

**QUESTIONNAIRE CONCERNING THE PRACTICAL OPERATION OF
THE 1980 CONVENTION**

Wherever your replies to this Questionnaire make reference to domestic legislation, rules, guidance or case law relating to the practical operation of the 1980 Convention, **please provide a copy of the referenced documentation** in (a) the original language and, (b) wherever possible, accompanied by a translation into English and / or French.

Name of State or territorial unit: ¹	Argentine Republic
<i>For follow-up purposes</i>	
Name of contact person:	Minister Bompadre
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PART I: RECENT DEVELOPMENTS²

1. Recent developments in your State

1.1 Since the 2011 / 2012 Special Commission, have there been any significant developments in your State regarding the legislation or procedural rules applicable in cases of international child abduction. Where possible, please state the reason for the development in the legislation / rules, and, where possible, the results achieved in practice (e.g., reducing the time required to decide cases).

No

Yes, please specify:

Bill regulating the procedure under the 1980 Hague Convention (prepared by the Argentine Central Authority and the Judge of the International Hague Network, soon to be sent to the Argentine Congress)

Action Protocol for the application of the Convention on International Child Abduction (prepared by the Hague Regional Office in cooperation with the Argentine Central Authority).

Law No. 10419. Procedure for application of the Conventions on the international return of children and adolescents, rights of access and international contact (December 2016).

1.2 Please provide a brief summary of any significant decisions concerning the interpretation and application of the 1980 Convention rendered since the 2011 / 2012 Special Commission by the relevant authorities³ in your State including in the context of the 20 November 1989 United Nations Convention on the Rights of the Child and relevant regional instruments.

The Argentine Supreme Court of Justice has clearly established in its rulings that the passage of time cannot render an abduction and/or retention lawful, thus ordering the return of children. However, it has always placed emphasis on the importance of the safe return of the child, as it has always taken into account their best interest. For such purpose, there have been growing requests for Central Authorities to participate in the enforcement stage.

¹ The term "State" in this Questionnaire includes a territorial unit, where relevant.

² This Part of the Questionnaire is intended to deal primarily with the developments in law and practice relating to international child abduction and international child protection which have occurred in your State since the Sixth Meeting of the Special Commission to review the operation of the *Hague Convention of 25 October 1980 on the Civil Aspects of International Child Abduction* and the *Hague 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* (1-10 June 2011 and 25-31 January 2012) (hereinafter "the 2011 / 2012 Special Commission"). However, if there are important matters which you consider should be raised from *prior* to the 2011 / 2012 Special Commission, please provide such information here.

³ The term "relevant authorities" is used in this Questionnaire to refer to the judicial or administrative authorities with decision-making responsibility under the 1980 Convention. Whilst in the majority of States Parties such "authorities" will be courts (*i.e.*, judicial), in some States Parties administrative authorities remain responsible for decision-making in Convention cases.

1.3 Please provide a brief summary of any other significant developments in your State since the 2011 / 2012 Special Commission relating to international child abduction.

Creation of a special working group within the Interpol office to speed up the search for children in Argentina.

Greater awareness of the Convention due to the dissemination carried out by the Central Authority together with the Judge of the International Hague Network (especially in Argentina's Provinces), which directly led to a reduction in the periods for application of the Convention and enforcement of judgements, which increasingly include agreements that favour safe return measures.

2. Issues of compliance

2.1 Are there any States Parties to the 1980 Convention with whom you are having particular challenges in achieving successful co-operation? Please specify the challenges you have encountered and, in particular, whether the problems appear to be systemic.

No

Yes, please specify:

Brazil: Even though there is good communication with the Brazilian Central Authority, its domestic system (referral of requests to the Brazilian Federal Attorney-General's Office and form of representation) renders it nearly impossible for a return order to meet the deadlines set by the Convention.

Bolivia: The Convention is not applied.

2.2 Are you aware of situations / circumstances in which there has been avoidance / evasion of the 1980 Convention?

No

Yes, please specify:

PART II: THE PRACTICAL OPERATION OF THE 1980 CONVENTION

3. The role and functions of Central Authorities designated under the 1980 Convention⁴

In general

3.1 Have any challenges arisen in practice in achieving effective communication or co-operation with other Central Authorities?

No

Yes, please specify:

Spain: Communication problems with the Central Authority: applicants would travel to the Argentine Republic without its Central Authority being aware of it, with information on the Central Authority and the officials in charge of cases, which gave rise to situations of disinformation and, in some cases, acts of violence.

