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PROJETS RELATIFS AUX CONVENTIONS SUR LES ENFANTS, LES ALIMENTS, LES ADULTES ET LA COHABITATION – PROGRAMME POUR 2010-2011

Note établie par le Bureau Permanent

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PROJECTS CONCERNING THE CHILDREN'S CONVENTIONS, MAINTENANCE, ADULTS AND COHABITATION – PLANNING FOR 2010-2011

Note submitted by the Permanent Bureau

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INTRODUCTION

This document summarises the programme of work in the fields of international child protection and family law in which the Permanent Bureau is currently engaged. The document, which is an updated version of similar documents presented to meetings of the Special Commission on General Affairs and Policy of the Conference in 2003, 2004, 2005 and 2006, and of the Council of 2007, 2008 and 2009,[1] sets out a timetable for certain projects and comments on the sources of funding for each project (cross-referenced to the Supplementary Budget for Financial Year LVI (1 July 2010 – 30 June 2011)).[2]

The mandate for the work relating to the *Hague Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance* derives in part from Recommendations adopted at the Twenty-First Session on 23 November 2007 (see Final Act of the Twenty-First Session, Part C) and in part from the Conclusions and Recommendations of the Special Commission on the implementation of the 2007 Child Support Convention and of the 2007 Protocol on the Law Applicable to Maintenance Obligations (10-17 November 2009). This work is funded partly under the Supplementary Budget and partly under the Regular Budget.

The mandate for much of the work relating to the *Hague Convention of 25 October 1980 on the Civil Aspects of International Child Abduction* and the *Hague Convention of 19 October 1996 on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in respect of Parental Responsibility and Measures for the Protection of Children* derives from the Fifth meeting of the Special Commission to review the operation of the 1980 Convention and to address implementation issues concerning the 1996 Convention, which took place in The Hague from 30 October to 9 November 2006.[3] The Special Commission, attended by 66 States, agreed 57 Conclusions and Recommendations, with implications both for the Regular and Supplementary Budgets of the Hague Conference.

Various projects concerning the *Hague Convention of 29 May 1993 on Protection of Children and Co-operation in Respect of Intercountry Adoption* were approved by the Special Commission meeting to review the practical operation of that Convention in November 2000. A second Special Commission meeting to review the practical operation of the Convention of 1993 of September 2005 reaffirmed the work programme and approved further projects.[4] A Third Special Commission meeting is to be held from 17 to 25 June 2010. The programme of work is funded partly from the Regular and partly from the Supplementary Budget.

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[1] See Prel. Doc. No 4 of March 2003 for the attention of the Special Commission of April 2003 on General Affairs and Policy of the Conference; No 12 of February 2004 for the attention of the Special Commission of April 2004 on General Affairs and Policy of the Conference; No 28 of March 2005 for the attention of the Special Commission of March / April 2005 on General Affairs and Policy of the Conference; No 2 of February 2006 for the attention of the Special Commission of April 2006 on General Affairs and Policy of the Conference; No 13 of March 2007 for the attention of the Council of April 2007 on General Affairs and Policy of the Conference; and No 3 of February 2008 for the attention of the Council of April 2008 on General Affairs and Policy of the Conference respectively.

[2] Prel. Doc. No 10 of March 2009 for the attention of the Council of March / April 2009 on General Affairs and Policy of the Conference.

[3] See "Conclusions and Recommendations of the Fifth Meeting of the Special Commission to Review the Operation of the *Hague Convention of 25 October 1980 on the Civil Aspects of International Child Abduction* and the Practical Implementation of the *Hague Convention of 19 October 1996 on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in respect of Parental Responsibility and Measures for the Protection of Children* (30 October - 9 November 2006)". The original mandate for certain projects derives from earlier Special Commission meetings. See, in particular, "Conclusions and Recommendations of the Fourth Meeting of the Special Commission to Review the Operation of the *Hague Convention of 25 October 1980 on the Civil Aspects of International Child Abduction* (22-28 March 2001)".

[4] See "Conclusions and Recommendations of the Second Meeting of the Special Commission to Review the Operation of the *Hague Convention of 29 May 1993 on Protection of Children and Co-operation in respect of Intercountry Adoption* (17-23 September 2005)".

The majority of the work programme set out in Part I of the document arises from specific conclusions and instructions given by Meetings of Special Commissions. Part II of the document refers to technical assistance and training under the Children's Conventions.

