

# Country Profile for the 1996 Child Protection Convention

## Foreword to the Country Profile

This Country Profile should be used by Contracting Parties<sup>1</sup> to assist with the fulfilment of their obligations under the *Convention of 19 October 1996 on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in respect of Parental Responsibility and Measures for the Protection of Children* (1996 Child Protection Convention or Convention). It is anticipated that the Country Profile will help Contracting Parties fulfil their obligations under Article 30 of the Convention, namely:

- To co-operate with each other and promote co-operation amongst the competent authorities in their States to achieve the purposes of the Convention.
- In connection with the application of the Convention, to take appropriate steps to provide information as to the laws of, and services available in, their States relating to the protection of children.

The Country Profile is intended to assist with the practical operation of the Convention and to facilitate:

- a) the exchange of information between Contracting Parties;
- b) obtaining information about services provided by Central Authorities and other competent authorities in the Contracting Parties;
- c) obtaining information about relevant concepts and measures of protection available in the Contracting Parties;
- d) accessibility of information concerning the application of the Convention and relevant rules and procedures in the Contracting Parties.

The information in this Country Profile is not legal advice and should not be relied upon as a statement of the current law. For information on the current law on any particular issue, individuals should seek their own independent local legal advice.

## Background

This Country Profile is consistent, as to form and structure, to the extent possible, with other Country Profiles such as the 1980 Child Abduction Convention, the 2000 Protection of Adults Convention and the 2007 Child Support Convention.

This Country Profile is divided into thirteen Sections that follow, to the extent possible, the order of the Chapters in the text of the 1996 Child Protection Convention. The aim of each section is as follows.<sup>2</sup>

- **Section I: Designated Central and other authorities:** This section aims to provide all the relevant information that will enable the Central Authority, a legal practitioner or a member of the public to contact the relevant Central and other authorities designated by this Contracting Party. Central Authorities are designated to discharge the duties imposed by the Convention (Art. 29). They play an important role in facilitating communication and cooperation between competent authorities in

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<sup>1</sup> Any reference to a Contracting Party in this Country Profile is a reference to a Contracting Party to the 1996 Child Protection Convention.

<sup>2</sup> If practically possible to implement and subject to available resources, the Permanent Bureau suggests the addition of a mouse over information icon “(i)” that will display such explanations in the electronic version of the Country Profile. This suggestion is intended to make the Country Profile more user-friendly and accessible by profiting creatively from available features in an electronic environment.

different Contracting Parties, as well as in transmitting information and requests to other Central Authorities. In this section the Central Authority, a legal practitioner or a member of the public can also find information relating to the authorities designated under Articles 40 and 44 of the Convention.

- **Section II: Coming into force and territorial application:** This section presents information about when the Convention entered into force in this State, and its territorial application.
- **Section III: Relevant legislation:** This section provides information about the legislation in this State, including legislation implementing the Convention, as well as information on other relevant Conventions to which the State is Party.
- **Section IV: Measures or other matters falling within the scope of the Convention:** This section provides an overview of the domestic law applicable to the different measures for the protection of the child that fall within the scope of the 1996 Child Protection Convention. It shows what supportive measures / arrangements and measures of protection are available in that State, and how the legislation of this State governs the different measures / arrangements.

Item 16 contains a detailed list of possible urgent measures of protection, which can provide helpful assistance to the competent authorities, for example, in their implementation of the Conclusion & Recommendation (C&R) No 27 of the Seventh Meeting of the Special Commission on the operation of the 1980 Child Abduction and 1996 Child Protection Conventions.<sup>3</sup>

- **Section V: Jurisdiction (Arts 5 -14):** This section provides information relating to matters of jurisdiction, including information on judicial authorities and the procedure for transferring jurisdiction under Articles 8 and 9 of the 1996 Convention.
- **Section VI: Information relevant to courts and judicial proceedings:** This section provides information about practical matters that may arise when dealing with Courts and judicial proceedings in cases falling within the scope of the 1996 Child Protection Convention, including the rules governing legal representation and assistance, the general procedure regarding first instance proceedings, the child's participation, and the appeals procedure.

Section 21 "Legal assistance and legal aid" allows Contracting Parties to elaborate on the type of legal assistance / legal aid they provide in their jurisdictions.

- **Section VII: Multiple systems of law or sets of rules:** For the purpose of identifying the applicable law, this section provides information on the application of the Convention in a State with multiple territorial units and on the application of the Convention in a State which has multiple systems of law applicable to different categories of persons in respect of matters covered by the Convention.
- **Section VIII: Recognition and Enforcement (Arts 23-28):** This section provides information on the rules applicable in this State relating to the recognition and enforcement of decisions under the 1996 Child Protection Convention
- **Section IX: Cooperation (Arts 29-39):** This section provides information on practical matters and questions that may arise when dealing with matters falling within the scope of the Convention in this State, including how authorities gather and transmit information and how authorities can assist with locating a child.
- **Section X: Mediation and other forms of Alternative Dispute Resolution (ADR):** Under the 1996 Child Protection Convention, Central Authorities have an obligation, either directly or through public

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<sup>3</sup> The text of the C&R reads as follows: *When taking measures of protection in accordance with Article 11 of the 1996 Convention in a child abduction case (for example, to facilitate interim access or ensure safe return), competent authorities are invited, preferably through Central Authorities or members of the International Hague Network of Judges (IHNJ) to obtain information on available measures of protection in the other State with a view to ensuring the effective implementation of such measures.*

authorities, to take all appropriate steps to facilitate agreed solutions for the protection of the person or property of the child (Art. 31(b)). If parties wish to engage in mediation in the context of the 1996 Convention, this section provides information on the mediation facilities available in this State, the legislation governing it, how to access mediation, the process of mediation, and the rules on enforcement of mediated agreements in this State. Information will also be given regarding other ADR mechanisms available in this State.

- **Section XI: General:** This section provides information about international certificates under Article 40, training and other information.
- **Section XII: Direct judicial communications:** Engaging in direct judicial communications in the context of the 1996 Convention was encouraged at the Special Commissions on the practical operation of the 1980 and 1996 Conventions of 2011, 2017 and 2023. This section provides information as to the practice of direct judicial communication in this State.
- **Section XIII: Electronic resources**

## Instructions

The Country Profile is a standardised document that will be available to Contracting Parties to complete, view and update electronically. It contains a mix of open-ended, multiple answers and yes/no questions that will be available for Contracting Parties to digitally fill in and update whenever necessary.

Contracting Parties comprised of more than one territorial unit may choose to submit separate Country Profiles for each territorial unit. Respondents are encouraged to provide links to relevant domestic legislation and procedural rules, where possible and applicable.

Contracting Parties are exclusively responsible for filling in and updating the information contained in their Country Profile.

Completed Country Profiles will be published on the website of the HCCH ([www.hcch.net](http://www.hcch.net)) under “Child Protection Section” and readily available for public consultation.

If comprehensive information on the 1996 Convention is of interest, users and interested parties are encouraged to consult the [Explanatory Report](#) and the [Practical Handbook](#). For more information on questions in specific States, users are invited to contact the relevant Central Authority directly.

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## I. Central and other authorities designated by [name of your State]

### 1 Central Authority contact details (Art. 29)

|  |  |
|--|--|
| 1.1. Organisation  |  |
| 1.2. Address   |  |
| 1.3. Territorial and personal extent of functions, if applicable       |  |
| 1.4. Telephone   |  |
| 1.5. Emergency telephone<br>(outside working hours – see question 7.1) |  |
| 1.6. Fax   |  |
| 1.7. Email   |  |
| 1.8. Website   |  |
| 1.9. Contact person 1  | Direct contact details:<br>Direct telephone:<br>Direct email:<br>Language(s) of communication:<br><br>Preferred method of communication:<br><input type="checkbox"/> Phone<br><input type="checkbox"/> Fax<br><input type="checkbox"/> Email<br><input type="checkbox"/> Other (please specify): |
| 1.10. Contact person 2, if applicable                                  | Direct contact details:<br>Direct telephone:<br>Direct email:<br>Language(s) of communication:<br><br>Preferred method of communication:<br><input type="checkbox"/> Phone<br><input type="checkbox"/> Fax<br><input type="checkbox"/> Email<br><input type="checkbox"/> Other (please specify): |
| Last Update: [INSERT DATE] <sup>4</sup>                                |  |

### 2 Other designated Central Authority, if applicable (Art. 29(2))<sup>5</sup>

|  |  |
|--|--|
| 2.1. Organisation  |  |
| 2.2. Address   |  |
| 2.3. Territorial and personal extent of functions, if applicable       |  |
| 2.4. Telephone   |  |
| 2.5. Emergency telephone<br>(outside working hours – see question 7.1) |  |

<sup>4</sup> This will be done automatically in the electronic format of the Country Profile.

<sup>5</sup> This section will be expandable in order to allow for the inclusion of additional Central Authorities.

|                                       |  |
|---------------------------------------|--|
| 2.6. Fax                              |  |
| 2.7. Email                            |  |
| 2.8. Website                          |  |
| 2.9. Contact person 1                 | Direct contact details:<br>Direct telephone:<br>Direct email:<br>Language(s) of communication:<br><br>Preferred method of communication:<br><input type="checkbox"/> Phone<br><input type="checkbox"/> Fax<br><input type="checkbox"/> Email<br><input type="checkbox"/> Other (please specify): |
| 2.10. Contact person 2, if applicable | Direct contact details:<br>Direct telephone:<br>Direct email:<br>Language(s) of communication:<br><br>Preferred method of communication:<br><input type="checkbox"/> Phone<br><input type="checkbox"/> Fax<br><input type="checkbox"/> Email<br><input type="checkbox"/> Other (please specify): |
| Last Update: [INSERT DATE]            |  |

### 3 Designated authority for Article 8 and 9 requests (Art. 44)<sup>6</sup>

*More information about requests under Articles 8 and 9 can be found in Section V – Jurisdiction, question 18.*

|   |   |
|---|---|
| 3.1. Has [name of your State] designated an authority to which requests under Articles 8 and 9 are to be addressed? | <input type="checkbox"/> Yes, the Central Authority (see details provided above)<br><input type="checkbox"/> Yes, an authority other than the Central Authority (please complete questions 3.2 – 3.10)<br><input type="checkbox"/> No |
| 3.2. Organisation   |   |
| 3.3. Address  |   |
| 3.4. Territorial and personal extent of functions, if applicable  |   |
| 3.5. Telephone  |   |
| 3.6. Fax  |   |
| 3.7. Email  |   |
| 3.8. Website  |   |
| 3.9. Contact person 1   | Direct contact details:<br>Direct telephone:<br>Direct email:<br>Language(s) of communication:  |

<sup>6</sup> This section will be expandable in order to allow for the inclusion of additional authorities.