3.2 Have any of the duties of Central Authorities, as set out in **Article 7** of the 1980 Convention, raised any particular problems in practice either in your State, or in States Parties with whom you have co-operated?

No

Yes, please specify:

Please insert text here

3.3 Has your Central Authority encountered any challenges with the application of any of the 1980 Convention provisions? If so, please specify.

No

Yes, please specify:

Please insert text here

⁴ See also Section 5 below on "Ensuring the safe return of children" which involves the role and functions of Central Authorities.

Legal aid and representation

3.4 Do the measures your Central Authority takes to provide or facilitate the provision of legal aid, legal advice and representation in return proceedings under the 1980 Convention (**Art. 7(2)-(g)**) result in delays in proceedings either in your own State, or, where cases originate in your State, in any of the requested States you have dealt with?

- No
 Yes, please specify:

In our State: Some public defence offices (City of Buenos Aires and Mendoza) request the submission of powers of attorney, which entails some delays. However, we are working on this point.

As regards other States: Brazil represents the State in the application of the Convention, not the applicant.

United States: even though a reservation has been made with respect to the matter of legal representation, it is very difficult for applicants in the Argentine Republic to afford the costs of retaining a lawyer in that country. Thanks to the joint work between the Argentine Central Authority and the US Central Authority and the US Embassy in the Argentine Republic, solutions to these issues have been produced and the periods required for finding a pro bono lawyer or legal aid were greatly reduced. However, this continues to be a difficulty that implies certain delays in some cases.

3.5 Are you aware of any other challenges in your State, or, where cases originate in your State, in any of the requested States you have dealt with, regarding the obtaining of legal aid, advice and / or representation for either left-behind parents or taking parents?⁵

- No
 Yes, please specify:

In cases where the abducting parent returns together with the child, it is difficult to ensure legal representation (both in civil and criminal proceedings) in the requesting State.

Locating the child

3.6 Has your Central Authority encountered any challenges with locating children in cases involving the 1980 Convention, either as a requesting or requested State?

- No
 Yes, please specify the challenges encountered and what steps were taken or are considered to be taken to overcome these challenges:

In some cases, if the applicant does not have accurate information about the child's whereabouts, there may be serious delays in the search and location process.

3.7 Has your Central Authority worked with any external agencies to discover the whereabouts of a child wrongfully removed to or retained within your State (e.g., the police, Interpol, private location services)?

- No
 Yes, please share any good practice on this matter:

The Argentine Central Authority resorts to cooperation from the Interpol Office, with which it has regular contact both by phone and e-mail.

Information exchange, training and networking of Central Authorities

⁵ See paras 1.1.4 to 1.1.6 of the "Conclusions and Recommendations of the Fifth Meeting of the Special Commission to review the operation of the *Hague Convention of 25 October 1980 on the Civil Aspects of International Child Abduction* and the practical implementation of the *Hague 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* (30 October – 9 November 2006) (hereinafter referred to as the "[Conclusions and Recommendations of the 2006 Special Commission](#)") and paragraphs 32 to 34 of the "[Conclusions and Recommendations of the Special Commission to review the operation of the Hague Convention of 19 October 1980 on Jurisdiction, Applicable law, Recognition, Enforcement and Co-operation in Respect of Parental Responsibility and Measures for the Protection of Children \(1-10 June 2011 and 25-31 January 2012\)](#)" (hereinafter the "C&R of the 2011/2012 Special Commission") (available on the Hague Conference website at < www.hcch.net > under "Child Abduction Section" then "Special Commission meetings").

3.8 Has your Central Authority shared its expertise with another Central Authority or benefited from another Central Authority sharing its expertise with your Central Authority, in accordance with the Guide to Good Practice – Part I on Central Authority Practice?⁶

- No
 Yes, please specify:

Yes, we work constantly on building regular contact with other Central Authorities, as a result of which we benefit from their experiences and knowledge and share our own.

3.9 Has your Central Authority organised or participated in any other networking initiatives between Central Authorities such as regional meetings via conference call or videoconference?

- No
 Yes, please specify:

We have participated in bilateral meetings with other Central Authorities, both by travelling to foreign countries and receiving Central Authority members in our country. We also use the videoconference system to hold meeting with other Central Authorities in order to discuss the various issues relating to international return and/or visits.

