

QUESTIONNAIRE CONCERNING THE PRACTICAL OPERATION OF THE 1980 CONVENTION

Wherever your replies 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	REPÚBLICA DE PARAGUAY
<i>For follow-up purposes</i>	
Name of contact person:	LILI BEATRIZ MENDEZ DELGADILLO
Name of Authority / Office:	SECRETARIA NACIONAL DE LA NIÑEZ Y LA ADOLESCENCIA
Telephone number:	0059521) 203611 - (0059521) 207160 - (00595981) 255291
E-mail address:	restitucioninternacional@snaa.gov.py - restitucion.internacional.py@gmail.com - lbmendez@snaa.gov.py

PART I: RECENT DEVELOPMENTS²

1. Recent developments in your State

1.1 Since the 2011 / 2012 Special Commission, 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 in the legislation / rules, and, where possible, the results achieved in practice (e.g., reducing the time required to decide cases).

No

Yes, please specify:

Since the meeting of the Special Commission of 2011/2012, there have been some positive changes in the Paraguayan State, although it is true that the 1996 Hague Convention is pending approval, with two favorable opinions in the Senate. These changes refer to the constant training of judicial actors in the proper implementation of the Conventions, in particular the 1980 Hague Convention on International Child Abduction, with which it is achieved the correct application achieving results within the established deadlines. Likewise, the model law in which the specific procedures for the correct application of the Convention are established is being studied.

1.2 Please provide a brief summary of any significant decisions concerning the interpretation and application of the 1980 Convention rendered since the 2011 / 2012 Special Commission by the relevant authorities³ in your State including in the context of the 20 November 1989 United Nations Convention on the Rights of the Child and relevant regional instruments.

Since the meeting of the Special Commission of 2011/2012, in relation to the interpretation and application of the 1980 Convention, the most important advance is the promotion of judicial processes to guarantee the right to cross-border visit, which was not previously carried out in the country. Likewise, there has been progress in judicial practice

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 and international child protection which have occurred in your State since the Sixth 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 *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* (1-10 June 2011 and 25-31 January 2012) (hereinafter "the 2011 / 2012 Special Commission"). However, if there are important matters which you consider should be raised from *prior* to the 2011 / 2012 Special Commission, please provide such information here.

³ 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 States Parties such "authorities" will be courts (i.e., judicial), in some States Parties administrative authorities remain responsible for decision-making in Convention cases.

in enforcing the right of the child to be heard, and that their opinions are taken into account according to the age and development of each one. It is also important to emphasize the progress made by the judicial authorities in interpreting and applying the exceptions provided for in Article 13 (b) of the 1980 Hague Convention.

1.3 Please provide a brief summary of any other significant developments in your State since the 2011 / 2012 Special Commission relating to international child abduction.

Many efforts have been made in order to achieve, in practice, the immediate return of the child to his habitual place of residence, through interviews with both parents tending to conciliate the parties and urge a safe and immediate return without the need to go to court. Successfully achieving the prompt resolution of cases, without the need to prosecute cases.

2. **Issues of compliance**

2.1 Are there any States Parties to the 1980 Convention with whom you are having particular challenges in achieving successful co-operation? Please specify the challenges you have encountered and, in particular, whether the problems appear to be systemic.

- No
 Yes, please specify:

[Please insert text here](#)

2.2 Are you aware of situations / circumstances in which there has been avoidance / evasion of the 1980 Convention?

- No
 Yes, please specify:

[Please insert text here](#)

PART II: THE PRACTICAL OPERATION OF THE 1980 CONVENTION
--

3. **The role and functions of Central Authorities designated under the 1980 Convention**⁴

In general

3.1 Have any challenges arisen in practice in achieving effective communication or co-operation with other Central Authorities?

- No
 Yes, please specify:

[Please insert text here](#)

3.2 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 States Parties with whom you have co-operated?

- No
 Yes, please specify:

[Please insert text here](#)

3.3 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

3.4 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

⁴ See also Section 5 below on "Ensuring the safe return of children" which involves the role and functions of Central Authorities.

(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 you have dealt with?

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

3.5 Are you aware of any other challenges in your State, or, where cases originate in your State, in any of the requested States you have dealt with, regarding the obtaining of legal aid, advice and / or representation for either left-behind parents or taking parents?⁵

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

Locating the child

3.6 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:

[We have had some experiences of difficulties in locating stolen children, as the requesting country, which causes certain delays in the processes of international restitution of children](#)

3.7 Has your Central Authority worked with any external agencies to discover the whereabouts of a child wrongfully removed to or retained within your State (e.g., the police, Interpol, private location services)?

