

Questions

Consultation on the draft text of a possible convention on parallel proceedings and related actions

Question 1 on the scope of the Draft Text

- 1.1 What are your views on the scope of the Draft Text?
- 1 The Egyptian Ministry of Justice supports the limitation of the scope to "civil or commercial matters" as stated in Article 1(1). This distinction is fundamental in the Egyptian legal system, which maintains a strict separation between private law disputes (adjudicated by civil courts) and administrative disputes (adjudicated by the State Council / Maglis Al-Dawla). We strongly endorse the explicit exclusion of "revenue, customs or administrative matters". In Egypt, these matters are inextricably linked to state sovereignty and public law, and therefore cannot be subject to the jurisdictional rules or suspension obligations of this Convention. The current scope ensures clarity and prevents conflict with our national rules regarding administrative jurisdiction.
- 1.2 Does the subject matter scope of the Draft Text cover those matters for which rules on parallel proceedings and related actions would be beneficial?
- Yes. The current scope effectively covers the core areas of international trade, investment, and private obligations where parallel proceedings most frequently occur. By focusing on civil and commercial matters, the Draft Text addresses the primary sources of conflicting judgments and duplicative litigation costs faced by cross-border businesses. We believe the current scope strikes the correct balance between utility for litigants and the sovereignty of national courts.
- 1.3 What are your views on the subject matter exclusions in particular, and how they would work in practice? For example, what are your views on the formulation of the arbitration exclusion in Article 2(3)?
- We generally agree with the exclusions listed in Article 2(1), particularly: Family Law and Succession (Art 2(1)(a)-(d)): The exclusion of status, matrimonial property, and succession is essential. In Egypt, these matters are governed by Personal Status laws and specialized courts, often based on religious principles (Sharia). Subjecting these sensitive matters to the "first-in-time" or "more appropriate court" mechanisms of this Convention would conflict with Egyptian public policy. Insolvency (Art 2(1)(e)): We support this exclusion, as insolvency proceedings in Egypt are collective in nature and governed by specialized bankruptcy courts under Law No. 11 of 2018. Regarding the Arbitration Exclusion (Article 2(3)): We strongly support the formulation: "This Convention shall not apply to arbitration and related proceedings". Egypt is a signatory to the New York Convention, and our national Arbitration Law (No. 27 of 1994) prioritizes the autonomy of the arbitration agreement. The broad formulation "and related proceedings" is practical; it ensures that court proceedings ancillary to arbitration (e.g., appointment of arbitrators, annulment actions) do not inadvertently fall within the scope of this Convention, which could otherwise create conflicts between the Convention and the established arbitration regime.

1.4 What are your views on the geographical scope of the Draft Text and how it would work in practice? (See paragraph 16 for further information).

We note the proposal in Article 1(2) that the Convention applies if the defendant is habitually resident in another Contracting State. This requirement aligns with the general principles of jurisdiction in Egypt (Article 28 of the Code of Civil and Commercial Procedure), which primarily bases jurisdiction on the defendant's domicile. However, we believe the definition of "Habitual Residence" for entities in Article 3(2) –which includes statutory seat, incorporation law, central administration, or principal place of business—provides necessary flexibility. In practice, this ensures that the Convention applies to genuine cross-border disputes involving multinational entities, which is where the risk of parallel proceedings is highest. We support this geographical scope as it ensures a sufficient international element exists to justify the application of the Convention.

Question 2 on definitions

What are your views on the definitions of parallel proceedings and related actions? In particular, please share your views on how these definitions might operate, and be applied by parties and courts, in practice.

We consider the definitions in Article 3 to be clear and compatible with Civil Law concepts of *lis pendens* and *connexity* (*Irtibat*). Parallel Proceedings (Art. 3(1)(a)): We support the definition requiring the "same parties on the same subject matter". This mirrors the strict objective test applied by Egyptian courts when considering a plea of *lis pendens* (*Daf' b-Sabq al-Fasl*). By limiting "parallel proceedings" to cases with identical parties and subject matter, the Draft Text ensures legal certainty and prevents Egyptian courts from declining jurisdiction in cases where the identity of the dispute is not clearly established. Related Actions (Art. 3(1)(b)): We support this definition, particularly the requirement that there must be a risk of "irreconcilable findings or judgments". In Egyptian procedure (Article 32 CCCP), courts have the discretion to combine related actions for the proper administration of justice. The definition in the Draft Text is sufficiently broad to capture complex cross-border litigation but includes the necessary threshold (risk of irreconcilable judgments) to prevent abuse. In practice, we believe these definitions will be easily applied by Egyptian judges, as they correspond to the existing distinction between "identical disputes" (requiring mandatory suspension) and "related disputes" (allowing discretionary joinder).