|                                       |  |
|---------------------------------------|--|
|                                       | Preferred method of communication:<br><input type="checkbox"/> Phone<br><input type="checkbox"/> Fax<br><input type="checkbox"/> Email<br><input type="checkbox"/> Other (please specify):   |
| 3.10. Contact person 2, if applicable | Direct contact details:<br>Direct telephone:<br>Direct email:<br>Language(s) of communication:<br><br>Preferred method of communication:<br><input type="checkbox"/> Phone<br><input type="checkbox"/> Fax<br><input type="checkbox"/> Email<br><input type="checkbox"/> Other (please specify): |
| Last Update: [INSERT DATE]            |  |

#### 4 Designated authority for Article 33 requests (Art. 44)<sup>7</sup>

*More information about requests under Article 33 can be found in Section IX – Cooperation, question 31.*

|   |  |
|---|--|
| 4.1. Has [name of your State] designated an authority to which requests under Article 33 are to be addressed? | <input type="checkbox"/> Yes, the Central Authority (see details provided above)<br><input type="checkbox"/> Yes, an authority other than the Central Authority (please complete questions 4.2 – 4.10)<br><input type="checkbox"/> No  |
| 4.2. Organisation   |  |
| 4.3. Address  |  |
| 4.4. Territorial and personal extent of functions, if applicable  |  |
| 4.5. Telephone  |  |
| 4.6. Emergency telephone (outside working hours)  |  |
| 4.7. Fax  |  |
| 4.8. Email  |  |
| 4.9. Website  |  |
| 4.10. Contact person 1  | Direct contact details:<br>Direct telephone:<br>Direct email:<br>Language(s) of communication:<br><br>Preferred method of communication:<br><input type="checkbox"/> Phone<br><input type="checkbox"/> Fax<br><input type="checkbox"/> Email<br><input type="checkbox"/> Other (please specify): |
| 4.11. Contact person 2, if applicable   | Direct contact details:<br>Direct telephone:   |

<sup>7</sup> This section will be expandable in order to allow for the inclusion of additional authorities.

|                                   |  |
|-----------------------------------|--|
|                                   | Direct email:<br>Language(s) of communication:<br><br>Preferred method of communication:<br><input type="checkbox"/> Phone<br><input type="checkbox"/> Fax<br><input type="checkbox"/> Email<br><input type="checkbox"/> Other (please specify): |
| <b>Last Update: [INSERT DATE]</b> |  |

## 5 Designated authority competent to draw up international certificates under Article 40<sup>8</sup>

*More information about international certificates under Article 40 can be found in Section XI – General, question 35.*

|   |  |
|---|--|
| Has [name of your State] designated an authority to draw up international certificates under Article 40?                    | <input type="checkbox"/> Yes<br><input type="checkbox"/> No (please move to section 6)   |
| Please complete if the authority competent to draw up international certificates under Article 40 is a single organisation: |  |
| 5.1. Organisation   |  |
| 5.2. Address  |  |
| 5.3. Territorial and personal extent of functions, if applicable  |  |
| 5.4. Telephone  |  |
| 5.5. Fax  |  |
| 5.6. Email  |  |
| 5.7. Website  |  |
| 5.8. Contact person 1   | Direct contact details:<br>Direct telephone:<br>Direct email:<br>Language(s) of communication:<br><br>Preferred method of communication:<br><input type="checkbox"/> Phone<br><input type="checkbox"/> Fax<br><input type="checkbox"/> Email<br><input type="checkbox"/> Other (please specify): |
| 5.9. Contact person 2, if applicable  | Direct contact details:<br>Direct telephone:<br>Direct email:<br>Language(s) of communication:<br><br>Preferred method of communication:<br><input type="checkbox"/> Phone<br><input type="checkbox"/> Fax<br><input type="checkbox"/> Email   |

<sup>8</sup> This section enables States which have a single authority competent to draw up certificates under Article 40 to fill in this information in items 5.1 to 5.9 and enables States which have several authorities that are competent to draw up the certificate to indicate which authorities are competent in 5.10.

|  |  |
|--|--|
|  | <input type="checkbox"/> Other (please specify):   |
| <b>Please complete if several authorities are competent to draw up international certificates under Article 40:</b>  |  |
| <p>5.10. Please indicate which authorities in [name of your State] are competent to draw up international certificates under Article 40.</p> <p><i>Please tick all boxes that apply.</i></p> <p><i>Where applicable, please provide the details of the authorities (name of organisation, address, telephone, fax, email, website) and the details of the contact person(s), as requested above.</i></p> | <input type="checkbox"/> Competent authorities, including court clerks / registrars<br>Details of the authority:<br>Details of contact person(s):<br><input type="checkbox"/> Notaries<br>Details of the authority:<br>Details of contact person(s):<br><input type="checkbox"/> Other (please specify):<br>Details of the authority:<br>Details of contact person(s): |
| <b>Last Update: [INSERT DATE]</b>  |  |

## 6 Language requirements (Art. 54)

|  |  |
|--|--|
| <p>6.1. Please specify the official language of [name of your State] into which any communication sent to the Central Authority or to another authority is to be translated.</p> <p>Article 54(1) of the 1996 Convention</p> |  |
| <p>6.2. Has [name of your State] made a reservation in respect of the use of French or English for any communication sent to the Central Authority or any other authority?</p> <p>Article 54(2) of the 1996 Convention</p>   | <input type="checkbox"/> Yes, objection to French<br><input type="checkbox"/> Yes, objection to English<br><input type="checkbox"/> No |
| <b>Last Update: [INSERT DATE]</b>  |  |

## 7 Central Authority functions, operations and services<sup>9</sup>

|   |   |
|---|---|
| <p>7.1. Please specify the working days and hours of the Central Authority.</p>                                     | Days of the week open:<br><input type="checkbox"/> Monday<br><input type="checkbox"/> Tuesday<br><input type="checkbox"/> Wednesday<br><input type="checkbox"/> Thursday<br><input type="checkbox"/> Friday<br><input type="checkbox"/> Saturday<br><input type="checkbox"/> Sunday<br>Opening hours: -<br>Shut down periods (e.g., public holidays, court closures etc): |
| <p>7.2. In an emergency situation, can assistance be accessed outside working hours?</p>                            | <input type="checkbox"/> Yes (see emergency telephone number at questions 1.5 or 2.5, as needed)<br><input type="checkbox"/> No   |
| <p>7.3. Does the Central Authority have staff who deal exclusively with Convention requests and related issues?</p> | <input type="checkbox"/> Yes<br><input type="checkbox"/> No   |

<sup>9</sup> This section will be expandable in order to allow for the inclusion of additional authorities. It should be noted that the functions mentioned in this section are not necessarily mandatory and that they are included to the extent that such functions are available and permitted under the State's domestic law.

|  |  |
|--|--|
| <p>7.4. Please indicate the professions represented in the Central Authority:</p>  | <p><input type="checkbox"/> Legal practitioners<br/> <input type="checkbox"/> Mediators<br/> <input type="checkbox"/> Psychologists<br/> <input type="checkbox"/> Social workers<br/> <input type="checkbox"/> Other (please specify):</p>   |
| <p>7.5. What are the services provided by the Central Authority in [name of your State] in the context of requests under the Convention?</p> <p><i>Please tick all the boxes that apply.</i></p> <p><i>Please be aware that not all services may be available in cases initiated by private persons (as opposed to authorities).</i></p> | <p><input type="checkbox"/> (1) Establishment of contact with the Central Authority and / or the competent authorities in the requested State to find out the kind of assistance and services such authorities could provide (Art. 30(1))</p> <p><input type="checkbox"/> (2) Assistance in obtaining information on the operation of the Convention (Art. 30(2))</p> <p><input type="checkbox"/> (3) Assistance in obtaining information on the relevant laws and / or procedures and / or services available in [name of your State] and the requested State (Art. 30(2))</p> <p><input type="checkbox"/> (4) Assistance concerning requests under Articles 8 and 9 of the Convention (Art. 31(a))</p> <p><input type="checkbox"/> (5) Facilitation, by mediation, conciliation or similar means, agreed solutions for the protection of the person or property of the child (Art. 31(b))</p> <p><input type="checkbox"/> (6) Assistance in discovering the whereabouts of a child that may be present in [name of your State] and in need of protection (Art. 31(c))</p> <p><input type="checkbox"/> (7) Requesting - or transmitting the request on behalf of competent authorities in [name of your State] - that a report be provided on the situation of the child (Art. 32(a))</p> <p><input type="checkbox"/> (8) On a request made by another Contracting Party, providing a report on the situation of the child (Art. 32(a))</p> <p><input type="checkbox"/> (9) Requesting - or transmitting the request on behalf of competent authorities in [name of your State] - that the competent authority of another Contracting Party consider the need to take measures for the protection of the person or property of the child (Art. 32(b))</p> <p><input type="checkbox"/> (10) On a request made by another Contracting Party, requesting the competent authorities of [name of your State] to consider the need to take measures for the protection of the person or property of the child (Art. 32(b))</p> <p><input type="checkbox"/> (11) Communication of information relevant to the protection of the child, if the situation of the child so requires (Art. 34(1))</p> <p><input type="checkbox"/> (12) Assistance in the implementation of measures of protection taken under the Convention, especially in securing the effective exercise of rights of access /contact (Art. 35(1))</p> <p><input type="checkbox"/> (13) Assistance in the transmission of requests under Article 35(1) from competent authorities in [name of your State] to authorities of another Contracting Party (or from competent authorities of another Contracting Party to the authorities in [name of your State])</p> <p><input type="checkbox"/> (14) Assistance with a request that an authority gather information or make a finding on the suitability of a parent residing in another Contracting Party to exercise access/contact and on the conditions under which such access/contact is to be exercised (Art. 35(2))</p> <p><input type="checkbox"/> (15) Assistance in securing the return of the child to the State of habitual residence (Art. 50)</p> <p><input type="checkbox"/> (16) Assistance in obtaining private legal counsel or mediation services, where needed in the requested State</p> <p><input type="checkbox"/> (17) Assistance in providing or facilitating the provision of legal aid and advice</p> |

