

QUESTIONNAIRE CONCERNING THE PRACTICAL OPERATION OF THE 1996 CONVENTION

Wherever your replies to this Questionnaire make reference to domestic legislation, rules, guidance or case law relating to the practical operation of the 1996 Convention, **please provide a copy of the referenced documentation** in (a) the original language and, (b) wherever possible, accompanied by a translation into English and / or French.

Name of State or territorial unit: ¹	Sweden
<i>For follow-up purposes</i>	
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PART I – FOR STATES PARTIES

Recent developments in your State

1. Since the 2011 / 2012 Special Commission, have there been any significant developments in your State regarding the legislation or procedural rules applicable in cases of international child protection? Where possible, please state the reason for the development in the legislation / rules, and, where possible, the results achieved in practice.

- No
 Yes, please specify:

Sweden acceded to the 1996 Convention in 2012 and the Convention entered into force on 1 January 2013. The Swedish implementation act, the 1996 Hague Convention Act (lagen [2012:318] om 1996 års Haagkonvention) and regulation, Regulation with supplementary rules to the 1996 Hague Convention (förordningen [2012:826] med kompletterande bestämmelser till 1996 års Haagkonvention) entered into force on the same date. The act and regulation have supplementary provisions to ensure that the 1996 Convention can be applied in an effective way.

2. Please provide a brief summary of any significant decisions concerning the interpretation and application of the 1996 Convention rendered since the 2011 / 2012 Special Commission by the relevant authorities² in your State including in the context of the 20 November 1989 United Nations Convention on the Rights of the Child and other relevant instruments:

No significant decisions.

3. Please provide a brief summary of any other significant developments in your State since the 2011 / 2012 Special Commission relating to international child protection:

No other significant developments.

Scope

4. Have competent authorities in your State experienced any challenges, or have questions arisen, in determining the scope of the Convention under **Article 2** (meaning of "child")_or **Article 3** (meaning of "protective measures")?

- No
 Yes, please specify:

The Swedish Central Authority has not been made aware of such challenges or questions.

¹ The term "State" in this Questionnaire includes a territorial unit, where relevant.

² The term "relevant authorities" is used in this Questionnaire to refer to the judicial or administrative authorities with decision-making responsibility under the 1996 Convention. Whilst in the majority of States Parties such "authorities" will be courts (*i.e.*, judicial), in some States Parties administrative authorities remain responsible for decision-making in Convention cases.

Jurisdiction

5. Have competent authorities in your State experienced any challenges, or have questions arisen, in making a determination whether to exercise jurisdiction under **Articles 5, 6, 7 or 10**?

- No
 Yes, please specify:

The Swedish Central Auhtority has not been made aware of such challenges or questions.

6. Have competent authorities in your State experienced any challenges, or have questions arisen, in implementing and / or applying **Articles 8 and 9**?

- No
 Yes, please specify:

The Swedish Central Auhtority has not been made aware of such challenges or questions.

7. Have judicial or administrative procedures, guidelines or protocols been adopted in your State to facilitate the application of **Articles 8 and 9**?³

- No
 Yes, please describe them and also provide a link or attach them, preferably translated into English or French:

Articles 8 and 9 of the 1996 Convention are directly applicable for Swedish authorities. This follows from Section 1 of the 1996 Hague Convention Act (lagen [2012:318] om 1996 års Haagkonvention). There is also a provision in the same Act that clarifies how a Swedish authority should act if a request is made in accordance with Article 9.1 of the 1996 Convention. In such case, the Swedish authority is to invite the requesting authority of another State to exercise jurisdiction, if the requesting authority is deemed to be better placed to assess the child's best interests (Section 11). General Swedish procedural rules are to be applied when dealing with a request.

8. Have competent authorities in your State had experience with urgent measures of protection taken under **Article 11**? (See also Question No 35.)

- No
 Yes, please describe in which situations a competent authority in your jurisdiction has applied Article 11:

The Swedish Central Auhtority has not been made aware of any experiences.