PART I	
THE HAGUE CONVENTION OF 25 OCTOBER 1980 ON THE CIVIL ASPECTS OF INTERNATIONAL CHILD ABDUCTION and the HAGUE CONVENTION OF 19 OCTOBER 1996 ON JURISDICTION, APPLICABLE LAW, RECOGNITION, ENFORCEMENT AND CO-OPERATION IN RESPECT OF PARENTAL RESPONSIBILITY AND MEASURES FOR THE PROTECTION OF CHILDREN **Implementation of Conclusions and Recommendations from the Fifth Meeting of the Special Commission to review the operation of the 1980 Convention and practical implementation of the 1996 Convention[5] (October / November 2006)** **and** **preparations for the Sixth Meeting of the Special Commission to review the operation of the 1980 Convention and implementation issues concerning the 1996 Convention (tentative 2011)**	
1. Development of Guides to Good Practice, Handbooks, and Checklists under the 1980 and 1996 Conventions	
a) Under the 1980 Convention:	
Part I (Central Authority Practice) Part II (Implementing Measures) Part III (Preventive Measures) General Principles and Guide to Good Practice on Transfrontier Contact Concerning Children	Parts I, II and III have been published and distributed in English, French and Spanish. The General Principles have been published in English and French, and in Spanish. Part III and the General Principles have been translated into Arabic. It is hoped for the complete set (Parts I-II and the General Principles) to be published in English, French, Spanish and Arabic by the end of 2010. See Supplementary Budget 2010-2011 Part I, Article 2 *b)*. *See also* infra *Point 4 under Mediation.*

[5] The Conclusions and Recommendations from the Fifth Meeting of the Special Commission to review the operation of the 1980 Convention are available on the Hague Conference website at < www.hcch.net > under "Conventions" then "Convention 28" and "Practical Operation Documents". The Special Commission took place from 30 October to 9 November 2006. General preparations for Special Commissions are funded from the Regular Budget of the Hague Conference, as are the Special Commissions themselves. The provision of Spanish interpretation during the Special Commission and the translation of preliminary documents were funded by contributions to the Supplementary Budget.

Part IV (Enforcement of return orders)	See Recommendation No 1.5.2 of the Fifth Meeting of the Special Commission. A draft of the Guide has been completed and circulated to Member States and Contracting States for their comments. Publication is expected by mid-2010. See Supplementary Budget 2010-2011, Part I, Article 2 *a)*.
b) Under the 1996 Convention: Checklist on the implementation of the 1996 Convention Handbook on the practical operation of the 1996 Convention General Principles and Guide to Good Practice on Transfrontier Contact Concerning Children	The Checklist has been completed and has been circulated to Members, Contracting States to the 1980 and 1996 Conventions, as well as the States known to be considering implementation of the 1996 Convention. The Checklist is now available on the Hague Conference website and will be published as part of the Handbook on the Practical Operation of the 1996 Convention (see below). The draft Handbook has been completed and circulated for comments to Members and Contracting States to the 1996 and 1980 Conventions. Publication is expected in the second half of 2010. See Supplementary Budget 2010-2011, Part I, Article 8. See *supra* 1 *a)*
2. The development of a standard form of Country Profile for Contracting States to the 1980 Convention	
This work includes revision of the Questionnaire for Newly Acceding States	Recommendation No 1.1.11 of the Fifth Meeting of the Special Commission. A first draft of the Country Profile for the Convention has been developed and circulated to a limited number of Contracting States. It is anticipated that a Country Profile form will be

	presented to the Special Commission in 2011 for consideration. See Supplementary Budget 2010-2011, Part I, Article 7.
3. Direct Judicial Communications	
	Draft report confirmed by the Fifth Meeting of the Special Commission.[6] Recommendation No 1.6.7 of the Special Commission.
a) Promoting the designation of Judges to the International Hague Network of Judges (IHNJ) by disseminating the Conclusions and Recommendations of the Joint EC-HCCH Conference of January 2009	Ongoing.
b) Maintaining, updating and up-grading the list of Members of the IHJN	Ongoing.
c) Continued consultations and development of practical mechanisms and structures in respect of the IHNJ (including regional networks)	Recommendation No 1.6.7 of the Special Commission. Ongoing.
d) Continued development of an inventory of existing practices relating to direct judicial communications in specific cases under the 1980 Hague Convention and with regard to international child protection	Recommendation No 1.6.7 of the Special Commission. Ongoing.
e) Further development of the Draft General Principles concerning direct judicial communications with a view to submitting the Principles to the Sixth Meeting of the Special Commission on the 1980 Convention	Recommendation No 1.6.7 of the Special Commission. Ongoing. Following the January 2009 Experts' Meeting in Brussels, a questionnaire will be circulated to experts including Members of the IHNJ to advance