Question 3 on when a court is deemed to be seised

What are your views on Article 4?

The Egyptian Ministry of Justice strongly prefers Option (a): "when the document instituting the proceedings... is lodged with the court". This preference is based on Article 63 of the Egyptian Code of Civil and Commercial Procedure (CCCP), which establishes that a lawsuit is legally deemed to have commenced at the moment the statement of claim is deposited at the Clerks' Office of the court. Under Egyptian law, the court is "seised" upon this deposit, prior to the service of process on the defendant. Adopting Option (b) (service on the defendant) would create a discrepancy with Egyptian national law, potentially leading to situations where a case is legally pending in Egypt but not yet recognized as "seised" under the Convention. Option (a) provides a precise, verifiable date that prevents tactical delays associated with evading service.

Question 4 on Article 5 obligations

What are your views on Article 5?

Suspension (Art. 5(1)): We accept the obligation to suspend proceedings once parallel proceedings in a priority court are established. While Egyptian courts generally assert jurisdiction broadly under Articles 28-35 CCCP, we recognize that mandatory suspension is the core mechanism of this Convention to avoid conflicting judgments. Resumption of Proceedings (Art. 5(3)): We strongly

endorse the inclusion of Article 5(3), which allows a court to resume the case if the other court fails to render a judgment "within a reasonable time". This is a critical safeguard. Under the Egyptian Constitution, the right to litigation and access to justice is guaranteed. If a foreign court effectively delays justice, the Egyptian court must retain the sovereignty to resume the proceedings to prevent a denial of justice.

Question 5 on priority jurisdiction / connection

What are your views on Articles 6 – 8 including how they will work in practice?

We support the hierarchical structure of Articles 6 through 8, as it aligns with the priorities of Egyptian Private International Law. Article 6 (Immovable Property): We strongly support the "exclusive" nature of this jurisdiction. This aligns perfectly with Article 28 of the Egyptian CCCP, which grants Egyptian courts exclusive jurisdiction over real estate located in Egypt. We view this as a matter of public policy and sovereignty; no foreign court should adjudicate rights in rem regarding property within Egypt. Article 7 (Party Autonomy): We agree with respecting choice of court agreements, provided they do not violate the exclusive jurisdiction rules in Article 6. Article 8 (Jurisdiction/Connection): The list of connections in Article 8(2) is comprehensive and mirrors several heads of jurisdiction found in Egyptian law: Branches (Art. 8(2)(c)): This aligns with Article 30 of the Egyptian CCCP, which allows jurisdiction over foreign companies via their local branches. Place of Performance (Art. 8(2)(d)): This aligns with Article 30 CCCP regarding contractual obligations. In practice, this list ensures that an Egyptian court will only be asked to suspend proceedings if the foreign court has a legitimate and recognized link to the dispute, preventing the recognition of exorbitant jurisdiction.

Question 6 on Article 8(2) jurisdiction / connection requirements

6.1 What are your views on the 'jurisdiction / connection' list in Article 8(2)?

The list in Article 8(2) is comprehensive and largely compatible with the heads of jurisdiction recognized under Egyptian Private International Law. The list effectively captures the necessary "nexus" required to establish legitimate jurisdiction. Specifically: Habitual Residence (Art. 8(2)(a)): This aligns with the primary basis of jurisdiction in Egypt, which is the defendant's domicile (Article 28 CCCP). Branches and Agencies (Art. 8(2)(c)): We strongly support this inclusion. Under Article 30 of the Egyptian CCCP, Egyptian courts have jurisdiction over disputes involving a foreign company if it has a branch or agency in Egypt and the dispute relates to that branch. This is a vital provision for regulating foreign investment and commercial activity. Place of Performance (Art. 8(2)(d)): This corresponds with Article 30 CCCP, which grants jurisdiction to the court where the contract was concluded or performed. Submission (Art. 8(2)(j)): This reflects the principle of implied submission found in Egyptian procedure, where arguing on the merits waives jurisdictional objections.

