

Titre	Synthèse des réponses au Questionnaire de 2022 relatif à la Convention Notification
Document	Doc. préL. No 2 REV de juin 2024
Auteur	BP
Point de l'ordre du jour	V
Mandat(s)	C&D No 46 du CAGP de 2024 C&D No 39 du CAGP de 2023 C&D No 32 du CAGP de 2022 C&D No 36 du CAGP de 2021
Objectif	Résumer les conclusions du Questionnaire de 2022 portant sur la <i>Convention du 15 novembre 1965 relative à la signification et la notification à l'étranger des actes judiciaires et extrajudiciaires en matière civile ou commerciale</i> (Convention Notification)
Mesure à prendre	Pour décision <input type="checkbox"/> Pour approbation <input type="checkbox"/> Pour discussion <input checked="" type="checkbox"/> Pour action / achèvement <input type="checkbox"/> Pour information <input checked="" type="checkbox"/>
Annexes	Annexe : Compilation des réponses (questionnaire destiné aux Parties contractantes) – les réponses ont été compilées dans la langue dans laquelle elles ont été reçues
Document(s) connexe(s)	Doc. préL. No 1 de décembre 2022 – Questionnaire portant sur la <i>Convention du 15 novembre 1965 relative à la signification et la notification à l'étranger des actes judiciaires et extrajudiciaires en matière civile ou commerciale</i> (Convention Notification)

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Synthèse des réponses au Questionnaire de 2022 relatif à la Convention Notification

I. Introduction

- 1 Conformément au mandat confié par le Conseil sur les affaires générales et la politique (CAGP) lors de ses réunions de 2021 et 2022¹, le Bureau Permanent (BP) a publié en décembre 2022 deux questionnaires sur le fonctionnement pratique de la *Convention du 15 novembre 1965 relative à la signification et la notification à l'étranger des actes judiciaires et extrajudiciaires en matière civile ou commerciale* (Convention Notification ou Convention). L'un des questionnaires visait à obtenir des informations auprès des Parties contractantes à la Convention² tandis que le second visait à obtenir des informations auprès de Parties non contractantes.
- 2 Le questionnaire destiné aux Parties contractantes couvrait divers sujets, notamment le champ d'application et le fonctionnement de la Convention, l'utilisation des technologies de l'information dans la transmission et l'exécution des demandes de notification depuis l'étranger, les questions susceptibles d'être examinées lors de la prochaine réunion de la Commission spéciale (CS), ainsi que les données et statistiques relatives à la Convention. Les informations reçues des Parties contractantes, en réponse à ce questionnaire, aideront à établir l'ordre du jour de la réunion de la CS. Les réponses ont également été prises en compte lors de la mise à jour du *Manuel pratique sur le fonctionnement de la Convention Notification* (Manuel pratique). Le questionnaire destiné aux Parties non contractantes visait à déterminer si ces États envisageaient de devenir Partie à la Convention Notification.
- 3 Les questionnaires ont été envoyés à l'ensemble des Membres de la HCCH et aux Parties contractantes respectives à la Convention, avec une date limite de réponse fixée au 31 mars 2023. En raison du report de la réunion de la CS à l'EF 2024-2025 décidé par le CAGP³, le BP a reporté la date limite de réponse au 9 juin 2023 et a continué à accepter les réponses après cette date. Cette synthèse comprend toutes les réponses reçues jusqu'au 30 novembre 2023.
- 4 Au moment où le questionnaire a été distribué, la Convention Notification comptait 79 Parties contractantes⁴. Le BP a reçu au total 50 réponses aux questionnaires, dont 49⁵ de la part de 47 Parties contractantes⁶. Cela signifie que sur les 79 Parties contractantes à la Convention, environ 59 % ont répondu au questionnaire. Une Partie non contractante a également répondu au

¹ C&D No 36 du CAGP de 2021 ; C&D No 32 du CAGP de 2022.

² Questionnaire portant sur la *Convention du 15 novembre 1965 relative à la signification et la notification à l'étranger des actes judiciaires et extrajudiciaires en matière civile ou commerciale (Convention Notification)* », Doc. pré-l. No 1 de décembre 2022 (ci-après, le « questionnaire de 2022 sur la notification »).

³ C&D No 39 du CAGP de 2023. Lors de sa réunion de mars 2024, le CAGP a confirmé que la réunion de la CS se tiendrait du 2 au 5 juillet 2024 (C&D No 46 du CAGP de 2024).

⁴ Au moment de la publication du présent Doc. pré-l., la Convention Notification comptait 84 Parties contractantes.

⁵ La région administrative spéciale (RAS) de Hong Kong et la RAS de Macao ont répondu séparément au questionnaire en plus de la Chine (continentale). Bien que ces réponses aient été fournies par la même Partie contractante, elles ont été comptabilisées et analysées séparément. Le cas échéant, ces réponses sont considérées comme des réponses individuelles.

L'Union européenne (UE) a également fourni des informations complémentaires sur la législation de l'UE en matière de notification d'actes à l'étranger.

⁶ Albanie, Allemagne, Andorre, Argentine, Arménie, Australie, Autriche, Azerbaïdjan, Brésil, Bulgarie, Canada, Chine, Costa Rica, Croatie, Chypre, Estonie, États-Unis d'Amérique, Finlande, France, Géorgie, Hongrie, Irlande, Inde, Israël, Italie, Japon, Kazakhstan, Lettonie, Lituanie, Mexique, Monténégro, Nicaragua, Norvège, Philippines, Pologne, Portugal, République tchèque, Roumanie, Royaume-Uni, Saint-Marin, Serbie, Slovaquie, Slovénie, Suède, Suisse, Türkiye et Viêt Nam.

questionnaire⁷. Le BP exprime sa gratitude envers les répondants pour le temps et les efforts qu'elles ont consacré à la préparation de leurs réponses.

- 5 Le présent document ne résume que les réponses des Parties contractantes au questionnaire. Les réponses reçues des Parties non contractantes seront utilisées dans le cadre des efforts continus de promotion et d'engagement bilatéral et ne sont donc pas incluses dans le présent document pour analyse.
- 6 La synthèse a été élaborée à partir des informations disponibles dans les réponses fournies. Lorsque les réponses aux questions ne sont pas claires, celles-ci n'ont pas été prises en compte aux fins de la présente synthèse. De même, lorsque les répondants n'ont pas fourni d'informations à certaines questions, le BP n'a pas pris en compte ces réponses dans le calcul des pourcentages de réponses. Dans l'ensemble, la synthèse ne se veut pas définitive ou exhaustive ; comme il ressort de plusieurs réponses, les réponses des États ne fournissent pas toujours un aperçu complet de leurs lois et pratiques.
- 7 L'annexe comprend une compilation des réponses des Parties contractantes à chaque question. Les réponses individuelles fournies par chaque Partie contractante (lorsque les Parties contractantes ont autorisé la publication) seront publiées sur l'Espace Notification du site web de la HCCH⁸.

II. Commentaires généraux

- 8 La plupart des répondants ont qualifié le fonctionnement général de la Convention Notification de « bon » ou d'« excellent »⁹. Deux répondants sur 49 ont indiqué que le fonctionnement de la Convention était « satisfaisant », tandis que deux autres ont indiqué que la Convention « nécessitait des améliorations ». Ces dernières réponses ont fait état de difficultés liées à l'utilisation de la Formule modèle, notamment des lacunes dans l'adresse de la personne à notifier ou dans les informations requises pour procéder à la notification ; l'absence d'actes en double exemplaire et / ou de leur traduction ; l'absence d'accusé de réception des demandes transmises en vertu de la Convention par des autorités étrangères, et des difficultés à correspondre avec les autorités expéditrices et les Autorités centrales.
- 9 En ce qui concerne la question relative à la facilité d'utilisation du Manuel pratique¹⁰, 73 % des répondants ont jugé celle-ci comme étant « bonne », 16 % « excellente » et 6 % comme étant « satisfaisante ». Une proportion moins importante de réponses (4 %) a indiqué que le Manuel pratique « nécessite des améliorations ».
- 10 Les réponses montrent que 70 % des Autorités centrales assurent le suivi des demandes reçues en vertu de la Convention Notification, tandis que 9 % ne le font pas¹¹. Pour les Autorités centrales qui en assurent le suivi, la plupart des répondants ont mis en place un registre ou un système électronique de gestion des dossiers :

⁷ Singapour Veuillez noter qu'au moment de répondre au questionnaire destiné aux Parties non contractantes, Singapour n'était pas encore Partie contractante à la Convention Notification de 1965. Toutefois, Singapour a adhéré à la Convention le 16 mai 2023, et la Convention est entrée en vigueur pour Singapour le premier décembre 2023.

⁸ Les réponses seront disponibles sur le site web de la HCCH, à l'adresse www.hcch.net, sur l'Espace Notification puis sous la rubrique « Questionnaires et Réponses ».

⁹ Questionnaire sur la notification de 2022, question 1.

¹⁰ Questionnaire sur la notification de 2022, question 2.

¹¹ Questionnaire sur la notification de 2022, question 3.

Électronique pour les demandes reçues et envoyées	49 %
Électronique pour les demandes reçues uniquement	14 %
Manuel pour les demandes reçues et envoyées	14 %

Pour les répondants ayant indiqué « autre » pour fournir des informations complémentaires sur un système utilisé pour suivre les demandes reçues, la plupart des réponses décrivent une sorte de système de gestion des dossiers. Trois États fédéraux ont fait part de l'existence de pratiques différentes selon le territoire.

- 11 Il a été demandé aux Parties contractantes si leur Autorité centrale avait un droit de regard sur toutes les demandes envoyées¹². Parmi les 35 % de répondants ayant indiqué « oui », 69 % ont recours à un système électronique pour suivre l'avancement des demandes, tandis que 31 % ont recours à un registre manuel. Environ 37 % des répondants ont indiqué « non ». La plupart des répondants ayant indiqué « autre » ont signalé que leur Autorité centrale ne participe qu'au traitement des demandes reçues.
- 12 Les réponses indiquent qu'en 2022, 37 % des répondants ont traité les demandes reçues dans un délai de 1 à 3 mois, 45 % de 3 à 6 mois, et 7 % de 6 à 12 mois. Sept pour cent des répondants ont traité les demandes en moins d'un mois et 4 % en plus de 12 mois¹³. Il est important de noter que 16 répondants ont indiqué que les délais de traitement des demandes de notification transmises par voie électronique sont soit « significativement », soit « modérément » plus rapides que celles transmises par voie postale.

III. Champ d'application de la Convention

- 13 Environ 59 % des répondants n'ont pas éprouvé de difficultés à interpréter le champ d'application de la Convention Notification au cours de la période de cinq ans comprise entre 2017 et 2022¹⁴. Vingt-six pour cent des réponses montrent que des problèmes se sont posés concernant l'interprétation de l'expression « matière civile ou commerciale » (art. 1) et la plupart de ces répondants ont indiqué que des doutes subsistaient quant à savoir si les questions administratives relevaient du champ d'application de la Convention. Les autres réponses font état d'autres difficultés, notamment le fonctionnement des articles 8 et 9 de la Convention (voies diplomatiques et consulaires), la préparation de la Formule modèle et la localisation de la personne à notifier.
- 14 Soixante-dix-huit pour cent des répondants ont indiqué que leur droit interne ne définit pas les « actes extrajudiciaires » (art. 17) tandis que 22 % ont indiqué que ce terme est défini dans leur droit interne¹⁵. Certains États membres de l'Union européenne (UE) ont fait référence au concept d'« actes extrajudiciaires » dans le cadre du Règlement européen Notification de 2020¹⁶ et à leur interprétation donnée par la Cour de justice de l'Union européenne (CJUE)¹⁷.

¹² Questionnaire sur la notification de 2022, question 4.

¹³ Les données de 2022 ont été utilisées dans ce calcul, car il s'agissait des données les plus récentes dont disposait le BP.

¹⁴ Questionnaire sur la notification de 2022, question 5.

¹⁵ Questionnaire sur la notification de 2022, question 6.

¹⁶ Règlement (CE) No 2020/1784 du Parlement européen et du Conseil du 25 novembre 2020 relatif à la signification et à la notification dans les États membres des actes judiciaires et extrajudiciaires en matière civile ou commerciale (signification ou notification des actes) (refonte) (ci-après, le « Règlement européen Notification de 2020 ».

¹⁷ CJUE, arrêt du 11 novembre 2015, *Tecom Mican SL & José Arias Domínguez*, C-223/14.

- 15 Les types d'actes extrajudiciaires que les répondants transmettent en vertu de la Convention Notification varient¹⁸ :

1.	Actes délivrés par les notaires et les agents chargés de l'exécution
2.	Actes établis par des fonctionnaires
3.	Décisions rendues par les bureaux d'enregistrement
4.	Médiation, arbitrage et résolutions administratives
5.	Documents émanant d'avocats, en rapport avec un litige ou en prévision d'un litige
6.	Demandes de paiement
7.	Documents liés aux questions de droit de la famille, y compris les décisions de séparation ou de divorce et les demandes en matière d'obligations alimentaires
8.	Documents et demandes émanant des autorités en matière de douane et de fiscalité

IV. Fonctionnement de la Convention

- 16 Lorsqu'ils reçoivent des demandes de notification en tant qu'État requis, 61 % des répondants ont indiqué qu'ils fournissent une assistance pour localiser une personne à laquelle des actes doivent être notifiés au titre de la Convention Notification, tandis que les autres répondants (39 %) ne fournissent pas cette assistance¹⁹. La plupart des répondants ont indiqué que leur Autorité centrale peut recourir à un large éventail de sources d'information, y compris des bases de données gouvernementales et des registres publics ou commerciaux.
- 17 Les Parties contractantes ont été interrogées sur la manière dont les actes sont transmis pour être notifiés à l'étranger à un autre État, à un fonctionnaire de l'État ou à une société publique²⁰. Six répondants ont indiqué que la Convention ne s'appliquerait pas dans de tels cas, tandis que 29 répondants ont estimé que la Convention s'appliquerait. Les autres réponses font état de l'utilisation des voies diplomatiques et / ou de l'existence d'approches différentes en fonction du destinataire.
- 18 Parmi les 29 répondants qui considèrent que la Convention Notification s'applique au fait de notifier un autre État, un représentant de l'État ou une société publique, les répondants ont indiqué l'utilisation de différentes voies, soit exclusivement, soit alternativement²¹ :

Voie de transmission principale (art. 5)	83 %
Voie diplomatique ou consulaire directe (art. 8)	38 %
Voie consulaire indirecte (art. 9(1))	3 %
Voie diplomatique indirecte (art. 9(2))	24 %

¹⁸ Questionnaire sur la notification de 2022, question 7.

¹⁹ Questionnaire sur la notification de 2022, question 8.

²⁰ Questionnaire sur la notification de 2022, question 9.

²¹ Les répondants avaient la possibilité de choisir plus d'une option pour répondre à cette question.

Voie postale (art. 10(a))	24 %
Communication directe entre officiers ministériels (art. 10(b))	3 %
Communication directe entre une personne intéressée et un officier ministériel (art. 10(c))	3 %

- 19 Presque tous les répondants (89 %) notifient les actes judiciaires et extrajudiciaires de la même manière²². Un répondant a indiqué que les actes judiciaires sont notifiés par un *sheriff officer*, un *bailiff* ou un *process servers* à la demande de la Cour suprême de l'État requis, tandis que les actes extrajudiciaires sont transmis par l'Autorité centrale à un agent privé pour qu'il organise la notification.

A. Voie de transmission principale (art. 5)

- 20 En ce qui concerne la question de savoir quelles autorités ou personnes sont compétentes pour transmettre une demande de notification à une Autorité centrale étrangère, les répondants ont indiqué les autorités suivantes, soit exclusivement, soit alternativement²³ :

Cours / tribunaux	59 %
Procureurs	7 %
Greffiers	13 %
Huissiers	13 %
<i>Process servers</i>	4 %
Autorité(s) centrale(s)	65 %
Autres	26 %

Les réponses montrent une diversité d'autorités expéditrices. Les répondants qui ont choisi « autres », pour fournir des autorités supplémentaires, ont énuméré une variété d'autorités et de personnes compétentes, y compris des notaires, des agents chargés de l'exécution, des avocats et d'autres organes de l'État.

- 21 Bien que la Convention ne l'exige pas, 48 % des répondants ont indiqué que les demandes envoyées devraient être transmises par l'intermédiaire de leur Autorité centrale²⁴. Les raisons les plus souvent citées sont l'expertise et les compétences linguistiques de l'Autorité centrale. Certains répondants considèrent également que leur Autorité centrale est mieux placée pour vérifier si la demande de notification est conforme aux exigences établies en vertu de la Convention et du droit de l'État requis.
- 22 Lorsqu'aucune forme particulière de notification n'est demandée par le demandeur, la forme de notification principale / par défaut varie selon les répondants²⁵ :

²² Questionnaire sur la notification de 2022, question 11.

²³ Questionnaire sur la notification de 2022, question 12. Les répondants avaient la possibilité de choisir plus d'une option pour répondre à cette question.

²⁴ Questionnaire sur la notification de 2022, question 13.

²⁵ Questionnaire sur la notification de 2022, question 14.

Simple remise (acceptation volontaire) (art. 5(2))	4 %
Notification à personne	33 %
Par voie postale	21 %
Convocation par le tribunal	19 %
Par courrier électronique	0 %
Par d'autres voies électroniques	4 %
Autres	19 %

- 23 Au cours de la période de cinq ans comprise entre 2017 et 2022, 47 % des répondants ont reçu une demande indiquant une forme particulière de notification (art. 5(1)(b)), tandis que 32 % ont déclaré ne pas avoir reçu de demande concernant une forme particulière de notification et que 21 % ne savaient pas²⁶.
- 24 Parmi les formes de notification demandées, les réponses (du point de vue de l'État requis) ont indiqué une préférence pour la notification à personne, le suivi de la notification par courrier électronique et par voie postale²⁷ :

Notification à personne	73 %
Par voie postale	14 %
Convocation par le tribunal	9 %
Par courrier électronique	18 %
Par d'autres voies électroniques	9 %

- 25 Seuls trois répondants ont indiqué qu'ils n'étaient pas en mesure de faire aboutir les demandes de formes particulières de notification, soit parce qu'ils ne disposaient pas des ressources nécessaires pour effectuer une notification à personne, soit parce qu'il n'existait pas de procédures permettant de notifier des actes par voie électronique, y compris par courrier électronique²⁸.
- 26 Du point de vue des États requérants, 39 % des répondants ont déclaré ne pas avoir transmis de demandes avec une forme particulière de notification sélectionnée, contre 35 % qui ne savaient pas si une forme particulière avait été demandée²⁹. À l'inverse, près de 26 % des répondants ont indiqué avoir fait une telle demande pour une forme particulière de notification au cours de la période de cinq ans entre 2017 et 2022. Les réponses reflètent à nouveau une préférence pour la notification à personne, suivie de la convocation par le tribunal et par voie postale³⁰.

²⁶ Questionnaire sur la notification de 2022, question 15.

²⁷ Questionnaire sur la notification de 2022, question 15.1. Les répondants avaient la possibilité de choisir plus d'une option pour répondre à cette question.

²⁸ Questionnaire sur la notification de 2022, question 15.2.

²⁹ Questionnaire sur la notification de 2022, question 16.

³⁰ Questionnaire sur la notification de 2022, question 16.1. Les répondants avaient la possibilité de choisir plus d'une option pour répondre à cette question.

27 Cinquante-huit pour cent des réponses indiquaient que la demande avait abouti, tandis que 42 % ne savaient pas si la demande l'avait été³¹. Enfin, trois répondants ont indiqué que la notification à personne et la notification effectuée par un *bailiff* entraînaient des coûts.

B. Voies de transmission alternatives (art. 8, 9 et 10)

1. Recours à la Formule modèle

28 En ce qui concerne la transmission d'une demande de notification par voie alternative, près de 40 % des répondants ont indiqué qu'ils utilisaient les éléments « Avertissement » et « Éléments essentiels » de la Formule modèle³². Parmi eux, 24 % ont indiqué qu'ils avaient « toujours » recours à la Formule. Quarante-quatre pour cent des répondants ne savaient pas si la Formule était utilisée dans le cadre de la notification par voies alternatives. Sept pour cent des répondants ont confirmé que la Formule n'était « jamais » utilisée, et 9 % des répondants n'utilisent pas la Formule modèle, en raison de l'objection formulée concernant l'utilisation de voies alternatives.

29 Du point de vue des États de destination, 54 % des répondants ont indiqué que l'élément « Attestation » de la Formule modèle est utilisée pour savoir si les actes ont été notifiés,³³ parmi lesquels 43 % des répondants utilisent toujours la Formule. Vingt-quatre pour cent des répondants ne savent pas si la Formule est utilisée, un répondant a indiqué que la Formule n'est « jamais » utilisée, et 20 % n'utilisent pas la Formule, en raison de l'objection formulée concernant l'utilisation de voies alternatives.

2. Agents diplomatiques et consulaires (art. 8)

30 Les réponses montrent qu'au cours de la période de cinq ans entre 2017 et 2022, les agents diplomatiques et consulaires de près de la moitié des répondants (43 %) ont directement procédé à la notification d'actes judiciaires ou extrajudiciaires à des personnes se trouvant à l'étranger (art. 8(1))³⁴. Le reste des réponses se répartit de manière égale entre les réponses « non », les agents diplomatiques ou consulaires n'ayant pas procédé directement à la notification d'actes à une personne à l'étranger (21 %), et les réponses « inconnu » (21 %). Pour 15% des répondants, la voie diplomatique et consulaire directe n'est pas applicable, en raison d'une objection formulée.

31 Un faible nombre de répondants (17 %) ont indiqué que, au cours de la période de cinq ans entre 2017 et 2022, la notification effectuée par les agents diplomatiques ou consulaires de l'État avait été refusée par le destinataire³⁵. Au contraire, 22 % des répondants ont indiqué le contraire. Cependant, dans près de la moitié des réponses (46 %), les répondants ne disposaient pas d'informations à ce sujet.

3. Voies diplomatiques et consulaires (art. 9)

32 Il a été demandé aux Parties contractantes si elles avaient en recours aux voies consulaires et diplomatiques pour transmettre des actes au cours de la période de cinq ans entre 2017 et 2022³⁶. Les réponses montrent qu'un nombre similaire de répondants utilisent l'une ou l'autre des voies ou les deux :

Voie consulaire

³¹ Questionnaire sur la notification de 2022, question 16.2.

³² Questionnaire sur la notification de 2022, question 17.

³³ Questionnaire sur la notification de 2022, question 18.

³⁴ Questionnaire sur la notification de 2022, question 19.

³⁵ Questionnaire sur la notification de 2022, question 20.

³⁶ Questionnaire sur la notification de 2022, questions 21 et 22.

Oui	34 %
Non	40 %
Inconnu	23 %
Sans objet	2 %

Voie diplomatique	
Oui	32 %
Non	36 %
Inconnu	30 %
Sans objet	2 %

- 33 La raison la plus souvent citée pour le recours à la voie diplomatique est la notification d'actes à des États étrangers ou à des fonctionnaires de ces États. Certains répondants ont également fait référence à d'autres circonstances exceptionnelles, notamment la suspension des services postaux pendant les conflits entre la Fédération de Russie et l'Ukraine, et l'apparition de la COVID-19.