9. Have competent authorities in your State experienced any challenges, or have questions arisen, with respect to the application of **Article 11**?

- No
 Yes, please describe:

The Swedish Central Auhtority has not been made aware of such challenges or questions.

10. Have competent authorities in your State experienced any challenges, or have questions arisen, in applying **Articles 12, 13 or 14**?

- No
 Yes, please describe:

The Swedish Central Auhtority has not been made aware of such challenges or questions.

Applicable law

³ See, e.g., Direct Judicial Communications - [Emerging Guidance regarding the development of the International Hague Network of Judges and General Principles for Judicial Communications \(2013\)](#).

11. Have competent authorities in your State experienced any challenges, or have questions arisen, in applying **Articles 15, 16, 17 or 18**?

- No
 Yes, please describe:

The Swedish Central Authority has not been made aware of such challenges or questions.

12. Have competent authorities in your State experienced any challenges, or have questions arisen, in applying the other articles in **Chapter III**?

- No
 Yes, please describe them:

The Swedish Central Authority has not been made aware of such challenges or questions.

Recognition and enforcement

13. Have competent authorities in your State experienced any challenges, or have questions arisen, in applying **Article 23** from the perspective of the requested State?

- No
 Yes, please describe:

The Swedish Central Authority has not been made aware of such challenges or questions.

14. Have judicial or administrative procedures, guidelines or protocols been adopted in your State to facilitate the application of **Article 24**?

- No
 Yes, please describe and also provide a link or attach them, preferably translated into English or French:

The same procedures apply for requests for a declaration of recognition under Article 24 and declarations of enforceability under Article 26. The provisions can be found in the 1996 Hague Convention Act (2012:318) and Regulation (2012:826) with supplementary rules to the 1996 Hague Convention.

An application for a declaration of recognition or enforceability, where it comes to measures concerning a child's person, is to be filed with the district court that examines the enforcement of a Swedish judgment concerning custody, residence or access under the Children and Parents Code, i.e. the district court where the child has habitual residence. If no court is competent, the application is to be filed with Stockholm district court.

Other applications for a declaration of recognition or enforceability under the Convention, e.g. measures concerning a child's property, are to be filed with one of the 24 district courts examining enforcement matters. The competent court is the one in whose district the opposite party is domiciled. If the opposite party is not domiciled in Sweden, the application is to be filed with Nacka district court.

A list of competent district courts (in Swedish) can be found on: <http://www.domstol.se/Tvist/Verkstalla-utlandska-domar/Behoriga-tingsratter/>

The following must be enclosed with the application.

- The original judgment or a certified copy of the judgment.
- If the judgment to be enforced is a default judgment, the original or a certified copy of the document showing that the summons application or a corresponding document has been served on the opposite party.
- If the application concerns a declaration of enforceability, proof that the judgment is enforceable in the State where the judgment was passed.
- In general, all documents must be translated to Swedish. However, the court may decide that a translation is not necessary or that it reasonably cannot be required.

The procedure before the court is governed by the Court Matters Act (1996:242). This provides for a simple and rapid procedure that is written as a main rule. The court only carries out a check that the formal requirements are met, e.g. that the applicant has submitted the documents needed. The opposite party must be given the opportunity to state an opinion prior to the court's decision to, fully or partially, grant the application.

If a foreign judgment is declared enforceable in Sweden, the foreign judgment can be enforced in the same way as a Swedish judgment.

15. Have competent authorities in your State experienced any challenges, or have questions arisen, in applying **Article 24** (e.g., in terms of procedure, formalities, time frames, etc.)?

- No
 Yes, please describe:

The Swedish Central Authority has not been made aware of such challenges or questions.

16. Please describe the "simple and rapid procedure" (see **Article 26(2)**) in place in your State for declaring enforceable or registering for the purpose of enforcement measures of protection taken in another State Party and enforceable there, in particular:

- a) Which authority declares enforceable or registers a measure of protection taken in another State Party?
 b) What time frames are applied to ensure that the procedure is rapid?
 c) Is legal representation required?