[6] P. Lortie, "Report on Judicial Communications in relation to International Child Protection", Prel. Doc. No 8 of October 2006 for the attention of the Fifth Meeting of the Special Commission to review the operation of the *Hague Convention of 25 October 1980 on the Civil Aspects of International Child Abduction*, available on the website of the Hague Conference at < www.hcch.net > under "Work in Progress" then "Child Abduction".

		further the development of the draft principles. Consultation on a new draft will then be undertaken with experts including Members of the IHNJ and Bar Associations. A second meeting of experts could be called at the beginning of 2011 to work on the next version. It is anticipated that a formal version could be circulated in the first part of 2011 to Members and States Parties to the 1980 and 1996 Conventions for consultation. See Supplementary Budget 2010-2011, Part I, Article 5 *c)* and *d)*.
f)	Exploration of the development of a secured system of communications for members of the IHNJ	Recommendation No 1.6.7 of the Special Commission. Ongoing. See Supplementary Budget 2010-2011, Part I, Article 5 *a)* and *b)*.
4.	**Mediation in Cross-Border Family Matters**	
a)	Permanent Bureau to keep States informed of developments in the mediation of cross-border disputes concerning contact and abduction[7]	Recommendation No 1.3.3 of the Fifth Meeting of the Special Commission. See Preliminary Document No 10 for the attention of the Council of April 2008 on General Affairs and Policy.
b)	Development of a Guide to Good Practice on Mediation under the 1980 Convention	Consultations with a Group of experts on international mediation regarding the draft Guide are ongoing; an expert meeting is envisaged for the second half of 2010. Final draft to be circulated to Contracting States in the beginning 2011 for consideration at the Special Commission meeting in 2011. See Supplementary Budget 2010-2011, Part I, Article 3.

[7] "Feasibility study on cross border mediation in family matters" drawn up by the Permanent Bureau, Prel. Doc. No 20 of March 2007 for the attention of the Council of April 2007 on General Affairs and Policy of the Conference which includes as an Annex the "Note on the development of mediation, conciliation and similar means to facilitate agreed solutions in transfrontier family disputes concerning children especially in the context of the Hague Convention of 1980" drawn up by S. Vigers, Former Legal Officer of the Permanent Bureau, Prel. Doc. No 5 of October 2006 for the attention of the Fifth Meeting of the Special Commission to review the operation of the *Hague Convention of 25 October 1980 on the Civil Aspects of International Child Abduction*, available on the website of the Hague Conference at < www.hcch.net > under "Work in Progress" then "Child Abduction".

c) Working Party on Mediation in the Context of the Malta Process	The Working Party on Mediation, established in June 2009, started its work in July 2009 and held three meetings in the form of conference calls, hosted by Canada, so far. The meeting reports have been circulated to the Hague Conference Members and the participants of the 2009 Malta Conference. A Working Party meeting is envisaged in 2010. See Supplementary Budget 2010-2011, Part I, Article 10.
5. The International Child Abduction Database (INCADAT)	
a) Continued expansion of the substantive legal coverage, co-operation with INCADAT correspondents, ongoing updating and checking of translations and expansion of the non-Hague Convention page	Ongoing. See Supplementary Budget 2010-2011, Part I, Articles 1 and 6 *a)*(i) and (iii).
b) Continued development of the Spanish module including the Inter-American section	Ongoing.
c) Revision of the INCADAT website and website content: new design of the INCADAT web pages; introduction of various new pages, *inter alia,* a Case Law Analysis Section; improvement of the search function	The revision of the INCADAT website has been finalised. The new website will be launched together with the new INCADAT maintenance tool during the spring of 2010.
d) Creation of a new INCADAT maintenance tool to allow for more time and cost effective administration of the growing database	The new INCADAT maintenance tool has been created and the data-transfer and adaptation has been finalised. The new INCADAT maintenance tool will be launched together with the new website during the spring of 2010.
e) INCADAT Correspondent Meeting	Second half of 2010. See Supplementary Budget 2010-2011, Part I, Article 6 *a)*(ii).

