

5817/99

EVAL 11  
ELARG 17  
JUSTCIV 14

**NOTE**

---

from : General Secretariat

to: Collective Evaluation Working Party

---

**Subject: Analysis of material on Judicial Cooperation in Civil Matters in the Czech Republic, Estonia, Slovenia and Slovakia**

---

Table of Content

<b>Part 1.</b>	<b>Introduction</b> .....	<b>3</b>
<b>Part 2.</b>	<b>Acquis of the EU in the field of judicial cooperation in civil matter</b> .....	<b>5</b>
	A. Implementation of legal acts and ratification of international conventions relevant to the third pillar	
	B. The functioning of the judiciary	
	C. The fulfilment of the rule of law principle and human rights	
<b>Part 3.</b>	<b>Factual situation in the applicant countries</b> .....	<b>8</b>
	I. Czech Republic .....	<b>8</b>
	A. State of Information	
	B. Ratification of international conventions and judicial cooperation	
	C. Functioning of the judiciary	
	D. Rule of law principle and human rights	

63 E3

II. Estonia . . . . .	12
A. State of Information	
B. Ratification of international conventions and judicial cooperation	
C. Functioning of the judiciary	
D. Rule of law principle and human rights	
III. Slovenia . . . . .	16
A. State of Information	
B. Ratification of international conventions and judicial cooperation	
C. Functioning of the judiciary	
D. Rule of law principle and human rights	
IV. Slovakia . . . . .	19
A. State of Information	
B. Ratification of international conventions and judicial cooperation	
C. Functioning of the judiciary	
D. Rule of law principle and human rights	
Table of ratification . . . . .	23

## Part 1. Introduction

1. The General Secretariat was invited by the Working Group to prepare a factual note on the basis of the documents collected so far, including the background information given by Member States, the Commission and the Council of Europe.

The document is structured in a general overview (part 1), the acquis of the EU (part 2), and the factual situation in the respective applicant countries as presented by the documents received so far (part 3).

2. Concerning the acquis of the EU in the field of judicial cooperation in civil matters a distinction has to be made between those conventions which are limited to Member States of the EU and those which are open for non-EU Member States.
3. Of the latter the Lugano Convention is the one closest related to the EU, since it is a parallel convention to the Brussels Convention. Its Articles 62 and 63 provide that it is open for accession by non-EU Member States. Acceding to the Lugano Convention is the most important step for non-EU Member States to implement the acquis of the EU, since it implies in particular to have a legal system compatible to the ones in EU Member States and to have as well a functioning judiciary. The Lugano Convention is a double convention in which also rules on jurisdiction are included. For that reason special attention is drawn to the possible accession of the candidate countries to this convention.
4. The reports received by the General Secretariat of the Council deal mainly with the question of an efficient judiciary or the fulfilment of the rule of law principle, and the contributions received by Member States deal with the question, whether in practical terms there are any problems in the judicial cooperation with the respective candidate countries. Increased and more detailed information on all three aspects is still needed for making an overall evaluation of the situation in the applicant countries.

5. The analysis of the different reports received followed the structure given by the Presidency's document 5322/99/1 REV1 EVAL 5 ELARG 5, taking into account the questions raised in that document. Several of those questions remain, however, unanswered. Further inquiry and information by Member States seems therefore necessary.
  
6. The Working Group should reflect further, whether it considers it necessary or useful to evaluate also bilateral agreements between individual EU Member States with the applicant countries.

