

Title	Good Practices document for Central Authorities and other designated Authorities under the 1965 Service, 1970 Evidence, and 1980 Access to Justice Conventions
Document	Prel. Doc. No 10B of December 2025
Author	PB
Agenda Item	Item III.2.b
Mandate(s)	C&R No 47 of CGAP 2025
Objective	To invite CGAP to approve the Good Practices document for Central Authorities and other designated Authorities under the 1965 Service, 1970 Evidence, and 1980 Access to Justice Conventions
Action to be Taken	For Decision <input type="checkbox"/> For Approval <input checked="" type="checkbox"/> For Discussion <input type="checkbox"/> For Action / Completion <input type="checkbox"/> For Information <input type="checkbox"/>
Annexes	Annex: Good Practices document for Central Authorities and other designated Authorities under the 1965 Service, 1970 Evidence, and 1980 Access to Justice Conventions
Related Documents	Prel. Doc. No 10A of January 2026 (CGAP 2026) – Transnational Litigation: Update (forthcoming) <u>Conclusions and Recommendations</u> of the 2024 meeting of the SC <u>Prel. Doc. No 16 of June 2024</u> - A Compilation of Previous Conclusions and Recommendations (C&R) outlining Good Practices for Central Authorities, other authorities, and officials in the operation of 1965 Service, 1970 Evidence, and 1980 Access to Justice Conventions (to the attention of the SC)

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Good Practices document for Central Authorities and other designated Authorities under the 1965 Service, 1970 Evidence, and 1980 Access to Justice Conventions

I. Introduction

- 1 The work on the Good Practices document commenced following the discussions held at the 2024 meeting of the Special Commission (SC) on the Practical Operation of the 1965 Service Convention,¹ the 1970 Evidence Convention,² and the 1980 Access to Justice Convention.³ The SC noted the value and usefulness of a document outlining good practices for the operation of the Conventions and invited the two Working Groups on the Practical Handbooks to continue developing the document.⁴ However, the Working Groups fulfilled their core mandates following the Council of General Affairs and Policy's (CGAP) approval of the 5th edition of the *Practical Handbook on the Operation of the 1970 Evidence Convention*⁵ and the 1965 Service and 1970 Evidence Country Profiles in 2025.⁶
- 2 Accordingly, at its 2025 meeting, CGAP approved the establishment of a new Working Group (WG) to finalise the Good Practices document relevant to the 1965 Service Convention, the 1970 Evidence Convention, and the 1980 Access to Justice Convention (Conventions).⁷
- 3 The Good Practices document provides a compilation of recommended practices for Central Authorities and other designated Authorities operating under the Conventions. Its purpose is to enhance the effective operation of the Conventions, including by promoting the appropriate use of information technology (IT) and supporting timely and efficient communication between all parties involved.
- 4 The Good Practices document applies to those engaged in the preparation, transmission, receipt, and execution of requests for cooperation under the Conventions, and is informed by the Conclusions & Recommendations (C&R) of previous meetings of the SC, as well as by the practical, day-to-day work of Central Authorities and other designated Authorities under the Conventions.
- 5 The WG was chaired by Ms Ana Ghvinjilia (Georgia) and consisted of delegates and other experts from across geographic regions.⁸ The first two meetings were held online on 5 June and 8 October 2025, respectively. Following these two meetings, and given the progress achieved by the WG, the Permanent Bureau (PB) circulated a draft version of the Good Practices document to HCCH Members and Contracting Parties to the Conventions for comments and feedback.

¹ Convention of 15 November 1965 on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters.

² Convention of 18 March 1970 on the Taking of Evidence Abroad in Civil or Commercial Matters.

³ Convention of 25 October 1980 on International Access to Justice. See Prel. Doc. No 16 of June 2024 (A Compilation of Previous Conclusions and Recommendations (C&R) outlining Good Practices for Central Authorities, other authorities, and officials in the operation of 1965 Service, 1970 Evidence, and 1980 Access to Justice Conventions), available on the HCCH website (www.hcch.net) under “Service”, “Evidence” or “Access to Justice” => “Special Commission Meetings” then “Special Commission on the 1965 Service, 1970 Evidence and 1980 Access to Justice Conventions”.

⁴ See C&R No 127 of the 2024 SC, available on the HCCH website (www.hcch.net) (see path indicated in note 3).

⁵ HCCH, *Practical Handbook on the Operation of the 1970 Evidence Convention*, 5th ed., The Hague, 2025 (also available on the HCCH website (www.hcch.net) under “Publications”).

⁶ The Working Groups were established initially to review and refine updates to the Practical Handbooks on the Operation of the 1965 Service Convention and the 1970 Evidence Convention, respectively, and to develop draft Country Profiles for those Conventions.

⁷ See Conclusion & Decision (C&D) No 47 of CGAP 2025, available on the HCCH website (www.hcch.net) under “Governance” => “Council on General Affairs and Policy” then “Archive (2000-2025)”.

⁸ In total, the WG had over 60 registered delegates, representing 24 HCCH Members.

