

No. 2975

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**ISRAEL  
and  
BELGIUM**

**Exchange of notes constituting an agreement relating to the Convention concerning civil procedure concluded at The Hague on 17 July 1905. Hakirya, 18 February 1953, Tel Aviv, 24 April 1953, and Hakirya, 29 May 1953**

*Official text: French.*

*Registered by Israel on 1 November 1955.*

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**ISRAËL  
et  
BELGIQUE**

**Échange de notes constituant un accord relatif à la Convention sur la procédure civile signée le 17 juillet 1905 à La Haye. Hakirya, 18 février 1953, Tel-Aviv, 24 avril 1953, et Hakirya, 29 mai 1953**

*Texte officiel français.*

*Enregistré par Israël le 1<sup>er</sup> novembre 1955.*

[TRANSLATION — TRADUCTION]

No. 2975. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF ISRAEL AND THE BELGIAN GOVERNMENT RELATING TO THE CONVENTION CONCERNING CIVIL PROCEDURE CONCLUDED AT THE HAGUE ON 17 JULY 1905.<sup>2</sup> HAKIRYA, 18 FEBRUARY 1953, TEL AVIV, 24 APRIL 1953, AND HAKIRYA, 29 MAY 1953

I

I/3031

The Ministry of Foreign Affairs presents its compliments to the Legation of Belgium and, with reference to its note No. 303 of 28 November 1952 relating to the Convention on Civil Procedure, has the honour to confirm that the competent judicial authorities of Israel have noted the contents of note No. 9288 of 25 November 1952 and, in particular, of paragraphs 1 and 2 of the said note.

With reference to paragraph 3, the Ministry would point out that article 15 of the Convention deals with the effect to be given to letters rogatory directly by the diplomatic or consular agents of the requesting State, without specifying whether compulsion may or may not be used in giving effect thereto. While taking note of the Royal Belgian Government's objection to the use of compulsion in any action taken to give effect to letters rogatory in Belgian territory, the Ministry would be interested to learn whether the Belgian authorities would object to effect being given to letters rogatory directly by diplomatic or consular agents, so long as compulsion was not used. If the said authorities have no objection to such a procedure, the Government of Israel would be prepared to accord reciprocity for these purposes.

With regard to the service of documents originating in Belgium on persons who are in Israel, the Government of Israel has pleasure in stating that it is agreeable, subject to reciprocity, to such documents being transmitted directly to the persons concerned through the post or by the Belgian diplomatic or consular agent.

The Government of Israel wishes to inform the Legation of Belgium that the legislation which governs these matters in Israel is at present being revised with a view to incorporating the relevant provisions of the Convention on Civil

<sup>1</sup> Came into force on 24 April 1953 in accordance with the terms of the said notes.

<sup>2</sup> De Martens : *Nouveau Recueil général de Traités*, troisième série, tome II, p. 243; League of Nations, *Treaty Series*, Vol. L, p. 180; Vol. LIV, p. 434; Vol. XCII, p. 420, and Vol. C, p. 265; and United Nations, *Treaty Series*, Vol. 216.

Procedure; the Government of Israel will communicate to the Legation of Belgium as soon as possible full particulars of any action taken for the purpose of giving effect to the Convention in question.

The Ministry of Foreign Affairs has the honour to be etc.

Hakirya, 18 February 1953

Legation of Belgium  
Tel Aviv

## II

Tel Aviv, 24 April 1953

No. 767

Subject : Convention on Civil Procedure

The Legation of Belgium at Tel-Aviv presents its compliments to the Ministry of Foreign Affairs of Israel and, with reference to the note from Hakirya dated 18 February 1953 (I/3031), has the honour to state that the Belgian authorities are prepared, subject to reciprocity, to authorize the diplomatic or consular agents of Israel to gather in Belgium any evidence sought by the judicial authorities of Israel, on condition that the persons from whom evidence is to be taken are nationals of Israel and are merely invited to appear before the agent, without any threat of their being penalized in the event of non-appearance.

In making this communication, the Belgian Government considers that the note of 18 February 1953 and the present note constitute, in the eyes of the Belgian authorities, an agreement between the two Governments on this point.

The Belgian Legation would be grateful if the Ministry of Foreign Affairs would confirm by letter that the authorities of Israel take the same view, and has the honour to be etc.

Ministry of Foreign Affairs  
Hakirya

## III

I/3031

The Ministry of Foreign Affairs presents its compliments to the Legation of Belgium and, with reference to the latter's note No. 767 of 24 April 1953, concerning the effect to be given to letters rogatory directly by diplomatic and

consular agents, has the honour to confirm that this Ministry's note of 18 February 1953 and the aforesaid note of the Legation of Belgium constitute, in the eyes of the authorities of Israel, an agreement between the two Governments on this point.

The Ministry of Foreign Affairs has the honour to be etc.

Hakiryá, 29 May 1953

Legation of Belgium  
Tel Aviv