

Questionnaire concerning the Practical Operation of the 1980 Child Abduction Convention

Wherever responses to this Questionnaire make reference to domestic legislation, rules, guidance or case law relating to the practical operation of the 1980 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:¹	Colombia
<i>For follow-up purposes</i>	
Name of contact person:	
Name of Authority / Office:	
Telephone number:	
E-mail address:	
Date:	

PART I – PRACTICAL OPERATION OF THE 1980 CONVENTION

Recent developments in your State²

1. Since the 2017 SC, have there been any significant developments in your State regarding the **legislation** or **procedural rules** applicable in cases of international child abduction? Where possible, please state the reason for the development and the results achieved in practice.

- No
 Yes

Please specify:

Please insert text here

2. Following the Covid-19 pandemic,³ have there been any **improvements** that have remained in your State in the following areas, in particular in relation to the **use of information technology**, as a result of newly adopted procedures or practices applicable to child abduction cases? In each case, please describe the tools, guidelines or protocols put in place.

- a) Methods for accepting and processing return and access applications and their accompanying documentation;

On October 2020 we implemented a virtual form for the incoming and outgoing Hague Return requests
<https://sim.icbf.gov.co/SEACOnline/Page/SEACOnline/SolicitudRestitucionRegulacion/List.aspx>

- b) Participation of the parties and the child (e.g., appearance in court proceedings, mediation);
The Administrative and Judicial Authorities have implemented virtual hearings so the applicants abroad and the parties can attend judicial hearings

- c) Promoting mediation and other forms of amicable resolution;

¹ The term "State" in this Questionnaire includes a territorial unit, where relevant.

² This Part of the Questionnaire is intended to deal primarily with the developments in law and practice relating to international child abduction which have occurred in your State since the Seventh Meeting of the Special Commission (SC) to review the operation of the 1980 Abduction Convention and the 1996 Child Protection Convention (held from 10 to 17 October 2017) ("2017 SC").

³ This question aims to gather information about good practices that were developed in those exceptional circumstances and that will continue to be applied regardless of the pandemic.

In Colombia at the Administrative Phase the Administrative Authority summon the alleged abductor parent to a hearing in order to try a voluntary return. This hearing can be virtual.

- d) Making arrangements for organising or securing the effective exercise of rights of access, including while pending return proceedings;
At the Administrative Phase, the Administrative Authority can order a temporarily regime for the access rights
- e) Obtaining evidence by electronic means;
At the Judicial Phase the parties can intervene virtually
- f) Ensuring the safe return of the child;
We keep permanent communication with Central Authorities regarding the return orders until the children are back in their habitual residence countries.
- g) Cooperation between Central Authorities and other authorities;
We keep permanent communication with Central Authorities regarding the return orders until the children are back in their habitual residence countries.
- h) Providing information and guidance for parties involved in child abduction cases;
At the Administrative Phase the Administrative Authority explains to the alleged abductor parent the procedure for the Hague Return case. The Sudirección for Adoptions of the Colombian Institute for Family Welfare as Colombian Central Authority, does the same explaining the applicant about the procedure that the request will follow.
- i) Other, please specify.

3. Please provide the three most **significant decisions concerning the interpretation and application of the 1980 Convention** rendered since the 2017 SC by the relevant authorities⁴ in your State.

Case Name	Court Name	Court Level	Brief summary of the ruling
Decision T-202 of 2018	Constitutional Colombian Court	High Courts	On this Hague Return Case the Constitutional Colombian Court reviewed the second instance decision issued by a Family Court and set a legal precedent regarding the children's rights of being heard. For that reason the Constitutional Colombian Court denied the return of the child.
	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

4. Please provide a brief summary of **any other significant developments** in your State since the 2017 SC.

⁴ The term “relevant authorities” is used in this Questionnaire to refer to the judicial or administrative authorities with decision-making responsibility under the 1980 Convention. Whilst in the majority of Contracting Parties such “authorities” will be courts (i.e., judicial), in some States Parties administrative authorities remain responsible for decision-making in Convention cases.

The Colombian Central Authority lead the draft law to regulate the colombian procedure for the incoming Hague Return Cases. The draft is ready to be filed before the Colombian Congress.

