

Conclusions of the Special Commission of June 1992 on general affairs and policy of the Conference

DRAWN UP BY THE PERMANENT BUREAU

Preliminary Document No 18 of August 1992

The Special Commission on general affairs and policy of the Hague Conference on private international law met at The Hague in June 1992 for the purpose of examining the status of the work in progress and to prepare the decisions which are to be taken at the Seventeenth Session as concerns future work.

The Commission met from 1 to 4 June with Mrs R. K. Buure-Hägglund, Expert of Finland, in the chair. Mr Didier Opertti Badán, Expert of Uruguay, was elected Vice-Chairman.

Consideration of the issues appearing on the Special Commission's agenda

A WORK IN PROGRESS

I *Intercountry adoption of children*

The Permanent Bureau described the status of the work in progress of the Special Commission on intercountry adoption of children. This Special Commission, chaired by the Canadian Expert, Mr T. B. Smith, had met in 1990, 1991 and 1992 and had drawn up a preliminary draft Convention on intercountry adoption of children. It was pointed out that non-Member States from Latin America, Africa and Asia had been invited to participate in the work of this Commission as *ad hoc* Members. Twenty-four non-Member Countries had been represented.

The report on the preliminary draft Convention, which was being drawn up by Mr G. Parra-Aranguren, the Expert of Venezuela, will be sent to the Governments and to the experts in the fall of 1992.

B FUTURE WORK – TOPICS INCLUDED IN THE FINAL ACT OF THE SIXTEENTH SESSION

II *Law applicable to negotiable instruments*

This topic had been dealt with in Preliminary Document No 8 which was the report that the Sixteenth Session of the Conference had asked the Permanent Bureau to draw up in order to identify the problems dealing on one hand with the revision of the Geneva Conventions of 1930 and 1931, and on the other hand with the more specific conflict of laws issues that the UNCITRAL Convention might raise. This latter Convention, adopted by the General Assembly of the United Nations in 1988, had up until then garnered only slight success; in addition, conflict of laws problems in the field of negotiable in-

struments did not seem to give rise to major issues in practice.

After discussion, the Commission agreed that the topic did not have such importance for the present that it was necessary to convene an Extraordinary Session in order to deal with it; however, given the imperfections of the Geneva Conventions of 1930, on the one hand, and the possibility of regained interest on the part of the States in the UNCITRAL Convention, the experts thought that it would have been too radical to strike this topic from the Conference's agenda. Thus the Commission decided to recommend to the Seventeenth Session that this topic be left on the agenda for the Conference's work but without any priority.

III *Law applicable to licensing agreements and transfer of technology*

This topic had been on the agenda for 15 years, during all of which time it had been largely pre-empted by the project of the United Nations Conference on Trade and Development (UNCTAD) to draft an international code of conduct for the transfer of technology containing a chapter on settlement of disputes which dealt in part with choice of law. The UNCTAD work had been in a state of impasse since 1985 when the Sixth Session of the Transfer of Technology Conference had been held, at which the Hague Conference had been represented by an observer. The issue of the applicable law had been one of the controverted points on which there was impasse.

The Secretary General of UNCTAD had continued from year to year since 1985 to carry on further consultations with governments as to the possibility of breaking the impasse and reporting back to the United Nations General Assembly on the results of these consultations. Following referral of the problem to UNCTAD VIII held at Cartagena in February 1992, this remained the situation, although it appeared that the decisions of the Cartagena Conference might tend to restrict the scope of further work by UNCTAD in this field. In any case, serious doubt remained as to the practical interest of this topic since choice of the law by the parties was being more and more widely accepted in different regions of the world and the frequent use of choice of law clauses, as well as of arbitration clauses, might void the topic of most of its practical interest.

Given these continuing doubts about the viability of this topic, the Special Commission recommended that the Seventeenth Session strike this topic from the Conference's agenda.

IV *Law applicable to unfair competition*

The field of unfair competition law had been characterized in recent years by very considerable legislative activity, notably tending towards updating and clearer analytical breakdowns of the categories of unfair competition. Legislation in Switzerland and Luxembourg in the middle 1980s, for example, had been followed more recently by new legislation in Hungary and Spain. The trend of this legislation seemed to tend towards greater uniformity in the substantive law at least within Western Europe. Further uniformity might be brought about through a proposed amendment to the 1985 EEC directive on misleading advertising which would significantly unify the rules on comparative advertising.

