



HCCP

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

The Hague Conference Judgments Project

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First Secretary

Hague Conference on Private International Law

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- Conférence de La Haye de Droit International Privé
- Persidangan Hague tentang Undang-Undang Antarabangsa Perundangan
- Conférence dell'Haia di diritto internazionale privato
- Χαρισκα κομφορεντιζα ζα μεθυναρδιου πριβατου προυα
- Διδασκαφη της Χαγης για το Εθνητα Δινηηδ Διδουα
- Γαλλικα κομφορεντιζα ζα μεθυναρδιου πριβατου προυα
- Χαρισκα Κομφορεντιζα ζα Μεθυναρδιου Πριβατου Προυα
- Haagi Rahvusvahelise Eraõiguse Konverents
- Haagin kansainväällen yksityisöikeuden konferenssi
- Haagkonferenzen für internationalen privatöitt
- Konferenca e Hagos per te dretzen nörkombetare private
- Comhótháil na Háige um dlúil príobháideach idéirnáilúnta
- Konferenca ta' The Hague dwar il-Ligi Internazjonali Privata
- Haagkonferenzen för international privatöitt
- Konferenca Haska Prawa Prywatnego Międzynarodowego
- Conférenca da Haia de Ödireito Internacional Privado
- Conférenca de la Haga de Dretg International Privat
- Conférenca da Den Haag dal dretg privat international
- Haagiska konferenca med internationalt privata öökromöta
- 海牙国际私法会议
- 해이그 국제사법회의
- へーぐ国際私法会議
- Haagi targtautline privatis teisö konferenca
- Haika konferenca o medunarodno privatno pravo
- Haika konferenca za medunarodno zasebno pravo
- Haika konferenca za medunarodno privatno pravo
- Haag-öökromöta um alijö Megan öökromönet
- Χαρισκα Κομφορεντιζα ηα Μεθυναρδιου Χαστου Προυα
- Γαλλικα Κομφορεντιζα ηα μεθυναρδιου πριβατου προυα
- Γαλλικα κομφορεντιζα ηα μεθυναρδιου πριβατου προυα
- Haager Konferenca für Internationales Privatrecht
- Haagse Conferentie voor Internationaal Privaatrecht
- Haagská konferenca med internationalt privata öökromöta
- Haagse konferenca voor international privatrecht
- مؤتمرا لاهاي للقانون الدولي الخاص
- האגה וואס די נאציאנאלע פריואטע רעכט
- Haagi Nemetskoi Mezunarodnoi Konferentsii
- Lahay Uluslararası Özel Hukuk Konferenans
- Haagi Starptautisko privatisöiba konferenca
- საერთაშორისო კონფერენცია ჰააგის პირდაპირი საკითხების შესახებ
- සාමන්විත පුද්ගලික අන්තර්ජාතික පුද්ගලික පුද්ගලික
- ჰააგის საერთაშორისო პირდაპირი საკითხების შესახებ

Background

- **Effects of judgments abroad?**
- **Since 1993, the Hague Conference has been working towards a global instrument for the cross-border circulation of foreign judgments in civil and commercial matters**
- **This work is known as the ‘Judgments Project’**
- **Work focused on an instrument on choice of court agreements in 2002 (until 2005).**
- **A decade later...**

Continuation of the Judgments Project

- **In 2010, Members of the Hague Conference discussed the possible continuation of the Judgments Project.**
- **The following issues required further 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 Permanent Bureau 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 Experts' 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 Experts' group should be set up.**
- **In 2012, the Experts' 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 Experts' group reconvene to consider matters of direct jurisdiction (including parallel proceedings).

Continuation of the Judgments Project

- **After considering the findings of the Experts' group, the Council agreed to the following two-track working method:**
 - a working group prepares proposals on provisions relating to recognition and enforcement of judgments
 - The Experts' group reconvenes to consider and make recommendations on the desirability and feasibility of making provisions relating to matters of jurisdiction (including parallel proceedings)

Steps so far and tentative timeline for future work

◦ **April 2012**

Council gives mandate to re-launch work on Judgments Project

◦ **Feb 2013**

Back-to-back meetings of Working Group and Experts' Group

◦ **April 2013**

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

◦ **Research** to be carried out by Permanent Bureau on 1) collective redress and 2) jurisdiction and FNC at the level of recognition

◦ **Early 2014**

Further meetings of the Working Group

◦ **2015**

Further meetings of the Experts' Group

◦ Special Commission to consider proposals submitted by Working Group

Issues currently under discussion

- Should work on recognition and enforcement be prioritised?
 - Secretariat's suggested answer: yes
- 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)
- Research and preparations underway – Wuhan as a forum for consultations among Asia Pacific States.

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 Judgments Project

About the Judgments Project
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.

Initially, the Judgments Project focussed on developing a broad international 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".

Mandate
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.

Chronology of the Judgments Project (including relevant documentation)
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)
The originating proposal (1997-1999)

Bibliography
A bibliography relating to the Judgments Project is available [here](#).

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Thank you

Questions?

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