTICE CONVENTION)**

drawn up by the Permanent Bureau

*Document préliminaire No 4 de septembre 2008
à l'intention de la Commission spéciale sur le fonctionnement pratique des
Conventions de La Haye Apostille, Notification, Preuves et Accès à la Justice*

*Preliminary Document No 4 of September 2008
for the attention of the Special Commission on the practical operation of the
Hague Apostille, Service, Evidence and Access to Justice Conventions*

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**Questionnaire of September 2008 relating to the
Hague Convention of 25 October 1980 on International Access to Justice
(Access to Justice Convention)**

At its most recent meeting (1-3 April 2008), the Council on General Affairs and Policy of the Hague Conference on Private International Law (HCCH) approved the holding of a **Special Commission on the practical operation of the Hague Apostille, Service, Evidence and Access to Justice Conventions**.¹

Whilst the Access to Justice Convention has been in force for more than twenty years, this will be the first occasion that its practical operation will be reviewed by a Special Commission. The basic purpose of the Convention is to facilitate for nationals of a State Party to the Convention or persons habitually resident in a State Party, non-discriminatory access to justice in all the States Parties to the Convention.² The Convention's purpose is not to harmonise domestic laws, but rather to ensure that mere status as an alien or absence of residence or domicile in a State is not in and of itself ground for discrimination with regard to access to justice in that State. In particular the Convention seeks to eliminate discrimination as regards: legal aid (including the provision of legal advice), security for costs, copies of entries and decisions, physical detention and safe-conduct. In addition, the Convention provides co-operative machinery to facilitate the processing of cross-border applications for legal advice and for rendering enforceable orders for payment of costs and expenses of proceedings.

With a view to preparing for discussions on the Access to Justice Convention at the Special Commission, the Permanent Bureau has prepared the following Questionnaire. The responses will assist the Permanent Bureau in its monitoring of the practical operation of the Convention and in completing and updating the information provided on the HCCH website (< www.hcch.net >).

Non-Contracting States to the Access to Justice Convention are invited to respond to Questions 1) to 6). Contracting States are invited to answer all other questions. Please note that some questions may require input from the various authorities designated by a Contracting State under the Convention.

The Permanent Bureau would very much appreciate receiving the answers from your State (in either English or French) **before 28 November 2008**. Answers should be sent via e-mail to < secretariat@hcch.net > with the following heading in the subject field: "Questionnaire – Access to Justice Convention – [name of the Member of the Organisation / Contracting State]".

Please complete this Questionnaire **electronically** and not by hand.³

¹ This Special Commission will take place from 2-12 February 2009 in The Hague. The convocation for the meeting was sent by e-mail on 19 June 2008 and by post on 21 June 2008 to the National and Contact Organs of the Members of the HCCH. Copies for information were sent to the Embassies of the Member States, the Central Authorities designated under the Hague Apostille, Service, Evidence and Access to Justice Conventions and the participants from the Special Commission of October / November 2003.

² A comprehensive and updated list of Contracting States to the Convention is available on the HCCH's website at < www.hcch.net >. It is interesting to note that, so far, only European States are Parties to the Convention.

³ Tick the relevant boxes by placing your cursor in the middle of the space between the two square brackets and inserting an X (so that [] becomes [X]). If you are invited to add text, place your cursor **directly before the relevant paragraph symbol** (they all appear in italic and in blue: ¶). This requires that you activate the "Show / Hide ¶" option. Your text will appear in blue.

Identification

Name of State: [Hungary](#)

For follow-up purposes

Name of contact person: [dr. Szabolcs Boreczki](#)

Name of Authority / Office: [Department of Civil Law Codification and Private International Law, Ministry of Justice and Law Enforcement](#)

Telephone number: [+36 1 999 4349](#)

E-mail address: boreczkisz@irm.gov.hu

Uploading of the responses onto the HCCH website

The uploading of the responses to previous questionnaires regarding the International Judicial and Administrative Co-operation Conventions (Apostille, Service and Evidence Conventions) onto the HCCH website has proven to be extremely useful. These responses are often consulted and referred to in the numerous items of correspondence that the Permanent Bureau receives. As a result, we also envisage uploading the answers to this Questionnaire. Does your State agree to making its response available, or available in part, on the HCCH website?