As to the conflict of laws, the entry into force of the Swiss Federal Law on Private International Law had further consolidated the trend which also existed in the case law in a number of countries, to apply primarily the law of the market where the interests in question collided. This development was further accentuated by the fact that the tendency to include deception of consumers within the concept of unfair competition was continuing to broaden in a number of countries. The Spanish legislation followed this trend and moreover, although the conflicts rule set up therein was unilateral in nature (*i.e.* it only purports to set the scope of application of the Spanish legislation on this topic), it also referred to the law of the market.

The discussion showed broad support for retaining this topic on the Conference's agenda because of its inherent and continuing interest, but doubt existed as to whether there was a pressing need for a convention, especially given the growing trend in the case law and legislation towards uniformity of the substantive law as well as uniformity of conflicts treatment. Thus the Special Commission recommended to the Seventeenth Session that this topic be retained on the agenda without priority.

V *Extension to the protection of incapacitated adults of the techniques of the Hague Convention of 5 October 1961 concerning the Powers of Authorities and the Law Applicable in Respect of the Protection of Minors*

This topic had been dealt with in Preliminary Document No 6, *Note on the protection of incapable adults*, drawn up by the Permanent Bureau. This document shows that it would be possible either by a very simple clause to extend the techniques of the 1961 Convention to incapacitated adults or to negotiate a set of rules on an *ad hoc* basis but in the latter hypothesis the question would arise as to whether it would not also be necessary to revise the 1961 Convention in order to allow broader acceptance of this treaty. It seemed to the Commission that purely and simply to extend the 1961 Convention would not be very satisfying since it would only be interesting to the limited number of States which had ratified that Convention. Now it appeared from the discussions that the problems posed by incapacitated adults are taking on more and more practical importance. A train of thought developed within the Commission towards thinking that the 1961 Convention ought perhaps to be revised and that this could be the occasion to enquire further into the possibility of dealing with issues concerning incapacitated adults in the same convention. During the discussion on the priorities of the various topics which took place at the Commission's last sitting, it was decided to recommend to the Seventeenth Session that the revision of the Convention on Protection of Minors and its possible extension to measures of protection for adults be placed on the agenda for future work as a matter of priority.

VI *Judicial jurisdiction and recognition and enforcement of decisions in matters of succession upon death*

Preliminary Document No 14, drawn up by the Permanent Bureau, resketched the outlines of the treaty framework in the field of successions (*Convention of 2 October 1973 Concerning the International Administration of the Estates of Deceased Persons* and the *Convention of 1 August 1989 on the Law Applicable to Succession to the Estates of Deceased Persons*) and emphasized the desirability of filling out this framework through the preparation of a convention on direct or indirect jurisdiction in this field. The Commission, without underestimating the interest which such a project would offer, felt that it was for the moment premature since the 1989 Convention had not yet been ratified. For this reason the Commission wanted to maintain this topic on the agenda for future work but without priority.

VII *Specific problems of private international law arising from the utilization of electronic processes*

Preliminary Document No 3 dealing with this subject area attempted to describe the novelty of this topic and its remarkable breadth since it touches practically all the fields of law; this is proved by the considerable number of organizations which deal in one manner or another with what is now called *electronic data interchange* (EDI).

The Special Commission was conscious of the importance of this topic and of the revolutionary changes that EDI may stimulate in law and practice. However, taking into account the great uncertainty which persisted in this field concerning the substantive law, it seemed preferable not to give any priority to EDI. The topic was to remain on the agenda for the Conference's future work with the Permanent Bureau being charged with continuing the study of these problems and, above all, remaining in contact with the other organizations working on the same topic.

VIII *Electronic funds transfers*

This topic was dealt with in a note (Prel. Doc. No 1) on the problem of the law applicable to international credit transfers; this change in the title of the topic takes into account the enlargement in the scope of application of the model law drawn up on this subject by UNCITRAL. The note described the particular problems to which international credit transfers give rise in private international law and emphasized that the article on the conflict of laws incorporated into the draft UNCITRAL model law could not give a satisfactory solution to the difficulties. Finally, UNCITRAL did not retain in its model law the article on the conflict of laws and thus the way remains open for the Conference to undertake work. However, the note suggested that before work was undertaken on this topic, the banks and the funds transfer systems be consulted through a questionnaire on the desirability and the utility of a convention on the conflict of laws.