6. The International Child Abduction Statistical Database (INCASTAT)	
- Ongoing work to promote the use of the system by Central Authorities designated under the 1980 Hague Convention	Recommendation No 1.1.18 of the Fifth Meeting of the Special Commission. INCASTAT was launched on 28 September 2007. Ongoing work to develop a form for Convention States to report statistics on non-Hague States. See Supplementary Budget 2010-2011, Part I, Articles 1 and 6 *b)*.
7. iChild Case Management System	
- Ongoing efforts to promote and implement the system in Central Authorities designated under the 1980 Hague Convention	Recommendation No 1.1.17 of the Fifth Meeting of the Special Commission. Ongoing with WorldReach Software of Canada which has developed the Software in co-operation with HCCH.
8. The Judges' Newsletter on International Child Protection	
a) Consultation with Editorial Board; soliciting material; writing and editing; co-ordination with publisher; maintenance and updating of distribution list	Recommendation No 1.6.9 of the Fifth Meeting of the Special Commission. This project has been supported by Butterworths Legal Publishers and Lexis Nexis until 2009. The first electronic version of *The Judges' Newsletter* has been launched for the publication of Vol. XV / Autumn 2009 on the Brussels Conference on Direct Judicial communication and development of Judicial Network. Regular bi-annual publication (autumn and spring). See Supplementary Budget 2010-2011, Part I, Article 4 *a)* and *d)*.

b) Translation into languages other than English / French	See Supplementary Budget 2010-2011, Part I, Article 4 *b)-c).*
9. Updating of standard request for return form in consultation with Contracting States	
	Recommendation No 1.1.14 of the Fifth Meeting of the Special Commission. A first draft has been completed and will be circulated to a number of Contracting States for consultation purposes. An updated version will be presented for approval to the Special Commission in 2011.
10. Development of a Questionnaire for Members and Contracting States to prepare for the 2011 Special Commission	
	Development of a fact-finding Questionnaire in preparation for the 2011 Special Commission began in 2009. It will focus on the operational aspects of the 1980 and 1996 Conventions, and include a questionnaire section on the effectiveness of the Guides to Good Practice under the 1980 Convention.
11. Consent to Travel Form	
Explore feasibility and development of standardised or recommended permission [to travel with child] or consent form in consultation with Contracting States and relevant international organisations	Recommendation No 1.2.3 of the Fifth Meeting of the Special Commission. To begin consultations with Consular Services in a limited number of States Parties.
12. Development of a Children's Guide to the 1980 Convention	
	Feasibility being considered in co-operation with REUNITE International Child Abduction Centre.

13. International conference in respect of relocation issues	
	Judicial Conference organised in co-operation with ICMEC will take place in Washington, D.C. from 23 to 25 March 2010. Funding ICMEC.
14. Research on a possible Protocol to the 1980 Convention	
	The March / April 2009 Council on General Affairs and Policy of the Conference authorised the Permanent Bureau to engage in preliminary consultations concerning the desirability and feasibility of a protocol to the 1980 Child Abduction Convention containing auxiliary rules to improve the operation of the Convention. Consultations are in process and a report on these consultations will be prepared to be discussed by the Special Commission to review the practical operation of the 1980 and 1996 Conventions in 2011. See work programme of the Permanent Bureau for the next Financial Year (1 July 2010 – 30 June 2011).[8]

[8] See "Work Programme of the Permanent Bureau for the next Financial Year (1 July 2010 – 30 June 2011)", Prel. Doc. No 2 of February 2010 for the attention of the Council of April 2010 on General Affairs and Policy of the Conference.

THE HAGUE CONVENTION OF 29 MAY 1993 ON PROTECTION OF CHILDREN AND CO-OPERATION IN RESPECT OF INTERCOUNTRY ADOPTION **Implementation of the Conclusions and Recommendations of the Second Meeting of the Special Commission to review the practical operation of the 1993 Convention[9] and preparations for the next Special Commission (from 17 to 25 June 2010)**	
15. The Guide to Good Practice	
a) Publication of a Guide to Good Practice on Implementation	The Guide was published in English and French and distributed to all Member States and Contracting States in September 2008. The Spanish version was published in 2009.
b) Preparation of a Guide to Good Practice on Accreditation and a set of model criteria	First draft reviewed by Expert Group from 15 to 16 February 2010. Second draft for Special Commission in June 2010 will be ready in early May 2010. Recommendation No 4 of the 2005 Special Commission.
c) Research into possible additional Chapters (*e.g.*, financial aspects, reports on prospective adoptive parents, preparation of prospective adoptive parents, and post-adoption reports)	Ongoing. Recommendation No 2 of the 2005 Special Commission Meeting. See Supplementary Budget 2010-2011, Part I, Article 11.
d) Spanish translation of additional parts of the Guide	See Supplementary Budget 2010-2011, Part I, Article 12.
16. Development of a model form for the consent of the child (Art. 4 *d)*(3)) as well as model forms or protocols regarding the operation of Articles 15 and 16 of the Convention	In preparation for Special Commission in June 2010. Recommendation No 7 of the 2005 Special Commission Meeting.