Statistics⁷

3.10 If your Central Authority does not submit statistics through the web-based INCASTAT database, please explain why.

Please insert text here

Prompt handling of cases

3.11 Does your Central Authority have mechanisms in place to ensure the prompt handling of cases?

- No
 Yes, please specify:

Argentina's Central Authority considers it essential for cases to be handled promptly. Therefore, from the moment when the case is received at the front desk and during the whole time it is being handled, the most efficient resources for reducing periods and avoiding delays are used (e-mail system, avoiding unnecessary formalities with respect to documentation, etc.).

3.12 If your Central Authority is experiencing delays in handling cases please specify the main reasons for these delays:

We have noticed that one possible delay relates to finding the child or cases where powers of attorney need to be filled out (only for public defence offices requiring so).

4. **Court proceedings & promptness**

4.1 Has your State limited the number of judicial or administrative authorities who can hear return applications under the 1980 Convention (*i.e.*, concentration of jurisdiction)?⁸

- Yes
 No, please indicate if such arrangements are being contemplated:

Please insert text here

4.2 Does your State have mechanisms in place to handle return decisions within six weeks (*e.g.*, production of summary evidence, limitation of appeals, swift enforcement)?

- No
 Yes, please explain:

⁶ Available on the Hague Conference website at < www.hcch.net > under "Child Abduction Section" then "Guides to Good Practice". See, in particular, Chapter 6.5 on twinning arrangements.

⁷ See paras 1.1.16 to 1.1.21 of the Conclusions and Recommendations of the 2006 Special Commission (*supra*. note 5).

⁸ See, *The Judges' Newsletter* on International Child Protection – [Vol. XX / Summer-Autumn 2013](#) the special focus of which was "Concentration of jurisdiction under the *Hague Convention of 25 October 1980 on the civil aspects of International Child Abduction* and other international child protection instruments".

The shortest proceeding is used, as we suggest the summary proceeding which, under our legislation, implies very short procedural terms. Furthermore, a protocol on court procedures has been prepared and the Argentine Central Authority, together with the Judge of the International Hague Network, has drafted a bill which is about to be submitted to the Argentine Congress for discussion and subsequent approval.

4.3 If your response to the previous question is No, does your State contemplate implementing mechanisms to meet the requirement of prompt return under the 1980 Convention (e.g., procedures, bench-books, guidelines, protocols)?

- No, please explain:
Please insert text here
- Yes, please explain:
Please insert text here

4.4 If your State is experiencing delays in handling return decisions please specify the main reasons for these delays:

In some cases, there are delays in the processing of return requests because no limitations are imposed on the production of evidence or due to the appeal stages provided for under Argentine legislation in order to protect the right of defence at trial.

There are also delays in the enforcement of judgements when the Judge that must order the return finds that the necessary guarantees for carrying out the safe return measures are not in place (for example, in cases where the abducting parent who returns together with the child is subject to criminal proceedings initiated in the requested State which may lead to their detention, etc.).

4.5 Do your courts regularly order immediate protective measures when initiating the return procedure, so as to prevent a new removal and minimize the harm to the child (e.g., prohibit removal of the child from the jurisdiction, retain documentation, grant provisional access rights to the left-behind parent)?

- No, please explain:
Please insert text here
- Yes, please explain:
The prohibition against changing domicile is quite common, but the court has discretion to adopt such measures as it may deem convenient on a case-by-case basis.

4.6 Do your courts make use of direct judicial communications to ensure prompt proceedings?

- Yes
- No, please explain:
Please insert text here

4.7 If your State has not designated a sitting judge to the International Hague Network of Judges does your State intend to do so in the near future?

- Yes
- No, please explain:
Please insert text here

4.8 Please comment upon any cases (whether your State was the requesting or requested State), in which the judge (or decision-maker) has, before determining an application for return, communicated with a judge or other authority in the requesting State regarding the issue of the child's safe return. What was the specific purpose of the communication? What was the outcome?

There are many cases in which the Judge of the International Hague Network cooperates in the handling of cases, especially in order to request the foreign Judge to provide information on the application of foreign law or to replicate agreements in the requesting State. The outcome is generally very good; it speeds up the process for obtaining important information but, in some cases, in spite of the information obtained for reaching agreements, when the person arrives in the foreign country, the agreements are breached and this results in growing mistrust when it comes to enforcing international return orders.

