

COUNTRY PROFILE

**TAKING OF EVIDENCE BY VIDEO-LINK UNDER THE
HAGUE CONVENTION OF 18 MARCH 1970 ON THE TAKING OF
EVIDENCE ABROAD IN CIVIL OR COMMERCIAL MATTERS**

STATE NAME: [Sweden](#)

PROFILE UPDATED ON (DATE): [15 May 2017](#)

PART I: STATE

1. Contact details	
<i>The contact details provided in this section <u>will be published</u> on the Hague Conference website</i>	
CHAPTER I (LETTERS OF REQUEST)	
<i>As with any other Letter of Request under Chapter I of the Evidence Convention, the requesting authority should contact the Central Authority(ies) of the requested State when seeking to obtain evidence by means of a Letter of Request, whether using video-link or not.</i>	
<p>a) Are the contact details of the Central Authority(ies) designated by YOUR STATE up-to-date on the Evidence Section of the Hague Conference website?</p>	<p><input type="checkbox"/> Yes.</p> <p><input checked="" type="checkbox"/> No. Please provide the contact details on a separate Word or PDF document for uploading on the Evidence Section of the Hague Conference website.</p>
<p>b) Would YOUR STATE be in favour of specifying a person or department within the Central Authority(ies) who would assist in processing Letters of Request where the use of video-links has expressly been requested (e.g., to arrange the video-link or provide technical assistance)?</p>	<p><input type="checkbox"/> Yes. If YOUR STATE has already done so, please specify the contact details:</p> <p><input checked="" type="checkbox"/> No. Please explain why: To be able to keep the information on the web-site as up-to-date as possible.</p> <p><i>Comments:</i></p>
<p>c) What arrangements are there for ensuring that there is a contact person with whom the requesting authority can liaise and who is available on the day of the hearing to operate the video-link facilities (e.g. is there a booking system)?</p>	<p>When a request is made a person will be designated to handle the contacts in the specific case.</p>

CHAPTER II (TAKING OF EVIDENCE BY DIPLOMATIC OFFICERS, CONSULAR AGENTS AND COMMISSIONERS)

Permission by a designated authority may be required to apply certain provisions under Chapter II. To know if such a permission is required for a particular State, see the practical information chart (accessible from the [Authorities](#) page) AND / OR the declarations (accessible from the [Status Table](#) page) of the relevant State available on the [Evidence Section](#) of the Hague Conference website.

If permission is not required, applicants should contact the diplomatic and consular mission (Arts 15/16) or the commissioner (Art. 17) to explore whether or not evidence may be obtained by video-link under this Chapter.

If permission is required, applicants should contact the authority that was designated to grant permission AND the relevant diplomatic and consular mission or commissioner, to explore, where necessary, whether or not evidence may be obtained by video-link under this Chapter.

d) Would YOUR STATE be in favour of specifying **an entity or authority, in addition to the relevant authority / diplomatic or consular agent / commissioner**, that would assist in processing applications where the use of video-links has expressly been requested (e.g., to arrange the video-link or provide technical assistance)?

- Yes.
If YOUR STATE has already done so, please specify the contact details:
- No.
Please explain why: [To be able to keep the information up-to-date.](#)

Comments:

e) What arrangements are there for ensuring that there is a contact person with whom the Court of Origin can liaise and who is available on the day of the hearing to operate the video-link facilities (e.g. is there a booking system)?

[When a request is made a person will be designated to handle the contacts in the specific case.](#)

