

<b>Title</b>	<b>1980 Child Abduction Convention and 1996 Child Protection Convention: Informal brainstorming sessions on future meetings of the Special Commission</b>
<b>Document</b>	<b>Prel. Doc. No 8B of December 2024</b>
<b>Author</b>	PB and the Chair of the informal brainstorming
<b>Agenda Item</b>	Item III.1.b.ii
<b>Mandate(s)</b>	C&D No 21 of CGAP 2024
<b>Objective</b>	To report on the outcome of discussions at the informal brainstorming sessions on future meetings of the Special Commission on the 1980 Child Abduction Convention and 1996 Child Protection Convention
<b>Action to be Taken</b>	For Decision <input checked="" type="checkbox"/> For Approval <input type="checkbox"/> For Discussion <input checked="" type="checkbox"/> For Action / Completion <input type="checkbox"/> For Information <input type="checkbox"/>
<b>Annexes</b>	Annex I: Background Document No 2 – How past SC Meetings on the 1980 and 1996 Conventions have been planned Annex II: Background Document No 3 – Work programme for the 1980 and 1996 Conventions Annex III: Agenda of the Informal Brainstorming
<b>Related Documents</b>	N/A

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# 1980 Child Abduction Convention and 1996 Child Protection Convention: Informal brainstorming sessions on future meetings of the Special Commission

## I. Introduction

1 At its 2024 meeting the Council on General Affairs and Policy (CGAP):

“[...] invited the PB to host an informal brainstorming session to discuss possible means by which the PB could be assisted with the organisation of the next SC on the 1980 and 1996 Conventions. This session will be organised online, will be open to Members only, and is envisaged to take place before the end of 2024. The PB will report on the outcomes of the brainstorming session at CGAP 2025.”<sup>1</sup>

2 Against this background, the Permanent Bureau (PB) of the HCCH hosted informal brainstorming sessions on the planning of future meetings of the Special Commission on the 1980 Child Abduction Convention and 1996 Child Protection Convention (1980 / 1996 SC). The sessions took place online, from 18 to 21 November 2024, and were attended by over 80 participants representing 29 Members, as well as by members of the PB. The informal brainstorming was chaired by Ms Angele Sears-Debono, Legal and Policy Officer at the European Commission.

3 This document aims to provide the PB’s summary of the discussions which took place during the informal brainstorming sessions (II). This summary is supplemented by the Chair’s summary provided at the end of the brainstorming (III). and to provide a proposal to CGAP regarding the future planning of meetings of the 1980 / 1996 SC.

## II. Summary of discussions

### A. Session 1

4 During the first session of the informal brainstorming, the PB made a brief presentation regarding the planning of previous meetings of the 1980 / 1996 SC. It was noted that, since the *Convention of 25 October 1980 on the Civil Aspects of International Child Abduction* (1980 Convention) and the *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* (1996 Convention) are at different stages of development, discussions of each Convention still require different approaches. It was explained that, while discussions regarding the 1980 Convention mostly pertain to its practical operation, the 1996 Convention still requires further promotion and additional substantive work (*i.e.*, the development of model forms and short guides). The PB suggested that preparations for meetings of the 1980 / 1996 SC could follow a similar model to preparations for meetings of Special Commissions on the 1993 Adoption, the 2000 Protection of Adults or the 2007 Child Support Conventions, whereby an initial consultation is undertaken two years in advance, asking Contracting Parties to identify their preferred topics for discussion. The responses to this initial consultation inform a questionnaire inviting Contracting Parties to rate the topics for discussion previously suggested in order of priority.<sup>2</sup> An analysis of the

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<sup>1</sup> Conclusion and Decision (C&D) No 21 of the Council on General Affairs and Policy (CGAP) of the Conference (5-8 March 2024), C&D No 12, available on the HCCH website at [www.hcch.net](http://www.hcch.net) under “Governance” then “Council on General Affairs and Policy” and “Archive (2000-2024)”.

<sup>2</sup> 1993 Adoption Convention: Questionnaire on possible topics for the Fifth Meeting of the Special Commission on the practical operation of the 1993 Adoption Convention ([Prel. Doc. No 1 of July 2019](#)); 2000 Protection of Adults Convention: Questionnaire to assess the need to convene a possible meeting of the Special Commission in 2022 to review the practical operation of the 2000 Adults Convention ([Prel. Doc. No 1 of July 2019](#)); 2007 Child Support Convention:

responses to that questionnaire is then presented to CGAP, which broadly mandates the agenda and planning of a Special Commission meeting.<sup>3</sup> There was broad support among participants that a similar model could be applied to preparations for meetings of the 1980 / 1996 SC. There was also agreement with the suggestion made by a participant to attach a document similar to Background Document No 3 (see Annex II) to a first questionnaire to identify their preferred topics for discussion, to keep Contracting Parties informed of the status of ongoing work pertaining to the 1980 and 1996 Conventions. Some participants also suggested that the first questionnaire should provide for sufficient space to allow for elaborated responses and explanations from respondents.

