

Title	Questionnaire on Protection Orders and their Recognition and Enforcement (REPO)
Document	N/A
Author	PB
Agenda Item	N/A
Mandate(s)	C&D Nos 22-25 of CGAP 2026
Objective	To gather information from HCCH Members on the cross-border recognition and enforcement of protection orders to assist the WG on REPO. Members are invited to respond to the Questionnaire by 11 September 2026 .
Action to be Taken	For Decision ☐ For Approval ☐ For Discussion ☐ For Action / Completion ☒ For Information ☐
Annexes	N/A
Related Documents	A summary of the work carried out between 2011 - 2018, along with several key documents pertaining to the project, can be found on the HCCH website, under " Publications & Studies ".

Questionnaire on Protection Orders and their Recognition and Enforcement (REPO)

I. Background

- 1 At its 2026 meeting, the Council on General Affairs and Policy (CGAP) resumed discussions on a possible new instrument on the cross-border recognition and enforcement of protection orders (REPO), and adopted the following Conclusions and Decisions (C&D):
 22. Welcoming the proposal from the United Kingdom, CGAP mandated the establishment of a Working Group on a potential future convention on cross-border recognition and enforcement of protection orders (REPO).
 23. This Working Group will build on previous work by the PB in 2011-2018 and the Experts' Group in 2014 and further explore the feasibility of, and initially develop policy aims for, a potential future convention on REPO. The Working Group will report to CGAP 2027.
 24. To facilitate the work of the Working Group, CGAP mandated the PB to:
 - a. update its 2012 Questionnaire with a view to collecting information from Member States on civil protection orders available in their States and laws applicable available in their States for cross-border recognition and enforcement of protection orders;
 - b. circulate this Questionnaire in June 2026 and request responses by the end of September 2026.
 25. CGAP further mandated the PB to make arrangements for an in-person Working Group meeting with the possibility for online participation, ahead of CGAP 2027. CGAP thanked the United Kingdom for its offer to host this Working Group meeting including to cover travel costs for HCCH staff, and supports this proposal.¹

II. Introductory Note to the Questionnaire

- 2 The present document comprises the updated Questionnaire requested by CGAP.
- 3 The sole purpose of this Questionnaire is to gather factual and comparative information on the existence, scope, and operation of protection orders, including their recognition and enforcement in cross-border situations. The questions are designed to support informed discussions by providing a clearer picture of national, regional and international frameworks and practices. The Questionnaire deliberately takes a broad approach (e.g., in terms of the kinds of orders that could be in scope), in order to maximise information-gathering for that purpose. This is not intended to pre-empt or prejudice any policy decisions that may be taken regarding a potential future instrument in this area, including its scope and content.
- 4 Therefore, for the purposes of this Questionnaire, the term “protection order” may refer to any measure taken by a competent authority requiring a person to refrain from doing, or to carry out, specified acts to protect one or more identified persons. The term is used in a broad sense and

1 These [C&Ds](#) are available on the HCCH website (www.hcch.net) under “Governance” => “Council on General Affairs and Policy”). A project on the recognition and enforcement of foreign protection orders was carried out by the PB between 2011 and 2018. A summary of the work, along with several key documents pertaining to the project, can be found [here](#).

may include orders issued in civil, administrative, or other proceedings, irrespective of the authority by which they are issued, provided that their primary purpose is protective and not punitive.

- 5 Given that States may have different classifications for protection orders (civil, criminal, administrative, other), respondents are invited to adopt a **functional approach** when answering this Questionnaire. Respondents are encouraged to provide hyperlinks to useful online resources pertaining to their national systems.
- 6 This Questionnaire focuses primarily on orders issued for the **protection of adults**. Where relevant, respondents may also include orders issued to protect children and indicate this clearly in their responses.

III. Instructions to Complete the Questionnaire

- 7 To allow the PB to extract parts of the Questionnaire for compilation of the responses, you are kindly requested to use **this Word Version** of the document, and **not to return a PDF version** of the completed Questionnaire.
- 8 You are kindly requested to send your completed Questionnaire to the PB by e-mail to < secretariat@hcch.net > **no later than 11 September 2026, 5.00 p.m. CEST** with the following indication in the subject line of the e-mail:
“REPO - Questionnaire Response [name of State]”.
- 9 Please address any questions you may have on this Questionnaire to < secretariat@hcch.net >.
- 10 The PB intends, except where indicated otherwise or where expressly asked not to do so, to place all responses to the questionnaire on the HCCH website (www.hcch.net). Please, therefore, clearly identify any responses which should not be placed on the website.