## Part 2. Acquis of the EU in the field of judicial cooperation in civil matters<sup>(1)</sup>

Three main aspects of the acquis of the EU concerning judicial cooperation in civil matters have to be distinguished and taken into consideration when evaluating new candidates:

### A. Implementation of legal acts and ratification of international Conventions relevant to the third pillar.

Concerning international conventions four categories of instruments can be distinguished:

#### 1. Instruments adopted between Member States (Conventions based in particular on Art 220 EEC or K1 (6) and K3 (2) TEU):

- Brussels Convention of 27.9.1968 on jurisdiction and enforcement of judgements in civil and commercial matters as amended by accessions and the Protocol on its interpretation of 3.6.1971,
- Rome Convention of 19.6.1980 on the law applicable to contractual obligations as amended by accessions and Protocols thereto,
- Convention of 26.5.1997 on service of judicial and extrajudicial documents in civil or commercial matters,
- Brussels II Convention of 29.5.1998 on jurisdiction and recognition and enforcement of judgements in matrimonial matters.

#### 2. Joint Actions and Joint Positions:

- Joint Action of 22.11.1996 concerning measures protecting against the effects of the extra-territorial application of legislation adopted by a third country, and actions based thereon or resulting therefrom.

---

<sup>(1)</sup> The elements of the acquis listed below are not all in the same way obligatory to accede by candidate countries (cf. doc. 6473/3/98 REV 3 JAI 7 ELARG 51).

3. Conventions adopted in the framework of the European Political Cooperation and in other fora, namely the Council of Europe, the Hague Conference or the UN:

- Hague Convention of 1.3.1954 on Civil Procedure,
- Hague Convention of 15.11.1965 on Service Abroad of Judicial and Extra-Judicial Documents in Civil or Commercial Matters,
- Hague Convention of 18.3.1970 on the Taking of Evidence Abroad in Civil or Commercial Matters,
- Council of Europe Convention of 20.5.1980 on Recognition and Enforcement of Decisions Concerning Custody of Children and on Restoration of Custody,
- Hague Convention of 25.10.1980 on International Access to Justice,
- Hague Convention of 25.10.1980 on the Civil Aspects of International Child Abduction,
- Convention of 25.5.1987 abolishing the Legalisation of Documents in the Member States of the European Communities,
- Lugano Convention of 16.9.1988 on jurisdiction and enforcement of judgements in civil and commercial matters,
- Convention between the Member States of the EC of 6.11.1990 on the Simplification of Procedures for the Recovery of Maintenance Payments.

4. Human Rights related instruments:

- European Convention for the Protection of Human Rights and Fundamental Freedoms of 4.11.1950 (this Convention is directly linked with the EU instruments (Art F2 and K2(1) TEU)),
- Council of Europe Convention of 28.1.1981 for the Protection of Individuals with regard to Automatic Processing of Personal Data (cf. directive 95/46/EC 24.10.1995),
- UN Convention of 7.3.1966 on the elimination of all forms of racial discrimination,
- European Convention of 26.11.1987 against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,
- UN Convention of 20.11.1989 on the Rights of the Child.

**B. The functioning of the judiciary**

Candidate countries do not only have to have implemented the respective legal instruments which are based on the international conventions mentioned above, but it is also necessary that their institutions, management systems and administrative arrangements meet the Union standards. This too has to be observed in any evaluation process.

**C. The fulfilment of the rule of law principle and human rights**

Finally, all candidate countries must accept the principles of the rule of law and of the enjoyment by all persons within its jurisdiction of human rights and fundamental freedoms as included in the "Copenhagen criteria" (cf. also point A. 4. above).

### Part 3. Factual Situation in the applicant countries

#### I. CZECH REPUBLIC

##### A. State of Information:

The General Secretariat of the Council has for the time being received comments by some Member State. Further sources of information are the JHA-expert mission report of November 1997, the last update of the "Regular Report from the Commission on Czech Republic's Progress towards Accession", the Commission's report on the "Structured Dialogue with the Countries of Central and Eastern Europe including the Baltic States on the occasion of the Council Meeting on 5 December 1997" and various documents on the accession of the Czech Republic to the Council of Europe.

##### B. Ratification of international conventions and judicial cooperation:

###### 1. The Lugano Convention:

The Czech Republic has already been invited by a Contracting State to accede to the Lugano Convention. A final agreement by all Contracting States has not been given yet.