- No
 Yes, please share any good practice on this matter:

[The Central Authority of Paraguay has requested the collaboration of INTERPOL on several occasions, but in order to avoid further delays in the processes, this Central Authority has an interdisciplinary team of search and location, who successfully manage to locate the child subtracted in a short period of time.](#)

Information exchange, training and networking of Central Authorities

3.8 Has your Central Authority shared its expertise with another Central Authority or benefited from another Central Authority sharing its expertise with your Central Authority, in accordance with the Guide to Good Practice – Part I on Central Authority Practice?⁶

- No
 Yes, please specify:

[We have successfully shared our technical knowledge with other countries that have required us to collaborate in the elaboration of their law for the application of the Convention, as well as benefiting from favorable practices in other countries, which help the good implementation of the 1980 Convention.](#)

3.9 Has your Central Authority organised or participated in any other networking initiatives between Central Authorities such as regional meetings via conference call or videoconference?

- No

⁵ See paras 1.1.4 to 1.1.6 of the "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) (hereinafter referred to as the "[Conclusions and Recommendations of the 2006 Special Commission](#)") and paragraphs 32 to 34 of the [Conclusions and Recommendations of the Special Commission to review the operation of the Hague Convention of 19 October 1980 on Jurisdiction, Applicable law, Recognition, Enforcement and Co-operation in Respect of Parental Responsibility and Measures for the Protection of Children \(1-10 June 2011 and 25-31 January 2012\)](#) (hereinafter the "C&R of the 2011/2012 Special Commission") (available on the Hague Conference website at < www.hcch.net > under "Child Abduction Section" then "Special Commission meetings").

⁶ Available on the Hague Conference website at < www.hcch.net > under "Child Abduction Section" then "Guides to Good Practice". See, in particular, Chapter 6.5 on twinning arrangements.

- Yes, please specify:
Please insert text here

Statistics⁷

3.10 If your Central Authority does not submit statistics through the web-based INCASTAT database, please explain why.

The difficulty faced by this Central Authority is generated from not having the necessary human resources in order to keep the INCASTAT database updated.

Prompt handling of cases

3.11 Does your Central Authority have mechanisms in place to ensure the prompt handling of cases?

- No
 Yes, please specify:
Please insert text here

3.12 If your Central Authority is experiencing delays in handling cases please specify the main reasons for these delays:

The central authority has no delay in the processing of cases.

4. **Court proceedings&promptness**

4.1 Has your State limited the number of judicial or administrative authorities who can hear return applications under the 1980 Convention (*i.e.*, concentration of jurisdiction)?⁸

- Yes
 No, please indicate if such arrangements are being contemplated:

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

- No
 Yes, please explain:
Please insert text here

4.3 If your response to the previous question 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 explain:
Please insert text here
 Yes, please explain:

The enactment of the law that regulates international restitution processes is currently under study in order to unify and expedite judicial proceedings.

4.4 If your State is experiencing delays in handling return decisions please specify the main reasons for these delays:

The main reasons for delay in the decision to return the child are:

- The lack of autonomous national legislation on the subject.
- Lack of permanent training of judicial operators to promote the development of skills and knowledge to strengthen the proper application of normative instruments.
- Lack of strengthening mechanisms for friendly solutions for the voluntary return of the child and / or adolescent
- Absence of protocol to implement direct judicial communications between judges of the Network and the judges in charge of international cases until the Law of Procedure is

⁷ See paras 1.1.16 to 1.1.21 of the Conclusions and Recommendations of the 2006 Special Commission (*supra*, note 5).

⁸ See, *The Judges' Newsletter* on International Child Protection – [Vol. XX / Summer-Autumn 2013](#) the special focus of which was "Concentration of jurisdiction under the *Hague Convention of 25 October 1980 on the civil aspects of International Child Abduction* and other international child protection instruments".

sanctioned

4.5 Do your courts regularly order immediate protective measures when initiating the return procedure, so as to prevent a new removal and minimize the harm to the child (e.g., prohibit removal of the child from the jurisdiction, retain documentation, grant provisional access rights to the left-behind parent)?

No, please explain:
Please insert text here

Yes, please explain:
At the beginning of the judicial process as a first step, the court orders the prohibition to leave the country of the child, releasing the corresponding offices. It also establishes other measures according to each particular case, such as withholding documents and / or prohibition to change the address.