- 6 The WG met online for a third time on 1 December 2025. At that meeting, the WG considered the feedback received from the consultation, reviewed the updated draft Good Practices document and agreed that it was ready for CGAP's approval.
- 7 To ensure that the Good Practices document remains fit for purpose, the WG noted the importance of assessing its practical use by Contracting Parties. As practices evolve, certain elements of the document may require review and updating to maintain its relevance and effectiveness. Accordingly, the WG invited the PB to test the document's practical usability and report back to HCCH Members on its application, indicating whether any further improvements are necessary.
- 8 The Good Practices document will also be used by the PB in its ongoing promotional and outreach activities, as well as to support engagement with key stakeholders in Contracting Parties performing functions under the Conventions. The document will serve as an important tool for training activities within Central and other designated Authorities, both for new and established Contracting Parties. Moreover, it will contribute to enhancing familiarity with applicable methods and procedures, evolving practices, and the effective use of IT. Owing to its non-binding nature, Contracting Parties retain discretion in implementing the Good Practices, in accordance with their respective applicable laws, including regulations relating to privacy and data protection.
- 9 Upon approval, the relevant parts of the Good Practices document will be available on the Service, Evidence, and Access to Justice Sections of the HCCH website.
- 10 Against this background, the PB, pursuant to CGAP's 2025 mandate⁹ and the SC's C&R,¹⁰ submits the Good Practices document (Annex I) for approval.

II. Proposal for CGAP

- 11 The PB proposes the following C&D for CGAP's consideration:

CGAP welcomed the development of the Good Practices document relevant to the 1965 Service, 1970 Evidence, and 1980 Access to Justice Conventions and adopted it.

CGAP invited Contracting Parties to undertake efforts to promote the Good Practices document domestically and recommended that Central Authorities and other designated Authorities under the 1965 Service, 1970 Evidence, and 1980 Access to Justice Conventions endeavour to implement these practices, where possible and in accordance with their respective applicable laws, including regulations relating to privacy and data protection.

CGAP highlighted the importance of the Good Practices document in supporting regular training for relevant officials, to ensure familiarity with applicable methods and procedures, evolving practices, and the effective use of information technology (IT).

The PB will monitor and assess the practical use of the Good Practices document by Contracting Parties and report back to HCCH Members at CGAP 2028 on its implementation. The report should indicate whether updates or further work on the document are necessary to ensure that it continues to meet current and future operational needs under the 1965 Service, 1970 Evidence, and 1980 Access to Justice Conventions.

⁹ C&D No 47 of CGAP 2025, available on the HCCH website (www.hcch.net) (see path indicated in note 7).

¹⁰ C&R No 127 of the 2024 SC, available on the HCCH website (www.hcch.net) (see path indicated in note 3).

ANNEX

Good Practices for Central Authorities and other designated Authorities under the 1965 Service Convention

Recalling the framework of the 1965 Service Convention and the practical importance and impact of effective cross-border judicial and administrative cooperation, and reiterating that the spirit and letter of the Convention does not constitute an obstacle to the use of information technology (IT), the Working Group on the Good Practices has endorsed the following compilation of good practices.

These good practices are applicable to those engaged in the preparation, transmission, and execution of requests for service of judicial and extrajudicial documents.

These good practices are aimed at enhancing the effective operation of the Convention including by promoting the appropriate use of IT and supporting timely and efficient communication between all parties involved. By facilitating more streamlined procedures, these practices contribute to improving the overall efficiency and responsiveness of cross-border service of documents.

This document is non-binding, and Contracting Parties retain discretion in the implementation of the practices set out below, in accordance with the respective applicable laws, including regulations relating to privacy and data protection.

* Click [[here](#)] for a glossary of key terms used in this document.

I. Good practices relating to the general operation of Central Authorities and other designated Authorities

Good practices include:

1. Ensuring that the Country Profile^{GL}, relevant national websites, any guidelines prepared by the requested State^{GL}, and the internal mailing list of Central Authorities^{GL} are complete, remain up to date, and contain the contact details for the Central Authority(ies) and other Authorities^{GL} designated under the Convention^{GL}.¹
(C&R No 9 of the 2024 SC)
2. Communicating effectively with relevant authorities by electronic means, while taking into account data security and privacy considerations, as appropriate. To safeguard personal data and sensitive information, authorities may consider, where possible, the use of digital signatures^{GL}, secure platforms with end-to-end encryption, encrypted e-mails, and password-protected documents. Care should be taken to ensure that only the data strictly necessary for processing the request^{GL} is included. Further information, including available communication methods and other relevant considerations, can be found in the Country Profile^{GL} of the requested State^{GL} (see item numbers 6, 7 and 25).²
(C&R No 10 of the 2024 SC)
3. Promptly responding, preferably within 15 to 20 calendar days of receipt, to enquiries from forwarding Authorities^{GL} and interested parties about the presentation, transmission, receipt, and execution of requests^{GL}.
(C&R No 96 of the 2024 SC)
4. Promoting the Country Profile^{GL} and publicising the Service Section^{GL} of the HCCH website, in addition to promoting the Conclusions & Recommendations^{GL} of Special Commission^{GL} meetings, the Practical Handbook^{GL}, Guidelines, and other supporting documents among

¹ The Country Profiles pertaining to the 1965 Service Convention are available on the HCCH website (www.hcch.net) under “Service” then “e-Country Profiles”.

² Some Contracting Parties may not have access to certain platforms or may be unable to open documents with specific protections. Accordingly, before using such methods, authorities are encouraged to consult the relevant Country Profile.

users of the Convention^{GL}, including judicial authorities and officers, practitioners, and other designated Authorities^{GL}.

(C&R Nos 7, 8 and 134 of the 2024 SC)

5. Supporting regular training and the exchange of experience among relevant officials, as well as participation in meetings of and for Central Authorities^{GL} operating under the Convention^{GL}, to ensure familiarity with applicable methods and procedures, evolving practices, and the effective use of IT.
6. Ensuring, as far as practicable, that the Central Authority^{GL} and other designated Authorities^{GL} are appropriately resourced to perform their functions under the Convention^{GL}.