- YES, the full response to the Questionnaire (and any attachments) may be uploaded onto the HCCH website
- YES, but the following answers or details may not be uploaded onto the HCCH website (please indicate in particular whether or not you agree to have the contact details provided under the heading "Identification" (see above) and the answers to Questions 7) and 8) uploaded onto the HCCH website):
- NO – no detail of our response may be uploaded onto the HCCH website

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PART ONE – GENERAL INFORMATION AND STATISTICS

I. Questions for non-Contracting States

- 1) Please indicate why your State is not a Contracting State to the Access to Justice Convention (select as many answers as are relevant):
- The availability of provisions relating to non-discrimination with respect to legal aid, including the provision of legal advice, security for costs, copies of entries and decisions, and physical detention and safe-conduct, in your domestic law, bilateral, regional or multilateral instruments means that so far it has not appeared to your authorities that there would be added value in becoming a Party to the Access to Justice Convention
 - The number of persons involved in any cross-border case who would benefit from non-discrimination in access to justice matters has so far been limited and has not required a global framework
 - There are legal obstacles in your domestic legal system that prevent your State from becoming a Party to the Convention – if so, please specify what these are:
 - Your State considers that there are specific issues arising out of the Access to Justice Convention (*e.g.*, the scope of the Convention, language requirements, the requirement to provide legal advice, the application of reciprocity provisions of Art. 28, etc.) which dissuade your State from joining the Access to Justice Convention – please explain:
 - Your State does not have the means or resources to properly implement the Access to Justice Convention – please explain / specify:
 - The question of becoming a Party to the Convention has never been examined in detail
 - Other reasons – please explain:
Currently the Hungarian legal aid system is operated by the courts and the Judicial Office. The government plans to pass all tasks concerning legal aid to the judicial office, which would be achieved from 2011. Till then the transmission of legal aid applications are arranged on the basis of the 2003/8/EC directive. We plan to become a party only after this reform process, from 2011.
- 2) Is your State currently studying the Access to Justice Convention or does your State envisage studying it with a view to becoming a Party in the near future?
- YES – please specify (status of considerations in your State, etc.):
As it was mentioned at question 1, according to our plans, from 2011 the Judicial Office will be responsible for the transmission of legal aid applications. Joining to the Convent is reasonable from 2011.
 - NO

- 3) Article 1(2) of the Access to Justice Convention provides that persons who formerly had their habitual residence in a Contracting State in which court proceedings are to be or have been commenced shall be entitled to legal aid as provided in Article 1(1) if the cause of action arose out of their former habitual residence in that State (*e.g.*, tenancy, wrongful termination or social security claims arising from employment contracts performed in that State). Have persons in your State transmitted applications for legal aid to the Competent Authority of a State Party under Article 1(2) of the Convention?

YES – please explain / specify (if possible, please indicate whether or not legal aid was granted in the State Party; if legal aid was not (fully) granted, please explain what the reasons were):

NO

No information available

- 4) In the case of proceedings in your State, does the law or practice of your State impose any security, bond or deposit upon certain categories of persons such as foreign nationals or persons who are not resident or domiciled in your State?

YES – please explain / specify if there are any qualifications or exceptions to the rule:

Foreign claimants are obliged to provide a deposit, except – for instance - when

- *an international agreement or correlation with an other state disposes otherwise, or*
- *the claimant is entitled for total exception of paying litigation costs.*

NO

- 5) Is your State aware of the extent, if any, to which your nationals or persons habitually resident in your State are confronted by requirements to provide any security, bond or deposit abroad because of their foreign nationality or their absence of domicile or residence in another country where proceedings are commenced?⁴

YES – please explain:

NO

⁴ In this context, the Permanent Bureau would like to recall some of the benefits of Chapter II of the Access to Justice Convention. Chapter II provides a mechanism that facilitates access to justice in all States Parties by exempting persons from the obligation to provide security for costs, under certain circumstances, and by providing, where necessary, a speedy procedure to render enforceable orders for payment of costs and expenses in proceedings made against a person so exempted. Pursuant to Arts 14 and 15 of the Convention, a person who is habitually resident in a Contracting State, and who is a plaintiff or person who intervenes in proceedings before the courts or tribunals of another Contracting State, shall not incur an obligation to provide security for costs by reason only of their foreign nationality or their lack of domicile or residence in the State where the proceedings have been commenced. In exchange for this benefit, the Convention provides that orders for the payment of costs made in a Contracting State in such circumstances are to be rendered enforceable without charge in any other Contracting State.