4.6 Do your courts make use of direct judicial communications to ensure prompt proceedings?

Yes
 No, please explain:
Please insert text here

4.7 If your State has not designated a sitting judge to the International Hague Network of Judges does your State intend to do so in the near future?

Yes
 No, please explain:
Please insert text here

4.8 Please comment upon any cases (whether your State was the requesting or 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?

We have received direct communications from countries such as Argentina, where we have been specifically asked about safety measures for the child and his mother in case of being returned.

5. **Ensuring the safe return of children**⁹

*Methods for ensuring the safe return of children*¹⁰

5.1 What measures has your Central Authority taken to ensure that the recommendations of the 2006 and 2011 / 2012 Special Commission meetings¹¹ regarding the safe return of children are implemented?

This Central Authority in the cases in which the Paraguayan judicial authorities order the return of the child requests that the parent be a person to accompany the return. In this sense, in case the parent can not attend, and the abducting parent does not accompany the return, officials of this central authority accompany the return, both as requesting country and as required country, assuming the expenses that entails the return.

5.2 In particular, in a case where the safety of a child is in issue and where a return order has been made in your State, how does your Central Authority ensure that the appropriate child protection bodies in the *requesting* State are alerted so that they may act to protect the welfare of a child upon return (until the appropriate court in the requesting State has been effectively seised)?

If the case so requires, we make the communication to the national chancery of the abducting parent, or, as the case may be, to the local child protection service of the

⁹ See **Art. 7(2) h** of the 1980 Convention.

¹⁰ Where relevant, please make reference to the use of undertakings, mirror orders and safe harbour orders and other such measures in your State.

¹¹ See the [Conclusions and Recommendations](#) of the Special Commission of 2006 (*supra.* note 5) at paras 1.1.12 and 1.8.1 to 1.8.2 and 1.8.4 to 1.8.5 and the Appendix to the Conclusions and Recommendations and the Conclusions and Recommendations of the 2011 / 2012 Special Commission (*supra.* note 5).at paras 39-43.

requesting country.

5.3 Where there are concerns in the requested State regarding possible risks for a child following a return, what conditions or requirements can the relevant authority in your State put in place to minimise or eliminate those concerns?

As requested country, the requesting country is requested, through the Central Authority, to report on the guarantees offered by the requesting State regarding the protection afforded to the child by the possibility of breach of any inalienable right.

Use of the 1996 Convention to ensure a safe return

5.4 If your State is not Party to the 1996 Convention, is consideration being given to the possible advantages of the 1996 Convention in providing a jurisdictional basis for urgent protective measures associated with return orders (**Arts 7 and 11**), in providing for their recognition by operation of law (**Art. 23**), and in communicating information relevant to the protection of the child (**Art. 34**)?

- No
 Yes, please explain:

Paraguay is currently in the process of being a party to the Convention, since its study is at the National Congress of The Nation, with the favorable opinion of two legislative commissions.

Protection of primary carer

5.5 Are you aware of cases in your State where a primary carer taking parent, for reasons of personal security (e.g., domestic or family violence, intimidation, 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.

If the case so requires, we make the communication to the national chancery of the abducting parent, or, as the case may be, to the local child protection service of the requesting country.

5.6 In particular, would your authorities consider putting in place measures to protect the primary carer upon return in the requesting State as a mean to secure the safe return of the child? Please explain and provide case examples where possible.

As requested country, the requesting country is requested through the Central Authority to report on the guarantees offered by the requesting State regarding the protection afforded to the child in the event of violation of an inalienable right.

Post-return information

5.7 In cases where measures are put in place in your State to ensure the safety of a child upon return, does your State (through the Central Authority, or otherwise) attempt to monitor the effectiveness of those measures upon the child's return? Would you support a recommendation that States Parties should co-operate to provide each other with follow-up information on such matters, insofar as is possible?

On several occasions we have monitored children who have returned to our country, until finding that the child's adaptation has been successful. We would effectively endorse a recommendation as long as it is of benefit to the child.

5.8 If your State is not Party to the 1996 Convention, is consideration being given to the possible advantages of the 1996 Convention in providing a jurisdictional basis for requesting a report on the situation of the child upon return to the State of habitual residence (**Art. 32-(a)**)?

