


 
Current initiatives at the Hague Conference with regard to the 1980 and 1996 Conventions
<i>Québec, 9th of June 2015</i>
Christophe Bernasconi Secretary General

79 Members of HCCH
78 States + 1 Regional Economic Integration Organisation (EU)




■ Candidate State
Has applied for membership and has the six-month voting period running

■ Admitted State
Has applied for membership and has been admitted by affirmative vote, but must still accept Statute to become a Member State

■ Member State

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145 States "Connected" with HCCH
A "Connected" State is either a Member or a Contracting State to one or more of the Hague Conventions




■ Member State "Connected" State

■ Non-Member "Connected" State

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1980 Hague Child Abduction Convention
Convention of 25 October 1980 on the Civil Aspects of International Child Abduction
93 Contracting States



Newest Contracting States:
Zambia, Iraq and Japan

(26 August 2014, EIF 1 November 2014) / (21 March 2014, EIF 1 June 2014) / (24 January 2014, EIF 1 April 2014)

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Japan - one year applying the 1980 Convention

- Convention entered in force on April 1, 2014 in Japan
 - Japan CA received 113 applications
 - 69 requests for assistance in visitation or contact
 - 44 requests for assistance in return
- Children returned
 - Children abducted to Japan were returned to their habitual residence in 3 cases (France, Germany, Canada)
 - Children removed from Japan were returned in 4 cases
- Visitation/contact with the child
 - Japan CA facilitated the contact with the removed children: assistance with cross border visit of the removed children, contact through video chats

Ongoing activities regarding the 1980 Convention

- Working Group to develop a Guide to Good Practice on the Article 13(1)(b) ("grave risk exception")
- Revision of INCASTAT, the database of statistics on international child abduction
- Update and maintenance of INCADAT, the database of case-law on the 1980 Convention
 - Among others, enriching of the database with LatAm countries jurisprudence
 - Improvement of the INCADAT website
- Meeting of the International Hague Network of Judges (November 2015, Hong-Kong)

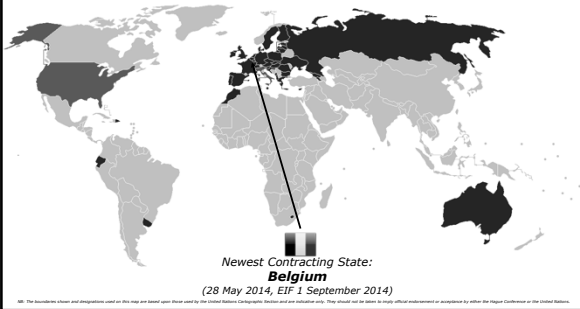
Working party on Mediation

- Achievements and ongoing activities of the Working Party on Mediation:
 - Development of "Principles for the establishment of mediation structures in the context of the Malta Process"
 - International seminar of the WP on mediation held in The Hague in April 2014 ("Islamic Legal Perspectives on Cross-Border Family Disputes Involving Children")
 - Regional seminar of the WP on mediation in Southeast Asia held in Nov. 2014
 - Research study on PIL in the context of Islamic Law conducted by Prof. Anver Emon (University of Toronto, Faculty of Law) and Prof. Urfan Khaliq (Cardiff Law School)
- "Malta IV" Conference (*tentatively scheduled in May 2016*)

1996 Child Protection Convention

Convention of 19 October 1996 on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in Respect of Parental Responsibility and Measures for the Protection of Children

**41 Contracting States
(+2 Signatory States)**



Ongoing activities regarding the 1996 Convention

- Experts' Group on Cross-border recognition and enforcement of agreements, including those resulting from mediation
 - 2013: First meeting of the Experts' Group concluding that there is a need to develop a binding or non-binding instrument
 - Next steps:
 - circulation of a questionnaire
 - organisation of another meeting of the Experts' Group (November 2015)
- Co-organisation with ISS of a conference on "Cross-border child protection: Legal and social perspectives" (October 2015, Geneva)

Ongoing activities regarding the 1980 and the 1996 Conventions

- The Malta Process:
 - Achievements and activities of the Working Party on Mediation:
 - International seminar "Islamic Legal Perspectives on Cross-Border Family Disputes Involving Children", April 2014, The Hague
 - Regional seminar for Southeast Asia, Kuala Lumpur, November 2014
 - Research study on PIL in the context of Islamic Law by Prof. Anver Eamon (University of Toronto, Faculty of Law) and Prof. Urfan Khaliq (Cardiff Law School)
 - "Malta IV" Conference (tentatively in May 2016)
- Special Commission on the practical operation of the 1980 and 1996 Conventions (2017)

Other activities in the family law area...

- 4th Meeting of the Special Commission on the practical operation of the 1993 Adoption Convention (June 2015, The Hague)
- 2007 Child Support Convention
 - Conference on "Recovery of Maintenance in Asia Pacific and Worldwide: National and Regional Systems and the Hague 2007 Child Support Convention and Protocol", November 2015, Hong-Kong
- Experts' Group on PIL issues surrounding the status of children, including the issues arising from international surrogacy arrangements (scheduled for 2016)

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