PART II: RELEVANT LEGISLATION AND COURT SYSTEM

Legal basis	
<p>a) Does YOUR STATE, in the application of Article 27 (<i>i.e.</i> internal law or practice), allow for a foreign Court to directly take evidence by video-link?</p>	<p><input checked="" type="checkbox"/> Yes. Please specify: Under certain circumstances in accordance with national law and international agreements. However, not within the application of the 1970 Convention.</p> <p><input type="checkbox"/> No. Please specify:</p> <p><i>Comments:</i></p>
<p>b) Please indicate the legal basis or applicable protocols (<i>i.e.</i>, relevant laws, regulations, practice, etc.) for the use of video-links in the taking of evidence in YOUR STATE, either under the Convention or independent of the Convention (see, <i>e.g.</i> Art. 27 (b) and (c)):</p> <p><i>Please also attach a copy of, or provide a link to, the relevant provisions, where possible in English or French.</i></p>	<p>The basic provision in domestic law is Chapter 5, Section 10 the Swedish Code of Judicial Procedure</p> <p>Sweden is also bound by Regulation (EG) nr 1206/2001, Art. 10.4 and 17.4 regulates the possibility to use video-link in certain procedures.</p>
<p>c) Does YOUR STATE have any agreements with other Contracting States that derogate from the Convention when taking evidence by video-link (see Art. 28 and Art. 32)?</p>	<p><input checked="" type="checkbox"/> Yes. Please attach a copy of, or provide a link to, the relevant provisions, where possible in English or French: for example the EU-Instrument Regulation (EG) nr 1206/2001.</p> <p><input type="checkbox"/> No.</p> <p><i>Comments:</i></p>
Court system	
<p>d) Please indicate which courts permit, or have the facilities for, the taking of evidence by video-link. If possible, indicate where relevant information on videoconferencing facilities in courts can be found online:</p>	<p><input checked="" type="checkbox"/> All courts.</p> <p><input type="checkbox"/> All courts of a specific type / level. Please specify:</p> <p><input type="checkbox"/> Only specific courts. Please specify which courts, or provide a link to/attach a full list:</p> <p><input type="checkbox"/> None.</p> <p><i>Comments:</i></p>

PART III: TECHNICAL AND SECURITY ASPECTS (APPLICABLE TO BOTH CHAPTERS)

<p>a) Does YOUR STATE use licensed software (which ensures support for technical and security matters) for the taking of evidence by video-link?</p>	<p><input checked="" type="checkbox"/> Yes. Please specify: We use physical videoconference systems, and jabber video.</p> <p><input type="checkbox"/> No.</p> <p><i>Comments:</i></p>
<p>b) What are the specifications of the video-link technology in use in YOUR STATE, including, if any, the minimum standards or mechanisms used to secure the communications and any recordings made?</p> <p><i>States are encouraged to provide as much information as possible when responding to this question. As such, it may be useful to consider liaising with the relevant IT experts.</i></p>	<p>Codec (<i>i.e.</i>, manufacturer, model, transmission speed, bandwidth): Manufacturers: Tandberg and Cisco Models: Cisco Telepresence MX200, Cisco Telepresence SX10, Cisco Telepresence SX20, Cisco Telepresence SX80, Tandberg 3000MXP, Tandberg 6000MXP, Tandberg Codec C20, Tandberg Codec C40, Tandberg Edge 75MXP, Tandberg Edge85MXP, Tandberg Edge95MXP, Tandberg 770MXP, Tandberg 880MXP</p> <p>Transmission speed/bandwidth: Video-link via IP: 1472 kbps (when dialling from an Edge 75MXP, 770MXP och 880MXP it is 768 kbps), video-link via ISDN: 384 kbps regardless of model.</p> <p>Video and audio standards (<i>e.g.</i> Standard Definition, High Definition, etc.): There are some minor differences between the amount of standards the Tandberg and Cisco models can handle.fs</p> <p>Video standards: H.261, H.263, H.263+, H.264 and H.265 (H.265 only works with SIP-calls)</p> <p>Audio standards: G.711, G.722, G.722.1, G.728, G729AB, AAC-LD</p> <p>Type of network (<i>e.g.</i>, ISDN, IP, etc.): All codecs can dial-out via IP and ISDN.</p> <p>Type of encryption for signals in secure transmissions: AES-128</p> <p>Split screen capability: All our codecs are H.239-compatible</p> <p>Document cameras: All court rooms have access to document cameras (object cameras)</p> <p>Multipoint connections: All court rooms have multisite capability (up to 5 participants, if more is needed our MCU is used).</p> <p>Additional specifications or capabilities: -</p> <p>Protocols or other practices: -</p> <p><i>Comments:</i></p>