- 6) Please forward a list of any bilateral, regional or multilateral instruments to which your State is a Party and that provide rules for the non-discrimination with respect to legal aid, including the provision of legal advice, security for costs and enforceability of orders for costs, copies of entries and decisions as well as physical detention and safe-conduct:
- Council directive 2002/8/EC of 27 January 2003 to improve access to justice in cross-border disputes by establishing minimum common rules relating to legal aid for such disputes (with all EU Member States except for Denmark)
 - Convention of 1 March 1954 on civil procedure
 - Treaty between the People's Republic of Hungary and the People's Republic of Albania on legal assistance in civil, family law and criminal matters signed in Tirana on 12 January 1960
 - Treaty between the People's Republic of Hungary and the Democratic and People's Republic of Algeria on legal assistance in civil, family law and criminal matters signed in Alger on 7 February 1976
 - Hungarian-British Convention on legal assistance in civil matters of 25 September 1935 (applicable to Australia, Canada, Fiji, Kenya, Lesotho, New-Zealand, Tonga)
 - Treaty between the People's Republic of Hungary and the USSR on legal assistance in civil, family law and criminal matters signed in Moscow on 15 July 1958 and the Protocol to the Treaty signed in Budapest on 19 October 1971 (applicable to the Russian Federation and Belarus)
 - Treaty between the People's Republic of Hungary and the Yugoslav Socialist Federal Republic on mutual legal assistance signed in Belgrade on 7 March 1968, and the Protocol to the Treaty signed in Budapest on 25 April 1986 (applicable to Croatia, Bosnia and Herzegovina, FYR Macedonia, Montenegro, Serbia)
 - Treaty between the People's Republic of Hungary and the French Republic on legal assistance in civil and family law matters, recognition and enforcement of judicial decisions as well as on legal assistance in criminal matters and extradition signed in Budapest on 31 July 1980 (applicable to Mayotte, French Polynesia, New Caledonia, Saint-Pierre and Miquelon, Wallis-and-Futuna)
 - Convention between the Republic of Hungary and the Arab Republic of Egypt on legal assistance in civil and commercial matters signed in Cairo on 26 March 1996
 - Treaty between the Republic of Hungary and the People's Republic of China on legal assistance in civil and commercial matters signed in Beijing on 9 October 1995
 - Treaty between the People's Republic of Hungary and the People's Democratic Republic of Korea on legal assistance in civil, family law and criminal matters signed in Pyongyang on 5 October 1970
 - Treaty between the People's Republic of Hungary and the Republic of Cuba on legal assistance in civil, family law and criminal matters signed in Havana on 27 November 1981
 - Treaty between the People's Republic of Hungary and the People's Republic of Mongolia on legal assistance in civil, family law and criminal matters signed in Budapest on 22 November 1986
 - Treaty between the People's Republic of Hungary and the Arab Republic of Syria on legal assistance in civil and criminal matters signed in Damascus on 1 May 1986
 - Treaty between the People's Republic of Hungary and the Republic of Turkey on legal assistance in civil and commercial matters signed in Ankara on 6 June 1988
 - Treaty between the People's Republic of Hungary and the Republic of Tunisia on legal assistance in civil and criminal matters, recognition and enforcement of judicial decisions as well as on extradition signed in Budapest on 6 December 1982
 - Treaty between the Republic of Hungary and the Ukraine on mutual legal assistance in civil matters signed in Budapest on 2 August 2001

- [Treaty between the People's Republic of Hungary and the Socialist Republic of Vietnam on legal assistance in civil, family law and criminal matters signed in Hanoi on 18 January 1985](#)

II. Questions for Contracting States

A. Contact details for designated Authorities

Chapter I of the Convention

- 7) Please check the contact information as contained on the HCCH website with regard to the following authorities:

Central Authority(ies)

- a. ***Central Authority(ies)*** designated by your State for the purpose of receiving and taking action on applications for legal aid (Art. 3) – if one of the following categories of information is missing then please provide it below (please provide both a postal address and a street address, if these are not identical):

Name of Authority:
 Address:
 Telephone:
 Fax:
 E-mail:
 Website:
 Language(s) of communication:
 Name of contact person:

If your State is a federal State or a State which has more than one legal system and has designated several Central Authorities under Article 3(2) and one of the above categories is missing for more than one Central Authority designated, please provide separate details for each of those Central Authorities (copy and paste if necessary – also, please provide both a postal address and a street address, if these are not identical):

Name of Authority:
 Address:
 Telephone:
 Fax:
 E-mail:
 Website:
 Language(s) of communication:
 Name of contact person:

Transmitting Authority(ies)

- b. ***Transmitting Authority(ies)*** designated by your State for the purpose of forwarding applications for legal aid to the appropriate Central Authority in the requested State (Art. 4) – if one of the following categories of information is missing then please provide it below (please provide both a postal address and a street address, if these are not identical):

Name of Authority:
 Address:
 Telephone:
 Fax:
 E-mail:

Website:
 Language(s) of communication:
 Name of contact person:

Chapter II of the Convention

- 8) If your State has not excluded the application of Chapter II, please check the contact information as contained on the HCCH website with regard to the following authorities (if your State has designated the same authority(ies) as in Chapter I, please select the box: "See contact details provided in response to Question 7)").

Central Authority(ies)

- a. **Central Authority(ies)** designated by your State pursuant to Article 16(2) for the purpose of receiving and following up on applications for the enforcement of orders for the payment of costs and expenses of proceedings pursuant to Article 15 – if one of the following categories of information is missing then please provide it below (please provide both a postal address and a street address, if these are not identical):

See contact details provided in Question 7)a)

Name of Authority:
 Address:
 Telephone:
 Fax:
 E-mail:
 Website:
 Language(s) of communication:
 Name of contact person:

If your State is a federal State or a State which has more than one legal system and has designated several Central Authorities under Article 16(3) and one of the above categories is missing for more than one Central Authority designated, please provide separate details for each of those Central Authorities (copy and paste if necessary – also, please provide both a postal address and a street address, if these are not identical):

See contact details provided in Question 7)a)

Name of Authority:
 Address:
 Telephone:
 Fax:
 E-mail:
 Website:
 Language(s) of communication:
 Name of contact person:

Transmitting Authority(ies)

- b. **Transmitting Authority(ies)** designated by your State pursuant to Article 16(1) for the purpose of forwarding to the appropriate Central Authority in the requested State applications to render enforceable orders for the payment of costs and expenses of proceedings, pursuant to Article 15 – if one of the following categories of information is missing then please provide it below (please provide both a postal address and a street address, if these are not identical):

See contact details provided in Question 7)b)

Name of Authority:
 Address:
 Telephone:
 Fax:
 E-mail:
 Website:
 Language(s) of communication:
 Name of contact person:

B. Operation of the Access to Justice Convention

- 9) Please indicate below how your State rates the general operation of the Access to Justice Convention:

- Excellent
 Good
 Satisfactory
 Unsatisfactory

If your State considers that the general operation of the Access to Justice Convention is good, satisfactory or unsatisfactory, please indicate what particular aspects of the Convention your State considers require improvement or where your State has encountered difficulties. For any areas that require improvement, please also indicate whether your State considers that solutions could be developed in specific Conclusions and Recommendations to be adopted by the 2009 Special Commission:

- 10) Has your State, as a requesting or as a requested State, experienced any difficulties in the application of any of the chapters of the Access to Justice Convention?

- NO
 YES – please select the chapter(s) where difficulties have been experienced, and explain what these were and, if applicable, how they have been solved:
- Legal aid (Arts 1-13) – please explain:
- Security for costs and enforceability of orders for costs (Arts 14-17) – please explain:
- Copies of entries and decisions (Art. 18) – please explain:
- Physical detention and safe-conduct (Arts 19-20) – please explain:

C. Statistics

Chapter I (Applications for legal aid – Incoming)

The following questions relate to the applications for legal aid that have been *addressed to your State* (as the requested State) under the Access to Justice Convention:

- 11) Please complete the following table to indicate how many *incoming* applications for legal aid the Central Authority(ies) of your State has(ve) received in each of the past five years. Please also note, if possible for each year, the country(ies) from which your State received the most applications for legal aid.