4. Voie postale (art. 10(a))

- 34 Vingt-deux répondants se sont opposés à la notification par voie postale en vertu de l'article 10(a) de la Convention³⁷. Bien qu'ils aient formulé une objection au titre de l'article 10(a), 50 % des répondants, en tant qu'État d'origine, continuent de recourir à la voie postale pour la notification d'actes³⁸. Toutefois, un répondant a indiqué qu'en tant qu'État de destination, il n'acceptait pas le recours à la voie postale lorsque les actes proviennent d'un État qui a formulé une objection au titre de l'article 10(a)³⁹.
- 35 Les Parties contractantes ont été invitées à indiquer les catégories qu'elles reconnaissent, exclusivement ou alternativement, comme « voie postale »⁴⁰ :

Courrier postal	50 %
Courrier recommandé (suivi) avec accusé de réception	54 %
Messagerie privée, telle que FedEx	33 %
Courrier électronique	13 %
e-Post via l'agence postale de l'État	0 %
Autres	13 %

- 36 Pour les répondants qui n'ont pas formulé d'objection au titre de l'article 10(a), 7 répondants considèrent que la notification par courrier électronique est analogue à la notification par voie postale, tandis que 11 ne le considèrent pas comme tel⁴¹.
- 37 Enfin, 38 % des répondants ont indiqué qu'ils exigent que les actes notifiés par voie postale soient traduits dans l'une de leurs langues officielles⁴². La majorité des répondants (62 %) n'ont pas cette exigence.

³⁷ Questionnaire sur la notification de 2022, question 23.

³⁸ Questionnaire sur la notification de 2022, question 23.1.

³⁹ Questionnaire sur la notification de 2022, question 23.2.

⁴⁰ Questionnaire sur la notification de 2022, question 23.3. Les répondants avaient la possibilité de choisir plus d'une option pour répondre à cette question.

⁴¹ Questionnaire sur la notification de 2022, question 23.4.

⁴² Questionnaire sur la notification de 2022, question 23.5.

5. Officiers ministériels, fonctionnaires ou autres personnes compétents (art. 10(b))

38 Plus de la moitié des répondants (57 %) se sont opposés à l'utilisation de la communication directe entre les officiers ministériels, les fonctionnaires ou d'autres personnes compétents en vertu de l'article 10(b)⁴³.

39 Pour les répondants qui n'ont pas formulé d'objection au titre de l'article 10(b), les fonctionnaires suivants ont été reconnus comme « officier ministériel, fonctionnaire ou autre personne compétent »⁴⁴ :

<i>Attorney ou solicitor</i>	64 %
<i>Bailiff</i>	57 %
Huissier	50 %
Fonctionnaire attaché au tribunal	71 %
<i>Notary</i>	43 %
Agent de l'autorité exécutive	14 %
<i>Process server</i>	43 %
Autres	43 %

40 Pour 53 % des répondants, la transmission et la notification des actes par cette voie de transmission entraînent des coûts⁴⁵. Si 12 % des répondants ont indiqué qu'il n'y avait pas de coûts, 35 % n'ont pas pu fournir de réponse.

6. Personne intéressée à une instance judiciaire (art. 10(c))

41 Soixante-deux pour cent des répondants se sont opposés à l'utilisation de la communication directe entre une partie intéressée et des officiers ministériels, des fonctionnaires ou d'autres personnes compétents en vertu de l'article 10(c)⁴⁶.

42 Pour les répondants qui n'ont pas soulevé d'objection au titre de l'article 10(c), les fonctionnaires suivants ont été reconnus comme « toute personne intéressée à une instance judiciaire »⁴⁷ :

<i>Attorney ou solicitor</i>	71 %
<i>Bailiff</i>	50 %
Huissier	57 %
Fonctionnaire attaché au tribunal	64 %

⁴³ Questionnaire sur la notification de 2022, question 24.

⁴⁴ Questionnaire sur la notification de 2022, question 24.1. Les répondants avaient la possibilité de choisir plus d'une option pour répondre à cette question.

⁴⁵ Questionnaire sur la notification de 2022, question 24.3.

⁴⁶ Questionnaire sur la notification de 2022, question 25.

⁴⁷ Questionnaire sur la notification de 2022, question 25.1. Les répondants avaient la possibilité de choisir plus d'une option pour répondre à cette question.

Notary	43 %
Agent de l'autorité exécutive	14 %
Autres	43 %

43 Six répondants ont indiqué que la transmission et la notification des actes par cette voie de transmission entraînaient des coûts⁴⁸. Seuls deux répondants ont indiqué qu'il n'y avait pas de frais, les autres n'ont pas fourni de réponses ou se sont opposés à la notification en vertu de l'article 10(c).

C. Refus d'exécuter la demande (art. 13)

44 Les réponses montrent qu'au cours de la période de cinq ans allant de 2017 à 2022, seul un faible nombre de répondants (19 %) ont refusé une demande de notification au motif qu'elle portait atteinte à la « souveraineté ou à la sécurité »⁴⁹. Selon un répondant, les motifs de refus d'une demande au titre de l'article 13 de la Convention comprenaient la saisie-arrêt de fonds souverains, les créances liées à des activités en temps de guerre, la saisie d'actifs souverains et l'absence de procès-verbal de notification de la procédure sous-jacente lorsqu'il s'agit de notifier ou d'exécuter une décision par défaut. Un autre répondant a également noté que des demandes de notification dans des affaires de litiges en matière de brevets avaient été refusées.

45 Malgré cela, la majorité des répondants (62 %) n'ont pas refusé de demandes de notification au cours de la période de cinq ans entre 2017 et 2022, tandis que 19 % n'ont pas fourni de réponses. Ces chiffres montrent que la Convention fonctionne bien et qu'il est rare que des demandes de notification soient refusées par les Parties contractantes en vertu de l'article 13.

V. Utilisation des technologies de l'information

46 Les réponses sont également partagées en ce qui concerne les mesures prises (y compris par le biais de la législation) pour permettre ou accroître l'utilisation des technologies dans le cadre du fonctionnement de la Convention⁵⁰. Les répondants ont signalé un certain nombre de faits nouveaux à cet égard, notamment la mise en place de plateformes et de systèmes en ligne pour la transmission des demandes, le paiement des frais connexes et la communication avec les autorités étrangères. Un autre groupe de répondants a également noté des améliorations dans le recours aux courriers électroniques dans le cadre de la transmission et la réception des demandes.

47 Trente-trois pour cent des répondants transmettent des demandes par voie électronique dans le cadre de la Convention⁵¹. Dans ce contexte, les réponses montrent une préférence pour le recours à des courriers électroniques, suivi par d'autres modes de transmission⁵² :

Courrier électronique	69 %
Courrier électronique (sécurisé / crypté)	31 %
Transmission électronique via une plateforme en ligne administrée par le gouvernement	46 %

⁴⁸ Questionnaire sur la notification de 2022, question 25.3.

⁴⁹ Questionnaire sur la notification de 2022, question 26.

⁵⁰ Questionnaire sur la notification de 2022, question 28.

⁵¹ Questionnaire sur la notification de 2022, question 29.

⁵² Questionnaire sur la notification de 2022, question 29.1. Les répondants avaient la possibilité de choisir plus d'une option pour répondre à cette question.

Transmission électronique via une plateforme en ligne administrée par un prestataire de services privé	15 %
Transmission électronique utilisant les technologies des registres distribués (TRD)	0 %
Autres	31 %

48 Cinquante-trois pour cent des répondants n'acceptent pas les demandes de notification transmises par voie électronique lorsque seule une copie électronique est fournie⁵³. Ces répondants ont indiqué les raisons pour lesquelles cela n'est pas encore possible, à savoir, le manque de politiques et de procédures en place au niveau mondial pour garantir l'identité de l'autorité expéditrice, l'intégrité des actes et le respect des lois sur la protection des données. Certains de ces répondants ont également fait état de limitations en matière de droit interne.

49 Les répondants qui acceptent les demandes de notification transmises par voie électronique, lorsque seule une copie électronique est fournie, mentionnent le recours à différentes formes de transmission électronique⁵⁴ :

Courrier électronique	81 %
Courrier électronique (sécurisé / crypté)	43 %
Transmission électronique via une plateforme en ligne administrée par le gouvernement	24 %
Transmission électronique via une plateforme en ligne administrée par un prestataire de services privé	14 %
Transmission électronique utilisant les technologies des registres distribués (TRD)	0 %
Autres	14 %

50 Il a été demandé aux Parties contractantes si elles autorisent l'exécution de la notification par voie électronique⁵⁵. Soixante-sept pour cent des répondants ont répondu par l'affirmative. La forme de notification varie :

Courrier électronique	20 %
Courrier électronique (sécurisé / crypté)	10 %
Transmission électronique via une plateforme en ligne administrée par le gouvernement	33 %

⁵³ Questionnaire sur la notification de 2022, question 30.

⁵⁴ Questionnaire sur la notification de 2022, question 30.1. Les répondants avaient la possibilité de choisir plus d'une option pour répondre à cette question.

⁵⁵ Questionnaire sur la notification de 2022, question 31. Les répondants avaient la possibilité de choisir plus d'une option pour répondre à cette question.

Transmission électronique via une plateforme en ligne administrée par un prestataire de services privé	7 %
Transmission électronique utilisant les technologies des registres distribués (TRD)	0 %

Les répondants qui ont choisi « autres » pour fournir des informations complémentaires ont précisé que la notification par voie électronique peut être autorisée dans des circonstances spécifiques et sous certaines conditions, notamment le consentement des parties et / ou l'autorisation de la juridiction compétente.

- 51 Les répondants ont indiqué que les raisons pour lesquelles ils refusent de faire procéder à la notification par voie électronique sont les suivantes⁵⁶ :

L'utilisation des technologies est interdite par le droit interne	7 %
L'utilisation des technologies n'est pas prévue par le droit interne	33 %
L'utilisation des technologies n'est pas possible car il n'existe pas de système compatible dans votre État	40 %
Les autorités ne sont pas familiarisées avec l'utilisation des technologies nécessaires	0 %
Autres	33 %

- 52 Enfin, les Parties contractantes ont été invitées à indiquer, le cas échéant, les difficultés qu'elles rencontraient en ce qui concerne l'utilisation des technologies de l'information dans le cadre de la Convention Notification⁵⁷. Vingt-quatre pour cent des répondants estiment que l'utilisation des technologies de l'information ne pose aucun problème. Parmi les réponses indiquant des difficultés, les questions suivantes ont souvent été soulevées : difficultés liées à la mise en œuvre, problèmes d'interopérabilité / compatibilité des systèmes, limites du droit interne et préoccupations en matière de sécurité :

Limites du droit interne	50 %
Structures judiciaires ou administratives	29 %
Difficultés liées à la mise en œuvre (par ex., le manque de ressources, le manque d'infrastructures)	74 %
Coûts	32 %

⁵⁶ Questionnaire sur la notification de 2022, question 31.1. Les répondants avaient la possibilité de choisir plus d'une option pour répondre à cette question.

⁵⁷ Questionnaire sur la notification de 2022, question 32. Les répondants avaient la possibilité de choisir plus d'une option pour répondre à cette question.

Interopérabilité / compatibilité des systèmes	53 %
Préoccupations en matière de sécurité	50 %
Autres	12 %

Parmi les répondants qui ont choisi « autres », pour fournir des questions supplémentaires, un répondant a signalé des problèmes liés au manque de réciprocité de la part des Parties contractantes à la Convention en ce qui concerne l'utilisation des technologies et des difficultés liées à l'acceptation à l'étranger des signatures électroniques. Un autre répondant a fait état de difficultés liées à la transmission et à la réception électroniques d'actes volumineux.

VI. Données et statistiques des Parties contractantes*

A. Demandes reçues (voie de transmission principale (art. 5))

53 Nombre de demandes de notification reçues par voie de transmission principale (art. 5(1))⁵⁸ :

Répondant	2017	2018	2019	2020	2021	2022	Inconnu
Argentine	59	55	56	(⁵⁹)	75	125	S.O.
Australie	-	-	270	375	465	426	(⁶⁰)
Belgique	144	127	157	107	203	262	S.O.
Bulgarie	231	216	240	153	204	180	S.O.
Brésil	-	-	46	315	579	623	S.O.
Canada	2400	2500	2400	2100	2300	-	S.O.
Chine (continentale)	1612	1782	1987	1335	2049	1571	S.O.
Croatie	-	4	15	18	29	32	S.O.
République tchèque	66	86	116	77	110	124	S.O.
Estonie	7(⁶¹)	30	37	33	35	38	S.O.
France	903	964	897	701	989	1031	S.O.
Géorgie	0	0	0	0	2	44	S.O.
Allemagne	7335	6539	6871	6411	7622	5697	(⁶²)
RAS de Hong Kong	538	586	565	435	522	421	S.O.
Hongrie	135	202	179	134	118	124	S.O.
Inde	800	750	2000	600	650	1050	S.O.
Irlande	-	-	-	-	-	-	X
Israël	967	909	1083	818	896	754	S.O.
Japon	657	1257	1319	884	1079	1100	S.O.
Kazakhstan	50	99	130	135	126	105	S.O.
Lettonie	19	1	50	66	60	30	S.O.
Lituanie	24	30	21	51	44	34	S.O.
Mexique	534	631	506	408	448	410	S.O.
Monténégro	71	40	71	46	31	47	S.O.
Nicaragua	-	-	-	-	7	10	S.O.
Philippines	-	-	-	21	372	570	S.O.
Pologne	-	-	-	-	-	-	X
Portugal	489	460	701	403	579	646	S.O.

* Les réponses ont été fournies en anglais puis traduites en français par le Bureau Permanent, à l'exception des réponses de la France.

⁵⁸ Les données et statistiques communiquées dans cette section ne reflètent que les chiffres indiqués par les Parties contractantes qui ont autorisé la publication de leurs réponses sur le site web la HCCH.

⁵⁹ Selon la réponse de l'Argentine au questionnaire, les données de 2020 ne sont pas disponibles en raison de la pandémie de COVID-19.

⁶⁰ Selon la réponse de l'Australie au questionnaire, ces chiffres sont approximatifs et ne couvrent que les demandes reçues par l'Autorité centrale ; les demandes rejetées et les demandes envoyées directement aux états et territoires australiens ne sont pas prises en compte. Les données n'ont été fournies qu'à partir de 2019, car la base de données électronique utilisée pour enregistrer et gérer les demandes reçues par l'Autorité centrale n'a été mise en œuvre qu'en 2018.

⁶¹ Selon la réponse de l'Estonie au questionnaire, les données de 2017 ne sont que partielles.

⁶² Selon la réponse de l'Allemagne au questionnaire, il convient de préciser tout d'abord qu'en Allemagne, aucune statistique officielle n'est conservée sur le nombre de demandes de notification reçues et envoyées. Les chiffres ci-dessous sont basés sur les informations fournies volontairement par les Autorités centrales des états fédéraux dans lesquels les actes ont été signifiés ou notifiés conformément à la Convention Notification. Les données de 2022 ne sont que partielles (dans certains états fédéraux, les données ne sont pas encore disponibles).

Roumanie	101	87	73	77	110	86	S.O.
Serbie	284	292	308	317	350	377	S.O.
Slovénie	35	31	19	27	41	16	S.O.
Slovaquie	-	-	-	-	-	-	X
Suède	-	-	-	-	-	-	Environ 200 à 300 par an.
Royaume-Uni ⁽⁶³⁾	19176 ⁽⁶⁴⁾	19135	11503	20580	15154	569 ⁽⁶⁵⁾	S.O.
États-Unis d'Amérique	7182	7857	8046	5835	8272	7323	S.O.
Vietnam	143	267	333	303	286	301	S.O.
TOTAL :	43962	44937	39999	42765	43807	24126	-

54 Délai de traitement (en mois) des demandes reçues :

Répondant	2017	2018	2019	2020	2021	2022	Inconnu
Argentine	-	-	-	-	3-6	3-6	S.O.
Australie	-	-	> 12	> 12	> 12	> 12	⁽⁶⁶⁾
Autriche	-	-	-	-	-	-	X
Belgique	-	-	-	-	-	-	X
Bulgarie	1-3	1-3	1-3	1-3	1-3	1-3	S.O.
Brésil	-	-	6-12	6-12	6-12	6-12	S.O.
Canada	1-3	1-3	1-3	1-3	1-3	1-3	S.O.
Chine (continentale)	6-12	6-12	6-12	3-6	3-6	3-6	S.O.
Croatie	3-6	3-6	3-6	3-6	3-6	3-6	S.O.
République tchèque	3-6	3-6	3-6	3-6	3-6	3-6	S.O.
Estonie	-	-	-	-	-	-	X
France	-	-	-	-	-	-	X
Géorgie	-	-	-	-	3-6	1-3	S.O.
Allemagne	1-3	1-3	1-3	1-3	1-3	1-3	S.O.
RAS de Hong Kong	-	-	-	-	-	-	X
Hongrie	3-6	3-6	3-6	3-6	3-6	3-6	S.O.
Inde	1-3	1-3	1-3	1-3	1-3	1-3	S.O.
Irlande	-	-	-	-	-	-	X
Israël	3-6	3-6	3-6	3-6	3-6	3-6	S.O.
Japon	3-6	3-6	3-6	3-6	3-6	3-6	S.O.
Kazakhstan	6-12	6-12	6-12	6-12	6-12	6-12	S.O.
Lettonie	1-3	1-3	1-3	1-3	1-3	1-3	S.O.
Lituanie	1-3	1-3	1-3	1-3	1-3	1-3	S.O.
Mexique	3-6	3-6	3-6	6-12	6-12	3-6	S.O.
Monténégro	1-3	1-3	1-3	1-3	1-3	1-3	S.O.

⁶³ Ces chiffres tiennent compte des demandes de notifications reçues en Irlande du Nord et en Écosse, ainsi qu'en Angleterre et au pays de Galles.

⁶⁴ Selon la réponse du Royaume-Uni au questionnaire et en ce qui concerne l'Angleterre et le pays de Galles, il n'y a pas de données exactes pour 2017 et 2018, mais la moyenne annuelle approximative était de 19 000.

⁶⁵ Selon la réponse du Royaume-Uni au questionnaire, les données ne sont pas disponibles pour l'Angleterre, le pays de Galles et l'Irlande du Nord.

⁶⁶ Selon la réponse de l'Australie au questionnaire, ces chiffres sont approximatifs et ne couvrent que les demandes reçues par l'Autorité centrale ; les demandes rejetées n'ont pas été incluses ; les demandes envoyées directement aux états et territoires australiens ne sont pas prises en compte. Les données n'ont été fournies qu'à partir de 2019, car la base de données électronique utilisée pour enregistrer et gérer les demandes reçues par l'Autorité centrale n'a été mise en œuvre qu'en 2018.

Nicaragua	< 1	-	-	-	1-3	3-6	S.O.
Philippines	-	-	-	1-3	1-3	< 1	S.O.
Pologne	-	-	-	-	-	-	X
Portugal	-	-	-	-	-	-	(⁶⁷)
Slovénie	1-3	< 1	1-3	1-3	1-3	1-3	S.O.
Slovaquie	1-3	1-3	1-3	1-3	1-3	1-3	S.O.
Suède	3-6	3-6	3-6	3-6	3-6	3-6	S.O.
Royaume-Uni	1-3	1-3	1-3	1-3	3-6	3-6	S.O.
États-Unis d'Amérique	< 1	< 1	< 1	< 1	< 1	< 1	S.O.
Vietnam	3-6	3-6	6-12	6-12	6-12	3-6	S.O.

55 Nombre de demandes de notification reçues par voie électronique :

Répondant	2017	2018	2019	2020	2021	2022	Inconnu
Argentine	-	-	-	-	-	-	(⁶⁸)
Australie	-	-	-	-	-	-	X
Autriche	-	-	-	-	-	-	X
Belgique	-	-	-	-	-	-	X
Brésil	-	-	29	69	326	424	S.O.
Chine (continentale)	0	0	36	270	439	821	S.O. (⁶⁹)
Croatie	0	0	0	0	0	0	S.O.
République tchèque	0	0	0	0	0	0	S.O. (⁷⁰)
Estonie	-	-	-	-	-	-	X
France	0	0	0	0	0	0	S.O. (⁷¹)
Géorgie	-	-	-	-	-	-	X (⁷²)
Allemagne	0	0	0	0	0	0	S.O. (⁷³)
RAS de Hong Kong	0	0	0	0	0	0	S.O. (⁷⁴)
Hongrie	0	0	0	0	0	0	S.O.
Inde	0	0	0	0	0	0	S.O.
Israël	-	-	-	-	-	-	X
Japon	0	0	0	0	0	0	S.O.
Kazakhstan	0	0	0	0	0	0	S.O.
Lettonie	-	-	-	-	-	-	X

⁶⁷ Selon la réponse du Portugal au questionnaire, la plupart des demandes sont renvoyées directement par l'autorité compétente, sans intervention de l'Autorité centrale.

⁶⁸ Selon la réponse de l'Argentine au questionnaire, la plupart des demandes sont reçues par voie électronique.

⁶⁹ Selon la réponse de la Chine au questionnaire, le seul système chinois a été mis en place en 2019.

⁷⁰ Selon la réponse de la République tchèque au questionnaire, la République tchèque n'accepte pas les demandes reçues par voie électronique, mais uniquement par voie postale (sous forme papier).

⁷¹ Selon la réponse de la France au questionnaire, l'Autorité centrale française ne dispose pas à ce jour des moyens techniques nécessaires pour traiter les demandes par voie électronique. Les requérants sont donc invités à renvoyer leurs demandes par voie postale.

⁷² Selon la réponse de la Géorgie au questionnaire, l'Autorité centrale de Géorgie ne traite pas ces données. Toutes les demandes reçues, qu'elles soient reçues par courrier ou par voie postale, sont intégrées dans un système électronique unifié.

⁷³ Selon la réponse de l'Allemagne au questionnaire, il n'est pas possible d'envoyer de demande par voie électronique. Dans le cas des demandes reçues, une signature et un sceau ou un cachet officiel sont requis. Il n'existe pas encore de signature électronique transfrontière au niveau mondial permettant d'identifier l'origine et l'authenticité de la demande.

⁷⁴ Selon la réponse de la RAS de Hong Kong au questionnaire, la transmission électronique n'étant pas acceptée, la RAS de Hong Kong ne dispose pas de statistiques pertinentes.