5. **Ensuring the safe return of children**⁹

*Methods for ensuring the safe return of children*¹⁰

5.1 What measures has your Central Authority taken to ensure that the recommendations of the 2006 and 2011 / 2012 Special Commission meetings¹¹ regarding the safe return of children are implemented?

It bears noting that the safe return of children has become increasingly important when it comes to making a decision or enforcing an international return order. With regard to this point, the Argentine Central Authority has followed recommendations to request cooperation from the other Central Authorities to obtain information on legal assistance, proceedings in the other country and their consequences, among other issues.

We use the cooperation provided by the International Hague Network liaison Judge and our Embassies and/or Consulates.

5.2 In particular, in a case where the safety of a child is in issue and where a return order has been made in your State, how does your Central Authority ensure that the appropriate child protection bodies in the *requesting* State are alerted so that they may act to protect the welfare of a child upon return (until the appropriate court in the requesting State has been effectively seised)?

We always seek cooperation from the requesting Central Authority first. However, it is also usual for us to request participation by the liaison Judge, who, through direct judicial communications, makes it possible to bring judges together to find solutions.

5.3 Where there are concerns in the requested State regarding possible risks for a child following a return, what conditions or requirements can the relevant authority in your State put in place to minimise or eliminate those concerns?

The competent authority (generally a judicial authority) could take various measures to ensure the best interest of the child. The issue lies in whether the requesting State will accept and comply with them.

Use of the 1996 Convention to ensure a safe return

5.4 If your State is not Party to the 1996 Convention, is consideration being given to the possible advantages of the 1996 Convention in providing a jurisdictional basis for urgent protective measures associated with return orders (**Arts 7 and 11**), in providing for their recognition by operation of law (**Art. 23**), and in communicating information relevant to the protection of the child (**Art. 34**)?

- No
 Yes, please explain:

The 1996 Convention is soon to enter into force in our country.

Protection of primary carer

5.5 Are you aware of cases in your State where a primary carer taking parent, for reasons of personal security (e.g., domestic or family violence, intimidation, harassment, etc.) or others, has refused or has not been in a position to return with the child to the requesting State? How are such cases dealt with in your State? Please explain and provide case examples where possible.

We are currently facing some cases where if the abducting parent were to return, they might be subject to criminal proceedings due to criminal accusations in the requesting State.

⁹ See **Art. 7(2) h)** of the 1980 Convention.

¹⁰ Where relevant, please make reference to the use of undertakings, mirror orders and safe harbour orders and other such measures in your State.

¹¹ See the [Conclusions and Recommendations](#) of the Special Commission of 2006 (*supra.* note 5) at paras 1.1.12 and 1.8.1 to 1.8.2 and 1.8.4 to 1.8.5 and the Appendix to the Conclusions and Recommendations and the Conclusions and Recommendations of the 2011 / 2012 Special Commission (*supra.* note 5).at paras 39-43.

The Argentine Central Authority contacts the Central Authority of the requesting State. Participation by the liaison Hague Judge, who carries out a significant task, is also very important, as is cooperation from Embassies and/or Consulates to find solutions to the various issues that may arise.

5.6 In particular, would your authorities consider putting in place measures to protect the primary carer upon return in the requesting State as a mean to secure the safe return of the child? Please explain and provide case examples where possible.

Yes, an analysis of each specific case should be conducted. Depending on the type of measures, the relevant organizations should be contacted to implement those measures.

Post-return information

5.7 In cases where measures are put in place in your State to ensure the safety of a child upon return, does your State (through the Central Authority, or otherwise) attempt to monitor the effectiveness of those measures upon the child's return? Would you support a recommendation that States Parties should co-operate to provide each other with follow-up information on such matters, insofar as is possible?

Yes, it would be very useful.

5.8 If your State is not Party to the 1996 Convention, is consideration being given to the possible advantages of the 1996 Convention in providing a jurisdictional basis for requesting a report on the situation of the child upon return to the State of habitual residence (**Art. 32-(a)**)?

- No
 Yes, please explain:
 Please insert text here

6. Voluntary agreements and mediation

6.1 How does your Central Authority (either directly or through any intermediary) take, or is it considering taking, appropriate steps under **Article 7-(c)** to secure the voluntary return of the child or to bring about an amicable resolution of the issues? Please explain:

The Argentine Central Authority offers the applicant the opportunity to choose the pre-trial voluntary stage. To that end, once the applicant expresses its intention to follow that procedure, the Argentine Central Authority sends a notice to the address of the parent who has allegedly abducted or wrongfully retained the child.

