

Questionnaire concerning the Practical Operation of the 1996 Child Protection Convention

Wherever your replies to this Questionnaire make reference to domestic legislation, rules, guidance or case law relating to the practical operation of the 1996 Child Protection Convention, **please provide a copy of the referenced documentation** in (a) the original language and, (b) wherever possible, accompanied by a translation into English and / or French.

Name of State or territorial unit: ²	Poland
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PART I – FOR CONTRACTING PARTIES

1. Recent developments in your State

1. Have there been any significant developments in your State regarding the **legislation** or **procedural rules** applicable in cases of international child protection? Where possible, please state the reason for the development and the results achieved in practice.

- No
 Yes

Please specify:

Introduction of the Act of 26 January 2018 on the performance of certain activities of the central authority in family matters in the field of legal transactions under European Union law and international agreements which has been in force since 27.08.2018. This legal act regulated the scope of activity of the Polish Central Authority in relation to acts of international law on the protection of children (including 1996 HC), as well as introduced a number of regulations in other legal acts, including the Code of Civil Procedure regarding, among others, consultation procedure for cross-border placement of children and transfer of jurisdiction.

2. Please provide the three most **significant decisions concerning the interpretation and application of the 1996 Convention** recently rendered by the relevant authorities³ in your State.

Case Name	Court Name	Court Level	Brief summary of the ruling
Please insert text here	Please insert text here	Please insert text here	Please insert text here
Please insert text here	Please insert text here	Please insert text here	Please insert text here
Please insert text here	Please insert text here	Please insert text here	Please insert text here

3. Please provide a brief summary of **any other significant developments** in your State relating to international child protection, including any regional instruments or bilateral agreements that have

² The term “State” in this Questionnaire includes a territorial unit, where relevant.

³ The term “relevant authorities” is used in this Questionnaire to refer to the judicial or administrative authorities with decision-making responsibility under the 1996 Convention. Whilst in the majority of Contracting Parties such “authorities” will be courts (*i.e.*, judicial), in some Contracting Parties administrative authorities remain responsible for decision-making in Convention cases.

been negotiated or which your State has signed and ratified or acceded to (e.g., Memorandum of Understanding on the placement of children abroad):

Please insert text here

2. Scope of application (Arts 2, 3 and 4, and C&R No 29 of 2017 SC)

4. Have competent authorities in your State experienced any challenges, or have questions arisen, in determining the scope of the 1996 Convention (e.g., which measures of protection fall within the scope of the 1996 Convention)?

- No
 Yes

Please specify:

Please insert text here

3. Jurisdiction to take measures of protection

Habitual residence (Art. 5 and C&R No 31 of 2017 SC)

5. Have competent authorities in your State experienced any challenges when determining the habitual residence of the child in cases falling within the scope of the 1996 Convention?

- No
 Yes

Please specify:

Please insert text here

International child abduction (Arts 7 and 50)

6. Have competent authorities in your State experienced any challenges, or have questions arisen, in **making a determination whether to exercise jurisdiction** in cases of wrongful removal or retention of the child?

- No
 Yes

Please specify:

Please insert text here

Pending divorce or legal separation of the child's parents (Art. 10)

7. Have competent authorities in your State experienced any challenges, or have questions arisen, in making a determination whether to exercise **jurisdiction** in cases where there is a pending divorce or legal separation of the child's parents (**Art. 10**)?

- No
 Yes

Please specify:

Please insert text here

Transfer of jurisdiction (Arts 8 and 9)

8. How often have competent authorities in your State experienced cases of transfer of jurisdiction under **Articles 8 and / or 9** of the 1996 Convention?

- Do not know
- Never
- Rarely
- Sometimes
- Very often
- Always

If possible, please provide supplementary information:
Please insert text here

9. Has your State developed any **good practices, procedures, guidelines or protocols** to facilitate the transfer of jurisdiction?