- 5 During initial discussions at the informal brainstorming, participants strongly expressed their general wish for more open discussions among all relevant actors at meetings of the 1980 / 1996 SC. While appreciative of the availability of draft Conclusions and Recommendations (C&Rs) for the Drafting Committee, participants noted that discussions should not be led by the content of such draft C&Rs but should instead be led by guidance from the Chair(s) of the 1980 / 1996 SC meeting. Participants were also in favour of having shorter meetings of the 1980 / 1996 SC at more frequent intervals. In this regard, some participants stressed the importance of ensuring that shorter meetings do not affect the depth of discussions. The PB remarked that having meetings of the 1980 / 1996 SC take place over a four or five day period, with a meeting of the members of the International Hague Network of Judges (IHNJ) and bilateral meetings between Central Authorities, both outside the grounds of the Academy Building of the Peace Palace, the day before or the day after the meeting of the 1980 / 1996 SC, would be the most cost effective.
- 6 Participants also shared their preference for a shorter, more refined agenda, which would allow for more in-depth discussions of important issues. On this note, some participants expressed their curiosity as to how the online forum of Central Authorities (which is still in development), aimed at exchanging best practices and other case management information, could serve as a more appropriate platform for technical discussions among Central Authorities.<sup>4</sup> It was noted that this could assist in further refining the agendas for the 1980 / 1996 SC meetings, leaving more time for focused, in-depth discussions of issues considered by Contracting Parties to be most appropriate for the attention of the 1980 / 1996 SC. Some participants also remarked that a shorter, more focused agenda could result in less documentation and shorter C&Rs, which could assist in their subsequent use and application. A number of participants also voiced a desire for a more collaborative approach in the preparations for 1980 / 1996 SC meetings, with Contracting Parties playing a more active role in the development of the agenda and documentation. On the latter point, the PB clarified that the manner in which documents are prepared is assessed and determined by CGAP on a case-by-case basis, depending on the nature and type of document to be prepared.
- 7 Participants further suggested that “onboarding” meetings for new Contracting Parties or new Central Authority colleagues could be periodically or annually facilitated by the PB in order to raise

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Questionnaire on the practical operation of the 2007 Child Support Convention ([Prel. Doc. No 1 of August 2019](#)); 2007 Child Support Convention: Questionnaire on the practical operation of the 2007 Maintenance Obligations Protocol ([Prel. Doc No 2 of August 2019](#)).

<sup>3</sup> 1993 Adoption Convention: Analysis of the responses to the 2019 Questionnaire on possible topics and format for the Fifth Meeting of the Special Commission to review the practical operation of the 1993 Adoption Convention ([Prel. Doc. No 2 of December 2019](#)); 2000 Protection of Adults Convention: Report on the planning for a first meeting of the Special Commission to review the practical operation of the 2000 Adults Convention ([Prel. Doc. No 10 of December 2019](#)); 2007 Child Support Convention: Planning for the First Meeting of the Special Commission to review the practical operation of the 2007 Child Support Convention and the 2007 Maintenance Obligations Protocol ([Prel. Doc. No 9 revised version of February 2020](#)).

<sup>4</sup> See Conclusion and Recommendation (C&R) No 95 of the Eighth Meeting of the SC on the practical operation of the 1980 and 1996 Conventions: “The SC acknowledged that the effective implementation and operation of the 1980 Child Abduction Convention would benefit from an annual or biannual online forum for Central Authorities to exchange best practices and other case management information. Central Authorities are invited to express their interest in participating in the forum, and whether they would like to join a steering group to establish the forum.”

awareness to existing C&Rs from past meetings of the 1980 / 1996 SC and other existing practical / implementation tools. It was noted that this could also contribute to keeping the agendas of the 1980 / 1996 SC meetings as short as possible, as the need to have items purely intended for information would be mitigated and repeated discussions on topics that have already been discussed by the 1980 / 1996 SC could be avoided. It was acknowledged that a particular topic could, of course, be re-opened for discussion by the 1980 / 1996 SC if there is sufficient support for doing so.