|  |   |
|--|---|
|  | <input type="checkbox"/> (18) Assistance in providing such administrative arrangements as may be necessary to protect the child<br><input type="checkbox"/> (19) Assistance concerning the recognition and enforcement of decisions<br><input type="checkbox"/> (20) Assistance in obtaining the Certificate under Article 40 or, in case the Central Authority is competent to draw up the certificate, issuing the Certificate<br><input type="checkbox"/> (21) Assistance in providing or facilitating the initiation of judicial or administrative proceedings<br><input type="checkbox"/> (22) Ensuring separate legal representation for the child<br><input type="checkbox"/> (23) Other:  |
| <p>7.6. Has [name of your State] entered into any agreements with one or more other Contracting Parties with a view to improving cooperation under the 1996 Convention?<br/>Article 39 of the 1996 Convention</p>  | <input type="checkbox"/> Bilateral agreement<br><i>Please provide the title of the agreement and, if available, a web link to the agreement or attach a copy:</i><br><input type="checkbox"/> Regional agreements<br><input type="checkbox"/> EU Regulation (Council Regulation (EU) 2019/1111 of 25 June 2019 on jurisdiction, the recognition and enforcement of decisions in matrimonial matters and the matters of parental responsibility, and on international child abduction (recast)) (i.e., “Brussels IIb Regulation”)<br><input type="checkbox"/> Other (please specify):<br><input type="checkbox"/> Other (please specify):<br><i>Please provide the title of the agreement and, if available, a web link to the agreement or attach a copy</i><br><input type="checkbox"/> No |
| <p>7.7. Has [name of your State] made a declaration under Article 34(2), requiring all requests for information under Article 34(1) from a Contracting Party contemplating a measure of protection to be communicated through the Central Authority of [name of your State]?</p>   | <input type="checkbox"/> Yes (please insert the hyperlink to the declaration made by [name of your State] on the HCCH website):<br><input type="checkbox"/> No  |
| <p>7.8. What role does the Central Authority of [name of your State] play in the context of requests for recognition under Article 24 or requests for declarations of enforceability or registrations for the purpose of enforcement under Article 26? (e.g., must such requests be processed by the Central Authority?)</p> |   |
| <p>7.9. Noting the general obligation under Article 38 on Contracting Parties to bear their own costs in applying the 1996 Convention, does the Central Authority in [name of your State] impose any <b>“reasonable charges”</b> for the provision of services?</p>  | <input type="checkbox"/> Yes<br>Please indicate on which services the Central Authority imposes reasonable charges:<br><i>Please tick all boxes that apply.</i><br><input type="checkbox"/> Mediation<br><input type="checkbox"/> Conciliation<br><input type="checkbox"/> Legal advice<br><input type="checkbox"/> Initiating proceedings before a competent authority<br><br><input type="checkbox"/> Legal representation<br><input type="checkbox"/> Translation<br><input type="checkbox"/> Other services (please specify):   |

|                                   |  |
|-----------------------------------|--|
|                                   | <input type="checkbox"/> No, the Central Authority does not impose charges for any provision of services (please specify if there are any exceptions): |
| <b>Last Update:</b> [INSERT DATE] |  |

## II. Coming into force and territorial application of the Convention in [name of your State]

### 8 Coming into force and territorial application

|   |   |
|---|---|
| 8.1. When did the 1996 Convention enter into force in [name of your State]?   |   |
| 8.2. Has [name of your State] objected to the accession of another State to the 1996 Convention?<br>Article 58(3) of the 1996 Convention                          | <input type="checkbox"/> Yes<br><i>Please consult the HCCH website, under the “Child Protection Section”, then “Status table” and “A**” (Accession giving rise to an objection procedure; click on A** for details of objections to the accession)</i><br><br><input type="checkbox"/> No |
| 8.3. If [name of your State] consists of two or more territorial units, has [name of your State] made a declaration under Article 59?                             | <input type="checkbox"/> Yes (please elaborate):<br><input type="checkbox"/> No<br><input type="checkbox"/> Not applicable  |
| 8.4. If [name of your State] is comprised of one or more overseas territories, please provide information about the applicability of the 1996 Convention to them. | Please list the territories that are <b>bound</b> by the 1996 Convention:<br><br>Please list the territories that are <b>not</b> bound by the 1996 Convention:  |
| <b>Last Update:</b> [INSERT DATE]   |   |

## III. Relevant legislation in [name of your State]

### 9 1996 Child Protection Convention

|  |   |
|--|---|
| 9.1. In [name of your State], was implementing legislation passed before the 1996 Child Protection Convention entered into force in your domestic law?<br><br><i>If applicable, please provide a web link to the legislation or attach a copy.</i>                         | <input type="checkbox"/> Yes<br>Please specify legislative provision(s) or implementing legislation and indicate the date that the legislation entered into force:<br><br><input type="checkbox"/> No   |
| 9.2. Was any other legislative work carried out after the entry into force of the 1996 Convention in [name of your State], with a view to assist with its effective operation?<br><br><i>If applicable, please provide a web link to the legislation or attach a copy.</i> | <input type="checkbox"/> Yes, substantive laws and / or procedural rules were enacted following the entry into force of the 1996 Convention in our State<br>Please specify the legislative provision(s) or procedural rules and indicate the date that the legislation or procedural rules entered into force or effect:<br><br><input type="checkbox"/> No |
| <b>Last Update:</b> [INSERT DATE]  |   |

### 10 Other relevant HCCH Conventions

|   |  |
|---|--|
| Please indicate which of the following HCCH Conventions pertaining to the protection of persons in [name of your State] is also a party to: | <input type="checkbox"/> <u>1980 Child Abduction Convention</u> (please specify the date it entered into force in [name of your State]): |
|---|--|

|  |  |
|--|--|
| <p><i>The fact that two States are both Contracting States to a particular Convention does not always mean they have a treaty relationship. For the 1980 Convention, there is an acceptance procedure between acceding States and existing Contracting States. For the 1993, 2000 and 2007 Conventions, there is an objection procedure. Please consult the status table of each Convention on the HCCH website to verify whether [name of your State] has a treaty relationship with another Contracting State.</i></p> | <input type="checkbox"/> <u>1993 Adoption Convention</u> (please specify the date it entered into force in [name of your State]):<br><input type="checkbox"/> <u>2007 Child Support Convention</u> (please specify the date it entered into force in [name of your State]):<br><input type="checkbox"/> <u>2007 Maintenance Obligations Protocol</u> (please specify the date it entered into force in [name of your State]):<br><input type="checkbox"/> <u>2000 Protection of Adults Convention</u> (please specify the date it entered into force in [name of your State]): |
| <b>Last Update: [INSERT DATE]</b>  |  |

## 11 Other agreements on international child protection

|  |   |
|--|---|
| <p>Is [name of your State] a party to other international agreements which relate to international child protection?</p> | <input type="checkbox"/> Yes (please tick all the boxes that apply): <ul style="list-style-type: none"> <li><input type="checkbox"/> 1989 UN Convention on the Rights of the Child (UNCRC)</li> <li><input type="checkbox"/> Optional Protocol to the UNCRC on the involvement of children in armed conflict (OPAC)</li> <li><input type="checkbox"/> Optional Protocol to the UNCRC on the sale of children, child prostitution, and child pornography (OPSC)</li> <li><input type="checkbox"/> Optional Protocol to the UNCRC on a communications procedure (OPIC)</li> <li><input type="checkbox"/> Protocol to Prevent, Suppress and Punish Trafficking in Persons especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (Palermo Protocol)</li> <li><input type="checkbox"/> African Charter on the Rights and Welfare of the Child</li> <li><input type="checkbox"/> Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention)</li> <li><input type="checkbox"/> Brussels IIb Regulation (Council Regulation (EU) 2019/1111 of 25 June 2019)</li> <li><input type="checkbox"/> Inter-American Convention of 15 July 1989 on the International Return of Children</li> <li><input type="checkbox"/> Bilateral agreements (please specify):</li> <li><input type="checkbox"/> Non-binding memoranda of understanding (please specify):</li> <li><input type="checkbox"/> Other (please specify):</li> </ul> <input type="checkbox"/> No |
| <b>Last Update: [INSERT DATE]</b>  |   |

## IV. Measures or other matters falling within the scope of the Convention

### 12 Parental Responsibility – rights of custody – rights of access / contact

|  |  |
|--|--|
| <p>12.1. What are the legal concepts that correspond to the notion of parental responsibility according to the laws of [name of your State]?</p>   |  |
| <p>12.2. What are the legal concepts that correspond to the notion of rights of custody according to the laws of [name of your State] and what is their relationship with the notion of parental responsibility?</p> |  |

|  |  |
|--|--|
| <p>12.3. Which legislation governs parental responsibility and / or rights of custody in [name of your State]?</p> <p><i>Please describe and specify how legislation can be accessed or attach as copy. Please specify if case law is relevant in addition to legislation.</i></p> |  |
| <p>12.4. How is parental responsibility attributed in [name of your State]?</p> <p><i>Please tick all the boxes that apply.</i><br/>Article 1(2) of the 1996 Convention</p>  | <p><input type="checkbox"/> By operation of law (<i>i.e.</i>, automatically), which attributes parental responsibility to:</p> <p><input type="checkbox"/> the person giving birth to the child;</p> <p><input type="checkbox"/> the person who legally acknowledges the child;</p> <p><input type="checkbox"/> the person married to the person giving birth to the child;</p> <p><input type="checkbox"/> the unmarried partner of the person giving birth to the child;</p> <p><input type="checkbox"/> Other (please specify):</p> <p><input type="checkbox"/> Judicial decision</p> <p><input type="checkbox"/> Administrative decision</p> <p><input type="checkbox"/> Agreement having legal effect</p> <p><input type="checkbox"/> Other (please specify):</p> |
| <p>12.5. Can parental responsibility or its exercise be delegated in [name of your State]?</p>   | <p><input type="checkbox"/> Yes (please specify how):</p> <p><input type="checkbox"/> Judicial decision</p> <p><input type="checkbox"/> Administrative decision</p> <p><input type="checkbox"/> Other (please specify):</p> <p><input type="checkbox"/> No</p>   |
| <p>12.6. Can the attribution of parental responsibility be modified or terminated in [name of your State]?</p>   | <p><input type="checkbox"/> Yes (please specify how):</p> <p><input type="checkbox"/> By order of a judicial authority</p> <p><input type="checkbox"/> By order of an administrative authority</p> <p><input type="checkbox"/> It depends on how parental responsibility rights were attributed (please specify):</p> <p><input type="checkbox"/> Other (please specify):</p> <p><input type="checkbox"/> No</p>   |
| <p>12.7. Are there limits on the attribution of parental responsibility over a child in [name of your State]?</p>  | <p><input type="checkbox"/> Yes (please specify):</p> <p><input type="checkbox"/> Number of persons (please specify):</p> <p><input type="checkbox"/> Age (please specify):</p> <p><input type="checkbox"/> Marital / partnership status (please specify):</p> <p><input type="checkbox"/> Legal parent-child relationship (please specify):</p> <p><input type="checkbox"/> Other (please specify):</p> <p><input type="checkbox"/> No</p>  |
| <p>12.8. Are there any requirements under the law of [name of your State] for an agreement regarding parental responsibility to take legal effect (<i>e.g.</i>, registration)?</p>   | <p><input type="checkbox"/> Yes (please specify):</p> <p><input type="checkbox"/> No</p>   |
| <p>12.9. Are there any age requirements in [name of your State] for person(s) to have parental responsibility over a child?</p>  | <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> Maximum age requirements (please specify):</p> <p><input type="checkbox"/> Minimum age requirements (please specify):</p> <p><input type="checkbox"/> Difference in years required between the person and the child (please specify):</p> <p><input type="checkbox"/> Other (please specify):</p> <p><input type="checkbox"/> No</p>   |