- Yes
Please specify and provide the links to relevant documents whenever possible:
Article 1106.5-7 of the Polish Code of Civil Procedure came in force since 27.08.2018.
This provision regulates in detail the procedure of Polish courts for the transfer or assumption of jurisdiction
- No
Please specify any reasons:
Please insert text here

4. Special types of measures of protection

Urgent measures of protection (Art. 11)

10. Have competent authorities in your State experienced any challenges, or have questions arisen, with respect to the application of **Article 11** (e.g., the definition of "urgency"; scope, nature and duration of measures)?

- No
- Yes, in cases of international child abduction.
If possible, please provide more details about the experience of your State using Article 11 in cases of international child abduction:
Please insert text here
- Yes, in other situations.
Please describe in which other situations a competent authority in your jurisdiction has applied Article 11:
Please insert text here

Provisional measures (Art. 12)

11. Have competent authorities in your State experienced any challenges, or have questions arisen, in applying **Article 12** (e.g., definition as to what may constitute a "provisional character"; scope, nature and duration of measures)?

- No
- Yes
Please describe:
Please insert text here

5. Applicable law (Chap. III)

12. Have competent authorities in your State experienced any challenges, or have questions arisen, in relation to the applicable law rules provided by **Articles 15, 16 and 17** of the 1996 Convention?

- No
 Yes

Please describe:
Please insert text here

6. Recognition and enforcement

13. Have competent authorities in your State experienced any challenges, or have questions arisen, in relation to the **recognition of measures of protection**, from the perspective of the requested State?

- No
 Yes

Please describe:
Please insert text here

Advance recognition (Art. 24)

14. How often have competent authorities in your State experienced cases of requests for **advance recognition**?

- Do not know
 Never
 Rarely
 Sometimes
 Very often
 Always

If possible, please provide supplementary information:
Please insert text here

15. Have **judicial or administrative procedures, guidelines, or protocols** been adopted in your State to facilitate the application of Article 24?

- Yes, but there have been no changes since the last SC meeting
 Yes, with changes since the last SC meeting.
Please specify:
Please insert text here
 No

Declaration of enforceability or registration for the purpose of enforcement (Arts 26, 27 and 28)

16. In relation to the **simple and rapid procedure** for declaring enforceable or registering for the purpose of enforcement of measures of protection taken in another Contracting Party (Art. 26), what is the practice in your State?

- a) Which authority declares enforceable or registers a measure of protection taken in another Contracting Party? Please specify:

District courts

- b) What time frames are applied to ensure that the procedure is rapid? Please explain:

No time frames are set in the law

c) Is legal representation required? Please explain:

Legal representation is not required

17. Are you aware of any challenges, or have questions arisen, in applying **Articles 26, 27 and / or 28** in your State?

- No
- Yes

Please describe:
Please insert text here

7. Cooperation (Chap. V)

Central Authority practice

18. Are you aware of any challenges, or have questions arisen, in applying **Article 30** in your State (e.g., in relation to the timeliness of responses to requests)?

- No
- Yes

Please describe:
Please insert text here

Services available

19. If your State answered the 2016 Questionnaire, please indicate whether since then there have been any changes in relation to the services provided by your Central Authority:

- No. Please proceed to question No 22
- Yes. Please continue answering the following questions

20. With the understanding that services provided by Central Authorities under the 1996 Convention may vary, does your Central Authority provide assistance to **individuals habitually resident in your State** who request it in connection with the following matters? If so, please specify the nature of the assistance provided.

Matter	Service(s) provided
a) A request to organise or secure effective exercise of rights of access in another Contracting Party (requested State) ⁴	<ul style="list-style-type: none"> <input type="checkbox"/> 1. None <input checked="" type="checkbox"/> 2. Assistance in obtaining information on the operation of the 1996 Convention <input type="checkbox"/> 3. Assistance in obtaining information on the relevant laws and procedures in the requested State <input checked="" type="checkbox"/> 4. Establishment of contact with the Central Authority and / or the competent authorities in the requested State to find out the kind of assistance such authorities could provide

⁴ See in this context, e.g., the [Practical Handbook](#) on the Operation of the 1996 Child Protection Convention, sections 11(E)(d) and 13(B) (2014).