- 8 There was broad agreement among participants that all documents pertaining to 1980 / 1996 SC meetings should be made available sufficiently in advance, in order to allow delegates to adequately prepare. It was acknowledged that this can sometimes be difficult as certain documents depend on the outcomes of Experts' / Working Group meetings or other meetings / events.

## **B. Session 2**

- 9 During Session 2, participants were invited to discuss, in breakout groups, the benefits and drawbacks of having a single 1980 / 1996 SC meeting or having separate meetings dedicated to each Convention, with the understanding that matters relevant to both Conventions can be discussed at either or both meetings. After discussions in the breakout groups, a nominated *rapporteur* for each group reported on the group's findings.
- 10 There was consensus among all breakout groups that the benefits of discussing the 1980 and 1996 Conventions together at a single meeting outweigh the drawbacks. While some participants noted that having a separate meeting for each Convention could allow for the meetings to be shorter and more focused, all participants expressed budgetary concerns / constraints to having two separate meetings. Participants agreed that having a single 1980 / 1996 SC meeting would not only be more cost effective and efficient (both in terms of substance and travel), it would also promote the synergy between the two Conventions and encourage more States to become Contracting Parties to the 1996 Convention. In a similar vein, a number of participants, including from 1996 Convention non-Contracting Parties, also expressed the wish to have more in-depth discussions on the practical operation and interpretation of the 1996 Convention within the single 1980 / 1996 SC meeting format.
- 11 In addition to increased participation by Contracting Parties in the preparatory work for the 1980 / 1996 SC meetings, some participants noted that another possible way to ensure both Conventions receive sufficient attention in a single 1980 / 1996 SC meeting could be to have separate C&Rs for each Convention. Another solution suggested was to have a 1980 / 1996 SC meeting followed by a separate meeting solely dedicated to the 1996 Convention. A suggestion was also made to divide the 1980 / 1996 SC meeting into three parts; one part dedicated to international child abduction more generally and the two other parts dedicated to the practical operation of the 1980 and 1996 Conventions respectively, with separate C&R sessions after the second and third parts. There was, however, no consensus on any of these suggestions. Participants agreed that having separate meetings for the 1980 and 1996 Conventions could result in repetition / overlap of discussions and, in the case of a separate meeting on the 1996 Convention, concerns were raised that attendance by practitioners would be low.

## **C. Session 3**

- 12 During Session 3, participants were invited to discuss, in breakout groups, any other issues pertaining to the planning, format and operation of 1980 / 1996 SC meetings. After discussions in the breakout groups, a nominated *rapporteur* for each group reported on the group's findings.
- 13 Participants spoke of the importance of having online, preparatory "onboarding" meetings in advance of 1980 / 1996 SC meetings, for new Contracting Parties / new Central Authority

colleagues, in order to save time and avoid repeating discussions on issues for which the 1980 / 1996 SC has previously adopted C&Rs. Participants also highlighted the importance of having periodic meetings of Central Authorities and the IHNJ in between meetings of the 1980 / 1996 SC, to discuss practical and interpretation matters.