|   |  |
|---|--|
| <p>12.10. How can a person or institution acquire rights of custody over a child in [name of your State]?<br/>Article 3(b) of the 1996 Convention.</p>  | <p><input type="checkbox"/> By operation of law (if relevant, please specify to whom this is applicable):</p> <p><input type="checkbox"/> Judicial decision</p> <p><input type="checkbox"/> Administrative decision</p> <p><input type="checkbox"/> Agreement having legal effect</p> <p><input type="checkbox"/> Other (please specify):</p>  |
| <p>12.11. Can rights of custody be modified or terminated in [name of your State]?</p>  | <p><input type="checkbox"/> Yes (please specify):</p> <p><input type="checkbox"/> By order of a judicial or administrative authority</p> <p><input type="checkbox"/> By agreement having legal effect</p> <p><input type="checkbox"/> It depends on how the rights of custody were acquired (please specify):</p> <p><input type="checkbox"/> Other (please specify):</p> <p><input type="checkbox"/> No</p> |
| <p>12.12. Which legislation governs the acquisition and exercise of rights of access / contact in [name of your State]?</p> <p><i>Please specify how legislation can be accessed or attach a copy. Please specify if case law is relevant in addition to legislation.</i></p> |  |
| <p>12.13. In [name of your State], who can exercise their rights of access / contact with the child?<br/>Articles 3(b) and 35 of the 1996 Convention.<br/><i>Please tick all relevant boxes.</i></p>  | <p><input type="checkbox"/> A parent</p> <p><input type="checkbox"/> A step-parent</p> <p><input type="checkbox"/> A grand-parent</p> <p><input type="checkbox"/> Another member of the family (please specify):</p> <p><input type="checkbox"/> Other (please specify):</p>   |
| <p>12.14. How can a person seek rights of access / contact in [name of your State]?</p> <p><i>Please tick all relevant boxes.</i></p>   | <p><input type="checkbox"/> Judicial decision</p> <p><input type="checkbox"/> Administrative decision</p> <p><input type="checkbox"/> Agreement having legal effect</p> <p><input type="checkbox"/> Other (please specify):</p>  |
| <p>12.15. Can rights of access / contact be modified or terminated in [name of your State]?</p>   | <p><input type="checkbox"/> Yes (please specify):</p> <p><input type="checkbox"/> By order of a judicial or administrative authority</p> <p><input type="checkbox"/> By agreement having legal effect</p> <p><input type="checkbox"/> It depends on how the rights of custody were acquired (please specify):</p> <p><input type="checkbox"/> Other (please specify):</p> <p><input type="checkbox"/> No</p> |
| <p><b>Last Update: [INSERT DATE]</b></p>  |  |

### 13 Guardianship, curatorship and analogous institutions

|   |  |
|---|--|
| <p>13.1. What are the legal concepts that correspond to the notions of “guardianship, curatorship and analogous institutions” in [name of your State]?</p> <p>Article 3(c) of the 1996 Convention</p> |  |
| <p>13.2. Is a guardianship, curatorship or an analogous institution towards a child available in [name of your State]?</p> <p><i>Please tick all boxes that apply</i></p>                             | <p><input type="checkbox"/> Yes, guardianship is available</p> <p><input type="checkbox"/> Yes, curatorship is available</p> <p><input type="checkbox"/> Yes, an analogous institution is available</p> <p><input type="checkbox"/> No (please proceed to the following section)</p> |

|   |   |
|---|---|
| 13.3. Do guardianships, curatorships or analogous institutions always carry the full rights of custody of the child in [name of your State]?  | <input type="checkbox"/> Yes (please elaborate):<br><input type="checkbox"/> No (please elaborate):   |
| 13.4. Which legislation governs guardianship and curatorship in [name of your State]?<br><i>Please specify how legislation can be accessed or attach a copy. Please specify if case law is relevant in addition to legislation.</i> |   |
| 13.5. How can guardianship or curatorship be established in [name of your State]?<br><i>Please tick all the boxes that apply.</i>   | <input type="checkbox"/> Will or testament established by the holders of parental responsibility<br><input type="checkbox"/> Judicial decision<br><input type="checkbox"/> Administrative decision<br><input type="checkbox"/> By agreement having legal effect<br><input type="checkbox"/> Other (please specify):                         |
| 13.6. Are there limits for appointing a person as a child's guardian or curator in [name of your State]?  | <input type="checkbox"/> Yes (please specify):<br><input type="checkbox"/> Number of guardians / curators (please specify):<br><input type="checkbox"/> Age (please specify):<br><input type="checkbox"/> Marital / partnership status (please specify):<br><input type="checkbox"/> Other (please specify):<br><input type="checkbox"/> No |
| 13.7. Can guardianships or curatorships be modified or terminated in [name of your State]?  | <input type="checkbox"/> Yes, if so, please specify how<br><input type="checkbox"/> By order of a judicial authority<br><input type="checkbox"/> By order of an administrative authority<br><input type="checkbox"/> By agreement having legal effect<br><input type="checkbox"/> Other (please specify):<br><input type="checkbox"/> No    |
| <b>Last Update: [INSERT DATE]</b>   |   |

## 14 Supportive measures / arrangements

|  |  |
|--|--|
| <p>In [name of your State] are supportive measures / arrangements available in place of, or alongside, the placement of a child (e.g., family assistance, family coaching, monitoring, educational programs)?</p> <p><i>Please tick all boxes that apply and indicate the measures / arrangements available.</i></p> <p><i>If applicable, please provide a web link to the legislation or attach a copy.</i></p> | <input type="checkbox"/> Voluntary arrangements<br><input type="checkbox"/> Support measures ordered by a judicial authority<br><input type="checkbox"/> Support measures ordered by an administrative authority<br><input type="checkbox"/> Other (please specify): |
| <b>Last Update: [INSERT DATE]</b>  |  |

## 15 Foster care, kinship care, kafala, institutional care and educational measures

|   |  |
|---|--|
| 15.1. How can alternative care arrangements be established in [name of your State]? | <input type="checkbox"/> Foster care<br><input type="checkbox"/> Judicial decision<br><input type="checkbox"/> Administrative decision<br><input type="checkbox"/> By agreement having legal effect<br><input type="checkbox"/> Other (please specify):<br><input type="checkbox"/> Kinship care<br><input type="checkbox"/> Judicial decision |
|---|--|

|   |   |
|---|---|
|   | <input type="checkbox"/> Administrative decision<br><input type="checkbox"/> By agreement having legal effect<br><input type="checkbox"/> Other (please specify):<br><input type="checkbox"/> <i>Kafala</i><br><input type="checkbox"/> Judicial decision<br><input type="checkbox"/> Administrative decision<br><input type="checkbox"/> By agreement having legal effect<br><input type="checkbox"/> Other (please specify):<br><input type="checkbox"/> Institutional care<br><input type="checkbox"/> Judicial decision<br><input type="checkbox"/> Administrative decision<br><input type="checkbox"/> By agreement having legal effect<br><input type="checkbox"/> Other (please specify):<br><input type="checkbox"/> Other (please specify):<br><input type="checkbox"/> Judicial decision<br><input type="checkbox"/> Administrative decision<br><input type="checkbox"/> By agreement having legal effect<br><input type="checkbox"/> Other (please specify):   |
| <p>15.2. How can alternative care arrangements be modified or terminated in [name of your State]?</p>   | <input type="checkbox"/> Foster care<br><input type="checkbox"/> Judicial decision<br><input type="checkbox"/> Administrative decision<br><input type="checkbox"/> By agreement having legal effect<br><input type="checkbox"/> Other (please specify):<br><input type="checkbox"/> Kinship care<br><input type="checkbox"/> Judicial decision<br><input type="checkbox"/> Administrative decision<br><input type="checkbox"/> By agreement having legal effect<br><input type="checkbox"/> Other (please specify):<br><input type="checkbox"/> <i>Kafala</i><br><input type="checkbox"/> Judicial decision<br><input type="checkbox"/> Administrative decision<br><input type="checkbox"/> By agreement having legal effect<br><input type="checkbox"/> Other (please specify):<br><input type="checkbox"/> Institutional care<br><input type="checkbox"/> Judicial decision<br><input type="checkbox"/> Administrative decision<br><input type="checkbox"/> By agreement having legal effect<br><input type="checkbox"/> Other (please specify):<br><input type="checkbox"/> Other (please specify):<br><input type="checkbox"/> Judicial decision<br><input type="checkbox"/> Administrative decision<br><input type="checkbox"/> By agreement having legal effect<br><input type="checkbox"/> Other (please specify): |
| <p>15.3. Are there limitations as to what kind of alternative care is available in [name of your State] under certain circumstances? (e.g., only long-term or short-term)</p>               | <input type="checkbox"/> Yes (please specify the circumstances and the relevant limitations):<br><input type="checkbox"/> No  |
| <p>15.4. Are there any requirements or criteria in [name of your State] for a person to be designated as responsible for a child in <b>kinship care</b> (e.g. degree of proximity, age,</p> | <input type="checkbox"/> Yes (please specify):<br><input type="checkbox"/> No   |

|  |  |
|--|--|
| marital/partner status, no criminal records)?  |  |
| 15.5. Are there any requirements or criteria in [name of your State] for a person to be designated as responsible for a child in <b>foster care</b> (e.g., age, marital/partner status, no criminal records)?  | <input type="checkbox"/> Yes (please specify):<br><input type="checkbox"/> No  |
| 15.6. Are there any requirements or criteria in [name of your State] for a person to be designated as the <b>kafil</b> of a child (e.g., age, marital/partner status, no criminal records, religious confession)?  | <input type="checkbox"/> Yes (please specify):<br><input type="checkbox"/> No  |
| 15.7. In [name of your State], is there a centralised government entity or accredited body that is responsible for managing cases in which alternative care arrangements are involved?   | <input type="checkbox"/> Yes (please specify entity or body and provide contact details):<br><input type="checkbox"/> No |
| 15.8. In cases of unaccompanied and separated children in need of alternative care arrangements arriving in [name of your State], what are the steps or procedures that follow their arrival in your State? (e.g., appointment of a guardian and placement in foster care)<br><br><i>Please describe the steps and specify any relevant applicable legislation, regulation and/or framework.</i> |  |
| <b>Last Update: [INSERT DATE]</b>  |  |