	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> 5. Transmission of the request to the Central Authority or to the competent authorities in the requested State <input type="checkbox"/> 6. Assistance in initiating judicial or administrative proceedings with a view to making arrangements for organising or securing the effective exercise of rights of access <input checked="" type="checkbox"/> 7. Assistance in providing or facilitating the provision of legal aid and advice <input type="checkbox"/> 8. Assistance in obtaining private legal counsel or mediation services, where needed in the requested State <input type="checkbox"/> 9. Referral to other governmental and / or non-governmental organisations for assistance <input type="checkbox"/> 10. Provision of regular updates on the progress of the application <input type="checkbox"/> 11. Other, please specify: Please insert text here
<p>b) A request to secure the return to your State of a child subject to international abduction where the 1980 Convention is <u>not</u> applicable</p>	<ul style="list-style-type: none"> <input type="checkbox"/> 1. None <input checked="" type="checkbox"/> 2. Assistance in obtaining information on the operation of the 1996 Convention <input type="checkbox"/> 3. Assistance in obtaining information on the relevant laws and procedures in the requested State <input checked="" type="checkbox"/> 4. Establishment of contact with the Central Authority and / or the competent authorities in the requested State to find out the kind of assistance such authorities could provide <input checked="" type="checkbox"/> 5. Transmission of the request to the Central Authority or to the competent authorities in the requested State <input type="checkbox"/> 6. Assistance in discovering the whereabouts of a child who has been wrongfully removed or retained <input type="checkbox"/> 7. Assistance in taking provisional / urgent measures of protection to prevent further harm to the child <input type="checkbox"/> 8. Assistance in securing the voluntary return of the child or in bringing about an amicable resolution of the issue <input type="checkbox"/> 9. Assistance in initiating judicial or administrative proceedings with a view to obtaining the return of the child <input type="checkbox"/> 10. Assistance in providing or facilitating the provision of legal aid and advice <input type="checkbox"/> 11. Assistance in providing such administrative arrangements as may be necessary and appropriate to secure the safe return of the child <input type="checkbox"/> 12. Assistance in obtaining private legal counsel or mediation services <input type="checkbox"/> 13. Referral to other governmental and / or non-governmental organisations for assistance <input type="checkbox"/> 14. Regular updates on the progress of the application <input checked="" type="checkbox"/> 15. Other, please specify: Referral to Polish Consulate
<p>c) A request to secure the return to your State of a runaway child (see Art. 31(c))</p>	<ul style="list-style-type: none"> <input type="checkbox"/> 1. None <input checked="" type="checkbox"/> 2. Assistance in obtaining information on the operation of the 1996 Convention <input checked="" type="checkbox"/> 3. Assistance in obtaining information on the relevant laws and procedures in the requested State <input checked="" type="checkbox"/> 4. Establishment of contact with the Central Authority and / or the competent authorities in the requested State to find out the kind of assistance such authorities could provide <input checked="" type="checkbox"/> 5. Transmission of the request to the Central Authority or to the competent authorities in the requested State <input type="checkbox"/> 6. Assistance in discovering the whereabouts of a runaway child <input type="checkbox"/> 7. Assistance in initiating judicial or administrative proceedings with a view to obtaining the return of the child <input type="checkbox"/> 8. Assistance in providing or facilitating the provision of legal aid and advice <input type="checkbox"/> 9. Assistance in providing such administrative arrangements as may be necessary and appropriate to secure the safe return of the child