<p>c) Can evidence be taken via commercial providers (e.g., Skype™)?</p>	<p><input type="checkbox"/> Yes. Please specify:</p> <p><input checked="" type="checkbox"/> No.</p> <p><i>Comments:</i></p>
<p>d) Does YOUR STATE have a procedure for testing connections and the quality of transmissions before the hearing?</p>	<p><input type="checkbox"/> Yes. Please specify:</p> <p><input type="checkbox"/> No.</p> <p><i>Comments:</i></p> <p>This is done if deemed necessary.</p>
<p>e) Does YOUR STATE have any requirements as to the hearing room, e.g., should be located in a court, should have a camera view of the whole room or a view of all the parties, etc.?</p>	<p><input type="checkbox"/> Yes. Please specify:</p> <p><input type="checkbox"/> No.</p> <p><i>Comments:</i></p> <p>It is a requirement that the hearing is held in accordance with applicable law and international agreements.</p>

PART IV - LEGAL CONSIDERATIONS (BOTH CHAPTERS)

PART IV: USE OF VIDEO-LINKS UNDER BOTH CHAPTERS – LEGAL CONSIDERATIONS

Restrictions	
a) Must a court order directing the use of video-links first be obtained from the requesting State (Chapter I) / State of Origin (Chapter II)?	<input type="checkbox"/> Yes. Please specify: <input checked="" type="checkbox"/> No. <i>Comments:</i>
b) Are there any restrictions on what type/s of evidence can be taken by video-link or how it is to be taken?	<input checked="" type="checkbox"/> Yes. Please specify: Under certain circumstances. This must be decided on a case-by-case basis. <input type="checkbox"/> No. <i>Comments:</i>
c) Are there any specific restrictions on how evidence gathered via video-link can be handled and distributed, or do the usual rules for evidence obtained in person apply?	<input type="checkbox"/> Yes, there are specific restrictions. Please specify: <input checked="" type="checkbox"/> No, the normal rules for evidence apply. <i>Comments:</i>
d) Are there any restrictions on the type of person who may be examined by video-link?	<input checked="" type="checkbox"/> Yes. Please specify: Under certain circumstances. This must be decided on a case-by-case basis. <input type="checkbox"/> No. <i>Comments:</i>
e) Is it necessary to seek the consent of the parties to use video-link to take evidence?	<input type="checkbox"/> Yes. Please specify the conditions under which parties may refuse the use of video-link: <input type="checkbox"/> No. <i>Comments:</i> In general no, but if the parties do not consent it might be inappropriate depending on the situation.
f) Are there any restrictions on the location where the person should be examined (e.g. in a courtroom, on the premises of an Embassy or diplomatic mission)?	<input type="checkbox"/> Yes. Please specify: <input type="checkbox"/> No. <i>Comments:</i>

PART IV - LEGAL CONSIDERATIONS (BOTH CHAPTERS)

	<p>It is a requirement that the hearing is held in accordance with applicable law and international agreements.</p>
<p>g) Can a witness / expert be compelled to use video-links to give evidence?</p>	<p><input type="checkbox"/> Yes. If so, please specify what coercive measures may be used:</p> <p><input type="checkbox"/> No. Please explain:</p> <p><i>Comments:</i> There are no specific rules or regulations in place governing the obligations of a witness or expert to give evidence by video-link. The normal rules for evidence apply.</p>
<p>h) Please briefly outline the procedure/s, under Chapter I and Chapter II, for actually notifying or summoning the witness / expert to give evidence by video-link, including any references to relevant laws, regulations or practice.</p> <p><i>Please also include, where applicable, the differences between notifying or summoning a willing witness / expert and notifying or summoning a witness / expert that is to be compelled.</i></p>	<p>Chapter I:</p> <p>Chapter II:</p> <p><i>Comments:</i> There are no specific rules or procedures for notifying or summoning a witness or expert to give evidence by video-link. The same procedures apply as when video-link is not used.</p>
<p>i) The law of which State governs the use of privileges?</p> <p><i>Please tick all that apply.</i></p> <p><i>See Articles 11 and 21(e) of the Convention</i></p>	<p>Chapter I:</p> <p><input type="checkbox"/> The law of the Requesting State.</p> <p><input type="checkbox"/> The law of the Requested State.</p> <p><input type="checkbox"/> The law of another State. Please specify:</p> <p>Chapter II:</p> <p><input type="checkbox"/> The law of the State of Origin.</p> <p><input type="checkbox"/> The law of the State of Execution.</p> <p><input type="checkbox"/> The law of another State. Please specify:</p> <p><i>Comments:</i> Sweden has made no declaration to Art. 11.</p>