REPO Questionnaire

Respondent Identification

Name of State: Argentine Republic

Information for follow-up purposes

Name and title of contact person:

Name of Authority / Office

E-mail address:

I. Protection orders under domestic law: scope and main features

A. Types of behaviours required / prohibited by protection orders

- | | |
|----|---|
| 1. | <p>What types of protection orders are available in your jurisdiction?</p> <p><i>Tick all boxes that apply.</i></p> <p><i>Provide additional details where appropriate.</i></p> <p>☒ Prohibiting communication with or contacting the protected person(s):
Please insert text here</p> <p>☒ Prohibiting approaching or being in physical proximity to the protected person(s):
Please insert text here</p> <p>☒ Prohibiting harassment (incl. any kind of non-physical forms of abuse):
Please insert text here</p> <p>☒ Prohibiting stalking:
Please insert text here</p> <p>☒ Prohibiting or restricting certain social media / online activity:
Please insert text here</p> <p>☒ Prohibiting taking someone abroad:
Please insert text here</p> <p>☒ Prohibiting taking someone abroad and abandoning them there:
Please insert text here</p> <p>☒ Prohibiting certain physical or medical interventions affecting the bodily integrity of a person:
Please insert text here</p> <p>☒ Requiring a person to stay away from a specified place (e.g. home, workplace, school):
Please insert text here</p> <p>☒ Requiring a person to participate in counselling:
Please insert text here</p> <p>☒ Restricting possession or use of weapons:</p> |
|----|---|

	Please insert text here ☐ Imposing other prohibitions (please specify): Please insert text here ☒ Imposing positive obligations of a protective nature (please specify): For example, granting temporary custody of children or ordering some form of therapy or counseling ☐ Other (please specify): Please insert text here
--	--

B. Contexts / situations or wider risks / behaviours that can be addressed by a protection order

2.	What types of contexts / situations or wider risks / behaviours can be addressed by a protection order issued in your jurisdiction? <i>Tick all boxes that apply.</i> <i>Provide additional details where appropriate.</i> ☒ Domestic or family violence / abuse:² Please insert text here ☒ Sexual violence / abuse: Please insert text here ☒ Harassment (incl. any kind of non-physical forms of abuse): Please insert text here ☒ Stalking: Please insert text here ☐ Forced marriage: Please insert text here ☐ Honour-related violence: Please insert text here ☒ Human trafficking / modern slavery: Please insert text here ☐ Female genital mutilation (FGM): Please insert text here ☐ Other contexts / situations or wider risks / behaviours (please specify): Please insert text here
----	--

2 "A pattern of behaviour in any relationship that is used to gain or maintain power and control, including physical, sexual, emotional, economic or psychological abuse." Source: [What Is Domestic Abuse? | United Nations](#) (definition provided for guidance purposes only). It is understood that this definition would be inclusive of terms such as "intimate partner violence" and "coercive control".

C. Legal basis for protection orders

3.	What is the legal basis enabling authorities in your jurisdiction to issue the protection orders listed in Question 1 above? <i>Tick all boxes that apply.</i> <i>Provide additional details where appropriate, as well as references and links where available.</i> ☒ Legislation: 1. Constitution of the Argentine Republic 2. National Civil and Commercial Procedural Code 3. Civil and Commercial Procedural Code of the different provinces (federal system) 4. Civil and Commercial Code of the Nation, arts. 722, 2611, 2612 and 2642 https://www.jursoc.unlp.edu.ar/documentos/academica/nuevo_codigo_civil_y_com.pdf 5. National Comprehensive Law of protection of women , art. 26: https://www.argentina.gob.ar/sites/default/files/ley_26485_violencia_familiar.pdf 6. National Law on the Comprehensive Protection of the Rights of Children and Adolescents, arts. 33, 37 and 39: https://www.argentina.gob.ar/normativa/nacional/ley-26061-110778 7. Other resources: https://www.cancilleria.gob.ar/es/asistencia-juridica-internacional/menores https://www.cancilleria.gob.ar/es/asistencia-juridica-internacional/civil-y-comercial ☒ Administrative regulations / instruments: Regulations of the different Superior Courts of Justice e.g. Superior Court of Justice of Córdoba N°488 "Greater scope of the international Hague network of judges"; N° 119 "Establishment and regulation of the International Judicial Cooperation Office of the Province of Córdoba to facilitate direct judicial communications and training in this area". ☒ Other sources (e.g., case law; please specify): Case law of the National Supreme Court and Superior provincial courts (although they are not binding in the civil law system)
----	--

D. Type(s) of authorities that may issue protection orders

4.	Which authorities are competent to issue protection orders in your jurisdiction? <i>Tick all boxes that apply.</i> <i>Provide additional details where appropriate.</i> ☒ Judicial authorities (please specify): ☒ Civil court / tribunal: Family court ☒ Criminal court / tribunal: Please insert text here
----	--

☐ Administrative authorities (please specify):

☐ Administrative tribunal:

Please insert text here

☐ Police / law enforcement officer:

Please insert text here

☐ Other (please specify):

Please insert text here

☐ Other authorities (please specify):

Please insert text here

E. Protected person(s)

5. Who can be protected by a protection order issued in your jurisdiction?

Tick all boxes that apply.

Provide additional details where appropriate.