	<input type="checkbox"/> 10. Assistance in obtaining private legal counsel <input type="checkbox"/> 11. Referral to other governmental and / or non-governmental organisations for assistance <input type="checkbox"/> 12. Regular updates on the progress of the application <input type="checkbox"/> 13. Other, please specify: Please insert text here
<p>d) A request for a report on the situation of a child habitually resident in another Contracting Party (e.g., a child returned as a result of child abduction proceedings or a child who has moved as a result of a relocation) (see Art. 32(a))</p>	<input type="checkbox"/> 1. None <input checked="" type="checkbox"/> 2. Assistance in obtaining information on the operation of the 1996 Convention <input checked="" type="checkbox"/> 3. Assistance in obtaining information on the relevant laws and procedures in the requested State <input checked="" type="checkbox"/> 4. Establishment of contact with the Central Authority and / or the competent authorities in the requested State to find out the kind of assistance such authorities could provide <input checked="" type="checkbox"/> 5. Transmission of the request to the Central Authority or to the competent authorities in the requested State <input type="checkbox"/> 6. Other, please specify: Please insert text here
<p>e) A request that the competent authorities of another Contracting Party decide on the recognition or non-recognition of a measure taken in your State (see Art. 24)</p>	<input type="checkbox"/> 1. None <input checked="" type="checkbox"/> 2. Assistance in obtaining information on the operation of the 1996 Convention <input checked="" type="checkbox"/> 3. Assistance in obtaining information on the relevant laws and procedures in the requested State <input checked="" type="checkbox"/> 4. Establishment of contact with the Central Authority and / or the competent authorities in the requested State to find out the kind of assistance such authorities could provide <input checked="" type="checkbox"/> 5. Transmission of the request to the Central Authority or to the competent authorities in the requested State <input type="checkbox"/> 6. Assistance in obtaining private legal counsel <input type="checkbox"/> 7. Regular updates on the progress of the request <input type="checkbox"/> 8. Other, please specify: Please insert text here
<p>f) A request that the competent authorities of another State Party declare enforceable or register for the purpose of enforcement measures taken in your State (see Art. 26)</p>	<input type="checkbox"/> 1. None <input checked="" type="checkbox"/> 2. Assistance in obtaining information on the operation of the 1996 Convention <input checked="" type="checkbox"/> 3. Assistance in obtaining information on the relevant laws and procedures in the requested State <input checked="" type="checkbox"/> 4. Establishment of contact with the Central Authority and / or the competent authorities in the requested State to find out the kind of assistance such authorities could provide <input checked="" type="checkbox"/> 5. Transmission of the request to the Central Authority or to the competent authorities in the requested State <input type="checkbox"/> 6. Assistance in obtaining private legal counsel <input type="checkbox"/> 7. Regular updates on the progress of the request <input type="checkbox"/> 8. Other, please specify: Please insert text here

21. With the understanding that services provided by Central Authorities under the 1996 Convention may vary, if your Central Authority were to receive a request of assistance from **another Central Authority** on behalf of an individual residing abroad, in connection with the following matters, please specify the nature of the assistance that your Central Authority provides or would provide if the situation were to arise.