- No
 Yes, please explain:
 Please insert text here

6. **Voluntary agreements and mediation**

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

This Central Authority conducts previous interviews with both parents, or with one of them if it is not possible the presence of both, tending to conciliate the parties and urge a safe and immediate return without the need to reach judicial instances.

6.2 In what ways have you used the "Guide to Good Practice on Mediation"¹² for the purpose of implementing the 1980 Convention in your State? Please explain:

This Central Authority uses conciliation as a mechanism for resolving the conflict generated between the parents as a consequence of illegal transfer, tending to conciliate the parties and urge a safe and immediate return without the need to reach judicial instances.

6.3 Has your State considered or is it in the process of considering the establishment of a Central Contact Point for international family mediation to facilitate access to information on available mediation services and related issues for cross-border family disputes involving children, or has this task been entrusted to the Central Authority?¹³

No, please explain:

Please insert text here

Yes, please explain:

The Paraguayan State is in considering all the necessary measures that benefit the child

7. **Preventive measures**

7.1 Has your State taken steps to advance the development of a travel form under the auspices of the International Civil Aviation Organisation?¹⁴

No

Yes, please describe:

Please insert text here

7.2 Regardless of whether the International Civil Aviation Organisation adds the development of a travel form to its work programme, would your State support the development of a non-mandatory model travel form under the auspices of the Hague Conference?

Yes

No, please explain:

Please insert text here

8. **The Guide to Good Practice under the 1980 Convention**

8.1 In what ways have you used the Parts of the Guide to Good Practice¹⁵ to assist in implementing for the first time, or improving the practical operation of, the 1980 Convention in your State?

a. Part I on Central Authority Practice. Please explain:

This Central Authority uses the guides of good practices for the correct application and operation of the Central Authority, especially as regards the judicial

¹² Available on the Hague Conference website at < www.hcch.net > under "Child Abduction Section" then "Guides to Good Practice".

¹³As it has been encouraged in the Guide to Good Practice on Mediation, Chapter 4, on "Access to Mediation". par. 114-117. See also Conclusions and Recommendations of the 2011/2012 Special Commission (*supra*.note 5) at par. 61.

¹⁴ See the Conclusions and Recommendations of the 2011 / 2012 Special Commission (*supra*.note 5) at par. 92.

¹⁵ All Parts of the Guide to Good Practice under the 1980 Convention are available on the Hague Conference website at < www.hcch.net > under "Child Abduction Section" then "Guides to Good Practice".

representation that it exerts before the judicial organs in representation of the applicant of the international restitution. In the same sense, it is taken into account in the cooperation between central authorities

b. Part II on Implementing Measures. Please explain:

The Paraguayan central authority uses the practical guides in the immediate promotion of the request for restitution before judicial authorities, compliance with the deadline for opposition within the judicial process, and compliance with the deadline of the 6 weeks established in the Agreement for resolution of the conflict.

c. Part III on Preventive Measures. Please explain:

The Paraguayan State has implemented several of the recommendations established in the practical guides, such as require children to have separate travel documentation, require the consent of both parents before issuing the travel documentation of minors and take into account orders or agreements that seek to avoid to apply for a visa for a child.

The Child Code establishes the prohibition of departure without the express authorization of both parents, or without the corresponding judicial leave

d. Part IV on Enforcement. Please explain:

The good practices guide has been used constantly to justify the request to the judicial branch of the aid of the public force and orders of raids to make effective the judicial resolution that orders the restitution.

8.2 How have you ensured that the relevant authorities in your State have been made aware of, and have had access to, the Guide to Good Practice?

Through the realization of seminars and workshops to judicial operators. As well as the disclosure of materials via email.

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

Please insert text here

9. Publicity and debate concerning the 1980 Convention

9.1 Has the 1980 Convention given rise to (a) any publicity (positive or negative) in your State, or (b) any debate or discussion in your national parliament or its equivalent?

No

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

Please insert text here

9.2 By what methods does your State disseminate information to the public about the 1980 Convention?

A link has been enabled on the website of the National Secretariat for Children and Adolescents, as well as the Judicial Branch from which all information related to the International Restitution of Minors can be accessed.

Information is also provided through brochures and leaflets, intended for the general public.

PART IV: TRANSFRONTIER ACCESS / CONTACT AND INTERNATIONAL FAMILY RELOCATION
--

10. Transfrontier access / contact¹⁶

10.1 Since the 2011 / 2012 Special Commission, have there been any significant developments in your State regarding Central Authority practices, legislation, procedural rules or case law applicable in cases of transfrontier contact / access?