☒ Intended protected person(s) only:

☒ Adults (please indicate minimum age requirement if applicable):

Aged 18 and over

☒ Children (please indicate age limit if applicable):

Children under the age of 18

☒ Other individuals close to the intended protected person(s) (please specify):

Relatives or people connected to the person at risk

F. Applicant(s)

6. Who can apply for a protection order in your jurisdiction?

Tick all boxes that apply.

☒ The intended protected person(s)

☒ Family member(s) of the intended protected person(s)

☒ Police / law enforcement officers

☐ Courts *ex officio*

☒ Other person, public authority or official (please specify):

Justice of the Peace

Staff working in the health or education sectors are obliged to report such cases

G. Person(s) against whom protective orders can be issued

7. Against whom can a protection order be issued in your jurisdiction?

Tick all boxes that apply

☒ Perpetrator(s) / alleged perpetrator(s) / putative perpetrator(s) / person(s) causing the risk

☒ Family members of the perpetrator(s) / alleged perpetrator(s) / putative perpetrator(s) /

	person(s) causing the risk ☐ Others (please specify):
--	--

H. Supplementary matters

8.	Can supplementary matters, which may or may not be directly related to the immediate safety of the protected person(s), be addressed in protection orders? ☒ Yes (please specify): ☒ Child custody ☒ Maintenance ☒ Property protection ☒ Mandatory counselling (to the extent not covered by Question 1) ☒ Other (please specify): Restriction of contact or communication ☐ No ☐ In some cases (please specify): Please insert text here
----	---

I. Duration of protection orders

9.	Please provide details regarding the possible duration of protection orders issued in your jurisdiction. Shortest duration for fixed term orders (incl. interim / emergency orders): Please indicate the shortest time frame for such orders: It will depend on each individual case Please provide examples of such orders: One hour, e.g. for the duration of a flight from one city to another or the accompaniment of a person to the court house. Longest duration for fixed term orders: Please indicate the longest time frame for such orders: It will depend on each individual case Please provide examples of such orders: Depending on the specifications the national code of criminal procedure or that of each province. Indefinite duration: ☐ Yes Please insert text here ☒ No Please insert text here Renewal of protection orders:
----	---

	☒ All protection orders are potentially renewable (please specify any conditions or limitations, if applicable): Protection orders are not indefinite, but can be renewed as many times as necessary, provided that a current risk persists and each extension is justified, temporary and subject to judicial review. ☐ Some protection orders are potentially renewable (please specify): Please insert text here ☐ Protection orders are not renewable: Please insert text here
--	--

J. Transportability of the domestic protection order

Please complete this section if your jurisdiction has a framework for the cross-border recognition and enforcement of protection orders issued in your jurisdiction.

10.	What steps, if any, need to be taken in your jurisdiction to ensure that the protection order issued in your jurisdiction can be relied upon across borders? <i>Provide additional details where appropriate.</i> ☐ A certificate / abstract / other document to accompany the order is issued automatically Please insert text here ☒ A certificate / abstract / other document to accompany the order is issued upon request Submission of the request initiates the international cooperation process through a letter rogatory in accordance with the applicable treaty: a.—for the recognition of provisional measures concerning children or child support claims (Ouro Preto and CIDIP II on provisional measures; 1996 Child Protection Convention), or b.—for the recognition and enforcement of measures included in judgments (bilateral agreements with various States—France, Italy, Russia, China, etc.—CIDIP II, the Las Leñas Protocol, Articles 2611 and 2612 of the Civil Code (CCC), Articles 517 and 518 of the Code of Civil Procedure (CPCC), and other provincial codes); also Agreement on Judicial Cooperation and Assistance in Civil, Commercial, Labor, and Administrative Matters between the MERCOSUR States Parties and the Republics of Bolivia and Chile (Buenos Aires, July 5, 2002), given that its Chapter V regulates the recognition and enforcement of judgments. ☒ A signature / stamp by a competent authority on the order itself One of the requirements for the letter rogatory procedure for the purpose of taking recognition is the signature of the competent judge who issues the order ☐ There is no procedure to ensure that the protection order can be relied upon abroad Please insert text here ☐ Other (please specify): Please insert text here
-----	---

11.	At the time of receiving the protection order, is / are the protected person(s) informed that it may be enforceable abroad? <i>Provide additional details where appropriate.</i> ☒ Yes – please explain how and at what stage the protected person(s) are made aware of this (e.g., upon issuance of the order, via written materials, or through follow-up contact with authorities)? The judge may inform the protected person(s) that the order has been issued. Recognition and enforcement will depend on the circumstances of the case and the legal provisions of the other
-----	--

	State. ☐ No
--	--

12.	Is / are the protected person(s) informed about any potential limitations of the protection orders in other jurisdictions (e.g., possible lack of electronic monitoring)? <i>Provide additional details where appropriate.</i> ☐ Yes – please specify how they are informed: Please insert text here ☒ No
-----	---