Matter	Service(s) provided
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<p>a) A request to organise or secure effective exercise of rights of access in another Contracting Party (requested State)⁵</p>	<ul style="list-style-type: none"> <input type="checkbox"/> 1. None <input checked="" type="checkbox"/> 2. Assistance in obtaining information on the operation of the 1996 Convention <input checked="" type="checkbox"/> 3. Assistance in obtaining information on the relevant laws and procedures in the requested State <input checked="" type="checkbox"/> 4. Establishment of contact with the Central Authority and / or the competent authorities in the requested State to find out the kind of assistance such authorities could provide <input type="checkbox"/> 5. Transmission of the request to the Central Authority or to the competent authorities in the requested State <input checked="" type="checkbox"/> 6. Assistance in initiating judicial or administrative proceedings with a view to making arrangements for organising or securing the effective exercise of rights of access <input checked="" type="checkbox"/> 7. Assistance in providing or facilitating the provision of legal aid and advice <input type="checkbox"/> 8. Assistance in obtaining private legal counsel or mediation services, where needed in the requested State <input type="checkbox"/> 9. Referral to other governmental and / or non-governmental organisations for assistance <input type="checkbox"/> 10. Provision of regular updates on the progress of the application <input type="checkbox"/> 11. Other, please specify: Please insert text here
<p>b) A request to secure the return to your State of a child subject to international abduction where the 1980 Convention is <u>not</u> applicable</p>	<ul style="list-style-type: none"> <input type="checkbox"/> 1. None <input checked="" type="checkbox"/> 2. Assistance in obtaining information on the operation of the 1996 Convention <input checked="" type="checkbox"/> 3. Assistance in obtaining information on the relevant laws and procedures in the requested State <input checked="" type="checkbox"/> 4. Establishment of contact with the Central Authority and / or the competent authorities in the requested State to find out the kind of assistance such authorities could provide <input checked="" type="checkbox"/> 5. Transmission of the request to the Central Authority or to the competent authorities in the requested State <input type="checkbox"/> 6. Assistance in discovering the whereabouts of a child who has been wrongfully removed or retained <input type="checkbox"/> 7. Assistance in taking provisional / urgent measures of protection to prevent further harm to the child <input type="checkbox"/> 8. Assistance in securing the voluntary return of the child or in bringing about an amicable resolution of the issue <input type="checkbox"/> 9. Assistance in initiating judicial or administrative proceedings with a view to obtaining the return of the child <input type="checkbox"/> 10. Assistance in providing or facilitating the provision of legal aid and advice <input type="checkbox"/> 11. Assistance in providing such administrative arrangements as may be necessary and appropriate to secure the safe return of the child <input type="checkbox"/> 12. Assistance in obtaining private legal counsel or mediation services <input type="checkbox"/> 13. Referral to other governmental and / or non-governmental organisations for assistance <input type="checkbox"/> 14. Regular updates on the progress of the application <input type="checkbox"/> 15. Other, please specify: Please insert text here
<p>c) A request to secure the return to your State of a runaway</p>	<ul style="list-style-type: none"> <input type="checkbox"/> 1. None <input checked="" type="checkbox"/> 2. Assistance in obtaining information on the operation of the 1996 Convention

⁵ See in this context, e.g., the [Practical Handbook](#) on the Operation of the 1996 Child Protection Convention, sections 11(E)(d) and 13(B) (2014).

<p>child (see Art. 31(c))</p>	<p><input checked="" type="checkbox"/> 3. Assistance in obtaining information on the relevant laws and procedures in the requested State</p> <p><input checked="" type="checkbox"/> 4. Establishment of contact with the Central Authority and / or the competent authorities in the requested State to find out the kind of assistance such authorities could provide</p> <p><input checked="" type="checkbox"/> 5. Transmission of the request to the Central Authority or to the competent authorities in the requested State</p> <p><input type="checkbox"/> 6. Assistance in discovering the whereabouts of a runaway child</p> <p><input type="checkbox"/> 7. Assistance in initiating judicial or administrative proceedings with a view to obtaining the return of the child</p> <p><input type="checkbox"/> 8. Assistance in providing or facilitating the provision of legal aid and advice</p> <p><input type="checkbox"/> 9. Assistance in providing such administrative arrangements as may be necessary and appropriate to secure the safe return of the child</p> <p><input type="checkbox"/> 10. Assistance in obtaining private legal counsel</p> <p><input type="checkbox"/> 11. Referral to other governmental and / or non-governmental organisations for assistance</p> <p><input type="checkbox"/> 12. Regular updates on the progress of the application</p> <p><input type="checkbox"/> 13. Other, please specify: Please insert text here</p>
<p>d) A request for a report on the situation of a child habitually resident in another Contracting Party (e.g., a child returned as a result of child abduction proceedings or a child who has moved as a result of a relocation) (see Art. 32(a))</p>	<p><input type="checkbox"/> 1. None</p> <p><input checked="" type="checkbox"/> 2. Assistance in obtaining information on the operation of the 1996 Convention</p> <p><input checked="" type="checkbox"/> 3. Assistance in obtaining information on the relevant laws and procedures in the requested State</p> <p><input checked="" type="checkbox"/> 4. Establishment of contact with the Central Authority and / or the competent authorities in the requested State to find out the kind of assistance such authorities could provide</p> <p><input checked="" type="checkbox"/> 5. Transmission of the request to the Central Authority or to the competent authorities in the requested State</p> <p><input type="checkbox"/> 6. Other, please specify: Please insert text here</p>
<p>e) A request that the competent authorities of another Contracting Party decide on the recognition or non-recognition of a measure taken in your State (see Art. 24)</p>	<p><input type="checkbox"/> 1. None</p> <p><input checked="" type="checkbox"/> 2. Assistance in obtaining information on the operation of the 1996 Convention</p> <p><input checked="" type="checkbox"/> 3. Assistance in obtaining information on the relevant laws and procedures in the requested State</p> <p><input checked="" type="checkbox"/> 4. Establishment of contact with the Central Authority and / or the competent authorities in the requested State to find out the kind of assistance such authorities could provide</p> <p><input checked="" type="checkbox"/> 5. Transmission of the request to the Central Authority or to the competent authorities in the requested State</p> <p><input type="checkbox"/> 6. Assistance in obtaining private legal counsel</p> <p><input type="checkbox"/> 7. Regular updates on the progress of the request</p> <p><input type="checkbox"/> 8. Other, please specify: Please insert text here</p>
<p>f) A request that the competent authorities of another Contracting Party declare enforceable or register for the</p>	<p><input type="checkbox"/> 1. None</p> <p><input checked="" type="checkbox"/> 2. Assistance in obtaining information on the operation of the 1996 Convention</p> <p><input checked="" type="checkbox"/> 3. Assistance in obtaining information on the relevant laws and procedures in the requested State</p> <p><input checked="" type="checkbox"/> 4. Establishment of contact with the Central Authority and / or the competent authorities in the requested State to find out the kind of assistance such authorities could provide</p>