After discussion the Special Commission decided to charge the Permanent Bureau with addressing a questionnaire to the banks and to the funds transfer systems before the Seventeenth Session through the intermediary of the National Organs and the banking federation of the European Community and of the Inter-American Federation of Banks. On the basis of the results from this enquiry, the Seventeenth Session would be able to take its decision.

IX *Protection of privacy in connection with transfrontier data flows*

This topic had not been dealt with in a new note but it was mentioned that the contents of Preliminary Document No 5 of November 1987 remained valid; the Council of Europe was still working on aspects of the substantive law in this field, drawing up a series of recommendations touching on different aspects of private life. The Permanent Bureau had not been able to

follow actively the work of the Council of Europe but the topic remained of current interest.

The Special Commission thought that it would be desirable for the Permanent Bureau to take up contact again with the Council of Europe in order to identify the difficulties linked with the international aspects of protection of privacy; it was charged with drawing up an informational note on this topic with a view to the Seventeenth Session.

X *Law applicable to unmarried couples*

Preliminary Document No 5, drawn up by the Permanent Bureau, offered an extensive comparative study which shows the reality of conflict of laws issues in this area. However, the majority of the Commission felt that the phenomenon still had neither sufficient domestic legislative stability nor a precise enough crystallization of the types of issues which might be posed on the international level to be dealt with in an international convention.

The Commission recommended that this topic remain open on the agenda for the Conference's future work but without any priority.

XI *Law applicable to multimodal transport*

There was no note for this topic because of the fact that the Permanent Bureau had not been able to follow the work that UNCTAD or the International Chamber of Commerce had undertaken in this field. Even though the Geneva Convention on Multimodal Transport did not seem to be meeting with success, a clear consensus appeared within the Special Commission around the idea that the work of these organizations had taken away much of the interest which there might be for conflicts rules on multimodal transport. Consequently the Special Commission decided to recommend to the Seventeenth Session that this topic be stricken from the agenda for the Conference's future work.

XII *Law applicable to contractual obligations*

Preliminary Document No 7, drawn up by the Permanent Bureau, recalled that this topic had been included in the agenda many years before but had never led to concrete developments. The topic had been dealt with within the European Economic Community in the Convention of Rome which had just entered into force. Numerous European legal systems have adopted conflicts rules along the broad lines of this Convention and work on unification of private international law in this field was expected to be undertaken in Latin America. The Secretary General having made known his doubts as to the desirability of beginning work on this topic, it appeared that there was no expert who wanted to see this topic included in the agenda for future work. It was recommended that this topic be stricken from the agenda for future work.

XIII *Conventions on civil procedure and on international judicial and administrative co-operation*

Under this heading were included not only the Conventions on Service of Documents Abroad and on Taking of Evidence Abroad, but also the Convention on the Civil Aspects of International Child Abduction which, although it was mainly a treaty dealing with family problems, incorporated strong procedural elements and involved close administrative and judicial co-operation through the Central Authorities designated by each Party to the treaty. The Child Abduction Convention was

experiencing remarkable growth, there having been fourteen Parties in October 1989 when the first meeting was held to review its operation and this number now being twenty-four. A second Special Commission meeting to study the operation of this Convention was scheduled to be held 18-21 January 1993 and the Permanent Bureau would review the case law from the different countries interpreting or applying the Convention and issue a Preliminary Document synthesizing the results of the case law, in advance of this meeting.

Certain experts stressed the possible advantages that there would be if the international Conventions providing for judicial and administrative co-operation in connection with the collection of support for minors or adults were to be studied in the same way as to their operation. The Conventions referred to included the *Hague Convention of 15 April 1958 on the Recognition and Enforcement of Decisions Relating to Maintenance Obligations in Respect of Children* and the *Hague Convention of 2 October 1973 on the Recognition and Enforcement of Decisions Relating to Maintenance Obligations*, as well as the *United Nations Convention on the Recovery Abroad of Maintenance* signed at New York, 20 June 1956. After discussion, the Special Commission reached a consensus on the idea that the Permanent Bureau should organize a meeting on the operation of the universal international instruments in force concerning maintenance (support) obligations; given that the Hague Conventions and the New York Convention were in force in parallel in many countries, there appeared to be no obstacle to including the operation of the New York Convention within the study and inviting countries which are Parties to the United Nations Convention, but not to the Hague Conventions, to participate in the discussions.