13.	Is / are the (alleged / putative) perpetrator(s) / person(s) causing the risk informed of the protection order's potential enforceability abroad when the order is issued? <i>Provide additional details where appropriate.</i> ☐ Yes Please insert text here ☒ No
-----	--

14.	Has your jurisdiction issued any guidance to raise awareness about the availability of protection orders and their potential cross-border reach? <i>Provide additional details where appropriate.</i> ☐ Yes – please describe the guidance (i.e., if they are in form of instructions, non-binding documents, etc.) Please insert text here ☒ No
-----	--

II. Ensuring / monitoring compliance with domestic protection orders

A. Registers

15.	Are there any registers in your jurisdiction to monitor protection orders? ☒ Yes (please specify): ☒ National database: ☒ Accessible to police ☒ Accessible to courts ☒ Accessible to others (please specify): Migration officers ☒ Regional database(s): ☒ Accessible to police ☒ Accessible to courts
-----	---

	☒ Accessible to others (please specify): Schools, hospitals, and health centers ☒ Local / municipal database(s): ☒ Accessible to police ☒ Accessible to courts ☐ Accessible to others (please specify): Please insert text here ☐ No ☐ Other (please specify): Please insert text here
--	--

B. Preventing a potential breach or monitoring compliance

16.	By what technological means can compliance with a protection order be monitored or a breach of a protection order be prevented in your jurisdiction? <i>Tick all boxes that apply.</i> ☒ GPS monitoring ☒ Electronic bracelets ☒ Digital alerts ☒ Databases ☐ None ☐ Other (please specify):
-----	---

C. Addressing a breach

17.	Which authorities are responsible for the enforcement of protection orders in your jurisdiction? <i>Tick all boxes that apply.</i> ☐ Police / law enforcement ☐ Bailiff / Sheriff ☒ Court ☒ Other (please specify): Justices of the Peace, School Authorities. They have records in schools of restraining orders or removal orders
-----	---

D. Enforcement upon simple presentation of protection order

18.	Can a protection order be enforced on the simple presentation of the order to the enforcement officer? ☒ Yes ☐ No - if so, is enforcement subject to one or more of the following: ☐ Verification
-----	--

- ☐ Registration
- ☐ Any other additional steps – describe what needs to happen for enforcement to take place:
Please insert text here

E. Sanctions following breach

19. What are the consequences following a breach of a protection order in your jurisdiction?

Tick all boxes that apply.

Provide additional details where appropriate.

☒ Civil sanctions (e.g., injunction, contempt of court)

Please insert text here

☒ Fines

Please insert text here

☒ Arrest / confinement

Please insert text here

☒ Criminal sanctions

Please insert text here

☐ Other (please specify):

Please insert text here

III. Current national, regional, and international rules for the recognition and enforcement of foreign protection orders

Part III aims to identify all applicable rules in your jurisdiction pertaining to the recognition and enforcement of foreign protection orders, including those rules deriving from regional or international instruments.

In this regard, jurisdictions may have adopted a specific legal regime for foreign protection orders, which may cover all or only certain aspects of their recognition and enforcement. In the absence of, or alongside, such a specific regime, general rules on recognition and enforcement may apply. In some jurisdictions, foreign protection orders may not be recognised or enforced at all. Where a specific regime does not address all relevant issues, any remaining matters may or may not fall within the scope of a general regime. Sections F, G, and H below are designed to accommodate these different approaches.

F. Specific vs general rules of recognition and enforcement

20. Please indicate the types of rules available in your jurisdiction for the recognition and enforcement of foreign protection orders.

Tick all boxes that apply.

Provide additional details where appropriate, as well as references and links where available

☒ My jurisdiction applies specific rules³ of recognition and enforcement to foreign protection orders coming from:

3 Please complete section G below.

☐ Any jurisdiction

☒ Specified jurisdictions (please specify)⁴:

When international instruments are invoked, such sources shall apply only if the orders originate from States Parties to those international instruments

☒ My jurisdiction applies general rules⁵ of recognition and enforcement to foreign protection orders

If you ticked both boxes on specific and general rules of recognition and enforcement, please explain:

In Argentina, the National Constitution establishes a hierarchy of norms under which international conventions take precedence over domestic laws. By virtue of this, international instruments adopted by Argentina take primacy over domestic or autonomous sources of law. This hierarchy also arises from the Civil and Commercial Code (Articles 2594–2601). Protective measures may take the form of provisional or precautionary measures or final judgments.

The following examples distinguish the international law sources for the recognition and enforcement of: A. provisional measures, and B. foreign judgments. In each case, on a subsidiary basis and in the absence of an applicable international law source, domestic or autonomous law shall apply. It is indicated in each case whether it is considered a specific or general source.

