

## Special Commission on the Practical Operation of the 1965 Service, 1970 Evidence and 1980 Access to Justice Conventions

2-5 July 2024

9.30 a.m. – 6.00 p.m. (CEST)

**SECOND REVISED DRAFT AGENDA**

*The draft agenda will be treated with flexibility*

Three sessions per day. Morning break 15 minutes, lunch 1.5 hours, afternoon break 15 minutes. Meeting from 9.30 a.m. to 6.00 p.m. each day, concluding no later than 1.00 p.m. on Friday 5 July 2024. Lunch breaks will be from 1.00 p.m. to 2.30 p.m. Refreshment breaks will normally be from 11.00 a.m. to 11.15 a.m. and from 4.00 p.m. to 4.15 p.m.

In this agenda, documents listed under “For discussion” may be discussed at the relevant session, and documents listed under “For information” provide relevant background or reference information. To facilitate discussions at the meeting, specific paragraph numbers of the Practical Handbooks on the operation of the Service and Evidence Conventions are listed under certain topics. These are reflected in the agenda as “Reference to the HB: paras xx-xx”. These paragraphs can be found in [Prel. Doc. No 7](#) for the Service Practical Handbook and [Prel. Doc. No 8](#) for the Evidence Practical Handbook.

### Tuesday 2 July 2024

Session	Item
Session 1 9.30 a.m.	<b>I. Opening</b> <ol style="list-style-type: none"><li>1. Remarks from Mr Paul Vlas, President of the Netherlands Standing Government Committee on Private International Law</li><li>2. Election of the Chair of the Special Commission</li><li>3. Welcome remarks from Dr Christophe Bernasconi, Secretary General of the HCCH</li><li>4. Practical information, Ms Anna Koelewijn, Head of Administration</li><li>5. Adoption of the Agenda</li><li>6. Presentation of documentation</li><li>7. Working Group reports on the Service and Evidence Handbooks and Country Profiles</li></ol>
Session 2	<b>II. Evaluation of the Evidence Convention</b> <ol style="list-style-type: none"><li>1. Status and operation of the Evidence Convention in general (including statistical information)<ol style="list-style-type: none"><li>a. Acceptance of accessions</li></ol></li></ol>

For discussion:

- [Prel. Doc. No 4 of April 2024](#)
- [Prel. Doc. No 17 of June 2024](#)

2. Experts are invited to report on progress made towards accession and / or experiences of recent accession / has COVID-19 changed the operation of the Convention?

11.00 a.m.

**Morning break**

Session 3

**III. Practical Operation of the Evidence Convention**

11.15 a.m.

1. Functions of Central Authorities
  - a. Exchanging experiences between Central Authorities
  - b. Communication  
*Reference to the HB: paras 240-248*
  - c. Transmission of Letters of Request  
*Reference to the HB: paras 225-239, paras 194-196 and Annex 1*

For discussion:

- [Prel. Doc. No 13 of June 2024](#)
- [Prel. Doc. No 16 of June 2024](#)
- [Prel. Doc. No 17 of June 2024](#)

For information:

- [Prel. Doc. No 8 of May 2024](#)

2. Taking of evidence by Letters of Request (Chapter I)
  - a. Model Form (including electronic form and signatures)  
*Reference to the HB: paras 153-199*
  - b. Language and translation  
*Reference to the HB: paras 200-214*
  - c. Time and delay  
*Reference to the HB: paras 346-350*
  - d. Costs, reimbursement, and methods of payment  
*Reference to the HB: paras 351-370*
  - e. Judicial authorities and other authorities under Art. 1  
*Reference to the HB paras 138-152*
  - f. Execution of requests by different authorities  
*Reference to the HB: paras 265-275 and paras 413-417*
  - g. Types of evidence and its use  
*Reference to the HB: paras 63-79*
  - h. Participation of parties and their representatives in the hearing  
*Reference to the HB: paras 319-330*

For discussion:

- [Prel. Doc. No 13 of June 2024](#)
- [Prel. Doc. No 16 of June 2024](#)
- [Prel. Doc. No 17 of June 2024](#)

For information:

- [Prel. Doc. No 8 of May 2024](#)

1.00 p.m.

**Lunch**

Session 3 cont.