Please explain:

- a) and b) Please see answer to question 14.
 c) No.

17. Are you aware of any challenges, or have questions arisen, in applying **Article 26** in your State?

- No
 Yes, please describe:

The Swedish Central Authority has not been made aware of such challenges or questions.

18. Are you aware of any challenges, or have questions arisen, in applying **Article 28** in your State?

- No
 Yes, please describe:

The Swedish Central Authority has not been made aware of such challenges or questions.

Co-operation

19. Are you aware of any challenges, or have questions arisen, in applying **Article 30** in your State (e.g., in relation to the timeliness of responses to requests)?

- No
 Yes, please describe:

In Sweden, the Convention entered into force in 2013, therefore our experience is limited. In most of our cases the co-operation with other Central Authorities works well. We have experienced a few cases where there have been a delayed response to a request.

As the Central Authority we have experienced that the cross border-cases include some new and challenging situations for the local authorities. Due to the fact that the Convention only has been in force in Sweden since 2013 and that Sweden has 290 municipalities with their own social welfare committee (competent to assist regarding persons resident in their own municipality), the impression of the Central Authority is that many Swedish authorities yet have no or little experience of its application. Also, the Brussels II bis Regulation has precedence over the Convention between the Member States of the EU, why the co-operation between these states take place in accordance to the Regulation.

20. In your view, would it facilitate the task of Central Authorities under **Article 30(2)** if States Parties provided information as to their laws and available services in relation to the practical implementation of the 1996 Convention, e.g., in the form of a Country Profile or a similar tool published on the HCCH website?

- No
- Yes, please describe the type of information that would be useful to include (e.g., information with respect to the availability of certain protective measures under internal law (e.g., in relation to **Article 3(e)**), or the procedures applied under, e.g., **Articles 23, 24, 26, 31 or 33**, or information on Central Authority services provided):

Yes, information regarding the enforceability procedure, for example information about legal aid etc.

21. How does your Central Authority (either directly or through public authorities or other bodies) take appropriate steps under **Article 31(b)** to facilitate, by mediation, conciliation or similar means, agreed solutions for the protection of the person or property of the child in situations to which the 1996 Convention applies? Please explain:

The social welfare committee offers co-operation talks for parents to try to make them reach an agreement concerning the custody, contact and residence of the child (Chapter 5 Section 3 of the Social Services Act).

In an on-going court case on enforcement of a decision concerning a child's person fully or partly, the court may instruct a member or substitute member of the social welfare committee or a social services official to endeavour to bring the person looking after the child to voluntarily fulfil his or her obligations. Such instructions may also be given to some other suitable person. A person who has received instructions shall deliver an account within the time set by the court describing the measures that have been taken and anything else that has come to light. The time allowed may not be more than two weeks. However, the court may grant an extension if there are prospects of reaching a voluntary agreement (Chapter 21 Section 2 of the Children and Parents Code).

22. Have authorities in your State experienced any challenges, or have questions arisen, in applying **Article 33** (e.g., has your State been requested to accept a child under a certain type of placement or institutional care that is not available under your internal law, or was insufficient information provided to you as the Requested State)?

- No
- Yes, please describe:

The Swedish Central Authority has not been made aware of such challenges or questions. Our impression is that one of the main reasons for the limited experience is that the Convention has been applicable in Sweden only since 2013. In cases concerning a placement of a child in Sweden when the requested State is a member of the EU, Article 56 of the Brussels II bis Regulation applies. This may also be one of the reasons for the limited experience of Article 33 of the Convention.

23. Have authorities in your State experienced any challenges, or have questions arisen, in providing or obtaining reports or information under **Articles 32, 33 or 34**?

- No
- Yes, please describe:

The Swedish Central Authority has not been made aware of such challenges or questions.

24. Do authorities in your State use a standard template when providing a report on the (situation of the) child under **Article 32 or 33**?