## 16 Urgent measures of protection

|   |  |
|---|--|
| <p>Bearing in mind that the measures listed in this question are not meant to be exhaustive, please indicate what urgent measures of protection are available in [name of your State].</p> <p><i>Please tick all the boxes that apply.</i></p> <p><i>If possible, please specify how legislation can be accessed or attach a copy.</i></p> <p><i>It is understood that, in some States, measures of protection are not provided for under domestic law but are left to the discretion of the competent authorities.</i></p> | <p><b>Concerning the urgent protection of the child against violence, abuse, mistreatment, and in cases of international child abduction:</b></p> <p><input type="checkbox"/> Issuing a stay away order (please specify relevant legislation):</p> <p><input type="checkbox"/> Issuing a placement order</p> <p><input type="checkbox"/> Issuing an order prohibiting removal from the jurisdiction (<i>i.e.</i>, a <i>ne exeat</i> order) (please specify relevant legislation):</p> <p><input type="checkbox"/> Issuing other types of orders preventing certain actions, for example prohibiting the issuance of a passport for the child (please specify relevant legislation):</p> <p><input type="checkbox"/> Ordering the retention of the child's documents with an authority, for example depositing the passport with the police (please specify relevant legislation):</p> <p><input type="checkbox"/> Issuing an order temporarily suspending the exercise of parental authority and/or rights of custody and/or rights of access/contact (please specify relevant legislation):</p> <p><input type="checkbox"/> Issuing an order of protection of the primary caregiver of the child (please specify relevant legislation):</p> <p><input type="checkbox"/> Establishing supervised contact (please specify relevant legislation):</p> <p><input type="checkbox"/> Providing shelter for victims of domestic and family violence (please specify relevant legislation):</p> <p><input type="checkbox"/> Providing psychological first aid for the child and family members (please specify relevant legislation):</p> |
|---|--|

|                            |  |
|----------------------------|--|
|                            | <input type="checkbox"/> Other (please specify measure and relevant legislation):<br><br><b>Concerning the urgent socio-economic needs of the child:</b><br><input type="checkbox"/> Issuing interim provision of financial assistance to the child (please specify relevant legislation):<br><input type="checkbox"/> Issuing an order of integration into the national education systems and schooling (please specify relevant legislation):<br><br><input type="checkbox"/> Issuing an order requesting support and monitoring by social services (please specify relevant legislation):<br><input type="checkbox"/> Providing psychological and other kinds of professional support (please specify relevant legislation):<br><input type="checkbox"/> Ordering procedures for family reunification, subject to obtaining relevant immigration documents (please specify relevant legislation):<br><input type="checkbox"/> Designating a temporary guardian (please specify relevant legislation):<br><input type="checkbox"/> Arranging provisional alternative care ( <i>i.e.</i> , placement in foster care or institutional care) (please specify relevant legislation):<br><br><input type="checkbox"/> Other (please specify measure and relevant legislation):<br><br><b>Concerning the urgent needs of the child in the case of judicial or administrative proceedings:</b><br><input type="checkbox"/> Designating a guardian <i>ad litem</i> (please specify relevant legislation):<br><input type="checkbox"/> Ordering the provision of legal aid and legal assistance (please specify relevant legislation):<br><input type="checkbox"/> Designating a separate representative for the child, such as an Independent Children’s Lawyer, for example, in case of conflicts of interest (please specify relevant legislation):<br><br><input type="checkbox"/> Ordering the appointment of an interpreter (please specify relevant legislation):<br><input type="checkbox"/> Other (please specify measure and relevant legislation):<br><br><b>Other urgent needs:</b><br><input type="checkbox"/> Arranging urgent medical treatment (please specify relevant legislation):<br><input type="checkbox"/> Issuing an order to protect the child’s image and right to privacy (please specify relevant legislation):<br><input type="checkbox"/> Administering the child’s property, for example, to protect perishable goods belonging to a child or to cover urgent expenses (please specify relevant legislation):<br><input type="checkbox"/> Issuing an order of preventive freezing of assets belonging to the child (please specify relevant legislation):<br><input type="checkbox"/> Other (please specify measure and relevant legislation): |
| Last Update: [INSERT DATE] |  |

## V. Jurisdiction (Arts 5 – 14)

### 17 Judicial Authorities

|  |   |
|--|---|
| Please indicate the judicial authorities in [name of your State] that are competent to deal with | <input type="checkbox"/> Courts with general competence<br>Relevant laws and / or procedural rules: |
|--|---|

|  |  |
|--|--|
| <p>matters falling under the scope of the Convention.</p> <p><i>Please tick all the boxes that apply.</i></p> <p><i>Please provide any links or attachments to the most relevant laws and / or rules that govern procedural issues for the protection of children in your State.</i></p> | <p><input type="checkbox"/> Courts of family law<br/>Relevant laws and / or procedural rules:</p> <p><input type="checkbox"/> Other specialised courts (please specify):<br/>Relevant laws and / or procedural rules:</p> <p><input type="checkbox"/> Other (please specify):<br/>Relevant laws and / or procedural rules:</p> |
| <p><b>Last Update: [INSERT DATE]</b></p>   |  |

## 18 Transfer of jurisdiction (Arts 8 and 9)

|   |   |
|---|---|
| <p><b>See Question 3 above for the contact details of the designated authority, if any.</b></p>   |   |
| <p>18.1. How does the law of [name of your State] provide for domestic procedures and mechanisms for the transfer or assumption of jurisdiction under Articles 8 and 9 of the Convention?</p> <p><i>If applicable, please provide a web link to the relevant legislation in the space available or attach a copy.</i></p> | <p><input type="checkbox"/> Statutory rules<br/><input type="checkbox"/> Jurisprudence<br/><input type="checkbox"/> Other (please specify):</p> <p>Please indicate the conditions under which a transfer or assumption of jurisdiction may occur:</p> |
| <p>18.2. Has [name of your State] designated an authority for the purpose of transmittal and receipt of requests for a transfer of jurisdiction under Articles 8 and 9, in accordance with Article 44?</p>  | <p><input type="checkbox"/> Yes (please ensure you have completed question 3 above):<br/><input type="checkbox"/> No</p>  |
| <p>18.3. If no to the above question, does the Central Authority play a role in the transmittal and receipt of requests for a transfer of jurisdiction under Article 8 in [name of your State]?</p>   | <p><input type="checkbox"/> Yes<br/>Please elaborate on this role:<br/><input type="checkbox"/> No, competent authorities exchange directly between themselves</p>  |
| <p>18.4. Does the law of [name of your State] prescribe the use of a specific model form for the purpose of transfers or assumption of jurisdiction under Articles 8 and 9?</p>   | <p><input type="checkbox"/> Yes (please specify):<br/><input type="checkbox"/> No</p>   |
| <p><b>Last Update: [INSERT DATE]</b></p>  |   |

## 19 Divorce or legal separation of the parents

|   |  |
|---|--|
| <p>Please indicate the authorities in [name of your State] that are competent to decide upon an application for divorce or legal separation or to give effect to a divorce agreement:<br/>Article 10 of the 1996 Convention</p> <p><i>Please tick all the boxes that apply.</i></p> <p><i>Please provide any links or attachments to the relevant laws and / or rules that govern procedural issues for the protection of children in your State.</i></p> | <p><input type="checkbox"/> Courts with general competence<br/>Relevant laws and / or procedural rules:</p> <p><input type="checkbox"/> Courts of family law<br/>Relevant laws and / or procedural rules:</p> <p><input type="checkbox"/> Other specialised courts (please specify):<br/>Relevant laws and / or procedural rules:</p> <p><input type="checkbox"/> Other (please specify):<br/>Relevant laws and / or procedural rules:</p> |
| <p><b>Last Update: [INSERT DATE]</b></p>  |  |

## VI. Information relevant to courts and judicial proceedings

### 20 General information

|  |  |
|--|--|
| Are there any specific laws, regulations, rules of court or civil procedure in [name of your State] that provide for procedural aspects of cases falling within the scope of the Convention? |  |
| <b>Last Update: [INSERT DATE]</b>  |  |

### 21 Legal assistance and legal aid<sup>10</sup>

|   |  |
|---|--|
| 21.1. In [name of your State], is legal representation required in proceedings falling within the scope of the 1996 Child Protection Convention?  | <input type="checkbox"/> Yes<br><input type="checkbox"/> No<br><input type="checkbox"/> No, but recommended<br><input type="checkbox"/> It depends on the matter (please specify):   |
| 21.2. Does [name of your State] provide free or reduced rate legal assistance / legal aid for the following categories? If so, please indicate the types of costs that are covered.<br><br><i>In the space next to each category, please elaborate on who can request such legal assistance / legal aid.</i><br><br><i>Please provide any links or attachments to the relevant laws and / or rules and / or procedures in [name of your State].</i> | <p><b>Child protection</b></p> <input type="checkbox"/> Yes (please specify): <ul style="list-style-type: none"> <li><input type="checkbox"/> Mediation</li> <li><input type="checkbox"/> Translation</li> <li><input type="checkbox"/> Interpreters</li> <li><input type="checkbox"/> Service of documents</li> <li><input type="checkbox"/> Costs associated with locating the child</li> <li><input type="checkbox"/> Court fees</li> <li><input type="checkbox"/> Travel costs for the child</li> <li><input type="checkbox"/> Other (please specify):</li> </ul> <input type="checkbox"/> No  |
|   | <p><b>Custody (including in the context of divorce proceedings)</b></p> <input type="checkbox"/> Yes (please specify): <ul style="list-style-type: none"> <li><input type="checkbox"/> Mediation</li> <li><input type="checkbox"/> Translation</li> <li><input type="checkbox"/> Interpreters</li> <li><input type="checkbox"/> Service of documents</li> <li><input type="checkbox"/> Costs associated with locating the child</li> <li><input type="checkbox"/> Court fees</li> <li><input type="checkbox"/> Travel costs for the child</li> <li><input type="checkbox"/> Other (please specify):</li> </ul> <input type="checkbox"/> No |
|   | <p><b>Access / Contact (including in the context of divorce proceedings)</b></p> <input type="checkbox"/> Yes (please specify): <ul style="list-style-type: none"> <li><input type="checkbox"/> Mediation</li> </ul>   |

<sup>10</sup> Legal assistance and legal aid may include as necessary legal advice, assistance in bringing a case before an authority, legal representation and exemption from costs of proceedings.