**III. Practical Operation of the Evidence Convention (cont.)**

2.30 p.m.

2. Taking of evidence by Letter of Request (Chapter I) (cont.)

3. Taking of evidence by Consuls and Commissioners (Chapter II)
  - a. Exchanging experiences
  - b. Model Forms
  - c. Voluntary and remote depositions in light of Chapter II objections

For discussion:

- [Prel. Doc. No 13 of June 2024](#)
- [Prel. Doc. No 17 of June 2024](#)

For information:

- [Prel. Doc. No 8 of May 2024](#)
- Reference to the HB: paras 488-516

4. Relationship of the Evidence Convention with other instruments (including bilateral, multilateral)

For information:

- [Prel. Doc. No 8 of May 2024](#)
- Reference to the HB: paras 559-578

4.00 p.m. *Afternoon break*

Session 3 cont. **III. Practical Operation of the Evidence Convention (cont.)**

- 4.15 p.m.
5. Video-link
    - a. Exchanging experiences
    - b. Direct and indirect taking of evidence
    - c. Security

For discussion:

- [Prel. Doc. No 13 of June 2024](#)
- [Prel. Doc. No 17 of June 2024](#)

For information:

- [Prel. Doc. No 8 of May 2024](#)
- Reference to the HB: paras 92-131

**Ceremony – Spanish as an Official Language of the HCCH**

6.00 p.m. *Reception*

**Wednesday 3 July 2024**

Session Item

Session 3 cont. **III. Practical Operation of the Evidence Convention (cont.)**  
9.30 a.m.

5. Video-link (cont.)
6. C&R of previous meetings of the Special Commission

For discussion:

- [Prel. Doc. No 17 of June 2024](#)

11.00 a.m. *Morning break*

Session 4  
11.15 a.m.

#### **IV. Evaluation and Practical Operation of the Access to Justice Convention**

1. Status and operation of the Access to Justice Convention in general (including statistical information)

For discussion:

- [Prel. Doc No 6 of April 2024](#)
- [Prel. Doc. No 17 of June 2024](#)

2. Experts are invited to report on progress made towards accession and / or experiences of recent accession / operation of the Convention during and as a result of COVID-19

3. Functions of Central Authorities and Practical Operation

- a. Exchanging experiences
- b. General issues (including scope, preparation of applications)

For discussion:

- [Prel. Doc. No 16 of June 2024](#)
- [Prel. Doc. No 17 of June 2024](#)

4. C&R of previous meetings of the Special Commission

For discussion:

- [Prel. Doc. No 17 of June 2024](#)

1.00 p.m.

*Lunch*

Session 5  
2.30 p.m.

#### **V. Evaluation of the Service Convention**

1. Status and operation of the Service Convention in general (including statistical information)

For discussion:

- [Prel. Doc No 2 REV of June 2024](#)
- [Prel. Doc. No 17 of June 2024](#)

2. Experts are invited to report on progress made towards accession and / or experiences of recent accession / operation of the Convention during and as a result of COVID-19.

Session 6

#### **VI. Practical Operation of the Service Convention**

1. Functions of Central Authorities

- a. Exchanging experiences between Central Authorities
- b. Communication
- c. Transmission of requests for service  
*Reference to the HB: paras 175-179 and paras 211-217*
- d. Location of the person to be served  
*Reference to the HB: paras 155-171*

For discussion:

- [Prel. Doc. No 13 of June 2024](#)
- [Prel. Doc. No 16 of June 2024](#)
- [Prel. Doc. No 17 of June 2024](#)

For information:

- [Prel. Doc. No 7 of May 2024](#)

2. Operation of the main channel of transmission

- a. Model Form (including electronic form and signatures)  
*Reference to the HB: paras 188-210*
- b. Forwarding authorities

- c. Language and translation  
*Reference to the HB: paras 180-187*
- d. Time and delay  
*Reference to the HB: paras 200-203*
- e. Costs, reimbursement, and methods of payment  
*Reference to the HB: paras 279-286*
- f. Grounds for refusal  
*Reference to the HB: paras 270-278*

For discussion:

- [Prel. Doc. No 14 of May 2024](#)
- [Prel. Doc. No 13 of June 2024](#)
- [Prel. Doc. No 16 of June 2024](#)
- [Prel. Doc. No 17 of June 2024](#)

For information:

- [Prel. Doc. No 7 of May 2024](#)

4.00 p.m. *Afternoon break*

Session 6 cont.  
4.15 p.m.