- No
- Yes, please attach the template to your response (preferably translated into English or French):

25. Have competent authorities in your State experienced any challenges, or have questions arisen, in applying **Article 35**?

- No
- Yes, please describe:

The Swedish Central Authority has not been made aware of such challenges or

questions.

26. Does your State impose charges, as provided under **Article 38(1)**, for the provision of services under **Chapter V** (Co-operation)?

- No
 Yes, for the following types of services (*e.g.*, translation, legal assistance):

27. Have authorities in your State experienced any challenges, or have questions arisen, with regard to charges provided under **Article 38(1)**?

- No
 Yes, please describe:

The Swedish Central Authority has not been made aware of such challenges or questions.

28. With the understanding that services provided by Central Authorities under the 1996 Convention may vary, does your Central Authority provide assistance to **individuals** habitually resident in your State who request it in connection with the following matters? If so, please specify the nature of the assistance provided.

a) A request to organise or secure effective exercise of **rights of access** in another State Party (requested State)⁴

1. None
 2. Assistance in obtaining information on the operation of the 1996 Convention
 3. Assistance in obtaining information on the relevant laws and procedures in the requested State
 4. Establishment of contact with the Central Authority and / or the competent authorities in the requested State to find out the kind of assistance such authorities could provide
 5. Transmission of the request to the Central Authority or to the competent authorities in the requested State
 6. Assistance in initiating judicial or administrative proceedings with a view to making arrangements for organising or securing the effective exercise of rights of access
 7. Assistance in providing or facilitating the provision of legal aid and advice
 8. Assistance in obtaining private legal counsel or mediation services, where needed in the requested State
 9. Referral to other governmental and / or non-governmental organisations for assistance
 10. Provision of regular updates on the progress of the application
 11. Other, please specify:

Regarding number 6-8, the Swedish Central Authority would request to obtain information from the Central Authority in the requested State about the possibilities for it to assist.

b) A request to secure the return to your State of a child subject to **parental abduction** where the 1980 Convention is not applicable

1. None
 2. Assistance in obtaining information on the operation of the 1996 Convention
 3. Assistance in obtaining information on the relevant laws and procedures in the requested State
 4. Establishment of contact with the Central Authority and / or the competent authorities in the requested State to find out the kind of assistance such authorities could provide

⁴ See in this context, *e.g.*, the [Practical Handbook](#) on the Operation of the 1996 Child Protection Convention, sections 11(E)(d) and 13(B) (2014).

- 5. Transmission of the request to the Central Authority or to the competent authorities in the requested State
- 6. Assistance in discovering the whereabouts of a child who has been wrongfully removed or retained
- 7. Assistance in taking provisional / urgent measures of protection to prevent further harm to the child
- 8. Assistance in securing the voluntary return of the child or in bringing about an amicable resolution of the issue
- 9. Assistance in initiating judicial or administrative proceedings with a view to obtaining the return of the child
- 10. Assistance in providing or facilitating the provision of legal aid and advice
- 11. Assistance in providing such administrative arrangements as may be necessary and appropriate to secure the safe return of the child
- 12. Assistance in obtaining private legal counsel or mediation services
- 13. Referral to other governmental and / or non-governmental organisations for assistance
- 14. Regular updates on the progress of the application
- 15. Other, please specify:

Regarding number 6-12, the Swedish Central Authority would request to obtain information from the Central Authority in the requested State about the possibilities for it to assist.

- c) A request to secure the return to your State of a **runaway child** (see **Article 31 c)**)

- 1. None
- 2. Assistance in obtaining information on the operation of the 1996 Convention
- 3. Assistance in obtaining information on the relevant laws and procedures in the requested State
- 4. Establishment of contact with the Central Authority and / or the competent authorities in the requested State to find out the kind of assistance such authorities could provide
- 5. Transmission of the request to the Central Authority or to the competent authorities in the requested State
- 6. Assistance in discovering the whereabouts of a runaway child
- 7. Assistance in initiating judicial or administrative proceedings with a view to obtaining the return of the child
- 8. Assistance in providing or facilitating the provision of legal aid and advice
- 9. Assistance in providing such administrative arrangements as may be necessary and appropriate to secure the safe return of the child
- 10. Assistance in obtaining private legal counsel
- 11. Referral to other governmental and / or non-governmental organisations for assistance
- 12. Regular updates on the progress of the application
- 13. Other, please specify:

Regarding number 6-10, the Swedish Central Authority would request to obtain information from the Central Authority in the requested State about the possibilities for it to assist.