###### 2. Mutual Assistance in Civil Law:

The Czech Republic is party to the 1954 Hague Convention on Civil Procedure and has also acceded to the 1965 Hague Convention on the Service Abroad. Further on several bilateral agreements provide provisions on the service of documents.

The Czech Republic joined the 1970 Hague Convention on the Taking of Evidence Abroad in Civil and Commercial Matters, but did not accede to the 1980 Hague Convention on the International Access to Justice. Accession to this Conventions is - pursuant to the Commission's report on the Structured Dialogue - examined by the competent ministries.

The Czech Act on private international law and the rules of procedure provides provisions for the recognition and enforcement of foreign judgements. Foreign judgements are not enforced, if in particular a) Czech courts have exclusive jurisdiction, b) there is already a final decision of a Czech court, c) a party to the proceedings was deprived of its right to be heard, d) recognition is contrary to Czech public policy, and e) reciprocity is not guaranteed.

### 3. Other international conventions:

The Czech Republic is party to the following international Conventions:

- Hague Convention on the Recognition and Enforcement of Decisions Relating to Maintenance Obligations of 1973
- Hague Convention on the Law Applicable to Traffic Accidents of 1971,
- Hague Convention on the Recognition of Divorces and Legal Separations of 1970,
- Hague Convention on the Recognition and Enforcement of Decisions on Maintenance Payments of 1958,
- Hague Convention on the Civil Aspects of International Child Abduction of 1980,
- the 1956 UN Convention on Enforcement of Maintenance Claims Abroad.

### 4. Bilateral Agreements:

Concerning judicial cooperation in civil matters the Czech Republic has entered a number of bilateral agreements with EU Member States (France, Greece, Italy, Spain, Portugal) and non-Member States, of which many provide also provisions on the service of documents, taking of evidence, and recognition and enforcement of foreign decisions.

The General Secretariat does not have sufficient information to give a report on the functioning of the bilateral agreements with EU Member States. Further information thereon would be necessary.

C. Functioning of the Judiciary:

The facts and statements given below follow from the various sources which were made available to the General Secretariat. The main elements are based on the (PHARE) JHA-Mission Report of November 1997.

- The court system is divided into four levels, a) the District Courts, b) Regional Courts, c) High Courts and d) the Supreme Court.
- The Constitution which came into force on 1 January 1993 gives warranties for the independence of judges; judges are appointed for life by the President of the Republic. When taking decisions judges are bound merely to the law of the country. Since the government has control of the administration of courts, there is a certain danger to the real independence of judges.
- From 1989 to 1996 app. 50% of the judges and public prosecutors resigned, a generation of young judges entered the judiciary on a massive scale. Many of the judges seem well prepared and motivated. A widespread knowledge of the European institutions, the relative treaties and jurisprudence is still lacking.
- In civil jurisdiction the setting of hearings and the treatment of the proceeding are often undefined and unforeseeable; it may happen that a first judgement is made only after several years. The situation can, however, also be very different according to the sectors and to the localities and one Member State even reports that its bilateral judicial cooperation with the Czech Republic works well and without any problems.
- There are not everywhere adequate means at the disposal of the judicial organization or even missing, like e.g. personal computers.
- There is a certain inadequacy of legislation, especially with regard to the procedural law. The civil procedural code allows the parties to present proof for the first time even in the appeal which causes negative consequences as to the length of law suits.
- Concerning substantive law, the weak point of civil jurisdiction is in economic, financial and commercial matters, due to the lack of profound education of judges in those fields.

D. Rule of Law Principle and Human Rights:

Generally speaking the Commission reports and the material received by the Council of Europe show that the Czech judicial system complies to a very large extent to the rule of law principle and the European Convention on Human Rights.