Issues of compliance

5. Has your State faced any particular **challenges with other Contracting Parties** to the 1980 Convention in achieving successful cooperation? Please specify the challenges that were encountered and, in particular, whether the problems appear to be systemic.

- No
 Yes

Please specify the challenges encountered:

As Colombian Central Authority we have faced challenges with the Peruvian Central Authority and the Spanish Central Authority. With the Peruvian Central Authority we have experienced issues regarding the location of the abducted children when they are not peruvian. The Peruvian Central Authority states that they can not search for non-peruvian children, this in oposition of the a) of the Article 7 of the 1980 Hague Convention. On the other hand, the Spanish Central Authority rejects the outgoing Hague Access cases that we send.

6. Are you aware of situations or circumstances in which there has been **avoidance or improper application** of the 1980 Convention as a whole or any of its provisions in particular?

- No
 Yes

Please specify:

As Colombian Central Authority we have faced challenges with the Peruvian Central Authority and the Spanish Central Authority. With the Peruvian Central Authority we have experienced issues regarding the location of the abducted children when they are not peruvian. The Peruvian Central Authority states that they can not search for non-peruvian children, this in oposition of the a) of the Article 7 of the 1980 Hague Convention. On the other hand, the Spanish Central Authority rejects the outgoing Hague Access cases that we send.

Addressing delays and ensuring expeditious procedures

7. The 2017 SC encouraged States to review their procedures (including, where applicable, at the Central Authority, judicial, enforcement and mediation / other alternative dispute resolution - “ADR” phases)⁵ in order to identify possible sources of delay and implement the adjustments needed to secure shorter time frames consistent with Articles 2 and 11 of the Convention. Please indicate any identified sources of delay at the following phases:

Central Authority

- No
 Yes
 Procedure not yet revised

If the answer to the above is YES, please share any measures that have been implemented to address the delays:

Please insert text here

⁵ See C&R No 4 of the 2017 SC, “The Special Commission acknowledges that some States have made progress in reducing delays and encourages States to review their procedures (including, where applicable, at the Central Authority, judicial, enforcement and mediation / ADR phases) in order to identify possible sources of delay and implement the adjustments needed to secure shorter time frames consistent with Articles 2 and 11 of the Convention.”

Judicial proceedings

- No
 Yes
 Procedure not yet revised

If the answer to the above is YES, please share any measures that have been implemented to address the delays:

As Central Authority we have provided technical assistance to Judges; we created a virtual course and we invited the Colombian Family Courts to take the course so they can know the proper compliance of the 1980 Hague Convention and the good practices that they must follow.

Enforcement

- No
 Yes
 Procedure not yet revised

If the answer to the above is YES, please share any measures that have been implemented to address the delays:

Please insert text here

Mediation / ADR

- No
 Yes
 Procedure not yet revised

If the answer to the above is YES, please share any measures that have been implemented to address the delays:

Please insert text here

Court proceedings and promptness

8. Does your State have mechanisms in place to deal with return decisions within six weeks (e.g., production of summary evidence, limitation of appeals, swift enforcement)?

- No
 Yes
 Please specify:
 Please insert text here

9. If the response to question 8 above is “No”, does your State contemplate implementing mechanisms to meet the requirement of prompt return under the 1980 Convention (e.g., procedures, bench-books, guidelines, protocols)?

- No
 Please specify:
 Please insert text here
 Yes
 Please specify:
 The Colombian Central Authority lead the draft law to regulate the colombian procedure for the incoming Hague Return Cases. The draft is ready to be filed before the Colombian Congress. However, nowadays we have a guideline for the

Administrative Authorities where we establish the general procedure and the requirement of prompt return within six weeks.

10. Do the courts in your State make use of direct judicial communications⁶ to ensure prompt proceedings?

- No
 Yes

Please specify:
 Please insert text here

11. If your State has not designated a judge to the International Hague Network of Judges (IHNJ) does your State intend to do so in the near future?

- No
 Yes

Please specify:
 We have designated a Judge to the International Hague Network of Judges

12. Please comment upon any cases (where your State was the requested State) in which the judge (or decision-maker) has, before determining an application for return, communicated with a judge or other authority in the requesting State regarding the issue of the child's safe return. What was the specific purpose of the communication? What was the outcome?

