Draft Guide to Good Practice on the Use of Video-Link under the Hague Convention of 18 March 1970 on the Taking of Evidence Abroad in Civil or Commercial Matters is available on the HCCH website

The Draft Guide to Good Practice on the Use of Video-Link under the Evidence Convention has been submitted for the approval of the HCCH governance body (*i.e.* the Council on General Affairs and Policy of the Hague Conference on Private International Law), which will meet in March 2019.

This Guide analyses developments in relation to the use of video-link in the taking of evidence under the Evidence Convention, including references to internal law and other international agreements. It also outlines good practices to be followed and reflects additional information provided by Contracting Parties in their respective Country Profiles.

In my personal opinion, the most striking conclusion was that responding States to the Country Profiles are almost evenly divided as to whether evidence may be taken directly by video-link by means of a Letter of Request (under Chapter I of the Evidence Convention). In other words, there is no clear consensus on whether the requesting court can take evidence *directly* in the Requested State by video-link under Chapter I of the Evidence Convention (*e.g.* take testimony from a witness by videoconference). Some see legal obstacles whereas others do not. The Convention was after all negotiated in the late sixties. A question may arise as to whether an international treaty is needed to address particularly this issue and include the necessary safeguards for video-link taking of evidence.