<p>purpose of enforcement measures taken in your State (see Art. 26)</p>	<p><input checked="" type="checkbox"/> 5. Transmission of the request to the Central Authority or to the competent authorities in the requested State</p> <p><input type="checkbox"/> 6. Assistance in obtaining private legal counsel</p> <p><input type="checkbox"/> 7. Regular updates on the progress of the request</p> <p><input type="checkbox"/> 8. Other, please specify: Please insert text here</p>
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Mediation, conciliation or similar methods (Art. 31(b))

22. How does your Central Authority (either directly or through public authorities or other bodies) take appropriate steps under **Article 31(b)** to facilitate, by mediation, conciliation or similar means, agreed solutions for the protection of the person or property of the child in situations to which the 1996 Convention applies?

Please explain:

Polish Central Authority shall provide interested parties with information on the possibility of amicable resolution of the case, including mediation. However facilitating mediation remains in competence of the courts.

Placement and provision of care abroad (Art. 33)

23. Have authorities in your State experienced any challenges, or have questions arisen, in relation to:

- a) the **scope of application of Article 33** (e.g., in case of placement with relatives, migrant children)
Please provide further details, if possible:
- b) **time frames** of consultations under Article 33
Please provide further details, if possible:
Please insert text here
- c) the availability of **equivalent measures** of protection in the other Contracting Party or differences in the applicable domestic legislation
Please provide further details, if possible:
Please insert text here
- d) **financial costs** involved in the placement / provision of care abroad
Please provide further details, if possible:
Please insert text here
- e) other **practical issues** arising from the placement / provision of care abroad (e.g., documentation, immigration matters)
Please provide further details, if possible:
Please insert text here
- f) other issues relating to Article 33.
Please specify:
Please insert text here

24. Have **judicial or administrative procedures, guidelines, or protocols** been adopted in your State to deal with the placement procedure under Article 33?

- No
- Yes

Please describe and also provide a link or attach any relevant documents, preferably translated into English or French:

Article 579.4 of the Polish Code of Civil Procedure regulates the consultation procedure for the incoming requests for consent to the placement.

The condition for consent to placement are indicated in the Article 35a of the Act on family support and foster care system of June 9, 2011 (Journal of Laws No. 149, item 887)

[https://e-](https://e-justice.europa.eu/38621/EN/crossborder_placement_of_a_child_including_foster_familij?POLAND&member=1)

[justice.europa.eu/38621/EN/crossborder_placement_of_a_child_including_foster_familij?POLAND&member=1](https://e-justice.europa.eu/38621/EN/crossborder_placement_of_a_child_including_foster_familij?POLAND&member=1)

25. After the placement of the child abroad to another Contracting Party, does your State seek **follow up information on the situation** of that child?

