

Council on General Affairs and Policy – March 2020

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Title	The HCCH and the United Nations Sustainable Development Goals	
Author	Permanent Bureau	
Agenda item	Items IV-5 and VI-10	
Mandate(s)	C&R No 52 of the 2019 meeting of CGAP	
Objective	To report on recent efforts and potential opportunities to strengthen the cooperation between the HCCH and the United Nations	
Action to be taken	For Approval <input type="checkbox"/> For Decision <input type="checkbox"/> For Information <input checked="" type="checkbox"/>	
Annexes	n/a	
Related documents	HCCH Strategic Plan 2019-2022	

I. Introduction

1. In the course of 2019, the Permanent Bureau (PB) continued its efforts to promote further cooperation with the United Nations (UN), in pursuit of the priorities identified in the HCCH 2019-2022 Strategic Plan and against the background of the UN Sustainable Development Goals (SDGs) contained in Agenda 2030.

2. Agenda 2030 underscores that rule of law and access to justice are essential building blocks of sustainable development. This is made explicit in SDG 16, which seeks to promote peaceful and inclusive societies for sustainable development, provide access to justice for all, and build effective, accountable and inclusive institutions at all levels. The work of the HCCH has a concrete, real-world impact on individuals and societies in the promotion of the rule of law and access to justice.

3. The frameworks established by HCCH Conventions and instruments are recognised for their effective cooperation mechanisms that can overcome the challenges of cross-border procedures and facilitate the orderly and efficient settlement of disputes, in doing so promoting principles of good governance, sustainable development, and adherence to the rule of law. The close parallels between the work of the HCCH and that of the UN in this respect have long been a source of motivation for the constructive partnerships the HCCH enjoys with various organs of the UN, including UNCITRAL, WIPO and UNICEF.

4. This cooperation was further enhanced in October 2019, when the HCCH was represented at the Sixth Committee of the 74th Session of the UN General Assembly, speaking to Agenda Item 83 concerning the rule of law at the national and international levels. It is in this context that the PB is providing this update to CGAP, to elaborate on the particular synergies between the current work of the UN and the HCCH.

II. The UN & the Strategic Priorities of the HCCH

A. Strategic Priority 1

5. As part of the first strategic priority of the HCCH, the Organisation continues its normative projects, working towards the negotiation and conclusion of Conventions that address pressing contemporary needs.

6. The UN General Assembly has also reiterated, in Resolution 73/207, the important role of multilateral and bilateral treaties and treaty processes in advancing the rule of law. The Conventions and instruments adopted by the HCCH are an integral part of this advancement.

7. In addition, SDG 16 is intertwined with the international legislative process, to which the HCCH contributes. The General Assembly has recognised, in target 16.3, that the rule of law is not only about criminal law and transitional justice, but also about mature rule-based commerce as a stabilising factor, and one which can mobilise resources for development, including due process and a strong judicial and legal infrastructure. The work of the HCCH is therefore directly relevant to the myriad dimensions of access to justice across borders, including normative prevention, access to effective remedies, and legal and procedural transparency.

8. The HCCH Strategic Plan, in the context of this first priority and its related areas of focus, makes explicit reference to the importance of continuing "to monitor developments and seeking to identify, including by consulting relevant actors, emerging contemporary challenges where the HCCH's normative work can make a real difference". By deepening the close working relationship with the UN and, in particular, the General Assembly, the HCCH will benefit from a broader, additional insight into such challenges. This should help to enable the HCCH to produce Conventions and instruments which are relevant and have a real impact on the lives of millions of individuals, families and companies around the globe.

B. Strategic Priority 2

9. The second strategic priority of the HCCH – that of non-normative work to assist with the implementation and practical operation of its Conventions and instruments – may also be connected to the UN SDGs, because the work aims to enhance knowledge and expertise and in turn to improve global governance and strengthen the rule of law. For example, SDG 17 aims to strengthen means of implementation and revitalise the global partnership for sustainable development.

10. One particular area of focus identified in relation to this second strategic priority is that of “partnering with Member States, international organisations and networks to facilitate cooperation in the delivery of post-Convention assistance and the development of technical expertise, including where applicable, at regional level”.

11. In this context, the UN General Assembly has also stressed (once again in Resolution 73/207) the importance of adherence to the rule of law, and the need to strengthen support to Members in the domestic implementation of their respective international obligations, through enhanced technical assistance and capacity-building, in order to develop, reinforce, and maintain domestic institutions active in the promotion of the rule of law at the national and international levels.

12. This is where the continuing work of the HCCH in providing technical assistance and enhancing international cooperation contributes towards achieving target 17.14, seeking to enhance policy coherence for sustainable development. The work of the HCCH also has a unique role to play in augmenting multi-stakeholder partnerships envisaged in targets 17.16 and 17.17.

C. Strategic Priority 3

13. In relation to the third strategic priority, *i.e.*, the promotion of “inclusiveness”, it is worth noting that one area of focus which is expressly identified in the HCCH Strategic Plan is to “continue cooperation with the UN in line with the relevant UN resolutions concerning cooperation and observer status of the HCCH in the UN General Assembly”.

III. Opportunities for further cooperation

14. The HCCH continues to leverage its strong partnerships with many organisations active in the fields of international family and child protection law, international litigation and recognition of documents, as well as international commercial and financial law.

15. The PB is of the opinion that Agenda 2030 and the UN SDGs represent an important, unique opportunity for closer cooperation with the UN. This is an opportunity that the HCCH should seize, contributing to the promotion of and respect for the rule of law at the national and international levels, including to the work of the Rule of Law Cooperation and Resource Group.

16. As such, the PB suggests that it continue, on behalf of the HCCH, to embrace opportunities to build upon the effective partnership with the UN, with a view to ensuring access to justice for all and adherence to the rule of law in the discharge of the statutory mandate of the Organisation.