

# HCCH

Connecting  
Protecting  
Cooperating  
Since 1893



## The HCCH is the only global intergovernmental organisation dedicated to the progressive unification of private international law

In today's world, individuals and businesses are constantly engaged in **cross-border interactions**. Work, studies, shopping, travel, relationships and trade often take place across multiple countries.

The HCCH draws on **more than 130 years of experience** progressively unifying the rules of private international law, with its origins dating back to 1893 – the year of the first "Hague Conference", convened by T.M.C. Asser.

When these activities take place across borders the **differences between legal systems** can result in uncertainty as to:

- which State's authorities have **jurisdiction** to hear a dispute
- which State's **law applies** to each of the relevant issues
- how foreign decisions are **recognised and enforced**
- what **cooperation mechanisms** between States are available to overcome challenges of cross-border judicial or administrative procedures



The mission of the HCCH is to resolve these questions by providing internationally agreed solutions, developed through the **negotiation, adoption, and operation of international treaties**, the HCCH Conventions or Protocols, to which States may become Contracting Parties, and soft law instruments, which may guide States in developing their own legislative solutions.

The ultimate goal of the HCCH is to work for a world in which, despite the differences between legal systems, persons – individuals as well as companies – can enjoy a **high degree of legal certainty and predictability**. In this way, the work of the HCCH has a significant **practical impact** on people's lives and the way commercial operators organise their cross-border activities.

The HCCH currently has **92 Members** – comprising States representing all major regions of the globe, as well as one organisation, the European Union.

In addition, a number of non-Members have either signed or become Parties to the HCCH Conventions. As a result, the work of the HCCH encompasses **over 150 States around the world**.

The development of Conventions and other legal instruments – also known as its “**normative work**” – is a core function of the HCCH

The HCCH deals only with civil and commercial matters; its work does not cover criminal law.

The HCCH Conventions and instruments provide clarity and direction in cross-border relations across **three main areas**:

- International Family and Child Protection Law
- Transnational Litigation and Apostille
- International Commercial, Digital, and Financial Law

Both **Members and non-Members** may join an HCCH Convention or instrument.



To date, there have been **over 1,000 instances** of an HCCH Convention being brought into force. More than **33,000 bilateral agreements** would be required to achieve an equivalent network of treaty relations between Contracting Parties to HCCH Conventions.

Among the many HCCH Conventions and instruments, the following are considered **core Conventions and instruments**. These have been prioritised based on their recent adoption, popularity, or practical relevance:

1961 Apostille Convention  
1961 Form of Wills Convention  
1965 Service Convention  
1970 Evidence Convention  
1970 Divorce Convention  
1980 Access to Justice Convention  
1980 Child Abduction Convention  
1985 Trusts Convention  
1993 Adoption Convention

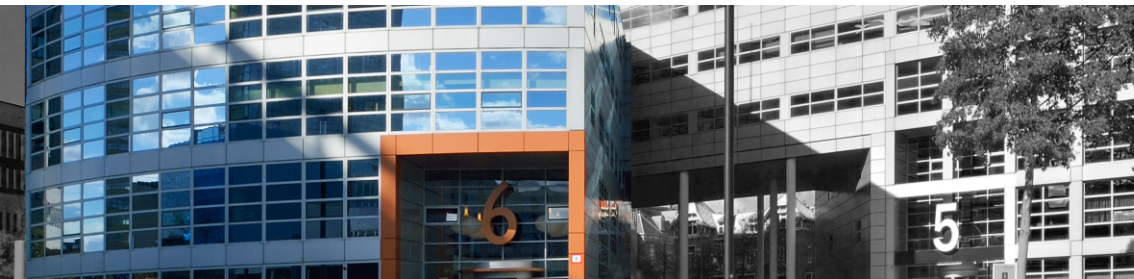
1996 Child Protection Convention  
2000 Protection of Adults Convention  
2005 Choice of Court Convention  
2006 Securities Convention  
2007 Child Support Convention & Protocol  
2015 Principles on Choice of Law in  
International Commercial Contracts  
2019 Judgments Convention

To ensure the effective implementation and operation of its Conventions and instruments, the HCCH provides a range of post-Convention services, as part of its “**non-normative**” work – another core function of the HCCH

HCCH Conventions and instruments are each accompanied by an **Explanatory Report**, providing information and guidance as to its interpretation and operation. The full negotiation history is recorded and published in the volumes of the **Proceedings**.

