2 A list of the respondents who identified barriers is attached.

Many respondents did not answer each question, thus there are fewer than 19 responses to many of the questions.

The slowness of the process

raised by respondents about perception issues and delays in the system, including the need to address

these responses. Two respondents said that the Convention needs to be amended to address issues

Finally, when asked for suggestions to improve the operation of the Convention, there were only

and concerns over foreign and national policy.

and significant concerns were the perceived expense to the claimant, the delay in the immediate case

Major reason that respondents selected was the Convention (61% of respondents). Other

reasons included: (5% of respondents selected the survey). Respondents were also asked if they

was not satisfied. Six said it was satisfactory and five said it was.

not satisfyg; the survey). The majority of respondents said it took too long. As one respondent

unsatisfactory; while six said it was less satisfactory; as to the general operation of the convention,

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The respondents indicated that they obtained documentary evidence in less than six months, with two respondents indicating that they obtained evidence in less than two months. Two respondents reported obtaining the evidence within one-twelve months. Six respondents indicated that they obtained evidence in six to twelve months, and five respondents indicated that they obtained evidence between six and twelve months. No respondents indicated that they obtained evidence in more than twelve months.

### I. Oral Evidence

<table>
<thead>
<tr>
<th>Country</th>
<th>Number of Respondents</th>
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<tbody>
<tr>
<td>Sweden</td>
<td>1</td>
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<td>Algeria</td>
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<td>Argentina</td>
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<td>China</td>
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<td>Denmark</td>
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<tr>
<td>Germany</td>
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<td>India</td>
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<td>Poland</td>
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<td>Russia</td>
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<td>Spanish Federation</td>
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</table>

The respondents had used the Convention in 19 countries: France (5), Germany (4), Switzerland (4), Sweden, and the United Kingdom (2 each), and Argentina, China, Denmark, India, Israel, Haiti, Mexico, Poland, Russian Federation, Spain, and the United Kingdom (2 each). When asked, respondents indicated that they had used the Convention in 19 countries: France (5), Germany (4), Switzerland (4), Sweden, and the United Kingdom (2 each). When asked, respondents indicated that they had used the Convention in 19 countries: France (5), Germany (4), Switzerland (4), Sweden, and the United Kingdom (2 each). When asked, respondents indicated that they had used the Convention in 19 countries: France (5), Germany (4), Switzerland (4), Sweden, and the United Kingdom (2 each).
proceedure and in one instance the summary was ruled inadmissible.

on two occasions the respondents thought that the summary of the

where there was a summary of the respondents, most thought that the summary was substantially accurate although

A writ of mandamus was taken of the respondents in seven of the instances. In cases

An affidavit of an ex-parte party privilege that would not likely have been recognized by a U.S. court

an instance of an ex-parte party privilege that would not likely have been recognized by a U.S. court.

was prohibited. In seven of the seventeen instances the foreign judicial authority upheld the

In the other four, the respondent was also able to conduct an American style cross-examination. In the other four, the

In cases in which the American lawyer was allowed to examine the witnesses, the

In cases in which the American lawyer was allowed to examine the witnesses, the

consent and in three cases the American lawyer was allowed to examine the witnesses. In three cases, the

instances questioned the witness. On four occasions the questioning was done by foreign

inconsistencies with the witness, the respondent argued the oral examination and in four cases

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inconsistencies with the witness, the respondent argued the oral examination and in four cases

incurred a substantial burden. It did not result in the appearance of the witness. Most

incurred a substantial burden. It did not result in the appearance of the witness. Most

of eighteen respondents, three experienced a situation in which a foreign judicial authority

of eighteen respondents, three experienced a situation in which a foreign judicial authority


disposition:

Effectiveness of the process

indicated that it took more than twice the months.

Of three respondents, two obtained the inspection in less than four months, and one respondent

Of three respondents, two obtained the inspection in less than four months, and one respondent

7. Inspection of Real Property

and one between six and twelve months.

Of four respondents, two obtained inspection in less than four months, one in less than four

Of four respondents, two obtained inspection in less than four months, one in less than four

6. Inspection of Personal Property

months, and three responded that it had taken more than twice the months to obtain the

months, and three responded that it had taken more than twice the months to obtain the

information. One respondent, however, failed to obtain written responses in less than six months. With two

information. One respondent, however, failed to obtain written responses in less than six months. With two

Of nine respondents, five said they obtained written responses in less than six months.

Of nine respondents, five said they obtained written responses in less than six months.

5. Written Responses to Written Interrogatories

them between six to twelve months.

them between six to twelve months.

Of seventeen respondents, two obtained written bank records in less than two months, one respondent

Of seventeen respondents, two obtained written bank records in less than two months, one respondent

4. Bank Records

Three of five respondents indicated obtaining bank records in less than six months, with one
2. Request for Documents:

Eighig respondents thought that the documents obtained for the use of the conversation had an
completed partial production.

documents, in the out of ten cases the foreign judicial authority "blue penciled" the request and
those occasions in which the foreign judicial authority would not compelled all of the
privileged and political considerations.

The reasons stated as to why the foreign judicial authority refused to compelled were: pretrial
production of all of the documents requested.

Of fourteen respondents only four indicated that a foreign judicial authority compelled