

Second Meeting of the Experts' Group on the Judgments Project (21-23 February 2013)



Report

From 21 to 23 February 2013, the **Experts' Group on the Judgments Project** (the Experts' Group) met at the premises of the Permanent Bureau of the Hague Conference on Private International Law for the second time under the chairmanship of Mr David Goddard.¹

The purpose of the meeting was to consider the desirability and feasibility of making provisions in relation to matters of jurisdiction (including parallel proceedings) in a future instrument relating to recognition and enforcement of judgments, or in another future instrument, in accordance with the decision taken in April 2012 by the Council on General Affairs and Policy of the Conference.²

CURRENT PROGRESS AND FUTURE WORK

The Experts' Group had a constructive preliminary discussion about these matters, and the possible content and scope of provisions addressing them.³

The Group's provisional view was that an instrument concerning jurisdiction would be expected to address some or all of the following issues:

- (a) required grounds of jurisdiction. It is not expected that the list of required grounds of jurisdiction would be comprehensive;
- (b) additional grounds of jurisdiction under national law, which would be permitted subject only to any specific prohibitions;
- (c) prohibited grounds of jurisdiction;
- (d) proceedings in more than one Contracting State.

Progress was made in the discussions, however the Experts' Group was not yet in a position to make recommendations to Council. A range of views was expressed about the process going forward for the work of the Experts' Group.

The Experts' Group suspended its meeting until October for the purpose of reaching a more informed assessment of the issues involved.

23 February 2013

¹ The participating Members were Argentina, Australia, Belarus, Brazil, China (People's Republic of), Costa Rica, Cyprus, the European Union, France, Germany, Japan, Mexico, New Zealand, the Russian Federation, South Africa, Switzerland, the United Kingdom and the United States of America.

² Report of the Council on General Affairs and Policy of the Conference of 17 to 20 April 2012, Prel. Doc. No 1 of July 2012 for the attention of the Council of April 2013 on General Affairs and Policy of the Conference, Conclusion and Recommendation No 18.

³ The discussion was informed by the Permanent Bureau's Background Note, certain provisions of the Interim Text, Note No 2 of January 2013 and discussion papers prepared by participants.