PART V: USE OF VIDEO-LINKS UNDER CHAPTER I (LETTERS OF REQUEST) – LEGAL CONSIDERATIONS

Legal obstacles	
<p>a) Does YOUR STATE consider that there are legal obstacles to using video-link to assist in the taking of evidence under Chapter I of the Convention?</p> <p><i>The Special Commission has noted that the use of video-link and similar technologies is consistent with the current framework of the Convention (see C&R No 55 of the 2009 SC and C&R No 20 of the 2014 SC).</i></p>	<p><input type="checkbox"/> Yes. Please specify:</p> <p><input checked="" type="checkbox"/> No.</p> <p>Comments: Not in general. A decision to use video-link must however be made on a case-by-case basis.</p>
Direct and indirect taking of evidence	
<p>b) Under Chapter I of the Convention, does YOUR STATE allow for the direct taking of evidence by judicial personnel of the <i>requesting</i> State (<i>i.e.</i>, the State in which the proceedings are pending)?</p>	<p><input checked="" type="checkbox"/> Yes. <input type="checkbox"/> No.</p> <p>Comments: Under certain circumstances in accordance with national law and international agreements.</p>
<p>c) Under which provisions of Chapter I of the Convention is indirect taking of evidence by video-link possible in YOUR STATE?</p>	<p><input checked="" type="checkbox"/> Art. 9(1) – The judicial authority of the requested State obtains evidence (<i>e.g.</i>, a witness / expert examination) which is located in a (distant) location within its own State.</p> <p><input type="checkbox"/> Art. 9(2) - As a special method or procedure. Please also outline whether any specific conditions must be satisfied:</p> <p><i>See also questions on presence.</i></p> <p>Comments:</p>
Legal safeguards for witness / expert	
<p>d) What are the legal safeguards in place for witnesses / experts in YOUR STATE when evidence is taken by video-link under Chapter I (<i>e.g.</i> protective measures for the witness / expert, provision of interpretation, right to legal counsel, etc.)?</p>	<p>The same rules and regulations apply as when evidence is taken with the person physically present.</p>
Presence	
<p>e) Are the rules for the presence of the parties and their representatives when physically in a single location the same for when evidence is taken via video-link?</p> <p><i>See Article 7 of the Convention</i></p>	<p><input checked="" type="checkbox"/> Yes. If so, please specify if they are allowed to actively participate: There are no general rule against participation by the parties when video-link is used. Normal rules and regulations apply.</p> <p><input type="checkbox"/> No.</p>

PART V - LEGAL CONSIDERATIONS (CHAPTER I)

	<p>Comments:</p>
<p>f) Under Chapter I of the Convention, does YOUR STATE allow for the cross-examination of a witness / expert by video-link by the representatives located in the <i>requesting</i> State (<i>i.e.</i>, the State in which the proceedings are pending)?</p>	<p> <input type="checkbox"/> Yes. <input type="checkbox"/> No. </p> <p>Comments: The same rules and regulations apply as when evidence is taken with the person physically present.</p>
<p>g) Does YOUR STATE allow for the presence of the judicial personnel of the requesting State via video-link?</p> <p><i>See Article 8 of the Convention</i></p> <p><i>Please note that a declaration may be made under this provision.</i></p>	<p> <input checked="" type="checkbox"/> Yes. If so, please specify if they are allowed to actively participate: </p> <p> <input type="checkbox"/> No. </p> <p>Comments: The same rules and regulations apply as when evidence is taken with the person physically present.</p>

PART VI : USE OF VIDEO-LINKS UNDER CHAPTER II (BY DIPLOMATIC OFFICERS, CONSULAR AGENTS AND COMMISSIONERS) – LEGAL CONSIDERATIONS

