

**CONCLUSIONS DE LA COMMISSION SPÉCIALE DU 3 AU 5 AVRIL 2006
SUR LES AFFAIRES GÉNÉRALES ET LA POLITIQUE DE LA CONFÉRENCE**

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**CONCLUSIONS OF THE SPECIAL COMMISSION OF 3-5 APRIL 2006
ON GENERAL AFFAIRS AND POLICY OF THE CONFERENCE**

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à l'intention du Conseil d'avril 2007
sur les affaires générales et la politique de la Conférence*

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on General Affairs and Policy of the Conference*

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Recommendations and Conclusions adopted by the Special Commission

Future work

1. The Special Commission decided to retain the following matters on the Conference's Agenda (see Final Act of the XIXth Session, Part C, 3, as amended by the Special Commission on General Affairs and Policy of 2003):
 - a) questions of private international law raised by the information society, including electronic commerce,
 - b) the conflict of jurisdictions, applicable law and international judicial and administrative co-operation in respect of civil liability for environmental damage,
 - c) jurisdiction, and recognition and enforcement of decisions in matters of succession upon death,
 - d) jurisdiction, applicable law, and recognition and enforcement of judgments in respect of unmarried couples,
 - e) assessment and analysis of transnational legal issues relating to indirectly held securities and security interests, taking into account in particular the work undertaken by other international organisations.

The Special Commission decided to delete the subject of the law applicable to unfair competition.

2. The Special Commission decided to invite the Permanent Bureau to prepare a feasibility study on the development of an instrument concerning choice of law in international contracts. The study should consider in particular whether there is a practical need for the development of such an instrument.

3. The Special Commission invited the Permanent Bureau to prepare a feasibility study on cross-border mediation in family matters, including the possible development of an instrument on the subject. The Special Commission welcomed the research already being carried out in this area by the Permanent Bureau in preparation for the meeting of the Special Commission to review the practical operation of the Child Abduction Convention of 1980 and the implementation of the International Child Protection Convention of 1996, to be held in October / November 2006. In addition the Special Commission recommended that the matters raised by the Swiss delegation in Working Document No 1 be included in the agenda of that same meeting.

4. The Special Commission also invited the Permanent Bureau to prepare a feasibility study on the development of a new instrument for cross-border co-operation concerning the treatment of foreign law.

5. The Special Commission reserved its position on the ultimate priority to be attached to each of the possible subjects for future work referred to above, as well as on the possibility of adding other subjects and otherwise revisiting the list at a later meeting.

Information technology systems in support of Conventions

6. The Special Commission welcomed the ongoing efforts of the Permanent Bureau in relation to the use and the development of information technology systems in support of existing and draft Hague Conventions in the areas of legal co-operation and family law. Member States were encouraged to collaborate actively with the Permanent Bureau in the development and maintenance of these systems and to explore possible sources of funding including through the supplementary budget, partnership funding or material assistance.

Post-Convention services and regional developments

7. The Special Commission noted the broad range and importance of the post-Convention activities currently being carried out by the Permanent Bureau, including through the development of regional programmes.

8. The Special Commission welcomed the range of activities currently being undertaken by the Permanent Bureau in the areas of promotion, education and training in relation to the Hague Conventions.

9. The Permanent Bureau was encouraged to continue its efforts in these regards with a view to securing more universal acceptance of the Conventions and their effective operation in different parts of the world.

Draft Convention on the international recovery of child support and other forms of family maintenance

10. The Special Commission noted the progress being made in the development of the new Convention on the international recovery of child support and other forms of family maintenance. It reaffirmed its view that the negotiation process should be inclusive, and encouraged Member States to consider responding to the request for supplementary funding to make possible the participation of experts from certain States.