**VI. Practical Operation of the Service Convention (cont.)**

3. Transmission and / or service of documents under the alternative channels of transmission
  - a. Exchanging experiences
  - b. Consular and diplomatic (Arts 8 and 9)  
*Reference to the HB: paras 341-360*
  - c. Service under 10(a), including through electronic means  
*Reference to the HB: paras 361-386*
  - d. Service under Article 10(b) and 10(c)  
*Reference to the HB: paras 387-398*

For discussion:

- [Prel. Doc. No 13 of June 2024](#)
- [Prel. Doc. No 17 of June 2024](#)

For information:

- [Prel. Doc. No 7 of May 2024](#)
- Reference to the HB: paras 324-340

4. Relationship of the Service Convention with other instruments (including bilateral, multilateral)

For information:

- [Prel. Doc. No 7 of May 2024](#)
- Reference to the HB: paras 430-443

6.00 p.m. **CLOSE**

**Thursday 4 July 2024**

Session      Item

Session 6 cont.  
9.30 a.m.

**VI. Practical Operation of the Service Convention (cont.)**

5. Contractual waiver and the Service Convention

For discussion:

- [Prel. Doc. No 12 of June 2024](#)
- [Prel. Doc. No 17 of June 2024](#)

6. Service on foreign States and State officials

For discussion:

- [Prel. Doc. No 17 of June 2024](#)

For information:

- [Prel. Doc. No 7 of May 2024](#)
- Reference to the HB: paras 113-118

11.00 a.m.

*Morning break*

Session 6 cont.  
11.15 a.m.

**VI. Practical Operation of the Service Convention (cont.)**

7. Relationship between the Service and Evidence Conventions

For discussion:

- [Prel. Doc. No 17 of June 2024](#)

For information:

- [Prel. Doc. No 8 of May 2024](#)
- Reference to the Evidence HB: paras 559-578
- [Prel. Doc. No 7 of May 2024](#)
- Reference to the Service HB: paras 430-443

8. Protection of the defendant (Arts 15 and 16)

For discussion:

- [Prel. Doc. No 17 of June 2024](#)

For information:

- [Prel. Doc. No 7 of May 2024](#)
- Reference to the HB: paras 399-426

9. C&R of previous meetings of the Special Commission

For discussion:

- [Prel. Doc. No 17 of June 2024](#)

1.00 p.m.

*Lunch*

Session 7  
2.30 p.m.

**VII. Matters relevant to the Operation of the Service and Evidence Conventions**

1. Electronic transmission of requests

For discussion:

- [Prel. Doc. No 13 of June 2024](#)
- [Prel. Doc. No 17 of June 2024](#)

2. "Civil or commercial matters"

For discussion:

- [Prel. Doc. No 11 of May 2024](#)
- [Prel. Doc. No 17 of June 2024](#)

3. Good practices

For discussion:

- [Prel. Doc. No 16 of June 2024](#)
- 4. Standardisation of data and statistics

4.00 p.m. *Afternoon break*

Session 8 **VIII. Evidence and Service Handbooks**

4.15 p.m.

For discussion:

- [Prel. Doc. No 7 of May 2024](#)
- [Prel. Doc. No 8 of May 2024](#)
- [Prel. Doc. No 15 of June 2024](#)
- [Prel. Doc. No 17 of June 2024](#)

Session 9 **IX. Country Profiles**

For discussion:

- [Prel. Doc. No 9 of June 2024](#)
- [Prel. Doc. No 10 of June 2024](#)
- [Prel. Doc. No 17 of June 2024](#)

6.00 p.m. **CLOSE**

## Friday 5 July 2024

Session Item

Session 10 **X. Other matters including timing of the next Special Commission meeting**  
9.30 a.m.

Session 11 **XI. Adoption of Conclusions & Recommendations**

11.00 a.m. *Morning break*

Session 11 cont. **XI. Adoption of Conclusions & Recommendations (cont.)**  
11.15 a.m.

**The meeting will conclude at 1.00 p.m.**