- 14 A number of participants spoke in favour of having in-person breakout groups during 1980 / 1996 SC meetings, where delegates could discuss specific topics of interest and report their findings back to the plenary of the 1980 / 1996 SC. The feasibility of such breakout groups was discussed and, while there was consensus that it is a commendable idea, it was agreed that practical and time-related constraints need to be taken into consideration, such as the limited space in the Academy Building which could conceivably be utilised to host the breakout groups and the limited amount of time (4-5 days) within which plenary discussions must take place in addition to the breakout group discussions, as well as the bilateral Central Authority meetings and the meeting of the IHNJ. Participants discussed various solutions, including the possibility of a change of venue, in order to meet the needs for breakout groups and accommodate budgetary constraints. The PB remarked that, while the Academy Building of the Peace Palace remained the most financially competitive venue to accommodate the large number of delegates attending 1980 / 1996 SC meetings, it remains open to other solutions.
- 15 Many participants were in favour of having presentations by Central Authority representatives during 1980 / 1996 SC meetings, but they were not in favour of theoretical / academic presentations. While a few participants were open to the idea of having presentations from scholars and practitioners, some participants raised the concern that time may not permit such additional presentations. Some participants wondered whether having presentations at all during a shorter meeting of the 1980 / 1996 SC would be realistic and suggested that presentations could potentially be more appropriate in the context of the online forum of Central Authorities. Nevertheless, there was consensus among participants that any presentations made at 1980 / 1996 SC meetings should be practical in nature. Some participants also raised the idea of delegates doing a case study during a 1980 / 1996 SC meeting that includes some of the topics Contracting Parties raised for discussion in the questionnaires, in order to encourage more active discussions and collaborations in resolving common issues.
- 16 Participants further discussed the ways in which the usefulness of C&Rs can be enhanced, both at plenary and during the Drafting Committee sessions. While participants agreed that having pre-drafted C&Rs assists the work of the Drafting Committee, there was consensus among all breakout groups that having such pre-drafted C&Rs in the Preliminary Documents (Prel. Docs) and Working Documents (Work. Docs), prepared in advance of a 1980 / 1996 SC meeting by the PB, tend to pre-empt discussions, reducing them to a drafting exercise instead of allowing delegates to openly exchange on their practices and challenges. Some participants suggested that Prel. Docs could instead conclude with some targeted questions or suggestions for discussion, as opposed to a proposal for a C&R. Participants also suggested the possibility of the Drafting Committee convening from the first day of the 1980 / 1996 SC meeting, as opposed to the second day, in order to have more time to draft the C&Rs, based on the conclusions of the Chair(s).
- 17 There was consensus among all breakout groups that in-person, bilateral meetings between Central Authorities during 1980 / 1996 SC meetings, as well as meetings of the IHNJ should be an integral part of the agenda. While some participants suggested that holding such bilateral meetings during lunch breaks could save time, other participants cautioned that this could pose practical difficulties or place undue time constraints, and that such meetings should take place either before the start of a 1980 / 1996 SC meeting or after the meeting concludes.



- 18 Finally, participants underlined the usefulness of the statistical study under the 1980 Convention but noted that, if the meeting of the 1980 / 1996 SC is to take place at more frequent intervals, it may not be necessary to produce statistics at every meeting of the 1980 / 1996 SC.

### III. Summary of the Chair

- 19 During the last session of the informal brainstorming, the Chair provided the following summary, for which there was broad support:

#### A. Format, duration and cycle of 1980 / 1996 SC meetings

- 20 There was a clear consensus that discussions on the practical operation of the 1980 and 1996 Conventions should continue to take place in the context of a single meeting on both the 1980 and 1996 Conventions. Meetings of the 1980 / 1996 SC should be shorter, taking place over four to five days, and should be held at more regular intervals, every three or four years, depending on available resources and taking into account the overall Work Programme of the PB and its Family and Child Protection Law Division. In-person bilateral meetings between Central Authorities and a meeting of the IHNJ should also take place, either the day before or the day after the 1980 / 1996 SC meeting.

- 21 It was acknowledged that a transitional period would be necessary in order to implement the proposed changes to the format and duration of 1980 / 1996 SC meetings.

#### B. Draft Agenda

- 22 All participants underlined the importance of ensuring open and broad discussions on matters of practical operation and interpretation.

- 23 Participants all agreed that the agendas of the 1980 / 1996 SC meetings should be developed in a more collaborative manner with Contracting Parties and include fewer topics, identified by order of priority by Contracting Parties based on responses to the questionnaires circulated by the PB. Participants further agreed that the agenda should include presentations on best practices. There was consensus among participants that agenda items purely intended for information (for the benefit of new Contracting Parties) and theoretical presentations should be avoided and are best reserved for the various proposed periodic meetings, such as the online forum of Central Authorities, the online meetings of the IHNJ, the online preparatory meetings in advance of the 1980 / 1996 SC meeting or the proposed periodic or annual “onboarding” meetings for new Contracting Parties / new Central Authority colleagues. Participants agreed that having fewer items on the agenda could result in shorter but more meaningful C&Rs.

- 24 Participants further agreed that there are advantages to making use of breakout groups during 1980 / 1996 SC meetings on specific topics of interest, in order to facilitate interactive discussions and exchanges on best practices, before having more general discussions at the meeting plenary. The logistical and resource constraints were acknowledged, and it was noted that the appropriateness of breakout groups would depend on the topics identified in the questionnaires as priorities. On this point, the PB noted that it can examine the various options available to meaningfully enhance discussions, such as having discussions either at plenary, through breakout groups, or at meetings in advance of, and in between, the meetings of the 1980 / 1996 SC. The PB added that all these options will be considered when Contracting Parties are consulted on the topics for discussion.

