



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 9.12.2005
COM(2005) 639 final

2005/0251 (AVC)

Proposal for a

COUNCIL DECISION

**on the accession of the European Community to the
Hague Conference on Private International Law**

(presented by the Commission)

EXPLANATORY MEMORANDUM

1. POLITICAL AND LEGAL BACKGROUND

The Hague Conference on Private International Law (HCCH) is a long-established international organisation with the objective to work for the progressive unification of the rules of private international law, mainly by negotiating and drafting international conventions. The works of the HCCH have resulted in the adoption of a substantial number of important Conventions in the different fields of private international law. The organisation has to date adopted 35 conventions and counts 65 Members, including all Member States of the European Union.

Since the entry into force of the Treaty of Amsterdam, the European Community has the competence to adopt measures in the field of judicial co-operation in civil matters having cross-border implications insofar as necessary for the proper functioning of the internal market. The Community has exerted its newly acquired competence by adopting a number of instruments and further instruments are under negotiation or in preparation. Many of these instruments overlap, partly or fully, with the areas of work of the HCCH. Examples are the 1965 Convention on the Service Abroad of Judicial and Extrajudicial Documents which covers the same matter as Regulation 1348/2000 on the service in the Member States of judicial and extra-judicial documents; the 1970 Convention on the Taking of Evidence which covers the same matter as Regulation 1206/2001 on cooperation between the courts of the Member States in the taking of evidence; the 1980 and 1996 Conventions enhancing the Protection of Children which partly overlap with Regulation 2201/2003 on jurisdiction and the recognition and enforcement of judgements in matrimonial matters and the matters of parental responsibility; and last but not least the 2005 Convention on Choice of Court Agreements and the draft Convention on Maintenance Obligations which cover areas governed by Regulation 44/2001 on jurisdiction and the recognition and enforcement of judgements in civil and commercial matters.

The adoption of these internal instruments entailed an implicit transfer of external competences in the areas covered by them from the Member States to the Community. In view of these newly acquired external powers and its increasing involvement in the work of the organisation, it became necessary for the Community to become a full member of the HCCH. At present, the Community enjoys only observer status in the organisation. Full membership of the Community in the HCCH is essential for two reasons: From a political point of view, membership would grant the Community a status consistent with its new role as a major international player in the field of civil judicial cooperation. From a legal point of view, membership would enable the Community to fully participate in the negotiations of conventions in areas of its competence by expressing its views and positions and ensuring the consistency and coherence between its own rules and envisaged international instruments. Moreover, the Community as such rather than its Member States would be the subject of the rights and obligations stemming from Hague Conventions in areas of its competence.

For these reasons, the Council, by decision of November 28th, 2002, authorised the European Commission to negotiate the conditions and modalities of Community accession to the HCCH. By a joint letter from the European Commission and the Presidency to the HCCH of December 19th, 2002, the Community applied to become a member of the HCCH and requested the opening of negotiations. In April 2004, a Special Commission on General

Affairs and Policy of the organisation took the in-principle decision to admit the European Community as a Member.

Since the Statute of the HCCH contemplates only membership of States, not of international organisations, Community accession requires amendments to the Statute. The text of these amendments has been adopted by consensus at the Diplomatic Conference held in The Hague from June 14th - 30th, 2005 and the Members of the HCCH have subsequently been invited to cast their votes on the amendments in writing, if possible within a period of nine months. According to Article 12 of the Statute, a two-thirds majority is required to approve the amendments to the Statute. Once this majority is reached, but not earlier than 31st March 2006, the Secretary General will draw up a *procès-verbal* informing the Member States of the outcome of the vote and the amendments will enter into force three months later. Shortly after the entry into force, an extraordinary meeting of the Special Commission on General Affairs and Policy will be convened to decide upon the admission of the Community to the HCCH.