6.2 Based on your experience, do you consider these factors appropriate for parallel proceedings i.e. for obliging courts to suspend or dismiss proceedings if they are not seised on the basis of one of these? Why or why not?

We consider these factors appropriate for determining priority in parallel proceedings. Reasoning: In the Civil Law tradition, jurisdiction must be based on a substantial link between the dispute and the forum. The factors in Article 8(2) represent "proper" jurisdiction rather than "exorbitant" jurisdiction. If a foreign court is seised based on one of these strong connections (e.g., it is the place of performance or the defendant's residence), it is appropriate for an Egyptian court to suspend proceedings if it lacks such a strong connection. Certainty: This list provides legal certainty. By defining exactly what constitutes a "jurisdictional connection," the Convention prevents discretionary refusals to suspend

proceedings. It ensures that courts only retain cases where they have a legitimate interest in the dispute, thereby reducing forum shopping.

6.3 Are there any additional factors that you believe should be included?

We believe the list is generally sufficient; however, we recommend clarifying the application of these factors to Co-Defendants. Joint Liability: Under Article 29 of the Egyptian CCCP, if there are multiple defendants, the Egyptian courts have jurisdiction over all of them if just one is domiciled in Egypt.

Suggestion: We suggest ensuring that Article 8(2)(a) (Habitual Residence) clearly extends to situations involving multiple defendants, such that if the court has jurisdiction over the "primary" defendant, it is deemed to have a sufficient connection to the "secondary" defendants for the purpose of keeping the whole dispute together, rather than fracturing the proceedings.

Question 7 on the determination of the more appropriate court

7.1 What are your views on the approaches proposed in Article 9 for determining which court should adjudicate the dispute in cases of parallel proceedings which Articles 6 – 8 have not resolved?

WE note that the concept of determining a "more appropriate court" approximates the Common Law doctrine of forum non conveniens. This doctrine is not formally recognized in the Egyptian Code of Civil and Commercial Procedure (CCCP). Under Egyptian law, if a court has jurisdiction pursuant to the law, it is generally obligated to exercise it and cannot decline jurisdiction based on convenience. However, we recognize that in the context of an international convention aiming to reduce parallel proceedings, a mechanism to resolve conflicts is necessary. We view Approach 1 as more compatible with our legal system because it establishes a clear hierarchy based on the timing of the proceedings (priority to the court first seised), whereas Approach 2 introduces a higher degree of uncertainty by allowing subsequent courts to assess appropriateness independently.

7.2 What are your views on how the two approaches may work in practice?

Approach 1: In practice, this approach provides greater legal certainty. By designating the court first seised as the authority to decide on appropriateness, it creates a clear procedural roadmap. The second court must suspend proceedings immediately, preventing wasted resources on duplicate litigation. This aligns with the Egyptian concept of lis pendens, where priority is given to the lawsuit filed first.

Approach 2: We foresee significant practical difficulties with this approach. If the determination of the "more appropriate court" is left to the court second seised (or other courts), there is a high risk of positive conflicts of jurisdiction, where both courts determine they are "more appropriate" and refuse to suspend. This would defeat the purpose of the Convention, leading to continued parallel proceedings and irreconcilable judgments.

7.3 Do you have a preference for either approach? If so, please explain why.

We strongly prefer Approach 1.

Legal Certainty: Approach 1 establishes a clear "first-in-time" rule. In Egyptian procedure (Article 63 CCCP), the commencement of a lawsuit is a definitive date (deposit of the claim).

Giving priority to the court first seised respects this objective criterion and limits the potential for conflicting rulings. Compatibility with Civil Law: Approach 1 is structurally closer to the *lis pendens* rules familiar to Civil Law systems. It treats the suspension of the second proceeding as the default rule, only to be overturned if the first court decides to release the case. Prevention of Abuse: Approach 2 invites "forum shopping" where a defendant, unhappy with the first court chosen by the claimant, rushes to a second court hoping it will declare itself "more appropriate." Approach 1 prevents this tactical maneuvering by consolidating the decision-making power in one court.

Question 8 on factors to be considered to determine the more appropriate court

8.1 What are your views on the factors listed in Article 10 for determining the more appropriate court in cases of parallel proceedings subject to Article 9 (i.e. that are not resolved by Articles 6 – 8)?