In such notice, the Argentine Central Authority will explain the addressee that a request for international return and/or visit has been filed and that, if they so wish, they may contact the Argentine Central Authority in order to work on the possibility of reaching an agreement between the parties. The addressee will have 10 days for answering the letter.

The Argentine Central Authority will send the proposals made at this stage to the other applicant and will collaborate with the parties so that they may arrive at an agreement.

If the parties fail to reach an agreement, the request will be referred to the courts.

6.2 In what ways have you used the "Guide to Good Practice on Mediation"¹² for the purpose of implementing the 1980 Convention in your State? Please explain:

The Argentine Central Authority does not currently use mediation, as such, for requests. However, at the voluntary stage offered by the Argentine Central Authority, some of the recommendations to help the parties reach an agreement are adopted, especially in situations where arriving at an agreement is a possibility, which is clearly not always the case.

¹² Available on the Hague Conference website at < www.hcch.net > under "Child Abduction Section" then "Guides to Good Practice".

6.3 Has your State considered or is it in the process of considering the establishment of a Central Contact Point for international family mediation to facilitate access to information on available mediation services and related issues for cross-border family disputes involving children, or has this task been entrusted to the Central Authority?¹³

- No, please explain:
[Please insert text here](#)
- Yes, please explain:
[Please insert text here](#)

7. Preventive measures

7.1 Has your State taken steps to advance the development of a travel form under the auspices of the International Civil Aviation Organisation?¹⁴

- No
- Yes, please describe:
[Please insert text here](#)

7.2 Regardless of whether the International Civil Aviation Organisation adds the development of a travel form to its work programme, would your State support the development of a non-mandatory model travel form under the auspices of the Hague Conference?

- Yes
- No, please explain:
[We do not have information to analyze this.](#)

8. The Guide to Good Practice under the 1980 Convention

8.1 In what ways have you used the Parts of the Guide to Good Practice¹⁵ to assist in implementing for the first time, or improving the practical operation of, the 1980 Convention in your State?

- a. Part I on Central Authority Practice. Please explain:
[As Central Authorities, we refer to it constantly to remove any doubts about our functions.](#)
- b. Part II on Implementing Measures. Please explain:
[For providing correct information to process actors.](#)
- c. Part III on Preventive Measures. Please explain:
[For drawing ideas that may serve as information during talks and training courses.](#)
- d. Part IV on Enforcement. Please explain:
[EAt the enforcement stage, assistance is especially provided to Judges so that they may have information on safe return measures, mirror orders, agreements, etc.](#)

8.2 How have you ensured that the relevant authorities in your State have been made aware of, and have had access to, the Guide to Good Practice?

[Through training, talks and any other means of dissemination.](#)

8.3 Do you have any other comments about any Part of the Guide to Good Practice?

[No.](#)

9. Publicity and debate concerning the 1980 Convention

¹³ As it has been encouraged in the Guide to Good Practice on Mediation, Chapter 4, on "Access to Mediation". par. 114-117. See also Conclusions and Recommendations of the 2011 / 2012 Special Commission (*supra*. note 5) at par. 61.

¹⁴ See the Conclusions and Recommendations of the 2011 / 2012 Special Commission (*supra*. note 5) at par. 92.

¹⁵ All Parts of the Guide to Good Practice under the 1980 Convention are available on the Hague Conference website at < www.hcch.net > under "Child Abduction Section" then "Guides to Good Practice".

9.1 Has the 1980 Convention given rise to (a) any publicity (positive or negative) in your State, or (b) any debate or discussion in your national parliament or its equivalent?

No

Yes, please indicate the outcome of this debate or discussion, if any:

International return cases are a rather sensitive issue and they give rise to mixed opinions. The press and various organizations echo these issues, which in some cases generates discussions and mixed opinions about the application of the Convention.

9.2 By what methods does your State disseminate information to the public about the 1980 Convention?

The Argentine Central Authority is very active in the tasks to disseminate information about the Convention. We organize seminars at our headquarters and we are willing to participate, to the extent of our possibilities, in any Training Courses, Meetings and Seminars proposed to us, either in Argentina or abroad. We believe that these dissemination activities will enrich the application of the Convention and our work as Central Authorities.