#### C. Documentation

- 25 There was consensus among participants that the number of documents for the attention of the 1980 / 1996 SC should be reduced, which will most likely happen organically in light of a reduced

agenda. Participants also underlined that any documents must be distributed sufficiently in advance of the 1980 / 1996 SC meeting (at least two months in advance) to allow delegates to prepare more meaningfully for open discussions. Some participants suggested that Prel. Docs, depending on the subject matter, could include targeted questions or suggestions for discussion instead of proposals for C&Rs.

#### **D. Online Central Authority forum**

- 26 Participants underlined the usefulness of the online forum of Central Authorities to exchange best practices and other case management information. This online forum, which is still in development, could potentially serve as a more appropriate platform for technical discussions among Central Authorities, thus helping to shorten the 1980 / 1996 SC meeting agenda. Participants noted that the outcomes of discussions at this online forum could be presented by forum participants at a meeting of the 1980 / 1996 SC.

#### **E. Deadlines**

- 27 Participants agreed that respecting all deadlines, including deadlines for designations, responses to questionnaires and comments on Prel. Docs, is fundamental in ensuring the smooth running of preparations for, and discussions during, a 1980 / 1996 SC meeting. Some participants also proposed that the PB consider setting shorter deadlines.

### **IV. Proposal to CGAP**

- 28 In light of the outcome of the informal brainstorming sessions, the PB proposes the following C&D for CGAP's consideration:
- CGAP noted the summaries provided by the Chair and the PB of the informal brainstorming sessions on future meetings of the Special Commission (SC) on the 1980 Child Abduction Convention and 1996 Child Protection Convention.
  - As regards the timing of the next meeting of the SC on the 1980 Child Abduction Convention and 1996 Child Protection Convention, as well as the regularity of these meetings, CGAP noted the comments in the Chair's summary but also stressed that the planning of these meetings remains subject to the overall discussion on the timing of all upcoming SC meetings.



## **ANNEXES**

# Annex I

CHILD ABDUCTION & CHILD PROTECTION

18-21 November 2024

BACKGROUND DOCUMENT NO 2



## **Brainstorming on future meetings of the Special Commission on the 1980 & 1996 Conventions**

**18-21 November 2024 online meeting**

### **HOW PAST SPECIAL COMMISSION (SC) MEETINGS ON THE 1980 AND 1996 CONVENTIONS HAVE BEEN PLANNED**

The timelines that follow below provide a general estimation of the planning of the different steps leading up to the holding of a meeting of the SC on the 1980 Child Abduction and 1996 Child Protection Conventions at the beginning of the fourth quarter of a given year. It is to be understood that this planning should be treated with some flexibility in the light of the work programme of the International Family & Child Protection Law Division of the Permanent Bureau (PB).

<b>30 to 18 months prior to the meeting:</b>	– Seek the authorisation of the Council on General Affairs and Policy (CGAP) to host the 1980/1996 SC meeting and secure voluntary contributions to prepare a statistical study of applications made in a given year under the 1980 Child Abduction Convention. The statistical study covers applications made during a 12-month period and an extra period of 18 months thereafter, to collect the outcomes of all applications made during the year under study. For example, for the statistical study of applications made in 2021 funding was secured in 2022 and the final data was available at the end of June 2023
<b>24 to 12 months prior to the meeting:</b>	– Launch the statistical study of applications made in a given year under the 1980 Child Abduction Convention
<b>24 months prior to the meeting:</b>	– Send a general questionnaire to Members and Contracting Parties asking for issues to be discussed by the SC, with a view to report to CGAP 18 months before the SC meeting
<b>18 months prior to the meeting:</b>	– Report to CGAP on the responses received to the general questionnaire with a view to prepare more detailed questionnaires and / or specific Prel. Docs <sup>1</sup>
<b>15 months prior to the meeting:</b>	– Send detailed questionnaires on the practical operation of the 1980/1996 Conventions informed by the responses to the general questionnaire. It is hoped that the new e-Country Profiles will contribute to shorter questionnaires since it will be possible to electronically compile the information found in the e-Country Profiles

<sup>1</sup> Preliminary Documents (Prel. Docs) are drawn up by the PB for the attention of the SC to assist the discussion. They can be used to present an analysis of a specific issue (e.g., delays, statistical study, the impact of COVID, practice concerning specific provisions, etc.), a future publication (e.g., Guide to Good Practice, Practical Handbook), a future tool (e.g., implementation checklist, country profile, model form, etc.). Prel. Docs can include possible C&R on the matter addressed by the document.