Taking into account the adoption of the amendments of the Statute by consensus on June 30th, 2005, and the unanimous request of all Members of the HCCH for the accession of the European Community, it is highly probable that the required two-thirds majority will be largely reached by 31st of March 2006, i.e. at the end of the nine months period. Consequently, the amendments of the Statute would enter into force on 1st of July 2006 and the formal decision to admit the Community to the HCCH would be taken in the first week of July 2006. It is necessary to launch the procedure for a Council decision on the accession of the Community to the HCCH already at this time in order to ensure that the Community is ready to accede by the beginning of July 2006. The Community will then be able to deposit its instrument of accession as soon as the HCCH has taken the formal decision to admit it.

2. RESULTS OF THE NEGOTIATIONS

The Commission negotiated the conditions and modalities of Community accession to the HCCH in accordance with the Council's negotiating directives. All provisions relevant for Community accession were included in the Statute. Consequential changes were made to the Rules of Procedure. Since Members wanted the amendments to be of a general nature, the relevant provisions do not refer to the "European Community" but to "Regional Economic Integration Organisations" in general. In sum, the revised Statute contains the following provisions of relevance for the European Community:

- Membership of the HCCH is open to Regional Economic Integration Organisations (REIOs) which participate on equal footing with Member States in meetings of the organisations. To be eligible to apply for membership, a REIO must be constituted solely by sovereign States which have transferred competence to it over a range of matters within the purview of the HCCH, including the authority to make decision binding on its Member States in respect of these matters. It is uncontested that the European Community fulfils these requirements.
- At the time of application, a REIO has to submit a declaration of competence specifying the matters in respect of which competence has been transferred to it by its Member States. Furthermore, the REIO and its Member States have to ensure that any change regarding the competence of the REIO or its composition is notified to the HCCH. Finally, Members of the HCCH are entitled to request information whether the REIO or its Member States have

competence in respect of any specific question and the REIO and its Member States have to ensure that the relevant information is provided upon such request.

- Decisions of the HCCH will be taken by consensus to the fullest extent possible. A vote will only be called, if exceptionally it is not possible to attain consensus.
- As to voting rights, a REIO is entitled to exercise a number of votes equal to the number of Member States which have transferred competence to it on the matter in question, and which are entitled to vote in and have registered for such meetings. This implies that no actual physical presence of the Member States at the moment of the vote is necessary.
- A REIO does not contribute to the annual budget of the HCCH in addition to its Member States but has to pay the additional administrative expenses arising out of its membership. This sum will be determined by the HCCH in consultation with the REIO.
- The European Community will assure the HCCH by way of written declaration that it endeavours to examine whether it is in its interest to join existing Hague Conventions, and that where this interest exists, it will, in cooperation with the HCCH, make every effort to overcome the difficulties resulting from the absence of a clause providing for the accession of a REIO to these Conventions. In addition, the Community endeavours to make participation possible of representatives of the Permanent Bureau of the HCCH in meetings of experts organised by the European Commission where matters of interest to the Conference are discussed.

3. CONCLUSION

In view of the positive outcome of the negotiations, the Commission recommends that the Council adopt the decision concerning the accession of the European Community to the HCCH.

Proposal for a

COUNCIL DECISION

**on the accession of the European Community to the
Hague Conference on Private International Law**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 61(c), in conjunction with the first subparagraph of Article 300(2) and the second subparagraph of Article 300 (3) thereof,

Having regard to the proposal from the Commission¹,

Having regard to the assent of the European Parliament²,

Whereas:

- (1) The objective of the Hague Conference on Private International Law (HCCH) is to work for the progressive unification of the rules of private international law. The organisation has to date adopted a substantial number of conventions in different fields of private international law.
- (2) Since the entry into force of the Treaty of Amsterdam, the Community has competence to adopt measures in the field of judicial co-operation in civil matters having cross-border implications insofar as necessary for the proper functioning of the internal market. The Community has exerted this competence by adopting a number of instruments, many of which coincide, partially or fully, with the areas of work of the HCCH.
- (3) It is essential that the Community be granted a status that corresponds to its new role as a major international player in the field of civil judicial cooperation and that it be able to exercise its external competence by participating as a full member in the negotiations of conventions by the HCCH in areas of its competence.
- (4) By decision of 28 November 2002, the Council authorised the Commission to negotiate the conditions and modalities of Community accession to the HCCH.
- (5) By a joint letter from the Commission and the Presidency to the HCCH of 19 December 2002, the Community applied to become a member of the HCCH, and requested the opening of negotiations.