Sometimes the Judges request from the Colombian Central Authority cooperation to require the local authorities of the requesting State regarding a follow-up on the child's conditions, in case they order the return to the habitual residence country.

The role and functions of Central Authorities designated under the 1980 Convention

In general

13. Have any of the duties of Central Authorities, as set out in **Article 7** of the 1980 Convention, raised any particular problems in practice either in your State, or in Contracting Parties with which your State has cooperated?

- No
 Yes

Please specify:
 Please insert text here

14. Has your Central Authority encountered any challenges with the application of **any of the 1980 Convention provisions**? If so, please specify.

- No
 Yes

Please specify:
 Please insert text here

Legal aid and representation

⁶ For reference, see “Direct Judicial Communications - Emerging Guidance regarding the development of the International Hague Network of Judges and General Principles for Judicial Communications, including commonly accepted safeguards for Direct Judicial Communications in specific cases, within the context of the International Hague Network of Judges”.

15. Do the measures your Central Authority takes to provide or facilitate the provision of legal aid, legal advice and representation in return proceedings under the 1980 Convention (**Art. 7(2)(g)**) result in delays in proceedings either in your own State, or, where cases originate in your State, in any of the requested States that were dealt with?

- No
 Yes

Please specify:

Please insert text here

16. Are you aware of any other challenges in your State, or, where cases originate in your State, in any of the requested States your Central Authority has dealt with, regarding the **obtaining of legal aid, advice and / or representation for either left-behind parents or taking parents**?⁷

- No
 Yes

Please specify:

Since the United States made a reservation to the Article 26 of the 1980 Hague Convention, the process to obtain legal aid, legal advice and representation in the United States results in delays in the proceedings. This, because the applicants can not file a case before a Court if they are not represented by an attorney.

Locating the child

17. Has your Central Authority encountered any **challenges with locating children** in cases involving the 1980 Convention, either as a requesting or requested State?

- No
 Yes

Please specify the challenges encountered and what steps were taken or are considered to be taken to overcome these challenges:

The Peruvian Central Authority states that they can not search for non-peruvian children, this in opposition of the a) of the Article 7 of the 1980 Hague Convention.

Voluntary agreements and bringing about an amicable resolution of the issues

18. How does your Central Authority (either directly or through any intermediary) take, or is considering taking, appropriate steps under **Article 7(c)** to bring about an amicable resolution of the issues? Please explain:

In Colombia at the Administrative Phase the Administrative Authority summon the alleged abductor parent to a hearing in order to try a voluntary return. On the Judicial Phase, the Judge also tries to reach an agreement between the parties.

19. In the case that your Central Authority offers mediation services, or other alternative dispute resolution methods to bring about an amicable resolution of the issues, has your Central Authority reviewed these procedures in the light of the framework of international child abduction cases (e.g.,

⁷ See paras 1.1.4 to 1.1.6 of the C&R of the Fifth Meeting of the SC to review the operation of the 1980 Child Abduction and the practical implementation of the 1996 Child Protection Convention (30 October – 9 November 2006) (2006 SC C&R) and paras 32 to 34 of the C&R of the Sixth Meeting of the SC to review the operation of 1980 and 1996 Conventions (1-10 June 2011 and 25-31 January 2012) (2012 SC C&R), available on the HCCH website at www.hcch.net under “Child Abduction Section” then “Special Commission meetings”.

by providing trained, specialised mediators, including with cross-cultural competence and necessary language skills⁸)?

Please specify:

In Colombia at the Administrative Phase the Administrative Authority summon the alleged abductor parent to a hearing in order to try a voluntary return. In case an interpreter is needed as Central Authority we will request the competent authority for its appointment.

20. Should the services mentioned in the question above not yet be provided, does your Central Authority intend to provide them in the future?

Please provide comments:

No

21. Has your State considered, or is it in the process of considering, the establishment of a central service for international family mediation to facilitate access to information on available mediation services and related issues for cross-border family disputes involving children?⁹

No

Please explain:

The Colombian legislation does not contain any provision regarding mediation. At the Judicial Phase on the Hague Return Cases the Judge will try to reach an agreement through conciliation between the parties.