2003	2004	2005	2006	2007
Number:	Number:	Number:	Number:	Number:
State(s):	State(s):	State(s):	State(s):	State(s):

- 12) Please select the categories of persons that have been granted legal aid in your State, as a requested State, in the past five years under the Access to Justice Convention, and indicate the number of persons in each category:

- Nationals of a Contracting State (Art. 1(1) – please indicate how many:
- Persons habitually resident in a Contracting State (Art. 1(1) – please indicate how many:
- Persons who formerly had their habitual residence in your State, where court proceedings are to be or have been commenced, and where the cause of action arose out of their former habitual residence in your State (Art. 1(2) – please indicate how many:
- Persons seeking to secure the recognition of enforcement of a decision in the circumstances of Article 13(2) – please indicate how many:
- In any of these cases, was legal aid made available only in civil and commercial matters, or also in administrative, social or fiscal matter (Art. 1(3)) – please explain / specify:

No information available

- 13) Article 12 requires that applications for legal aid be handled expeditiously. In this context, please indicate the average time that elapsed, in the past five years, between the Central Authority(ies) of your State receiving the application for legal aid and the determination of the application by a Competent Authority of your State:

Chapter I (Applications for legal aid – Outgoing)

The following questions relate to the applications for legal aid *sent by your State* (as the requesting State) under the Access to Justice Convention:

- 14) Please complete the following table to indicate how many *outgoing* applications for legal aid the Transmitting Authorities of your State have forwarded to Central Authorities of other States Parties in the past five years. If possible, please also note the country(ies) to which your State sent the most applications for legal aid for each year listed below.

2003	2004	2005	2006	2007
Number: State(s):	Number: State(s):	Number: State(s):	Number: State(s):	Number: State(s):

- 15) Please select the categories of persons in your State, as a *requesting* State, that have been granted legal aid abroad in the past five years under the Access to Justice Convention and indicate for the number of persons in each category:
- Nationals of your State (Art. 1(1)) – please indicate how many:
- Persons habitually resident in your State (Art. 1(1)) – please indicate how many:
- Persons seeking to secure the recognition of enforcement of a decision in the circumstances of Article 13(2) – please indicate how many:
- In any of these cases, was legal aid made available only in civil and commercial matters, or also in administrative, social or fiscal matter (Art. 1(3)) – please explain / specify:
- No information available
- 16) Article 12 requires that applications for legal aid be handled expeditiously. In this context, please indicate the average time that elapsed, in the past five years, between the Transmitting Authority of your State sending the application for legal aid to the Central Authority of another Contracting State and the determination of the application by a Competent Authority by a Competent Authority of that other Contracting State.

Chapter I (Legal advice)

- 17) Please indicate how many applications for legal advice have been dealt with by your State under the Access to Justice Convention. Of these applications please indicate how many have been granted:

Chapter II (Applications to render enforceable orders for the payment of costs and expenses of proceedings pursuant to Art. 15 – Incoming)

18) If your State has not excluded the application of Chapter II of the Access to Justice Convention:

- a. Please complete the following table to indicate how many *incoming* applications to render orders for the payment of costs and expenses of proceedings enforceable pursuant to Article 15 (hereafter “**Article 15 Applications**”) the Central Authority(ies) of your State has(ve) received in each of the past five years. Please also note, if possible for each year, the country(ies) from which your State received the most Article 15 Applications.

2003	2004	2005	2006	2007
Number:	Number:	Number:	Number:	Number:
State(s):	State(s):	State(s):	State(s):	State(s):

- b. Please indicate how many Article 15 Applications have resulted in an order of a foreign court for the payment of costs and expenses of proceedings being rendered enforceable in your State:

[] No information available

Chapter II (Applications to render enforceable orders for the payment of costs and expenses of proceedings pursuant to Art. 15 – Outgoing)

19) If your State has not excluded the application of Chapter II of the Access to Justice Convention:

- a. Please complete the following table to indicate how many *outgoing* Article 15 Applications the Transmitting Authorities of your State have forwarded to Central Authorities of other States Parties in the past five years. If possible, please also note the country(ies) to which your State sent the most Article 15 Applications for each year listed below.