¹⁶ See the [Conclusions and Recommendations](#) of the 2006 Special Commission (*supra*.note 5) at paras 1.7.1 to 1.7.3.

- No
 Yes, please explain:

10.2 Please indicate any important developments in your State, since the 2011 / 2012 Special Commission, in the interpretation of **Article 21** of the 1980 Convention.

The most important advance is the promotion of judicial processes to guarantee the right to cross-border visit, considering that previously in our country only the restitution processes were carried out. In addition, efforts have been made to guarantee the right to maintain contact between the child and his / her parent during the international restitution process, so that the paternal-filial bond is not lost.

10.3 What problems have you experienced, if any, as regards co-operation with other States in respect of:

a. the granting or maintaining of access rights;
 We have had some difficulties with other countries when requesting transnational visits due to the fact that some countries consider as an essential requirement the promotion of a request for a refund first before requesting an international visit, rejecting requests for visits in which there has not been a request for restitution.

b. the effective exercise of rights of access; and
 We have not had any problems regarding this point

c. the restriction or termination of access rights.
 We have not had any problems regarding this point

Please provide case examples where possible.
 Please insert text here

10.4 In what ways have you used the "General Principles and Guide to Good Practice on Transfrontier Contact Concerning Children"¹⁷ to assist in transfrontier contact / access cases in your State? Can you suggest any further principles of good practice?

This Central Authority has used "General Principles and Guide to Good Practices" in order to inform the judicial or administrative authority of the need, especially for children, to maintain a cross-border contact with the parent.

11. International family relocation¹⁸

11.1 Since the 2011 / 2012 Special Commission, have there been any significant developments in your State regarding the legislation, procedural rules or case law applicable to international family relocation? Where possible, please explain these developments in the legislation, procedural rules or case law:

There have been no changes

PART V: NON-CONVENTION CASES AND NON-CONVENTION STATES

12. Non-Convention cases and non-Convention States

¹⁷ Available on the Hague Conference website at < www.hcch.net > under "Child Abduction Section" then "Guides to Good Practice".

¹⁸ See the Conclusions and Recommendations of the 2006 Special Commission meeting at paras 1.7.4 to 1.7.5: "1.7.4 The Special Commission concludes that parents, before they move with their children from one country to another, should be encouraged not to take unilateral action by unlawfully removing a child but to make appropriate arrangements for access and contact preferably by agreement, particularly where one parent intends to remain behind after the move. 1.7.5 The Special Commission encourages all attempts to seek to resolve differences among the legal systems so as to arrive as far as possible at a common approach and common standards as regards relocation."

12.1 Are there any States that you would particularly like to see become a State 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:

This Central Authority would be interested in the Arab countries signing the 1980 Convention, considering that we have many cases in which they are involved in the illegal transfer of children from these countries, but this situation makes it impossible for us to take action to achieve a return Illegally abducted children

12.2 Are there any States which are not Parties to the 1980 Convention or not Members of the Hague Conference that you would like to see invited to the Special Commission meeting in 2017?

The "Malta Process"¹⁹

12.2 In relation to the "Malta Process":

- a. Do you have any comment to make on the "Principles for the Establishment of Mediation Structures in the context of the Malta Process" and the accompanying Explanatory Memorandum?²⁰

No, we do not have any comment.

- b. Have any steps been taken towards the implementation of the Malta Principles in your State and the designation of a Central Contact Point, in order to better address cross-border family disputes over children involving States that are not a Party to the 1980 and 1996 Hague Conventions?

No

Yes, please explain:

Please insert text here

- c. What is your view as to the future of the "Malta Process"?

This Central Authority is interested in that the Paraguayan State participates in these Conferences, dictated within the Process of Malta, in order to try a friendly solution with the countries of Arab origin, considering the large communities of citizens of Arab origin in our country .

<p>PART VI: TRAINING AND EDUCATION AND THE TOOLS, SERVICES AND SUPPORT PROVIDED BY THE PERMANENT BUREAU</p>
--

13. Training and education

13.1 Can you give 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?

At the country level, a number of courses and seminars have been carried out to contribute to the effective functioning of the 1980 Convention, with the impact that the

¹⁹ The "Malta Process" is a dialogue between certain States 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 Hague Conference website at < www.hcch.net > under "Child Abduction Section" then "Judicial Seminars on the International Protection of Children".