A. Provisional Measures:

International Conventions:

- MERCOSUR. Ouro Preto Protocol. This establishes certain requirements for the processing of provisional measures and specific grounds for refusing to recognize the requested measure <https://servicios.infoleg.gob.ar/infolegInternet/anexos/30000-34999/30208/norma.htm> GENERAL PROVISION (NOT SPECIFIC)

For example, Article 12, regarding child custody measures, as a SPECIFIC PROVISION

- CIDIP II. Precautionary Measures. Certain requirements are established for the processing of precautionary measures, including specific grounds for denying the requested measure. Precautionary cooperation is provided for in cases of urgency. <https://www.oas.org/DIL/ESP/CIDIP-II-medidascautelares.htm>. GENERAL PROVISION (NOT SPECIFIC)

For example, Art. 2, subpar. a, regarding compliance with measures to ensure the safety of individuals, such as custody of minor children or provisional child support, as a SPECIFIC PROVISION

- CIDIP IV. Child Support Obligations. It includes certain provisions for requesting precautionary cooperation regarding child support (Arts. 13–17). It provides for precautionary cooperation in cases of urgency. https://www.oas.org/dil/esp/CIDIPIV_doc_obligacionesalimentarias.htm SPECIFIC PROVISION FOR THE COLLECTION OF CHILD SUPPORT

In cases where no international source applies, the Civil and Commercial Code of the Nation establishes the general principle of international cooperation in Article 2611. In addition, the Code provides for a general rule on precautionary cooperation in Article 2603, a provision on urgent protective measures for children or adults who are incapacitated or have limited legal capacity in Article 2641, and a provision allowing for the issuance of preliminary protective measures in proceedings for the international return of children.

Article 2611. GENERAL (NON-SPECIFIC) PROVISION

Without prejudice to the obligations assumed under international conventions, Argentine judges must provide broad judicial cooperation in civil, commercial, and labor matters.

Article 2603. GENERAL (NON-SPECIFIC) PROVISION

4 Please complete section H below, if applicable.

5 Please complete section H below.

“Argentine judges have jurisdiction to order provisional and precautionary measures:

- a) when they are hearing the main proceeding, even if the property or persons are not located in the Republic;
- b) at the request of a competent foreign judge or in cases of urgency, when the property or persons are or may be located in the country, even if they lack international jurisdiction to hear the main proceeding;
- c) when a judgment rendered by a foreign judge must be recognized or enforced in Argentina.

The enforcement of a precautionary measure by an Argentine judge does not imply a commitment to recognize or enforce the final foreign judgment rendered in the main proceedings.”

Article 2642, third paragraph. SPECIFIC PROVISION FOR INTERNATIONAL CHILD ABDUCTION

“At the request of a party with standing or at the request of a competent foreign authority, an Argentine judge who becomes aware of the imminent entry into the country of a child or adolescent whose rights may be threatened may order preliminary measures to ensure their protection, as well as, where applicable, that of the adult accompanying the child or adolescent.”

B. Foreign Judgments.

There are numerous international conventions governing the recognition and enforcement of foreign judgments (within the MERCOSUR framework, such as the Las Leñas Protocol; within the OAS framework, the CIDIPIL Convention on the Recognition of Foreign Judgments; and various bilateral conventions). GENERAL RULES (NON-SPECIFIC)

When these sources do not apply, both the Federal Code of Civil and Commercial Procedure and the provincial codes of civil and commercial procedure, as applicable, apply; these generally provide for similar procedures and requirements. For example, Article 517 of the National Code of Civil and Commercial Procedure provides:

“Judgments of foreign courts shall be enforceable under the terms of treaties concluded with the country from which they In the absence of treaties, they shall be enforceable if the following requirements are met: 1) The judgment, having the force of res judicata in the State where it was rendered, must have been issued by a court with jurisdiction under Argentine rules of international jurisdiction and must result from the exercise of a personal action or a real action regarding movable property, provided that such property has been transferred to the Republic during or after the proceedings conducted abroad. 2) The defendant against whom enforcement of the judgment is sought must have been personally served with notice and must have been afforded the opportunity to defend themselves. 3) The judgment must meet the requirements necessary to be considered as such in the place where it was rendered and satisfy the conditions of authenticity required by national law. 4) The judgment must not violate the principles of public policy under Argentine law. 5) The judgment must not be incompatible with another judgment rendered, either previously or simultaneously, by ONE (1) Argentine court.” GENERAL RULE (NOT SPECIFIC)

In addition, the 1996 Hague Convention entered into force in the Argentine Republic in January 2026.

☐ My jurisdiction is currently not capable of recognising and enforcing foreign protection orders

G. Specific rules of recognition and enforcement for protection orders

Please complete this section if foreign protection orders can be recognised and enforced (in full or in part) under a specific set of rules in your jurisdiction.

- | | |
|-----|--|
| 21. | If your jurisdiction has a specific set of rules for the recognition and enforcement of foreign protection orders, how is it determined whether a foreign protection order falls within the scope of your jurisdiction’s specialised recognition and enforcement regime/rules? |
|-----|--|

Tick all boxes that apply.

Provide additional details where appropriate.