- d) A request for a **report on the situation of a child** habitually resident in another State Party (*e.g.*, a child returned as a result of child abduction proceedings or a child who has moved as a result of a relocation) (see **Article 32 a)**)

- 1. None
- 2. Assistance in obtaining information on the operation of the 1996 Convention
- 3. Assistance in obtaining information on the relevant laws and procedures in the requested State
- 4. Establishment of contact with the Central Authority and / or the competent authorities in the requested State to find out the kind of assistance such authorities could provide

- 5. Transmission of the request to the Central Authority or to the competent authorities in the requested State
- 6. Other, please specify:

e) A request that the competent authorities of another State Party decide on the **recognition or non-recognition** of a measure taken in your State (see **Article 24**)

- 1. None
- 2. Assistance in obtaining information on the operation of the 1996 Convention
- 3. Assistance in obtaining information on the relevant laws and procedures in the requested State
- 4. Establishment of contact with the Central Authority and / or the competent authorities in the requested State to find out the kind of assistance such authorities could provide
- 5. Transmission of the request to the Central Authority or to the competent authorities in the requested State
- 6. Assistance in obtaining private legal counsel
- 7. Regular updates on the progress of the request
- 8. Other, please specify:

Regarding number 6, the Swedish Central Authority would request to obtain information from the Central Authority in the requested State about the possibilities for it to assist.

f) A request that the competent authorities of another State Party **declare enforceable or register for the purpose of enforcement** measures taken in your State (see **Article 26**)

- 1. None
- 2. Assistance in obtaining information on the operation of the 1996 Convention
- 3. Assistance in obtaining information on the relevant laws and procedures in the requested State
- 4. Establishment of contact with the Central Authority and / or the competent authorities in the requested State to find out the kind of assistance such authorities could provide
- 5. Transmission of the request to the Central Authority or to the competent authorities in the requested State
- 6. Assistance in obtaining private legal counsel
- 7. Regular updates on the progress of the request
- 8. Other, please specify:

Regarding number 6, the Swedish Central Authority would request to obtain information from the Central Authority in the requested State about the possibilities for it to assist.

29. With the understanding that services provided by Central Authorities under the 1996 Convention may vary, if your Central Authority were to receive a request of assistance from **another Central Authority** on behalf of an individual residing abroad, in connection with the following matters, please specify the nature of the assistance that your Central Authority provides or would provide if the situation was to arise.

a) A request to organise or secure effective **exercise of rights of access**

- 1. None
- 2. Providing information on the operation of the 1996 Convention and / or the relevant laws and procedures in your State
- 3. Assistance in initiating judicial or administrative proceedings with a view to making arrangements for organising or securing the effective exercise of rights of access
- 4. Assistance in providing or facilitating the provision of legal aid and advice

- 5. Assistance in obtaining private legal counsel or mediation services available in your State
- 6. Referral to other governmental and / or non-governmental organisations for assistance
- 7. Regular updates on the progress of the application
- 8. Other, please specify:

b) A request to secure the return to the State of habitual residence of a child subject to parental abduction where the 1980 Convention is not applicable

