

<b>Title</b>	<b>Report on Post-Convention Assistance (1 January – 31 December 2021)</b>
<b>Document</b>	<b>Prel. Doc. No 17 of January 2022</b>
<b>Author</b>	PB
<b>Agenda Item</b>	Item III
<b>Mandate(s)</b>	C&R No 45 of the 2019 CGAP meeting
<b>Objective</b>	To report on post-Convention assistance provided by the PB in 2021
<b>Action to be Taken</b>	For Decision <input type="checkbox"/> For Approval <input type="checkbox"/> For Discussion <input type="checkbox"/> For Action / Completion <input type="checkbox"/> For Information <input checked="" type="checkbox"/>
<b>Annexes</b>	Annex I: Post-Convention Assistance
<b>Related Documents</b>	N/A

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# **Report on Post-Convention Assistance (1 January – 31 December 2021)**

## **I. Introduction**

- 1 To ensure the effective implementation and practical operation of HCCH Conventions and instruments, the Permanent Bureau (PB) provides a range of post-Convention services for the benefit of its Members and Contracting Parties.
- 2 These include a number of activities of general benefit, such as the maintenance of online databases and platforms, the organisation of international conferences and seminars, and the development of a broad range of publications, among others.
- 3 In addition, States may also receive tailored support in the implementation and operation of HCCH Conventions and instruments in the form of post-Convention assistance, subject to available resources. The provision of post-Convention assistance is governed by the Strategic Framework for Post-Convention Assistance (Strategic Framework), approved by the Council on General Affairs and Policy in March 2015.
- 4 As set out in the Strategic Framework, the term “post-Convention assistance” refers specifically to:

“(…) assistance provided to support effective implementation and operation of any [HCCH] Convention or other [HCCH] instrument through legal and technical advice and training to the requesting State.

Post-Convention assistance does not include general activities and services such as Special Commissions, guides to good practice and practical handbooks, the publication of documents and maintaining databases, promotional activities or the provision of day-to-day advice and assistance to States and other stakeholders.”
- 5 This Preliminary Document provides an exhaustive list of all post-Convention assistance activities undertaken by the PB between 1 January and 31 December 2021.

## **ANNEX**

## Annex I

### I. Post-Convention Assistance

Date(s)	Instrument(s)	Activity	Objectives	Outcomes	Selection Criteria*	Prioritisation Criteria**	Funding Source(s)
1 to 10 November 2021	2019 Judgments Convention 1965 Service Convention 1970 Evidence Convention 1980 Access to Justice Convention 2005 Choice of Court Convention	Series of online seminars on the 2019 Judgments Convention and other HCCH Conventions for government officials and other key stakeholders from South-East Europe, organised under the framework of the GIZ project, "Cross-border enforcement of judgments".	To provide participants with in-depth knowledge of the 2019 Judgments Convention and other HCCH Conventions in the area of transnational litigation, and in particular of their potential benefits for their specific jurisdictions, so as to facilitate their expeditious adherence and proper and effective implementation.	(1) Six online seminars were held on the cross-border enforcement of foreign judgments in South East Europe. Each seminar was tailored for a specific jurisdiction with participants from representing key national stakeholders such as ministries of justice, ministries of foreign affairs, judicial training academies, bar associations, chambers of commerce, law firms and academia.  (2) Publication of a book entitled "Cross-border Recognition and Enforcement of Foreign Judicial Decisions in SEE and Perspectives of HCCH 2019 Judgments Convention", comprised by reports from the six SEE jurisdictions. This publication is available in English, Macedonian, Serbian and Albanian	I-VIII	I-III, V-IV	Non-monetary voluntary contribution by the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ).
7 May 2021	1961 Apostille Convention	Online seminar on the implementation of the e-APP for multiple authorities in El Salvador.	To provide participants with the organisational and Convention context of the e-APP, as well as practical implementation advice.	A half-day online seminar was held for approximately 50-60 officials from a number of authorities, including the Presidential Secretariat for Commerce and Investment, Ministry of Foreign Affairs, Ministry of Economics, Secretariat of Innovation, Ministry of Justice and Public Security, and the Ministry of Interior. The digitisation of government services is a priority of the current	I-VIII	I-VIII	N/A