As the Czech Republic has acceded to the Council of Europe, this proves that it seems to be able to accept the principles of the rule of law and of the enjoyment by all persons within its jurisdiction of human rights and fundamental freedoms. The Czech Republic has ratified the European Convention on the Protection of Human Rights and all Additional Protocols thereto.

The Czech Republic has also ratified the European Convention for the prevention of Torture and Inhuman or Degrading Treatment or Punishment. It remains to be evaluated in which way the Czech Republic handles national and/or ethnical minorities living on its territory.

The legal basis for private data protection is laid down in the Charter of Fundamental Rights and Freedoms. This constitutional basis is then elaborated in the Civil Code and in the Computer Personal Data Protection Act.

## II. ESTONIA

### A. State of Information:

Also on Estonia the General Secretariat of the Council has for the time being received comments only by some Member State. Further sources of information are the JHA-expert mission report of June 1998, the last update of the "Regular Report from the Commission on Estonia's Progress towards Accession", the Commission's report on the "Structured Dialogue with the Countries of Central and Eastern Europe including the Baltic States" and various documents on the accession of Estonia to the Council of Europe.

### B. Ratification of international conventions and judicial cooperation:

Concerning the acquis of the EU, the reports received show that Estonia has been working hard to put large parts of the civil-law acquis into its national statutes.

#### 1. The Lugano Convention:

Estonia is very much interested in acceding to the Lugano Convention. In 1996 internal preparations to check the conformity of the legislation and the judicial system with the requirements of the Lugano Convention have started. However, Estonia has not yet been formally invited to join that Convention.

#### 2. Mutual Assistance in Civil Law:

Estonia is party to the following multilateral international agreements:

- the 1965 Hague Convention on the Service Abroad,
- the 1980 Hague Convention on International Access to Justice,
- the 1970 Hague Convention on the Taking of Evidence Abroad

A special Private International Law Act is said to have come into force at the end of 1998. This law should also take into account the Rome Convention of 1980 on the law applicable to contractual obligations. Verification of this information is still needed.

### 3. Other international conventions:

Estonia is further party to:

- the 1973 Hague Convention on the Recognition and Enforcement of Decisions Relating to Maintenance Obligations,
- the 1965 UN Convention on the Recovery Abroad of Maintenance,
- the 1977 Council of Europe Convention on the Transmission of Applications for Legal Aid.

### 4. Bilateral Agreements:

Estonia has concluded bilateral agreements on legal assistance with Latvia and Lithuania which include rules of international jurisdiction, recognition and enforcement of foreign judgements. Similar rules are contained in the two bilateral agreements with Russia and the Ukraine.

From the information available to the General Secretariat it is not clear whether Estonia has also concluded bilateral agreements in this area with EU Member States. Further information is necessary.

### C. Functioning of the Judiciary:

From the Commission's report on the "Structured Dialogue with the Countries of Central and Eastern Europe", the (PHARE) JHA-Mission Report and comments by Member States the following facts and statements can be given:

- The organisation of the judiciary is governed by the Law on the Statut of Judges of 1991.
- The principle of the separation of powers is anchored in Article 4 of the Estonian Constitution. The system is headed by the State Court of Justice (= National Court), which serves both as a court of last resort in civil, criminal and administrative cases and as a constitutional court. Pursuant to the PHARE report the establishment of a separate constitutional court is considered. It is also considered to create a separate and independent system of administrative courts.

- There are three regional courts as courts of appeal and district and municipal courts as courts of first instance.
- Judges are appointed for lifetime by the President of the Republic on proposal by the National Court. The independence of the judges is guaranteed by the Constitution. The average professional experience of Estonian judges is rather short as the majority of today's judges has been appointed after 1992. Most of them enjoy, however, previous experience as lawyers.
- There are complaints about unfair procedures, discrimination etc. or on the integrity of the judges, in particular there is no suggestion of corruption.
- For civil law cases there is no system for providing free legal advice or help with legal costs.
- The material structures and equipment of the courts is to be considered highly prepared, since the judiciary is 100% equipped with personal computers.
- The number of judges is very low, but still sufficient. The number of administrative employees at courts is very high.
- The tendency in the Estonian legal system, particularly concerning civil suits, is, however, for lengthy proceedings, the courts (particularly at first instance) are also overloaded with assignments.
- Judges' salaries are linked to the salaries of the most senior State officials, they are above the average civil service salaries.
- Reform in the legal training of judges seems necessary.