	<ul style="list-style-type: none"> <li>- Distribute Prel. Doc. No 1, Draft Table of C&amp;R of previous SC meetings that are still relevant, with a view to obtaining comments as to the relevance of the inclusion of the selected C&amp;R. The objective being to have the Prel. Doc. No 1 endorsed by the SC</li> </ul>
<b>8 to 6 months prior to the meeting:</b>	<ul style="list-style-type: none"> <li>- Convoke the SC</li> <li>- Identify a potential Chair / co-Chairs</li> <li>- Distribute Prel. Docs for which written comments by Members and Contracting Parties are sought in advance of the SC, with a view to either compiling such comments before the SC and / or amending the Prel. Docs accordingly</li> </ul>
<b>6 to 2 months prior to the meeting:</b>	<ul style="list-style-type: none"> <li>- Distribute Prel. Docs for which written comments by Members and Contracting Parties are not sought in advance of the SC</li> </ul>
<b>6 to 3 months prior to the meeting:</b>	<ul style="list-style-type: none"> <li>- Distribute a draft agenda for the meeting. According to recent practice, the draft agenda can include items for discussion by the SC as well as items purely for information. The information items on the agenda can serve to remind participants of issues that were previously addressed and resolved by the SC, in order to avoid (re-)opening issues for discussion which have not been identified as such in the responses to the questionnaires. It also helps to ensure that all delegations are on the same page with a view to adopting Prel. Doc. No 1 at the end of the SC. Consideration could be given to limit the agenda to discussion items only</li> </ul>
<b>3 to 1 month(s) prior to the meeting:</b>	<ul style="list-style-type: none"> <li>- Distribute Info. Docs<sup>2</sup> and Work Docs<sup>3</sup></li> <li>- Register delegates and observers</li> <li>- Organise bilateral meetings to take place during the SC meeting</li> </ul>
<b>1 month prior to the meeting:</b>	<ul style="list-style-type: none"> <li>- Distribute the draft statistical study</li> <li>- Distribute a draft annotated agenda which makes reference to all Prel. Docs, Work. Docs, and Info. Docs relevant for each agenda item</li> </ul>

<sup>2</sup> Information Documents (Info. Docs) are meant to provide general information from Members, Contracting Parties, Observers to the HCCH and / or the PB concerning their activities in relation to the subject matter of the SC (e.g., legislation, case law, C&R of a specific meeting, description of an organisation, their mandate and work programme, other publications, etc.). Info. Docs are not intended for discussion.

<sup>3</sup> Working Documents (Work. Docs) are drawn up by the PB, Members, Contracting Parties or Observers (in the latter case with the support of at least two Members and / Contracting Parties). Work. Docs are used to make a proposal for a C&R. To do so, Work. Docs may draw from existing information such as responses to questionnaires, relevant extracts from Conventions and accompanying documentation (i.e., Explanatory Reports, Practical Handbooks, Guides to Good Practice, etc.), States implementing legislation and jurisprudence, as well as existing C&R. Work. Docs do not provide a novel analysis as Prel. Docs do.

## Annex II

CHILD ABDUCTION & CHILD PROTECTION

18-21 November 2024

BACKGROUND DOCUMENT NO 3



### **Brainstorming on future meetings of the Special Commission on the 1980 & 1996 Conventions**

**18-21 November 2024 online meeting**

#### **WORK PROGRAMME FOR THE 1980 AND 1996 CONVENTIONS**

The work programme described in the two tables below is based on the Conclusions & Recommendations (C&R) of the October 2023 Special Commission (SC) meeting on the 1980 Child Abduction and 1996 Child Protection Conventions and the Conclusions & Decisions (C&D) of the March 2024 meeting of the Council on General Affairs and Policy (CGAP).

#### **1980 Child Abduction Convention**

<b>C&amp;R/C&amp;D</b>	<b>Document / Project</b>	<b>Status</b>
C&R No 11	Contracting Parties experiencing delays encouraged to review their existing processes. Contracting Parties are encouraged to implement any necessary adjustments in order to expedite proceedings and make them more efficient	Ongoing
C&R No 19(c)	Publication of the Judges' Newsletter	Ongoing
C&R No 19(e)	The PB to improve the use of the International Hague Network of Judges (IHNJ) Secure Platform	Ongoing
C&R No 21	Publication of Prel. Doc. No 5, "Document to inform lawyers and judges about direct judicial communications, in specific cases, within the context of the International Hague Network of Judges"	Not yet started
C&R No 21	Publication of Prel. Doc. No 8, "Information on the legal basis for direct judicial communications within the context of the International Hague Network of Judges (IHNJ)"	Not yet started
C&R No 22 C&D No 40	Regional in-person meeting of the IHNJ in Brazil (15-17 May 2024)	Completed
C&R No 22 C&D No 40	Fourth Global Meeting of the IHNJ in Singapore (19-22 May 2025)	Preparations started
C&R No 23	Contracting Parties encouraged to complete and / or update Section 11.2, "Provisions for safe return", of the 1980 Child Abduction Convention Country Profile	Ongoing
C&R No 26 C&D No 31	Forum on Domestic Violence and Article 13(1)(b) of the 1980 Child Abduction Convention	Completed