We generally support the factors listed in Article 10, as they provide necessary structure to the judicial discretion introduced in Article 9. From an Egyptian perspective, we prioritize factors that rely on objective legal criteria rather than subjective party convenience. Specifically: Applicable Law (Art. 10(c)): We view this as a primary factor. It is a general principle of Private International Law that the court whose law governs the contract or dispute is often best placed to adjudicate it. If Egyptian law applies to the dispute under conflict of law rules, the Egyptian court is naturally the "more appropriate" forum to interpret and apply its own statutes. Likelihood of Recognition and Enforcement (Art. 10(f)): This is the most critical practical factor. A judgment is useless if it cannot be enforced. If the defendant has no assets in the foreign jurisdiction, or if the resulting foreign judgment would likely face enforcement obstacles in Egypt (e.g., due to public policy), the Egyptian court should be deemed more appropriate to ensure effective justice. Access to Evidence (Art. 10(b)): We agree that the location of witnesses and physical evidence is a practical necessity for the administration of justice.

8.2 Do you have any views on how Article 10 might work in practice?

In practice, applying these factors will represent a shift for Egyptian courts, which traditionally apply rigid jurisdictional rules rather than a "balance of convenience" test. To ensure consistent application in Civil Law systems, we believe the text should clarify that these factors are not merely about the "comfort" of the parties, but about the efficiency of justice. There is a risk that arguing over "burdens of litigation" (Art. 10(a)) could become a litigation tactic to delay proceedings. We suggest that the "Likelihood of Recognition" (Art. 10(f)) should be given significant weight. In practice, if an Egyptian court determines that a foreign judgment would be unenforceable in Egypt, this factor alone should be decisive in retaining jurisdiction, regardless of other convenience factors.

8.3 Are there additional considerations that, in your view, should be taken into account?

We suggest explicitly including the following practical considerations: Location of Assets: While related to "Enforcement" (Art. 10(f)), the physical location of assets is a distinct and objective fact. If the assets subject to execution are located in Egypt, the Egyptian court is the most effective forum to provide a remedy. Language of the Proceedings: For parties lacking resources, the language of the court is a major barrier to access to justice. This should be explicitly weighed under "burdens of litigation" or as a standalone factor, as it directly impacts the fairness of the trial.

Question 9 on the effectiveness of the framework for parallel proceedings

Do you have an overall view on the effectiveness of the framework developed in the Draft Text for dealing with **parallel proceedings** in an international context? Please explain any advantages and / or disadvantages of the framework, and how you think it will work in practice.

The Egyptian Ministry of Justice considers the framework in Chapter II to be generally effective, provided that it prioritizes legal certainty over broad judicial discretion.

The clear hierarchy of Articles 6, 7, and 8 is the framework's greatest strength. By establishing "Exclusive" and "Priority" jurisdiction (especially regarding immovable property and choice of court agreements) before reaching the complex "appropriateness" test, the Draft Text resolves the majority of conflicts through hard rules. This aligns with the Civil Law preference for predictability and prevents unnecessary litigation over jurisdiction. In addition, by imposing a mandatory obligation to suspend proceedings (Art. 5) once the priority court is identified, the framework directly addresses the problem of conflicting judgments, which is a significant barrier to international trade and enforcement in Egypt.

However, as noted in our response to Question 7, the "more appropriate court" analysis (Article 9) introduces a concept similar to forum non conveniens, which is foreign to Egyptian procedural law. Egyptian judges are accustomed to applying mandatory jurisdictional rules, not balancing "convenience factors." Moreover, if Approach 2 (where the second court decides appropriateness) is adopted, we foresee significant delays as parties litigate the "appropriateness" of the forum in multiple jurisdictions simultaneously.

In practice, the framework will be effective in Egypt only if Approach 1 (Court First Seised determines) is adopted. This integrates the "appropriateness" test into the familiar "first-in-time" (lis pendens) structure, allowing Egyptian courts to apply the Convention efficiently without abandoning the certainty required by our legal system.

Question 10 on related actions

Do you have a view on the effectiveness of the framework developed in the Draft Text for dealing with **related actions** in an international context? Please explain any advantages or disadvantages of the framework, and how you think it will work in practice.

We view the framework for Related Actions (Chapter III) as highly effective because it adopts a flexible and discretionary approach, which is suitable for the complexity of cross-border commercial litigation.