D. Rule of Law Principle and Human Rights:

Estonia ratified the European Convention on the Protection of Human Rights and Fundamental Freedoms and all additional protocols thereto in 1996 (Protocol n° 6 on the abolishment of the death penalty came into force only on 1 May 1998).

Estonia has also ratified the 1987 European Convention for the prevention of Torture and Inhuman and Degrading Treatment or Punishment as well as the principle UN Conventions. A general Law on Personal Data Protection has been adopted by Parliament in 1996.

The rules of procedure allow the courts to conduct their proceedings in a language other than Estonian where necessary, which is primarily of interest of Russians involved in such proceedings.

### III. SLOVENIA

#### A. State of Information:

The General Secretariat of the Council has received so far little information on Slovenia in the field of judicial cooperation in civil matters. Few Member States have made contributions, the main sources of information are the JHA-expert mission report (PHARE report) of February 1998, the "Regular Report from the Commission on Slovenia's Progress towards Accession", the Commission's report on the "Structured Dialogue with the Countries of Central and Eastern Europe including the Baltic States" and various documents on the accession of Slovenia to the Council of Europe.

#### B. Ratification of international conventions and judicial cooperation:

##### 1. The Lugano Convention:

Slovenia is interested in joining the Lugano Convention, whereby the Slovenian authorities consider their national legislation already in compliance with the requirements for joining the Lugano Convention. Slovenia is in contact with some Contracting States of that Convention to see to which extent they sponsor its accession to the Lugano Convention, a formal invitation to join the Convention has not been made yet.

##### 2. Mutual Assistance in Civil Law:

Slovenia is party to the following multilateral agreements:

- the 1954 Hague Convention on Civil Procedure,
- the 1980 Hague Convention on International Access to Justice.

It has not yet ratified the 1970 Hague Convention on the Taking of Evidence Abroad, but will endeavour to become a signatory to this convention.

### 3. Other international conventions:

Slovenia is further party to the following international Conventions:

- the Hague Convention on abolishing the need for legalisation of foreign public instruments of 1961,
- the Hague Convention on conflict of laws regarding the form of testamentary disposition of 1961,
- the Hague Convention on the law that applies in case of road accidents of 1971,
- the Hague Convention on the law which applies in the case of responsibility of producers for their products of 1973,
- the Hague Convention on civil law aspects of international child abduction of 1980,
- the 1956 UN Convention on Enforcement of Maintenance Claims Abroad,
- the 1958 UN Convention on recognition and enforcement of foreign arbitration awards.

### 4. Bilateral Agreements:

Slovenia is party to a number of bilateral agreements dealing with judicial cooperation. Many of these agreements had been concluded prior to the date of independence of Slovenia, but their effect was confirmed by Slovenia after its independence.

Bilateral agreements exist with the following EU Member States: Austria, Belgium, France, Greece, Italy and the UK dealing mainly with mutual legal assistance and recognition and enforcement. There is also a number of bilateral agreements with third countries. More information on the structure and functioning of those agreements is needed.