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C&R No 46 C&D No 28	The PB to draft a note containing information on the use of Articles 8, 14 and 15 of the 1980 Child Abduction Convention, drawing from the contents of Prel. Doc. No 14	Project to start in 2025
C&R No 50 C&D No 22	Revised Request for Return Recommended Model Form and the new Request for Access Recommended Model Form	Completed (subject to proper publication)
C&R No 51	Revised Country Profile under the 1980 Child Abduction Convention	Completed
C&R No 100 C&D No 58	e-Country Profile under the 1980 Child Abduction Convention	1 <sup>st</sup> / 2 <sup>nd</sup> quarter 2025
C&R No 95	Annual or biannual online forum for Central Authorities under the 1980 and 1996 Conventions to exchange best practices and other case management information	Not yet started
C&R No 96 C&D No 30	Fifth Malta Conference on Cross-Frontier Child Protection and Family Law (Malta V), in Valetta (24-27 September 2024)	Completed
C&D No 30	Resumption of activities of the Malta Process Working Party on Mediation	Ongoing
C&R No 98 C&D No 41	The PB to seek voluntary contributions to keep INCADAT up to date as well as to ensure its maintenance and operation	Ongoing
C&R No 98 C&D No 41	The PB to encourage Contracting Parties to the 1980 Child Abduction Convention to designate a national INCADAT correspondent	Ongoing
C&D No 21	The PB to host an informal brainstorming session to discuss possible means by which the PB could be assisted with the organisation of the next SC on the 1980 and 1996 Conventions	Ongoing

#### **1996 Child Protection Convention**

<b>C&amp;R/C&amp;D</b>	<b>Document / Project</b>	<b>Status</b>
C&R No 53	Promotion of the Washington Declaration on International Family Relocation – Conference in Partnership with the Government of Canada, IAFL and HCCH in Washington, DC (3-4 April 2025)	Preparations started
C&R No 54 C&D No 29	The PB to develop a questionnaire directed to States to gather information about procedures that States have in place to facilitate international relocation	Preparations started
C&R No 70 C&D No 27	The PB to circulate the questionnaire annexed to Prel. Doc. No 17 of August 2023 to all Contracting Parties to the 1996 Child Protection Convention, with a view to collecting information from judges and Central Authorities regarding requests under Article 8 or 9	1 <sup>st</sup> / 2 <sup>nd</sup> quarter 2025
C&R No 70	The PB to review Prel. Doc. No 17, in the light of the responses from Contracting Parties, and to submit the revised version to CGAP	3 <sup>rd</sup> / 4 <sup>th</sup> quarter 2025



C&R No 90 C&D No 25	The PB to start collecting information from Contracting Parties on the operation of Article 33 in addition to that set out in Prel. Doc. No 20	2 <sup>nd</sup> quarter 2025
C&R No 90 C&D No 26	The PB to establish a Working Group to develop: (a) a model form for cooperation under Article 33; and (b) a guide on the operation of Article 33	3 <sup>rd</sup> quarter 2025
C&R No 92 C&D No 24	The PB to work further on the Cooperation Request Recommended Model Form under the 1996 Child Protection Convention	Winter 2025
C&R No 93 C&D No 23	Country Profile for the 1996 Child Protection Convention	Ongoing
C&R No 100 C&D No 58	e-Country Profile for the 1996 Child Protection Convention	1 <sup>st</sup> / 2 <sup>nd</sup> quarter 2025
C&R No 95	Annual or biannual online forum for Central Authorities under the 1980 and 1996 Conventions to exchange best practices and other case management information	Not yet started
C&R No 96 C&D No 30	Fifth Malta Conference on Cross-Frontier Child Protection and Family Law (Malta V), in Valetta (24-27 September 2024)	Completed
C&D No 30	Resumption of activities of the Malta Process Working Party on Mediation	Ongoing
C&D No 21	The PB to host an informal brainstorming session to discuss possible means by which the PB could be assisted with the organisation of the next SC meeting on the 1980 and 1996 Conventions	Ongoing
C&D No 36	Finalisation of Prel. Doc. No 10 of January 2024, "The Application of the 1996 Child Protection Convention to Unaccompanied and Separated Children – Updates"	Completed (subject to publication)