PART IV: TRANSFRONTIER ACCESS / CONTACT AND INTERNATIONAL FAMILY RELOCATION
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10. Transfrontier access / contact¹⁶

10.1 Since the 2011 / 2012 Special Commission, have there been any significant developments in your State regarding Central Authority practices, legislation, procedural rules or case law applicable in cases of transfrontier contact / access?

No

Yes, please explain:

Please insert text here

10.2 Please indicate any important developments in your State, since the 2011 / 2012 Special Commission, in the interpretation of **Article 21** of the 1980 Convention.

Please insert text here

10.3 What problems have you experienced, if any, as regards co-operation with other States in respect of:

a. the granting or maintaining of access rights;

In general, Spain does not grant requests based on Art. 21 of the 1980 Hague Convention.

b. the effective exercise of rights of access; and

In general, effective exercise is rather difficult, both in Argentina and in other countries.

c. the restriction or termination of access rights.

We have no information on this matter.

Please provide case examples where possible.

Please insert text here

10.4 In what ways have you used the "General Principles and Guide to Good Practice on Transfrontier Contact Concerning Children"¹⁷ to assist in transfrontier contact / access cases in your State? Can you suggest any further principles of good practice?

¹⁶ See the [Conclusions and Recommendations](#) of the 2006 Special Commission (*supra.* note 5) at paras 1.7.1 to 1.7.3.

¹⁷ Available on the Hague Conference website at < www.hcch.net > under "Child Abduction Section" then "Guides to Good Practice".

They have been mainly used to obtain and provide information.

11. **International family relocation**¹⁸

11.1 Since the 2011 / 2012 Special Commission, have there been any significant developments in your State regarding the legislation, procedural rules or case law applicable to international family relocation? Where possible, please explain these developments in the legislation, procedural rules or case law:

No

PART V: NON-CONVENTION CASES AND NON-CONVENTION STATES

12. **Non-Convention cases and non-Convention States**

12.1 Are there any States that you would particularly like to see become a State Party to the 1980 Convention? If so, what steps would you suggest could be taken to promote the Convention and encourage ratification of, or accession to, the Convention in those States? Please explain:

Please insert text here

12.2 Are there any States which are not Parties to the 1980 Convention or not Members of the Hague Conference that you would like to see invited to the Special Commission meeting in 2017?

Please insert text here

*The "Malta Process"*¹⁹

12.2 In relation to the "Malta Process":

- a. Do you have any comment to make on the "Principles for the Establishment of Mediation Structures in the context of the Malta Process" and the accompanying Explanatory Memorandum?²⁰

Please insert text here

- b. Have any steps been taken towards the implementation of the Malta Principles in your State and the designation of a Central Contact Point, in order to better address cross-border family disputes over children involving States that are not a Party to the 1980 and 1996 Hague Conventions?

No

Yes, please explain:

Please insert text here

¹⁸ See the Conclusions and Recommendations of the 2006 Special Commission meeting at paras 1.7.4 to 1.7.5: "1.7.4 The Special Commission concludes that parents, before they move with their children from one country to another, should be encouraged not to take unilateral action by unlawfully removing a child but to make appropriate arrangements for access and contact preferably by agreement, particularly where one parent intends to remain behind after the move.

1.7.5 The Special Commission encourages all attempts to seek to resolve differences among the legal systems so as to arrive as far as possible at a common approach and common standards as regards relocation."

¹⁹ The "Malta Process" is a dialogue between certain States Parties to the 1980 and 1996 Conventions and certain States which are not Parties to either Convention, with a view to securing better protection for cross-border rights of contact of parents and their children and addressing the problems posed by international abduction between the States concerned. For further information see the Hague Conference website at < www.hcch.net > under "Child Abduction Section" then "Judicial Seminars on the International Protection of Children".

²⁰ The Principles and Explanatory Memorandum were circulated to all Hague Conference Member States and all States participating in the Malta Process in November 2010. They are available on the Hague Conference website at < www.hcch.net > under "Child Abduction Section" then "Judicial Seminars on the International Protection of Children".

- c. What is your view as to the future of the "Malta Process"?

**PART VI: TRAINING AND EDUCATION AND
THE TOOLS, SERVICES AND SUPPORT PROVIDED
BY THE PERMANENT BUREAU**

13. Training and education

13.1 Can you give details of any training sessions / conferences organised in your State to support the effective functioning of the 1980 Convention, and the influence that such sessions / conferences have had?