<p>The questions in this Part are only for States that have not wholly excluded the application of Chapter II</p> <p>Please note that Chapter II may be subject to a reservation in whole or in part under Article 33. Check the reservations that YOUR STATE has made under this Chapter in the status table, available on the Evidence Section of the Hague Conference website.</p>	
<p>Legal obstacles and legal framework</p>	
<p>a) Does YOUR STATE consider there to be any legal obstacles to the taking of evidence by video-link under Chapter II of the Convention?</p> <p><i>The Special Commission has noted that the use of video-link and similar technologies is consistent with the current framework of the Convention (C&R No 55 of the 2009 SC and C&R No 20 of the 2014 SC).</i></p>	<p><input type="checkbox"/> Yes. Please specify:</p> <p><input checked="" type="checkbox"/> No.</p> <p>Comments: Not in general but it must be decided on a case-by-case basis.</p>
<p>b) Under which provisions of Chapter II of the Convention is taking of evidence by video-link possible in YOUR STATE?</p>	<p><input checked="" type="checkbox"/> Art. 15 <input checked="" type="checkbox"/> Art. 16 <input checked="" type="checkbox"/> Art. 17</p> <p>Comments: Provided that the taking of evidence is possible according to the Convention. There are no general rules against the use of video-link but it is difficult to say if it is practically possible in every case.</p>
<p>c) Is prior permission from YOUR STATE required when taking evidence under Chapter II of the Convention on the territory of YOUR STATE?</p>	<p><input checked="" type="checkbox"/> Yes. Please outline the procedure for seeking such permission, including any specific conditions that must be satisfied: Permission is required under article 15 in accordance with the Swedish declaration to this article. Permission must be granted by the the competent Swedish authority.</p> <p><input type="checkbox"/> No.</p> <p>Comments:</p>
<p>d) Please indicate who administers the oath or affirmation and how perjury and contempt are dealt with when evidence is taken under Chapter II of the Convention on the territory of YOUR STATE.</p>	<p>Administration of the oath or affirmation: The same rules and regulations apply as when evidence is taken with the person physically present.</p> <p>Dealing with perjury and contempt: The same rules and regulations apply as when evidence is taken with the person physically present.</p>
<p>Direct and indirect taking of evidence</p>	

PART VI - LEGAL CONSIDERATIONS (CHAPTER II)

<p>e) Diplomatic and consular agents are usually located in the State where the witness / expert resides. It may be, however, that a witness / expert is located in a neighbouring country or in a place distant from the Embassy or Consulate. In these circumstances, does YOUR STATE consider it possible to use video-link to obtain evidence under Chapter II of the Convention?</p>	<p><input type="checkbox"/> Yes. Please specify:</p> <p><input type="checkbox"/> No.</p> <p><i>Comments:</i> If we have understood the question correctly, the possibility for a diplomatic or consular agent located in Sweden to obtain evidence from a person residing in another country than Sweden depends on the rules and regulations of that other country.</p>
<p>Legal safeguards for witness / expert</p>	
<p>f) What are the legal safeguards in place for witnesses / experts in YOUR STATE when evidence is taken by video-link under Chapter II (e.g. protective measures for the witness / expert, provision of interpretation, right to legal counsel, etc.)?</p>	<p>If a security issue arise an analysis is made of what protective measures should be taken in the specific case.</p>
<p>Presence</p>	
<p>g) Under the law of YOUR STATE, who may be present via video-link when evidence is taken by diplomatic and consular agents?</p> <p><i>Please tick all that apply.</i></p>	<p><input type="checkbox"/> The parties. <input type="checkbox"/> The parties' representatives. <input type="checkbox"/> Judicial personnel. <input type="checkbox"/> Someone else. Please specify:</p> <p><i>Comments:</i> The use of video-link does not effect the legal application of the articles of the Convention.</p>
<p>h) Under the law of YOUR STATE, who may be present via video-link when evidence is taken by commissioners?</p> <p><i>Please tick all that apply.</i></p>	<p><input type="checkbox"/> The parties. <input type="checkbox"/> The parties' representatives. <input type="checkbox"/> Judicial personnel. <input type="checkbox"/> Someone else. Please specify:</p> <p><i>Comments:</i> The use of video-link does not effect the legal application of the articles of the Convention.</p>
<p>Applicable law</p>	
<p>i) The law of which State governs the administration of an oath or affirmation when evidence is taken by video-link under Chapter II?</p>	<p><input type="checkbox"/> The law of the State of Origin <input type="checkbox"/> The law of the State of Execution <input type="checkbox"/> It depends on whether evidence is taken by a consular or diplomatic agent or a commissioner. Please specify:</p> <p><i>Comments:</i></p>