¹ OJ C , , p. .

² OJ C , , p. .

- (6) In April 2004, a Special Commission on General Affairs and Policy of the HCCH expressed the unanimous view that, as a matter of principle, the European Community should become a Member of the HCCH and determined certain criteria and procedures for the modalities of its membership.
- (7) In June 2005, the Diplomatic Conference of the HCCH adopted by consensus the amendments to the Statute necessary to allow the accession of a Regional Economic Integration Organisation and the Members of the HCCH were subsequently invited to cast their votes on the amendments, if possible within a period of nine months.
- (8) The amendments to the Statute will enter into force three months after the Secretary General has informed the Members that the required two-thirds majority for amending the Statute has been reached. Shortly after the entry into force, an extraordinary meeting of the Special Commission on General Affairs and Policy will formally decide upon the admission of the Community to the HCCH.
- (9) The outcome of the negotiations on the revision of the Statute of the HCCH is satisfactory, taking into account the interests of the Community.
- (10) Article 2A of the revised Statute of the HCCH entitles the Community, as a Regional Economic Integration Organisation, to become a Member of the HCCH.
- (11) The Community should accede to the HCCH.
- (12) The United Kingdom and Ireland, in accordance with Article 3 of the Protocol on the position of the United Kingdom and Ireland annexed to the Treaty on the European Union and the Treaty establishing the European Community, are taking part in the adoption of this Decision.
- (13) In accordance with Articles 1 and 2 of the Protocol on the position of Denmark annexed to the Treaty on the European Union and the Treaty establishing the European Community, Denmark is not taking part in the adoption of this Decision.

HAS DECIDED AS FOLLOWS:

Sole Article

The Community shall accede to the Hague Conference on Private International Law by means of the declaration of acceptance of the Statute of the organisation, as set out in Annex I, as soon as the latter has taken the formal decision to admit it as a Member.

The Community shall also deposit a declaration of competence specifying the matters in respect of which competence has been transferred to it by its Member States, as set out in Annex II, and a declaration on certain matters concerning the Hague Conference on Private International Law, as set out in Annex III.

The President of the Council is hereby authorised to carry out such procedures as may be necessary to give effect to the foregoing.

The text of the Statute of the Hague Conference on Private International Law is attached to this decision as Annex IV.

Done at Brussels,

*For the Council
The President*

ANNEX I

Instrument of accession to the Hague Conference on Private International Law

Mr. J.H.A. VAN LOON
Secretary-General
Hague Conference on Private International Law
Scheveningseweg 6
NL – 2517 THE HAGUE

Dear Sir,

I have the honour to inform you that the European Community has decided to accede to the Hague Conference on Private International Law. I therefore ask you to accept this instrument, by which the European Community accepts the Statute of the Hague Conference in accordance with Article 2 A thereof. I enclose a declaration by the European Community specifying the matters in respect of which competence has been transferred to it by its Member States and a declaration on certain matters concerning the Hague Conference on Private International Law.

The European Community formally and without reservation accepts the obligations arising from its membership of the Hague Conference on Private International Law, as set out in the Statute, and formally undertakes to fulfil the obligations upon it at the time of its accession.

I have the honour to be, Sir, yours faithfully,

President of the Council of the European Union

ANNEX II

Declaration of competence of the European Community specifying the matters in respect of which competence has been transferred to it by its Member States