Many training sessions and courses have been held, for instance:

- Training seminar of August 1914. Held at the Ministry of Foreign Affairs and Worship, organized by the Argentine Central Authority and attended by approximately 300 persons. Ms. Graciela Tagle de Ferreyra, liaison Judge of the International Hague Network, participated in this seminar, which also featured members of the Hague Conference Regional Office as guests. There was also a videoconference with the Uruguayan Central Authority during the seminar in order to share information and experiences.

- Training Course for Judges and mediators at the Argentine Supreme Court of Justice.

- Lecture at the La Plata Bar Association (2016) and at the San Isidro Bar Association (2016).

14. The tools, services and support provided by the Permanent Bureau

In general

14.1 Please comment or state your reflections on the specific tools, services and support provided by the Permanent Bureau to assist with the practical operation of the 1980 and 1996 Conventions, including:

- a. The Country Profile available under the Child Abduction Section.

They are very useful, especially when it comes to filing a request for international return and/or visit in order to learn about certain characteristics relating to the application of the Convention within the State to which the request will be submitted.

- b. INCADAT (the international child abduction database, available at < www.incadat.com >).

It is used by the Central Authority and also by actors involved in the process (e.g. public defenders seeking precedents on specific issues, such as Art. 13, among others).

- c. *The Judges' Newsletter* on International Child Protection - the publication of the Hague Conference on Private International Law which is available online for free;²¹

Please insert text here

- d. The specialised "Child Abduction Section" of the Hague Conference website (< www.hcch.net >);

Please insert text here

- e. INCASTAT (the database for the electronic collection and analysis of statistics on the 1980 Convention);²²

Please insert text here

- f. Providing technical assistance and training to States Parties regarding the practical operation of the 1980 and 1996 Conventions.²³ Such technical assistance

²¹ Available on the Hague Conference website at < www.hcch.net > under "Child Abduction Section" and "Judges' Newsletter on International Child Protection". For some volumes of *The Judges' Newsletter*, it is possible to download individual articles as required.

²² Further information is available via the Hague Conference website at < www.hcch.net > under "Child Abduction Section" then "INCASTAT".

and training may involve persons visiting the Permanent Bureau or, alternatively, may involve the Permanent Bureau organising, or providing assistance with organising, national and international judicial and other seminars and conferences concerning the Convention(s) and participating in such conferences;
[The Argentine Central Authority believes this point is highly important.](#)

- g. Encouraging wider ratification of, or accession to, the Convention(s), including educating those unfamiliar with the Convention(s);²⁴
[Even though there are many State Parties, the more the better. However, the fact that they become parties is as important as the need to work with them to promote correct application of the Convention.](#)
- h. Supporting communications between Central Authorities, including maintaining their contact details updated on the HCCH website;
[Yes, this is very important.](#)
- i. Supporting communications among Hague Network Judges and between Hague Network Judges and Central Authorities, including maintaining a confidential database of up-to-date contact details of Hague Network Judges

Other

14.2 What other measures or mechanisms would you recommend:

- a. To improve the monitoring of the operation of the Conventions;
[Visiting Central Authorities to learn more about the way they operate and their most important problems, as well as to provide solutions and more direct support.](#)
- b. To assist States in meeting their Convention obligations; and
[Please insert text here](#)
- c. To evaluate whether serious violations of Convention obligations have occurred?
[Please insert text here](#)

PART VII: PRIORITIES AND RECOMMENDATIONS FOR THE SPECIAL COMMISSION AND ANY OTHER MATTERS

15. Views on priorities and recommendations for the Special Commission

15.1 Which matters does your State think ought to be accorded particular priority on the agenda for the Special Commission? Please provide a brief explanation supporting your response.

15.2 States are invited to make proposals concerning any particular recommendations they think ought to be made by the Special Commission.
[Please insert text here](#)

16. Any other matters

16.1 States are invited to comment on any other matters which they may wish to raise concerning the practical operation of the 1980 Convention.

[It would be very interesting to address the issue of agreements once the child has returned \(what matters may be agreed on and how to enforce the agreements\).](#)

²³ Such technical assistance may be provided to judges, Central Authority personnel and / or other professionals involved with the practical operation of the Convention(s).

²⁴ Which again may involve State delegates and others visiting the Permanent Bureau or, alternatively, may involve the Permanent Bureau organising, or providing assistance with organising, national and international judicial and other seminars and conferences concerning the Convention(s) and participating in such conferences.