- Translation
- Interpreters
- Service of documents
- Costs associated with locating the child
- Court fees
- Travel costs for the child
- Other (please specify):

No

Placement

- Yes (please specify):
  - Mediation
  - Translation
  - Interpreters
  - Service of documents
  - Costs associated with locating the child
  - Court fees
  - Travel costs for the child
  - Other (please specify):

No

Recognition and enforcement

- Yes (please specify):
  - Mediation
  - Translation
  - Interpreters
  - Service of documents
  - Costs associated with locating the child
  - Court fees
  - Travel costs for the child
  - Other (please specify):

No

Other (please specify):

- Mediation
- Translation
- Interpreters
- Service of documents
- Costs associated with locating the child
- Court fees
- Travel costs for the child
- Other (please specify):

## 22 Family and child protection proceedings

|  |   |
|--|---|
| 22.1. Does documentation submitted to competent authorities have to be translated into the official language(s) of [name of your State]? | <input type="checkbox"/> Yes (please state who is responsible for arranging the translation and for its cost):<br><input type="checkbox"/> No (please explain):   |
| 22.2. In [name of your State], are all parties generally required to participate in proceedings?   | <input type="checkbox"/> Yes (please specify in what circumstances):<br><input type="checkbox"/> No, but it is advisable (please explain):<br><input type="checkbox"/> No   |
| 22.3. Are facilities available to enable parties to participate from outside [name of your State]?                                       | <input type="checkbox"/> Yes<br><input type="checkbox"/> Video-conference<br><input type="checkbox"/> Telephone<br><input type="checkbox"/> Through a legal representative<br><input type="checkbox"/> Other (please specify):<br><input type="checkbox"/> No |
| 22.4. Is interpretation available during proceedings in [name of your State] where necessary?  | <input type="checkbox"/> Yes (please explain):<br><input type="checkbox"/> No (please explain):<br><input type="checkbox"/> It depends upon the circumstances (please specify):   |
| <b>Last Update: [INSERT DATE]</b>  |   |

## 23 Relocation

|  |  |
|--|--|
| Does [name of your State] provide for specific procedures for international family relocation? | <input type="checkbox"/> Yes (please specify the applicable legislation and relevant provisions):<br><input type="checkbox"/> No |
| <b>Last Update: [INSERT DATE]</b>  |  |

## 24 Participation of the child

|   |   |
|---|---|
| 24.1. Please indicate the rules, procedures and guidelines in place in [name of your State] for hearing the child during judicial or administrative proceedings before a competent authority.   |   |
| 24.2. How is the child heard during proceedings in [name of your State]?<br><br><i>Please tick all the boxes that apply.</i><br><br><i>Please provide any links or attachments to the relevant laws and / or rules and / or procedures in [name of your State].</i> | <input type="checkbox"/> Direct interview<br><input type="checkbox"/> Report prepared by independent expert<br><input type="checkbox"/> The legal representative of the child<br><input type="checkbox"/> Other (please specify): |
| 24.3. Can competent authorities in [name of your State] appoint a separate legal representative (attorney or guardian <i>ad litem</i> ) to represent the child's best interests?  | <input type="checkbox"/> Yes (please specify under what circumstances):<br><input type="checkbox"/> No  |
| <b>Last Update: [INSERT DATE]</b>   |   |

## 25 Appeals

|   |                  |
|---|------------------|
| 25.1 Please indicate if there are any restrictions in [name of your State] on the | Child protection |
|---|------------------|

|   |  |
|---|--|
| <p>possibility of appealing a decision on a particular type of case where the Convention applies?</p>                                     | <p><input type="checkbox"/> Yes (please specify):<br/> <input type="checkbox"/> No</p> <p>Custody (including in the context of divorce proceedings)<br/> <input type="checkbox"/> Yes (please specify):<br/> <input type="checkbox"/> No</p> <p>Access / Contact (including in the context of divorce proceedings)<br/> <input type="checkbox"/> Yes (please specify):<br/> <input type="checkbox"/> No</p> <p>Placement<br/> <input type="checkbox"/> Yes (please specify):<br/> <input type="checkbox"/> No</p> <p>Recognition and enforcement<br/> <input type="checkbox"/> Yes (please specify):<br/> <input type="checkbox"/> No</p> <p>Other (please specify):</p> |
| <p>25.2 In [name of your State], can decisions be suspended pending an appeal?</p>  | <p><input type="checkbox"/> Yes, they are automatically suspended pending appeal<br/> <input type="checkbox"/> Yes, they can be suspended pending an appeal at the request of either party<br/> <input type="checkbox"/> Yes, they can be suspended pending an appeal at the request of either party and after determination by the judge / authority</p> <p><input type="checkbox"/> No<br/> <input type="checkbox"/> Other (please specify):</p>   |
| <p>25.3 Are the rules that are applicable to the participation of the child in the proceedings in general also applicable to appeals?</p> | <p><input type="checkbox"/> Yes<br/> <input type="checkbox"/> No (please specify the differences at the appeal level(s)):</p>  |
| <p>Last Update: [INSERT DATE]</p>   |  |

## VII. Multiple systems of law or sets of rules

### 26 Territorial units (Arts 47-48)

|   |   |
|---|---|
| <p>26.1 Does [name of your State] have two or more systems of law or sets of rules of law with regard to any matters dealt with in the 1996 Convention that apply in different territorial units?</p>   | <p><input type="checkbox"/> Yes (please specify):<br/> <input type="checkbox"/> No</p>  |
| <p>26.2 <i>If [name of your State] consists of two or more territorial units, each of which has its own system of law or set of rules of law in respect of matters covered by the Convention, are there any laws identifying which territorial unit's law is applicable?</i><br/> Article 48 of the 1996 Convention</p> | <p><input type="checkbox"/> Yes<br/> Please explain briefly what those rules are:<br/> If possible, please provide any links or attachments to the relevant laws and / or rules:<br/> <input type="checkbox"/> No</p> |
| <p>26.3 Where there are differences between the systems of law among the territorial units</p>  | <p><input type="checkbox"/> Rules governing parental responsibility<br/> <input type="checkbox"/> Rules governing rights of custody</p>   |

|  |   |
|--|---|
| <p>in [name of your State], which matters under the Convention are subject to multiple systems of law or sets of rules in the different territorial units of [name of your State]?</p>   | <input type="checkbox"/> Rules governing rights of access<br><input type="checkbox"/> Rules governing divorce<br><input type="checkbox"/> Rules governing guardianship or curatorship of a child<br><input type="checkbox"/> Rules governing supportive measures / arrangements<br><input type="checkbox"/> Rules governing the establishment of foster care, kinship care, kafala and institutional care<br><input type="checkbox"/> Other (please specify): |
| <p>26.4 If [name of your State] consists of two or more territorial units, are there any laws in [name of your State] which provide for or regulate the designation of a territorial unit?<br/>Article 48 of the 1996 Convention</p> | <input type="checkbox"/> Yes<br>Please explain briefly what those rules are:<br>If possible, please provide any links or attachments to the relevant laws and / or rules:<br><input type="checkbox"/> No  |

## 27 Different categories of persons (Art. 49)

|   |   |
|---|---|
| <p>27.1 Does [name of your State] have two or more systems of law or sets of rules of law with regard to any matters dealt with in the 1996 Convention that apply to different categories of persons?</p>   | <input type="checkbox"/> Yes (please specify):<br><input type="checkbox"/> No   |
| <p>27.2 If yes to the above question, which matters under the Convention are subject to multiple systems of law or sets of rules that apply to different categories of persons in [name of your State]?</p> | <input type="checkbox"/> Rules governing parental responsibility<br><input type="checkbox"/> Rules governing rights of custody<br><input type="checkbox"/> Rules governing rights of access<br><input type="checkbox"/> Rules governing guardianship or curatorship of a child<br><input type="checkbox"/> Rules governing supportive measures / arrangements<br><input type="checkbox"/> Rules governing the establishment of foster care, kinship care, kafala and institutional care<br><input type="checkbox"/> Other (please specify): |
| <p>Last Update: [INSERT DATE]</p>   |   |

## VIII. Recognition and Enforcement (Arts 23-28 and 55)

### 28 Recognition

|   |   |
|---|---|
| <p>28.1. Does [name of your State] reserve the right not to recognise any parental responsibility or measures, insofar as they are incompatible with any measure taken by the competent authorities of your State, in relation to a child's property located in your State?<br/>Article 55(1)(b) of the 1996 Convention</p> | <input type="checkbox"/> Yes<br>Please explain if this reservation is restricted to certain categories of property and, if so, which ones:<br><input type="checkbox"/> No   |
| <p>28.2. What is the procedure in [name of your State] for the refusal to recognise a measure of protection taken by the competent authorities of a Contracting Party?<br/>Article 23(2) of the 1996 Convention</p>   |   |
| <p>28.3. In [name of your State], what is the procedure for the recognition or non-recognition of a measure under Article 24?</p>   | <input type="checkbox"/> An administrative procedure (please elaborate):<br><input type="checkbox"/> A judicial procedure (please elaborate):<br><i>If possible, please provide a web link or attach a copy of any relevant legislation, guidelines or protocols:</i> |

|                                   |  |
|-----------------------------------|--|
|                                   | <p>Please provide the details of the authority responsible for the procedure for the recognition or non-recognition of a measure under Article 24:</p> <p>Name of organisation<sup>11</sup>:</p> <p>Telephone:</p> <p>Fax:</p> <p>Email:</p> <p>Website:</p> |
| <p>Last Update: [INSERT DATE]</p> |  |

## 29 Enforcement

|  |  |
|--|--|
| <p>29.1. Has [name of your State] implemented a specific (simple and rapid) procedure for declarations of enforceability or registration for the purposes of enforcement of a measure taken in another Contracting Party?<br/>Article 26(2) of the 1996 Convention</p>   | <p><input type="checkbox"/> Yes<br/><input type="checkbox"/> No</p> <p><i>If possible, please provide a web link or attach a copy of any relevant legislation, guidelines or protocols:</i></p>  |
| <p>29.2. Given the duty under Article 26 to apply a simple and rapid procedure to declarations of enforceability, please describe the procedure in [name of your State] for declarations of enforceability or registration for the purposes of enforcement of a measure taken in another Contracting Party.<br/>Article 26(2) of the 1996 Convention</p> | <p>In particular, please indicate:</p> <ul style="list-style-type: none"> <li>• The information needed in [name of your State] to register or process a decision for the purpose of enforcement:</li> <li>• The nature of the procedure: <ul style="list-style-type: none"> <li><input type="checkbox"/> It is an administrative procedure (please specify):</li> <li><input type="checkbox"/> It is a judicial procedure (please specify):</li> <li><input type="checkbox"/> It is a combination of a judicial and administrative procedure (please specify):</li> </ul> </li> <li>• Which authority declares enforceable or registers for the purposes of enforcement a measure of protection taken in another Contracting Party:</li> <li>• Whether the law of [name of your State] provides for a particular time frame for the resolution of applications for <b>declarations of enforceability</b> or the <b>registration of a measure for the purpose of enforcement</b> to ensure that the procedure is rapid: <ul style="list-style-type: none"> <li><input type="checkbox"/> Yes</li> <li><i>If possible, please specify the number of days / weeks / months foreseen by the law of [name of your State]:</i></li> <li><i>If possible, please provide a web link to the relevant legislation in the space available next to each item or attach a copy:</i></li> <li><input type="checkbox"/> No</li> </ul> </li> <li>• Whether legal representation is required <ul style="list-style-type: none"> <li><input type="checkbox"/> Yes (please describe):</li> <li><input type="checkbox"/> No</li> </ul> </li> <li>• Whether the applicant can apply without notice to the other party <ul style="list-style-type: none"> <li><input type="checkbox"/> Yes</li> <li><input type="checkbox"/> No</li> </ul> </li> <li>• Whether the declaration of enforceability or registration for the purposes of enforcement is appealable</li> </ul> |