[9] The Special Commission took place from 17 to 23 September 2005, including a one-day meeting on accreditation issues. The Report of the Special Commission and Conclusions and Recommendations are available on the Hague Conference website at < www.hcch.net > under "Conventions" then "Convention 33" and "Practical Operation Documents". General preparations for Special Commissions are funded from the Regular Budget of the Hague Conference, as are the meetings of the Special Commissions themselves. The provision of Spanish interpretation during the Special Commission and the translation of preliminary documents were funded by contributions to the Supplementary Budget.

17. Development of country profiles **Expansion of the Adoption Section of the website including the development of country profiles (including, *inter alia*, procedures, website addresses and how the various responsibilities and tasks under the Convention are divided between Central Authorities, public authorities, accredited bodies and any bodies and persons)**	A model form for country profile has been developed. Completed country profiles are requested for Special Commission in June 2010. Recommendation No 8 of the 2005 Special Commission.
18. Development of a model form regarding post-adoption reporting	No resources available. Recommendation No 18 of the 2005 Special Commission Meeting.
19. Development of ICASTAT (the intercountry adoption statistical database)	After the assistance of an intern from February to July 2010, no resources will be available for this project. See Supplementary Budget 2010-2011, Part I, Article 13.
20. Fundraising to support the next Meeting of the Special Commission (from 17 to 25 June 2010)	Immediate.
a) Travel and *per diem* fund to provide financial assistance to States to permit their participation	
b) Spanish interpretation during the meeting of the Special Commission and translation of Preliminary Documents into Spanish	
THE HAGUE CONVENTION OF 13 JANUARY 2000 ON THE INTERNATIONAL PROTECTION OF ADULTS	
21. Preparation of publicity material	Ongoing.

THE HAGUE CONVENTION OF 23 NOVEMBER 2007 ON THE INTERNATIONAL RECOVERY OF CHILD SUPPORT AND OTHER FORMS OF FAMILY MAINTENANCE Implementation of the Conclusions included in the Final Act of the Twenty-First Session, 23 November 2007 and of the Conclusions and Recommendations of the Special Commission on the implementation of the Convention, 10 - 17 November 2009	
22. Explanatory Report	The Explanatory Report for the Convention having been adopted in both English and French it is now planned to have it available in Spanish as soon as possible. See Minutes of the Plenary Session of the Diplomatic Session. See Recommendation No 2 of the 2009 Special Commission.
23. Publication of the Implementation Checklist for the 2007 Child Support Convention	The review of the Implementation Checklist in the light of the comments received before and during the 2009 Special Commission is underway. As soon as the Implementation Checklist is finalised in both French and English it should be made available in Spanish. See Recommendation No 13 of the 2009 Special Commission. See Supplementary Budget 2010-2011, Part I, Article 14.
24. Publication of the Practical Handbook for case workers on the operation of the Maintenance Convention	The review of the Practical Handbook in the light of the comments received before and during the 2009 Special Commission is underway before its final circulation for comments. As soon as the Practical Handbook is finalised in both French and English it should be made available in Spanish. See Minutes of Commission I of the Diplomatic Session. See Recommendation No 6 of the 2009 Special Commission. See Supplementary Budget 2010-2011, Part I, Article 15.

25. Continuation of the work of the Administrative Co-operation Working Group (ACWG) - 2 Conference calls	See Final Act. See Prel. Doc. No 3B of February 2010. Ongoing. See Supplementary Budget 2010-2011, Part I, Article 16.
26. Publications of the Forms adopted by the November 2009 Special Commission	See Final Act. See Recommendation No 3 of the November 2009 Special Commission. As soon as the Recommended Forms are finalised in both French and English they should be made available in Spanish.
27. Reconvening the Forms Working Group (co-ordinated by the Permanent Bureau) - 8 Conference calls	See Recommendation No 4 of the November 2009 Special Commission. Suspended until at least 2012.
28. Publication of the Country Profile – Core Scope (co-ordinated by the Permanent Bureau) - Finalisation of the web-based Country Profile – Core Scope (after the November 2009 Special Commission)	See Final Act. See Recommendation No 8 of the November 2009 Special Commission. As soon as the Country Profile (Core Scope) is finalised in both French and English it should be made available in Spanish. See Supplementary Budget 2010-2011, Part I, Article 17 *c)*.

