

Useful reading in times of corona and just released: The Guide to Good Practice on the Use of Video-Link under the HCCH 1970 Evidence Convention

Yesterday the Hague Conference on Private International Law (HCCH) announced the publication of the *Guide to Good Practice on the Use of Video-Link under the 1970 Evidence Convention*. It is available in both English and French.

Needless to say that this publication comes in very handy in times of COVID-19 as borders are closed and travel is hampered. Hopefully, it will encourage Contracting States and everyone involved in cross-border litigation to make further use of videoconference in the taking of evidence abroad.

See our previous post here for some quick thoughts on the Guide. And in this regard, see pages 46 to 49 of the Guide. See also its Glossary; I include two main concepts below:

Direct taking of evidence

“The procedure of taking of evidence whereby the authority in the Requesting State before which proceedings are pending conducts the witness / expert examination directly.”

Indirect taking of evidence

“The procedure of taking of evidence whereby an authority in the Requested State in whose territory the witness / expert is located conducts the witness / expert examination.”

It is the direct taking of evidence that video-link is usually meant to facilitate but of course it can also assist in the indirect taking of evidence (*e.g.* the parties and representatives may be present by video-link).

The HCCH news item is available [here](#).