<sup>11</sup> This section will be expandable in order to allow for the inclusion of additional authorities.

|   |   |
|---|---|
|   | <input type="checkbox"/> Yes, it is appealable<br>Please specify the timeframe foreseen in [name of your State] for the resolution of <b>appeals</b> regarding <b>declarations of enforceability</b> or the <b>registration of a measure for the purpose of enforcement</b> :<br><input type="checkbox"/> Less than a week<br><input type="checkbox"/> Within one month<br><input type="checkbox"/> Within three months<br><input type="checkbox"/> Within a year<br><input type="checkbox"/> Other (please specify):<br><input type="checkbox"/> No, it is not appealable<br><ul style="list-style-type: none"> <li>Any other measures taken in [name of your State] to ensure the procedure is simple and rapid:</li> </ul> |
| 29.3. What is the procedure in [name of your State] to commence enforcement proceedings?                  | <input type="checkbox"/> The Central Authority must apply for enforcement.<br>Please describe how this procedure is initiated:<br><input type="checkbox"/> The applicant must apply for enforcement.<br>Please describe how this procedure is initiated:<br><input type="checkbox"/> Other (please specify):  |
| 29.4. Can documents be transmitted electronically in [name of your State] for the purpose of enforcement? | <input type="checkbox"/> Yes<br><input type="checkbox"/> No<br>Please provide any specific requirements:  |
| 29.5. What coercive measures, if any, are available in [name of your State] to enforce a measure?         | <input type="checkbox"/> Intervention by government agency (e.g., police, social welfare)<br><input type="checkbox"/> Contempt of court<br><input type="checkbox"/> Removal of the child from the non-compliant party<br><input type="checkbox"/> Imprisonment<br><input type="checkbox"/> Pecuniary measures<br><input type="checkbox"/> An order placing the child under supervision<br><input type="checkbox"/> Other (please specify):  |
| 29.6. Who is generally responsible for supervising the process of enforcement in [name of your State]?    | <input type="checkbox"/> The applicant<br><input type="checkbox"/> Central Authority<br><input type="checkbox"/> Public Prosecutor<br><input type="checkbox"/> The court / administrative authority<br><input type="checkbox"/> Police<br><input type="checkbox"/> No single body has general responsibility<br><input type="checkbox"/> Other (please specify):  |
| Last Update: [INSERT DATE]  |   |

## IX. Cooperation (Arts 29-39 and 42)

### 30 General information

|   |  |
|---|--|
| 30.1 Does the Central Authority use a standard form for requests under the Convention?  | <input type="checkbox"/> Yes (please provide a link to the form or attach as copy):<br><input type="checkbox"/> No |
| 30.2 Which authority, entity or department of the government is responsible for preparing reports on the situation of the child?<br>Article 32 of the 1996 Convention |  |

|   |  |
|---|--|
| <p>30.3 Has [name of your State] declared that requests for information relevant to the protection of the child be communicated to the authorities of your state only through the Central Authority?<br/>Article 34(1) of the 1996 Convention</p> |  |
| <p>Last Update: [INSERT DATE]</p>   |  |

### 31 Placement and provision of care abroad (Art. 33)

|  |   |
|--|---|
| <p><i>See Question 4 above for the contact details of the designated authority, if any.</i></p>  |   |
| <p>31.1 Does [name of your State] have procedures or protocols in place to deal with the mechanism of consultation established in Article 33 for the placement of children abroad?</p>   | <p><input type="checkbox"/> Yes (please specify and provide a link to the form or attach as copy):<br/><input type="checkbox"/> No</p>  |
| <p>31.2 Is a standard form used for Article 33 requests in [name of your State]?</p>   | <p><input type="checkbox"/> Yes (please specify and provide a link to the form or attach as copy):<br/><input type="checkbox"/> No</p>  |
| <p>31.3 Please briefly elaborate on the procedure followed by the Central or other competent authority in [name of your State] in order to arrange a cross-border placement of a child.</p>  | <p>If the competent authority in [name of your State] is contemplating the placement or the provision of care of a child <b>in another Contracting Party</b>:</p> <p>If the competent authority in [name of your State] is consulted on the placement or the provision of care of a child <b>in your State</b>:</p> |
| <p>31.4 Please specify any other authority in [name of your State] that would be responsible, in liaison with the designated authority under the Convention, to evaluate the best interests of the child when a placement or the provision of care abroad is being contemplated.</p> |   |
| <p>31.5 Are there costs involved in Article 33 requests in [name of your State]?</p>   | <p><input type="checkbox"/> Yes (please specify the type of costs and to whom they are charged):<br/><input type="checkbox"/> No</p>  |
| <p>Last Update: [INSERT DATE]</p>  |   |

### 32 Locating a child (Art. 30)

|  |  |
|--|--|
| <p>32.1 How does the Central Authority of [name of your State], at the request of a competent authority of another Contracting Party, provide assistance in discovering the whereabouts of a child where it appears that child may be present and in need of protection within the territory of [name of your State]?<br/>Article 31(c) of the 1996 Convention</p> | <p><input type="checkbox"/> Assistance is provided directly<br/>Please elaborate on the procedure:</p> <p><input type="checkbox"/> Assistance is provided through public authorities<br/>Please elaborate on the procedure:</p> <p><input type="checkbox"/> Assistance is provided through other bodies<br/>Please indicate the body and elaborate on the procedure:</p> |
| <p>32.2 What evidence and information showing that the child is present in the State and in need of protection is required for authorities to assist with locating the child?</p>  | <p><input type="checkbox"/> Evidence that the child entered your State (e.g., evidence that the child boarded an aeroplane bound for your State)</p> <p><input type="checkbox"/> Information from the applicant/requesting authority as to why they believe the child is in your State</p>   |

|   |   |
|---|---|
|   | <input type="checkbox"/> No information or evidence is required; searches can begin upon request<br><input type="checkbox"/> Other (please explain):  |
| <p>32.3 What resources are available in [name of your State] to discover the whereabouts of the child located in [name of your State]?</p> <p><i>Please indicate in the space provided any associated costs for an applicant or any other necessary information</i></p>                     | <input type="checkbox"/> (1) Private location services:<br><input type="checkbox"/> (2) Population register:<br><input type="checkbox"/> (3) Employment register:<br><input type="checkbox"/> (4) Information maintained by other government agencies (e.g., immigration, social welfare):<br><input type="checkbox"/> (5) Police:<br><input type="checkbox"/> (6) INTERPOL:<br><input type="checkbox"/> (7) EUROPOL:<br><input type="checkbox"/> (8) Other (please specify): |
| <p>32.4 Please indicate who is responsible for making contacting / utilising the resources listed in the question above by inserting the relevant numbers next to the responsible person or authority.</p> <p><i>E.g., Central Authority: 2,3<br/>The applicant's representative: 7</i></p> | <input type="checkbox"/> Central Authority:<br><input type="checkbox"/> A competent authority:<br><input type="checkbox"/> The representative(s) of the party(ies):<br><input type="checkbox"/> Other (please specify):   |
| <p><b>Last Update: [INSERT DATE]</b></p>  |   |

## X. Mediation and other forms of Alternative Dispute Resolution (ADR)

### 33 Family mediation

|   |  |
|---|--|
| <p>33.1 How does the Central Authority of [name of your State] facilitate agreed solutions for the protection of the person or property of the child in situations where the Convention applies?</p> <p><i>Please tick all the boxes that apply.</i></p> <p>Article 31(b) of the 1996 Convention.</p> | <input type="checkbox"/> By providing, upon request, <b>services</b> of mediation, conciliation or other similar means<br><input type="checkbox"/> By providing <b>information</b> about mediation, conciliation and other similar means<br><input type="checkbox"/> By assisting and or liaising with third parties (e.g., independent mediators)<br><input type="checkbox"/> By referring parties to accredited professionals to undertake mediation<br><input type="checkbox"/> By seeking an order from judicial or administrative authorities for mediation between the parties<br><input type="checkbox"/> Other (please specify): |
| <p>33.2 What family matters can be dealt with by mediation in [name of your State]?</p> <p><i>Please tick all the boxes that apply.</i></p>   | <input type="checkbox"/> Return / non-return of a child following an alleged wrongful removal / retention<br><input type="checkbox"/> Custody<br><input type="checkbox"/> Access / contact<br><input type="checkbox"/> Relocation<br><input type="checkbox"/> Child support<br><input type="checkbox"/> Property disputes on relationship breakdown<br><input type="checkbox"/> Other (please specify):  |
| <p>33.3 What mediation services / structures exist in [name of your State] for international family disputes which are within the scope of the 1996 Convention?</p> <p><i>Please tick all the boxes that apply.</i></p>   | <input type="checkbox"/> Private mediation services / structures (please specify):<br><input type="checkbox"/> Mediation services / structures within the judicial or administrative system (please explain):<br><input type="checkbox"/> Mediation services / structures provided by NGOs (please specify the NGO and give brief details of the service they provide):<br><input type="checkbox"/> Other (please specify):  |