29. Development of the Country Profile – Extended Scope (co-ordinated by the Permanent Bureau) - 4 conference calls - Possible one in-person meeting - Extension of the web-based Country Profile – Extended Scope	See Recommendation No 8 and Minutes of the November 2009 Special Commission. Underway. See Supplementary Budget 2010-2011, Part I, Article 17 *a)-b).*
30. iSupport (electronic case management and Internet based communication system for the international recovery of maintenance) - Preliminary work to devise, in consultation with interested States, functional and technical requirements for the system and its design - Preliminary work to devise a tendering process for the development of the software *per se* - Preliminary work to devise a funding strategy to operate and maintain the system	See Recommendation No 6 of the Special Commission on General Affairs and Policy of the Conference of April 2006 and Recommendations Nos 14-15 of the 2009 Special Commission. Ongoing (subject to available resources). See Supplementary Budget 2010-2011, Part I, Articles 25-30.
31. Preparation of publicity materials	Ongoing.
32. Feasibility study on a possible Protocol to the 2007 Convention to deal with the international recovery of maintenance in respect of vulnerable persons	See Final Act. See Recommendation No 11 of the 2009 Special Commission. Completed. The Permanent Bureau will continue to monitor the situation.
THE HAGUE PROTOCOL OF 23 NOVEMBER 2007 ON THE LAW APPLICABLE TO MAINTENANCE OBLIGATIONS	
33. Explanatory Report	See Minutes of the Plenary Session of the Diplomatic Session. See Recommendation No 2 of the 2009 Special Commission. The Explanatory Report for the Convention has been adopted in both English and French. It is now planned to have it available in Spanish as soon as possible.

CO-HABITATION OUTSIDE MARRIAGE	
34. Co-habitation outside marriage	
Update of the scientific report presented in May 2000	See Preliminary Document No 11 for the attention of the Council of April 2008 on General Affairs and Policy.
PART II	
DEVELOPMENTAL PROGRAMMES AND TECHNICAL ASSISTANCE PROGRAMMES TO SUPPORT THE EFFECTIVE IMPLEMENTATION OF THE HAGUE CONVENTIONS	
35. Convention-specific initiatives	
a) Intercountry Adoption Technical Assistance Programme (ICATAP) The provision of information, training and support to targeted States in the first stages of implementation or those States experiencing difficulties	Ongoing. See Supplementary Budget 2010-2011, Part II, ICATAP.
b) International Child Abduction Implementation assistance for States experiencing difficulties	See Supplementary Budget 2010-2011, Part II, Child Abduction and Protection Conventions.
36. International and regional initiatives – technical assistance and programmes to support effective implementation	Funded from external sources and by participant States. See Supplementary Budget 2010-2011, Part II in general.
a) The Special Programme for Latin American States	Continuation of the Special Programme for Latin American States including in respect of the 1980 Convention: transfrontier access / contact, co-ordination of

	joint IIN / HCCH actions[10] including the model law of procedure and preliminary study on the 1996 Convention, and judicial communications; assistance in respect of implementation of the 1993 Intercountry Adoption; promotion of the new Maintenance Convention and on the Hague Conventions on Legal Co-operation and Litigation Conventions. A judicial conference for Latin American States addressing child protection issues (Monterrey follow-up) is tentatively planned for 2011. See Supplementary Budget 2010-2011, Part II, Article B.3 *e)*.
b) Asia-Pacific region	During the first part of 2011 it is hoped to convene a regional seminar for, *inter alia*, India, Pakistan, Sri Lanka and Bhutan. See Supplementary Budget 2010-2011, Part II, Article B.4.
c) The Hague Project for Africa	A Meeting for Southern and Eastern African States on the Children's Conventions took place in Pretoria from 22 to 25 February 2010. See Supplementary Budget 2010-2011, Part II, Article B.5 *b)*. A seminar targeted to Mediterranean and Northern African States in respect of implementation issues