1. This Declaration is given pursuant to Article 2A (3) of the Statute of the Hague Conference on International Private Law and specifies the matters in respect of which competence has been transferred to the European Community by its Member States.
2. The European Community has competence to adopt general and specific measures to enhance the uniformity of rules relating to the applicable law in various domains in its Member States. In respect of matters within the purview of the HCCH, the European Community notably has competence under Title IV of the EC Treaty to adopt measures in the field of judicial co-operation in civil matters having cross-border implications insofar as necessary for the proper functioning of the internal market (Articles 61(c) and 65 EC Treaty). Such measures include
 - (a) improving and simplifying the system for cross-border service of judicial and extrajudicial documents; cooperation in the taking of evidence; the recognition and enforcement of decisions in civil and commercial cases, including decisions in extrajudicial cases;
 - (b) promoting the compatibility of the rules applicable in the Member States concerning the conflict of laws and of jurisdiction and
 - (c) eliminating obstacles to the good functioning of civil proceedings, if necessary by promoting the compatibility of the rules on civil procedure applicable in the Member States.
3. Furthermore, the Community has competence in other fields which can be subject to conventions of the Hague Conference, as in the field of the internal market (Art. 95 EC Treaty) or consumer protection (Art. 153 EC Treaty).
4. The European Community has made use of its competence by adopting a number of instruments under Article 61 (c) of the EC Treaty, such as
 - Regulation (EC) No 1346/2000 on insolvency proceeding,
 - Regulation (EC) No 1348/2000 on the service of documents,
 - Regulation (EC) No 44/2001 on jurisdiction, recognition and enforcement in civil and commercial matters,
 - Regulation (EC) No 1206/2001 on cooperation between the courts of the Member States in the taking of evidence in civil and commercial matters,
 - Directive (EC) No 8/2003 on legal aid.
 - Regulation (EC) No 2201/2003 concerning jurisdiction and the recognition and enforcement of judgements in matrimonial matters and in matters of parental responsibility, and

- Regulation (EC) No 805/2004 creating a European Enforcement Order for uncontested claims,

Provisions on private international law can also be found in other Community legislation, notably in the area of consumer protection, insurance, financial services and intellectual property. Thus, the Community Directives affected by the Hague Convention on the Law Applicable to Certain Rights of Securities held with an Intermediary were adopted on the basis of Article 95 of the EC Treaty.

5. Even if there is no explicit reference to external competence in the EC Treaty, it results from the jurisprudence of the European Court of Justice that the provisions of the EC Treaty referred to above constitute not only legal bases for internal acts of the Community, but also for the conclusion of international agreements by the Community. The Community may conclude international agreements whenever the internal competence has already been used in order to adopt measures for implementing common policies, as listed above, or if the international agreement is necessary to obtain one of the Community's objectives.³ The European Community's external competence is exclusive to the extent to which an international agreement affects internal Community rules or alters their scope⁴. Where this is the case, it is not for the Member States but for the Community to enter into external undertakings with third States or International Organisations. An international agreement can fall entirely or only to some extent within exclusive Community competence.
6. Community instruments are normally binding for all EU Member States. Concerning Title IV of the EC Treaty which comprises the legal basis for judicial cooperation in civil matters, a special regime applies to Denmark, Ireland and the United Kingdom. Measures taken under Title IV EC Treaty are not binding upon or applicable in Denmark. Ireland and the United Kingdom take part in legal instruments adopted under Title IV if they notify the Council to that effect. Both Member States have decided to opt in on all measures listed at point 4 above.
7. The extent of competence which the Member States have transferred to the Community pursuant to the EC Treaty is, by its nature, liable to continuous development. The European Community and its Member States will ensure that any change in the Community's competences will be promptly notified to the Secretariat of the HCCH as stipulated in Article 2A (6).

³ Opinion 1/76 of the Court of Justice, ECR 1977, p. 741; Opinion 2/91, ECR 1993, p. I-1061; Case 22/70 ("AETR"); Commission v. Council, ECR 1971, p. 263; Case-C-467/98 ("open skies"), Commission v. Denmark, ECR 2002, p. I-9519.

⁴ Case 22/70 ("AETR"), Commission v. Council, Case-C-467/98 ("open skies"), Commission v. Denmark.

ANNEX III

Declaration by the European Community on certain matters concerning the Hague Conference on Private International Law

The European Community endeavours to examine whether it is in its interest to join existing Hague Conventions in respect of which there is Community competence. Where this interest exists, the European Community, in cooperation with the Hague Conference, will make every effort to overcome the difficulties resulting from the absence of a clause providing for the accession of a Regional Economic Integration Organisation to these Conventions.

