

## **Draft Agenda for the Fourth Meeting of the Special Commission on Recognition and Enforcement of Foreign Judgments**

*The Hague, 24-29 May 2018*

With the exception of the first day, it is proposed that the sessions shall be held from 9.00 a.m. to 1.00 p.m. and from 2.30 p.m. to 6.00 p.m., with lunch breaks from 1.00 to 2.30 p.m. and breaks for coffee / tea from 11.00 to 11.15 a.m. and from 4.00 to 4.15 p.m.

There will be a plenary session on the morning of Saturday 26 May 2018. No other sessions are planned during the weekend. However, if required, the Drafting Committee or informal working groups may meet at the premises of the Permanent Bureau.

The primary basis for the discussions will be Working Document No 236 E revised ("the November 2017 draft Convention"), which contains the text that emerged from the Third Meeting of the Special Commission, and reflects the final *toiletage* performed by the Permanent Bureau.

The suggested timetable will be followed with a certain degree of flexibility and may need to be modified in the light of progress in the discussions.

### **Thursday 24 May 2018**

10.00 a.m. – 1.00 p.m. Welcome and general remarks by *Mr Christophe Bernasconi, Secretary General*

Adoption of the agenda

Introduction to organisational matters, by *Mrs Anna Koelewijn, Head of Administration*

General comments about the mandate of the Special Commission and the current status of the Project, by *Mr David Goddard QC, Chair of the Special Commission*

General presentation of the revised preliminary Explanatory Report by *Mr Francisco Garcimartín Alférez and Mrs Geneviève Saumier, co-Rapporteurs of the draft Convention (Prel. Doc. No 10)*

### **Report of informal working groups**

**Working group No 1** - The possible exclusion of privacy matters from the scope of the draft Convention (*Art. 2(1)(I)*)

This agenda item will include a brief presentation by the chair of the working group, *Ms Tanja Domej* (Switzerland), on the report of the working group and any revised draft text.

1.00 p.m. Group photograph

2.30 p.m. – 6.00 p.m.

**Report of informal working groups (cont'd)**

**Working group No 2** – Decisions of competent authorities in relation to the validity of intellectual property rights (*Art. 8(3)*)

This agenda item will include a brief presentation by the chair of the working group, *Ms Sarala Subramaniam* (Singapore), on the report of the working group and any revised draft text.

**Working group No 3** – Costs of proceedings (*Art. 15*)

This agenda item will include a brief presentation by the chair of the working group, *Mrs Tonje Meinich* (Norway), on the report of the working group and any revised draft text.

6.00 p.m.

Welcome reception offered by the Permanent Bureau in the foyer of the Academy Building

**Friday 25 May 2018**

9.00 a.m. – 1.00 p.m.

**Report of informal working groups (cont'd)**

**Working group No 4** – Declarations with respect to judgments pertaining to governments (*Art. 20*)

This agenda item will include a brief presentation by the chair of the working group, *Mr Paul Beaumont* (European Union), on the report of the working group and any revised draft text.

**Working group No 5** – Common courts (*Art. 21*)

This agenda item will include a brief presentation by the chair of the working group, *Mr Marcelo de Nardi* (Brazil), on the report of the working group and any revised draft text.

2.30 p.m. – 6.00 p.m.

**Report of informal working groups (cont'd)**

**Working group No 6** – Non-unified legal systems (*Art. 24*)

This agenda item will include a brief presentation by the chair of the working group, *Mr Timothy Schnabel* (USA), on the report of the working group and any revised draft text.

**Working group No 7** – Relationship with other international instruments (*Art. 25*)

This agenda item will include a brief presentation by the chair of the working group, *Mr Keisuke Takeshita* (Japan), on the report of the working group and any revised draft text.

### **Saturday 26 May 2018**

9.00 a.m. – 1.00 p.m. **Discussion of priority issues**<sup>1</sup>

### **Sunday 27 May 2018**

1.00 p.m. – 5.00 p.m. Meeting of the Drafting Committee at the premises of the Permanent Bureau

### **Monday 28 May 2018**

9.00 a.m. – 1.00 p.m. **Discussion of priority issues (cont'd)**

2.30 p.m. – 6.00 p.m. **Discussion of priority issues (cont'd)**

6.30 p.m. Meeting of the Drafting Committee at the premises of the Permanent Bureau

### **Tuesday 29 May 2018**

9.00 a.m. – 11.00 a.m. **Discussion of priority issues (cont'd)**

11.15 a.m. – 1.00 p.m. Discussions about further work in preparation for the Diplomatic Session

Reading of the draft Text

Discussion of the Report of the Special Commission to the Council on General Affairs and Policy

1.00 p.m. Closing of the meeting

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<sup>1</sup> Priority issues are those contained in the proposals submitted to the Permanent Bureau for circulation before 4 May 2018. Further to circular letter L.c. ON No 10(18) of 9 February 2018, this includes those Working Documents listed in Annex II of the November 2017 *Aide Memoire* that have been revised and resubmitted by Members or that Members have indicated to the Permanent Bureau remain live for discussion at the Special Commission.