No

Yes

Please describe:

[Please insert text here](#)

Reports (Arts 32, 33 and 34)

26. Have authorities in your State experienced any challenges, or have questions arisen, in providing or obtaining reports or information under **Article 32, 33 or 34**?

No

Yes

Please describe:

[Please insert text here](#)

27. Do authorities in your State use a standard template when providing a report on the (situation of the) child under Article 32 or 33?

No

Yes

Please attach the template to your response (preferably translated into English or French):

[Please insert text here](#)

Assistance from the authorities of another Contracting Party

28. Have competent authorities in your State experienced any challenges, or have questions arisen, in applying **Article 35**?

No

Yes

Please describe:

[Please insert text here](#)

29. Have judges in your State used direct judicial communications in cases falling under the 1996 Convention?

No

Yes

Please specify in relation to which specific matters (e.g., transfer of jurisdiction, placement of a child):

[Please insert text here](#)

8. General provisions

Article 40 Certificates

30. How often have competent authorities in your State issued **Article 40 certificates** indicating the capacity in which a person having parental responsibility or entrusted with the protection of the child's person or property is entitled to act and the powers conferred upon him or her?

- Do not know
- Never
- Rarely
- Sometimes
- Very often
- Always

31. Has your State experienced any challenges, or have questions arisen, in relation to **requests under Article 40**?

- No
 - Yes
- Please describe:
Please insert text here

Issues in relation to the property of the child (Arts 55 and 60)

32. How often have competent authorities in your State dealt with **measures for the protection of the property of the child by using the framework of the Convention**?

- Do not know
- Never
- Rarely
- Sometimes
- Very often
- Always

If possible, please provide supplementary information:
Please insert text here

9. Special topics

International family relocation

33. Has your State adopted specific procedures for international family relocation?

- Yes
Please describe such procedures, if possible:
Please insert text here
- No
Please describe how the authorities deal with international family relocation cases, if possible:
Please insert text here

34. Are you aware of any use being made of Article 24, which provides for advance recognition, in lieu of or in connection with international family relocation?

- No
 Yes

Please explain:

[Please insert text here](#)

35. Are you aware of any use being made of other provisions of the 1996 Convention in cases where a parent wishes to relocate with his or her child to another State?

- No
 Yes

Please explain:

[Please insert text here](#)

Children subject to international abduction

36. Have authorities in your State experienced any challenges, or have questions arisen, in relation to the application of the 1996 Convention (e.g., Art. 50) in cases of child abduction where the 1980 Convention was not applicable (see Questions 20(b) and 21(b) above)?

- No
 Yes

Please describe:

[Please insert text here](#)

37. In cases of child abduction where both the 1980 Convention and the 1996 Convention were applicable, have authorities in your State made use of provisions under the 1996 Convention (e.g., Art. 50) in addition to or instead of provisions of the 1980 Convention?

- No
 Yes

Please specify the provisions and explain:

[Please insert text here](#)

38. In cases of child abduction, whether or not the 1980 Convention is applicable, have authorities in your State used the cooperation provisions in Chapter V of the 1996 Convention to determine whether adequate measures of protection are available in the State of the habitual residence of the child (e.g., to facilitate the safe return of the child)?

- No
 Yes

Please explain:

[Please insert text here](#)

39. In cases of child abduction, have competent authorities in your State taken measures of protection under Article 11, as an alternative to measures of protection in the form of mirror orders or undertakings, to facilitate the safe return of the child?

- No
 Yes

Please explain:

[Please insert text here](#)

Unaccompanied and separated children⁶ and emergency situations (Art. 6)

40. How often have competent authorities in your State dealt with **cases involving refugee children, internationally displaced children, or children whose habitual residence cannot be established** by using the framework of the 1996 Convention?