## Annex III

CHILD ABDUCTION & CHILD PROTECTION

18-21 November 2024



### Brainstorming on future meetings of the Special Commission on the 1980 & 1996 Conventions

#### 18-21 November 2024 online meeting

#### DRAFT AGENDA

The draft agenda will be treated with flexibility and may need to be modified in the light of ongoing discussions. The hours indicated in the agenda refer to Central European Time (CET). Please consult [The World Clock](#) to identify the time of the meetings in your time zone on the specific dates.

Monday 18 November 2024	
<b>11:45-12:00</b>	Connection and testing with participants
12:00-12:05	<b>1. Opening of the meeting by Christophe Bernasconi, Secretary General</b> (See Background Document No 1, "Conclusion & Decision No 21 of CGAP 2024")
12:05-12:10	<b>2. Introduction to the draft agenda by Philippe Lortie, First Secretary</b>
12:10-13:00	<b>3. <i>Tour de table</i> (roundtable) – Expectations of the participants for the Brainstorming</b>
13:00-13:10	<i>Health break</i>
13:10-13:30	<b>4. Planning of previous Special Commission (SC) meetings on the 1980 and 1996 Conventions – Presentation by the Permanent Bureau (PB)</b> (See Background Document No 2, "How past Special Commission (SC) Meetings on the 1980 and 1996 Conventions have been planned")
13:30-14:00	<b>5. Discussion on the planning of an SC meeting</b>
14:00	<b>End of the first day</b>
Tuesday 19 November 2024	
<b>11:45-12:00</b>	Connection and testing with participants
12:00-12:05	<b>6. Single SC meeting for both 1980 and 1996 Conventions vs. separate SC meetings</b> (If the SC meets to discuss the operation of one Convention only, it is understood that ancillary issues and / or urgent matters concerning the other Convention could be addressed on the same occasion)
12:05-12:50	<b>7. Breakout groups to discuss the Strengths, Weaknesses, Opportunities and Threats (SWOT analysis – i.e., advantages and disadvantages) of keeping the 1980 &amp; 1996 Conventions together or separating them for the purpose of the SC meetings</b>

12:50-13:00	<i>Health break</i>
13:00-13:30	<b>8. Breakout groups report to Plenary</b>
13:30-13:50	<b>9. Discussion</b>
13:50-14:00	<b>10. Tentative conclusion</b>
14:00	<b>End of the second day</b>
<b>Wednesday 20 November 2024</b>	
<b>11:45-12:00</b>	<b>Connection and testing with participants</b>
12:00-12:05	<b>11. Future SC(s) meetings – Other issues in addition to the current work programme &amp; possible improvements (e.g., format of the meeting, presentations, documents)</b>  (See Background Documents No 2, "How past Special Commission (SC) Meetings on the 1980 and 1996 Conventions have been planned" and No 3, "Work Programme for the 1980 and 1996 Conventions")
12:05-12:50	<b>12. Breakout groups to discuss additional issues concerning future SC(s) meetings &amp; possible improvements</b>  <i>Examples of topics participants may wish to discuss:</i> <ul style="list-style-type: none"> <li>- timing and length of the SC meetings</li> <li>- identifying new topics and deciding which topics to retain on the agenda</li> <li>- format of the SC meetings: items for discussion, presentations, bilateral meetings, etc.</li> <li>- preparation, including content, of written material</li> <li>- presentations of good practices by Central Authorities and / or judges</li> <li>- presentations of research by academics e.g., on outcomes</li> <li>- presentations by experts on specific issues such as ADR, enforcement, etc.</li> </ul>
12:50-13:00	<i>Health break</i>
13:00-13:30	<b>13. Breakout groups report to Plenary</b>
13:30-13:50	<b>14. Discussion</b>
13:50-14:00	<b>15. Tentative conclusion</b>
14:00	<b>End of the third day</b>
<b>Thursday 21 November 2024</b>	
<b>11:45-12:00</b>	<b>Connection and testing with participants</b>
12:00-12:20	<b>16. Tentative outcome of the Brainstorming</b>
12:20-13:00	<b>17. Discussion</b>
13:00-13:10	<i>Health break</i>
13:10-13:50	<b>17. Discussion (cont.)</b>

13:50-14:00	<b>18. Next steps</b>
14:00	<b>End of the fourth day – End of Brainstorming</b>