Attention was then turned to the *Convention of 15 November 1965 on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters* and the *Convention of 18 March 1970 on the Taking of Evidence Abroad in Civil or Commercial Matters*. It was noted that, in accordance with the instructions of the Sixteenth Session, a Special Commission meeting had been held to study the operation of these Conventions in April 1989 and that a Report had been issued following that meeting.

The representative of the International Union of Bailiffs and Sheriff's Officers pointed out several practical problems which had arisen concerning the practice under the Convention on Service of Documents Abroad. There was no extended discussion on these issues, which were of a type which could best be dealt with in a Special Commission of experts dealing with the operation of the Convention in question. Several experts supported the idea of organizing further meetings on the operation of these Conventions, while expressing the wish that the meetings not be scheduled too frequently and that they be carefully prepared with documentation explaining the issues which had arisen in practice.

It was noted that the second edition of the *Practical Handbook* on the operation of the Convention on Service of Documents Abroad would be issued during the summer of 1992.

XIV *Encouragement of wider ratification of the Convention on the Law Applicable to Products Liability*

The discussions showed that, in spite of the progressive harmonization of domestic laws in this field, the need to

deal with conflicts of laws remained important. It was accepted that the Convention of 2 October 1973, which had been criticized in the past for its complexity, was only apparently difficult to grasp and that the system of grouping of contacts on which it was based had not, up to that time, given rise to any real difficulties of application. Its further ratification, therefore, should be encouraged.

C MISCELLANEOUS SUGGESTIONS AND OTHER BUSINESS

XV *Bank guarantees*

This topic, which did not appear in the agenda for the Sixteenth Session, had been dealt with in a note (Preliminary Document No 2) following the discussions held by UNCITRAL on this subject. The United Nations was in the course of drawing up uniform rules on guarantees, which rules contain in particular provisions on the conflict of laws and jurisdiction. During its discussions, UNCITRAL had expressly called on the Conference with a view to having these conflicts rules drawn up in collaboration between the two organizations.

Bank guarantees are one of the matters which shows a new evolution in the working methods of UNCITRAL and the current tendency of this organization to draw up model laws, including provisions on conflicts of laws and jurisdiction. The Special Commission was aware that this evolution would lead the Conference to carry out a critical re-examination of its working methods and its way of viewing its relations with the other international organizations, with a view to more flexibility. It realized that the Centennial Session might be the occasion for such a self-examination as the twenty-fifth anniversary of UNCITRAL had been for that organization.

The upshot of the discussion was that a tendency emerged on one hand to recommend to the Seventeenth Session that the topic of bank guarantees and stand-by letters of credit be included in the agenda for future work, and on the other hand, to conclude that at least one half day during the Seventeenth Session should be devoted to a discussion on the Conference's working methods and on the problems of co-operation between it and the other international organizations dealing with the unification of law.

XVI *Law applicable to civil liability for environmental damage*

This was a new topic proposed by the Permanent Bureau because of its growing importance. Preliminary Document No 9 submitted by the Permanent Bureau had shown that the conflict of laws principles for matters such as transfrontier pollution were relatively undeveloped despite extensive international activity on matters relating to the environment. That activity was mainly directed to macro-environmental problems and was largely based on public international law solutions through negotiations among States and standard setting. Even the recent work of the Council of Europe in this field had been aimed at issues of substantive liability and had left the question of the applicable law aside.

The discussion showed that most delegations found this topic to be of essential interest and growing importance. Nonetheless, there would be a number of significant problems to work out such as defining the scope of the

topic, avoiding discordancy between public and private law, deciding whether the bases for assumption of jurisdiction in environmental cases should be dealt with and, finally, determining whether and how international co-operation should be arranged in this field.

The Special Commission decided to recommend to the Seventeenth Session that this topic be included in the agenda for future work of the Conference with high priority. Subsequently, the Permanent Bureau asked the Member States to send in copies of all legislative material and case law which could help the Permanent Bureau in its continuing research on this topic.