[10] See the Conclusions and Recommendations, Inter-American Expert Meeting on International Child Abduction, which was held in The Hague on 10 November 2006, available in English and Spanish only on the Hague Conference website < www.hcch.net> under "Specialised Sections" then "Child Abduction Section" and "Inter-American Expert Meeting on International Child Abduction, November 2006".

	surrounding the 1996 Convention is tentatively planned for the second part of 2010. See Supplementary Budget 2010-2011, Part II, Article B.5 *a).* As the next step following the Third Meeting in the Malta Process (Malta III, March 2009), follow-up smaller meetings and technical assistance missions to different States or groups of States in the region are anticipated.
d) Hague Programme for the Commonwealth of Independent States	Diagnostic visits and follow-up regional Seminar on the Legal Co-operation Conventions and the Children's Conventions planned over the course of 2009 and 2010. See Supplementary Budget 2010-2011, Part II, Article B.6.
37. National seminars and technical assistance to Contracting States and States considering ratification / accession **Advice on organisation and scientific programme, participation**	Ongoing. See Supplementary Budget 2010-2011, Part II in general.

A N N E X E S

Note on INCADAT

The International Child Abduction Database – INCADAT (< www.incadat.com >) – was established by the Permanent Bureau in 1999 in order to make leading decisions rendered by national courts in respect of the 1980 Hague Child Abduction Convention accessible to judges, Central Authorities, practitioners and other interested persons. INCADAT has already contributed to the promotion of mutual understanding and consistency of interpretation among the 81 States Parties to the 1980 Hague Child Abduction Convention, essential elements in the effective operation of this Convention. INCADAT also works as a sign post for non-Contracting States and covers to a small extent non-Contracting cases.

INCADAT is an evolving tool. INCADAT currently contains summaries of more than 850 decisions from 40 jurisdictions in English, French and to a great extent in Spanish. The Permanent Bureau is constantly working on the enlargement of INCADAT's coverage in co-operation with its consultants and contributors from different Contracting States to the 1980 Convention.

The success of INCADAT can also be measured by the increasing number of visits to the INCADAT website. In the past year (from 1 February 2009 to 31 January 2010) the INCADAT website had more than 20,000 visits from 154 different countries / territories. The statistics also show a high interest in INCADAT from users in non-Contracting States, such as Japan and India (being numbers 21 and 35 in the ranking of visits to the webpage).

Complete review of INCADAT - Introduction of a new maintenance tool and website

After ten years of existence, the INCADAT website and maintenance tool needed to be adapted to modern standards and to be modified to cope with the growing number of summaries. This was seen as an ideal occasion for a complete review of INCADAT. The new INCADAT which is to be launched in 2010 will provide improved functionality for users and will allow for a more effective administration and maintenance of the database.

The new INCADAT website complies with modern standards and facilitates easy navigation through the different sections and sub-pages of INCADAT. New search-tool functions enable the users to access information, which is already available, in a more effective way. Furthermore the provision of information relevant to international child abduction has been extended.

One of the major improvements is the introduction of the "Case Law Analysis" Section, which provides the users with a comprehensive case law commentary regarding key topics of the 1980 Hague Child Abduction Convention. Case law commentaries existed before, but they were only accessible via the separate case summaries. Now the commentaries are available in the "Case Law Analysis" Section in an easy to access "folder system" sorted by legal topic. The Permanent Bureau would like to express its gratitude to Professor Peter McEleavy, who since the establishment of INCADAT has provided the Permanent Bureau with the case law commentaries as well as with constant updates and who is largely responsible for the establishment of the new "Case Law Analysis" Section.

Please find below a screen shot of the new INCADAT homepage:

Besides the continuing update of case law records in regard to countries whose decisions are already available on INCADAT, the Permanent Bureau plans to increase the coverage of INCADAT in regard to other not yet represented Contracting States to the 1980 Hague Child Abduction Convention. In this regard it is envisaged to attract new INCADAT Correspondents and to arrange for an INCADAT Correspondents meeting in The Hague in the course of the Financial Year 2010 / 2011. In preparation for this meeting a revised INCADAT Correspondents' Guide and a manual for the new maintenance tool will have to be prepared.

Supplementary Budget

The Permanent Bureau would be grateful for contributions to the Supplementary Budget for the organisation of such an INCADAT Correspondents meeting and the accompanying costs', as well as for funding of urgently needed administrative support for the increasingly complex maintenance of the growing database. Furthermore, contributions would be welcome to enable work on the translation backlog of summaries (mainly into Spanish). See Supplementary Budget 2010-2011, Part I, Article 6 *a).*

Screenshot for French translation:

Note on *The Judges' Newsletter on International Child Protection*

The Judges' Newsletter arose from the needs expressed by judges attending the First Judges' Seminar on the International Protection of the Child in June 1998 in De Ruwenberg in the Netherlands.