☒ Based on which authority issued the order

Where an international instrument applies, provided that the order has been made by a judicial authority of the State of origin which is also a party to that instrument

☒ Based on the content of the order

Where an international source applies, provided that the order relates to a matter covered by that source

☒ Based on a certificate / abstract / other document accompanying the order (please specify):

The application for recognition must comply with the requirements set out in the relevant regulations.

☐ Based on certification on the order itself (e.g., by way of a stamp or seal)

Please insert text here

☐ Based on which jurisdiction issued the order (i.e., State or territorial unit of a State)

Please insert text here

☐ Based on an authority's full assessment of all relevant information (please specify):

Please insert text here

☐ No determination is necessary for foreign protection orders to be recognised and enforced

Please insert text here

☐ Other (please specify):

Please insert text here

22. Are foreign protection orders recognised and enforced automatically (by operation of law) in your jurisdiction?

Provide additional details where appropriate.

☐ Yes, it is recognised and enforced on simple presentation of the relevant documents (please specify):

☐ The order in and of itself

☐ The order with the stamp / seal of the issuing authority

☐ Certificate

☐ Abstract

☐ Other accompanying document (please specify):

Please insert text here

☒ No, recognition and enforcement takes place once the following step(s) has / have been taken:

☐ Registration

☐ Certification in the jurisdiction where the order is to be recognised and / or enforced

☐ Authentication / verification in the jurisdiction where the order is to be recognised and / or enforced

☒ Other judicial procedure (please specify):

Article 518 of the CPCC and other provincial codes of procedure. An application for the enforcement of a judgment handed down by a foreign court shall be made to the relevant judge of first instance, accompanied by a legalised and translated copy of the judgment and the documents proving that it has become final and that all other requirements have been

	met, unless these are apparent from the judgment itself ☐ Other administrative procedure (please specify): Please insert text here Please indicate the language(s) in which the accompanying documents must be submitted in your jurisdiction: Documents must be translated into the official language of the requested State
--	---

23.	Is there a time limit for the recognition and enforcement of a foreign protection order in your jurisdiction? <i>Provide additional details where appropriate.</i> ☐ Yes (please specify): Please insert text here ☒ No
-----	---

24.	If registration is not required in your jurisdiction, can foreign protection orders nevertheless be registered? <i>Provide additional details where appropriate.</i> ☒ Yes - please explain how this registration is done: Not all protection orders are eligible for registration. In all cases, the competent judicial authority must recognise the order and order its registration. For example, protection orders relating to immovable property or registrable movable property may be registered; certain orders concerning parental responsibility may be registered in the Civil Register of Persons. In this regard, depending on whether the jurisdiction is provincial or federal, the order will be registered in the relevant provincial or federal register. ☐ No Please insert text here
-----	--

25.	Are there any restrictions to the effect of the recognition of a foreign protection order in your jurisdiction (e.g., if the foreign protection order does not correspond to the types of protection orders available in your jurisdiction or if the specified sanctions for a breach of the order cannot be applied in your jurisdiction)? <i>Provide additional details where appropriate.</i> ☒ Yes Judgements handed down by foreign courts shall be enforceable in accordance with the terms of treaties concluded with the country from which they originate and, in the absence of such treaties, provided that they do not contravene the principles of public policy under Argentine law, nor infringe upon the rights of the defence, the validity of the judgement, and provided that they have been handed down by a judge with jurisdiction in international matters. ☐ No Please insert text here
-----	--

26.	Can foreign protection orders be adjusted / modified in your jurisdiction? <i>Provide additional details where appropriate.</i> ☐ Yes, without any limitations ☒ Yes, with certain limitations (please specify): ☐ Factual elements of the order (e.g., address) Please insert text here ☐ Geographic scope of the order (e.g., distances, locations) Please insert text here ☐ Duration of the order Please insert text here ☐ The person(s) allowed to seek the adjustment / modification (e.g., only the intended protected person) Please insert text here ☒ Other (please specify): Article 12 of the Ouro Preto Protocol provides that where an interim measure relates to the custody of minors, the judge or court of the requested State may limit the scope of the measure exclusively to its own territory; in turn, Article 23 of the Las Leñas Protocol provides that if a judgment or arbitral award cannot be enforced in its entirety, the competent judicial authority in the requested State may grant partial enforcement upon application by an interested party. ☐ No
-----	---