|   |   |
|---|---|
|   | <input type="checkbox"/> There are no mediation services / structures available in our State  |
| 33.4 Is co-mediation (i.e., mediation involving two mediators – one from each State) available in [name of your State] for international family disputes which are within the scope of the 1996 Convention? | <input type="checkbox"/> Yes<br>Please provide brief details of any available scheme (e.g., bi-national mediation programmes and any relevant web links):<br><br><input type="checkbox"/> No  |
| 33.5 How can individuals obtain information on suitable mediators in [name of your State]?<br><br><i>Please tick all the boxes that apply.</i>  | <input type="checkbox"/> Lists of mediators are available<br><input type="checkbox"/> Through the Central Authority<br><input type="checkbox"/> Via accrediting bodies (please provide details):<br><input type="checkbox"/> Through other sources (please specify):<br><input type="checkbox"/> Other methods of accessing information are available (please specify):<br><input type="checkbox"/> No general information is available. Individuals must carry out research themselves   |
| 33.6 How are the costs of mediation met in [name of your State]?  | <input type="checkbox"/> If an individual qualifies for free or reduced rate legal assistance, this will always include the cost of mediation<br><input type="checkbox"/> If an individual qualifies for free or reduced rate legal assistance, this may cover the cost of mediation<br><input type="checkbox"/> The Central Authority will meet the costs associated with mediation<br><input type="checkbox"/> Other sources of funding are available (please specify):<br><br><input type="checkbox"/> The costs of mediation must be borne by the parties<br><input type="checkbox"/> Other (please explain):   |
| 33.7 At what stage of applications under the 1996 Convention is mediation available in [name of your State]?  | <input type="checkbox"/> At all stages, including prior to any application and as a preventive measure where necessary (please provide further explanation if necessary):<br><input type="checkbox"/> Only before an application has been made to the relevant Central Authority<br><input type="checkbox"/> Only after an application has been made to the relevant Central Authority<br><input type="checkbox"/> Only before an application has been filed in the relevant competent authority<br><input type="checkbox"/> Only after an application has been filed in the relevant competent authority<br><input type="checkbox"/> Other (please specify): |
| 33.8 Are cases assessed in [name of your State], to determine their suitability for mediation?  | <input type="checkbox"/> Yes, always (please specify who carries out such an assessment of suitability):<br><input type="checkbox"/> Mediators<br><input type="checkbox"/> Other (please specify):<br><input type="checkbox"/> Sometimes (please elaborate and specify who carries out such an assessment of suitability, when it happens):<br><input type="checkbox"/> No, never   |
| 33.9 Can legal proceedings in [name of your State] be suspended while mediation is being carried out?   | <input type="checkbox"/> Yes<br><input type="checkbox"/> No   |
| 33.10 How, if at all, are the views of the child taken into account in the mediation process?   | <input type="checkbox"/> Rules / legislation require that, if the child is of a sufficient age / maturity, the child must be seen by the mediator<br><input type="checkbox"/> Rules / legislation require that, if the child is of a sufficient age / maturity, the views of the child must be communicated to the mediator but this need not be done directly (please explain the method(s) used):   |

|   |  |
|---|--|
|   | <input type="checkbox"/> It is within the discretion of the particular mediator<br><input type="checkbox"/> The child's views play no part in the mediation<br><input type="checkbox"/> Other (please specify):  |
| 33.11 What safeguards are available in [name of your State] in cases where allegations of domestic violence and / or other forms of abuse are made in a dispute which goes to mediation?  | <input type="checkbox"/> The address and other contact details of the alleged victim are kept confidential<br><input type="checkbox"/> Other safeguards (please specify):  |
| 33.12 Are these safeguards required by rules / legislation or left to the discretion of the mediator?   | <input type="checkbox"/> Required by legislation / rules of State<br><input type="checkbox"/> Left to the discretion of the mediator   |
| 33.13 Are there legal restrictions on the content of mediated agreements regarding family law matters in [name of your State]?  | <input type="checkbox"/> Yes (please specify):<br><input type="checkbox"/> No  |
| 33.14 Are there any additional formalities required in [name of your State] to make family mediated agreements involving children enforceable?  | <input type="checkbox"/> Yes (please specify):<br><input type="checkbox"/> Notarisation of the mediation agreement<br><input type="checkbox"/> Court approval of the mediation agreement. Please specify competent court:<br><input type="checkbox"/> Registration of the mediation agreement with the court. Please specify the competent court:<br><input type="checkbox"/> Other (please specify):<br><input type="checkbox"/> No additional formalities are required. Family mediated agreements involving children are immediately enforceable. |
| 33.15 Once approved by or registered with a court in [name of your State], is the mediated agreement treated as an order of that court?   | <input type="checkbox"/> Yes<br><input type="checkbox"/> No  |
| 33.16 In [name of your State], is it possible to turn a mediated agreement into a court order?  | <input type="checkbox"/> Yes<br>Please briefly explain what steps are required and which court would be competent:<br><br><input type="checkbox"/> No  |
| 33.17 In [name of your State], who bears the cost of rendering the mediated agreement enforceable?  | <input type="checkbox"/> The parties<br><input type="checkbox"/> The cost is covered by any free or reduced rate legal assistance provided to one / both parties<br><input type="checkbox"/> Other (please specify):<br><input type="checkbox"/> There are no costs  |
| 33.18 Can an agreement involving children mediated in another State be approved by a court in [name of your State] or otherwise be formalised in [name of your State] in the same manner as a mediated agreement reached in [name of your State]? | <input type="checkbox"/> Yes<br><input type="checkbox"/> No, a different method for formalising the agreement must be used. Please specify:<br><input type="checkbox"/> No, it is not possible to formalise an agreement mediated in another State<br><input type="checkbox"/> Other (please specify):   |
| <b>Last Update: [INSERT DATE]</b>   |  |

### 34 Other forms of ADR

|   |   |
|---|---|
| 34.1 What other forms of ADR are available in [name of your State] for the resolution of international family disputes falling within the scope of the 1996 Convention? | <input type="checkbox"/> In-court conciliation<br><input type="checkbox"/> Out-of-court conciliation<br><input type="checkbox"/> Collaborative law<br><input type="checkbox"/> Early Neutral Evaluation<br><input type="checkbox"/> Other (please specify): |
|---|---|

|   |   |
|---|---|
|   | <input type="checkbox"/> No other forms of ADR are available                  |
| 34.2 Does [name of your State] regulate other forms of ADR in the same manner as mediation? | <input type="checkbox"/> Yes<br><input type="checkbox"/> No (please specify): |
| Last Update: [INSERT DATE]  |   |

## XI. General

### 35 International certificates under Article 40

|  |  |
|--|--|
| <i>See Question 5 above for the contact details of the designated authority, if any.</i>   |  |
| 35.1. Where a child is habitually resident in [name of your State] or where authorities in [name of your State] have taken a measure of protection, does [name of your State] provide (if requested) for the delivery of certificates to a person having parental responsibility or entrusted with the protection of the person or property of the child, indicating the capacity in which said person may act and the powers conferred, under Article 40? | <input type="checkbox"/> Yes (please ensure you have responded to item 5 above)<br><input type="checkbox"/> No   |
| 35.2. If yes to the above question, how may certificates under Article 40 be requested in [name of your State]?<br><i>Please tick all boxes that apply.</i>  | <input type="checkbox"/> By an application on a website<br><input type="checkbox"/> By e-mail<br><input type="checkbox"/> By mail<br><input type="checkbox"/> By phone<br><input type="checkbox"/> In person<br><input type="checkbox"/> Other (please specify): |
| 35.3. In addition to the official language of [name of your State], can the certificate be issued in different languages?  | <input type="checkbox"/> Yes<br><input type="checkbox"/> English<br><input type="checkbox"/> French<br><input type="checkbox"/> Spanish<br><input type="checkbox"/> Other (please specify):<br><input type="checkbox"/> No                                       |
| Last Update: [INSERT DATE]   |  |

### 36 Training

|   |  |
|---|--|
| <p>What measures are available in [name of your State] to ensure that persons responsible for applying the 1996 Convention (e.g., judges, lawyers and Central Authority personnel) receive appropriate information and training?<br/><i>Please tick all the boxes that apply.</i></p> <p><i>Please contact the Permanent Bureau for information in relation to forms of assistance which may be available for this purpose.</i></p> | <input type="checkbox"/> Training as required for Central Authority staff<br><input type="checkbox"/> Training as required for competent authorities<br><input type="checkbox"/> Updates as required on legal developments related to the 1996 Convention provided to staff responsible for its implementation<br><input type="checkbox"/> Training as required for lawyers<br><input type="checkbox"/> Other (please specify):                                |
|   | <p>Specifically in respect of judges:</p> <input type="checkbox"/> Sending a basic package of information on the 1996 Child Protection Convention to judges<br><input type="checkbox"/> Training through a dedicated judicial studies board<br><input type="checkbox"/> Participation in judicial training seminars<br><input type="checkbox"/> Participation in the International Hague Network of Judges<br><input type="checkbox"/> Other (please specify): |

Last Update: [INSERT DATE]

### 37 Other information

|   |   |
|---|---|
| <p>37.1. Does the Central Authority of [name of your State] have regular meetings with competent authorities to exchange any experience or insights on the implementation and operation of the 1996 Convention?</p>   | <p><input type="checkbox"/> Yes<br/>If possible, please indicate how often such meetings take place:<br/><input type="checkbox"/> Once a year<br/><input type="checkbox"/> Twice a year<br/><input type="checkbox"/> As needed<br/><input type="checkbox"/> Other (please specify):<br/><input type="checkbox"/> No</p>   |
| <p>37.2. What other services / resources are available in [name of your State] to assist those involved in the international protection of children?<br/><i>Please tick all the boxes that apply.</i><br/><i>Please indicate, where available, contact details, websites and costs for such services.</i></p> | <p><input type="checkbox"/> NGOs and international organisations authorised by the government of [your State] to work on the protection of children in cross-border situations (please provide contact information)<br/>Name of organisation:<br/>Telephone:<br/>Fax:<br/>Email:<br/>Website:<br/><input type="checkbox"/> Financial / legal assistance<br/><input type="checkbox"/> Social / welfare assistance<br/><input type="checkbox"/> Other (please specify):</p> |
| <p>Last Update: [INSERT DATE]</p>   |   |

## XII. Direct judicial communications

### 38 Direct judicial communications

|   |  |
|---|--|
| <p>38.1 Has a Member of the International Hague Network of Judges been designated in [name of your State]?<br/><i>For more information go to <a href="http://www.hcch.net">www.hcch.net</a> under "1980 Child Abduction Section" then "The International Hague Network of Judges" or "Judicial Communications".</i></p> | <p><input type="checkbox"/> Yes<br/>Please specify their name(s):<br/><i>Please do not list the contact details of the judge(s) here. Instead, please ensure that the name, position, court and contact details have been provided to the Permanent Bureau</i><br/><input type="checkbox"/> No</p> |
| <p>38.2 Is there a legislative basis upon which judges in [name of your State] can engage in direct judicial communications?</p>  | <p><input type="checkbox"/> Yes<br/><i>Please specify how the legislation can be accessed (e.g., a web link) or attach a copy:</i><br/><input type="checkbox"/> No</p>   |
| <p>38.3 In the absence of legislation, can judges in [name of your State] engage in direct judicial communications?</p>   | <p><input type="checkbox"/> Yes<br/><input type="checkbox"/> No (please explain):</p>  |
| <p>38.4 What means of communication are available to judges in [name of your State] to liaise with the International Hague Network of Judges?</p>   | <p><input type="checkbox"/> Telephone<br/><input type="checkbox"/> Secure e-mail<br/><input type="checkbox"/> Registered mail<br/><input type="checkbox"/> Other (please specify):</p>   |
| <p>Last Update: [INSERT DATE]</p>   |  |

### **XIII. Electronic resources**

#### **39 Resources**

Please use the space below to provide any additional links to relevant legislation, rules of private international law, guidelines or protocols regarding the protection of children, and relevant websites (e.g., of courts and other competent authorities, public bodies, agencies, non-governmental organisations, associations) and any other electronic resource pertinent to the protection of children.

**Last Update: [INSERT DATE]**