The European Community further endeavours to make participation possible of representatives of the Permanent Bureau of the Hague Conference in meetings of experts organised by the European Commission where matters of interest to the Hague Conference are being discussed.

ANNEX IV

STATUTE OF THE HAGUE CONFERENCE ON PRIVATE INTERNATIONAL LAW

The Governments of the countries hereinafter specified:

the German Federal Republic, Austria, Belgium, Denmark, Spain, Finland, France, Italy, Japan, Luxembourg, Norway, the Netherlands, Portugal, the United Kingdom of Great Britain and Northern Ireland, Sweden and Switzerland;

In view of the permanent character of the Hague Conference on Private International Law;

Desiring to stress that character;

Having, to that end, deemed it desirable to provide the Conference with a Statute;

Have agreed upon the following provisions:

Article 1

The purpose of the Hague Conference is to work for the progressive unification of the rules of private international law.

Article 2

Members of the Hague Conference on Private International Law are the States which have already participated in one or more Sessions of the Conference and which accept the present Statute.

Any other State, the participation of which is from a juridical point of view of importance for the work of the Conference, may become a Member. The admission of new Member States shall be decided upon by the Governments of the participating States, upon the proposal of one or more of them, by a majority of the votes cast, within a period of six months from the date on which that proposal is submitted to the Governments.

The admission shall become effective upon the acceptance of the present Statute by the State concerned.

Article 2A

1. The Member States may, at a meeting concerning General Affairs and Policy where the majority of Member States is present, by a majority of the votes cast, decide to admit also as a Member any Regional Economic Integration Organisation which has submitted an application for membership to the Secretary General. References to Members under this Statute shall include such Member Organisations, except as otherwise expressly provided. The admission shall become effective upon the acceptance of the Statute by the Regional Economic Integration Organisation concerned.

2. To be eligible to apply for membership of the Conference, a Regional Economic Integration Organisation must be one constituted solely by sovereign States to which its Member States have transferred competence over a range of matters within the purview of the Conference, including the authority to make decisions binding on its Member States in respect of those matters.
3. Each Regional Economic Integration Organisation applying for membership shall, at the time of such application, submit a declaration of competence specifying the matters in respect of which competence has been transferred to it by its Member States.
4. Each Member Organisation and its Member States shall ensure that any change regarding the competence of the Member Organisation or in its membership shall be notified to the Secretary General, who shall circulate such information to the other Members of the Conference.
5. Member States of the Member Organisation shall be presumed to retain competence over all matters in respect of which transfers of competence have not been specifically declared or notified.
6. Any Member of the Conference may request the Member Organisation and its Member States to provide information as to whether the Member Organisation has competence in respect of any specific question which is before the Conference. The Member Organisation and its Member States shall ensure that this information is provided on such request.
7. The Member Organisation shall exercise membership rights on an alternative basis with its Member States that are Members of the Conference, in the areas of their respective competences.
8. The Member Organisation may exercise on matters within its competence, in any meetings of the Conference in which it is entitled to participate, a number of votes equal to the number of its Member States which have transferred competence to the Member Organisation in respect of the matter in question, and which are entitled to vote in and have registered for such meetings. Whenever the Member Organisation exercises its right to vote its Member States shall not exercise theirs, and conversely.
9. “Regional Economic Integration Organisation” means an international organisation that is constituted solely by sovereign States, and to which its Member States have transferred competence over a range of matters, including the authority to make decisions binding on its Member States in respect of those matters.

Article 3

1. The Council on General Affairs and Policy (hereafter “the Council”), composed of all Members, has charge of the operation of the Conference. Meetings of the Council shall, in principle, be held annually.
2. The Council ensures such operation through a Permanent Bureau the activities of which it directs.