II. Good practices relating to the preparation and transmission of Requests for service

Good practices include:

1. Consulting the Country Profile^{GL}, other relevant national websites, and any guidelines prepared by the requested State^{GL}, and reviewing the information provided therein before making a request^{GL}. Relevant information to review includes translation requirements, methods for transmitting the requests, and applicable declarations / reservations / notifications made by the requested State.³
(C&R Nos 89, 93 and 134 of the 2024 SC)
2. Using and completing all parts of the Model Form^{GL}, including the “Summary” and, where possible, the “Warning”, when transmitting a Request for service^{GL}.
(C&R No 78 of the 2024 SC)
3. Completing the Model Form^{GL} electronically and using the multilingual versions available on the HCCH website; consulting the [Guidelines for completing the Model Form](#), and any additional instructions when preparing a request^{GL} under the Convention^{GL}.
(C&R Nos 79 and 84 of the 2024 SC)
4. Providing sufficient contact information, including e-mail addresses, in the requests^{GL} to facilitate communication with Central Authorities^{GL} and other designated Authorities^{GL}.
(C&R No 12 of the 2024 SC)
5. Where possible or appropriate, transmitting the Request for service^{GL} and related documents by electronic means, while taking into account data security and privacy considerations. To safeguard personal data and sensitive information, forwarding Authorities^{GL} may consider, where possible, the use of digital signatures^{GL}, secure platforms with end-to-end encryption, encrypted e-mails, and password-protected documents. Care should be taken to ensure that only the data strictly necessary for processing the request^{GL} is included. Further information, including available communication methods and other relevant considerations, can be found in the Country Profile^{GL} of the requested State^{GL} (item numbers 6, 7 and 25).⁴
(C&R Nos 13 and 71 of the 2024 SC)
6. Presenting the Request for service^{GL} to the Central Authority^{GL} or other designated Authority^{GL} of the requested State^{GL} as soon as practicable, to allow sufficient time for its execution.
7. Where service is to be effected on multiple persons, even when they share the same address, sending a separate request^{GL} for each person.

³ The Country Profiles pertaining to the 1965 Service Convention are available on the HCCH website (www.hcch.net) under “Service” then “e-Country Profiles”.

⁴ Some Contracting Parties may not have access to certain platforms or may be unable to open documents with specific protections. Accordingly, before using such methods, authorities are encouraged to consult the relevant Country Profile.

8. Contacting the Central Authority^{GL} or other designated Authority^{GL} of the requested State^{GL}, preferably by electronic means, to enquire about the status of the request^{GL} if no acknowledgement of receipt is received within 30 calendar days of sending the request.
(C&R No 95(b) of the 2024 SC)
9. Indicating to the Central Authority^{GL} or other designated Authority^{GL} of the requested State^{GL} the time after which service is no longer required, and, where applicable, providing alternative court hearing dates, or informing the relevant authority in the requested State^{GL} at any time that service is no longer required.
(C&R No 95 (h) of the 2024 SC)
10. Contacting the relevant Central Authority^{GL} or other designated Authority^{GL} of the requested State^{GL} to whom the request^{GL} was addressed, preferably by electronic means, to enquire about the status of execution if no Certificate^{GL} confirming service or non-service has been received from the relevant authority within a reasonable time, preferably within 90 calendar days of sending the request.
(C&R No 95 (f) of the 2024 SC)

III. Good practices relating to the receipt and execution of Requests for service

Good practices include:

1. Where possible, implementing procedures and structures to facilitate the acceptance of Requests for service^{GL} transmitted by electronic means and ensuring that methods of acceptance are reflected in the relevant Country Profile^{GL}.
(C&R Nos 13 and 71 of the 2024 SC)
2. Promptly acknowledging receipt of the Request for service^{GL}, preferably within 30 calendar days of receiving it from the forwarding Authority^{GL}.
(C&R No 95 (b) of the 2024 SC)
3. Tracking or recording incoming Requests for service^{GL} through electronic case registers or management systems.
(C&R No 14 of the 2024 SC)
4. Promptly contacting the forwarding Authority^{GL}, preferably by electronic means, when the Request for service^{GL} cannot be executed due to inadequate information or document(s) forwarded, in order to secure the missing information or document(s).
(C&R No 95 (c) of the 2024 SC)
5. Consulting the Country Profile^{GL} when there are doubts as to the competence of the forwarding Authority^{GL}.
(C&R No 88 of the 2024 SC)
6. Communicating with the relevant authorities, including the forwarding Authority^{GL} and / or the Central Authority^{GL} in the requesting State^{GL}, preferably by electronic means, when issues of interpretation arise regarding the characterisation of an extrajudicial document^{GL} or the nature of the cause of action.
(C&R Nos 68 and 123 of the 2024 SC)
7. Providing assistance to the forwarding Authority^{GL}, where possible and consistent with legal and structural capabilities, when the address of the person to be served is incomplete or incorrect. Additional information on available assistance should be included in the Country Profile^{GL}. When such assistance can be provided, taking into account data security and privacy considerations, as well as necessary precautions in sensitive cases involving potential risks to the health, safety, or liberty of the addressee^{GL}.
(C&R Nos 76 and 77 of the 2024 SC)