PART VI - LEGAL CONSIDERATIONS (CHAPTER II)

	<p>The use of video-link does not effect the legal application of the articles of the Convention.</p>
<p>j) The law of which State governs perjury and contempt when evidence is taken by video-link under Chapter II?</p>	<p><input type="checkbox"/> The law of the State of Origin <input type="checkbox"/> The law of the State of Execution <input type="checkbox"/> It depends on whether evidence is taken by a consular or diplomatic agent or a commissioner. Please specify:</p> <p><i>Comments:</i> The use of video-link does not effect the legal application of the articles of the Convention.</p>

PART VII PRACTICAL CONSIDERATIONS

COMMON TO BOTH CHAPTERS	
Notice	
a) What does YOUR STATE consider to be the minimum amount of time required between the request and the actual hearing in order to make the arrangements to take evidence by video-link?	Chapter I: The use, or non-use, of video-link does not effect the timelimits for execution of the procedure. Chapter II: Same as above.
Interpretation services	
b) Who is responsible, under Chapter I and Chapter II, for the use of interpretation services and who arranges these services in YOUR STATE when video-link is used?	Chapter I: The use, or non-use, of video-link does not effect the legal application of the articles of the Convention. Chapter II: Same as above.
c) Are professional accredited interpreters required in YOUR STATE, and where can relevant contact details be found?	<input type="checkbox"/> Yes. Please specify: <input type="checkbox"/> No. <i>Comments:</i> An authorized interpreter should be used in legal proceedings in Swedish courts if possible. If not possible another suitable person can be used according to Chapter 5 Section 6 of the Swedish Procedural Code.
d) Under the law of YOUR STATE, is interpretation to be <i>simultaneous</i> or <i>consecutive</i> when a witness / expert is examined via video-link?	This is not governed by Swedish law.
e) Where may the interpreter be located when a witness / expert is examined via video-link? <i>Please check all that apply.</i>	<input type="checkbox"/> In the room with the witness / expert. <input type="checkbox"/> In the room with those conducting the examination. <input type="checkbox"/> Elsewhere in the requesting State (Chapter I) / State of Origin (Chapter II). <input type="checkbox"/> Elsewhere in the requested State (Chapter I) / State of Execution (Chapter II). <input type="checkbox"/> In a third State. <input type="checkbox"/> Other. Please specify: <i>Comments:</i> This is not governed by Swedish law. The judge in charge of the proceedings must decide this on a case-by-case basis in collaboration with the parties and the requesting state.
Reporting and recording	
f) Is a written report of the video-link hearing or testimony prepared?	<input checked="" type="checkbox"/> Yes. Please specify by whom: Usually by the judge or a law clerk. Please also outline the specific rules or regulations, if any, that are applicable to

PART VII – PRACTICAL CONSIDERATIONS (BOTH CHAPTERS)

	<p>the handling/storage/distribution of the report: Handling, storage and distribution of such documents is regulated by the Swedish Public Access to Information and Secrecy Act.</p> <p><input type="checkbox"/> No.</p> <p><i>Comments:</i> A written report does generally not include a transcript of the testimony but is a minute of the meeting.</p>
<p>g) Are facilities and equipment made available in order to record the hearing or testimony?</p>	<p><input checked="" type="checkbox"/> Yes, with audio and video. <input type="checkbox"/> Yes, only with video. <input type="checkbox"/> Yes, only with audio. <input type="checkbox"/> No, but the recording of hearings/testimonies is permitted.</p> <p>If a recording is produced, please also outline the specific rules or regulations, if any, that are applicable to the handling/storage/distribution of the recording: Handling, storage and distribution of such recordings is regulated by the Swedish Code of Judicial Procedure and the Swedish Public Access to Information and Secrecy Act.</p> <p><input type="checkbox"/> No, because the recording of hearings/testimonies is not permitted under internal law.</p> <p><i>Comments:</i></p>
<p>Documents and exhibits</p>	
<p>h) What arrangements are to be made for showing or referring to documents or exhibits when taking evidence by video-link?</p>	<p>Provided there are no legal obstacles for this, they can either be sent to the witness/expert or be shown to the camera.</p>

PART VII – PRACTICAL CONSIDERATIONS (CHAPTER I)

PRACTICAL CONSIDERATIONS UNDER CHAPTER I	
Practical obstacles	
<p>i) Does YOUR STATE consider that there are practical obstacles to using video-link to assist in the taking of evidence under Chapter I of the Convention?</p>	<p><input type="checkbox"/> Yes. Please specify:</p> <p><input checked="" type="checkbox"/> No.</p> <p>Comments: Not in general.</p>
Identification of all relevant actors	
<p>j) What is the procedure for verifying the identity of the parties, the witness / expert, and all relevant actors in YOUR STATE when video-link is used under Chapter I?</p>	<p>The same procedures apply as when the parties, the witness/expert and all relevant actors are physically present in Court.</p>
Standard Forms	
<p>k) Do the authorities of YOUR STATE use a standardised request form under Chapter I that makes specific reference to the use of video-links?</p> <p><i>The use of the Model Form of the Evidence Convention is recommended when taking evidence under Chapter I.</i></p> <p><i>While the Model Form has no explicit reference to the use of video-link, a request to this effect may be included in item 13 of the Form.</i></p>	<p><input type="checkbox"/> Yes. Please specify:</p> <p><input type="checkbox"/> The standardised form used makes no reference to video-link.</p> <p><input type="checkbox"/> No standardised form is used.</p> <p>Comments:</p>
<p>l) Does YOUR STATE require the inclusion of any particular practical or technical information from the requesting State in the request in order to conduct / arrange a witness / expert examination by video-link under Chapter I? (e.g. contact details for IT support, technical specifications, etc)</p>	<p><input type="checkbox"/> Yes. Please specify:</p> <p><input type="checkbox"/> No.</p> <p>Comments:</p>
Costs	
<p>m) Are there any costs associated with the taking of evidence via video-link under Chapter I in YOUR STATE?</p>	<p><input type="checkbox"/> Yes. Please provide an approximate estimate of these costs and / or specify the criteria used to determine these costs:</p> <p><input type="checkbox"/> No.</p> <p>Comments: It is difficult to say in advance if there are any costs associated with the taking of evidence via video-link under Chapter I. We are unfortunately unable to give a general answer to this question.</p>
<p>n) Who is responsible for bearing the costs occasioned by the use of video-link under Chapter I in YOUR STATE?</p> <p><i>See Art. 14(2) of the Evidence Convention</i></p>	<p><input type="checkbox"/> The moving party (requesting the use of video-link).</p> <p><input type="checkbox"/> The requesting authority (in the requesting State).</p> <p><input type="checkbox"/> The requested authority (in the requested State).</p>

PART VII – PRACTICAL CONSIDERATIONS (CHAPTER I)

	<input type="checkbox"/> Other. Please specify: <i>Comments:</i> Please see above at m).
<p>o) How are these costs generally expected to be paid and/or reimbursed?</p>	<input type="checkbox"/> Payment in cash <input type="checkbox"/> Payment by (credit) card <input type="checkbox"/> Electronic/wire transfer <input type="checkbox"/> Other. Please specify: <i>Comments:</i> There are no general principles on this matter.
<p>p) Who pays for the interpretation services under Chapter I in YOUR STATE when video-link is used and how are these costs to be paid and/or reimbursed?</p>	We can not see that the use of video-link would effect the allocation of costs for interpretation services.