The framework aligns well with Article 32 of the Egyptian Code of Civil and Commercial Procedure, which gives judges discretion to join related lawsuits for the proper administration of justice. The Draft Text correctly identifies that "related actions" (unlike parallel proceedings) cannot be subject to rigid mandatory suspension rules. In addition, by allowing courts to determine whether a single court should adjudicate the matter (Article 11), without forcing them to surrender jurisdiction unless they agree, the framework respects judicial sovereignty. This encourages cooperation rather than imposing subordination.

However, dependence on Cooperation: The effectiveness of this Chapter relies heavily on judicial communication (Chapter IV). If courts are hesitant to communicate directly (due to language barriers or procedural formalism), the "related actions" provisions may remain theoretical in practice.

Overall, we believe this framework will work well in practice because it does not require a radical change in Egyptian procedure. It provides a structured mechanism for Egyptian judges to do what they already have the discretion to do: manage related cases to avoid contradictory outcomes. The focus on "efficiency" and "complete resolution of the dispute" (Art. 12) will encourage Egyptian courts to consolidate proceedings where appropriate, reducing the burden on the national judiciary.

Question 11 on the communication mechanism

11.1 What are your views on the practical operation (or the effectiveness) of the communication methods set out in Chapter IV of the draft text for use between courts seised, in cases involving parallel proceedings and related actions?

We welcome the flexibility provided in Article 16, which offers multiple channels for communication. From an Egyptian procedural perspective, the most practical and effective method initially is Indirect Communication via a Competent Authority (Article 16(2)(b)). In Egypt, judicial cooperation is traditionally centralized through the International Cooperation Department of the Ministry of Justice. This ensures that communications are official, properly recorded, and compliant with national procedural rules. We also view Indirect Communication through the Parties (Article 16(3)) as a highly effective default mechanism. This puts the burden on the litigants to transmit certified copies of orders or status updates between courts, which is cost-effective for the state and ensures transparency, as both parties are immediately aware of the information being exchanged.

11.2 Are there particular advantages and challenges you foresee in applying these methods?

Click or tap here to enter text.

Question 12 on safeguards

What are your views on the three safeguards provided in the Draft Text (Articles 19-21), particularly as to how they will operate in practice?

Advantages:

Efficiency: The primary advantage is the reduction of time spent on parallel proceedings. Instead of waiting months for formal diplomatic channels, the communication mechanism allows seised courts to quickly ascertain the status of foreign proceedings.

Transparency: Using the parties to transmit information (Article 16(3)) ensures that due process rights are respected, as no "secret" communications occur between judges.

Challenges:

Language Barriers: This is the most significant challenge for Egyptian courts. Article 16(4) suggests using the language of the receiving court or a common language. The vast majority of Egyptian litigation is conducted strictly in Arabic. Direct judicial communication (Judge-to-Judge) would be practically difficult without significant resources for immediate translation.

Procedural Formalism: Egyptian judges operate under strict statutory authority. Informal direct communication might be viewed as lacking procedural validity unless specific legislation is enacted to regulate the content and recording of such communications to protect the record for appeal.
enter text.

Question 13 on the objectives of the Draft Instrument

13.1 Would the rules set out in the Draft Text achieve the objectives of a future instrument?

The objective of a future instrument is to enhance legal certainty, predictability and access to justice by reducing litigation costs, and to mitigate inconsistent judgments in transnational litigation in civil or commercial matters.

Yes, with qualifications. We believe the Draft Text is well-positioned to achieve the objectives of legal certainty and the mitigation of inconsistent judgments, provided that the final text adopts Approach 1 (priority to the court first seised) in Article 9. Legal Certainty: The hierarchical structure—placing exclusive jurisdiction (Art. 6) and party autonomy (Art. 7) above general connections—creates a predictable roadmap for litigants. This structure minimizes the ambiguity that often plagues cross-border disputes. Access to Justice: By reducing the incidence of parallel proceedings, the instrument significantly lowers the financial barrier to justice. Currently, Egyptian parties often face the prohibitive cost of defending themselves in a foreign forum while simultaneously prosecuting a claim in Egypt. The suspension mechanism (Art. 5) directly addresses this burden. Mitigation of Inconsistent Judgments: This is the primary achievement of the Draft Text. By mandating suspension, the instrument removes the root cause of conflicting judgments, which currently render many international verdicts unenforceable in Egypt under Article 298 of the Code of Civil and Commercial Procedure.

