PART ONE – GENERAL INFORMATION AND STATISTICS

I. Questions for non-Contracting States

1) Please indicate why your State is not a Contracting State to the Evidence Convention (select as many answers as are relevant):

[ ] The availability of possibilities under internal law, bilateral or regional agreements, treaties or instruments means there is no added value in becoming a Party to the Evidence Convention
[ ] The number of cross-border litigation cases that require evidence to be taken from abroad is limited and does not require a global framework
[ ] There are legal obstacles in your domestic legal system that prevent your State from becoming a Party to the Convention – if so, please specify what these are:
[ ] Your State considers that there are specific issues arising out of the Evidence Convention (e.g., the absence of deadlines for the execution of requests for the taking of evidence, rules as to the language of the Letter of Request to be used under the Convention, etc.) which dissuade your State from joining the Evidence Convention – please explain:
[ ] Your State does not have the means or resources to properly implement the Evidence Convention
[ ] The question of becoming a Party to the Convention has never been examined in detail
[x] Other reason – please explain:
Evidence Convention is in process of ratification.

2) Please forward a list of any bilateral or regional agreements, treaties or instruments to which your State is a Party and that provide rules for the taking of evidence abroad:

The Republic of Croatia as a successor State is honouring the treaties on legal assistance concluded by predecessor State. After gaining independence, Croatia concluded treaties on legal assistance in civil matters.

Bilateral agreements:

- Convention on Mutual Assistance Concerning Legal Actions in Civil and Commercial Matters that are or could be in course in front of the relative judicature, London, 27. February 1936. (with Australia).


- Treaty on the Legal Assistance Concerning Civil and Commercial Matters between the former Yugoslavia(SFRJ) and the Kingdom of Belgium, Belgrade, 24. September 1971.

- Treaty on the Legal Assistance Concerning Civil and Commercial Matters between the former Yugoslavia(SFRJ) and the Kingdom of Belgium, Belgrade, 24. September 1971.

- Treaty between the Governments of the Republic of Croatia, Bosnia and Herzegovina and the Federation of Bosnia and Herzegovina on the Legal Assistance Concerning
Civil and Criminal Matters, Split, 26. February 1996. (the application area- the Federation of Bosnia and Herzegovina)

- Treaty between the Republic of Croatia and Bosnia and Herzegovina on the Modification of the Treaty between the Governments of the Republic of Croatia, Bosnia and Herzegovina and the Federation of Bosnia and Herzegovina on the Legal Assistance Concerning Civil and Criminal Matters, signed on 17. 06.2002.


- Treaty on the Regulation of Legal Relations Concerning Civil, Family and Criminal Matters between the Former Yugoslavia(SFRJ) and Czech Republic, Belgrade, 20. January 1964.

- Treaty on the Facilitation of The Hague Convention on Civil Action since 01.03.1954., ratified on 29. October 1969. (with French Republic)


- Treaty between the former Yugoslavia(SFRJ) and the NR of Hungary on the Mutual Legal Traffic since 7. March 1968.


- Treaty on the Legal Assistance since 18. October 1960. (with Romania)


- Treaty on the Regulation of the Legal Relations Concerning Civil, Family and Criminal Matters between the former Yugoslavia(SFRJ) and the Czech Republic, Belgrade, 20. January 1964.(with the Republic of Slovakia)


- Convention between the Kingdom of Yugoslavia and Great Britain on the Mutual Assistance System Concerning Proceedings in Civil and Commercial Matters that are or could be in course in front of the respective judicature, London, 27. February 1936. (with United Kingdom of Great Britain and Northern Ireland).

Multilateral agreements:


Croatian Civil Procedure Act will be applied in cases when taking evidence is requested from States that are not parties of Hague Conventions on civil procedure 1954, nor bilateral conventions with Republic of Croatia.

3) Is your State currently studying the Evidence Convention or does your State envisage studying it with a view to becoming a State Party in the near future?

[ X ] YES – please specify (status of considerations in your State, etc.): At the moment the Evidence Convention is in process of ratification.

[ ] NO