### C. Functioning of the Judiciary:

The following information was collected from the Commission's reports and Member States' contributions:

- In 1994 Slovenia carried out a reform of the judicial system and introduced a new system of court organisation. The court system consists of a) the Supreme Court, b) High Courts (second instance), c) Circuit Courts (first instance, and d) District Courts (first instance). There are further specialised courts like Labour and Social Courts.
- The office of a judge is permanent and can only be terminated for reasons specified by law (if he has committed a crime). Judges are elected for lifetime by the National Assembly (Parliament).
- Slovenia has established a judicial system that guarantees the independence of the judicial power to the highest degree; the system is considered as exemplary.
- The salary of judges are considered to be appropriate, however, the courts suffer from insufficient staff, since many posts of judges remain vacant. The real problem of the judiciary is the overburdening of the courts connected with long delays, an huge number of pending cases, long duration of proceedings and a very high number of not executed judgements.
- Necessary legislative measures to increase the efficiency of the judiciary have been taken last year by adopting the new law on Execution and Guarantees; a new law on Civil Procedure has been submitted to Parliament as well.
- The procedural rules provide the right to present new evidence also in the appeal. There are also other ways for parties to prolong court proceedings.

D. Rule of Law Principle and Human Rights:

In Slovenia each person is guaranteed human rights and fundamental freedoms by the Constitution. There is no capital punishment. Also the protection of personal data is guaranteed by the Constitution.

In 1994 Slovenia acceded to the European Convention on the Protection of Human Rights and Fundamental Freedoms and all additional protocols thereto, and also to the European Convention for the Prevention of Torture and Inhuman and Degrading Treatment or Punishment.

## IV. S L O V A K I A

### A. State of Information:

As with all the other countries examined in this document the General Secretariat of the Council has received few remarks from Member States, the main sources of information are again the JHA expert mission (PHARE) report of November 1997, the "Regular Report from the Commission on Slovakia's Progress towards Accession", the Commission's report on the "Structured Dialogue with the Countries of Central and Eastern Europe including the Baltic States" and various documents on the accession of Slovakia to the Council of Europe.

### B. Ratification of international conventions and judicial cooperation:

After the dissolution of Czechoslovakia the Slovak Republic has declared universal succession into treaties concluded by former Czechoslovakia. Slovakia considers itself bound by all bilateral treaties. Revisions of certain bilateral agreements have already been concluded.

#### 1. The Lugano Convention:

Slovakia has shown interest in joining the Lugano Convention. A formal invitation of Slovakia by one of the Contracting States of the Lugano Convention has not been made yet.

#### 2. Mutual Assistance in Civil Law:

Slovakia is party to the following multilateral agreements:

- the 1965 Hague Service Convention,
- the 1954 Hague Convention on Civil Procedure,
- the 1970 Hague Convention on Taking Evidence Abroad in Civil and Commercial Matters.

Slovakia intends to ratify the 1980 Hague Convention on International Access to Justice and the 1977 European Agreement on the Transmission of Applications for Legal Aid.

3. Other international conventions:

The Slovak Republic is party to the following other international Conventions:

- Hague Convention on the Recognition and Enforcement of Decisions Relating to Maintenance Obligations of 1958 and 1973
- Hague Convention on the Law Applicable to Traffic Accidents of 1971,
- Hague Convention on the International Administration of Estates of Deceased Persons of 1973
- The European Convention of 1968 on Information on Foreign Law, with Additional Protocol of 1978.

In June 1998 the Slovak Minister of Justice has put forward a bill regarding the accession the Hague Convention on the Civil Aspects of International Child Abduction of 1980. From the sources available it is not clear, whether ratification has already been done.

Slovakia also intends to ratify:

- the 1980 Council of Europe Convention on the Recognition and Enforcement of Decisions concerning Custody of Children and on Restoration of Custody of Children,
- the 1996 Hague Convention on Competence, Applicable Law, Recognition, Enforcement and Cooperation relating to Parental Responsibility and Measures Child Protection,
- the 1961 Hague Convention on Competence of Authorities and Applicable Law relating to the Protection of Minors.

#### 4. Bilateral Agreements:

Slovakia has concluded a number of bilateral agreements on civil law with EU Member States, namely Austria, Belgium, France, Greece, Italy, Portugal, Spain and the UK, and with a number European and non-European third countries.

