CGAP 2027

MARCH 2027

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HCCH

Connecter Protéger Coopérer Depuis 1893
Connecting Protecting Cooperating Since 1893
Conectando Protegiendo Cooperando Desde 1893

Title	Questionnaire on Protection Orders and their Recognition and Enforcement (REPO)
Document	Prel. Doc. No 2B of May 2026
Author	PB
Agenda Item	Item TBD
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 prejudge 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 may

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[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.

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:	Please insert text here
<u>Information for follow-up purposes</u>	
Name and title of contact person:	Please insert text here
Name of Authority / Office	Please insert text here
E-mail address:	Please insert text here

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

A. Types of behaviours required / prohibited by protection orders

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

	☐ Restricting possession or use of weapons: Please insert text here ☐ Imposing other prohibitions (please specify): Please insert text here ☐ Imposing positive obligations of a protective nature (please specify): Please insert text here ☐ 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? *Tick all boxes that apply.* *Provide additional details where appropriate.* ☐ 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):

[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".

	Please insert text here

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? *Tick all boxes that apply.* *Provide additional details where appropriate, as well as references and links where available.* ☐ Legislation: Please insert text here ☐ Administrative regulations / instruments: Please insert text here ☐ Other sources (*e.g.*, case law; please specify): Please insert text here

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

4.	Which authorities are competent to issue protection orders in your jurisdiction? *Tick all boxes that apply.* *Provide additional details where appropriate.* ☐ Judicial authorities (please specify): ☐ Civil court / tribunal: Please insert text here ☐ 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): Please insert text here ☐ Children (please indicate age limit if applicable)*:* Please insert text here ☐ Other individuals close to the intended protected person(s) (please specify): Please insert text here

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): Please insert text here

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): Please insert text here

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): Please insert text here ☐ 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: Please insert text here Please provide examples of such orders: Please insert text here **Longest duration for fixed term orders:** Please indicate the longest time frame for such orders: Please insert text here Please provide examples of such orders: Please insert text here **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): Please insert text here ☐ 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? *Provide additional details where appropriate.* ☐ 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** Please insert text here ☐ A signature / stamp by a competent authority on the order itself Please insert text here ☐ 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? *Provide additional details where appropriate.* ☐ 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)? Please insert text here ☐ 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)? *Provide additional details where appropriate.* ☐ 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? *Provide additional details where appropriate.* ☐ 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? *Provide additional details where appropriate.* ☐ 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): Please insert text here ☐ Regional database(s): ☐ Accessible to police ☐ Accessible to courts ☐ Accessible to others (please specify): Please insert text here ☐ 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? *Tick all boxes that apply.* ☐ GPS monitoring ☐ Electronic bracelets ☐ Digital alerts ☐ Databases ☐ None ☐ Other (please specify): Please insert text here

C. Addressing a breach

17.	Which authorities are responsible for the enforcement of protection orders in your jurisdiction? *Tick all boxes that apply.* ☐ Police / law enforcement ☐ Bailiff / Sheriff ☐ Court ☐ Other (please specify): Please insert text here

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.

A. 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 rules[3] of recognition and enforcement to foreign protection orders coming from: ☐ Any jurisdiction ☐ Specified jurisdictions (please specify)[4]: Please insert text here ☐ My jurisdiction applies general rules[5] of recognition and enforcement to foreign protection orders If you ticked both boxes on specific and general rules of recognition and enforcement, please explain: Please insert text here ☐ My jurisdiction is currently not capable of recognising and enforcing foreign protection orders

B. 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

[3] Please complete section G below.

[4] Please complete section H below, if applicable.

[5] Please complete section H below.

	Please insert text here ☐ Based on the content of the order Please insert text here ☐ Based on a certificate / abstract / other document accompanying the order (please specify): Please insert text here ☐ 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): Please insert text here ☐ 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:

	Please insert text here

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

24.	If registration is **not** required in your jurisdiction, can foreign protection orders nevertheless be registered? *Provide additional details where appropriate.* ☐ Yes - please explain how this registration is done: Please insert text here ☐ 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)? *Provide additional details where appropriate.* ☐ Yes Please insert text here ☐ No Please insert text here

26.	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): Please insert text here ☐ 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). Please insert text here

28.	Is it possible to object to the recognition and enforcement of a foreign protection order? *Provide additional details where appropriate.* ☐ Yes Please specify who can object: ☐ A competent authority *ex officio* Please insert text here ☐ The person against whom the protection order is issued 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: 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

C. 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 *exequatur* 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): Please insert text here ☐ 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). Please insert text here

33.	Is it possible to object to the recognition and enforcement of a foreign protection order? *Provide additional details where appropriate.* ☐ Yes Please specify who can object: ☐ A competent authority *ex officio* Please insert text here ☐ The person against whom the protection order is issued 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: Please insert text here ☐ 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? *Provide additional details where appropriate.* ☐ Legislative changes in progress Please insert text here ☐ 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