3. The Council shall examine all proposals intended to be placed on the agenda of the Conference. It shall be free to determine the action to be taken on such proposals.
4. The Netherlands Standing Government Committee, instituted by Royal Decree of February 20, 1897 with a view to promoting the codification of private international law, shall, after consultation with the Members of the Conference, determine the date of the Diplomatic Sessions.
5. The Standing Government Committee shall address itself to the Government of the Netherlands for the convocation of the Members. The Chair of the Standing Government Committee presides over the Sessions of the Conference.
6. The Ordinary Sessions of the Conference shall, in principle, be held every four years.
7. If necessary, the Council may, after consultation with the Standing Government Committee, request the Government of the Netherlands to convene the Conference in Extraordinary Session.
8. The Council may consult the Standing Government Committee on any other matter relevant to the Conference.

Article 4

1. The Permanent Bureau shall have its seat at The Hague. It shall be composed of a Secretary General and four Secretaries who shall be appointed by the Government of the Netherlands upon presentation by the Standing Government Committee.
2. The Secretary General and the Secretaries must possess appropriate legal knowledge and practical experience. In their appointment account shall also be taken of diversity of geographic representation and of legal expertise.
3. The number of Secretaries may be increased after consultation with the Council and in accordance with Article 9.

Article 5

Under the direction of the Council, the Permanent Bureau shall be charged with:

- (a) the preparation and organisation of the Sessions of the Hague Conference and the meetings of the Council and of any Special Commissions;
- (b) the work of the Secretariat of the Sessions and meetings envisaged above;
- (c) all the tasks which are included in the activity of a secretariat.

Article 6

1. With a view to facilitating communication between the Members of the Conference and the Permanent Bureau, the Government of each of the Member States shall designate a national organ and each Member Organisation a contact organ.

2. The Permanent Bureau may correspond with all the organs so designated and with the competent international organisations.

Article 7

1. The Sessions and, in the interval between Sessions, the Council, may set up Special Commissions to prepare draft Conventions or to study all questions of private international law which come within the purpose of the Conference.
2. The Sessions, Council and Special Commissions shall, to the furthest extent possible, operate on the basis of consensus.

Article 8

1. The budgeted costs of the Conference shall be apportioned among the Member States of the Conference.
2. A Member Organisation shall not be required to contribute in addition to its Member States to the annual budget of the Conference, but shall pay a sum to be determined by the Conference, in consultation with the Member Organisation, to cover additional administrative expenses arising out of its membership.
3. In any case, travelling and living expenses of the delegates to the Council and the Special Commissions shall be payable by the Members represented.

Article 9

1. The budget of the Conference shall be submitted each year to the Council of Diplomatic Representatives at The Hague for approval.
2. These Representatives shall also apportion among the Member States the expenses which are charged in that budget to the latter.
3. The Diplomatic Representatives shall meet for such purposes under the chairmanship of the Minister of Foreign Affairs of the Kingdom of the Netherlands.

Article 10

1. The expenses resulting from the Ordinary and Extraordinary Sessions of the Conference shall be borne by the Government of the Netherlands.
2. In any case, the travelling and living expenses of the delegates shall be payable by the respective Members.

Article 11 (French text only)

Les usages de la Conférence continuent à être en vigueur pour tout ce qui n'est pas contraire au présent Statut ou aux Règlements.

Article 12

1. Amendments to the present Statute must be adopted by consensus of the Member States present at a meeting concerning General Affairs and Policy.
2. Such amendments shall enter into force, for all Members, three months after they are approved by two thirds of the Member States in accordance with their respective internal procedures, but not earlier than nine months from the date of their adoption.
3. The meeting referred to in paragraph 1 may change by consensus the periods of time referred to in paragraph 2.

Article 13

To provide for their execution, the provisions of the present Statute will be complemented by Regulations. The Regulations shall be established by the Permanent Bureau and submitted to a Diplomatic Session, the Council of Diplomatic Representatives or the Council on General Affairs and Policy for approval.

Article 14

1. The present Statute shall be submitted for acceptance to the Governments of States which participated in one or more Sessions of the Conference. It shall enter into force as soon as it is accepted by the majority of the States represented at the Seventh Session.
2. The statement of acceptance shall be deposited with the Netherlands Government, which shall make it known to the Governments referred to in the first paragraph of this article.
3. The Netherlands Government shall, in the case of the admission of a new Member, inform all Members of the statement of acceptance of that new Member.