²⁰ The Principles and Explanatory Memorandum were circulated to all HagueConferenceMemberStates and all States participating in the Malta Process in November 2010. They are available on the Hague Conference website at < www.hcch.net > under "Child Abduction Section" then "Judicial Seminars on the International Protection of Children".

judicial authorities have understood the urgency with which international restitution cases should be resolved.

14. The tools, services and support provided by the Permanent Bureau

In general

14.1 Please comment or state your reflections on the specific tools, services and support provided by the Permanent Bureau to assist with the practical operation of the 1980 and 1996 Conventions, including:

- a. The Country Profile available under the Child Abduction Section.

The country profile collaborates with this Central Authority to find out what each Central Authority is doing in relation to the correct functioning of the 1980 Hague Convention.

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

INCADAT helps a lot to review jurisprudence and to know that there have been cases that have been solved in a certain way.

- c. *The Judges' Newsletter* on International Child Protection - the publication of the Hague Conference on Private International Law which is available online for free;²¹

This Central Authority reading the Judges Bulletin increases their knowledge regarding the correct application of the agreement, accessing criteria of people with a great deal of knowledge in the area of international restitution of minors.

- d. The specialised "Child Abduction Section" of the Hague Conference website (< www.hcch.net >);

The specialized section of the Hague Conference website serves as a consultation tool, in case of doubts, as updated information on the correct application of the Convention

- e. INCASTAT (the database for the electronic collection and analysis of statistics on the 1980 Convention);²²

In the case of this Central Authority we consider it important to have this tool to determine if statistics have been statistically reduced or increased in cases of international abduction in the various countries parties to the Convention.

- f. Providing technical assistance and training to States Parties regarding the practical operation of the 1980 and 1996 Conventions.²³ Such technical assistance and training may involve persons visiting the Permanent Bureau or, alternatively, may involve the Permanent Bureau organising, or providing assistance with organising, national and international judicial and other seminars and conferences concerning the Convention(s) and participating in such conferences;

This central authority would like to have the technical support of the permanent office for the holding of international seminars, which could help to improve the implementation of the 1980 Convention.

- g. Encouraging wider ratification of, or accession to, the Convention(s), including educating those unfamiliar with the Convention(s);²⁴

This Central Authority welcomes the new ratifications of the Convention and commends the work of the Permanent Bureau of the Hague Conference.

²¹ Available on the Hague Conference website at < www.hcch.net > 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.

²² Further information is available via the Hague Conference website at < www.hcch.net > under "Child Abduction Section" then "INCASTAT".

²³ Such technical assistance may be provided to judges, Central Authority personnel and / or other professionals involved with the practical operation of the Convention(s).

²⁴ Which again may involve State delegates and others visiting the Permanent Bureau or, alternatively, may involve the Permanent Bureau organising, or providing assistance with organising, national and international judicial and other seminars and conferences concerning the Convention(s) and participating in such conferences.

- h. Supporting communications between Central Authorities, including maintaining their contact details updated on the HCCH website;

It is important to have the information provided by the HCCH website, in order to contact the Central Authorities of the different countries, immediately upon submitting a request for restitution.

- i. 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

It is essential to have the contact information of the liaison judges, since this makes it possible to carry out consultations, solicit opinions and collaborate with judges, experts in the field of international restitution

Other

14.2 What other measures or mechanisms would you recommend:

- a. To improve the monitoring of the operation of the Conventions;

We have no recommendations

- b. To assist States in meeting their Convention obligations; and

We have no recommendations

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

We have no recommendations

PART VII: PRIORITIES AND RECOMMENDATIONS FOR THE SPECIAL COMMISSION AND ANY OTHER MATTERS
--

15. Views on priorities and recommendations for the Special Commission

15.1 Which matters does your State think ought to be accorded particular priority on the agenda for the Special Commission? Please provide a brief explanation supporting your response.

We believe that it should be particularly important to deal with two issues in particular, on the one hand, the six-week period established in the Convention to resolve the international restitution dispute, and on the other hand, the exceptions provided for in art. 13 (b), regarding its correct interpretation and application.

15.2 States are invited to make proposals concerning any particular recommendations they think ought to be made by the Special Commission.

We have no recommendations

16. Any other matters

16.1 States are invited to comment on any other matters which they may wish to raise concerning the practical operation of the 1980 Convention.

This Central Authority believes that two issues, free legal assistance and access to justice in the signatory countries of the Hague Convention, and the practical application of videoconferencing, as a tool in international restitution processes