8. Deciding whether the request^{GL} complies with the provisions of the Convention^{GL} within 30 calendar days of its receipt.
(C&R No 95 (d) of the 2024 SC)
9. Where possible and appropriate, in cases of refusal to comply with a Request for service, providing the reason(s) underlying the refusal to the forwarding Authority^{GL}.
10. Executing the Request for service^{GL} as soon as practicable, preferably within 90 calendar days of its receipt.
(C&R No 94 of the 2024 SC)
11. Promptly communicating with the forwarding Authority^{GL}, preferably by electronic means, if, at any time during the execution of the Request for service^{GL}, an obstacle arises which may significantly delay or even prevent its execution.
(C&R No 95 (e) of the 2024 SC)
12. Taking all reasonable and appropriate steps, as determined by the Central Authority^{GL}, to execute the request^{GL} until such time as the forwarding Authority^{GL} advises that service is no longer required. Reasonable and appropriate steps may include multiple attempts to effect service at different times and using available resources to confirm an addressee's^{GL} address.
(C&R No 95 (g) of the 2024 SC)
13. Implementing mechanisms to facilitate, where necessary, the payment or reimbursement by electronic means of costs permitted by Article 12(2) of the Convention^{GL}, and providing any relevant information in this regard in the Country Profile^{GL}.
(C&R Nos 41 and 100 of the 2024 SC)

IV. Good practices relating to the completion and return of the Certificate of service

Good practices include:

1. Completing the Model Form^{GL} electronically and consulting the [Guidelines for completing the Model Form](#) when preparing the Certificate^{GL}.
(C&R Nos 79 and 84 of the 2024 SC)
2. Returning the Certificate^{GL} directly to the forwarding Authority^{GL} in the requesting State^{GL}.
(C&R No 83 of the 2024 SC)
3. Where possible, transmitting the Certificate^{GL} and related documents by electronic means, while taking into account data security and privacy considerations. To safeguard personal data and sensitive information, authorities may consider, where possible, the use of digital signatures^{GL}, secure platforms with end-to-end encryption, encrypted e-mails, and password-protected documents. Further information, including available communication methods and other relevant considerations, can be found in the Country Profile^{GL} of the requesting State^{GL} (item number 25).⁵
(C&R Nos 13 and 71 of the 2024 SC)
4. Ensuring that the Certificate^{GL} or the attachments include sufficient information to identify the matter to which the Certificate relates. It may be of assistance if a copy of the original request^{GL} and / or the documents to be served are returned together with the Certificate for this purpose.

⁵ Some Contracting Parties may not have access to certain platforms or may be unable to open documents with specific protections. Accordingly, before using such methods, authorities are encouraged to consult the relevant Country Profile.

Glossary

The following key terms are used in this Good Practices document (for the 1965 Service Convention):

1965 Service Convention (or the Convention)

An international treaty developed and adopted under the auspices of the HCCH, the full title of which is the *Convention of 15 November 1965 on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters*. The full text of the Convention is available on the [Service Section](#) of the HCCH website.

Addressee

The person upon whom the document is served. This should not be confused with the terms “receiving authority” or “Central Authority”.

Central Authority

The authority designated by a Contracting Party pursuant to Article 2(1) of the 1965 Service Convention. Information about Central Authorities designated by Contracting Parties is available on the [Service Section](#) of the HCCH website and in the relevant Country Profile.

Certificate

A part of the Model Form used to certify whether or not the document has been served in the requested State. This Certificate must be completed when using the main channel of transmission. The Certificate may also be completed when using the alternative channels of transmission. The Certificate is referred to as Part 2 of the Model Form ([Guidelines for completing the Model Form](#)).

Conclusions & Recommendations (C&R)

The form in which outcomes of meetings of the Special Commission (SC) are developed, reflected and adopted. Under the [HCCH Rules of Procedure](#), Special Commission meetings adopt Conclusions & Recommendations. References to the Conclusions & Recommendations are made throughout this document together with the year of the relevant meeting (e.g., C&R of the 2024 SC refers to the Conclusions & Recommendations adopted by the 2024 meeting of the Special Commission). Conclusions & Recommendations are submitted to the governing body of the HCCH, the Council on General Affairs and Policy, for approval.

Country Profile

The online profile containing practical and country-specific information about a Contracting Party to the Convention, which is available on the [Service Section](#) of the HCCH website.

Digital signature

A name, initial, mark, or symbol that is affixed to, or logically associated with, a document in electronic form and authenticated using a digital certificate.

Extrajudicial document

For the purposes of the 1965 Service Convention, a document that is not directly related to a trial but that requires the involvement of an authority or judicial officer.

Forwarding Authority

The authority or judicial officer competent under the law of the requesting State to forward requests for service to the Central Authority of the requested State. While the term “forwarding Authority” is not contained in the 1965 Service Convention or the Model Form, it was created on the basis of the English version of Article 3 of the Convention, which makes reference to an authority or judicial officer that must forward a request to the Central Authority of the requested State. The forwarding Authority is referred to

in the Convention and the Model Form as the Applicant and also as the requesting Authority. However, the term forwarding Authority encapsulates the terms Applicant and requesting Authority.

Model Form

The Model Form is annexed to the 1965 Service Convention and is comprised of three Parts: (1) the Request for service; (2) the Certificate; and (3) the Summary, preceded by a Warning.

The Summary provides the addressee with essential information about the parties and the document to be served (e.g., nature and purpose of the document, date and place for entering appearance and any relevant time-limits).

The Warning explains the nature of the document to be served and informs the availability of legal aid or advice in the requesting State. Together, the Summary and the Warning are referred to as Part 3 of the Model Form ([Guidelines for completing the Model Form](#)).

Completion of the Model Form is mandatory if and when the main channel of transmission is used, and completion of Parts 2 and 3 of the Model Form is also recommended for the alternative channels of transmission.