Those agreements are mainly on legal assistance in civil and commercial matters, including enforcement of judgements. More detailed information on the bilateral agreements with EU Member States is needed.

#### C. Functioning of the Judiciary:

From the information given in the reports mentioned under point A. above, the following facts and statements can be given:

- The court system is organised as follows: a) the Constitutional Court, b) the Supreme Court (acting as appeal court against decisions of the regional courts and exercising a control of legality over the other courts decisions and ensuring the uniform application of the law), c) Regional Courts (as courts of first instance and appeal courts) and d) District Courts. There is no special administrative judiciary, ordinary courts review the administrative bodies' decisions.
- In theory the judiciary is independent vis-à-vis other public powers, this principle is guaranteed by the Constitution of the Slovak Republic.
- Judges are elected by the National Council on a proposal by the Government. After a probationary term of four years follows the indefinite appointment as judge. During the probation period the independence of the judge is restricted. There is a certain danger that a judge is not reelected by the Minister of Justice after the four years probation term without giving an explanation.

- The Minister of Justice also has the power to appoint and to dismiss presidents and vice-presidents of District and Regional Courts at his discretion, and there are examples that this power has been used without giving motivations for the dismissal. The president of a court, who is dependent of the minister, may be used by the Minister of Justice, since the president of a court has wide competencies by which the position and the work of the other judges can be touched in a serious way, i.e. distribution of the workload, evaluation of a judge, composition of the disciplinary board, decision to bring a disciplinary trial against a judge, participation of a judge in foreign training seminars etc.
- The dominant problem of the Slovak judiciary seems to be based on the lack of self-government and leads to a certain lack of confidence in judicial authorities in the public opinion.

D. Rule of Law Principle and Human Rights:

Slovakia acceded to the European Convention on the Protection of Human Rights and Fundamental Freedoms and protocols n° 2, 4, 6, 7, 9 and 11 thereto, and also to the European Convention for the Prevention of Torture and Inhuman and Degrading Treatment or Punishment. The Constitution prohibits the death penalty.

It remains to be evaluated in which way the Slovak Republic handles national and/or ethnical minorities living on its territory.

The principle of protection of data is enshrined in the Constitution, specific rules are contained in the 1992 Law on Protection of Personal Data. This legislation is considered as insufficient and not completely adequate, this being the reason that a new draft law has been prepared and submitted to Government in 1997. The state of ratification remains to be clarified.

**International Conventions of the JHA acquis on judicial cooperation in civil matters  
(open for ratification for non-EU Member States)**

	Czech Rep.	Estonia	Slovenia	Slovakia
Hague Convention of 1.3.1954 on Civil Procedure	x		x	x
Hague Convention of 15.11.1965 on Service Abroad of Judicial and Extra-Judicial Documents in Civil or Commercial Matters	x	x		x
Hague Convention of 18.3.1970 on the Taking of Evidence Abroad in Civil or Commercial Matters	x	x		x
Council of Europe Convention of 20.5.1980 on Recognition and Enforcement of Decisions Concerning Custody of Children and on Restoration of Custody				
Hague Convention of 25.10.1980 on International Access to Justice		x	x	
Hague Convention of 25.10.1980 on the Civil Aspects of International Child Abduction	x		x	
Lugano Convention of 16.9.1988 on jurisdiction and enforcement of judgements in civil and commercial matters.				

x: ratified pursuant to information received

5817/99

COR 1

EVAL 11  
ELARG 17  
JUSTCIV 14

**CORRIGENDUM TO NOTE**

---

from : General Secretariat

to: Collective Evaluation Working Party

---

**Subject: Analysis of material on Judicial Cooperation in Civil Matters in the Czech Republic, Estonia, Slovenia and Slovakia**

---

On page 14 (point II. C.) the third point should read:

"There are **no** complaints about unfair procedures, discrimination etc. or on the integrity of judges, in particular there is no suggestion of corruption."