The first Judges' Newsletter was published in spring 1999. Since that time, the Newsletter has played a significant role in the development of international judicial co-operation in child protection matters. Moreover, it has served as a stimulus for direct judicial communication. Special Commissions on the operation of Children's Hague Conventions have successively acknowledged and supported the essential role of this journal.[1]

First published in English and French, the two official languages of the Hague Conference, *The Judges' Newsletter* is now also published in Spanish (since autumn 2004) and, for one issue, in Arabic (Vol. X). Distributed to a hundred judges at the beginning, the Newsletter today reaches close to 900 in more than 115 countries and is available on the web in an electronic format that has been updated this year. The Permanent Bureau will also make available soon a general legal index of all the volumes of *The Judges' Newsletter* in order to allow readers to find articles relevant to their particular interests.

In addition to Hague Conference news and updates on its Conventions, *The Judges' Newsletter* provides a unique venue for articles in both comparative law and international law. True to its aim, the journal published numerous articles through which sitting judges have shared experiences of international judicial communication. These experiences have ranged from initiating contact and monitoring direct communication, to ensuring the independence of judges as well as the rights of parties.

Also to be found in previous issues of the Newsletter are the recent developments of case law on the 1980 Convention on International Child Abduction in various jurisdictions such as Iceland (Vol. XVI, p. 61), the United States (XI.45), Hong Kong (IV.27), New-Zealand (XI.19), England and Wales (VI.54) and Brazil (IX.57). As a part of the research on tools and methods for responding to practical difficulties encountered during child abduction proceedings, judges studied the criminal aspects of these proceedings (IV.60) or demonstrated the usefulness of international mediation in inhibiting these conflicts that are potentially so damaging to the child (XI.55). Far from being a discussion forum limited to State Parties to the 1980 Convention, the Newsletter allows us to know, for instance, the point of view of Japan (XI.84), India (X.84), China (XI.90) or Egypt (VIII.20) on international child abduction.

In a broader perspective, some volumes of *The Judges' Newsletter* have focused on other Conventions such as the 1996 Convention on Child Protection (Vol. X) or the 1993 Convention on Intercountry Adoption (Vol. XIII). Judges from Morocco, Lebanon, Malta and Sweden have been able to share their approach to cross-border family law issues

[1] Conclusion and Recommendation No 1.6.9 of the Fifth Meeting of the Special Commission (October - November 2006); Conclusion and Recommendation No 4 of the Special Commission of September - October 2002 on the Hague Child Abduction Convention; Conclusion and Recommendation No 8.3. of the Fourth Meeting of the Special Commission to review the operation of the Hague Child Abduction Convention (22–28 March 2001).

(Vol. VIII). Other judges have taken the opportunity to debate the subject of the child's voice in international procedures (Vol. VI) recalling incidentally the close links between Hague Conventions and the UN Convention on the Rights of the Child, which celebrates its 20th year in November 2009.

To celebrate its 10 years of existence, it is fitting that the 15th Volume of *The Judges' Newsletter* focuses on the Joint EC-HCCH Conference on Direct Judicial Communications on Family Law Matters and the Development of Judicial Networks. The next volume of *The Judges' Newsletter* will cover the Third Malta Judicial Conference and the following volume will report on (1) the June 2010 Special Commission on the practical operation of the *Hague Convention of 29 May 1993 on Protection of Children and Co-operation in Respect of Intercountry Adoption*; (2) Seminar on Cross-Frontier Child Protection in the Southern and Eastern African Region - The Role of the Hague Children's Conventions, which was held in Pretoria, South Africa (22-25 February 2010); and (3) International Judicial Conference on Cross-Border Family Relocation, which is to be held in Washington, D.C., United States of America (23-25 March 2010).

Butterworths Lexis Nexis Publishing have for most of *The Judges' Newsletter*'s life generously subsidized its printing and distribution. They continue to support the Newsletter but for issues from 2009 the Permanent Bureau has had to seek alternative sources of funding to ensure continuity in the distribution of paper copies to the 900 judges (in more than 115 countries) and Central Authorities that receive it (see Supplementary Budget 2010-2011, Part I, Art. 4).