Yes

Please explain:

Please insert text here

Ensuring the safe return of children¹⁰

22. How does the competent authority in your State obtain information about the protective measures available in the requesting State when necessary to ensure the safe return of the child?

Please explain:

As Central Authority we ask for cooperation from the requesting Central Authority, in case a protective measure is requested or an additional action is necessary to promote the safe return of the child to their habitual residence country.

23. If requested as a safe return measure (e.g., in accordance with the 1996 Convention), would your Central Authority be in a position to provide, either directly or through intermediaries, a report on the situation of the child after a certain period of time after the return?

No

Yes

Please specify:

As the Colombian Institute for Family Welfare we have the Central Authority role but also we are the Colombian government entity in charge of promoting and protecting the children's rights.

Information exchange, training and networking of Central Authorities

⁸ For reference, please see the recommendation in the Guide to Good Practice on Mediation, item 3.2, paras 98-105, "Specific training for mediation in international child abduction cases", available on the HCCH website at www.hcch.net under "Child Abduction Section" then "Guides to Good Practice".

⁹ As it has been encouraged in the Guide to Good Practice on Mediation, Chapter 4, on "Access to Mediation". paras 114-117. See also 2011 / 2012 SC C&R at para. 61.

¹⁰ See Art. 7(2)(h) of the 1980 Convention.

24. Has your Central Authority shared experiences with other Central Authority(ies), for example by organising or participating in any networking initiatives such as regional meetings of Central Authorities, either in person or online?¹¹

- No
 Yes

Please specify:

As Central Authority we are constantly arranging meetings with other Central Authorities in which we discuss our experiences and particular cases. Moreover, we organize conversatories and we invite other Central Authorities.

Case management and collection of statistical data on applications made under the Convention

25. Has your Central Authority developed any protocols or internal guidelines for the processing of incoming and outgoing cases?

- No
 Yes

Please specify and share the relevant instruments whenever possible:

As Central Authority we created an internal guideline for the Administrative Authorities in which we present the general procedure that must be followed for the incoming cases.

26. Does your Central Authority operate a case management system for processing and tracking incoming and outgoing cases?

- No
 Yes

Please specify:

As Central Authority we have an internal Misional Information System (SIM) in which we register the cases and we can see the current status of the case and do permanent follow-up.

27. Does your State collect statistical data on the number of applications made per year under the 1980 Convention (e.g., number of incoming and / or outgoing cases)?¹²

- No
 Yes

In case this information is publicly made available, please share the links to the statistical reports:

This information is not public.

Transfrontier access / contact¹³

28. Since the 2017 SC, have there been any significant developments in your State regarding Central Authority practices, legislation, procedural rules or case law applicable in cases of transfrontier access / contact?

- No
 Yes

¹¹ See, in particular, Chapter 6.5, on twinning arrangements, of the Guide to Good Practice – Part I – Central Authority Practice, available on the HCCH website at www.hcch.net (see path indicated in note 8).

¹² In the Country Profile for the 1980 Child Abduction Convention, question No 23(e), States are asked to inform whether statistics related to applications under the Convention are publicly available. Please note that, at its meeting of 2021, according to Conclusion & Decision (C&D) No 19, the Council on General Affairs and Policy (CGAP) mandated the discontinuance of INCASTAT.

¹³ See C&R Nos 18-20 of the 2017 SC.

Please specify:

The Colombian Central Authority lead the draft law to regulate the colombian procedure for the incoming Hague Return Cases. The draft is ready to be filed before the Colombian Congress.

29. Has your Central Authority encountered any problems as regards cooperation with other States in making arrangements for organising or securing the effective exercise of rights of access / contact?

- No
- Yes

Please specify:

Tthe Spanish Central Authority rejects the outgoing Hague Access cases that we send.

30. Has your State had any challenges, or have questions arisen, in making arrangements for organising or securing the effective exercise of rights of access / contact under **Article 21** when the application was *not* linked to an international child abduction situation?¹⁴

- No
- Yes

Please specify:

Please insert text here

31. In the case of access / contact applications under **Article 21**, which of the following **services** are provided by your Central Authority?

Position	Services provided
A request of assistance to organise or secure effective exercise of rights of access in another Contracting Party (as requesting State)	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> 1. Assistance in obtaining information on the operation of the 1980 Convention <input checked="" type="checkbox"/> 2. Assistance in obtaining information on the relevant laws and procedures in the requested State <input checked="" type="checkbox"/> 3. 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"/> 4. Transmission of the request to the Central Authority or to the competent authorities in the requested State <input type="checkbox"/> 5. 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 type="checkbox"/> 6. Assistance in providing or facilitating the provision of legal aid and advice <input type="checkbox"/> 7. Assistance in obtaining private legal counsel or mediation services, where needed in the requested State <input checked="" type="checkbox"/> 8. Referral to other governmental and / or non-governmental organisations for assistance <input checked="" type="checkbox"/> 9. Provision of regular updates on the progress of the application <input type="checkbox"/> 10. Other, please specify: Please insert text here
A request of assistance to organise or secure effective exercise of rights of access in your State (as requested State)	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> 1. Providing information on the operation of the 1980 Convention and / or the relevant laws and procedures in your State <input checked="" type="checkbox"/> 2. 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"/> 3. Assistance in providing or facilitating the provision of legal aid and advice

¹⁴ According to C&R No 18 of the 2017 SC, “The Special Commission agrees that an application to make arrangements for organising or securing the effective exercise of rights of access / contact under Article 21 can be presented to Central Authorities, independently of being linked or not, to an international child abduction situation.”

	<input type="checkbox"/> 4. Assistance in obtaining private legal counsel or mediation services available in your State <input type="checkbox"/> 5. Referral to other governmental and / or non-governmental organisations for assistance <input checked="" type="checkbox"/> 6. Regular updates on the progress of the application <input type="checkbox"/> 7. Other, please specify: Please insert text here
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32. Should your State also be a Contracting Party to the 1996 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 specify:
Please insert text here

Special topics

Obtaining the views of a child in a child abduction case

33. When obtaining the views of a child in a child abduction proceeding in your State's jurisdiction, what are the elements normally observed and reported by the person hearing the child (e.g., expert, judge, guardian *ad litem*? (E.g., the views of the child on the procedures, the views of the child on the subject of return, the maturity of the child, any perceived parental influence on the child's statements)?

Please explain:

By law in any procedure involving a child, the authorities are complied to hear the views of the child taking into account the level of maturity of the child.

34. Are there any procedures, guidelines or principles available in your State to guide the person (e.g., expert, judge, guardian *ad litem*) in seeking the views of the child in a child abduction case?

- No
 Yes
Please specify:
Please insert text here

Article 15

35. As requesting State (outgoing applications), how often have judicial or administrative authorities in your State received requests for Article 15 decisions or determinations?

- Do not know
 Never
 Rarely
 Sometimes
 Very often
 Always

36. As requested State (incoming applications), how often have judicial or administrative authorities in your State requested Article 15 decisions or determinations?

- Do not know
 Never

- Rarely
 Sometimes
 Very often
 Always

37. Please indicate any good practices your State has developed to provide as complete as possible information in the return applications as required under Article 8 with a view to speed up proceedings?

Please indicate:

In this cases the Colombian State provides to the citizen all the posible information about the process, the formalitis and documents that are required by the requested state, all the information can be found in the next link:

[Restitución Internacional y Regulación Internacional de Visitas | Portal ICBF - Instituto Colombiano de Bienestar Familiar ICBF](#)

38. Considering C&R No 7 of the 2017 SC,¹⁵ what information do you suggest adding to the Country Profile for the 1980 Convention, either as requested State or requesting State in relation to Article 15?

Please insert your suggestions:

We don't have any suggestions

Relationship with other international instruments on human rights

39. Has your State faced any challenges, or have questions arisen, in processing international child abduction cases where there was a **parallel refugee claim** lodged by the taking parent?

- No
 Yes

If possible, please share any relevant case law or materials that are relevant to this type of situation in your State or, alternatively, a summary of the situation in your State:

[Please insert text here](#)

- Do not know

40. Has the concept of the **best interest of the child** generated discussions in your State in relation to child abduction proceedings? If it is the case, please comment on any relevant challenges in relation to such discussions.

- No
 Yes

Please provide comments:

[Please insert text here](#)

Use of the 1996 Convention¹⁶

41. If your State is not Party to the 1996 Convention, is consideration being given to the possible advantages of the 1996 Convention (please comment where applicable below):

¹⁵ See C&R No 7: "The Special Commission recommends amending the Country Profile for the 1980 Convention to include more detailed information on the Article 15 procedure. It is further recommended that an Information Document on the use of Article 15 be considered with, if necessary, the assistance of a small Working Group."

¹⁶ For this part of the Questionnaire, the [Practical Handbook on the Operation of the 1996 Child Protection Convention](#) can provide helpful guidance, available on the HCCH website at [under "Child Protection Section"](#).

- (a) providing a jurisdictional basis for urgent protective measures associated with return orders (**Arts 7 and 11**)
Colombia doest give applicability to the agreement
- (b) providing for the recognition of urgent protective measures by operation of law (**Art. 23**)
Colombia doest give applicability to the agreement
- (c) providing for the advance recognition of urgent protective measures (**Art. 24**)
Colombia doest give applicability to the agreement
- (d) communicating information relevant to the protection of the child (**Art. 34**)
Colombia doest give applicability to the agreement
- (e) making use of other relevant cooperation provisions (e.g., **Art. 32**)
Colombia doest give applicability to the agreement

42. If your State is a Party to the 1996 Convention, does your State make use of the relevant cooperation provisions (e.g., Art. 32) to provide, if requested, either directly or through intermediaries, a report on the situation of the child after a certain period of time after the return?¹⁷

- No
 Yes

Please specify:

Colombia doest give applicability to the agreement

Primary carer and protective measures

43. Are you aware of any cases in your State where a primary carer taking parent, for reasons of personal security (e.g., domestic or family violence, intimidation, coercive control, harassment, etc.) or others, has refused or has not been in a position to return with the child to the requesting State? How are such cases dealt with in your State?

Please explain and provide case examples where possible:

Yes, we had some cases in which the jude takes the desition under the article 13 of the Hague convention

44. Would the authorities of your State consider putting in place measures to protect the primary carer upon return in the requesting State if they were requested as a means to secure the safe return of the child?

Please explain and provide case examples where possible:

In some cases our administrative authorities start a administrative process of righths reestablishment and also the authorities ask before the migration authority an inpediment to leave the country with the objetive to avoid any new abduction from our country

45. In cases where the return order was issued together with a protective measure to be implemented upon return, are you aware of any issues encountered by your State in relation to the enforcement of such protective measures?

- No

¹⁷ See C&R No 40 of the 2017 SC: “The Special Commission notes that many Central Authorities may provide certain degrees of assistance (both when the 1980 Convention and / or the 1996 Convention apply), both to individuals within their own State and to foreign Central Authorities on behalf of an individual residing abroad. Requests for assistance may encompass such matters as: securing rights of access; the return of children (both when the 1980 Convention and / or the 1996 Convention apply); the protection of runaway children; reporting on the situation of a child residing abroad; post-return reports for children returned to their habitual residence; the recognition or non-recognition of a measure taken abroad (advanced recognition); and, the enforceability of a foreign measure of protection.” (Emphasis added.)

- Yes
Please explain and distinguish between such measures being recognised and enforced under the 1996 Convention:
Please insert text here

46. In cases where the return order was issued together with an undertaking given by either party to the competent authority of the requested State, are you aware of any issues encountered by your State in relation to the enforcement of such undertakings?

- No
 Yes
Please specify:
Please insert text here

47. If your State is a Contracting Party to the 1996 Convention, is Article 23 of that Convention being used or considered for the recognition and enforcement of undertakings given by either party while returning a child under the 1980 Convention?

- No
 Yes
Please specify:
Please insert text here
 N/A

48. In cases where measures are ordered in your State to ensure the safety of a child upon return, does your State (through the Central Authority, competent Court or otherwise) attempt to monitor the effectiveness of those measures upon the child's return?

- No
 Yes
Please specify:
The Colombian State makes and takes measures to follow up until the return of the child

International family relocation¹⁸

49. 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

Publicity and debate concerning the 1980 Convention

¹⁸ See the C&R of the 2006 SC at paras 1.7.4-1.7.5, C&R No 84 of the 2012 SC, and C&R No 21 of the 2017 SC, the latter of which says: "The Special Commission recalls the importance of securing effective access to procedures to the parties in international family relocation cases. In this regard, the Special Commission notes that: i) mediation services may assist the parties to solve these cases or prepare for outcomes; ii) the Washington Declaration of 25 March 2010 on Cross-border Family Relocation may be of interest to competent authorities, in particular in the absence of domestic rules on this matter. The Special Commission recommends joining the 1996 Convention."

50. Considering any potential impact on its practical operation, has your State had any recent publicity (positive or negative) or has there been any debate or discussion in your national parliament or its equivalent about the 1980 Convention?

- No
 Yes

Please indicate the outcome of this debate or discussion, if any:

As a state we have socializations of the aplicability of the convention in the academic field.

51. By what methods does your State disseminate information to the public and raise awareness about the 1980 Convention?

Please explain:

The colombian state have provided access facilities to the public through the web page of the Colombian Institute of Family Welfare about the Hague convention

PART II – TRAINING, EDUCATION AND POST-CONVENTION SERVICES

Training and education

52. Please provide below details of any training sessions / conferences organised in your State to support the effective functioning of the 1980 Convention, and the influence that such sessions / conferences have had:

Please provide details:

We have maintained periodic academic spaces with the administrative and judicial authorities to strengthen their knowledge of this specific topic

The tools, services and support provided by the PB

53. Please comment or state your reflections on the specific tools, services and support provided by the PB to assist with the practical operation of the 1980 (and 1996) Conventions, including:

- a. The Country Profile available under the Child Abduction Section, including the addition and / or revision of its questions.

This section has been useful to identify the information of every central authority

- b. INCADAT (the international child abduction database, available at www.incadat.com).

We don't make use of this tool

- c. *The Judges' Newsletter* on International Child Protection - the HCCH publication which is available online for free;²⁰

This tool have been usefull to be permantly updated

- d. The specialised "Child Abduction Section" of the HCCH website (www.hcch.net);

We don't make use of this tool

- e. Providing technical assistance and training to Contracting Parties regarding the practical operation of the 1980 (and 1996) Conventions. Such technical assistance and training may involve persons visiting the PB or, alternatively, may involve the PB (including through its Regional Offices) organising, or providing assistance with organising, national and international judicial and other seminars and conferences concerning the Convention(s) and participating in such conferences;

Our country have had some meeting but we didn't have any training by PB

- f. Encouraging wider ratification of, or accession to, the 1980 (and 1996) Conventions, including educating those unfamiliar with the Convention(s);²¹

We have made some meeting with other countrys to strengthen the cooperation

- g. Supporting communications between Central Authorities, including maintaining updated contact details on the HCCH website or intervening to facilitate contact in cases where obstacles arise.

²⁰ Available on the HCCH website at under "Child Abduction Section" and "Judges' Newsletter on International Child Protection". For some volumes of *The Judges' Newsletter*, it is possible to download individual articles as required.

²¹ Which again may involve State delegates and others visiting the PB or, alternatively, may involve the PB organising, or providing assistance with organising, national and international judicial and other seminars and conferences concerning the 1980 (and 1996) Conventions and participating in such conferences.

The information on the web page has been useful since day 1

- h. Supporting communications among Hague Network Judges and between Hague Network Judges and Central Authorities, including maintaining a confidential database of up-to-date contact details of Hague Network Judges or intervening to facilitate contact in cases where obstacles arise.

In some cases we have received support from the judges of the Hague Network but in others takes too long to receive any information

- i. Responding to specific questions raised by Central Authorities, Hague Network Judges or other operators regarding the practical operation or interpretation of the 1980 (and 1996) Conventions.

We don't make use of this tool

Guides to Good Practice under the 1980 Convention

54. For any of the Guides to Good Practice²² which you may have used to assist in implementing for the first time, or improving the practical operation of, the 1980 Convention in your State please provide comments below:

- a. Part I on Central Authority Practice.

In Colombia we have made use of great part of this guide to write a service lineament

- b. Part II on Implementing Measures.

In Colombia we have made use of great part of this guide to write a service lineament

- c. Part III on Preventive Measures.

In Colombia we have made use of great part of this guide to write a service lineament

- d. Part IV on Enforcement.

In Colombia we have made use of great part of this guide to write a service lineament

- e. Part V on Mediation

In Colombia we have made use of great part of this guide to write a service lineament

- f. Part VI on Article 13(1)(b)

In Colombia we have made use of great part of this guide to write a service lineament

- g. Transfrontier Contact Concerning Children – General Principles and Guide to Good Practice

In Colombia we have made use of great part of this guide to write a service lineament

55. How has your Central Authority ensured that the relevant authorities in your State have been made aware of, and have had access to the Guides to Good Practice?

The Colombian Institute of Family Welfare as Central Authority has been totally open to socializing and training the administrative and judicial authorities of the country

56. Do you have any other comments about any Part of the Guide to Good Practice?

We don't have any

²² All Parts of the Guide to Good Practice under the 1980 Convention are available on the HCCH website at www.hcch.net under "Child Abduction Section" then "Guides to Good Practice".

57. In what ways have you used the *Practitioner’s Tool: Cross-Border Recognition and Enforcement of Agreements Reached in the Course of Family Matters Involving Children*²³ to assist in improving the practical operation of the 1980 Convention in your State?

We don’t make use of this tool

Other

58. What other measures or mechanisms would you recommend:

a. to improve the monitoring of the operation of the 1980 Convention;

We need a field of mediation of the PB between Central authorities for specific cases

b. to assist States in meeting their Convention obligations; and

We need a field of mediation of the PB between Central authorities for specific cases

c. to evaluate whether serious violations of Convention obligations have occurred?

We need a field of mediation of the PB between Central authorities for specific cases

²³ The *Practitioner’s Tool* is available at the HCCH website at www.hcch.net under “Child Abduction Section” then “Guides to Good Practice”.

PART III – NON-CONVENTION STATES

59. Are there any States that you would particularly like to see become a Contracting Party to the 1980 Convention? If so, what steps would you suggest could be taken to promote the Convention and encourage ratification of, or accession to, the Convention in those States?

Please explain:

We suggest that middle eastern countries be included on the convention example: Arab Emirates and Qatar

60. Are there any States which are not Party to the 1980 Convention or not Members of the HCCH that you would like to see invited to the SC meeting in 2023?

Please indicate:

None

The “Malta Process”²⁴

61. Do you have any suggestions of activities and projects that could be discussed in the context of the “Malta Process” and, in particular, in the event of a possible Fifth Malta Conference?

Please explain:

None

²⁴ The “Malta Process” is a dialogue between certain Contracting Parties to the 1980 and 1996 Conventions and certain States which are not Parties to either Convention, with a view to securing better protection for cross-border rights of contact of parents and their children and addressing the problems posed by international abduction between the States concerned. For further information see the HCCH website at www.hcch.net under “Child Abduction Section” then “Judicial Seminars on the International Protection of Children”.

PART IV – PRIORITIES AND RECOMMENDATIONS FOR THE 2023 SC AND ANY OTHER MATTERS

Views on priorities and recommendations for the SC

62. Are there any particular issues that your State would like the SC meeting to discuss in relation to the 1980 Convention?

Please specify and list in order of priority if possible:

1. Countries with the reservation to free legal assistance
2. Countries with reservation to the international regulation of visits
3. Countries that do not comply the art 7

63. Are there any proposals your State would like to make concerning any particular recommendation to be made by the SC?

Please specify:
none

Bilateral meetings

64. Should your State be interested in having bilateral meetings during the SC meeting, please indicate, for the PB's planning purposes, an estimate of how many States with which it intends to meet:

Please insert number:

1. Spain, so we can look for options to strengthen communication.

Any other matters

65. States are invited to comment on any other matters which they may wish to raise at the 2023 SC meeting concerning the practical operation of the 1980 Convention.

Please provide comments:
none