Lituanie	-	-	-	-	-	-	S.O. ⁽⁷⁵⁾
Mexique	0	0	0	0	1	4	S.O.
Monténégro	-	-	-	-	-	-	X
Nicaragua	-	-	-	-	-	-	X ⁽⁷⁶⁾
Philippines	-	-	-	18	204	296	S.O.
Portugal	-	-	145	263	404	497	S.O.
Serbie	-	-	-	-	-	-	X
Slovénie	-	-	-	-	-	-	S.O.
Slovaquie	0	0	0	0	0	0	S.O.
Suède	-	-	-	-	-	-	Environ 10
Royaume-Uni	0	0	0	0	0	0	S.O.
États-Unis d'Amérique	0	2	1	886	952	1086	S.O.
TOTAL :	0	2	211	1506	2326	3128	-

56 Nombre de demandes de notification reçues ayant abouti par voie électronique (et ce qu'une copie papier des documents ait été fournie ou non par la suite) :

Répondant	2017	2018	2019	2020	2021	2022	Inconnu
Australie	-	-	-	-	-	-	X
Autriche	-	-	-	-	-	-	X
Belgique	-	-	-	-	-	-	X
Bulgarie	0	0	0	0	0	0	S.O.
Brésil	-	-	29	69	326	424	S.O. ⁽⁷⁷⁾
Chine (continentale)	-	-	-	-	-	-	X
Croatie	0	0	0	0	0	0	S.O.
République tchèque	-	-	-	-	-	-	X
Estonie	-	-	-	-	-	-	S.O.
France	-	-	-	-	-	-	X ⁽⁷⁸⁾
Géorgie	-	-	-	-	-	-	X
Allemagne	0	0	0	0	0	0	S.O.
RAS de Hong Kong	0	0	0	0	0	0	S.O.
Hongrie	-	-	-	-	-	-	X
Inde	0	0	0	0	0	0	S.O.
Israël	-	-	-	-	-	-	X
Japon	0	0	0	0	0	0	S.O.
Kazakhstan	0	0	0	0	0	0	S.O. ⁽⁷⁹⁾
Lettonie	-	-	-	-	-	-	X
Lituanie	0	0	0	0	0	0	S.O. ⁽⁸⁰⁾
Monténégro	0	0	0	0	0	0	S.O.
Mexique	0	0	0	0	0	0	S.O.
Nicaragua	-	-	-	-	-	5	S.O.

⁷⁵ Selon la réponse de la Lituanie au questionnaire, les demandes sont généralement reçues sous forme papier. Mais la forme électronique est également acceptée par l'Autorité centrale. Le nombre exact de demandes reçues n'est pas disponible.

⁷⁶ Selon la réponse du Nicaragua au questionnaire, jusqu'en 2023, une demande a été reçue par courrier électronique.

⁷⁷ Selon la réponse du Brésil au questionnaire, 100 % des demandes en 2019-2022.

⁷⁸ Selon la réponse de la France au questionnaire, la majorité des demandes de signification ne transitant pas par l'Autorité centrale et étant effectuées directement par les huissiers de justice, il est impossible de disposer de ces informations.

⁷⁹ Selon la réponse du Kazakhstan au questionnaire, aucune des demandes n'a abouti par transmission électronique.

⁸⁰ Selon la réponse de la Lituanie au questionnaire, la Chambre des huissiers de justice de Lituanie n'a fait aboutir aucune demande par voie électronique.

Philippines	-	-	-	-	-	-	X
Slovénie	0	0	0	0	0	0	S.O.
Slovaquie	0	0	0	0	0	0	S.O.
Suède	-	-	-	-	-	-	S.O.
Royaume-Uni	0	0	0	0	0	0	S.O.
États-Unis d'Amérique	0	0	0	0	0	0	S.O.
Vietnam	0	0	0	0	0	0	S.O.
TOTAL :	0	0	29	69	326	429	-

B. Demandes envoyées (voie de transmission principale (art. 5)) :

57 Nombre de demandes de notification envoyées par voie de transmission principale (art. 5) :

Répondant	2017	2018	2019	2020	2021	2022	Inconnu
Argentine	151	111	111	0	75	125	S.O. ⁽⁸¹⁾
Australie	-	-	-	-	-	-	X
Autriche	-	-	-	-	-	-	X
Bulgarie	92	99	124	85	198	194	S.O.
Brésil	0	0	123	579	1096	1228	S.O.
Canada	-	-	-	-	-	-	X ⁽⁸²⁾
Chine (continentale)	955	486	1005	955	1117	814	S.O.
Croatie	-	1	20	13	32	47	S.O.
République tchèque	-	-	-	-	-	-	X ⁽⁸³⁾
Estonie	4	14	13	5	18	17	S.O. ⁽⁸⁴⁾
France	-	-	-	-	-	-	X ⁽⁸⁵⁾
Géorgie	-	-	-	-	-	2	S.O.
Allemagne	7833	7725	7481	6976	6852	3329	S.O. ⁽⁸⁶⁾
RAS de Hong Kong	102	93	107	59	116	51	S.O.
Hongrie	460	569	447	414	499	496	S.O.
Inde	500	450	600	300	350	400	S.O.
Israël	65	57	69	111	141	97	S.O.
Japon	234	178	187	202	269	247	S.O.
Kazakhstan	5	10	16	15	24	18	S.O.
Lettonie	117	16	13	19	14	17	S.O. ⁽⁸⁷⁾

⁸¹ Selon la réponse de l'Argentine au questionnaire, les informations requises pour 2020 ne sont pas disponibles en raison de la pandémie de COVID-19.

⁸² Selon la réponse du Canada au questionnaire, aucune donnée n'est disponible car les demandes envoyées au titre de l'article 5 sont généralement envoyées par des membres des barreaux des provinces et territoires canadiens et des membres de la Chambre des notaires de la province de Québec (pour les affaires non contentieuses uniquement) agissant en leur qualité d'autorités expéditrices.

⁸³ Selon la réponse de la République tchèque au questionnaire, la plupart des demandes de signification ou de notification envoyées sont transmises (sur papier) par les autorités expéditrices tchèques (tribunaux tchèques) directement à l'Autorité centrale de l'État. Aucune donnée disponible. Il n'y a pas de règle juridique spéciale pour les tribunaux tchèques qui tiennent des registres des affaires dans lesquelles la Convention Notification a été appliquée.

⁸⁴ Selon la réponse de l'Estonie au questionnaire, les données de 2017 sont partielles depuis septembre.

⁸⁵ Voir la réponse de la France au questionnaire (note 78 **Error! Bookmark not defined.**).

⁸⁶ Selon la réponse de l'Allemagne au questionnaire, pour 2022, les données de certains états fédéraux ne sont pas encore disponibles.

⁸⁷ Selon la réponse de la Lettonie au questionnaire, de 2018 à 2022 : demandes adressées au Canada par l'intermédiaire du ministère de la justice.

Lituanie	-	-	-	-	-	-	X ⁽⁸⁸⁾
Monténégro	-	-	-	-	-	-	X ⁽⁸⁹⁾
Mexique	118	90	107	70	96	152	S.O.
Nicaragua	-	-	-	-	4	3	S.O.
Philippines	-	-	-	-	-	-	X
Portugal	-	-	-	-	-	-	X ⁽⁹⁰⁾
Roumanie	195	279	256	258	280	277	S.O.
Serbie	300	299	315	328	355	413	S.O.
Slovénie	-	-	-	-	-	-	X ⁽⁹¹⁾
Slovaquie	-	-	-	-	-	-	X
Suède	-	-	-	-	-	-	X
Royaume-Uni	831	816	668	934	1007	684	S.O.
États-Unis d'Amérique	-	-	-	-	-	-	X
Vietnam	883	1326	1445	1137	1217	1446	S.O.
TOTAL :	12845	12619	13107	12460	13760	10057	-

58 Nombre de demandes de notification envoyées par voie électronique dans le cadre de la voie de transmission principale (art. 5) :

Répondant	2017	2018	2019	2020	2021	2022	Inconnu
Argentine	-	-	-	-	-	-	(⁹²)
Australie	-	-	-	-	-	-	X
Autriche	-	-	-	-	-	-	X
Bulgarie	0	0	0	0	0	0	S.O.
Brésil	0	0	47	288	487	572	S.O.
Canada	-	-	-	-	-	-	X ⁽⁹³⁾
Croatie	0	0	0	0	0	0	S.O.
République tchèque	0	0	0	0	0	0	S.O. ⁽⁹⁴⁾
Estonie	-	-	-	-	-	-	X
France	-	-	-	-	-	-	X ⁽⁹⁵⁾
Géorgie	-	-	-	-	-	1	S.O.
Allemagne	0	0	0	0	0	0	S.O. ⁽⁹⁶⁾
RAS de Hong Kong	0	0	0	0	0	0	S.O.

⁸⁸ Selon la réponse de la Lituanie au questionnaire, les tribunaux de la République de Lituanie (en tant qu'autorités requérantes) traitent les données relatives aux affaires dans le système d'information judiciaire lituanien (LITEKO). La génération automatisée de statistiques de LITEKO fonctionne sur la base de classifications de catégories d'affaires et de décisions de procédure judiciaire. Malheureusement, il n'existe pas de code distinct pour les dossiers relatifs à la Convention Notification. Par conséquent, il n'est pas possible de fournir des données précises sur les demandes envoyées.

⁸⁹ Selon la réponse du Monténégro au questionnaire, les demandes envoyées ne sont pas transmises par le ministère de la Justice.

⁹⁰ Selon la réponse du Portugal au questionnaire, les demandes sont généralement envoyées directement par les autorités compétentes aux Autorités centrales des États requis.

⁹¹ Selon la réponse de la Slovénie au questionnaire, les données ne sont pas disponibles car les demandes sont envoyées directement par les tribunaux slovènes à l'Autorité centrale de l'État requis.

⁹² Selon la réponse de l'Argentine au questionnaire, la plupart des demandes sont envoyées par voie électronique.

⁹³ Voir la réponse du Canada au questionnaire (note 82).

⁹⁴ Selon la réponse de la République tchèque au questionnaire, les demandes de signification ou de notification envoyées sont transmises à l'Autorité centrale de l'État et adressées uniquement sur papier.

⁹⁵ Voir la réponse de la France au questionnaire (note 78 **Error! Bookmark not defined.**).

⁹⁶ Selon la réponse de l'Allemagne au questionnaire, pour les demandes envoyées, le règlement allemand sur l'entraide judiciaire en matière civile (ZRHO) prévoit qu'elles doivent être signées par un juge et revêtues d'un cachet officiel ou d'un sceau officiel. Il n'existe pas encore de signature électronique transfrontière au niveau mondial permettant d'identifier l'origine et l'authenticité des demandes.

Hongrie	0	0	0	0	0	0	S.O.
Inde	0	0	0	0	0	0	S.O.
Israël	0	0	0	0	0	0	S.O. ⁽⁹⁷⁾
Kazakhstan	0	0	0	0	0	0	S.O.
Lettonie	-	-	-	-	-	-	X
Lituanie	-	-	-	-	-	-	X ⁽⁹⁸⁾
Mexique	-	-	-	-	-	-	X
Monténégro	0	0	0	0	0	0	S.O.
Nicaragua	-	-	-	-	-	1	S.O.
Philippines	-	-	-	-	-	-	X
Slovénie	0	0	0	0	0	0	S.O.
Slovaquie	0	0	0	0	0	0	S.O.
Suède	-	-	-	-	-	-	X
Royaume-Uni	0	0	0	0	5	1	S.O. ⁽⁹⁹⁾
États-Unis d'Amérique	-	-	-	-	-	-	X
Vietnam	0	0	0	386	0	5	S.O.
TOTAL :	0	0	47	674	492	580	-

C. Statistiques dans le cadre des voies de transmission alternatives

59 Nombre total de demandes de notification reçues dans le cadre de voies de transmission alternatives :

Répondant	2017	2018	2019	2020	2021	2022	Inconnu
Bulgarie	15	6	14	10	3	12	S.O.
Roumanie	235	232	189	181	132	161	S.O.
TOTAL :	250	238	203	191	135	173	-

D. Refus (art. 13)

60 Nombre de demandes de notification reçues refusées entre 2017 et 2022 :

Répondant	Réponse
Croatie	Très peu sauf dans les cas où les formulaires ne sont pas remplis avec les données pertinentes
Kazakhstan	2-3
Lettonie	Environ une à trois demandes par an
États-Unis d'Amérique	43 demandes reçues. Sur les 43 demandes, 28 ont été soumises dans le cadre de demandes uniques, les autres refus ont été émis dans le cadre de demandes antérieures
Lituanie	7 (pas de paiement reçu)
Israël	1
Australie	Environ 370 demandes entre janvier 2019 et décembre 2022. Veuillez noter que ce chiffre comprend les demandes qui ont été initialement rejetées, mais qui ont ensuite été soumises à nouveau

⁹⁷ Selon la réponse d'Israël au questionnaire, les demandes en cours sont transmises uniquement sous forme papier.

⁹⁸ Voir la réponse de la Lituanie au questionnaire (note 88).

⁹⁹ Selon la réponse du Royaume-Uni au questionnaire, pour 2021 et 2022 : toutes les affaires américaines car elles ne seront acceptées que par voie électronique.

	sous la forme d'une demande entièrement nouvelle. En outre, le chiffre ne couvre que les demandes reçues par l'Autorité centrale ; les demandes envoyées directement aux états et territoires australiens ne sont pas prises en compte. Les données n'ont été fournies qu'à partir de 2019, car la base de données électronique utilisée pour enregistrer et gérer les demandes reçues par l'Autorité centrale n'a été mise en œuvre qu'en 2018
Philippines	Il y a trois cent quatre-vingt-douze (392) demandes auxquelles l'Autorité centrale des Philippines a refusé de donner suite pour défaut de paiement des frais de notification requis. Conformément au titre III, point 3 de l'A.O. No 251-2020 : « Toutes les demandes doivent être accompagnées d'un paiement de cent dollars américains (100,00 USD) pour les frais de signification ou de notification pour chaque destinataire à signifier ou à notifier » [traduction du BP]
Mexique	1960

61 Nombre de demandes de notification envoyées refusées entre 2017 et 2022 :

Répondant	Réponse
Brésil	La Convention est en vigueur au Brésil depuis le milieu de l'année 2019 seulement. Depuis lors, 17 demandes envoyées ont été rejetées par des États qui n'acceptaient pas les demandes de nature administrative ou fiscale. En outre, de nombreuses demandes n'ont pas été envoyées parce que l'on savait que l'État requis ne les accepterait pas pour ces raisons ou parce qu'elles étaient liées à des affaires de corruption.
Croatie	Très peu lorsque les formulaires ne sont pas remplis avec les données pertinentes
Kazakhstan	Environ 5 demandes ont été refusées
Mexique	31

ANNEXE

Annex: Compilation of Responses (questionnaire for Contracting Parties)

I. General Feedback

(1) How does your State rate the general operation of the Service Convention?	
Argentina	Good
Australia	Satisfactory
Austria	Good
Belgium	Good
Brazil	Good
Bulgaria	Excellent
Canada	<p>Requires improvement – “Canadian central authorities have experienced difficulties corresponding with foreign forwarding authority to try to resolve issues such the absence of translations or of the required fee in requests for service. To facilitate resolving these, issues, forwarding authorities should include their email addresses in their requests for service. Also, see note below on the lack of access to the Handbook.</p> <p>Les autorités centrales canadiennes ont éprouvé des difficultés à correspondre avec les autorités expéditrices étrangères pour tenter de résoudre des problèmes tels que l'absence de traductions ou de frais dans les demandes de signification ou de notification. Pour faciliter la résolution de ces problèmes, les autorités expéditrices devraient inclure leur adresse électronique dans leurs demandes de signification ou de notification. Voir également la note ci-dessous sur le manque d'accès au Manuel”.</p>
China	Good
Croatia	Excellent
Czech Republic	Good
Estonia	Good
France	Bon
Georgia	Good
Germany	Good
Hong Kong SAR	Good
Hungary	Good
India	Excellent
Ireland	Good
Israel	Good
Japan	Good
Kazakhstan	Excellent
Latvia	Good
Lithuania	Good
Mexico	Excellent
Montenegro	Good
Nicaragua	Good
Norway	Good
Philippines	Good
Poland	Good
Portugal	Good
Romania	Good
Serbia	Excellent
Slovenia	Excellent
Slovakia	Excellent

Sweden	Satisfactory
United Kingdom	Requires improvement – “The comments from England and Wales are that: The most common problems with incoming requests are: • Not using Hague Model Form • Address incomplete/incorrect/out of date • Form handwritten and illegible • Defendant is a prisoner and prison number not provided • Two defendants for service on one request • Only one set of documents provided (two are required) • Translation not provided, without explanation • Incomplete summary of documents for service Problems experienced with outgoing requests include: • A substantial number (c 25%) of requested states do not acknowledge the request • Although the success rate in achieving service is high overall , there are a small number of countries, four in particular, where service either does not take place at all or takes a very long time, sometimes 1-2 years The Central Authorities of Scotland and Northern Ireland have rated the general operation of the Convention as satisfactory”.
United States of America	Good
Viet Nam	Good

*_*_*

(2) How does your State rate the useability of the HCCH Practical Handbook on the Operation of the Service Convention?

Argentina	Satisfactory
Australia	Good
Austria	Good
Belgium	Good
Brazil	Excellent
Bulgaria	Excellent
Canada	Requires improvement – “The Handbook should be made available on HCCH.net for free. Access to the Handbook is a matter linked to access to justice. In Canada, members of the law societies of Canadian provinces and territories and members of the Chambre des notaires of the Province of Québec (for non-litigious matters only) are forwarding authorities. We cannot assume that these forwarding authorities who may serve documents abroad very infrequently, will purchase a Handbook. Often, service abroad involves family law matters and clients do not necessarily have the funds to help their legal counsel purchase a copy of the Handbook. As a result of the unavailability of the Handbook for free, the application of the Convention may be negatively impacted in these cases and this may have a negative impact on litigants. Le manuel devrait être disponible gratuitement sur le site HCCH.net. L'accès au Manuel est une question liée à l'accès à la justice. Au Canada, les membres des barreaux des provinces et territoires canadiens et les membres de la Chambre des notaires de la province de Québec (pour les affaires non contentieuses uniquement) sont des autorités expéditrices. Nous ne pouvons pas supposer que ces autorités expéditrices, qui ne signifient des documents à l'étranger que très rarement, achèteront un manuel. Souvent, les significations ou notifications à l'étranger concernent des affaires de droit de la famille et les clients n'ont pas nécessairement les moyens d'aider leur conseiller juridique à acheter un exemplaire du manuel. Le fait que le manuel ne soit pas disponible gratuitement peut avoir un impact négatif sur l'application de la Convention dans ces affaires, ce qui peut avoir des conséquences négatives pour les parties au litige”.

China	Good.
Croatia	Excellent
Czech Republic	Good
Estonia	Good
France	Bon
Georgia	Good
Germany	Good
Hong Kong SAR	Good
Hungary	Good
India	Good
Ireland	Good
Israel	Excellent
Japan	Good
Kazakhstan	Excellent
Latvia	Good
Lithuania	Good
Mexico	Excellent
Montenegro	Good
Nicaragua	Good
Norway	Good
Philippines	Good
Poland	Good
Portugal	Good
Romania	Good
Serbia	Good
Slovenia	Excellent
Slovakia	Good
Sweden	Satisfactory
United Kingdom	Good - "Northern Ireland rated the usability of the Practical Handbook as satisfactory".
United States of America	Good
Viet Nam	Good

*_*_*

(3) Does your State's Central Authority have a manual or electronic case management register or system that is used to track incoming requests under the Service Convention?

Argentina	Yes - electronic for incoming and outgoing
Australia	Yes - electronic for incoming only
Austria	Yes - electronic for incoming and outgoing
Belgium	Yes - electronic for incoming only
Brazil	Yes - electronic for incoming and outgoing
Bulgaria	Yes - electronic for incoming and outgoing
Canada	Other - "Some Canadian Central Authorities have manual case management registers while others have electronic systems. Canadian Central Authorities only deal with incoming requests as they do not act as forwarding authorities. Certaines Autorités centrales canadiennes ont des registres manuels de gestion des dossiers, tandis que d'autres ont des systèmes électroniques. Les

	Autorités centrales canadiennes ne traitent que les demandes entrantes et n'agissent pas en tant qu'autorités expéditrices”.
China	Yes – electronic for incoming and outgoing
Croatia	Yes – electronic for incoming and outgoing
Czech Republic	Other – “The Czech Central Authority (Ministry of Justice) has got the electronic register of the incoming requests under the Service Convention. After the registration the incoming requests are forwarded to the competent Czech courts to be served”.
Estonia	Other - “Estonia is currently using an electronic system for registration of cases. Due to changes in EU Regulations, EU Commission is currently developing reference implementation software, which the Member States may choose to connect to the decentralised IT system”.
France	Oui - électronique pour les demandes reçues et envoyées
Georgia	Yes – manual for incoming and outgoing
Germany	Other – “There are no federal registers used throughout Germany; some of the Länder use case management registers, some of them electronic registers, some manual registers or other means to track incoming requests. As a remark to questions 3. and 4. as well as preliminary to questions concerning data and statistics it must be underlined that in Germany no official statistics are kept on the number of incoming and outgoing requests for service or on the time to process them. The judicial departments of the Länder, which designate the Central Authorities for their area of competence, have an informal overview, but are only able to provide limited information on content-related aspects of Letters of Request and the time required to process them. Some of the following information is based on their records. It is only of limited informative value. An answer to this question is also given by the European Union”.
Hong Kong SAR	Yes – manual for incoming and outgoing
Hungary	Other – “The general electronic register system of the Ministry of Justice is used for cases relating to the Service Convention. This system stores basic data of the cases for identification purposes, therefore more detailed information is kept in the paper based files”.
India	Yes – manual for incoming and outgoing
Ireland	Other – “Using Excel spreadsheet – no specific case management system”.
Israel	Yes – manual for incoming and outgoing
Japan	Yes – electronic for incoming and outgoing
Kazakhstan	Yes - electronic for incoming and outgoing
Latvia	Yes – electronic for incoming and outgoing
Lithuania	Yes – electronic for incoming and outgoing
Mexico	Yes – electronic for incoming and outgoing
Nicaragua	Yes – electronic for incoming and outgoing
Montenegro	Yes – electronic for incoming only
Norway	Yes – electronic for incoming only
Philippines	Yes - manual for incoming and outgoing
Poland	No
Portugal	Yes – electronic for incoming and outgoing
Serbia	Yes – electronic for incoming and outgoing
Slovenia	No
Slovakia	Yes - electronic for incoming and outgoing
Sweden	Other – “Not at the moment. See also response of the EU”.
United Kingdom	Yes – manual for incoming and outgoing

United States of America	Yes – electronic for incoming only
Viet Nam	Other – “The Ministry of Justice of Viet Nam uses Mutual Legal Assistance Request Management Software for both incoming and outgoing requests. However, this software mainly focuses on following up the work done by the Ministry of Justice. Thus, the input are based on requests or results of the requests received by the MOJ”.

*_*_*

(4) If your State’s Central Authority has oversight for all outgoing requests, please indicate if there is a system used to track the progress of these.

Argentina	No
Australia	Other – “The Australian Central Authority does not have oversight of outgoing requests”
Austria	No
Belgium	Other – “Nous n’avons pas de droit de regard sur les dossiers sortants”.
Brazil	Yes – electronic.
Bulgaria	No
China	No
Croatia	Yes – electronic.
Czech Republic	Other – “Outgoing requests are usually transmitted directly from a judicial authority to the CA of the requested State. However, in some cases, the Letters of Request are transmitted via Central Authority or via diplomatic channels. In these cases, Letters of Request are registered by means of electronic case management. The CA maintains an electronic file service (a case management) in which incoming/outgoing requests for legal aid are registered. The case management enables to monitor the status of their processing”.
Estonia	Yes – electronic.
France	Oui - électronique
Georgia	Yes – manual
Germany	Other – “An answer to this question is also given by the European Union”.
Hong Kong SAR	Yes – manual
Hungary	Other – “See response to question No. 3. All incoming and outgoing correspondence is registered in the case register electronically but the substance can only be known from the file”.
India	No
Ireland	Other – “Using Excel spreadsheet – no specific case management system”.
Israel	Yes – manual
Japan	Yes – electronic
Kazakhstan	Yes – electronic
Latvia	No
Lithuania	No
Mexico	No
Nicaragua	No
Montenegro	No
Norway	Other – “Unknown”.
Philippines	Yes - manual
Poland	No

Portugal	Other – “The requests sent through the central authority are overseen using our case Management System, but as general principle requests are sent directly without the intervention of the central authority”.
Serbia	Yes – electronic
Slovenia	No
Slovakia	No
Sweden	Other – “Please see response of the EU”.
United Kingdom	Yes – manual
United States of America	Other – “The U.S. Central Authority does not have oversight for outgoing requests”.
Viet Nam	Other – “The Mutual Legal Assistance Request Management Software has some functions such as reminding and alerting when there is no reply for outgoing requests which were sent for a specific time (usually more than 6 months)”.

II. Scope of the Convention

(5) In the previous five years, has your State experienced any difficulties in interpreting the scope of the Service Convention?	
Argentina	Other – “Articles 8 and 9 of the Service Convention”.
Australia	No
Austria	No
Brazil	Yes, regarding the interpretation of “civil or commercial matters” (Art. 1) – “We do not have clear information about which countries would accept requests under the Convention related to administrative matters or related to administrative improbity”.
Bulgaria	Yes, regarding the interpretation of “civil or commercial matters” (Art. 1) – “Receiving requests for service in Bulgaria of documents issued by customs and tax authorities of other Contracting States”.
Canada	Yes, regarding the interpretation of “civil or commercial matters” (Art. 1) – “Yes, one Central Authority received several requests related to proceedings in taxation matters. Oui, une autorité centrale a reçu plusieurs demandes relatives à des procédures en matière fiscale”.
China	No
Croatia	No
Czech Republic	Yes, regarding the interpretation of “civil or commercial matters” (Art. 1) – “Some requesting authorities try to include in the material scope of the Service Convention also administrative or financial proceedings”.
Estonia	Yes, other – “Sometimes there have been problems when the person’s address is not known. We have been advised to the HCCH 1970 request before”.
France	Oui, concernant l’interprétation de l’expression « matière civile ou commerciale » (art. 1) – “S’il est unanimement admis que cette expression exclut la matière pénale, la question du droit public est plus problématique. En pratique, sauf exceptions, une définition large est adoptée afin de faciliter les procédures de notification des actes à l’étranger. Ainsi la notification d’un acte judiciaire dans le cadre d’une procédure pendante devant une juridiction judiciaire relève de la matière civile et commerciale quand bien-même l’administration est partie au litige”.
Georgia	No

Germany	Yes, regarding the interpretation of “civil or commercial matters” (Art. 1) – “Distinction between private and public law matters; outgoing requests for service of interlocutory orders pursuant to the Act on Protection against violence according to Section 210 of the Act on Proceedings in Family Matters and in Matters of Non-contentious Jurisdiction (FamFG); Service of documents where split-recovery statutes will apply; in these cases parts of the amount a plaintiff would receive will be deposited into a general state fund”.
Hong Kong SAR	No
Hungary	Yes, regarding the interpretation of “civil or commercial matters” (Art. 1) – “Requests sent by the U.S. Securities and Exchange Commission were questionable for us, as its activity is not considered of civil nature in Hungary, nevertheless the requests were accomplished in the end”.
India	Yes, other – “Sometimes foreign authorities dont mention complete address of both of the parties (petitioner / respondent). The translated version of the requests is also not provided many times due to which the same are returned”.
Ireland	No
Israel	Yes, regarding the interpretation of “civil or commercial matters” (Art. 1) – “Are personal status proceedings included within ‘civil and commercial matters’. Are administrative notices (such as fines, etc.) included”.
Japan	No
Kazakhstan	No
Latvia	Yes, other – “Use of language, for example, USA and UK in cases where the request is sent by our Country according to section c) of the Model form of the request, has been refused, although all rules were followed”.
Lithuania	No
Mexico	No
Nicaragua	No
Montenegro	No
Philippines	No
Poland	No
Portugal	No
Romania	Yes, regarding the interpretation of “civil or commercial matters” (Art. 1) – “[T]he exclusion of the administrative law”. Other – “[T]he exclusion of the administrative law; the exclusion of the acta de iuri imperii”.
Serbia	No
Slovenia	No
Slovakia	No
Sweden	Yes, regarding the interpretation of “civil or commercial matters” (Art. 1) – “The 1965 Service Convention is not applicable on administrative matters (article 1 in the Convention). It can sometimes be difficult to distinguish administrative matters from civil and commercial matters. Administrative courts and authorities make several efforts to apply for service in administrative matters and there applications have been rejected”.
United Kingdom	No
United States of America	No
Viet Nam	No

*_*_*

(6) Is the concept of “extrajudicial documents” (Art. 17) defined in the internal law of your State?	
Argentina	Yes
Australia	No
Austria	No
Brazil	Yes - “Article 726, of the CCP. The extrajudicial notification consists of a legal document that requires the payment of some debt, demanding the fulfillment of some non-compliance contract or cessation of an activity that is infringing the law”.
Bulgaria	No
Canada	No
China	No
Croatia	No
Czech Republic	No
Estonia	Yes - “Within the EU, the concept of ‘extrajudicial documents’ within the meaning of the Service of Documents Regulation has been interpreted by the Court of Justice of the European Union in its judgment of 11 November 2015 in case C-223/14 Tecom Mican and Arias Domínguez encompassing not only documents drawn up or certified by a public authority or official but also private documents of which the formal transmission to an addressee residing abroad is necessary for the purposes of exercising, proving or safeguarding a right or a claim in civil or commercial law. Furthermore, according to Recital 8 of the Service of Documents Recast Regulation the term ‘extrajudicial documents’ should be understood to include documents that have been drawn up or certified by a public authority or official, and other documents of which the formal transmission to an addressee residing in another Member State is necessary for the purposes of exercising, proving or safeguarding a right or a claim in civil or commercial law. The term ‘extrajudicial documents’ should not be understood to include documents issued by administrative authorities for the purposes of administrative proceedings”.
France	Non, il n’existe pas de définition codifiée. “Pour la doctrine et la jurisprudence, l’acte extrajudiciaire est un acte signifié par un officier ministériel et produisant des effets juridiques en dehors de toute procédure judiciaire”.
Georgia	No
Germany	No
Hong Kong SAR	No
Hungary	No
India	No
Ireland	“Concept not defined but referred to in Superior and Circuit Courts Rules - https://www.courts.ie/rules/service-documents-outside-jurisdiction-hague-convention https://www.courts.ie/rules/service-eu-member-states-including-state-judicial-and-extra-judicial-documents-si-no-883-2004 ”
Israel	No
Japan	No
Kazakhstan	Yes - “[F]rom notaries, lawyers, bailiff”.
Latvia	No
Lithuania	No
Montenegro	No
Nicaragua	Yes - “The domestic law of Nicaragua as such does not have a definition for extrajudicial documents but according to the general understanding of the legal terminology and the context of extrajudicial documents, it refers to those

	processes that are not linked to legal proceedings before courts or judicial processes”.
Norway	No
Philippines	Yes
Poland	No
Portugal	No
Serbia	No
Slovenia	No
Slovakia	Yes – “We refer to the relevant part of the European Union reply”.
Sweden	Yes – “Not in a Swedish national law. See also response of the EU”.
United Kingdom	No – “The concept of ‘extrajudicial documents’ is defined in the internal law of Northern Ireland”.
United States of America	No
Viet Nam	No

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(7) What types of extrajudicial documents are transmitted under the Service Convention by your State?	
Argentina	“Mediation, Arbitration Awards and Administrative Resolutions”.
Australia	“Under Australian law, the instances in which an extrajudicial document would need to be transmitted for service under the Convention are, in practice, very limited. Unfortunately, the Australian authorities do not have oversight of these instances”.
Austria	“None”.
Brazil	“All permitted by domestic law”.
Bulgaria	“Documents issued by enforcements agents and notaries”.
Canada	“It is not possible to know if any extrajudicial documents have been transmitted for service abroad as forward authorities are private sector lawyers and Quebec notaries (for non-litigious matters only) and the government of Canada does not have access to their professional records. Il n'est pas possible de savoir si des actes extrajudiciaires ont été transmis pour signification ou notification à l'étranger, car les autorités expéditrices sont des avocat.es du secteur privé et des notaires du Québec (pour les affaires non contentieuses uniquement) et le gouvernement du Canada n'a pas accès à leurs dossiers professionnels”.
China	“China has not submitted any request for service of extrajudicial documents. However, we have received requests from other contracting parties for assistance in serving foreign extrajudicial documents such as notice of payment, lawyer’s letter, etc. After review, China has assisted in implementing the aforementioned request”.
Croatia	“Any document that is issued or verified by public authority and that is needed for realization, proving or preservation of rights in civil and commercial matters”.
Czech Republic	“There is not any internal definition of „extrajudicial documents“ in the Czech civil law; however, the Czech Courts shall take into account the concept of „extrajudicial documents“ within the meaning of the Service of Documents Regulation and the interpretation of this concept done by the Court of Justice of the European Union (judgement of 11 November 2015 in case C -223/14 Tecom Mican and Arias Domínguez)”.

France	“Sommmation de payer, contrat de bail, congé, protêt, commandement de saisie”.
Georgia	“Up to date, Central Authority of Georgia has not received requests concerning the service of extrajudicial documents”.
Germany	“Most requests for service of such documents concern notarial documents and administrative documents especially in child support cases”.
Hong Kong SAR	“We do not keep information on the types of extrajudicial documents, if any, that are transmitted under the Service Convention”.
Hungary	“Documents issued by civil law notaries (in succession cases), decisions on land registry offices on registration of in rem rights on immovable properties”.
India	“Documents/requests of authorities related to Customs, Indirect Taxation, Direct taxation, etc. are received and processed”.
Ireland	“No monitored in depth”.
Israel	“Unknown”
Japan	“A notarial deed prepared by a notary with regard to a claim for payment of a certain amount of money or any other fungible thing or a certain amount of securities, which contains a statement to the effect that the obligor will immediately accept compulsory execution is considered to be extrajudicial document”.
Kazakhstan	“All the documents we are requested”.
Latvia	“N/A”.
Lithuania	“Advance notice regarding claim of child support, an invoice, an eviction notice, etc. Note as regards concept of ‘extrajudicial documents’: according to EU Service Regulation 2020/1784, which applies directly within EU Member states, ‘the term ‘extrajudicial documents’ should be understood to include documents that have been drawn up or certified by a public authority or official, and other documents of which the formal transmission to an addressee residing in another Member State is necessary for the purposes of exercising, proving or safeguarding a right or a claim in civil or commercial law”.
Montenegro	“Competent authorities (notaries, public bailiffs and state bodies)”.
Nicaragua	“Our legislation in accordance with article 600 of the Code of Civil Procedure of Nicaragua, indicates the types of non-judicial (extrajudicial) documents which are the following "... 1-The public deed as long as it is the first testimony, and the second and third copies of the testimony issued with judicial authorization in accordance with the Notarial Law and with the knowledge of the persons to whom those who harm; 2- The authentic document issued by a competent public official, officials or employee, with the solemnities required by law; 3-The securities and other commercial documents that, having fulfilled the requirements established by the law, they are given executive force; 4- Arbitration awards, transactions and agreements signed between the parties arising from any of the alternative forms of conflict resolution; ...)”.
Norway	“The County Governor’s decision on separation and divorce - The Norwegian labour and Welfare services decisions on child support - Payment notices’ and orders for unpaid invoices”.
Philippines	“Title I, Item 5(g) of Administrative Order (A.O.) No. 251-2020 (<i>Guidelines on the Implementation in the Philippines of the Hague Service Convention on the Service Abroad of Judicial Documents in Civil and Commercial Matters</i>) dated 11 September 2020 defines “extrajudicial documents” as one referring to any private or public document not directly connected with pending or terminated lawsuits before courts. These shall include, but not limited to, demands for payment, notices to quit in connection with leaseholds, and protests in connection with bills of exchange (<i>citing Report on the Work of the Special</i>

	<i>Commission on the Operation of the Convention of November 15, 1965 on the Service Abroad of Judicial and Extrajudicial Documents in Civil and Commercial Matters</i>)”.
Poland	“Unknown – no statistics”.
Portugal	“Extrajudicial documents are transmitted from public authorities, for example in succession procedures (by notaries)”.
Romania	“Documents issued by the bailiff or public notaries”.
Serbia	“Different types of submissions by participants in court proceedings”.
Slovakia	“N/A”
United Kingdom	“None”.
United States of America	“Most incoming requests are only for judicial documents; however, some of the requests for service of extrajudicial documents that have been transmitted are from attorneys, usually in connection with litigation or in anticipation of litigation, notices from foreign government agencies, or settlement demands from prosecutor’s offices”.

III. Operation of the Convention

(8) As the requested State, does your State provide assistance to locate a person to be served under the Service Convention?	
Argentina	No
Australia	Yes – “The lack of formal address registration in Australia makes it difficult for authorities to provide assistance to locate a person. Generally, requesting authorities are advised to consult publicly available registers, such as the Australian Electoral Commission (for natural persons), and the Australian Business Register or the registers of the Australian Securities and Investments Commission Registers (for legal persons). Some jurisdictions are able to provide limited assistance, for example, where the addressee has moved, a bailiff or process server may make enquiries with the new resident or neighbours in relation to a forwarding address”.
Austria	Yes
Belgium	No
Brazil	Yes – “The Central Authority and other authorities have access to governmental databases to locate the persons to be served. The Superior Court of Justice also determines that water, electricity and telephone companies provide information. Judicial Officers call any phone number provided, try to fix incomplete addresses and talk to neighbours and other people that could help determining if the person lives in or around the provided address”.
Bulgaria	Yes – “The Court may consult with the National Database “Population”, the Commercial Register and Register of Non-profit Legal Entities”.
Canada	Yes – “Some, but not all, Central Authorities will attempt to serve documents at more than one address, conduct internet searches or consult available government records to attempt to locate a person to be served under the Convention. Oui - Certaines Autorités centrales, mais pas toutes, tenteront de signifier des documents à plusieurs adresses, effectueront des recherches sur Internet ou consulteront les registres gouvernementaux disponibles pour tenter de localiser une personne devant être signifiée ou notifiée en vertu de la Convention”.

China	Yes – “The court would try to locate the person to be served. It is therefore advisable that the requesting State provide contact information of the addressee whenever possible”.
Croatia	Yes – “Judges of the First instance Courts have possibility to use all tools prescribed by Croatian Civil procedure act. Under the provisions of mentioned Act obligation on determining or checking address by official duty is not prescribed, such obligation is prescribed in enforcement procedure that's process is initiated on authentic document”.
Czech Republic	Yes – “The Czech competent courts provide some kind of assistance to requesting authorities to locate a person (an addressee) to be served – we mean the correcting or clarifying an incorrect address. For this purpose the Czech requested authorities need to know the date of birth and the last known address of the person to be served in the Czech Republic. However, the Service Convention shall not be abused for address searching”.
Estonia	Yes – “Referring to EU reply”.
France	Non – “[L]a France ne disposant pas d'autorité compétente pour procéder à la recherche d'adresse ou de registre de population. Les requérants sont invités à consulter des sites d'information (Service public, pages blanches, Infogreffe)”.
Georgia	No
Germany	Yes – “In some cases assistance might be provided by getting information from the municipal registration office, or from a commercial register in cases the person to be served is a company”.
Hong Kong SAR	No
Hungary	No
India	No
Ireland	No
Israel	No
Japan	No
Kazakhstan	Yes – “If the person of whom the procedural actions should be performed does not located at the address indicated in the documents, then the court executing the order independently takes measures to establish his place of residence”.
Latvia	No
Lithuania	Yes – “To the extent possible and subject to functional capabilities, the Chamber of Judicial Officers may provide such assistance”.
Mexico	No
Montenegro	No
Nicaragua	Yes – “The designated notifier strives for the notification to be positive, seeking other addresses in the systems at our disposal”.
Philippines	Yes – “Limited assistance only. For instance, if the sheriff or the process server can identify the new location of the intended party, the former may locate the latter in its new address, and serve the documents”.
Poland	Yes – “[I]f the address is incorrect and there is an opportunity to identify a new address”.
Portugal	Yes – “If the request is to executed under our national law, there is a possibility to locate the address of the person to be served. Although, a specific request for that purpose is recommended, otherwise, there is a strong possibility that such a service is not provided. The access to some databases depends on a decision from the judge”.
Serbia	No

Slovenia	Yes – “Courts have access to the population register and are authorised on their own initiative or if so requested by a requesting court to acquire information on addresses, when an address stated in a request for service is inaccurate or unknown”.
Slovakia	Yes – “We refer to the relevant part of the European Union reply. Furthermore, according to the information available to the Ministry of Justice of the Slovak Republic, the Slovak courts generally accept also requests when incomplete or incorrect address is listed, since Slovak courts are always taking steps to establish current address of addressee. On receipt of the request Slovak courts usually automatically check the current address of addressee in the Central Register of Inhabitants of the Slovak Republic, The Social Insurance Agency and in the register of prisoners. Further, according to the information available to the Ministry of Justice of the Slovak Republic, the Slovak courts also try to find the whereabouts of the addressee in cases when address in the request is not outdated (in situations when court tried to serve the documents to the address stated in the request, however service is not effective due to the fact that address of addressee has changed)”.
Sweden	Yes – “Firstly, there is a control whether the addressee can be identified in the National Population Register or not. Secondly, service will be proceeded at the registered address”.
United Kingdom	No
United States of America	Yes – “The U.S. Central Authority delegated the ministerial act of service on private individuals and companies pursuant to the Convention to ABC Legal Services, a process server. All incoming requests for service under the Convention for private individuals and companies are transmitted to and executed by ABC Legal Services. ABC Legal will attempt to resolve issues with incomplete or incorrect addresses by finding the closest possible match to the address provided in the request. If, in the course of attempts to serve, it is discovered that the subject or entity can no longer be found at the requested address, ABC Legal provides a complimentary investigation to locate the subject. ABC Legal’s investigation department can use a name, previous address, and/or date of birth to conduct a search to find a new or updated address. If a valid new address is identified, ABC Legal will confirm with the foreign applicant whether a new attempt at service should be made for an additional fee”.
Viet Nam	Yes – “The Central Authority and competent authorities of Viet Nam provide assistance to locate a person to be served under the Service Convention when several following conditions are fulfilled: First, the forwarding authority has to provide a relatively sufficient address of the addressee. Usually, a sufficient address contains the house number, street, ward, district, city/ province. [To some areas, the information of quarter or group (subdivision of ward) is necessary]. A relatively sufficient address may lack some parts but at least must contain basic information of ward, district, city/ province. Please note that some provinces cannot verify the address within the service process even though the basic information is provided. Second, the forwarding authority should provide other information of the addressee to avoid identical names. Regarding individual addressee, further information may include ID or passport number, date of birth, names of relatives/ family members. Regarding legal entity, further information may include the name of legal representatives, tax number, register number... The phone number of relevant person might help. Insufficient address (contains only the name of district or province) is not qualified for service process, however, foreign authorities can request for taking of evidence to verify the address”.

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(9) As the requesting State, how would your State transmit a document for service upon another State, a State official, or a State-owned company?	
Argentina	The Service Convention would apply: (1) Through the Main channel of transmission (Art. 5) (2) Indirect consular channel (Art. 9(1)) (3) Indirect diplomatic channel (Art. 9(2))
Australia	Other – “In such a situation, diplomatic channels would likely be used, but the question of whether this use of diplomatic channels would be under the Hague Convention has not yet been considered”.
Austria	The Service Convention would not apply
Brazil	The Service Convention would not apply
Bulgaria	The Service Convention would apply: Through indirect diplomatic channel (Art. 9(2))
Canada	Other – “The State would not necessarily be involved in transmitting the documents through the main channel, postal channels and direct communication between interested persons and judicial officers. Documents may be transmitted through any of the channels listed above if the rules of civil procedure applicable to the dispute allow the use of such channels. In some cases, requests sent through the main channel are rejected by the requested State and diplomatic channels are then used. L'État n'interviendrait pas nécessairement dans la transmission des actes par la voie principale, la voie postale et la communication directe entre les personnes intéressées et les huissiers de justice. Les documents peuvent être transmis par l'une des voies énumérées ci-dessus si les règles de procédure civile applicables au litige permettent l'utilisation de ces voies. Dans certains cas, les demandes adressées par la voie principale sont rejetées par l'État requis et la voie diplomatique est alors utilisée”.
China	The Service Convention would apply: (1) Through the Main channel of transmission (Art. 5) (2) Postal channel (Art. 10(a))
Croatia	The Service Convention would apply: (1) Through the Main channel of transmission (Art. 5) (2) Direct diplomatic and consular channel (Art. 8)
Czech Republic	The Service Convention would apply: (1) Through the Main channel of transmission (Art. 5) (2) Indirect diplomatic channel (Art. 9(2))
Estonia	The Service Convention would not apply
France	La Convention Notification s'appliquerait par : (1) Voie principale de transmission (art. 5) (2) Voies diplomatique et consulaire directes (art. 8)
Georgia	The Service Convention would apply: (1) Through the Main channel of transmission (Art. 5) (2) Postal channel (Art. 10(a))
Germany	Other – “Whether the Service Convention applies can remain open from the German perspective. This is because Germany also considers requests for service on Contracting States, on State officials or in some cases State-owned companies under the Hague Service Convention to be exceptional cases under the Convention in which at least diplomatic transmission is required. Indeed,

	Article 9(2) of the Hague Service Convention provides that documents may be transmitted through diplomatic channels for the purpose of service "if exceptional circumstances so require". In these cases it is for the defendant State to decide whether the request is handed to the Central Authority for execution or the respective Ministry of Foreign Affairs confirms acceptance of service by verbal note. German courts would use diplomatic channels for transmission and the request would be handed to the respective Ministry of Foreign Affairs by verbal note without using the model forms. The term "through the diplomatic channel" is interpreted by Germany as referring to transmissions of documents by the competent authorities of the forum State to the Ministry of Foreign Affairs of the defendant State through the forum State's diplomatic or consular mission in the defendant State. Germany does not accept service to its diplomatic or consular missions".
Hong Kong SAR	Other – "The forwarding authority of the Hong Kong Special Administrative Region of the People's Republic of China ("Hong Kong SAR, China") has not come across such a situation".
Hungary	The Service Convention would apply: (1) Through the Main channel of transmission (Art. 5) (2) Direct diplomatic and consular channel (Art. 8)
India	The Service Convention would not apply
Ireland	The Service Convention would apply: Through Postal channel (Art. 10(a))
Israel	Other – "Service upon States and State Officials (sued in their official capacity) - by diplomatic channels. Service upon State-owned companies - through the Service Convention".
Japan	The Service Convention would apply: Through the Main channel of transmission (Art. 5).
Kazakhstan	The Service Convention would apply: (1) Through the Main channel of transmission (2) Direct diplomatic and consular channel (Art. 9) (3) Direct communication between judicial officers (Art. 10(b))
Latvia	The Service Convention would apply: (1) Through the Main channel of transmission (Art. 5) (2) Direct diplomatic and consular channel (Art. 8) (3) Postal channel (Art. 10(a))
Lithuania	The Service Convention would apply: (1) Through the Main channel of transmission (Art. 5) (2) Indirect diplomatic channel (Art. 9(2))
Mexico	The Service Convention would apply: Through the Main channel of transmission (Art. 5)
Montenegro	The Service Convention would apply: Through the Main channel of transmission (Art. 5)
Nicaragua	The Service Convention would apply: Through the Main channel of transmission (Art. 5)
Norway	The Service Convention would apply: Through the Main channel of transmission (Art. 5)
Philippines	Other – "The Service Convention may apply. Service upon another State, a State official, or State-owned company should observe the proper diplomatic channels. In addition, in situations where there is a Treaty entered into between the Philippines and another State, the same may be preferred".
Poland	The Service Convention would apply: Through the Main channel of transmission (Art. 5)

Portugal	Other – “Diplomatic channel”.
Romania	Other – “Via diplomatic channel”.
Serbia	The Service Convention would apply: (1) Through the Main channel of transmission (Art. 5) (2) Direct diplomatic and consular channel (Art. 8)
Slovenia	The Service Convention would apply: (1) Through the Main channel of transmission (Art. 5) (2) Direct diplomatic and consular channel (Art. 8) (3) Indirect diplomatic channel (Art. 9(2)) (4) Postal channel (Art. 10(a))
Slovakia	The Service Convention would not apply
Sweden	Other – “Unknown”.
United Kingdom	Other
United States of America	The Service Convention would apply: (1) Through the Main channel of transmissions (Art. 5) (2) Indirect diplomatic channel (Art. 9(2)) (3) Postal channel (Art. 10(a))
Viet Nam	Other – “It depends. If there is no specific declaration of foreign country on their preferred channel, main channel of the Service Convention can be used in all circumstances. If foreign State is an addressee, indirect diplomatic channel may be used. Postal channel can also be exploited if available”.

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(10) As the requested State, how is a request for service on your State, State official or State-owned company executed?	
Argentina	“The articles 5 or 9 of the Service Convention are applied”.
Australia	“Such a request would ordinarily be transmitted either via diplomatic channels or to the Central Authority, before being forwarded to the relevant Australian authority for execution”.
Austria	“Via the diplomatic way”.
Brazil	“Through the Ministry of Foreign Affairs”.
Bulgaria	“When we receive such documents through diplomatic channels we submit the documents for service to the competent Bulgarian authorities on Art. 6”.
Canada	“For requests under Article 5 of the Convention, service would be executed as prescribed by that Article. Pour les demandes relevant de l'article 5 de la Convention, la signification ou la notification s'effectuera selon les modalités prévues par cet article”.
China	By state officials. “For requests for service made through the Hague Convention on Service, Chinese courts review them in accordance with the Convention and domestic law. If the request falls within the circumstances specified in Article 13 of the Convention, we refuse to assist in service”.
Croatia	“Through the provisions of the Convention”.
Czech Republic	“The requests for service on the Czech State, State official or State-owned company are executed according to the Service Convention as the standard requests addressed to any private subject”.
Estonia	“We will forward the request to the court. Court will try to service documents accordingly to Estonian Code of Civil Procedure”.
France	“Voie principale de transmission (art. 5)”.

Georgia	“The Central Authority – The Ministry of justice forwards the incoming requests for service to the competent court of first instance, which executes such requests in accordance with Chapter VIII of the Civil Procedure Code of Georgia (see: https://matsne.gov.ge/en/document/view/29962?publication=134)”.
Germany	“A request is executed via diplomatic channels”.
Hong Kong SAR	“Hong Kong SAR, China has not received such request”.
Hungary	“Under the general rules of service of documents”.
India	By post
Ireland	Postal channel
Israel	“Documents addressed to the State of Israel, including its political subdivisions, agencies, authorities and instrumentalities, and to officials, or agents acting or who acted on behalf of the Government of Israel - service shall be effected, subject to the provisions of the Convention, through the Central Authority”.
Japan	“Main channel of transmission”.
Kazakhstan	“The requests come from the Ministry of External affairs to the Judicial Administration and also comes directly from the central organs of other countries”.
Latvia	“III. Document Delivery Procedures 7. For a legal entity, the document shall be delivered to its registered address. The document shall be serviced to the official or an employee of the legal entity. 8. For a natural person, the document shall be delivered to the address indicated by the submitter in the submission. 9. The document to be delivered to a natural person shall be serviced to the addressee personally. If the addressee cannot be met at the indicated address at the moment of the delivery of the document, the document shall be handed over to a family member or kinsman met at the respective address who has attained the legal age and residing together with the addressee (if the delivery of the document has been made to the address of the residence of the addressee) or to the administration of the workplace (if the delivery of the document has been made to the address of the workplace of the addressee) for servicing it to the addressee. The aforementioned person shall have the duty to service the document to the addressee. The warning to a debtor regarding voluntary sale at auction of immovable property through the court or undisputed enforcement of obligations or a court warning on enforcement of payment obligations envisaged in the Civil Procedure Law shall be serviced only to the addressee personally. 10. If in the process of the delivery of the document a sworn bailiff receives information that the addressee might be met in another address, a sworn bailiff shall inform the submitter about it by using the available means of communications (for example, telephone, electronic mail), and deliver the document to the respective address. 11. The addressee or the person indicated in paragraph 9 herein to whom the document has been handed over for servicing it to the addressee shall confirm the receipt of the document by putting the signature on a copy of the document. As from this moment, the document shall be considered as delivered. 12. If the addressee refuses to accept the document, a sworn bailiff shall inform the addressee about the type of the document and shall explain the consequences of the refusal that come into effect in accordance with paragraph 3 of these Regulations. As from this moment, the document shall be considered as delivered. 13. If the addressee cannot be met at the address indicated in the submission of the submitter and the document cannot be handed over to any of persons indicated in paragraphs 7 or 9 herein, a sworn bailiff shall leave a notice in a closed envelope in the post box of the addressee regarding the attempt to hand over the document to this person and invite the addressee to appear at the office of the sworn bailiff within seven days’ time to receive the

	document. https://lzeti.lv/media/documents/11789/2-03-01_MK_noteikumi_ENG.pdf ".
Lithuania	"No cases identified but, in general, the regular procedure applies: the Central Authority (MoJ) sends the documents to the Chamber of Judicial Officers of Lithuania which organises the service (appoints a judicial officer who serves the documents to the addressee)".
Mexico	"The Petition is sent to the Federal Judicial Council for processing".
Montenegro	"Requests for service are made through basic courts".
Nicaragua	"The document is received by the Secretariat of the Supreme Court of Justice (Central Authority of Nicaragua), It is verified whether the document has complied with the requirements that Nicaragua requires for the application of said agreement, then it is sent to the Court competent in the matter and territory to hear about said case. It is up to the court or tribunal to issue a resolution ordering the notification of the documents in reference. After the person has been notified, the documents that show whether the notification was positive or negative, the proceedings return to the Secretariat of the Supreme Court of Justice of Nicaragua (central authority), so that the response of compliance with the agreement can be sent through the Ministry. of Foreign Affairs, attaching the annexed form of the agreement, so that the Ministry of Foreign Affairs in turn sends the documents to the requesting State".
Philippines	"A request for service on the State, State official, or State-owned company should be coursed through the proper diplomatic channels. Should the circumstances warrants, the service may be executed through the Service Convention or request for judicial assistance (letters rogatory)".
Poland	"By the courts".
Portugal	"First, it should be highlighted that State jurisdictional immunity is subject to public international rules, which therefore affect if and how States are served. Portugal has signed the 1972 European Convention on State Immunity and has ratified the 2004 UN Convention on Jurisdictional Immunities of States and Their Property (the latter is not yet into force). Notwithstanding, Portuguese legal scholars and case-law consider that these circumstances should not be a reason to consider their content as irrelevant on the field of State immunity having regard that international custom is a formal source of law (article 8 (1) of the Portuguese Constitution and article 38 (1) of the Statute of the International Court of Justice). Consequently, a special consideration on the service of documents rules set forward on those conventions should be envisaged".
Romania	"Via diplomatic channel".
Serbia	"The request is executed through the competent court".
Slovenia	"In accordance with methods prescribed by our internal law (usually district courts serve documents as the Civil Procedure Code prescribes that they are competent for mutual legal assistance, if a process should be served to a person enjoying immunity, the service shall be effected through diplomatic channels, unless otherwise provided by an international agreement or the Civil Procedure Code of Slovenia)".
Slovakia	"Through diplomatic channels".
Sweden	"The documents will be served with The Cancellor of Justice by postal channel".
United Kingdom	"The Civil Procedure Rules for England and Wales provides the addresses to be used for service in any proceedings against the Crown, which includes Government Departments. The method of service is the same as those permitted for service on other persons or entities".

United States of America	“Requests for service on the United States Government, which includes its officials (when named in an official capacity), departments, agencies, or instrumentalities, can be transmitted to the U.S. Central Authority under Article 5 of the Hague Service Convention or through diplomatic channels under customary international law. If the request for service complies with the requirements of the Hague Service Convention (if serving pursuant to the Convention) and customary international law requirements, service is executed by serving the appropriate United States Government office. While the United States does not object to Article 10 service by postal channels for private individuals or companies, service on the United States Government cannot be effected through Article 10. For more information, please see: https://www.justice.gov/civil/service-requests ”.
Viet Nam	“It depends. Requests for service of documents to the State or the Government of Viet Nam should be sent via diplomatic channel. Other requests to serve on State official or State-owned company can still be sent via main channels or other available alternative channels in Viet Nam. If the documents are served through competent authorities of Viet Nam (via main channel or diplomatic channels), the Vietnamese competent authority will use personal service or send the documents via mail. Please note that each request will be considered on a case by case basis”.

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(11) Does your State serve judicial and extrajudicial documents in the same way?	
Argentina	Yes
Australia	No – “Service of judicial documents is effected by a Sheriff’s Officer, bailiff, or other process server, generally on the request of the Supreme Court of the requested jurisdiction or other relevant authority; Extrajudicial documents are received by the Central Authority and forwarded to a private service provider to arrange service”.
Austria	Yes
Brazil	Yes
Bulgaria	Yes
Canada	Yes
China	Yes
Croatia	Yes
Czech Republic	Yes
Estonia	Yes
France	Oui
Georgia	Yes
Germany	Yes
Hong Kong SAR	Yes
Hungary	Yes
India	Yes
Ireland	Yes
Israel	Yes
Japan	Yes
Kazakhstan	Yes
Latvia	Yes
Lithuania	Yes
Mexico	Yes

Montenegro	Yes
Nicaragua	No - "The extrajudicial documents are not processed by a court. That is why they are not notified in the same way but they are sent by the same means".
Norway	Yes
Philippines	Unknown - "The Integrated Bar of the Philippines, the additional Central Authority designated to serve extrajudicial documents, has yet to issue its guidelines to establish the rules on said service".
Poland	Yes
Portugal	Yes
Romania	Yes
Serbia	Yes
Slovenia	Unknown
Slovakia	Yes
Sweden	Yes
United Kingdom	Yes - "In Scotland the response is unknown".
United States of America	Yes
Viet Nam	Yes

A. Main Channel of Transmission (Art. 5)

(12) In your State, what are the authorities or who are the persons competent to forward a request for service to a foreign Central Authority?	
Argentina	Central Authority(ies)
Australia	(1) Courts / Tribunals (2) Registrars (3) Process servers (4) Central Authority(ies) Other - "Any court official, or any other person or entity authorised by the rules of the relevant court".
Austria	(1) Courts / Tribunals (2) Central Authority(ies)
Belgium	(1) Prosecutors (2) Registrars (3) Huissiers
Brazil	(1) Courts / Tribunals (2) Registrars (3) Central Authority(ies).
Bulgaria	Central Authority(ies)
Canada	Other - "Attorney General for Canada - Attorney General, Ministry of the Attorney General or Minister of Justice of a province or territory - Clerks of the courts and their deputies for a judicial or a court district. - Court Registrars (Saskatchewan) - Central Authority for Alberta - Deputy Minister of Justice, Northwest Territories - Huissiers and sheriffs - Local registrars - Members of the law societies of all provinces and territories - Members of the Board of Notaries of the Province of Québec (for non-litigious matters only) - Revenu Québec - Autorité centrale désignée de l'Alberta - Greffiers des cours et leurs adjoints d'un district judiciaire - Huissiers et les shérifs - Membres de la Chambre des notaires de la province de Québec (pour les matières non contentieuses seulement) - Membres des Barreaux des provinces et des territoires - Sous-ministre de la Justice des Territoires du Nord-Ouest - Procureur

	général, le Ministère du Procureur général ou le Ministre de la Justice d'une province ou d'un territoire - Procureur général du Canada - Registraires - Revenu Québec”.
China	(1) Courts / Tribunals (2) Central Authority(ies) “The Ministry of Justice and Beijing, Shanghai, Zhejiang, Jiangsu, Fujian, Jiangxi, Shandong, Guangdong, Guangxi, Hainan High People’s Courts”.
Croatia	Central Authority(ies)
Czech Republic	(1) Courts / Tribunals (2) Central Authority(ies) Other - “Outgoing requests are usually transmitted directly from a judicial authority to the CA of the requested State. However, in some cases, the Letters of Request are transmitted via Central Authority or via diplomatic channels. In these cases, Letters of Request are registered by means of electronic case management. The CA maintains an electronic file service (a case management) in which incoming/outgoing requests for legal aid are registered. The case management enables to monitor the status of their processing”.
Estonia	Central Authority(ies)
France	(1) Greffiers (2) Huissiers
Georgia	Central Authority(ies)
Germany	(1) Courts / Tribunals (2) Central Authority(ies)
Hong Kong SAR	Other - “Requests from Hong Kong are forwarded to foreign Central Authorities by the Chief Secretary for Administration’s Office of Hong Kong, which is an “other authority” designated by the People’s Republic of China under Article 18”.
Hungary	Central Authority(ies)
India	(1) Courts / Tribunals (2) Prosecutors (3) Central Authority(ies)
Ireland	(1) Courts / Tribunals (2) Central Authority(ies)
Israel	Central Authority(ies)
Japan	Other - “[P]residing judge; authorized judge; commissioned judge”.
Kazakhstan	Central Authority(ies)
Latvia	(1) Courts / Tribunals (2) Central Authority(ies)
Lithuania	(1) Courts / Tribunals (2) Central Authority(ies)
Mexico	Courts / Tribunals
Montenegro	(1) Courts / Tribunals (2) Huissiers Other - “Notaries and state bodies”.
Nicaragua	(1) Courts / Tribunals (2) Central Authority(ies)
Norway	(1) Courts / Tribunals (2) Central Authority(ies) Other - “Forbrukerklageutvalget (The Consumer complaints Committee (unofficial translation) - Husleietvistutvalget (Rent Disputes Tribunal, for house-tenants) - Parkeringsklagenemnda (an dispute resolution agency for

	sanctions or removal of vehicles) - County Social Welfare Boards - The enforcement officers - County Governors”.
Philippines	Courts / Tribunals Other – “Title I, Item 5(d) of A.O. No. 251-2020 defines “forwarding authority” as one referring to the authority or judicial officer of the Requesting State competent to forward the request for service. All justices and Clerks of Court of collegiate courts, and Judges of lower courts are designated as Forwarding Authorities in the Philippines”.
Poland	Courts / Tribunals
Portugal	(1) Courts / Tribunals (2) Registrars (3) Huissiers (4) Central Authority(ies) Other – “Solicitors, Lawyers”.
Romania	Central Authority(ies)
Serbia	Courts / Tribunals
Slovenia	Courts / Tribunals
Slovakia	Courts / Tribunals Others - “[N]otaries (in inheritance proceedings and in proceedings seeking to reconstitute a lost or destroyed legal instrument, such as a title deed [konanie o umorení listiny])”.
Sweden	Courts / Tribunals Other – “Courts, enforcement agencies and other authorities serve documents in civil and commercial matters”.
United Kingdom	Central Authority(ies)
United States of America	(1) Courts / Tribunals (2) Prosecutors (3) Process servers Other – “The persons and entities within the United States competent to transmit service requests abroad pursuant to Article 5 of the Convention include any court official, any attorney, or any other person or entity authorized by the rules of the court. See Rule 4 of the Federal Rules of Civil Procedure”.
Viet Nam	Central Authority(ies)

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(13) Do outgoing requests for service have to be transmitted through your State’s Central Authority?	
Argentina	Yes
Australia	No
Austria	No
Belgium	No
Brazil	Yes – “The outgoing requests have to be transmitted through this Central Authority”.
Bulgaria	Yes – “The Central Authority examines if the documents meet the requirements”.
Canada	No
China	No – “Beijing, Shanghai, Zhejiang, Jiangsu, Fujian, Jiangxi, Shandong, Guangdong, Guangxi, Hainan High People’s Courts can also transmit requests to other State’s Central Authority”.
Croatia	Yes – “It is prescribed by internal law of the Republic of Croatia”.
Czech Republic	No

Estonia	Yes – “Under convention yes, in EU countries directly thanks to the regulation”.
France	No
Georgia	Yes – “According to the reservation N 9 made by Georgia, "For the purposes of: a) Article 2 of the Convention the Ministry of Justice of Georgia shall be designated as the Central Authority; b) Article 6 of the Convention the Courts of First Instance of Georgia are the authorities competent to complete the certificate; c) Article 9 of the Convention the Ministry of Justice of Georgia shall be designated as the authority competent to receive documents forwarded by consular channels." According to the reservation N 7 made by Georgia, "Georgia declares that the documents to be served in accordance with Article 9 of the Convention are forwarded to the Ministry of Justice of Georgia for the purposes of service to the parties". According the Article 2 of the Service Convention and reservations made Georgia, only State's Central Authority is authorized to transmit the outgoing requests for service”.
Germany	No
Hong Kong SAR	No
Hungary	Yes – “Specified knowledge on the application of the Convention and the necessary language qualifications is present at the Central Authority, but these cannot be guaranteed at all courts and other bodies dealing with civil cases”.
India	No
Ireland	No
Israel	Yes – “This is according to Israeli law”.
Japan	No
Kazakhstan	Yes – “[I]t depends on law”.
Latvia	Yes – “In case of Article 8 of the Convention”.
Lithuania	No
Mexico	Yes – “Declaration made by the Mexican State”.
Montenegro	No
Nicaragua	Yes – “The secretariat of the Supreme Court of Justice (central authority), is the organ of communication with the other branches of the State as well as with the judicial officials (art. 171, Law 260 “Organic Law of the Judiciary”)”.
Norway	No
Philippines	Yes
Poland	No
Portugal	No
Romania	Yes – “Art 5 from the L A W NO. 189/2003 regarding international judicial assistance in civil and commercial cases”.
Serbia	No
Slovenia	No
Slovakia	No
Sweden	No
United Kingdom	Yes – “For Scotland the response is no: outgoing requests do not have to be submitted through the State’s Central Authority”.
United States of America	No
Viet Nam	Yes – “Pursuant to Article 14 Law on Mutual Legal Assistance 2007, requests for mutual legal assistance in civil matters have to be sent via the Ministry of Justice – the Central Authority of Viet Nam. The MOJ will review the eligibility of the requests on the basis of national law, relevant treaties (if available) and specific requirements of foreign countries. It reduces the risk that foreign countries refuse requests from Viet Nam. The MOJ also helps the national

	competent authorities to follow up, communicate with, and remind foreign authorities to execute their requests”.
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(14) As the requested State, when no particular method is requested by the applicant, what is the primary / default method of service? (Art. 5(1)(a))	
Argentina	Court summons
Australia	Personal service
Austria	By post
Belgium	Other – “Le formulaire doit indiquer la forme de notification sollicitée”.
Brazil	By post
Bulgaria	Court summons
Canada	Personal service
China	(1) Personal service (2) By post
Croatia	Personal service
Czech Republic	Other – “If the documents shall be served by the way of the primary / default method of service (Art. 5(1)(a), the Czech Court chooses the appropriate method of service (by electronic means, by Court summon, via standard post) according to § 45 Czech Civil Procedural Code”.
Estonia	By other electronic means
France	Simple remise (acceptation volontaire) (art. 5(2))
Georgia	Court summons
Germany	By post
Hong Kong SAR	Personal service
Hungary	By post
India	By post
Ireland	By post
Israel	By post
Japan	Other – “[D]elivery of the document by mail or by a court execution officer”.
Kazakhstan	Court summons
Latvia	Personal service
Lithuania	Personal service
Mexico	Personal service
Montenegro	Informal delivery (voluntary acceptance) (Art. 5(2))
Nicaragua	Court summons
Norway	Other – “(a) Informal delivery (voluntary acceptance) (Art. 5(2)). (b) Personal service. (e) By e-mail. (f) By other electronic means”.
Philippines	Personal service
Poland	By post
Portugal	Personal service
Romania	Personal service
Serbia	Court summons
Slovenia	Other – “Article 89 of the Court Rules: (1) When a request by a foreign court to serve writings is not accompanied by a translation into the Slovenian language, even though required by international treaties or the European union regulations that the writings to be served must be written in the language of the requested country, then the court shall inform the party invited for the first time due to the serving of an act by a foreign court without a translation, that this court act shall be sent by post if the party does not appear in the court at

	the first invitation and the party shall therefore lose the opportunity to decline to accept this foreign court act, unless otherwise provided for by the law, an international treaty or a European Union regulation. (2) A party who appears in court in order to be served in person with a foreign court act without a translation, shall be informed by the court of the right to decline to accept it. (3) A court shall deliver a foreign writing under the regulations applicable for the deliveries of writings of domestic courts, unless differently requested in a request based on an international treaty, the law or a European union regulation”.
Slovakia	Other – “Art. 5(1)(a) - If the documents are in Slovak language (or with translation to Slovak language), Slovak courts serve the documents by post ‘Into own hands of addressee’ (personal service)”.
Sweden	Other – “Personal service by a Police process server (upon presentation of valid identification) and personal service by post (upon presentation of valid identification)”.
United Kingdom	Personal service – “In Scotland, post is the primary / default method of service”.
United States of America	Personal service
Viet Nam	Other – “Normally, the judicial official will bring the documents to the requested address to serve on the addressee personally. Less frequently used method is service by post. Other informal way is court summons to serve at the courthouse. During the pandemic, when personal service was impossible, the Vietnamese competent authority may execute the request by post or serve via the person in charge in each quarantine site”.

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(15) In the previous five years, as the requested State, has your State received a request with a particular method of service requested by the applicant? (Art. 5(1)(b))	
Argentina	No
Australia	Yes
Austria	Unknown
Belgium	Yes
Brazil	Yes
Bulgaria	No
Canada	Yes
China	Yes
Croatia	No
Czech Republic	Yes
Estonia	Unknown
France	Non
Georgia	No
Germany	Yes
Hong Kong SAR	Yes
Hungary	No
India	No
Ireland	Yes
Israel	Yes
Japan	Yes
Kazakhstan	Yes

Latvia	Unknown
Lithuania	Unknown
Mexico	No
Montenegro	No
Nicaragua	No
Norway	Unknown
Philippines	Yes – “Request for Service through Publication by the Registrar of the High Court, Hong Kong Special Administrative Region in the year 2021”.
Poland	Unknown
Portugal	Yes
Romania	Yes
Serbia	Yes
Slovenia	No
Slovakia	No
Sweden	Yes
United Kingdom	Yes – “In Northern Ireland the response is no”.
United States of America	Yes
Viet Nam	No

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(15.1) If yes, what method of service was requested?	
Australia	(1) By e-mail (2) By other electronic means Other - “Request for addressee to sign an acknowledgement of service from the State of Origin”.
Belgium	Personal service
Brazil	Personal service
Canada	(1) Personal service (2) By email
China	(1) Personal service (2) Court Summons Other – “According to the Chinese Civil Procedure Law, personal service or service by leaving the documents with the recipient is possible. But the Forwarding Party should clearly specify this under Option a) of the Request Form if it requires so”.
Czech Republic	Personal service
Germany	Personal service
Hong Kong SAR	Personal service
Ireland	Personal service
Israel	(1) Personal service (2) By email
Japan	By post Other – “[D]elivered by marshal”.
Kazakhstan	Court summons
Philippines	“Request for Service through Publication by the Registrar of the High Court, Hong Kong Special Administrative Region in the year 2021”.
Portugal	Other – “Personal service with a document to be signed by the person to be served”.
Romania	Personal service

Serbia	Personal service
Sweden	Personal service
United Kingdom	(1) Personal service (2) By post (3) By e-mail
United States of America	(1) Personal service (2) By post

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(15.2) If yes, was the requested method of service able to be executed?	
Australia	Yes
Belgium	Yes
Brazil	Yes
Canada	No - "The request for service by email was not executed as there are no procedure in place for service by such method. La demande de signification par courriel n'a pas été exécutée car il n'y a pas de procédure en place pour la signification par une telle méthode".
China	Yes
Czech Republic	Unknown
Germany	Yes
Hong Kong SAR	Yes
Ireland	No - "No facilities or resources to effect personal service".
Israel	Yes
Japan	Yes
Kazakhstan	Yes
Portugal	Yes
Romania	Yes
Serbia	Yes
Sweden	Yes
United Kingdom	Unknown
United States of America	Yes

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(16) In the previous five years, as the requesting State, has your State's forwarding authorities requested a particular method of service? (Art. 5(1)(b))	
Argentina	No
Australia	Unknown
Austria	Unknown
Brazil	Yes
Bulgaria	No
Canada	Unknown
China	No
Croatia	No
Czech Republic	Yes
Estonia	Unknown
France	Inconnu
Georgia	No
Germany	Yes

Hong Kong SAR	Yes
Hungary	No
India	No
Ireland	No
Israel	Yes
Japan	Unknown
Kazakhstan	Yes
Latvia	Unknown
Lithuania	Unknown
Mexico	No
Montenegro	No
Nicaragua	No
Norway	Unknown
Philippines	No
Poland	Unknown
Portugal	Yes
Romania	No
Serbia	No
Slovenia	Unknown
Slovakia	Yes
Sweden	Unknown
United Kingdom	Yes – “In Northern Ireland, the response is no”.
United States of America	Unknown
Viet Nam	No

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(16.1) If yes, what particular method of service was requested?	
Brazil	Personal service
Czech Republic	Personal service
Germany	Personal service Other – “Substituted Service”.
Hong Kong SAR	Other – “Publication on newspaper”.
Israel	Personal service Other – “By publishing in newspapers”.
Kazakhstan	Court Summons
Portugal	Personal service
Slovakia	Other – “‘Into own hands of addressee’ (personal service) - special method required by national law (Act No 160/2015, the Contentious Civil Procedure Code)”.
United Kingdom	(1) Personal service (2) By post (3) Court summons

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(16.2) If yes, was the requested method of service able to be executed?

Brazil	Yes
Czech Republic	Unknown
Germany	Unknown
Hong Kong SAR	Yes
Israel	Yes
Kazakhstan	Yes
Portugal	Yes
Slovakia	Yes
United Kingdom	Unknown

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(16.3) If yes, were there costs associated with this method of service?	
Brazil	No
Czech Republic	Unknown
Germany	Yes – “In some cases: bailiff costs when the document was served by a bailiff”.
Hong Kong SAR	Yes
Israel	No
Kazakhstan	No
Portugal	Yes – “Some States have costs associated to personal service”.
Slovakia	Yes – “Costs of personal service”.
United Kingdom	No

B. Alternative Channels of Transmission (Arts 8, 9 & 10)

(17) As the State of origin, does your State use the “Warning” and “Summary” sections of the Model Form when transmitting a request through alternative channels?	
Argentina	Always
Australia	Unknown
Austria	Unknown
Brazil	Always
Bulgaria	Sometimes
Canada	Sometimes – “Use of the “Warning” and “Summary” sections of the Model Form is mandated by the rules of civil procedure applicable in some jurisdictions in Canada. L'utilisation des sections « Avertissement » et « Éléments essentiels de l'acte » du formulaire type est mandatée par les règles de procédure civile applicables dans certaines administrations au Canada”.
China	Always
Croatia	Not applicable, due to the objection made on the use of alternative channels
Czech Republic	Sometimes – “However, the Czech requesting authorities (Czech Courts) are instructed to use both sections of the Model Form”.
Estonia	Always
France	Jamais
Georgia	Not applicable, due to the objection made on the use of alternative methods
Germany	Sometimes – “‘Warning’ and ‘Summary’ Sections are not used when requests are transmitted according to Art. 8; When the request is delivered by post, Art. 10, courts use a German model form (ZRH 6) as determined by the German domestic Regulation on Judicial Assistance in Civil Matters (Zivilrechtshilfeordnung – ZRHO)”.

Hong Kong SAR	Unknown
Hungary	Unknown
India	Unknown
Ireland	Unknown
Israel	Sometimes
Japan	Never
Kazakhstan	Always
Latvia	Unknown
Lithuania	Not applicable, due to the objection made on the use of alternative methods
Mexico	Always
Montenegro	Unknown
Nicaragua	Always
Norway	Always
Philippines	Not applicable, due to the objection made on the use of alternative channels. "The Philippines made the following declaration/reservation/notification: (a) Pursuant to Article 8, the Philippines objects to service of judicial documents directly through diplomatic or consular agents upon persons in its territory, unless the document is served upon a national of the State in which the documents originate; and (b) the Philippines objects to the transmission channels under paragraphs a and c as provided for in Article 10 of the Convention".
Poland	Unknown
Portugal	Sometimes – "The warning form is not always used".
Serbia	Unknown
Slovenia	Unknown
Slovakia	Unknown
Sweden	Unknown
United Kingdom	Always – "In Northern Ireland the response is not applicable. This is due to the objection made on the use of alternative channels".
United States of America	Unknown
Viet Nam	Never

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(18) As the State of destination, does your State use the "Certificate" section of the Model Form when informing whether documents have been served (in response to a request received through alternative channels)?

Argentina	Sometimes
Australia	Sometimes – "Usage differs between Australian jurisdictions, though in most cases the Certificate section is not used, as the requested jurisdiction either provides its own certificate or an equivalent proof of service, such as an affidavit".
Austria	Not applicable, due to the objection made on the use of alternative channels
Brazil	Always
Bulgaria	Always
Canada	Always
China	Always
Croatia	Not applicable, due to the objection made on the use of alternative channels
Czech Republic	Always
Estonia	Always

France	Parfois – “Même si les attestations ne sont pas toujours complétées, des procès-verbaux sont annexés aux actes précisant les motifs de remise ou de non remise”.
Georgia	Not applicable, due to the objection made on the use of alternative methods
Germany	Not applicable, due to the objection made on the use of alternative channels
Hong Kong SAR	Unknown
Hungary	Not applicable, due to the objection made on the use of alternative channels
India	Always
Ireland	Unknown
Israel	Always
Japan	Not applicable, due to the objection made on the use of alternative channels
Kazakhstan	Always
Latvia	Always
Lithuania	Not applicable, due to the objection made on the use of alternative methods
Mexico	Always
Montenegro	Unknown
Nicaragua	Always
Norway	Always
Philippines	Not applicable, due to the objection made on the use of alternative channels
Poland	Unknown
Portugal	Always
Romania	Sometimes – “The content of the warning and of the Summary is included in the judicial document”.
Serbia	Always
Slovenia	Unknown
Slovakia	Unknown
Sweden	Always
United Kingdom	Always – “In Scotland it is unknown whether the “Certificate” section is used, and in Northern Ireland the response is not applicable, due to the objection made on the use of alternative channels”.
United States of America	Unknown
Viet Nam	Never

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(19) In the previous five years, have the diplomatic or consular agents of your State directly effected service of judicial or extrajudicial documents upon a person abroad? (Art. 8(1))	
Argentina	Yes
Australia	No
Austria	Unknown
Belgium	Yes
Brazil	Not applicable, due to the objection made
Bulgaria	No
Canada	No
China	Yes – “Only to Chinese people”.
Croatia	Not applicable, due to the objection made on the use of alternative channels
Czech Republic	Yes
Estonia	Unknown
France	Oui
Georgia	Not applicable, due to the objection made on the use of alternative methods

Germany	Yes
Hong Kong SAR	No
Hungary	Yes
India	Yes
Ireland	No
Israel	No
Japan	Yes
Kazakhstan	Unknown
Latvia	No
Lithuania	Not applicable, due to the objection made
Mexico	No
Montenegro	Yes
Nicaragua	Not applicable, due to the objection made
Norway	Unknown
Philippines	Not applicable, due to the objection made
Poland	Unknown
Portugal	Yes
Romania	Unknown
Serbia	Yes
Slovenia	Yes
Slovakia	Yes
Sweden	Yes
United Kingdom	Unknown
United States of America	No
Viet Nam	Yes

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(20) In the previous five years, has service by diplomatic or consular agents of your State been rejected by the addressee? (Art. 8(1))	
Argentina	Yes
Australia	No
Austria	Unknown
Belgium	Yes – “Dans ce cas de figure l’Ambassade n’a aucun moyen de contraindre la notification. Les exploits sont alors retournés par celle-ci au SPF Affaires étrangères qui les retourne à son tour à l’huissier belge en mentionnant le motif de non-notification (refus par le destinataire)”.
Brazil	Not applicable, due to the objection made
Bulgaria	No
Canada	No
China	Yes – “When rejected, diplomatic or consular agents of China will fill in certificates of non-service and send the certificates back to China”.
Croatia	Not applicable, due to the objection made on the use of alternative channels
Czech Republic	Unknown
Estonia	Unknown
France	Inconnu
Georgia	Not applicable, due to the objection made on the use of alternative methods
Germany	Yes – “When the addressee rejected the documents, it was not possible to serve the documents according to Art. 8 of the Convention. A certificate of non-service was issued by the diplomatic or consular agent”.

Hong Kong SAR	No
Hungary	Unknown
India	No
Israel	No
Japan	Yes – “Consular delivered documents, but addressee refused complaining the service is not forcible”.
Kazakhstan	Unknown
Latvia	Unknown
Lithuania	Not applicable, due to the objection made
Mexico	No
Montenegro	Unknown
Nicaragua	Not applicable, due to the objection made
Norway	Unknown
Philippines	Not applicable, due to the objection made
Poland	Unknown
Portugal	Unknown
Romania	Unknown
Serbia	No
Slovenia	Yes – “Since the Article 8(1) provides that service of judicial documents upon persons abroad effected directly through diplomatic or consular agents service can only be made without application of any compulsion, the service is effected only when the addressee accepts document voluntarily”.
Slovakia	Unknown
Sweden	Unknown
United Kingdom	Unknown
United States of America	Unknown
Viet Nam	No

*_*_*

(21) In the previous five years, has your State used consular channels to forward documents? (Art. 9(1))	
Argentina	No
Australia	No
Austria	Unknown
Belgium	Yes
Brazil	No
Bulgaria	No
Canada	Unknown
China	No
Croatia	No
Czech Republic	Unknown
Estonia	Yes
France	Oui
Georgia	Not applicable, due to the objection made on the use of alternative methods
Germany	Yes
Hong Kong SAR	No
Hungary	Yes
India	No

Ireland	No
Israel	No
Japan	No
Kazakhstan	Unknown
Latvia	No
Lithuania	No
Mexico	No
Montenegro	Yes
Nicaragua	No
Norway	Unknown
Philippines	Yes
Poland	Unknown
Portugal	No
Romania	Yes
Serbia	Unknown
Slovenia	Yes
Slovakia	Yes
Sweden	Yes
United Kingdom	Unknown – “The response of ‘yes’ on the online questionnaire reflects the fact that Scotland has used consular channels to forward documents. This has not happened in Northern Ireland, and in England & Wales it is unknown”.
United States of America	No
Viet Nam	Yes

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(22) In the previous five years, under exceptional circumstances, has your State used diplomatic channels to forward documents? (Art. 9(2))	
Argentina	Yes
Australia	Unknown
Austria	Unknown
Belgium	No
Brazil	No
Bulgaria	Yes – “Explicit request of the court for various reasons, for example, when serving of court’s notification to the debtor for an injunction by means of garnishment of especially large amounts or in case of service to the requested State, its diplomatic representation or State official”.
Canada	Unknown
China	No
Croatia	No
Czech Republic	Yes - “Letters of Request are usually transmitted directly from a judicial authority to the CA of the requested State. However, there are Contracted Parties that have not designated their CA, or that do not have a direct postal connection with the Czech Republic. In that case, the Letters of Request are transmitted via diplomatic channels”.
Estonia	Unknown
France	Non
Georgia	Not applicable, due to the objection made on the use of alternative methods
Germany	Yes – “See answer Q9”.
Hong Kong SAR	No

Hungary	No
India	No
Ireland	No
Israel	No
Japan	No
Kazakhstan	Unknown
Latvia	Unknown
Lithuania	No
Mexico	No
Montenegro	No
Nicaragua	Yes – “Nicaragua’s diplomatic channel is through the Ministry of Foreign Affairs, and our domestic law, article 123 of Act No. 260 Organic Law on the Judiciary, states that: “When a foreign judge is commissioned for the practice of judicial proceedings, a commission shall be sent legalized through the Supreme Court of Justice and the Ministry of Foreign Affairs...” That is why diplomatic channels are always being pursued”.
Norway	Unknown
Philippines	Yes
Poland	Unknown
Portugal	Unknown
Romania	Yes – “Service upon another State”.
Serbia	Unknown
Slovenia	Unknown
Slovakia	No
Sweden	Yes – “Initially during the war in Ukraine, the postal service was suspended to Russia”.
United Kingdom	No
United States of America	Yes – “Requests for service through diplomatic channels, traditionally under customary international law, have been transmitted for service on a foreign state. The process for outgoing requests for service on a foreign state is governed by 28 U.S.C. § 1608(a)”.
Viet Nam	Yes – “Diplomatic channel is used to serve documents on individuals or entities in other Member States when main channel and other channels are not available (e.g: during the pandemic). As stipulated above, if the addressee is a foreign State or Government, Viet Nam may consider sending the documents through diplomatic channel”.

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(23) Has your State (as the State of destination) objected to service under Article 10(a)?	
Argentina	Yes
Australia	No
Austria	Yes
Belgium	No
Brazil	Yes
Bulgaria	Yes
Canada	No
China	Yes
Croatia	Yes
Czech Republic	Yes
Estonia	No

France	Non
Georgia	No
Germany	Yes
Hong Kong SAR	No
Hungary	Yes
India	No
Ireland	No
Israel	No
Japan	Yes
Kazakhstan	No
Latvia	No
Lithuania	Yes
Mexico	Yes
Montenegro	Yes
Nicaragua	Yes
Norway	Yes
Philippines	Yes
Poland	Yes
Portugal	No
Romania	No
Serbia	No
Slovenia	Yes
Slovakia	Yes
Sweden	No
United Kingdom	No
United States of America	No
Viet Nam	No

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(23.1) If an objection has been made under Article 10(a), does your State continue to use postal channels for service as the State of origin, despite the objection?

Argentina	Unknown
Austria	Unknown
Brazil	No
Bulgaria	Unknown
China	Yes - "Post channels are used only when the State of destination does not object to service under Article 10(a)".
Croatia	No
Czech Republic	Yes
Germany	Yes
Hungary	Yes
Ireland	Yes
Japan	No
Lithuania	No
Mexico	No
Montenegro	No
Nicaragua	No
Norway	Yes

Poland	Yes
Slovenia	Yes
Slovakia	Yes

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(23.2) If no objection has been made, does your State, as the State of destination, accept the use of postal channels for service from other States of origin that have made an objection under Article 10(a)?

Australia	Yes
Belgium	Yes
Canada	Yes
Estonia	Unknown
France	Inconnu
Georgia	Yes
India	Yes
Ireland	Yes
Israel	Yes
Kazakhstan	Yes
Latvia	No
Portugal	Yes
Serbia	Unknown
Sweden	Yes
United Kingdom	Yes
United States of America	Yes
Viet Nam	Yes

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(23.3) If no objection has been made, which of the following categories does your State recognise as a “postal channel” under Article 10(a)?

Australia	(1) Registered (tracked) post, with receipt (2) Private courier, such as FedEx Other - “Please note that Australia has also declared that service by post must be permitted in the jurisdiction where process is to be served”.
Canada	Other - “There is no specific rule applicable to judicial or extrajudicial documents served in Canada if they relate to proceedings taking place outside of Canada. Il n'y a pas de règle particulière applicable aux actes judiciaires ou extrajudiciaires signifiés ou notifiés au Canada s'ils se rapportent à des procédures se déroulant à l'extérieur du Canada”.
Estonia	(1) Regular post (2) Registered (tracked) post, with receipt (3) E-mail (4) e-Post via State postal agency
France	(1) Courrier postal (2) Courrier recommandé (suivi), avec reçu
Georgia	Regular post
India	(1) Regular post (2) Registered (tracked) post, with receipt

Ireland	(1) Regular post – “[F]or limited companies”; (2) Registered (tracked) post, with receipt – “For natural persons”.
Israel	(1) Registered (tracked) post, with receipt (2) Private courier, such as FedEx
Kazakhstan	Regular post
Latvia	(1) Regular post (2) Registered (tracked) post, with receipt (3) Private courier, such as FedEx (4) E-mail
Portugal	(1) Registered (tracked) post, with receipt (2) Private courier, such as FedEx
Romania	Registered (tracked) post, with receipt
Serbia	Regular post
Sweden	(1) Regular post (2) Registered (tracked) post, with receipt
United Kingdom	(1) Regular post (2) Registered (tracked) post, with receipt
United States of America	(1) Regular post (2) Registered (tracked) post, with receipt (3) Private courier, such as FedEx (4) E-mail
Viet Nam	(1) Registered (tracked) post, with receipt (2) Private courier, such as FedEx

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(23.4) If no objection has been made, more specifically, would your State consider service by e-mail to be analogous to service by postal channels under Art. 10(a)?

Australia	Unknown – “While the principle of functional equivalence is generally accepted in Australian law, this particular question has not yet been formally considered”.
Canada	Unknown – “There is no specific rule applicable to judicial or extrajudicial documents served in Canada if they relate to proceedings taking place outside of Canada. Il n'y a pas de règle particulière applicable aux actes judiciaires ou extrajudiciaires signifiés ou notifiés au Canada s'ils se rapportent à des procédures se déroulant à l'extérieur du Canada”.
Estonia	Yes
France	Non – “Le droit national n'autorise pas la signification ou la notification d'un acte par simple courrier électronique. La signification électronique est possible sous réserve de respecter plusieurs conditions (doit garantir la fiabilité de l'identification des parties, l'intégrité des documents, la sécurité des échanges, et doit comporter la mention du consentement du destinataire et la date et l'heure de la signification)”.
Georgia	Yes
India	No
Ireland	No
Israel	No
Kazakhstan	No
Latvia	Yes
Portugal	No

Romania	No
Serbia	No
Sweden	No
United Kingdom	No
United States of America	Yes
Viet Nam	No

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(23.5) If no objection has been made, does your State require the documents served to be translated into one of your State's official languages?

Australia	No
Canada	No
Estonia	"Cover letter must be in Estonian or English. The rest of the documents, it depends what language the recipient understands".
France	Non
Georgia	Yes - "Georgia declares that the documents to be served on the territory of Georgia shall be written in the Georgian language or accompanied by a translation into the Georgian language duly certified according to the law of the requesting State".
India	No
Ireland	No
Israel	Yes - "[T]ranslation in accordance with the information provided in the practical information page on the HCCH website".
Kazakhstan	Yes - "[A]ll the incoming documents".
Latvia	Yes - "All documents"
Portugal	No
Romania	No
Serbia	No
Sweden	No
United Kingdom	No
United States of America	No
Viet Nam	Yes - "As Viet Nam declared when acceding to the Service Convention, except for the documents to be served upon a national of a State in which the documents originate in accordance with ...paragraph a of Article 10 of the Convention, all documents to be served in Viet Nam must be either in the Vietnamese language or accompanied by a Vietnamese translation, in which case the signature of the translator must be duly verified or notarized".

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(24) Has your State objected to service under Article 10(b)?

Argentina	Yes
Australia	No
Austria	Yes
Belgium	No
Brazil	Yes
Bulgaria	Yes
Canada	No

China	Yes
Croatia	Yes
Czech Republic	Yes
Estonia	Yes
France	Non
Georgia	Yes
Germany	Yes
Hong Kong SAR	No
Hungary	Yes
India	Yes
Ireland	No
Israel	Yes
Japan	Yes
Kazakhstan	No
Latvia	Yes
Lithuania	Yes
Mexico	Yes
Montenegro	Yes
Nicaragua	Yes
Norway	Yes
Philippines	No – “The Philippines declared its objections only to Article 10, paragraphs (a) and (c) of the 1965 Hague Service Convention”.
Poland	Yes
Portugal	No
Romania	No
Serbia	No
Slovenia	Yes
Slovakia	Yes
Sweden	No
United Kingdom	No
United States of America	No
Viet Nam	Yes

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<p>(24.1) If no objection has been made, which of the following categories does your State recognise as a “judicial officer, official or other competent person” under Article 10(b), either for sending or receiving?</p>	
Australia	<p>(1) Attorney or solicitor (2) Bailiff (3) Huissier (4) Court official (5) Notary (6) Process server Other – “Any court official, or any other person or entity authorised by the rules of the relevant court”.</p>
Belgium	<p>(1) Attorney or solicitor (2) Bailiff (3) Huissier (4) Court official</p>

	(5) Notary (6) Official of the executive branch (7) Process server
Canada	(1) Attorney or solicitor (2) Bailiff (3) Huissier (4) Court official (5) Notary (6) Process server Other – “Any competent adult. Tout adult ayant la capacité juridique”.
France	(1) Huissier (2) Fonctionnaire attaché au tribunal
Hong Kong SAR	(1) Attorney or solicitor (2) Bailiff Other – “Hong Kong SAR, China only accepts those entities designated as “forwarding authorities” by other Contracting States”.
Ireland	(1) Attorney or solicitor (2) Court official
Kazakhstan	Court official
Portugal	(1) Attorney or solicitor (2) Bailiff (3) Huissier (4) Court official (5) Notary
Romania	Other – “There is no special provision”.
Serbia	(1) Attorney or solicitor (2) Bailiff (3) Court official (4) Notary
Sweden	Process server Other – “Authorised Serving Company”
United Kingdom	(1) Attorney or solicitor (2) Bailiff (3) Huissier (4) Court official (5) Process server “We would like to add that Scotland has a Messengers-at-Arms which are equivalent to hussiers. In Northern Ireland service can be by court bailiff”.
United States of America	(1) Attorney or solicitor (2) Court official (3) Process server Other – “See Rule 4 of the Federal Rules of Civil Procedure or applicable U.S. state civil procedure rules for the competent parties in the United States who can effect service”.

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(24.2) If no objection has been made, how does this channel of transmission operate in practice?

Australia	“The Australian authorities do not have oversight of the practical operation of this channel of transmission”.
Belgium	“Les Officiers ministériels, fonctionnaires ou autres personnes compétents contactent directement un huissier en Belgique”.
Canada	“Individuals involved in judicial proceedings in Canada must ensure to follow to rules of civil procedure applicable to the service of documents abroad. Les personnes impliquées dans des procédures judiciaires au Canada doivent s'assurer de suivre les règles de procédure civile applicables à la signification ou notification à l'étranger”.
France	“La transmission est effectuée par un huissier sauf dans les cas où le greffe est compétent”.
Hong Kong SAR	“The practice of the Courts of the Hong Kong SAR, China is that whenever such requests are received, they will be forwarded to the Competent Authority for Hong Kong SAR, China (the Chief Secretary for Administration of Hong Kong SAR, China) for processing. Direct service through Government officials is not available in Hong Kong SAR, China. However, a private agent (usually a firm of solicitors) may be appointed directly to effect service. Such service can be effected directly without going through the Government or the Judiciary of Hong Kong SAR, China. The Judiciary of Hong Kong SAR, China does not seek reimbursement of the costs. The charges made by solicitors appointed to serve process by foreign judicial officers, officials or other competent persons are not regulated by the Government of Hong Kong SAR, China. They vary depending on the services required and time taken to execute the request. This channel of transmission operates in a similar manner as the main channel of transmission under Articles 3 and 5 of the Convention”.
Ireland	“Don't understand this question”.
Kazakhstan	“Initial consideration of the return must be written on each page, a completed form ‘certificate according to the model attached to the severity”.
Portugal	“Requests are sent directly between competent authorities. Central Authority can facilitate communication, if necessary”.
Romania	“Unknown”.
Serbia	“By directly deliver”.
Sweden	“The applicant may contact the Police process server/Serving Company directly”.
United Kingdom	“It seems to operate satisfactorily, but we have no statistics on this”.
United States of America	“The United States has no objection to the informal delivery of such documents by members of diplomatic or consular missions in the United States, through the mail, or by private persons, if that would be effective under applicable law, provided no compulsion is used. See Rule 4 of the Federal Rules of Civil Procedure or applicable U.S. state civil procedure rules for the competent parties in the United States who can effect service and how service is effected”.

*_*_*

(24.3)	If no objection has been made, are there costs associated with this channel of transmission?
Australia	Unknown
Canada	Yes – “Nothing prevents individuals identified by Article 10(b) to charge fees to effect service abroad. Rien n'empêche les personnes identifiées par l'article (b), de facturer des frais pour effectuer une signification ou une notification à l'étranger”.

France	Oui – “Les frais de signification par huissier de justice à destination de l'étranger sont fixés à 48,36 €”.
Hong Kong SAR	No - “As explained in Q24.2”.
Ireland	Unknown
Kazakhstan	Yes – “[P]aid by the State”.
Portugal	Yes – “Personal Service may have costs associated. When a Bailiff is used for personal service there is a fee that needs to be paid”.
Romania	Unknown
Serbia	Unknown
Sweden	Yes – “At the moment approximately 100 Euros”.
United Kingdom	Yes – “Only if a process server is used. In England and Wales there are costs if a process server is used. In Scotland there are costs if service is by a Messenger-at-Arms. In Northern Ireland, there are costs if a process server is used”.
United States of America	Yes – “Private process servers charge a fee per request for service”.

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(25) Has your State objected to service under Article 10(c)?	
Argentina	Yes
Australia	No
Austria	Yes
Belgium	No
Brazil	Yes
Bulgaria	Yes
Canada	No
China	Yes
Croatia	Yes
Czech Republic	Yes
Estonia	Yes
France	Non
Georgia	Yes
Germany	Yes
Hong Kong SAR	No
Hungary	Yes
India	Yes
Ireland	No
Israel	Yes
Japan	Yes
Kazakhstan	No
Latvia	Yes
Lithuania	Yes
Mexico	Yes
Montenegro	Yes
Nicaragua	Yes
Norway	Yes
Philippines	Yes
Poland	Yes
Portugal	No

Romania	No
Serbia	No
Slovenia	Yes
Slovakia	Yes
Sweden	No
United Kingdom	No – “In Northern Ireland there has been an objection to service under Article 10 (c)”.
United States of America	No
Viet Nam	Yes

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(25.1) If no, which of the following categories does your State recognise as “any person interested in a judicial proceeding” under Article 10(c), either for sending or receiving?	
Australia	(1) Attorney or solicitor (2) Bailiff (3) Huissier (4) Court official (5) Notary Other – “Any court official, or any other person or entity authorised by the rules of the relevant court. In some circumstances this may include the parties to the proceedings (or their representatives)”.
Canada	(1) Attorney or solicitor (2) Bailiff (3) Huissier (4) Court official (5) Notary Other – “Any competent adult. Tout adult ayant la capacité juridique”.
France	(1) Huissier (2) Fonctionnaire attaché au tribunal Autre – “Agents du Ministère de l’Europe et des affaires étrangères pour les français de l’étranger”.
Hong Kong SAR	Other – “Hong Kong SAR, China only accepts those entities designated as “forwarding authorities” by other Contracting States”.
Ireland	(1) Attorney or solicitor (2) Court official
Kazakhstan	Court official
Portugal	(1) Attorney or solicitor (2) Bailiff (3) Huissier (4) Notary
Romania	Other – “There is no special provision”.
Serbia	(1) Attorney or solicitor (2) Bailiff (3) Court official (4) Notary
Sweden	(1) Attorney or solicitor (2) Bailiff (3) Huissier (4) Court official

	(5) Notary (6) Official of the Executive branch
United Kingdom	(1) Attorney or solicitor (2) Bailiff (3) Huissier “We would like to add that Scotland has a Messengers-at-Arms which are equivalent to huissiers”.
United States of America	(1) Attorney or solicitor (2) Bailiff (3) Huissier (4) Court official (5) Notary (6) Official of the executive branch Other – “See Rule 4 of the Federal Rules of Civil Procedure or applicable U.S. state civil procedure rules for the competent parties in the United States who can effect service”.

*_*_*

(25.2) If no, how does this channel of transmission operate in practice?	
Australia	“The Australian authorities do not have oversight of the practical operation of this channel of transmission”.
Belgium	“Le requérant contacte directement un huissier en Belgique”.
Canada	“Individuals involved in judicial proceedings in Canada must ensure to follow to rules of civil procedure applicable to the service of documents abroad. Les personnes impliquées dans des procédures judiciaires au Canada doivent s'assurer de suivre les règles de procédure civile applicables à la signification et de notification d'actes à l'étranger”.
France	“Voie de transmission laissée à l'initiative du requérant”.
Hong Kong SAR	“This channel of transmission operates in a similar manner as the main channel of transmission under Articles 3 and 5 of the Convention”.
Ireland	“Don't understand this question”.
Kazakhstan	“A completed form ‘certificate according to the model attached to the severity”.
Portugal	“Requests are sent directly between competent authorities. Central Authority can facilitate communication, if necessary”.
Romania	“Unknown”.
Sweden	“The applicant may directly take contact with the Police process server/Serving Company without involvement of the Central Authority”.
United Kingdom	“It seems to operate satisfactorily, but we have no statistics on this”.
United States of America	“The United States has no objection to the informal delivery of such documents by members of diplomatic or consular missions in the United States, through the mail, or by private persons, if that would be effective under applicable law, provided no compulsion is used. See Rule 4 of the Federal Rules of Civil Procedure or applicable U.S. state civil procedure rules for the competent parties in the United States who can effect service and how service is effected”.

*_*_*

(25.3) If no, are there costs associated with this channel of transmission?	
Australia	Unknown
Canada	Yes – “Fees may be charged for sending requests for service abroad.”

	Des frais peuvent être facturés pour l'envoi de demandes de signification ou de notification à l'étranger".
France	Inconnu
Hong Kong SAR	No
Ireland	Unknown
Kazakhstan	Yes – “[P]aid by the State”.
Portugal	Yes – “Personal Service may have costs associated”.
Romania	“Unknown”.
Serbia	Unknown
Sweden	Yes – “At the moment approximately 100 Euros”.
United Kingdom	No – “There are costs associated with this channel of transmission if it is in Scotland and a Messenger-at-Arms has been used”.
United States of America	Yes – “Private process servers charge a fee per request for service”.

C. Refusal to Execute Request (Art. 13)

(26) In the previous five years, has your State refused a request for service on grounds of infringing “sovereignty or security”?	
Argentina	Yes
Australia	No
Austria	Yes – “Public liability”.
Belgium	Unknown
Brazil	No
Bulgaria	No
Canada	No
China	Yes
Croatia	No
Czech Republic	No
Estonia	Unknown
France	Non
Georgia	No
Germany	No
Hong Kong SAR	No
Hungary	No
India	No
Ireland	No
Israel	Yes – “Compliance with the request was deemed to infringe Israel's sovereignty”.
Japan	Yes
Kazakhstan	No
Latvia	Unknown
Lithuania	Unknown
Mexico	No
Montenegro	No
Nicaragua	No
Norway	Unknown
Philippines	No
Poland	Unknown
Portugal	No

Romania	No
Serbia	No
Slovenia	No
Slovakia	No
Sweden	No
United Kingdom	Unknown – “This is ‘unknown’ in England & Wales and in Scotland, but the response is ‘no’ from Northern Ireland”.
United States of America	Yes – “In the past five years, the U.S. Central Authority has refused to execute 43 requests for service on the grounds of that the request infringed on the “sovereignty or security” of the United States. Common grounds for asserting an Article 13 rejection include, but are not limited to, garnishment of sovereign funds, claims relating to wartime activities, attachment of sovereign assets, and no record of service of the underlying proceeding when seeking to serve or enforce a default judgment. There are no U.S. court decisions to attach as U.S. courts do not review incoming service requests to make a determination of whether a request should be refused on the basis of Article 13”.
Viet Nam	No

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(27) In the previous five years, has a request from your State been refused on grounds of infringing “sovereignty or security”?	
Argentina	No
Australia	Unknown
Austria	Unknown
Brazil	No
Bulgaria	No
Canada	Unknown
China	No
Croatia	No
Czech Republic	Unknown
Estonia	Unknown
France	Oui – “[C]oncernant une signification d’une mise en demeure de payer une taxe foncière en invoquant une atteinte à la souveraineté”
Georgia	No
Germany	Yes – “Requests for service in patent dispute matters”.
Hong Kong SAR	No
Hungary	No
India	No
Ireland	No
Israel	No
Japan	No
Kazakhstan	No
Latvia	Unknown
Lithuania	Unknown
Mexico	No
Montenegro	Unknown
Nicaragua	No
Norway	Unknown
Philippines	No
Poland	Unknown

Portugal	Unknown
Romania	No
Serbia	No
Slovenia	No
Slovakia	No
Sweden	No
United Kingdom	Unknown – “In Northern Ireland the response is no, a request has not been refused on these grounds”.
United States of America	Unknown
Viet Nam	No

IV. Use of Information Technology

(28) Has your State taken any steps (including through legislation) to enable or increase the use of technology to facilitate the operation of the Service Convention, including in response to the COVID-19 pandemic?	
Argentina	Yes
Australia	Yes - “Increasing acceptance of requests received electronically; in urgent cases transmitting requests electronically between the Central Authority and relevant Australian jurisdiction; encouraging electronic means of communication with foreign authorities”.
Austria	Yes - “[W]here paper is not needed, electronic delivery is possible under certain conditions”.
Brazil	Yes - “We are able to receive requests through e-mail from any country that can do the same”.
Bulgaria	No
Canada	Yes - “Some jurisdictions have implemented online payment of the fees required for requests under Article 5 of the Convention. Certaines administrations permettent maintenant le paiement en ligne des frais exigés pour les demandes effectués en vertu de l'article 5 de la Convention”.
China	Yes - “We have established a system. https://www.hcch.net/en/states/authorities/details3/?aid=243 ”.
Croatia	No
Czech Republic	Yes - “The COVID-19 pandemic has improved the communication of Central Authorities and established informal electronic communication (via e-mail)”.
Estonia	Yes
France	Oui - “La signification par voie électronique a été introduite en droit français par le décret n° 2012-366 du 15 mars 2012 venu modifier le Code de procédure civile, le décret n° 56-222 du 29 février 1956 pris pour l'application de l'ordonnance du 2 novembre 1945 relative au statut des huissiers de justice (remplacé depuis par le Décret n° 2021-1625 du 10 décembre 2021 relatif aux compétences des commissaires de justice) et le Code des procédures civiles d'exécution. L'initiative, qui s'inscrit dans le cadre du développement de la communication par voie électronique, rend pour la première fois la transmission des actes de procédure et des actes juridictionnels dématérialisés accessibles aux non-professionnels du droit”.
Georgia	Yes - “Electronic means of communication between the authorities of the State were improved. During the COVID-19 pandemic, forwarding authorities of Georgia transmitted requests electronically under the Service Convention”.

Germany	No
Hong Kong SAR	No
Hungary	No
India	No
Ireland	No
Israel	Yes - "Since the Covid-19 pandemic, Israel's Central Authority accepts incoming requests via e-mail".
Japan	No
Kazakhstan	Yes - "[W]e worked as usual, everyone worked from home and one was on duty in office".
Latvia	Yes - "At the time of Covid, the hearings of the court were primarily dealt with in video conference mode, similarly to prisons it was determined not to convoy, but all accused would be interrogated by video conference regime".
Lithuania	No
Mexico	Yes - "Fifth Section Article 1169 of the National Code of Civil Procedures".
Montenegro	No
Nicaragua	Yes - "Create an email only for the use of the convention".
Norway	Yes - "We have temporarily allowed electronic transmissions of request. This regulation will be repealed 1 July 2023".
Philippines	Yes - "Use of Official Philippines Judiciary Office 365 Accounts".
Poland	No
Portugal	Yes - "The use of video Conferencing or any other technological platform was extended".
Serbia	No
Slovenia	No
Slovakia	No
Sweden	"No, not yet. See also response of the EU".
United Kingdom	No
United States of America	Yes - "ABC Legal Services, the U.S. Central Authority's designated process server for all incoming Convention requests for private individuals and companies, uses an online database and platform. The platform allows requesting authorities to upload their requests for service online, make the necessary payment, receive status and progress updates, communicate with staff, and obtain their proof of service. ABC Legal also accepts requests by email. The entire process of transmission of requests to ABC Legal, correspondence, and the transmission of the proof of service can now be done electronically".
Viet Nam	Yes - "The MOJ Viet Nam scanned the requests and sent via its official email address mlavietnam@moj.gov.vn or haguevietnam@moj.gov.vn and accepted the requests sent from the official email addresses of foreign Central authorities during the pandemic when postal service was not available. At present, the transmission of request via email is only applicable when postal service is unavailable or in other exceptional cases".

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(29) **Do the forwarding authorities of your State transmit requests under the Service Convention electronically?**

Argentina	Yes
Australia	Yes
Austria	Yes

Brazil	Yes
Bulgaria	No
Canada	Yes
China	No
Croatia	No
Czech Republic	No
Estonia	Yes
France	Non
Georgia	Yes
Germany	No
Hong Kong SAR	No
Hungary	No
India	No
Ireland	No
Israel	No
Japan	No
Kazakhstan	No
Latvia	No
Lithuania	Yes
Montenegro	No
Nicaragua	No
Norway	No
Philippines	No – “While forwarding authorities do not transmit requests electronically, A.O. No. 251-2020 did not prohibit (or silent on) electronic service”.
Poland	No
Portugal	No
Serbia	No
Slovenia	No
Slovakia	No
Sweden	Yes
United Kingdom	No
United States of America	Yes
Viet Nam	Yes

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(29.1) If yes, what methods of transmission do the forwarding authorities of your State use?	
Argentina	Email (regular)
Australia	(1) Email (regular) (2) Email (secured / encrypted) (3) Electronic transmission via online platform administered by the government; (4) Electronic transmission via online platform administered by a private service provider Other - “Please note that while nothing legislatively precluding Australian jurisdictions from doing so, it is not yet common practice”.
Brazil	(1) Email (regular) (2) Electronic transmission via online platform administered by the government

Canada	Other – “Our response to question 29 is "unknown" but this is not an option for response. The government of Canada does not have any record of outgoing requests since they are mostly made by members of the law societies of Canadian provinces and territories and members of the Chambre des notaires of the Province of Québec (for non-litigious matters only) in their capacity as forwarding authorities. Notre réponse à la question 29 est "inconnu" mais il ne s'agit pas d'une option de réponse. Le gouvernement du Canada n'a pas de données sur demandes sortantes puisqu'elles sont principalement faites par des membres des barreaux des provinces et territoires canadiens et des membres de la Chambre des notaires de la province de Québec (pour les affaires non contentieuses seulement) dans leur qualité d'autorités expéditrices”.
Estonia	(1) Email (regular) (2) Email (secured / encrypted) (3) Electronic transmission via online platform administered by the government
Georgia	Electronic transmission via online platform administered by the government
Lithuania	Email (regular)
Sweden	(1) Email (regular) (2) Electronic transmission via online platform administered by the government
United States of America	(1) Email (regular) (2) Email (secured / encrypted)
Viet Nam	Email (regular) Other – “As required by the Central Authority of China, the MOJ Viet Nam sent requests to the Ministry of Justice of China via their online system (ilcc.online). We log in, fill the form online, then scan and upload documents to their system. We do not have any further detailed information of this system”.

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(30) Does your State's Central Authority accept requests under the Service Convention transmitted electronically in circumstances where only an electronic copy is provided (and where a paper copy is not subsequently provided)?

Argentina	Yes
Australia	Yes
Austria	No
Belgium	No
Brazil	Yes
Bulgaria	No
Canada	No
China	Yes – “Requests have to be signed or stamped”.
Croatia	No
Czech Republic	No
Estonia	Yes
France	Non
Georgia	Yes
Germany	No
Hong Kong SAR	No
Hungary	Yes
India	Yes
Ireland	No
Israel	Yes

Japan	No
Kazakhstan	No
Lithuania	Yes
Mexico	Yes
Montenegro	Yes
Nicaragua	Yes
Norway	No
Philippines	Yes
Poland	No
Portugal	Yes
Romania	No
Serbia	Yes
Slovenia	No
Slovakia	No
Sweden	No
United Kingdom	No
United States of America	Yes
Viet Nam	Yes

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(30.1) If yes, what methods of transmission does your State accept?	
Argentina	Email (regular)
Australia	(1) Email (regular) (2) Email (secured / encrypted) (3) Electronic transmission via online platform administered by the government (4) Electronic transmission via online platform administered by a private service provider Other - "Please note that not all jurisdictions in Australia will be able to accept electronic transmission of requests, so in some cases the Central Authority may need to assist. The Australian Central Authority will accept requests received electronically. To assist with execution, it is useful if the requesting authority provides written confirmation that it is sufficient to serve a copy of the document/s that have been transmitted electronically according to their internal law".
Brazil	(1) Email (regular) (2) Email (secured / encrypted) (3) Electronic transmission via online platform administered by the government (4) Electronic transmission via online platform administered by a private service provider Other - "Brazil is able to accept many methods of electronic transmission, provided it was previously agreed upon in a bilateral, regional or multilateral initiative. For example, as soon as the "Protocolo de Medellín" is in force in Brazil, requests will also be exchanged using the Iber@ system".
China	Electronic transmission via online platform administered by the government
Estonia	Email (regular)
Georgia	(1) Email (regular) (2) Electronic transmission via online platform administered by the government
Hungary	(1) Email (regular) (2) Email (secured/encrypted)

India	Email (secured / encrypted)
Israel	Email (regular)
Lithuania	(1) Email (regular) (2) Email (secured / encrypted)
Mexico	Other – “They are always received in physical or electronic form”.
Montenegro	Email (regular)
Nicaragua	Email (regular)
Portugal	(1) Email (regular) (2) Email (secured/encrypted)
Serbia	Email (regular)
United States of America	(1) Email (regular) (2) Email (secured / encrypted) (3) Electronic transmission via online platform administered by a private service provider
Viet Nam	Email (regular)

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(30.2)	If no, please provide further information about why this is not yet possible.
Bulgaria	“No legislative provisions”.
Canada	“It could become possible if policies and procedures were created for that purpose. Additional printing fees would have to be charged. Cela pourrait devenir possible si des politiques et des procédures étaient créées à cette fin. Des frais d'impression supplémentaires devront être facturés”.
Czech Republic	“There are internal law limitations to verify the sender of the request (the requesting authority) and integrity of documents”.
France	“Raisons technologiques et budgétaires mais la situation devrait prochainement évoluer, notamment en raison de l'obligation de transmission par voie électronique prévue par le Règlement européen signification 2020/1784 à compter du 1er janvier 2025”.
Germany	“The request for service must be signed and/or sealed. The technical requirements for transmission with a reliable examination of the origin and authenticity have yet to be fulfilled in this area on a global level. In addition to this, cross-border technical standards are not adequate in order to give legally secure evidence to the requesting party and the forwarding authority that the authentic request has been received and is being processed”.
Ireland	“Secure systems not yet developed”.
Japan	“Internal law limitation”.
Kazakhstan	“Use of technology is prohibited by internal law”.
Norway	“This is not yet possible due to the lack of a secure transmission channel and data protection (privacy) regulations”.
Poland	“Internal law limitations on electronic service”.
Slovenia	“Service of documents can be carried out via the e-Justice (e-Sodstvo) website, which is administered by the Supreme Court of the Republic of Slovenia, to users' secure e-mail addresses. Electronic service is permitted in civil procedure and other civil judicial proceedings in which the rules of the Civil Procedure Act apply to electronic service of documents, e.g. in proceedings regarding commercial disputes, labour and social disputes, non-civil procedures, inheritance proceedings (it is not yet used in all such procedures) and land register procedures, and in insolvency proceedings and enforcement proceedings (electronic service is already used in all of these procedures).

	There are restrictions with regard to the groups into which users are classified. They are first divided into general groups: – users who do not have to provide proof of identity when using the e-Justice system (ordinary users), – users who access the e-Justice system using a username and password (registered users), and – users who access the e-Justice system using a username and password, and a qualified digital certificate (qualified users). Qualified users include: – in-house qualified users (judges and officers of the court who are authorised to carry out e-tasks in certain types of civil judicial proceedings), and – external qualified users (notaries, lawyers, executors, receivers, the State Attorney's Office, State Prosecutor's Office, real estate companies and municipal attorney's offices, i.e. entities that have the role of representative or judicial body in civil judicial proceedings, and users/parties, i.e. legal persons, natural persons or state and local authorities that have the role of party to the proceedings in civil judicial proceedings). National legislation does not yet provide the legal basis for execution of requests for mutual legal assistance with electronic means. In accordance with the Regulation (EU) 2020/1784 of the European Parliament and of the Council of 25 November 2020 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents) (recast) the electronic cross-border transmission of documents through the decentralised IT system is possible (applicable from 01. 05. 2025)".
Slovakia	"It is possible only when the request and documents are signed electronically in accordance with REGULATION (EU) No 910/2014 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC".
Sweden	"Because of judicial or administrative structures, lack of resources and infrastructure, cost and system interoperability, a reliable and legally secure reception cannot be guaranteed".
United Kingdom	"It seems to operate satisfactorily, but we have no statistics on this".

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(31) Does your State permit execution of service via electronic means?	
Australia	Other – "Some authorities may allow the execution of service requests via electronic means in specific circumstances and where it is authorised by the Court, however this is not yet common practice across Australian jurisdictions".
Austria	(1) By e-mail (secured / encrypted) (2) Via online platform administered by the government (3) Via online platform administered by a private service provider
Brazil	Yes (1) By e-mail (regular) (2) By e-mail (secured / encrypted) (3) Via online platform administered by the government (4) Via online platform administered by a private service provider
Bulgaria	Yes – Via online platform administered by the government
Canada	Other – "Canadian rules of civil procedure do not apply to the service of judicial documents in Canada in the context of foreign judicial procedures. While execution of service by electronic means in Canada in the context of foreign judicial procedures is not prohibited, there is no system in place at present for Canadian Central Authorities to execute service by such means.

	Les règles de procédure civile au Canada ne s'appliquent pas à la signification d'actes judiciaires au Canada dans le cadre de procédures judiciaires étrangères. Bien que l'exécution de la signification par voie électronique au Canada dans le cadre de procédures judiciaires étrangères ne soit pas interdite, il n'existe actuellement aucun système permettant aux Autorités centrales canadiennes d'exécuter la signification par de tels moyens”
China	Yes - (1) By e-mail (regular) (2) By e-mail (secured / encrypted) (3) Via online platform administered by the government “According to Article 90 of the Civil Procedure law of the People’s Republic of China, with to consent of the person on whom a litigation document is to be served, a people’s court may serve the litigation document by electronic means through which the receipt of the document can be confirmed. According to Article 10 of the Opinion on Further Strengthening Service Work in Civil Procedure, in strict compliance with the conditions prescribed by the civil procedure law and the judicial interpretation of the law regarding the use of electronic service, people’s courts may actively explore the effective ways of electronic service and the preservation of service proof. A court with necessary resources may establish a special electronic service platform. It may also carry out electronic service by way of litigation service platform, as well as serve documents through a special email address, a specific communication number or an information public account by cooperating with large portal websites and communication operators. According to Article 11 of the above Opinion, if the service is effected by fax or e-mail, the court shall record the sending and receiving fax numbers or e-mail addresses, sending time, as well as names of litigation documents served, and print the fax sending confirmation sheet or the web page for successful e-mail sending, saving it for future reference. According to Article 12 of the above Opinion, if the service is effected by SMS, wechat or other means, the court shall record the sending and receiving mobile phone numbers, the sending time, as well as names of the litigation documents served, and take photos of the contents delivered by SMS, wechat or other means, saving them for future reference”.
Croatia	No
Czech Republic	Yes - Via online platform administered by the government
Estonia	Yes
France	Oui - Par transmission électronique via une plateforme en ligne administrée par un prestataire de services privé
Georgia	No
Germany	Yes - “By secured electronic means (Section 173 of the German Code of Civil Procedure [Zivilprozessordnung - ZPO])”.
Hong Kong SAR	No
Hungary	Yes - Via online platform administered by the government
India	Yes - By e-mail (regular)
Ireland	Other - “Only where court order in place allowing service to specific e-mail address”.
Israel	No
Japan	No
Kazakhstan	No
Latvia	Other - “Unknown”.
Lithuania	No

Mexico	Yes
Montenegro	No
Nicaragua	Yes - By e-mail (regular)
Norway	Other – “This is only possible for the execution of service on the person, but not the transmission to/from other states”.
Philippines	No
Poland	Other – “Via online platform administered by the government only for professional attorneys when the document is without paper attachments”.
Portugal	No
Romania	No
Serbia	Yes - By e-mail (regular)
Slovenia	Yes - Via online platform administered by the government
Slovakia	Yes – Via online platform administered by the government
Sweden	Yes – “1. if the addressee agrees to be served at a specific email address and 2. if the addressee acknowledges receipt of service at the sam email address”.
United Kingdom	No
United States of America	Other – “See Rule 4 of the Federal Rules of Civil Procedure or applicable U.S. state civil procedure rules for the competent parties in the United States who can effect service and how service is effected. Service by electronic means may be allowed but typically only if the parties consent to service by email or a U.S. court grants permission in domestic litigation to serve by email. Service by email is not a form of service currently utilized by the U.S. Central Authority (and ABC Legal) under the Convention”.
Viet Nam	Other – “The execution of service via electronic means is possible but some conditions must be satisfied in accordance with Resolution no. 04/2016/NQ-HDTP dated 30/12/2016 guiding some provisions of the Civil Procedure Code no. 92/2015/QH13, Law on Administrative Procedure no. 93/2015/QH13 on sending, receiving the claims, documents and evidence as well as issuing, serving and notifying judicial documents via electronic means. At present, the Supreme Court has implemented 2 different options for registration of submitting and receiving the documents by electronic means through the Portal of The Supreme People’s Court: Option 1: Comprehensive package: (i) Submission of claims and tracking its process (ii) Registration of receiving judicial documents (iii) Receiving judicial documents Digital certificate is required to use this option and can be downloaded at http://nopdonkhoikien.toaan.gov.vn/download Option 2: Partial package Receiving judicial document only. Registration at https://xacthuc.dichvucong.gov.vn ”

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(31.1)	If no, what are your State’s reasons for refusing to execute the requests for service to be performed by using information technology?
Croatia	Use of technology is not possible as there is no compatible system in your State
Georgia	Use of technology is not possible as there is no compatible system in your State
Hong Kong SAR	Use of technology is not provided for internal law
Ireland	Use of technology is not possible as there is no compatible system in your State
Israel	Other – “According to Israeli law the first document to be served or the statement of claim cannot be transmitted electronically”.
Japan	Use of technology is not provided for internal law Other – “Under constructing the system for electronic transmission”.

Kazakhstan	Use of technology is prohibited by internal law
Lithuania	Other – “Electronic service is possible if the addressee has previously agreed to such method of service. In cases with a foreign element (incoming requests), it is generally not possible to obtain such prior consent. Therefore, even if the request and documents have been received electronically, the documents to be served shall be printed and served on paper”.
Montenegro	Use of technology is not possible as there is no compatible system in your State
Norway	Use of technology is not possible as there is no compatible system in your State
Portugal	Use of technology is not provided for internal law Other – “It is possible to use technology for service, but it is limited, at this time, to legal representatives of the parties (lawyers or solicitors) through a specific portal”.
Romania	Other – “It is not provided by the international law”.
United Kingdom	Use of technology is not provided for internal law

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(32) What challenges, if any, has your State faced regarding the use of information technology under the Service Convention?	
Argentina	(1) Internal law limitations (2) Implementation challenges (e.g., lack of resources, lack of infrastructure) (3) Security concerns
Australia	(1) Internal law limitations (2) Implementation challenges (e.g., lack of resources, lack of infrastructure) (3) Cost (4) Security concerns
Austria	None
Brazil	Other - “Lack of reciprocity from many of our partners, since many countries only accept paper requests. Also, many countries have difficulties accepting electronic signatures”.
Bulgaria	(1) Judicial or administrative structures (2) Implementation challenges (e.g., lack of resources, lack of infrastructure) (3) System interoperability / compatibility
Canada	(1) Implementation challenges (e.g., lack of resources, lack of infrastructure) (2) Cost (3) System interoperability / compatibility (4) Security concerns
China	Internal law limitations – “This refers to the different domestic laws of different countries on whether hard copy must be served. As a result, information technology cannot be widely promoted under the Convention”.
Croatia	(1) Internal law limitations (2) Judicial or administrative structures; Implementation challenges (e.g., lack of resources, lack of infrastructure) (3) System interoperability / compatibility (4) Security concerns
Czech Republic	(1) Internal law limitations (2) Implementation challenges (e.g., lack of resources, lack of infrastructure) (3) System interoperability / compatibility Other – “There are internal law limitations to verify the sender of the request (the requesting authority) and integrity of documents”.
Estonia	(1) Implementation challenges (e.g., lack of resources, lack of infrastructure)

	(2) Costs (3) System interoperability / compatibility (4) Security concerns
France	(1) Difficultés de mise en œuvre (par ex., le manque de ressources, le manque d'infrastructures) (2) Coût
Georgia	None
Germany	Security concerns Other – “Media discontinuity as requests are received by post due to security reasons”.
Hong Kong SAR	(1) Internal law limitations (2) Judicial or administrative structures
Hungary	(1) Implementation challenges (e.g., lack of resources, lack of infrastructure) (2) Security concerns
India	None
Ireland	(1) Implementation challenges (e.g., lack of resources, lack of infrastructure) (2) Cost (3) System interoperability / compatibility (4) Security concerns
Israel	None
Japan	(1) Internal law limitations (2) Implementation challenges (e.g., lack of resources, lack of infrastructure)
Kazakhstan	None
Latvia	None
Lithuania	(1) Internal law limitations (2) Judicial and administrative structures (3) System interoperability / compatibility (4) Security concerns
Mexico	(1) Internal law limitations (2) Judicial or administrative structures (3) Implementation challenges (4) System interoperability/compatibility
Montenegro	Implementation challenges (e.g., lack of resources, lack of infrastructure)
Nicaragua	(1) Internal law limitations (2) Implementation challenges (e.g., lack of resources, lack of infrastructure)
Norway	(1) Internal law limitations (2) Judicial or administrative structures (3) Implementation challenges (e.g., lack of resources, lack of infrastructure) (4) Cost (5) System interoperability / compatibility (6) Security concerns
Philippines	Implementation challenges (e.g. lack of resources, lack of infrastructure)
Poland	(1) Internal law limitations (2) Judicial or administrative structures; Implementation challenges (e.g. lack of resources, lack of infrastructure) (3) System interoperability / compatibility (4) Security concerns
Portugal	Internal law limitations
Romania	None
Serbia	None
Slovenia	(1) Internal law limitations

	(2) Judicial or administrative structures (3) Implementation challenges (e.g., lack of resources, lack of infrastructure) (4) Cost (5) System interoperability / compatibility
Slovakia	(1) Implementation challenges (e.g., lack of resources, lack of infrastructure) (2) System interoperability / compatibility (3) Security concerns
Sweden	(1) Judicial or administrative structures (2) Implementation challenges (e.g., lack of resources, lack of infrastructure) (3) Cost (4) System interoperability / compatibility
United Kingdom	Internal law limitations
United States of America	Other – “Incoming requests for service under the Convention are too voluminous; too many documents are sent, making electronic transmission impossible”.
Viet Nam	(1) Internal law limitations (2) Implementation challenges (e.g., lack of resources, lack of infrastructure) (3) Cost (4) System interoperability / compatibility (5) Security concerns

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(33) In your State’s opinion, what further work could the PB do on the use of information technology under the Service Convention?	
Argentina	Development of a Guide to Good Practice
Australia	Other – “Australia agrees that additional guidance and information about the practical experience of Contracting Parties in this area would be useful, however in our view, this information would better be incorporated into the new edition of the Handbook than a standalone a Guide to Good Practice”.
Austria	Other – “Making electronic systems compatible”
Brazil	Other - “Stimulate all the countries to use electronic transmission, preferably by regular e-mail, as other initiatives that involve developing systems tend to take too long to develop and some are closed down shortly after they start being used and some don't even get to be used at all. If the development of a system becomes unavoidable, the same interface should be used for requests under all HCCH Conventions. Multiple systems should be avoided, but they may be acceptable if there is only one interface. Stimulate information exchange and confidence building among Members for the acceptance of electronic signatures. An idea would be to have an area on the website to disseminate information about each countries' valid electronic signatures”.
Bulgaria	Development of a Guide to Good Practice
Canada	None
China	Development of a Guide to Good Practice – “It is recommended to collect widely the positions and legal provisions of various Contracting Parties regarding information technology, so that the requesting State can determine whether to submit the request electronically”.
Croatia	None
Czech Republic	Development of a Guide to Good Practice
Estonia	Development of a Guide to Good Practice
France	Élaboration d’un Guide de bonnes pratiques

Georgia	Development of a Guide to Good Practice
Germany	Other – “A similar project as I-support could be envisaged”.
Hong Kong SAR	None
Hungary	None
India	Development of a Guide to Good Practice
Ireland	Development of a Guide to Good Practice
Israel	Development of a Guide to Good Practice
Japan	Development of a Guide to Good Practice
Kazakhstan	None
Latvia	Development of a Guide to Good Practice
Lithuania	Development of a Guide to Good Practice
Mexico	Development of a Guide to Good Practice
Montenegro	None
Nicaragua	Development of a Guide to Good Practice
Norway	None
Philippines	Development of a Guide to Good Practice
Poland	Other – “[C]reating an online forms to send to the authority or download a blank, editable PDF form”.
Portugal	Development of a Guide to Good Practice
Romania	Other – “[T]he development of a Country Profile”.
Serbia	Development of a Guide to Good Practice
Slovenia	Development of a Guide to Good Practice
Slovakia	None
Sweden	None
United Kingdom	None – “Here, England and Wales and Northern Ireland suggest the PB need not do further work, but Scotland has suggested the Development of a Guide to Good Practice”.
United States of America	Development of a Guide to Good Practice Other – “Further clarification from countries whether they allow service by email. Promoting the use of electronic means to transmit service requests and proofs of service”.
Viet Nam	Other – “Adding and updating the use of information technology under the Service Convention into the Handbook”.

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(34) In addition to the Service Convention, is your State a Party to any bilateral, regional, or multilateral agreements that provide rules for the service of documents abroad?

Argentina	Yes
Australia	Yes
Austria	Yes
Belgium	Yes
Brazil	Yes
Bulgaria	Yes – “Within the EU, the matter is governed by the Regulation (EU) 2020/1784 of the European Parliament and of the Council of 25 November 2020 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents) (recast). Articles 5 and 37(2) of it and its implementing Regulation oblige Member States to start using a decentralised IT system for transmission of requests and communication related to the service of documents at the latest by 1 May 2025”.
Canada	Yes

China	Yes
Croatia	Yes
Czech Republic	Yes
Estonia	No
France	Oui “- Convention de La Haye du 1er mars 1954 - Conventions bilatérales d'entraide judiciaire: Algérie (1962), Australie (1922), Bahamas (1922), Belgique (1956), Bénin (1975), Brésil (1996), Bulgarie (1989), Burkina Faso (1961), Cameroun (1974), Canada (1922 et Entente franco-québécoise du 9 septembre 1977), Chine (1987), Congo, Côte d'Ivoire (1961), Djibouti (1986), Égypte (1982), Émirats arabes unis (1991), Fédération de Russie (1936), Gabon (1963), Hongrie, Italie (1955), Lituanie (1928), Luxembourg (1870), Madagascar (1973), Mali (1962), Maroc (1957), Mauritanie (1961), Monaco (1949), Mongolie (1994), Niger (1977), Nouvelle-Zélande (1922), République centrafricaine (1965), République démocratique populaire lao (1956), République tchèque (1984), République-Unie de Tanzanie (1922), Roumanie (1974), Saint-Marin (1967), Sénégal (1974), Slovaquie (1984), Suisse (1913), Tchad (1976), Togo (1976), Tunisie (1972), Uruguay (1991), Vietnam (1999). - Règlement (UE) 2020/1784 du 25 novembre 2020 (refonte) relatif à la signification et à la notification dans les Etats membres des actes judiciaires et extrajudiciaires en matière civile ou commerciale, qui remplace le règlement (CE) n° 1393/2007 du Conseil”.
Georgia	Yes
Germany	Yes
Hong Kong SAR	No
Hungary	Yes
India	No
Ireland	No
Israel	Yes
Japan	No
Kazakhstan	No
Latvia	Yes
Lithuania	Yes
Mexico	Yes
Montenegro	Yes
Nicaragua	Yes
Norway	Yes
Philippines	Yes – “For instance, Treaty on Mutual Legal Assistance in Criminal Matters”.
Poland	Yes – “Regulation (EU) 2020/1784 of the European Parliament and of the Council on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters and bilateral conventions on judicial co-operation: Belarus, Bulgaria, People’s Republic of China, Czech Republic, Egypt, Estonia, Finland, France, Germany, Greece, Italy, Latvia, Lithuania, Russian Federation, Turkey and Ukraine”.
Portugal	Yes
Serbia	Yes
Slovenia	Yes
Slovakia	Yes
Sweden	Yes
United Kingdom	Yes

United States of America	Yes
Viet Nam	Yes

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(34.1) Do any of these agreements provide for the use of electronic means (e.g., e-mail) to transmit or execute requests for service?	
Australia	Yes – “Bilateral treaties with New Zealand, the Kingdom of Thailand, and the Republic Korea. Australia is also a party to a number of bilateral treaties between the UK and some European countries. These treaties were then extended to Australia due to its place in the Commonwealth of Nations. Although they do not expressly provide for the use of electronic means, there is also nothing to prohibit their use”.
Belgium	No
Brazil	Yes – “Many of the treaties are technology neutral and thus permit the electronic transmission of requests. Also, as soon as the "Protocolo de Medellín" is in force in Brazil, requests will also be exchanged electronically using the Iber@ system. An initiative of the COMJIB, the Protocol provides for the electronic transmission of mutual legal assistance requests in civil or criminal matters and is open to the accession of any other State”.
Bulgaria	Yes – “Within the EU, the matter is governed by the Regulation (EU) 2020/1784 of the European Parliament and of the Council of 25 November 2020 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents) (recast). Articles 5 and 37(2) of it and its implementing Regulation oblige Member States to start using a decentralised IT system for transmission of requests and communication related to the service of documents at the latest by 1 May 2025”.
Canada	No
China	No
Croatia	No
Czech Republic	Yes – “Bilateral and multilateral Agreements/Conventions have been concluded many years ago and, therefore, they are technological neutral. However, in our opinion, they do not prohibit to use of electronic means. Within the EU, as regard the Regulation (EU) 2020/1784 of the European Parliament and of the Council of 25 November 2020 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents) (recast) - see the coordinated answer of the EU”.
France	Oui – “Règlement (UE) 2020/1784 du 25 novembre 2020 relatif à la signification et à la notification dans les Etats membres des actes judiciaires et extrajudiciaires en matière civile ou commerciale (refonte)”.
Georgia	No
Germany	Yes – “1. Supplementary agreements to the Hague Convention of 17 July 1905 and/or of 1 March 1954 were concluded with: Norway (Berlin, 2 August 1909; Oslo, 17 June 1977); Switzerland (Berlin, 30 April 1910; and 24 December 1929 – in particular Article 18). 2. Bilateral conventions on judicial co-operation: United Kingdom (London, 20 March 1928 – Articles 2 to 7). United Kingdom (1928) which also applies to States other than the United Kingdom, e.g., Australia, the Bahamas, Canada, Malaysia and New Zealand; Greece (Athens, 11 May 1938 – Articles 1 to 6); Liechtenstein (17 February / 29 May 1958); Morocco (Rabat, 29 October 1985); Tunisia (Bonn, 19 July 1966), Turkey (Ankara, 28 May 1929 – Articles 9 to 17), United States of America (29

	October 1954). 3. Within the EU, the Regulation (EC) No 1393/2007 of the European Parliament and of the Council of 13 November 2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents), and repealing Council Regulation (EC) No 1348/2000 (Service of Documents Regulation) has been replaced by Regulation (EU) 2020/1784 of the European Parliament and of the Council of 25 November 2020 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents) (recast) (Service of Documents Recast Regulation). Articles 5 and 37(2) of the Service of Documents Recast Regulation and its implementing Regulation oblige Member States to start using a decentralised IT system for transmission of requests and communication related to the service of documents at the latest by 1 May 2025. Only no. 3 provides for the use of electronic means. An answer to this question is also given by the European Union”.
Hungary	Yes – “Please see response of the European Union”.
Israel	No
Latvia	Yes – “The electronical means is not specified in these agreements, but it also is no prohibited to use electronical channels : Agreement of 3 February 1993 between the Republic of Latvia and the Russian Federation on legal assistance and legal relations in civil, family and criminal matters; Agreement of 14 April 1993 between the Republic of Moldova and the Republic of Latvia on legal assistance and legal relations in civil, family and criminal matters; Agreement of 21 February 1994 between the Republic of Latvia and the Republic of Belarus on legal assistance and legal relations in civil, family and criminal matters; Agreement of 23 May 1995 between the Republic of Latvia and Ukraine on legal assistance and legal relations in civil, family, labour and criminal matters; Agreement of 23 May 1996 between the Republic of Latvia and the Republic of Uzbekistan on legal assistance and legal relations in civil, family, labour and criminal matters; Agreement of 10 April 1997 between the Republic of Latvia and the Kyrgyz Republic on legal assistance and legal relations in civil, family and criminal matters”.
Lithuania	Yes – “EU Service Regulation 2020/1784”
Mexico	No
Montenegro	No
Nicaragua	No
Norway	No
Poland	No
Portugal	Yes – “Regulation 2020/1784”.
Serbia	No
Slovenia	Yes – “Regulation (EU) 2020/1784 of the European Parliament and of the Council of 25 November 2020 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents) (recast)”.
Slovakia	Yes – “Regulation (EU) 2020/1784 of the European Parliament and of the Council of 25 November 2020 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents) (recast). Furthermore, we refer to the relevant parts of the European Union reply, especially reply to question 3”.
Sweden	Yes – “Regulation EU No 2020/1784 of the European Parliament and of the Council of 25 Nobember on the service in the Member States of judicial and

	extrajudicial documents in civil and commercial matter will provide the use of electronic means from april 2025”.
United Kingdom	No
United States of America	No
Viet Nam	Yes – “Viet Nam has signed 18 bilateral Agreements on mutual legal assistance in civil matters with the following countries: Slovensko - Czech and Slovakia succeed (12 October 1982); Cuba (30 November 1984); Bulgaria (03 October 1986); Poland (22 March 1993); Lao PDR (06 July 1998 – newly signed on 11/1/2023 –not yet into force); Russia (25 August 1998); People's Republic of China (19 October 1998); France (24 February 1999); Ukraine (06 April 2000); Mongolia(17 April 2000); Belarus (14 September 2000); North Korea (3 May 2002); Chinese Taipei (12 April 2010); Kazakhstan (31 October 2011); Kingdom of Cambodia (21 January 2013); Hungary (10 September 2018), Thailand (16 November 2022 – not yet into force). E- service is provided in several Agreements such as MLA VN- Hungary (Art 10 para 5), MLA VN- Thailand (Art 12 para 7), MLA VN- Laos (Art 14 para 6)”.

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