				government and as such it is envisaged that the e-APP will be implemented on a priority basis.			
29 April to 10 October 2021	1980 Child Abduction Convention 1996 Child Protection Convention 1965 Service Convention 1970 Evidence Convention 2005 Choice of Court Convention 2019 Judgments Convention	Series of online seminars on a number of HCCH Conventions for members of the Supreme Court of Ukraine.	To provide participants with in-depth knowledge on a number of HCCH Conventions, including through the sharing of experiences by Central Authorities and other experts, so as to ensure the proper and effective implementation of the HCCH Conventions by Ukrainian judges.	Three half-day online training sessions were held for officials of the Supreme Court of Ukraine on the 1965 Service and 1970 Evidence Conventions (October 2021, 191 participants), the 1980 Child Abduction and 1996 Child Protection Conventions (November 2021, 148 participants), and the 2005 Choice of Court and 2019 Judgments Conventions (December 2021, 103 participants). The organisation of additional trainings has been proposed for 2022.	I-VII	I, II, VI, VIII, IX	Non-monetary voluntary contribution by the EU Project Pravo-Justice.
April – June 2021	1993 Adoption Convention	Technical assistance to Paraguay	(1) To ensure that adoption practices under Law No 6486/2020 and relevant regulations, procedural manuals and other documents are in line with the 1993 Adoption Convention.  (2) To ensure that actors involved in Paraguay's adoption process have a clear understanding of the 1993 Adoption	(1) Comments on Law 6486/2020 and a proposal for the development of new regulations were delivered to the Paraguayan authorities.  (2) A training on the 1993 Adoption Convention and its application under the new law was held for the various actors involved in Paraguay's adoption process.  (3) External consultants analysed the Central Authority's management of specific cases, providing observations and recommendations aimed at	I-VIII	I, II, IV, VI-IX	Monetary voluntary contribution by the Norwegian Directorate for Children, Youth and Family Affairs.

			<p>Convention and its application under the new adoption law, in order to enable these actors to uphold the standards of the 1993 Adoption Convention in adoption procedures in Paraguay.</p> <p>(3) To strengthen the functioning of Paraguay's Central Authority so that it can fulfil its role of ensuring the full and effective implementation of the 1993 Adoption Convention.</p>	<p>improving its operations.</p> <p>(4) A report assessing the results of the activities conducted, including recommendations and proposed next steps, was delivered to the Paraguayan authorities.</p>			
March – June 2021	1993 Adoption Convention	Technical assistance to Ecuador.	<p>(1) To develop a guide on the preservation of information and the access to origins by adopted persons for use by the relevant authorities.</p> <p>(2) To ensure judges and other judicial officers are trained on and gain a better understanding of the 1993 Adoption Convention.</p>	<p>(1) A guide on access to origins was drafted by an external consultant, in consultation with the Permanent Bureau and staff members of Ecuador's adoption authorities.</p> <p>(2) Over 140 judges and other judicial officers received training on adoption procedures and the 1993 Adoption Convention.</p> <p>(3) A report assessing the results of the activities conducted, including recommendations and proposed next steps, was delivered to the Ecuadorian authorities</p>	I-VIII	I, II, IV, VI-IX	Monetary voluntary contribution by the Norwegian Directorate for Children, Youth and Family Affairs.

\* Requests for post-Convention assistance must meet the following selection criteria:<sup>1</sup>

- i) An official request has been received from the State concerned;
- ii) The requesting State has expressed a commitment to fully co-operate with the Permanent Bureau;
- iii) The requested assistance is likely to achieve the intended objectives in light of relevant social, political and economic factors;
- iv) The requested assistance is reasonably expected to produce measurable benefits;
- v) The requested assistance falls within the specific area of expertise of the Permanent Bureau;
- vi) The Permanent Bureau is the only or best placed entity to provide or co-ordinate the requested assistance;
- vii) Where relevant, conditions in the requesting State are conducive to the effective provision of post-Convention assistance; and
- viii) Where relevant, the requesting State expresses a commitment to:
  - a. actively co-operate with the Permanent Bureau or other relevant experts in the establishment and the realisation of an action plan for the provision of post-Convention assistance; and
  - b. move forward in achieving set milestones within a reasonable timeframe established in consultation with the Permanent Bureau.

\*\* The prioritisation of selected requests is based on several factors, listed below, that determine the order in which post-Convention assistance will be provided to eligible States:<sup>2</sup>

- i) The requesting State is a Member of the Hague Conference or is actively committed to pursuing Membership;
- ii) The requesting State is in the process of preparing to join or is already a Contracting State to the relevant Hague Convention;
- iii) The urgency of the request;
- iv) The offer of financial and / or in-kind support from Members or Contracting States;
- v) The requesting State is already receiving or is likely to receive additional relevant support or assistance from other governmental, non-governmental, or intergovernmental entities;
- vi) The request reflects the diversity of regions in which the Hague Conference operates;
- vii) The lasting and substantive impact that providing post-Convention assistance is expected to have on the recipient State and the region, including the possibility that such assistance may enable the recipients to later provide training to other States in need of assistance;
- viii) The post-Convention assistance will be provided in a cost-effective and efficient way; and
- ix) The request pertains to a widely ratified or recently adopted Hague Convention for which broad participation is reasonably expected.

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<sup>1</sup> Section IV of the Strategic Framework for Post-Convention Assistance of the HCCH.

<sup>2</sup> Section V of the Strategic Framework for Post-Convention Assistance of the HCCH.