27.	How do you deal with foreign protection orders that do not have a direct equivalent in your jurisdictions' legal system? Please provide information on whether such orders can / need to be adapted in order to be recognised and enforced in your jurisdiction and if the modalities of enforcement also can / must be adapted (e.g., enforcement by courts in your jurisdiction as opposed to police in the jurisdiction where the order was issued). Through the exequatur procedure, as with any other judgement, orders must meet the legal requirements to be recognised and enforced in Argentina: Foreign judgements, arbitral awards and judicial decisions shall have extraterritorial effect if they fulfil the following conditions: a) That they are in compliance with the external formalities necessary for them to be considered authentic in the State from which they originate; b) The judgement, arbitral award and judicial decision, together with any accompanying documents required under this Convention, must be duly translated into the official language of the State in which they are to take effect; c) They must be duly legalised in accordance with the law of the State in which they are to take effect; (d) The adjudicating court or tribunal has international jurisdiction to hear and determine the matter in accordance with the law of the State in which they are to take effect; (e) The defendant has been served with notice or summoned in a legally valid manner substantially equivalent to that accepted by the law of the State in which the judgment, award or judicial decision is to take effect; f) That the parties' right to a fair hearing has been ensured; g) That they have the status of enforceable judgments or, where applicable, have the force of res judicata in the State in which they were rendered; h) That they do not manifestly contravene the principles and laws of public policy of the State in which recognition or enforcement is sought; Art. 3 Inter-State Convention. Additionally Article 7 of the Ouro Preto Protocol stipulates that any modifications found to be justified during the course of the proceedings for their proper execution shall be governed by the laws of, and resolved by the judges or courts of, the requested State.
-----	--

28.	Is it possible to object to the recognition and enforcement of a foreign protection order? <i>Provide additional details where appropriate.</i> ☒ Yes Please specify who can object: ☐ A competent authority <i>ex officio</i> Please insert text here ☐ The person against whom the protection order is issued Please insert text here ☒ Other (please specify): They must not manifestly contravene the principles and laws of public policy of the State in which recognition or enforcement is sought (Article 17 of the Ouro Preto Protocol on Precautionary Measures; Article 2(h) of the Inter-American Convention on the Extraterritorial Effect of Foreign Judgments and Arbitral Awards (CIDIP II); Article 20(f) of the Las Leñas Protocol; Article 517(4) of the Code of Civil Procedure (CPCC)) Please list all available grounds on which the recognition and enforcement of the foreign protection order can be refused: Please insert text here ☐ No
-----	---

29.	Is the recognition and / or enforcement of a foreign protection order subject to appeal in your jurisdiction? ☒ Yes ☐ No
-----	--

H. General rules of recognition and enforcement in civil and commercial matters

Please complete this section if foreign protection orders can be recognised and enforced (in full or in part) under your jurisdiction's general rules of recognition and enforcement in civil and commercial matters.

30.	What are the general rules for the recognition and enforcement of civil and commercial judgments, including foreign protection orders, in your jurisdiction? ☐ Foreign protection orders are recognised automatically (by operation of law) ☒ Foreign protection orders are subject to a formal recognition and enforcement procedure filed with a competent authority ☒ Foreign protection orders and relevant / accompanying documents need to be accompanied by a certified translation in the language(s) of the requested State ☒ Foreign protection orders need to be certified by a competent authority from the State of origin ☒ Foreign protection orders are subject to legalisation or a similar formality ☒ Foreign protection orders are subject to an <i>exequatur</i> procedure ☐ Foreign protection orders need to be registered with a competent authority ☐ There are no general rules for the recognition and enforcement of foreign protection orders
-----	--

☐ Other rule(s) (please specify):

Please insert text here

31. Can foreign protection orders be adjusted / modified in your jurisdiction?

Provide additional details where appropriate.

☐ Yes, without any limitations

☒ Yes, with certain limitations (please specify):

☐ Factual elements of the order (e.g., address)

Please insert text here

☐ Geographic scope of the order (e.g., distances, locations)

Please insert text here

☐ Duration of the order

Please insert text here

☐ The person(s) allowed to seek the adjustment / modification (e.g., only the intended protected person)

Please insert text here

☒ Other (please specify):

Article 23 of the Leñas Protocol provides that if a judgment or arbitral award cannot be enforced in its entirety, the competent court in the requested State may grant partial enforcement upon application by an interested party.

☐ No

32. How do you deal with foreign protection orders that do not have a direct equivalent in your jurisdictions' legal system?

Please provide information on whether such orders can / need to be adapted in order to be recognised and enforced in your jurisdiction and if the modalities of enforcement also can / must be adapted (e.g., enforcement by courts in your jurisdiction as opposed to police in the jurisdiction where the order was issued).

Protection orders that have no direct equivalent must first be submitted to the competent judicial authority for recognition.

Article 2640, paragraph 2, permits the incorporation into the Argentine legal system of measures for the protection of children (not regulated under local law) granted under foreign law. The second paragraph of that article provides: "Other measures for the protection of children and adolescents duly established under the applicable foreign law shall be recognised and shall have effect in this country, provided that they are compatible with the fundamental rights of the child".

Furthermore, given the varied effects that a protective measure may have under foreign law, there are precedents in case law in which the effects of the State of origin regarding parental responsibility have been established.

