

The Hague Convention on Choice of Court Agreements

A Commentary



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Dr Christophe Bernasconi is the Secretary General of the HCCH (Hague Conference on Private International Law) since July 2013. He was reappointed twice, in 2018 and in 2023. Having joined the Permanent Bureau in 1997, he has held various positions there, including that of Deputy Secretary-General from 2011 to 2013.

He holds a doctoral degree (Dr iur. utr.) in Private International Law from the University of Fribourg (summa cum laude), an LL.M. in Comparative Law from McGill University, and a bilingual (German/French) law degree from the University of Fribourg.

Dr Bernasconi has contributed to numerous HCCH projects spanning its three areas of activity, and in particular, he initiated and led the implementation of the electronic Apostille Program (e-APP). As Secretary General, he initially focused on strengthening the governance of the Organisation and now places particular emphasis on its strategic development, with a specific focus on universality and inclusiveness.

Prior to joining the HCCH, Dr Bernasconi lectured on PIL at the University of Fribourg, worked at the Swiss Institute of Comparative Law and at the Federal Office of Justice in Switzerland. He has also advised practitioners on a range of Private International Law matters.



Ning Zhao is a Principal Legal Officer at the HCCH, working in the Transnational Litigation and Apostille Division. Her day-to-day work focuses on the HCCH 2005 Choice of Court Convention, the HCCH 2019 Judgments Convention, and the Jurisdiction Project. She has been intensively involved in the preparations for the negotiations that led to the adoption of the 2019 Judgments Convention.

Ning holds a doctoral degree in private international law (PIL) from the University of Groningen. She also obtained LL.M. degrees from the University of Groningen (cum laude) and Radboud University Nijmegen. She has been a visiting scholar at several academic institutions and has published in the field of PIL. Prior to joining the Permanent Bureau, she worked in private practice and taught PIL in the Netherlands.



Brooke Marshall is an Associate Professor of Law at the University of Oxford and a Tutorial Fellow of St Edmund Hall. She is multilingual academic lawyer and writer, with more than a decade of experience in Comparative and Private International Law. Brooke is the author of 'Asymmetric Jurisdiction Clauses', for which she was awarded the Inner Temple New Author's Book Prize 2025, and of academic articles and policy submissions concerning choice of court agreements. She holds a Dr iur (summa cum laude) from the University of Hamburg, a MA from the University of Oxford, and a BA/ LLB (Hons) from The University of Queensland.



Stéphanie Francq is a professor at the Catholic University of Louvain, where she teaches private international law and European law. In private international law, she has a particular interest in contractual and non-contractual obligations, as well as certain areas of business law marked by a regulatory aspect. She is currently working on climate disputes and the duty of care. In European law, her projects focus on methods of managing regulatory diversity. She published and edited books and articles in these areas.

Professor Francq holds a doctorate from the Catholic University of Louvain and an LL.M. from the University of Berkeley. She has been a visiting professor at various universities and academic institutions. She was Director of Studies at the Hague Academy of International Law, where she gave a special course in August 2025 on unilateralism in personal status and family matters.

Professor Francq is a full member of the International Academy of Comparative Law and the European Group of Private International Law (GEDIP).



Louise Ellen Teitz is a founding faculty member of Roger Williams University School of Law in Bristol, Rhode Island, and a leading scholar of private international law and international procedural law. She has also taught as an adjunct at NYU School of Law, held faculty positions at the Universities of Konstanz (Germany) and Bern (Switzerland), and taught at universities in Tokyo (Todai), Geneva, Bologna, Antwerp, Lisbon (Catholica) and in a number of prestigious US law schools. Her academic areas of expertise include private international law, international litigation and dispute resolution, international business transactions, international family law, comparative law, civil procedure, and professional responsibility. Professor Teitz served as First Secretary at the Hague Conference on Private International Law (HCCH) and has been a Visiting Scholar at UNCITRAL in Vienna and at UNIDROIT in Rome and at the Max Planck Institute Luxembourg for International and European Procedural Law.

Her law reform work has ranged from domestic state law to international State law. She has been a member of the US State Department Delegation to the HCCH for the Judgments Convention and for the Choice of Court Agreements Convention and is a member of the US Secretary of State's Advisory Committee on Private International Law. Professor Teitz is also a Uniform Law Commissioner from Rhode Island. She is active in the American Bar Association, has chaired several committees and divisions and served on the Council of the ABA International Law Section. She has served as an Observer (ABA delegation) to UNCITRAL's Working Group III on Online Dispute Resolution.



Fausto Pocar is a Professor Emeritus of International Law, former Dean and Vice-Rector at the University of Milan, Italy. He has also served as a judge on international tribunals, including as Vice-President of the International Criminal Tribunal for the former Yugoslavia (ICTY).

Professor Pocar is the author of numerous publications on international law, including private international law, European law, human rights and humanitarian law. He has lectured at the Hague Academy of International Law. Currently, Professor Pocar is Secretary-General of the Institute of International Law and is a member of several other international law associations.

Professor Pocar co-authored the draft Explanatory Report prepared for the 19th Diplomatic Session of the HCCH in 2001 and chaired the Drafting Committee for the 22nd Diplomatic Session of the HCCH, at which the 2019 Judgments Convention was adopted.



Gilles Cuniberti is Professor of Comparative Private International Law at the University of Luxembourg and has been the president of the European Association of Private International Law since 2019. He has authored 15 books and numerous articles on private international law, international commercial arbitration and comparative law. He also regularly acts as an expert in various European, international and national contexts, including for European institutions and international organisations. Cuniberti holds a Doctorate in Law from Paris 1 Panthéon-Sorbonne University and an LL.M. degree from Yale Law School. He was a member of the Paris bar between 1999 and 2004 and practiced commercial law in the Paris office of Herbert Smith (as it was then).



Adrian Briggs KC is Emeritus Professor of Private International Law at the University of Oxford and Emeritus Fellow at St Edmund Hall, Oxford, retired from the service of each institution in September 2021 after over forty years in which he lectured to and tutored generations of students of the Conflict of Laws. His principal writings are to be found in *Civil Jurisdiction and Judgments* (now in its 8th edition), *The Conflict of Laws* (now in its 5th edition), and *Private International Law in English Courts* (now in its 2nd edition). These had striven to show how the traditional rules of English law and the newly-arriving materials from the European Union could be fitted coherently together; each has had to be re-written, or un-written, to reflect the newer reality which is our curse.

He was made QC (now KC) in 2016, and a Master of the Bench of Middle Temple in 2024. He practises at the Bar of England and Wales from Blackstone Chambers, Temple.

He also practises from chambers in the Temple. He was called to the Bar in 1989; took silk in 2016, and was elected a Master of the Bench by Middle Temple in 2024.



Melissa Ford is the Secretary of the Transnational Litigation and Apostille Division at the Permanent Bureau of the HCCH. Melissa has primary responsibility at the Permanent Bureau for the 1961 Apostille Convention, 1965 Service Convention, 1970 Evidence Convention, 1980 Access to Justice Convention, 2005 Choice of Court Convention, and 2019 Judgments Convention. Melissa also has responsibility for the ongoing work of the Jurisdiction Project. Prior to joining the Permanent Bureau, Melissa worked in the Australian Government across a range of policy and legal areas. Melissa was the Director of the Private International & Commercial Law Section of the Attorney-General's Department. This Section is the National Organ to the HCCH and the Central Authority for the 1965 Service and 1970 Evidence Conventions.



Delphia Lim heads the International Legal Division of the Ministry of Law, which, among other things, works on strengthening Singapore's legal infrastructure for international civil and criminal cooperation, so as to uphold the rule of law, enhance access to justice, and advance Singapore's economic and social interests



Colin Seow regularly represents clients as counsel in complex commercial disputes. He also actively sits as arbitrator in international commercial disputes, and is a board member of the European Chinese Arbitrators Association in Vienna.

Colin formerly served in the Singapore Judicial Service for more than twelve years in various capacities, including as District Judge and Deputy Divisional Registrar of the Court of Appeal and the Appellate Division of the High Court. He was involved in several key institutional reforms in the Judiciary, such as in the establishment of the Singapore International Commercial Court. He has also decided cases in Singapore under the Hague Convention on Choice of Court Agreements.

Colin is qualified to practice law in Singapore, England and Wales, New York and before the DIFC Courts. He graduated with a LLB (First Class Honours) from the National University of Singapore, and holds a LLM degree from Harvard University.



Anselmo Reyes practises as an arbitrator. He was Professor of Legal Practice at Hong Kong University from 2012 to 2018. Before that, he was a judge of the Hong Kong High Court from 2003 to 2012, when he oversaw the Construction and Arbitration List (2004 to 2008) and the Commercial and Admiralty Lists (2008 to 2012). He was Representative of the Hague Conference on Private International Law's Regional Office for the Asia Pacific from 2013 to 2017. He became an International Judge of the Singapore International Commercial Court in 2015 and a member of the International Commercial Expert Committee of the China International Commercial Court in 2018. He is an Overseas Benchers of the Inner Temple.