XVII *Hague Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents*

This Convention was recognized to be highly successful, having received the largest number of ratifications and accessions of any of the Hague Conference's Conventions. None the less, three decades had passed since this Convention had been drafted and intervening technical developments, as well as the evolution in the practice, caused some questions to be posed which were not directly answered by the Convention or its Explanatory Report. Notably, these questions had to do with whether the register or card index of Article 7 could be kept in electronic form, whether signatures on the *apostille* could be affixed mechanically, electronically or by rubber stamp, and, thirdly, on whether any time-limit could be set for the duty to 'keep' the register or card index as provided in Article 7 of the Convention. The Permanent Bureau pointed out that since many Parties to the treaty were not represented at the June Special Commission meeting, no substantive discussion should be held. The Permanent Bureau simply wanted to obtain the Commission's advice as to the proper procedure to be followed in seeking to resolve the questions which had arisen in practice.

Most of the experts considered that the best method would be a written consultation, compiled and sent out by the Permanent Bureau to all the different Member States of the Conference (including States which are not Parties to the Legalisation Convention), as well as to non-Member States which are Parties to this Convention. In this way, all interested States could express their opinions about the various questions raised with regard to this Convention. Depending on the results of this consultation, either a short discussion of this topic could follow at the Seventeenth Session or, if the opinions were widely divergent, a Special Commission could be convened to discuss the appropriate application of the Convention. The Permanent Bureau was therefore asked to carry out a consultation in writing before the Seventeenth Session.

XVIII *State succession and succession to the Hague Conventions*

An informational note designated Preliminary Document No 15 had posed the issues brought about by the dismemberment of Member States of the Conference or Parties to Hague Conventions (Yugoslavia and the USSR), this note reflecting the common position of the Permanent Bureau and the Ministry of Foreign Affairs

of the Netherlands, the depositary of the treaties. The legal adviser of the Ministry of Foreign Affairs of the Netherlands, moreover, attended the meeting and informed the experts concerning the latest developments on these issues. The Permanent Bureau was asked to prepare a document on this subject in order to inform the delegations at the Seventeenth Session about the current status of these questions.

XIX Centenary of the Conference

The Secretary General announced that on *Wednesday 19 May 1993*, during the Seventeenth Session, a ceremony would take place commemorating the Centenary of the Conference in the presence of Her Majesty the Queen of the Netherlands who would, afterwards, receive the heads of delegations in honour of this event. In the evening of the same date a banquet, offered to the delegations by the Ministry of Foreign Affairs of the Netherlands, would be held in the Knights' Hall. The Netherlands delegation indicated that the Minister of Justice of the Netherlands was considering inviting for that day the Ministers of Justice of the Member countries. If this project were to take shape, a working session with the Ministers and possibly a reception at the International Court of Justice might be contemplated. The Netherlands delegation and the Secretary General would study further the possibility of bringing such a project about.

XX Selection of Hague Conventions for consideration at round-table meetings

In the course of the discussions, the idea rapidly emerged that the prospects of the entire group of Conventions dealing with family property and financial law should be studied. Since the operation of the Conventions on maintenance (support) obligations was already the subject of a specific decision, it was decided to submit to the attention of the Seventeenth Session the four following Conventions:

- *Hague Convention of 2 October 1973 on the International Administration of the Estates of Deceased Persons;*
- *Hague Convention of 1 August 1989 on the Law Applicable to Succession to the Estates of Deceased Persons;*
- *Hague Convention of 1 July 1985 on the Law Applicable to Trusts and on their Recognition;*
- *Hague Convention of 14 March 1978 on the Law Applicable to Matrimonial Property Regimes.*

In addition, the Special Commission selected the *Convention of 22 December 1986 on the Law Applicable to Contracts for the International Sale of Goods*. It seemed, in fact, that the lack of success of this Convention, the preparation of which had been brought about by worldwide co-operation, deserved to be analysed, not only in view of the importance of the topic itself, and of its co-existence with the Vienna Convention on the International Sale of Goods, but also in view of the future prospects for widening and enlarging the Conference. For the purpose of shortening the oral statements during the Seventeenth Session, the Permanent Bureau requested that Member States express their observations in advance and in writing on each of these Conventions, thus making possible the preparation of syntheses of these observations.