13.2 Do you have any views on whether the proposed rules set out in the Draft Text would improve the status quo?

Yes, significantly. Under the current status quo in Egypt, Articles 28–35 of the Code of Civil and Commercial Procedure (CCCP) grant Egyptian courts broad jurisdiction. While this protects Egyptian nationals, it often results in valid foreign proceedings being ignored by Egyptian courts, leading to parallel litigation that continues until two conflicting judgments are rendered. The Draft Text improves this by: Providing a Clear Mechanism for Suspension: Currently, Egyptian law lacks a formal *forum non conveniens* doctrine. The Convention provides the necessary legal basis for an Egyptian judge to decline or suspend jurisdiction in favor of a foreign court without violating the constitutional duty to adjudicate. Enhancing Investment Climate: By adhering to a predictable international framework, Egypt signals to foreign investors that its judicial system respects international comity and contractual choice of court agreements, thereby reducing the legal risk premium associated with doing business in Egypt.

13.3 Do you consider there are any risks of tactical or satellite litigation arising from any of the provisions, or the overall approach of the Draft Text? Are these risks greater or fewer than those that currently exist? Are there any ways that such risks could be addressed in the Draft Text?

We acknowledge the risk of "Torpedo Actions" (pre-emptive filings in slow jurisdictions to block proceedings in the appropriate forum). This is an inherent risk of the "first-in-time" rule we support. There is also a risk of satellite litigation regarding the definition of "Habitual Residence" (Art. 3) or the "More Appropriate Court" factors (Art. 10), where parties might litigate the venue for years before reaching the merits. However, comparison to Status Quo, these risks are fewer than those that currently exist. As current Risk, parties litigate the full merits of the case in two countries simultaneously, doubling legal costs and guaranteeing a conflict at the enforcement stage. While, convention Risk, parties litigate jurisdiction in the early stages. While costly, this is less burdensome than two full trials.

Ways to Address Risks:

Strict Timelines: We recommend that the final text include strict temporal limits for raising jurisdictional challenges (e.g., "no later than the first defense on the merits," as suggested in the brackets of Article 9).

Robust "Abuse of Process" (Article 20): This article must be retained and strengthened. It should explicitly state that a filing made solely to frustrate the jurisdiction of the natural forum constitutes an abuse, empowering the court to dismiss such tactical claims immediately.

Communication (Article 16): Encouraging early and direct communication between courts can quickly reveal tactical maneuvers, allowing judges to coordinate a dismissal of abusive proceedings.

Question 14 - comments

What other comments, if any, do you have?

We would like to raise three additional points for the Working Group's consideration, focusing on practical implementation within our national system:

1. **Interim Measures of Protection:** We note the placeholder in the Draft Text regarding "Interim measures for protection". It is vital that the Convention explicitly clarifies that a court's obligation to suspend proceedings on the merits does not strip it of the power to grant provisional or protective measures (e.g., asset freezing or urgent injunctions). Under Egyptian law, the judiciary must retain the authority to protect assets located within its territory, even if the substantive dispute is being litigated in another forum. We recommend a provision similar to Article 7 of the 2019 Judgments Convention be added to ensure this distinction is clear.

2. **Language and Translation Costs (Article 16):** Regarding the communication mechanism, we emphasize that for judicial communications to be procedurally valid in the Egyptian record, they must be in Arabic. We suggest that the final text of Article 16(4) clearly allocates the burden of translation costs. To prevent administrative delays, the costs of translating requests or orders from a foreign court into the official language of the requested court should be borne by the parties, not the judicial authority.

3. **Digital Filing and "Court Seised" (Article 4):** Egypt is currently undergoing a significant digital transformation in its justice sector, with the implementation of e-filing systems. We recommend that the Explanatory Report or the text of Article 4 explicitly confirms that "lodging the document" includes electronic submission through authorized government portals. This will ensure the Convention remains future-proof and compatible with modern case management systems.

4. **Judicial Training and Capacity Building:** Adopting the "More Appropriate Court" analysis (Article 10) represents a cultural shift for Civil Law judges accustomed to mandatory jurisdiction rules. We encourage the HCCH to develop comprehensive "Best Practice Guides" or training modules specifically for Civil Law jurisdictions to ensure uniform interpretation of these discretionary factors.