- 1. None
- 2. Providing information on the operation of the 1996 Convention and / or the relevant laws and procedures in your State
- 3. Assistance in discovering the whereabouts of a child who has been wrongfully removed or retained
- 4. Assistance in taking provisional measures of protection to prevent further harm to the child
- 5. Assistance in securing the voluntary return of the child or in bringing about an amicable resolution of the issue
- 6. Assistance in initiating judicial or administrative proceedings with a view to obtaining the return of the child
- 7. Assistance in providing or facilitating the provision of legal aid and advice
- 8. Assistance in providing such administrative arrangements as may be necessary and appropriate to secure the safe return of the child
- 9. Assistance in obtaining private legal counsel or mediation services
- Referral to other governmental and / or non-governmental organisations for assistance
- 10. Regular updates on the progress of the application
- 11. Other, please specify:

request. Regarding number 5, the Swedish Central Authority would assist upon

c) A request to secure the return of a runaway child (see **Article 31 c)**)

- 1. None
- 2. Providing information on the operation of the 1996 Convention and / or on the relevant laws and procedures in your State
- 3. Assistance in discovering the whereabouts of a runaway child
- Assistance in initiating judicial or administrative proceedings with a view to obtaining the return of the child
- 4. Assistance in providing or facilitating the provision of legal aid and advice
- Assistance in providing such administrative arrangements as may be necessary and appropriate to secure the safe return of the child
- 5. Assistance in obtaining private legal counsel
- 6. Referral to other governmental and / or non-governmental organisations for assistance
- 7. Regular updates on the progress of the application
- 8. Other, please specify:

d) A request for a report on the situation of a child habitually resident in your State (e.g., a child returned as a result of child abduction proceedings or a child who has moved as a result of a relocation) (see **Article 32 a)**)

- 1. None
- 2. Providing information on the operation of the 1996 Convention and / or on the relevant laws in your State
- 3. Preparing and transmitting the requested report
- 4. Transmission of the request to the competent authorities in your State
- 5. Other, please specify:

- e) A request that the competent authorities of your State decide on the recognition or non-recognition of a measure taken in another State Party (see **Article 24**)

1. None
 2. Providing information on the operation of the 1996 Convention and / or relevant laws in your State
 3. Transmission of the request to the competent authorities in your State
 4. Assistance in obtaining private legal counsel
 5. Other, please specify:

- f) A request that the competent authorities of your State declare enforceable or register for the purpose of enforcement measures taken in another State Party (see **Article 26**)

1. None
 2. Providing information on the operation of the 1996 Convention and / or relevant laws in your State
 3. Transmission of the request to the competent authorities in your State
 4. Assistance in obtaining private legal counsel
 5. Other, please specify:

30. Where the habitual residence of a child present in your State cannot be established, have authorities in your State used any of the provisions of **Chapter V** in determining the child's place of habitual residence?

- No
 Yes, please specify:

The social welfare committees have in a few cases turned to the Central Authority to ask for information regarding such situations.

31. Are you aware of any challenges, or have questions arisen, in applying any other provisions under **Chapter V** in your State?

- No
 Yes, please describe:

With the reservation that the Central Authority's experience is very limited regarding the application of the Convention, it is of the impression that the local authorities have had some challenges regarding the matter of jurisdiction and regarding translations of documents.

32. Have judges in your State used direct judicial communications in cases falling under the 1996 Convention?

- No
 Yes, please specify in relation to which specific matters (e.g., transfer of jurisdiction, placement of a child):

The Swedish Central Authority has not been made aware of such communications.

General provisions

33. Has your State experienced any challenges, or have questions arisen, in relation to requests under **Article 40** for the delivery of a certificate indicating the capacity in which a person having parental responsibility or entrusted with protection of the child's person or property is entitled to act and the powers conferred upon him or her?

- No
 Yes, please describe:

Please see the answer to question 34.

34. Which authorities in your State are competent to issue such certificates? Please specify:

No specific authority has been appointed to issue such certificates.

Special categories of children

Children subject to international parental abduction

35. Have authorities in your State experienced any challenges, or have questions arisen, in relation to the application of the 1996 Convention in cases of child abduction where the 1980 Convention was not applicable (see Question Nos 28 b) and 29 b) above)?