- Do not know
 Never
 Rarely
 Sometimes
 Very often
 Always

If possible, please provide supplementary information:

This is connected with the Russia's military aggression against Ukraine in February 2022

41. Where the **habitual residence of a child present in your State could not be established**, have authorities in your State used any of the cooperation provisions of the 1996 Convention in determining the child's place of habitual residence?

- No
 Yes
 Please specify:
 Please insert text here

42. Have competent authorities in your State had experience with providing assistance to **discover the whereabouts of children** that went missing due to disturbances occurring in their State of habitual residence by using the framework provided by the 1996 Convention?

- No
 Yes
 Please specify:
 Please insert text here

43. Have **procedures, guidelines, or protocols** been adopted in your State to deal with the protection of unaccompanied or separated children in the context of the 1996 Convention?

- No
 Yes
 Please describe and also provide a link or attach any relevant documents, preferably translated into English or French:
 On 12.03.2022 the Polish authorities introduced a set of laws regulating the situation of refugees from Ukraine.
 Article 25 regulates the situation of a minor who resides on the territory of Poland unaccompanied by their legal guardians. In such a situation a person who practically takes care of a minor (a family member, a teacher etc.) may submit the application to the court to be appointed as „a temporary guardian” (everyday care/representation of a minor).

<https://isap.sejm.gov.pl/isap.nsf/download.xsp/WDU20220000583/U/D20220583Lj.pdf>

⁶ In relation to this section of the Questionnaire, see [Prel. Doc. No 7 of February 2020](#), “The application of the 1996 Child Protection Convention to unaccompanied and separated children”.

44. In emergency situations, such as a humanitarian crisis, have authorities in your State experienced any challenges, or have questions arisen, in regard to the **exchange of information** among authorities of the Contracting Parties, in particular taking into account Articles 36 and 37 of the 1996 Convention?

No, however at the beginning of the war in Ukraine, for obvious reasons, there was a break in communication with Ukrainian CA (that lasted a month and a half)

45. Are you aware of whether **Preliminary Document No 7 of February 2020, “The application of the 1996 Child Protection Convention to unaccompanied and separated children”**, has been brought to the attention of the competent authorities in your State?

- No
 Yes

Please specify:

Please insert text here

International access / contact cases involving children

46. Should your State also be a Contracting Party to the 1980 Convention, are you aware of any use being made of provisions of the 1996 Convention, including those under **Chapter V**, in lieu of or in connection with an application under **Article 21** of the 1980 Convention?

- No
 Yes

Please explain:

Please insert text here

Practical Handbook

47. Do you have any observations or comments to share concerning the **Practical Handbook** on the Operation of the 1996 Child Protection Convention?

- No
 Yes

Please specify:

Please insert text here

Agenda items for the next SC meeting

48. Are there any **particular issues** that your State would like the SC meeting to discuss in relation to the 1996 Convention? Please specify and list in order of priority:

Please insert text here

⁷ The Explanatory Report (Lagarde) on the 1996 Convention notes that cooperation under Art. 35(1) between authorities of States Parties with respect to rights of access “serves in a certain way to complete and reinforce the co-operation, which is not always effective, provided for the same purpose between Central Authorities” under Art. 21 of the 1980 Convention. Explanatory Report, para. 146 (1997).

PART II – FOR NON-CONTRACTING PARTIES

49. Is your State currently considering **signing and ratifying or acceding to the 1996 Child Protection Convention**?

- Yes
If possible, please provide further information:
[Please insert text here](#)
- No
If possible, please provide further information:
[Please insert text here](#)

50. In considering how your State would **implement the 1996 Child Protection Convention**, have you encountered any **issues of concern**?

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

51. Are there any **particular issues** that your State would like the SC meeting to discuss in relation to the 1996 Child Protection Convention?

- No
- Yes
Please specify and list in order of priority:
[Please insert text here](#)

52. Do you have any observations or comments to share concerning the **Practical Handbook** on the Operation of the 1996 Child Protection Convention?

- No
- Yes
Please specify:
[Please insert text here](#)