Other (designated) Authorities

In general, the organisation of Central Authorities is centralised. However, Article 18(1) permits Contracting Parties to designate other authorities in addition to the Central Authority and to determine the extent of their competence. However, forwarding Authorities shall always retain the right to address a request directly to the Central Authority under Article 18(2).

Practical Handbook on the Operation of 1965 Service Convention (or Practical Handbook)

The Practical Handbook, intended to assist all users of the 1965 Service Convention, offers detailed explanations and practical guidance on the general operation of the 1965 Service Convention, as well as authoritative commentaries on the major issues that have arisen in practice.

Request for service (or request)

A document which forms part of the Model Form. This document is used by the forwarding Authority to request the Central Authority of the requested State to effect service of a judicial or extrajudicial document on the addressee. The Request for service is referred to as Part 1 of the Model Form (see [Guidelines for completing the Model Form](#)).

Requested State

For the purposes of the 1965 Service Convention, the State to which a Request for service is, or will be, addressed.

Requesting State

For the purposes of the 1965 Service Convention, the State from which a Request for service is, or will be, issued.

Service Section

A section of the website of the HCCH dedicated to the 1965 Service Convention. The Service Section can be accessed via a link on the home page of the HCCH website (www.hcch.net).

Special Commission

A Special Commission is a body established under Article 8 of the [HCCH Statute](#) and convened by announcement of the Secretary General to develop and negotiate new HCCH Conventions (or other Instruments) or to review the practical operation of existing HCCH Conventions. In this document, Special Commission refers to the Special Commission that meets periodically to review the practical operation of the 1965 Service Convention.

Good Practices for Central Authorities and other designated Authorities under the 1970 Evidence Convention

Recalling the framework of the 1970 Evidence Convention and the practical importance and impact of effective cross-border judicial and administrative cooperation, and reiterating that the spirit and letter of the Convention does not constitute an obstacle to the use of information technology (IT), the Working Group on the Good Practices has endorsed the following compilation of good practices.

These good practices are applicable to those engaged in the preparation, transmission, and execution of Letters of Request for the taking of evidence and performance of other judicial acts.

These good practices are aimed at enhancing the effective operation of the Convention including by promoting the appropriate use of IT and supporting timely and efficient communication between all parties involved. By facilitating more streamlined procedures, these practices contribute to improve the overall efficiency and responsiveness of cross-border judicial cooperation in the taking of evidence.

This document is non-binding, and Contracting Parties retain discretion in the implementation of the practices set out below, in accordance with the respective applicable laws, including regulations relating to privacy and data protection.

* Click [[here](#)] for a glossary of key terms used in this document.

I. Good practices relating to the general operation of Central Authorities and other designated Authorities

Good practices include:

1. Ensuring that the Country Profile^{GL}, relevant national websites, any guidelines prepared by the requested State^{GL}, and the internal mailing list of Central Authorities^{GL} are complete, remain up to date, and contain the contact details for the Central Authority(ies) and other Authorities^{GL} designated under the Convention^{GL}.⁶
(C&R No 9 of the 2024 SC)
2. Communicating effectively with relevant authorities by electronic means, while taking into account data security and privacy considerations, as appropriate. To safeguard personal data and sensitive information, authorities may consider, where possible, the use of digital signatures^{GL}, secure platforms with end-to-end encryption, encrypted e-mails, and password-protected documents. Care should be taken to ensure that only the data strictly necessary for processing the Letter of Request^{GL} is included. Further information, including available communication methods and other relevant considerations, can be found in the Country Profile^{GL} of the requested State^{GL} (item numbers 7 and 22).⁷
(C&R No 10 of the 2024 SC)
3. Promptly responding, preferably within 15 to 20 calendar days of receipt, to enquiries from requesting Authorities^{GL} and interested parties about the presentation, transmission, receipt, and execution of requests^{GL}.
(C&R Nos 23 and 24 of the 2024 SC)
4. Promoting the Country Profile^{GL} and publicising the Evidence Section^{GL} of the HCCH website, in addition to promoting the Conclusions & Recommendations^{GL} of Special Commission^{GL} meetings, the Practical Handbook^{GL}, Guidelines, and other supporting documents among

⁶ The Country Profiles pertaining to the 1970 Evidence Convention are available on the HCCH website (www.hcch.net) under “Evidence” then “e-Country Profiles”.

⁷ Some Contracting Parties may not have access to certain platforms or may be unable to open documents with specific protections. Accordingly, before using such methods, authorities are encouraged to consult the relevant Country Profile.

users of the Convention^{GL}, including judicial authorities and officers, practitioners, and other designated Authorities^{GL}.

(C&R Nos 7, 8, 49 and 134 of the 2024 SC)

5. Supporting regular training and the exchange of experience among relevant officials, as well as participation in meetings of and for Central Authorities^{GL} operating under the Convention^{GL}, to ensure familiarity with applicable methods and procedures, evolving practices, and the effective use of IT.
6. Ensuring, as far as practicable, that the Central Authority^{GL} and other designated Authorities^{GL} are appropriately resourced to perform their functions under the Convention^{GL}.