Article 15

1. Each Member may denounce the present Statute after a period of five years from the date of its entry into force under the terms of Article 14, paragraph 1.
2. Notice of the denunciation shall be given to the Ministry of Foreign Affairs of the Kingdom of the Netherlands at least six months before the expiration of the budgetary year of the Conference, and shall become effective at the expiration of the said year, but only with respect to the Member which has given notice thereof.

The English and French texts of this Statute, as amended on..... 200., are equally authentic.

LEGISLATIVE FINANCIAL STATEMENT

1. NAME OF THE PROPOSAL :

Council decision on the accession of the European Community to the Hague Conference on Private International Law

2. ABM / ABB FRAMEWORK

Policy Area(s) concerned and associated Activity/Activities:

18.06 Establishing a genuine area of criminal and civil justice

3. BUDGET LINES

3.1. Budget lines (operational lines and related technical and administrative assistance lines (ex- B..A lines)) including headings :

Framework Programme on Fundamental Rights and Justice for the period 2007-2013; specific programme "Civil Justice"; budget line entry to be determined in the preliminary draft budget (PDB) 2007.

3.2. Duration of the action and of the financial impact:

2007- onwards

3.3. Budgetary characteristics:

Not applicable

4. SUMMARY OF RESOURCES

4.1. Financial Resources

4.1.1. Summary of commitment appropriations (CA) and payment appropriations (PA)

EUR million (to 3 decimal places)

Expenditure type	Section no.		Year n	n + 1	n + 2	n + 3	n + 4	n + 5 and later	Total
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Operational expenditure⁵

Commitment Appropriations (CA)	8.1	a	0,001	0,001	0,001	0,001	0,001	0,001	
Payment Appropriations (PA)		b							

Co-financing details

If the proposal involves co-financing by Member States, or other bodies (please specify which), an estimate of the level of this co-financing should be indicated in the table below (additional lines may be added if different bodies are foreseen for the provision of the co-financing):

EUR million (to 3 decimal places)

Co-financing body		Year n	n + 1	n + 2	n + 3	n + 4	n + 5 and later	Total
.....	f							
TOTAL CA including co-financing	a+c +d+ e+f							

4.1.2. Compatibility with Financial Programming

The cost of this proposal (+/- 1000€ per year) is included in the global amount proposed for the specific programme "Civil Justice" within the Framework Programme "Fundamental rights and Justice" for the period 2007-2013.

The appropriations are purely indicative and subject to their compatibility with the decision to be taken on the medium term financial framework of the Financial Perspectives 2007-2013.

Proposal is compatible with existing financial programming.

⁵ Expenditure that does not fall under Chapter xx 01 of the Title xx concerned.

- Proposal will entail reprogramming of the relevant heading in the financial perspective.
- Proposal may require application of the provisions of the Interinstitutional Agreement⁶ (i.e. flexibility instrument or revision of the financial perspective).

4.1.3. *Financial impact on Revenue*

- x Proposal has no financial implications on revenue
- Proposal has financial impact – the effect on revenue is as follows:

4.2. Human Resources FTE (including officials, temporary and external staff) – see detail under point 8.2.1.

Annual requirements	Year n	n + 1	n + 2	n + 3	n + 4	n + 5 and later
Total number of human resources						

5. CHARACTERISTICS AND OBJECTIVES

The accession of the European Community to the international organisation “Hague Conference on Private International Law” entails an annual financial contribution, to be determined by the organisation in consultation with the European Community, to cover additional administrative expenses arising out of its membership. The contribution will be payable for the first time in 2007 and, consequently, no exact sum has been determined yet. Given that the contribution is only intended to cover “additional administrative expenses”, the amount will not exceed 1,000 € per year.

6. DETAILS OF RESOURCES

Not applicable

⁶ See points 19 and 24 of the Interinstitutional agreement.