Through the exequatur procedure, orders must meet the legal requirements to be recognised and enforced in Argentina (Article 6 of the Ouro Preto Protocol on Precautionary Measures. MERCOSUR; Article 3 of the Inter-American Convention on the Enforcement of Precautionary Measures (CIDIP II); Article 2 of the Inter-American Convention on the Extraterritorial Effect of Foreign Judgments and Arbitral Awards (CIDIP II); Article 20 of the Las Leñas Protocol; Article 517 of the National Code of

33.	Is it possible to object to the recognition and enforcement of a foreign protection order? <i>Provide additional details where appropriate.</i> ☒ Yes Please specify who can object: ☒ A competent authority <i>ex officio</i> Should you fail to verify compliance with any of the required conditions, for example, by monitoring international public order ☒ The person against whom the protection order is issued You will be served with notice of the recognition and enforcement proceedings, at which point you may challenge any failure to comply with the requirements laid down in domestic and international legislation. Please insert text here ☒ Other (please specify): Please insert text here Please list all available grounds on which the recognition and enforcement of the foreign protection order can be refused: In the event that: the principles and laws of public policy of the State in which recognition or enforcement is sought are manifestly contravened (Article 17 of the Ouro Preto Protocol on Precautionary Measures; Article 2(h) of the Inter-American Convention on the Extraterritorial Effect of Foreign Judgments and Arbitral Awards (CIDIP II); Article 20(f) of the Las Leñas Protocol; Article 517(4) of the Code of Civil Procedure (CPCC) and provincial codes of civil procedure). - due process has not been observed; - the foreign decision is not final and has not acquired the force of <i>res judicata</i>; - a decision has already been handed down in the same case in Argentina; - the formal requirements have not been met; - there is a question of indirect jurisdiction. ☐ No
-----	--

34.	Is the recognition and / or enforcement of a foreign protection order subject to appeal in your jurisdiction? ☒ Yes ☐ No
-----	--

IV. Future developments in the area

35.	Are there any legislative developments planned or contemplated in your jurisdiction pertaining to (foreign) protection orders? <i>Provide additional details where appropriate.</i> ☒ Legislative changes in progress In the Argentine Republic, as a State Party to MERCOSUR – alongside Brazil, Uruguay, Paraguay, Bolivia, Chile and Ecuador – an Agreement on the Mutual Recognition of Protective Measures for
-----	---

Women in Situations of Gender-Based Violence was negotiated between 2020 and 2022. This Agreement was approved by Decision 7/ 2022 in July 2022 and will enter into force upon ratification by two Member States and the Associate State, which must also deposit its instrument of ratification, and in respect of those Member States. To date, Uruguay (Full Member) and Chile (Associate Member) have deposited their instruments of ratification. In Argentina, the agreement is undergoing parliamentary procedure, having received preliminary approval from the Chamber of Deputies in 2024.

1. The protection orders provided for include: a) a prohibition on entering specific localities, places or areas where the woman resides or where she is temporarily present for whatever reason; b) a prohibition or restriction on contact, in any form, with the woman, including by telephone, email, post or any other means; c) a prohibition or restriction on approaching the woman to within a distance less than that prescribed, whether or not this includes the use of geolocation and tracking devices; d) suspension of the right to possess, carry and use weapons, with an obligation to deposit them at the specified location; e) any other measure necessary to ensure the woman's safety and to put an end to the sit

2. The competent authorities for issuing such orders are the judicial authorities, and the channel for their transmission is through the central authorities designated by each State.

3. With regard to recognition and enforcement, the Agreement provides for the automatic and priority recognition of protection orders, set out in an instrument known as the OMP (MERCOSUR Protection Order), which limits scrutiny solely to the requirements laid down in the Agreement for their validity and restricts their application to cases where none of the grounds for refusal set out in the Agreement apply. The requirements and characteristics of the orders are set out in Article 8 and stipulate that: a) the order must have been issued by an authority of the Executing State, in accordance with its national legislation, taking into account any specific circumstances of the case, including its urgency and the expected date of the woman's arrival in the territory of the Executing State; (b) in all cases, the protection measures issued by the Issuing State shall be regarded as being of a humanitarian nature; (c) where the woman for whom protection is sought so requests, the Executing State shall guarantee the free legal aid necessary for the enforcement of the OMP.

4. The measure shall be communicated to the other competent authority or authorities via the Central Authority, as well as to the woman, but not to the perpetrator.

5. Grounds for refusing enforcement are set out; these must be substantiated and are primarily intended for cases where the measures are incompatible with those set out in the Agreement or manifestly contrary to public policy in the enforcing State.

6. Finally, the Agreement contains an article (Article 13) which extends the scope of protection to persons other than women, where necessary, in order to guarantee the full enjoyment of their rights.

☐ Legislative changes under consideration

Please insert text here

☐ No legislative changes planned at the moment

Please insert text here

☐ Other (please specify):

Please insert text here

V. Electronic resources

Please use the space below to provide any links to useful and relevant online resources.

36. Please insert text here

VI. Other comments

Please use the space below to provide any additional information pertaining to the recognition and enforcement of (foreign) protection orders in your jurisdiction. You may also wish to make any suggestions pertaining to the work of the WG on REPO (general comments or specific comments in advance of the first WG meeting in November 2026).

37.	Please insert text here
-----	---