



Buenos Aires / Porto Alegre / Macau, 26 January 2026

Ref: Public Consultation on the Draft Text developed by the Working Group on the Jurisdiction Project

To: secretariat@hcch.net

Dear Secretary-General and Members of the Working Group,

As NGOs and former Observers of the relevant work carried out by the Hague Conference on Private International Law (HCCH), the IACL – International Association of Consumer Law (Brussels) and the Committee on International Protection of Consumers of the ILA-International Law Association (London) wish to express our support for Article 2, paragraph 4, which expressly excludes consumers from the scope of application of the Draft Text of a future Convention on parallel proceedings and related actions.

This rule is of great importance for the consumer movement and is consistent with previous HCCH Conventions and principles on international contracts. Consumers face significant difficulties in cross-border litigation, including proceedings conducted in foreign countries and languages, as well as in the international enforcement of their rights. These difficulties are recognized and addressed by the HCCH in many Conventions, and in particular in the Practical Guide to Access to Justice for International Tourists and Visitors. Therefore, it is essential that this new HCCH text maintains the exclusion of consumers from its scope of application and focuses instead on international commerce between equal and professional parties.

We consider the recognition of “parallel proceedings” (“proceedings in courts of different Contracting States between the same parties on the same subject matter”, Article 3(1)(a)) and the suspension or dismissal of one of the proceedings, based solely on party autonomy (Article 7 of the Draft Text) or on clauses contained in adhesion consumer contracts, to be highly detrimental to consumers, particularly in the context of the rapidly expanding digital and financial sectors.

Accordingly, although we do not intend to respond to the entire questionnaire or to comment on the Draft Text as a whole, we wish to emphasize the importance of this issue and to support the current Draft Text insofar as it expressly excludes consumers from its scope of application.



We remain at your disposal should further information be required and wish the HCCH every success in its work.

Best regards,

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