II. Good practices relating to the preparation and transmission of Letters of Request

Good practices include:

1. Consulting the Country Profile^{GL}, other relevant national websites, and any guidelines prepared by the requested State^{GL}, and reviewing the information provided therein, before making a request^{GL}. Relevant information to review includes translation requirements, methods for transmitting Letters of Request^{GL}, and applicable declarations / reservations / notifications made by the requested State.
(C&R No 134 of the 2024 SC)
2. Using and completing all relevant parts of the recommended Model Form^{GL}, including the optional Form for video-link evidence^{GL}, when transmitting a Letter of Request^{GL}.
(C&R No 30 of the 2024 SC)
3. Completing the recommended Model Form^{GL} electronically and consulting the [Guidelines for completing the Model Form](#), the multilingual versions of the Model Form available on the HCCH website, and any additional instructions when preparing a Letter of Request^{GL}.
(C&R Nos 31 and 32 of the 2024 SC)
4. Ensuring that Letters of Request^{GL} are legible and use appropriate grammar and form, including avoiding the use of full capital letters or poor-quality copies of exhibits or other documents.
5. Identifying points of contact and providing sufficient and, where possible, specific contact information, including e-mail addresses, in the Letter of Request^{GL}, to facilitate direct follow up queries and communication with Central Authorities^{GL} and other designated Authorities^{GL}.
(C&R No 12 of the 2024 SC)
6. Presenting the Letter of Request^{GL} to the Central Authority^{GL} or other designated Authority^{GL} of the requested State^{GL} as soon as practicable, to allow sufficient time for its execution.
(C&R No 36 of the 2024 SC)
7. Where possible or appropriate, transmitting the Letter of Request^{GL} and related documents by electronic means, while taking into account data security and privacy considerations. To safeguard personal data and sensitive information, requesting Authorities^{GL} may consider, where possible, the use of digital signatures^{GL}, secure platforms with end-to-end encryption, encrypted e-mails, and password-protected documents. Care should be taken to ensure that only the data strictly necessary for processing the Letter of Request is included. Further

information, including available communication methods and other relevant considerations, can be found in the Country Profile^{GL} of the requested State^{GL} (item numbers 7 and 22).⁸ (C&R Nos 13 and 26 of the 2024 SC)

8. Contacting the relevant Central Authority^{GL} or other designated Authority^{GL} of the requested State^{GL}, preferably by electronic means, to enquire about the status of the request^{GL} if no acknowledgement of receipt is received within 30 calendar days of sending the request, or if no document establishing execution or non-execution is received from the relevant authority in the requested State within a reasonable time, generally within six months.
9. Where evidence is no longer needed, promptly notifying the Central Authority^{GL} or other designated Authority^{GL} of the requested State^{GL}, preferably by electronic means, of the withdrawal of the request^{GL}.

III. Good practices relating to the receipt and execution of Letters of Request

Good practices include:

1. Where possible, implementing procedures and structures to facilitate the acceptance of Letters of Request^{GL} transmitted by electronic means and ensuring that methods of acceptance are reflected in the relevant Country Profile^{GL}.
(C&R Nos 13 and 26 of the 2024 SC)
2. Promptly acknowledging receipt of the Letter of Request^{GL}, preferably within 30 calendar days of receiving it from the requesting Authority^{GL}.
(C&R No 24(a) of the 2024 SC)
3. Tracking or recording incoming Letters of Request^{GL} through electronic case registers or management systems.
(C&R No 14 of the 2024 SC)
4. Contacting the relevant authorities or persons, including the requesting and / or Central Authority^{GL} in the requesting State^{GL}, preferably by electronic means, when there are doubts about the nature of the cause of action or to secure any missing information or documents.
(C&R No 123 of the 2024 SC)
5. Deciding whether the request^{GL} complies with the provisions of the Convention^{GL} within 30 calendar days of its receipt.
6. Where possible and appropriate, in cases of refusal to execute a Letter of Request, providing the reasons underlying the refusal to the requesting Authority^{GL}.
7. Encouraging the requesting Authority^{GL} to reformulate and resubmit deficient Letters of Request^{GL}, with a view to avoiding unnecessary delays.
(C&R No 37 of the 2024 SC)
8. Where appropriate, and where a Letter of Request^{GL} appears to be partially deficient, executing the non-deficient portions of the request^{GL} rather than rejecting it in its entirety.
(C&R No 37 of the 2024 SC)
9. Taking measures to ensure the timely and expeditious execution of a Letter of Request^{GL}, usually within six months following its receipt.
(C&R Nos 22 and 35 of the 2024 SC)

⁸ Some Contracting Parties may not have access to certain platforms or may be unable to open documents with specific protections. Accordingly, before using such methods, authorities are encouraged to consult the relevant Country Profile.

10. Promptly communicating with the requesting Authority^{GL}, preferably by electronic means, if, at any time during the execution of the Letter of Request^{GL}, an obstacle arises which may significantly delay or even prevent its execution.
11. Implementing mechanisms to facilitate, where necessary, the payment or reimbursement by electronic means of costs permitted by Article 14(2) and (3) of the Convention^{GL}, and providing any relevant information in this regard in the Country Profile^{GL}.
(C&R No 41 of the 2024 SC)

IV. Good practices relating to the return of documents establishing the execution of a Letter of Request

Good practices include:

1. Returning the documents establishing execution, if not requested otherwise, to the requesting Authority^{GL} in the requesting State^{GL}.
2. Where possible or appropriate, transmitting the evidence and related documents by electronic means, while taking into account data security and privacy considerations. To safeguard personal data and sensitive information, authorities may consider, where possible, the use of digital signatures^{GL}, secure platforms with end-to-end encryption, encrypted e-mails, and password-protected documents. Further information, including available communication methods and other relevant considerations, can be found in the Country Profile^{GL} of the requesting State^{GL} (item number 22).⁹
(C&R Nos 13 and 28 of the 2024 SC)

⁹ Some Contracting Parties may not have access to certain platforms or may be unable to open documents with specific protections. Accordingly, before using such methods, authorities are encouraged to consult the relevant Country Profile.