PART VII – PRACTICAL CONSIDERATIONS (CHAPTER II)

PRACTICAL CONSIDERATIONS UNDER CHAPTER II	
Only for States that have not excluded in whole the application of Chapter II	
Practical obstacles	
<p>q) Does YOUR STATE consider that there are practical obstacles to using video-link to assist in the taking of evidence under Chapter II of the Convention?</p>	<p><input type="checkbox"/> Yes. Please specify:</p> <p><input checked="" type="checkbox"/> No.</p> <p>Comments: Not in general.</p>
Identification of all relevant actors	
<p>r) What is the procedure for verifying the identity of the parties, the witness / expert, and all relevant actors in YOUR STATE when video-link is used under Chapter II?</p>	<p>The same procedures apply as when the parties, the witness/expert and all relevant actors are physically present in Court.</p>
Standard Forms	
<p>s) Do the authorities of YOUR STATE use a standardised request form under Chapter II that makes specific reference to the use of video-links?</p> <p><i>Although the use of the Model Form of the Evidence Convention is recommended when taking evidence under Chapter I, it may also be used, with the necessary amendments when applying for permission to take evidence under Chapter II.</i></p> <p><i>While the Model Form has no explicit reference to the use of video-link, a request to this effect may be included in item 13 of the Form.</i></p>	<p><input type="checkbox"/> Yes. Please specify:</p> <p><input type="checkbox"/> The standardised form used makes no reference to video-link.</p> <p><input checked="" type="checkbox"/> No standardised form is used.</p> <p>Comments:</p>
Assistance and facilities	
<p>t) Are the Embassies and Consulates of YOUR STATE (acting as the State of Execution) able to assist applicants in arranging a video-link?</p>	<p><input checked="" type="checkbox"/> Yes. Please specify how, e.g., via a booking system:</p> <p><input type="checkbox"/> No. Please specify who else would assist, if anyone:</p> <p>Comments:</p>
<p>u) Is it possible to hold a video-link session requested under the Convention at the premises of the Embassies or Consulates of YOUR STATE abroad?</p>	<p><input checked="" type="checkbox"/> Yes. Please specify:</p> <p><input type="checkbox"/> No.</p> <p>Comments:</p>
<p>v) Does YOUR STATE require the inclusion of any particular practical or technical information from the State of Origin in the request in order to conduct / arrange a witness or expert examination by video-link under Chapter II? (e.g. the use of interpreters, stenographers, or recording devices)</p>	<p><input checked="" type="checkbox"/> Yes. Please specify: The information referred to in article 3 of the Convention should be submitted.</p> <p><input type="checkbox"/> No.</p> <p>Comments: It is difficult to answer this question in detail, in general and in advance.</p>

PART VII – PRACTICAL CONSIDERATIONS (CHAPTER II)

Costs	
<p>w) Are there any costs associated with the taking of evidence via video-link under Chapter II in YOUR STATE?</p>	<p><input type="checkbox"/> Yes. Please provide an approximate estimate of these costs and / or specify the criteria used to determine these costs:</p> <p><input type="checkbox"/> No.</p> <p><i>Comments:</i> It is difficult to say in advance if there are any costs associated with the taking of evidence via video-link under Chapter II. We are unfortunately unable to give a general answer to this question.</p>
<p>x) Who is responsible for bearing the costs occasioned by the use of video-link under Chapter II in YOUR STATE?</p>	<p><input type="checkbox"/> The moving party (requesting the use of video-link).</p> <p><input type="checkbox"/> The State of Origin</p> <p><input type="checkbox"/> The Diplomatic mission or Consulate in the State of Execution.</p> <p><input type="checkbox"/> The commissioner</p> <p><input type="checkbox"/> Other. Please specify:</p> <p><i>Comments:</i> Please see above at w).</p>
<p>y) How are these costs generally expected to be paid and/or reimbursed?</p>	<p><input type="checkbox"/> Payment in cash</p> <p><input type="checkbox"/> Payment by (credit) card</p> <p><input type="checkbox"/> Electronic/wire transfer</p> <p><input type="checkbox"/> Other. Please specify:</p> <p><i>Comments:</i> There are no general principles on this matter.</p>
<p>z) Who pays for the interpretation services under Chapter II in YOUR STATE when video-link is used and how are these costs to be paid and/or reimbursed?</p>	<p>We cannot see that the use of video-link would effect the costs for interpretation services in general.</p>