D NEW ITEMS

XXI Enforcement of judgments

The Special Commission discussed a new topic proposed by the delegation of the United States, which was the possible drafting of a convention on recognition and enforcement of decisions in civil and commercial matters, which convention might take its inspiration from the Brussels and Lugano Conventions drawn up among the European States while extending to a much broader geographical framework. This topic having been proposed only several weeks before the meeting, the Permanent Bureau had only been able to sketch out a preliminary report (Prel. Doc. No 17) and the discussions were not able to go into great depth. None the less, it was recognized that the American proposal offered significant interest and deserved attention, though it would have been premature to take a decision immediately, even to recommend its rejection or its acceptance.

Finally, on the Secretary General's proposal, it was decided that a working group would be set up which would meet before the Seventeenth Session and submit its conclusions to that Session. This would be a working group of experts in the field of judicial jurisdiction, and after consultation it was decided that the group would be composed of an expert from Argentina or Venezuela, from China, from Egypt, from Finland, from France, from Hungary, from the United Kingdom and from the United States.

The Secretary General was asked to enter into contact with the Council of the European Communities and the Secretary of the European Free Trade Association in order to keep them informed on the development of this proposal and to forward to them the working group's conclusions.

XXII Position of non-Member States of the Conference at Commission I of the Seventeenth Session, which will deal with general affairs and the policy of the Conference

Due to the broad participation by States non-Members of the Conference in the work of Commission II, which will be devoted to intercountry adoption, the Secretary General raised the question of whether the delegates of these States would be admitted to the meetings of Commission I which will deal with general affairs and the policy of the Conference, as well as whether such delegates may take the floor.

Few delegations wanted total exclusion of non-Member States from the work of Commission I. None of the experts wanted to allow full participation of these States in the work of this Commission, which in principle did not concern them.

Certain delegations thought that the delegates of these States should be able to attend the discussions, but should take the floor only following a prior request directed to the Chair.

Other delegations thought that the delegations of non-Member States should be able to be present, but should not be able to take the floor since the working programme of Commission I is heavy and priority ought to be given to the delegations of the Member States.

Being unable to decide by a majority as to one option or the other, the Special Commission asked the Netherlands State Commission and the Secretary General to make the decision based on the positions expressed and the practical possibilities of which they would become aware.

Recommendations and Decisions of the Special Commission

Following examination of the different items on the agenda, the Special Commission,

A RECOMMENDS the inclusion with priority of the following topics in the Conference's agenda for future work:

- 1 revision of the 1961 Convention on protection of minors and its possible extension to measures of protection for adults,
- 2 determination of the law applicable to civil liability for environmental damage.

B RECOMMENDS the retention or the inclusion of the following topics in the Conference's agenda for future work, but without priority:

- 1 law applicable to negotiable instruments,
- 2 law applicable to unfair competition,
- 3 judicial jurisdiction and recognition and enforcement of decisions in matters of succession upon death,
- 4 electronic data interchange,
- 5 protection of privacy in connection with transfrontier data flows,
- 6 law applicable to unmarried couples,
- 7 law applicable to bank guarantees.

C RECOMMENDS that the following topics be stricken from the Conference's agenda for future work:

- 1 law applicable to licensing agreements and transfer of technology,
- 2 law applicable to multimodal transport,
- 3 law applicable to contractual obligations.

D RECOMMENDS that, after the Seventeenth Session, Special Commissions be convened to study the operation of the following Conventions:

- 1 Hague Conventions on the law applicable to or on the recognition and enforcement of decisions relating to maintenance obligations, as well as the New York Convention of 1956,
- 2 Conventions on civil procedure and on international judicial and administrative co-operation.

E ADOPTS the following decisions:

- 1 to address to the banks, before the Seventeenth Session, a questionnaire concerning international credit transfers and electronic funds transfers,
- 2 to organize, before the Seventeenth Session, a written consultation on the various questions raised with regard to the operation of the Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents,
- 3 to convene, before the Seventeenth Session, the meeting of a working group to study the United States proposal on the recognition and enforcement of judgments.

F SELECTS the following Conventions for a round-table discussion at the Seventeenth Session:

- 1 international administration of the estates of deceased persons,
- 2 law applicable to succession to the estates of deceased persons,
- 3 law applicable to trusts and their recognition,
- 4 law applicable to matrimonial property regimes,
- 5 law applicable to contracts for the international sale of goods.