Glossary

The following key terms are used in this Good Practices document (for the 1970 Evidence Convention):

1970 Evidence Convention (or the Convention)

An international treaty developed and adopted under the auspices of the HCCH, the full title of which is the *Convention of 18 March 1970 on the Taking of Evidence Abroad in Civil or Commercial Matters*. The full text of the Convention is available on the [Evidence Section](#) of the HCCH website.

Central Authority

The authority designated by a Contracting Party pursuant to Article 2(1) of the 1970 Evidence Convention. Information about Central Authorities designated by Contracting Parties is available on the [Evidence Section](#) of the HCCH website and in the relevant Country Profile.

Conclusions & Recommendations (C&R)

The form in which outcomes of meetings of the Special Commission (SC) are developed, reflected and adopted. Under the [HCCH Rules of Procedure](#), Special Commission meetings adopt Conclusions & Recommendations. References to the Conclusions & Recommendations are made throughout this document together with the year of the relevant meeting (e.g., C&R of the 2024 SC refers to the Conclusions & Recommendations adopted by the 2024 meeting of the Special Commission). Conclusions & Recommendations are submitted to the governing body of the HCCH, the Council on General Affairs and Policy, for approval.

Country Profile

The online profile containing practical and country-specific information about a Contracting Party to the 1970 Evidence Convention, which is available on the [Evidence Section](#) of the HCCH website.

Digital signature

A name, initial, mark, or symbol that is affixed to, or logically associated with, a document in electronic form and authenticated using a digital certificate.

Evidence Section

A section of the HCCH website dedicated to the 1970 Evidence Convention. The Evidence Section can be accessed via a link on the home page of the HCCH website (www.hcch.net).

Letter of Request (or request)

For the purposes of Chapter I, a device used to request the obtaining of evidence or the performance of some other judicial act.

Model Form

The model Letter of Request form recommended by the Special Commission. Fillable versions of the Model Form in English, French, and Spanish, as well as instructions for completion, are available on the [Evidence Section](#) of the HCCH website.

Practical Handbook on the Operation of the 1970 Evidence Convention (or Practical Handbook)

The Practical Handbook, intended to assist all users of the 1970 Evidence Convention, offers detailed explanations and practical guidance on the general operation of the 1970 Evidence Convention, as well as authoritative commentaries on the major issues that have arisen in practice.

Optional Form for Video-link Evidence

A form intended to be used as an attachment to the Recommended Model Form for Letters of Request, available on the [Evidence Section](#) of the HCCH website.

Other (designated) Authorities

In general, the organisation of Central Authorities is centralised. However, Article 24(1) permits Contracting Parties to designate other Authorities in addition to the Central Authority and to determine the extent of their competence. However, requesting Authorities shall always retain the right to address a request directly to the Central Authority.

Requested State

For the purposes of Chapter I, the Contracting Party to which a Letter of Request is, or will be, addressed (as the case may be).

Requesting Authority

For the purposes of Chapter I, the authority that issues a Letter of Request. The 1970 Evidence Convention provides that the requesting Authority is a judicial authority of the requesting State that is competent to issue Letters of Request under its internal law. Requesting authorities not only include courts and judges but also other persons (such as notaries) insofar as these persons may perform, in certain Contracting Parties, functions of judicial authorities.

Requesting State

For the purposes of Chapter I, the Contracting Party from which a Letter of Request is, or will be, issued.

Special Commission

A Special Commission is a body established under Article 8 of the [HCCH Statute](#) and convened by announcement of the Secretary General to develop and negotiate new HCCH Conventions (or other Instruments) or to review the practical operation of existing HCCH Conventions. In this document, Special Commission refers to the Special Commission that meets periodically to review the practical operation of the 1970 Evidence Convention.

Good Practices for Central Authorities and Transmitting Authorities under the 1980 Access to Justice Convention

Recalling the framework of the 1980 Access to Justice Convention and the practical importance and impact of effective cross-border judicial and administrative cooperation, and reiterating that the spirit and letter of the Convention does not constitute an obstacle to the use of information technology (IT), the Working Group on the Good Practices has endorsed the following compilation of good practices applicable to those engaged in the preparation, transmission, and processing of applications for legal aid.

These good practices are aimed at enhancing the effective operation of the Convention including by promoting the appropriate use of IT, and supporting timely and efficient communication between all parties involved. By streamlining procedures, these practices contribute to improving access to justice and ensuring more effective cross-border cooperation in legal aid matters.

This document is non-binding, and Contracting Parties retain discretion in the implementation of the practices set out below, in accordance with the respective applicable laws, including regulations relating to privacy and data protection.

* Click [[here](#)] for a glossary of key terms used in this document.

I. Good practices relating to the general operation of Central and Transmitting Authorities

Good practices include:

1. Ensuring that the Access to Justice Section^{GL} of the HCCH website contains the contact details for the Central Authorities^{GL} and Transmitting Authorities^{GL} designated under the Convention^{GL}.
2. Communicating effectively with relevant authorities by electronic means, while taking into account data security and privacy considerations, as appropriate. To safeguard personal data and sensitive information, authorities may consider, where possible, the use of digital signatures^{GL}, secure platforms with end-to-end encryption, encrypted e-mails, and password-protected documents. Care should be taken to ensure that only the data strictly necessary for processing the application^{GL} is included.¹⁰
(C&R No 10 of the 2024 SC)
3. Promptly responding, preferably within 15 to 20 calendar days of receipt, to enquiries from Transmitting Authorities^{GL} and interested parties about the presentation, transmission, receipt, and status of applications^{GL}.
4. Publicising the Access to Justice Section^{GL} of the HCCH website, in addition to the Conclusions & Recommendations^{GL} of Special Commission^{GL} meetings, among users of the Convention^{GL}, including judicial authorities and officers, practitioners, and other relevant authorities.
(C&R Nos 7, 8 and 134 of the 2024 SC)
5. Supporting regular training and the exchange of experience among relevant officials, as well as participation in meetings of and for Central Authorities^{GL} operating under the Convention^{GL},

¹⁰ Some Contracting Parties may not have access to certain platforms or may be unable to open documents with specific protections. Accordingly, before using such methods, authorities are encouraged to consult the relevant authority in the requested State.

to ensure familiarity with applicable methods and procedures, evolving practices, and the effective use of IT.

