

AFFAIRES GÉNÉRALES ET POLITIQUE
GENERAL AFFAIRS AND POLICY

Liste des Documents préliminaires
List of Preliminary Documents

mars / March 2011



**LISTE ANNOTÉE DES DOCUMENTS PRÉLIMINAIRES
PUBLIÉS PAR LE BUREAU PERMANENT**

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**ANNOTATED LIST OF PRELIMINARY DOCUMENTS
PUBLISHED BY THE PERMANENT BUREAU**

*Conseil sur les affaires générales
et la politique de la Conférence d'avril 2011*

*Council on General Affairs
and Policy of the Conference of April 2011*

**ANNOTATED LIST OF PRELIMINARY DOCUMENTS
PUBLISHED BY THE PERMANENT BUREAU**

<i>Preliminary Document No 1:</i>	Report of the Council on General Affairs and Policy of the Conference of 7 to 9 April 2010 – <i>September 2010</i>
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This Preliminary Document contains the:

- list of participants;
- Conclusions and Recommendations;
- agenda; and
- minutes

from the 2010 Council on General Affairs and Policy.

This document is provided to the Council for information only.

<i>Preliminary Document No 2:</i>	Work programme of the Permanent Bureau for the next Financial Year (1 July 2011 – 30 June 2012) – <i>February 2011</i>
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Since 2009, the Permanent Bureau has provided the Council with an overview of the work programme of the Hague Conference for the forthcoming Financial Year.

This document provides an overview of the work programme for Financial Year 2011-2012, and also serves to tie together a number of the other Preliminary Documents drawn up for the attention of the Council.

<i>Preliminary Document No 3:</i>	Strategic Plan Update – <i>February 2011</i>
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The Strategic Plan was drawn up by the Permanent Bureau in 2002. Since 2003, the Permanent Bureau has provided the Council (formerly the Special Commission on General Affairs and Policy of the Conference) with an update on the implementation of the six Strategic Directions contained in Chapter IV of the Strategic Plan.

This document is provided to the Council to assist it in reviewing the implementation of the Strategic Plan since the 2010 Council, as envisaged under Item I(3) of the draft agenda.

<i>Preliminary Document No 4:</i>	Conclusions and Recommendations and Report of the Special Commission on the practical operation of the 1993 Intercountry Adoption Convention (17-25 June 2010) – <i>March 2011</i>
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This Preliminary Document contains the Conclusions and Recommendations, as well as a summary of proceedings of the 2010 Special Commission on the 1993 Intercountry Adoption Convention.

This document is provided to the Council to inform discussions envisaged under Item VI.B(1) of the draft agenda.

Preliminary Document No 5:

Report of the meeting of the open-ended Working Group of Members (2-3 December 2010) – *March 2011*

The 2010 Council invited the Secretary General to convene a working group of Members to discuss possible improvements in the organisation and working methods of the Council, as well as strategic issues relating to the work of the Organisation. The Council also agreed that the Working Group should submit a report to the 2011 Council.

This Preliminary Document summarises the work completed by the Working Group, which met in The Hague in December 2010. The document also contains (among other things):

- the agenda for the meeting;
- the list of participants; and
- a copy of the background document prepared by the Permanent Bureau to assist the meeting.

This document is provided to the Council to inform discussions envisaged under Item III of the draft agenda.

Preliminary Document No 6:

Choice of law in international contracts: development process of the draft Instrument – *February 2011*

This Preliminary Document:

- summarises the work carried out so far by the Permanent Bureau in drafting a non-binding instrument on choice of law in international contracts; and
- suggests a possible work programme for the continuing development of the instrument for the Council to consider.

This document is provided to the Council to inform discussions envisaged under Item II(1) of the draft agenda.

Preliminary Document No 7:

Projects concerning the Children's Conventions, maintenance, adults, cohabitation, status of children and international family relocation: Planning for 2011-2012 – *March 2011*

This Preliminary Document summarises the ongoing work of the Permanent Bureau in the fields of international child protection and family law. The document is an updated version of similar documents presented to Council (formerly the Special Commission on General Affairs and Policy of the Conference) since 2003, and sets out a timetable for certain projects and comments on the sources of funding for each project.

This document is provided to the Council to inform discussions envisaged under Item VI.B(3) of the draft agenda.

Preliminary Document No 8:

Financial Year LVII (1 July 2011 – 30 June 2012), Draft Budget and Explanatory Notes – *March 2011*

This document is included under Item X(1) on the agenda to maintain a connection between the work programme of the Hague Conference (as outlined in Prel. Doc. No 2), which is approved by the Council on General Affairs and Policy, and the Budget, which is approved by the Council of Diplomatic Representatives pursuant to Article 10(1) of the Statute.