2003	2004	2005	2006	2007
Number:	Number:	Number:	Number:	Number:
State(s):	State(s):	State(s):	State(s):	State(s):

- b. Please indicate how many Article 15 Applications have resulted in an order of a court in your State for the payment of costs and expenses of proceedings being rendered enforceable abroad:

[] No information available

- 20) Please indicate, by numbering from 1 to 4, the chapters of the Access to Justice Convention which have most frequently been applied in your State (1 representing the highest, 4 the lowest):
- Legal aid, including legal advice (Arts 1-13)
 - Security for costs and enforceability of orders for costs (Arts 14-17)
 - Copies of entries and decisions (Art. 18)
 - Physical detention and safe-conduct (Arts 19-20)

D. Case law and reference work

- 21) The Permanent Bureau invites States Parties to provide copies of any guides, desk instructions or any other practical information that may have been produced for the assistance of the Transmitting Authorities, Central Authorities or other authorities when sending or executing applications for legal aid or for rendering orders for the payment of costs and expenses of proceedings enforceable pursuant to Article 15.
- 22) The Permanent Bureau invites States Parties to provide copies of decisions that apply or relate to the Access to Justice Convention. If the decision is in a language other than English or French, a summary into either of these languages would be appreciated.
- 23) The Permanent Bureau invites States Parties to forward a list of references of articles or books in connection with the Access to Justice Convention that do not already appear on the bibliography tab of the HCCH website.
- 24) The Permanent Bureau invites States Parties to forward a citation for and / or a copy of the domestic legislation which implements the Access to Justice Convention in their territory(ies), as well as any citations for and / or copies of any domestic laws which provide for rules on non-discrimination with respect to legal aid, including the provision of legal advice, security for costs, copies of entries and decisions, enforceability of orders for costs, and physical detention and safe-conduct.
- 25) The Permanent Bureau invites States Parties to forward a list of any other bilateral, regional or multilateral instrument to which they are a Party which provide for rules on non-discrimination with respect to legal aid, including the provision of legal advice, security for costs, copies of entries and decisions, enforceability of orders for costs, and physical detention and safe-conduct.

PART TWO – SUBSTANTIVE ISSUES**A. Scope of the Access to Justice Convention*****Chapter I (Legal aid)***

26) Has your State granted legal aid to legal persons (as opposed to “natural” persons) under the Access to Justice Convention (in spite of the comments in the Explanatory Report by Gustav Möller, which excludes legal persons from Chapter I, see *Actes et documents de la Quatorzième Session*, Tome IV, Judicial co-operation, The Hague, 1983, p. 266, footnote 11)?

NO

YES – please explain:

27) If your State has made a reservation under Article 28(1) of the Convention, please indicate if your State has exercised the power granted by that reservation:⁵

YES

NO – please explain:

B. The concept of habitual residence

28) Has the concept of habitual residence, as used in the Access to Justice Convention, led to any difficulties of interpretation or application in your State?

NO

YES – please explain / specify:

C. Model Forms

29) According to Article 30 of the Access to Justice Convention, the Model Forms annexed thereto “may be amended by a decision of a Special Commission convoked by the Secretary General of the Hague Conference to which all Contracting States and all Member States shall be invited”. The Permanent Bureau would be interested to know whether your State is satisfied with the Model Forms or whether your State would have any suggestions for improvement.

⁵ Art. 28(1) allows a Contracting State to exclude the obligation of Art. 1 of the Convention (1) in the case of persons who are not nationals of a Contracting State, but who have their habitual residence in a Contracting State other than the reserving State, and/or (2) in the case of persons who formerly had their habitual residence in the reserving State, if, in either of these cases, there is no reciprocity of treatment between the reserving State and the State of nationality of the applicant.

Is your State satisfied with the Model Forms?

YES

NO – please specify which amendments your State considers necessary or desirable:

D. Regional or multilateral agreements (Art. 21)

- 30) If your State is a Party to both the Access to Justice Convention and one of the regional or multilateral instruments set out below, please explain how these instruments co-exist in practice. In particular, please specify which instrument takes precedence over the other and the reasons for this:
- a. The European Agreement of 27 January 1977 on the Transmission of Applications for Legal Aid (Strasbourg Convention) – please explain:
 - b. Council Directive 2002/8/EC of 27 January 2003 to Improve Access to Justice in Cross-border Disputes by Establishing Minimum Common Rules Relating to Legal Aid For Such Disputes – please explain:
 - c. The Convention of 22 January 1993 on Legal Assistance and Legal Relations in Civil, Family and Criminal Matters (Minsk Convention) adopted by the Commonwealth of Independent States – please explain:
 - d. Other agreements – please explain:

Thank you!

* * *