In addition, the HCCH has developed various **Practical Handbooks, Guides to Good Practice** and **other publications**, available on the HCCH website. They are addressed to governmental authorities, academics, legal practitioners and the general public, with a view to not only promoting the Conventions and instruments, but also supporting their sound implementation and effective operation.

The **HCCH website** contains a wealth of additional information, including lists of Contracting Parties to the HCCH Conventions and instruments, as well as the declarations made and authorities designated by each Party.



HCCH representatives regularly organise and participate in **conferences, seminars, and workshops** to promote the work of the Organisation and the effective operation of its Conventions and instruments.

The HCCH organises Special Commission meetings to **review the practical operation** of many of its core Conventions and instruments, adopting Conclusions & Recommendations (known as “C&Rs”) aimed at promoting best practices and improving the operation of the Conventions.

States may also receive tailored support in the implementation and operation of HCCH Conventions in the form of **post-Convention (technical) assistance**, provided by the Permanent Bureau with the occasional involvement of external experts. These services are primarily offered to HCCH Members and are dependent on available resources and work programme priorities. **This priority access to technical assistance is a major practical advantage of being a Member of the HCCH.**



## As an inclusive intergovernmental organisation, good governance is central to the operation of the HCCH

The HCCH is governed and funded by its Members, which exercise their authority through its two governing bodies:

- The **Council on General Affairs and Policy (CGAP)**, which sets and reviews the work programme
- The **Council of Diplomatic Representatives (CDR)**, which approves the Budget and oversees all financial matters

The day-to-day activities of the HCCH are conducted and coordinated by a **multinational secretariat** – known as the **Permanent Bureau**.

The Permanent Bureau is **headquartered in The Hague** (Netherlands), with a **Regional Office for Latin America and the Caribbean** in Buenos Aires (Argentina), and a **Regional Office for Asia and the Pacific** in Hong Kong (China)



## How are HCCH Conventions and instruments developed?

A proposal for a possible new Convention or area of work is first submitted to the **Council on General Affairs and Policy**. Next, an **Experts' Group** is established to conduct exploratory work to assess the desirability and feasibility of a new instrument, and may eventually be replaced by a **Working Group**, the primary focus of which is the consideration of concrete solutions and in some cases, draft provisions. Both Experts' Groups and Working Groups may meet several times across a number of years.

Subject to CGAP's approval, the Working Group may eventually submit a proposal for consideration to a **Special Commission** of governmental delegates and experts, which meets to prepare the draft Convention.

A sufficiently developed draft Convention is then considered by the HCCH Members during a **Plenary Session (or Diplomatic Session)**, with a view to finalising the provisions and adopting the Convention or instrument.

## Benefits of HCCH Conventions and instruments

By becoming Parties to HCCH Conventions, States establish a legal environment that provides individuals and companies with **legal certainty and predictability** for their cross-border interactions.

HCCH Conventions and instruments contribute to the effective **resolution of cross-border civil or commercial disputes**.

By establishing uniform global standards, they lead to a climate more conducive to **cross-border trade and investment**, and as a result promote **economic and social development**.

HCCH Conventions and instruments strengthen the **rule of law and access to justice** in a cross-border context.

HCCH Conventions and instruments **support human rights**. For example, in the context of international child protection, HCCH Conventions give effect to fundamental principles expounded in the 1989 UN Convention on the Rights of the Child.

HCCH Conventions and instruments streamline communication channels to enhance **administrative and judicial cooperation** between States.

The work of the HCCH has a significant **practical impact** for individuals, families, and commercial operators, benefitting all those involved in cross-border interactions.



Hague Conference on Private International Law  
Conférence de La Haye de droit international privé  
Conferencia de La Haya de Derecho Internacional Privado