6. Ensuring, as far as practicable, that the Central and Transmitting Authorities^{GL} are appropriately resourced to perform their functions under the Convention^{GL}.

II. **Good practices relating to the preparation and transmission of Applications for legal aid**

Good practices include:

1. Using and completing all parts of the Model Form^{GL} when transmitting an Application for legal aid^{GL}.
2. Completing the Model Form^{GL} electronically.
3. Providing sufficient contact information, including e-mail addresses, in the application^{GL} to facilitate communication with Central Authorities^{GL} and other relevant authorities.
(C&R No 12 of the 2024 SC)
4. Where possible or appropriate, transmitting the application^{GL} and related documents by electronic means, while taking into account data security and privacy considerations. To safeguard personal data and sensitive information, Transmitting Authorities^{GL} may consider, where possible, the use of digital signatures^{GL}, secure platforms with end-to-end encryption, encrypted e-mails, and password-protected documents. Care should be taken to ensure that only the data strictly necessary for processing the application is included.¹¹
(C&R No 13 of the 2024 SC)
5. Contacting the Central Authority^{GL} of the requested State^{GL}, preferably by electronic means, to enquire about the status of the application^{GL} if no acknowledgement of receipt is received within 30 calendar days of sending the application.

III. **Good practices relating to the receipt of Applications for legal aid**

Good practices include:

1. Where possible, implementing procedures and structures to facilitate the acceptance of applications^{GL} transmitted by electronic means.
(C&R No 13 of the 2024 SC)
2. Promptly acknowledging receipt of the Application for legal aid^{GL}, preferably within 30 calendar days of its receipt.
3. Tracking or recording incoming Applications for legal aid^{GL} through electronic case registers or management systems.
(C&R No 14 of the 2024 SC)
4. Promptly contacting the Transmitting Authority^{GL}, preferably by electronic means, when the application^{GL} cannot be processed due to inadequate information or document(s) forwarded, in order to secure the missing information or document(s).
5. Handling Applications for legal aid^{GL} with special caution and urgency, especially in cases involving sensitive matters such as those concerning children.

¹¹ Some Contracting Parties may not have access to certain platforms or may be unable to open documents with specific protections. Accordingly, before using such methods, authorities are encouraged to consult the relevant authority in the requested State.

6. Deciding whether the application^{GL} complies with the provisions of the Convention^{GL} within 30 calendar days of its receipt.

Glossary

The following key terms are used in this Good Practices document (for the 1980 Access to Justice Convention):

1980 Access to Justice Convention (or the Convention)

An international treaty developed and adopted under the auspices of the HCCH, the full title of which is the *Convention of 25 October 1980 on International Access to Justice*. The full text of the Convention is available on the [Access to Justice Section](#) of the HCCH website.

Access to Justice Section

A section of the HCCH website dedicated to the 1980 Access to Justice Convention. The Access to Justice Section can be accessed via a link on the home page of the HCCH website (www.hcch.net).

Application for Legal Aid (or application)

For the purposes of Chapter I, a device used to seek legal aid in another Contracting Party to the 1980 Access to Justice Convention. Applications for legal aid shall conform with the Model Form annexed to the Convention.

Central Authority

The authority designated by a Contracting Party pursuant to Article 3(1) to receive and process Applications for legal aid. Information about Central Authorities designated by Contracting Parties is available on the [Access to Justice Section](#) of the HCCH website.

Conclusions & Recommendations (C&R)

The form in which outcomes of meetings of the Special Commission (SC) are developed, reflected and adopted. Under the [HCCH Rules of Procedure](#), Special Commission meetings adopt Conclusions & Recommendations. References to the Conclusions & Recommendations are made throughout this document together with the year of the relevant meeting (e.g., C&R of the 2024 SC refers to the Conclusions & Recommendations adopted by the 2024 meeting of the Special Commission). Conclusions & Recommendations are submitted to the governing body of the HCCH, the Council on General Affairs and Policy, for approval.

Digital signature

A name, initial, mark, or symbol that is affixed to, or logically associated with, a document in electronic form and authenticated using a digital certificate.

Model Form

The Model Form is annexed to the 1980 Access to Justice Convention and shall be used for Applications for legal aid.

Requested State

The Contracting Party to which the Application for legal aid is, or will be, submitted.

Special Commission

A Special Commission is a body established under Article 8 of the [HCCH Statute](#) and convened by announcement of the Secretary General to develop and negotiate new HCCH Conventions (or other Instruments) or to review the practical operation of existing HCCH Conventions. In this document, Special Commission refers to the Special Commission that meets periodically to review the practical operation of the 1980 Access to Justice Convention.

Transmitting Authority

The authority(ies) designated by a Contracting Party pursuant to Article 4(1) to forward Applications for legal aid to the appropriate Central Authority in the requested State. Information about Transmitting Authority(ies) designated by Contracting Parties is available on the [Access to Justice Section](#) of the HCCH website.