Preliminary Document No 9 A: Financial Years LVII-LIX (1 July 2011 – 30 June 2014), Supplementary Budget and Explanatory Notes. Part I: Special projects and expenses – *March 2011*

Preliminary Document No 9 B: Financial Years LVII-LIX (1 July 2011 – 30 June 2014), Supplementary Budget and Explanatory Notes. Part II: International Centre for Judicial Studies and Technical Assistance – *March 2011*

Annex: Note on the International Centre for Judicial Studies and Technical Assistance of the Hague Conference on Private International Law

The Supplementary Budget, which is funded by voluntary contributions of Members and other donors, provides a list of projects that the Permanent Bureau proposes to undertake, and expected associated costs.

These documents are provided to the Council to inform discussions envisaged under Item X(2) of the draft agenda. N.B.: The Supplementary Budget is not subject to Members' approval.

Preliminary Document No 10: Review of the activities of the Conference in regard to mediation – *March 2011*

Annexes: Documentation regarding mediation under the Malta Process

This Preliminary Document:

- contains an update on the work of the Permanent Bureau on the development of a Guide to Good Practice on Mediation; and
- introduces the "Principles for the establishment of mediation structures in the context of the Malta Process" (which are contained in the annex accompanied by an Explanatory Memorandum).

This document is provided to the Council to inform discussions envisaged under Item II(3) of the draft agenda.

Preliminary Document No 11: Private international law issues surrounding the status of children, including issues arising from international surrogacy arrangements – *March 2011*

The 2010 Council invited the Permanent Bureau to provide a brief preliminary note to the Council of 2011 on the private international law issues surrounding the status of children (excluding adoption) and, in particular, on the issue of recognition of parent-child relationships (*filiation*).

This Preliminary Document responds to the Council's invitation, and includes consideration of private international law questions relating to international surrogacy arrangements.

This document is provided to the Council to inform discussions envisaged under Item IV(5) of the draft agenda.

**Preliminary
Document No 12:**

Review of the activities of the Conference in regard to the Convention on Choice of Court Agreements – *March 2011*

This Preliminary Document informs the Council about activities undertaken in the past year to promote the Choice of Court Convention. In addition, it is designed to:

- prompt consideration by the Council of the future work of the Permanent Bureau in relation to the Choice of Court Convention; and
- keep the Council informed of important developments in the broader context of international litigation in civil and commercial matters, should the Council wish to revisit its discussions on the continuation of the Judgments Project.

This document is provided to the Council to inform discussions envisaged under Item IV(3) of the draft agenda.

**Preliminary
Document No 13:**

Task list and status of implementation of Conclusions and Recommendations adopted by the Special Commission on the practical operation of the Hague Apostille, Service, Taking of Evidence and Access to Justice Conventions (2-12 February 2009) – Update No 1 – *March 2011*

The 2010 Council was provided with a chart showing the status of the implementation of Conclusions and Recommendations adopted by the 2009 Special Commission on the Apostille, Service, Taking of Evidence and Access to Justice Conventions (Prel. Doc. No 15 of February 2010). This Preliminary Document sets out an updated chart, reflecting developments since the 2010 Council.

This document is provided to the Council to inform discussion envisaged under Item VI.A of the draft agenda.

**Preliminary
Document No 14:**

Planning for the Sixth Meeting of the Special Commission to review the practical 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* – *February 2011*

This Preliminary Document provides an update on preparations for the forthcoming Special Commission on the Hague 1980 and 1996 Conventions, including the status of documentation referred to in Information Document No 1 for the Special Commission (which was sent to Members and Contracting States to the 1980 and 1996 Conventions in November 2010).

This document is provided to the Council to inform discussions envisaged under Item II(2) of the draft agenda.

INFORMATION DOCUMENTS

- Information Document:** Annual Report 2010
- Information Document No 1:** Overview of Conventions and other instruments drawn up under the auspices of UNCITRAL, UNIDROIT and the Hague Conference on Private International Law – *March 2011*
- Information Document No 2:** How to join and implement the Hague Apostille Convention: A Brief Guide for countries interested in joining the *Hague Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents* – *April 2011*
- Information Document No 3:** The building at Scheveningseweg 6, The Hague: issues raised by its position as a pension asset and its capacity to accommodate the Permanent Bureau – *March 2011*
- Information Document No 4:** Report of consultations carried out by the Permanent Bureau concerning the decision of the European Court of Human Rights in *Raban v. Romania* – *March 2011*
- Information Document No 5:** Supplementary Budget to be funded through voluntary contributions, Financial Year LVI (1 July 2010 – 30 June 2011) Interim Report – *February 2011*
- Information Document No 6:** Letter from the Secretary General to the European Commission offering comments on the Consultation Document of the Services of the Directorate-General Internal Market and Services of November 2010 (Reference DG MARKT G2 MET/OTACGD(2010) 768690)* – *February 2011*
- Information Document No 7:** Documents pertaining to: "Accessing the content of foreign law and the need for the development of a global instrument in this area"* – *April 2011*
- Information Document No 8:** Conclusions and Recommendations of the Inter-American meeting of International Hague Network Judges and Central Authorities on International Child Abduction (Mexico, 23-25 February 2011) – *April 2011*

* Available in English only.