- No
 Yes, please describe:

The Swedish Central Authority has not been made aware of such challenges or questions.

36. In cases of child abduction where both the 1980 Convention and the 1996 Convention were applicable, have authorities in your State made use of provisions under the 1996 Convention in addition to or instead of provisions of the 1980 Convention?

- No
 Yes, please specify the provisions and explain:

The impression of the Swedish Central Authority is that in the return cases where the 1980 Hague Convention is applicable, that convention is mainly applied.

37. In cases of parental child abduction, whether or not the 1980 Convention is applicable, have authorities in your State used the co-operation provisions in **Chapter V** of the 1996 Convention to determine whether adequate measures of protection are available in the State of the habitual residence of the child (e.g., to facilitate the safe return of the child)?

- No
 Yes, please explain:

The impression of the Swedish Central Authority is that in the return cases where the 1980 Hague Convention is applicable, that convention is mainly applied. Regarding cases of return that fall outside of the scope of the 1980 Hague Convention, the Central Authority's experience is very limited.

38. In cases of parental child abduction, have competent authorities in your State taken measures of protection under **Article 11**, as an alternative to measures of protection in the form of mirror orders or undertakings, to facilitate the safe return of the child? (See also Question No 5.)

- No
 Yes, please explain:

The Swedish Central Authority has not been made aware of any experiences.

Children subject to international relocation

39. Are you aware of any use being made of provisions of the 1996 Convention in cases where a parent wishes to relocate with his or her child to another State?

- No
 Yes, please explain:

International access / contact cases involving children

40. Are you aware of any use being made of provisions of the 1996 Convention, including those under **Chapter V**, in lieu of or in connection with an application under **Article 21** of the 1980 Convention?⁵

- No
 Yes, please explain:

Unaccompanied, separated, and internationally displaced children

41. Are you aware whether authorities in your State have used the provisions of the 1996 Convention in relation to the protection of internationally displaced children (such as refugee children, trafficked children, sexually exploited children, or unaccompanied children) and / or children whose habitual residence cannot be established?

- No
 Yes, please specify:

Miscellaneous

42. Is there any other comment that your State wishes to make relating to the practical operation of the 1996 Convention? If so, please specify:

The Swedish Central Authority would be interested in learning from other States how they implement Article 11 and in particular if in their understanding there is an obligation to communicate to the other State concerned any measures of protection that they have undertaken based upon the provisions of Article 11, e.g if the child has been taken into temporary care. If for example the authorities in country X have taken urgent interim protective measures concerning a child who does not have habitual residence in that country, do these authorities have an obligation to inform the authorities in the country where the child has habitual residence about the interim protective measures taken? If such information is sent, is there an obligation for the authorities in the country of habitual residence to respond? Art 11 states that measures taken under paragraph 1 shall lapse when the authorities which have jurisdiction under Art 5-10 have taken measures required by the situation. We were wondering if this always work and/or what happens if the latter country does not respond at all?

PART II – FOR NON-STATES PARTIES

43. Is your State currently considering signing and ratifying or acceding to the 1996 Convention?

- No
 Yes

44. In considering how your State would implement the 1996 Convention, have you encountered any issues of concern?

- No
 Yes, please explain:

PART III – FOR BOTH STATES PARTIES AND NON-STATES PARTIES

45. Are there any particular issues that your State would like the Special Commission meeting to discuss in relation to the 1996 Convention? Please specify and list in order of priority:

If there is a broader interest among the other States, we would like to discuss the matter in the answer to question 42.

⁵ The [Explanatory Report](#) (Lagarde) on the 1996 Convention notes that co-operation under Article 35(1) between authorities of States Parties with respect to rights of access “serves in a certain way to complete and reinforce the co-operation, which is not always effective, provided for the same purpose between Central Authorities” under Article 21 of the 1980 Convention. Explanatory Report, paragraph 146 (1997).

46. Do you have any observations or comments to share concerning the Practical Handbook on the Operation of the 1996 Child Protection Convention? Please specify: