



City of The Hague

# The Hague Conference on Private International Law



## *Aims*

Personal and family or commercial situations are increasingly connected with more than one country and may be affected by differences between the legal systems. "Private international law" rules are the special rules adopted by States in order to resolve these differences. The Hague Conference on Private International Law (HCCH) is a global intergovernmental organisation working for the progressive unification of these rules. This involves finding internationally-agreed approaches to issues such as jurisdiction of the courts, applicable law, and the recognition and enforcement of judgements in a wide range of areas, from commercial law and banking law to international civil procedure and from child protection to matters of marriage and personal status. The ultimate goal of the organisation 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 security.



## Origin

Founded in 1893, the Hague Conference was the first ever international body to be established in The Hague. It is also the only legislative body among the many legal institutions in town. It was the brainchild of the foremost Dutch internationalist of the period, Tobias Asser, Nobel Peace Prize in 1911 and a pivotal figure in the process of codifying and harmonising private international law.

The HCCH became a permanent inter-governmental organisation in 1955, upon entry into force of its Statute.

## Structure and Methods

The principal method of the Hague Conference is the negotiating process, with the purpose of drafting multilateral treaties or conventions. The preparatory work and basic research for the drawing up of a convention rests with the Permanent Bureau, the Hague based Secretariat of the HCCH. The actual drafting is entrusted to Special Commissions of governmental experts. The negotiating and eventual adoption of Conventions are reserved to the Sessions of the Conference, the diplomatic-level assembly of Members.

## Conventions

A melting pot of different legal traditions, the HCCH develops and services multilateral legal instruments, which respond to global needs. Over the past 50 years, no less than 38 international conventions were adopted under HCCH auspices, dealing with the determination of applicable law, conflicting jurisdiction and administrative or judicial co-operation. Most widely ratified are the ones on civil procedure, evidence, legalisation, and the various conventions dealing with family law (e.g. on testaments, maintenance obligations, protection of minors, child abduction and inter-country adoption).



## Post-Convention Services

The HCCH has been unique in developing a wide range of 'post Convention services' to support effective implementation and consistent application of the Hague Conventions among contracting States. As well as technical assistance with implementation, these services

include, in the case of certain Conventions, regular reviews of their practical operation, the development of guides to good practice and the maintenance of the international networks of Central Authorities and others charged with the operation of these Conventions.

## Judicial Co-operation

Over the years, the Conference has, in carrying out its mission, increasingly become a centre for international judicial and administrative co-operation in the area of private law, especially in the fields of protection of the family and children, of civil procedure and commercial law.

## Education and Exchange

With the aim of harmonising the implementation of the Conventions, the Secretariat organises, assists in organising and participates in conferences and seminars held at both international and national levels to educate the various persons involved in the implementation of the Conventions, including judges, Central Authority personnel and members of the legal profession. A judicial newsletter on international child protection is also published.

## Source of Information

In addition to regular publications, the Conference website, [www.hcch.net](http://www.hcch.net), presents detailed and updated information on the Hague Conventions. INCADAT, the International Child Abduction Database, [www.incadat.com](http://www.incadat.com), is a special initiative which provides easy access to many of the leading judicial decisions taken by national courts around the world in respect of the 1980 Hague Convention on international child abduction.

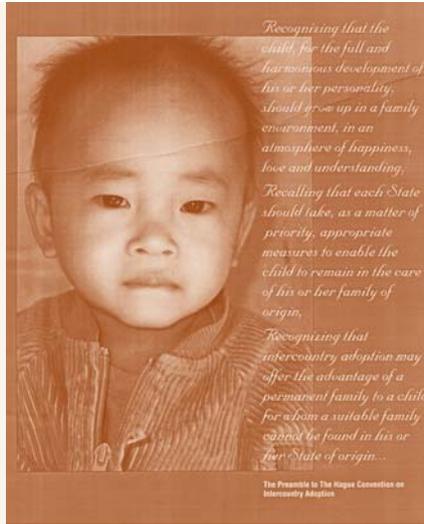
## Appraisal

Between 1951 and 2008, the Conference adopted 38 international Conventions, the practical operation of many of which is regularly reviewed by Special Commissions. Even when they are not ratified, the Conventions have an influence upon legal systems, in both Member and non-Member States. At this very moment, it is very likely that somewhere on this planet a parental child abduction is being prevented or reversed thanks to the Hague Child Abduction Convention, now in force for over 80 countries. References to the latest Hague Convention on the Law Applicable to Securities are already included in contracts, so as to reduce financial risk, even before the Convention has come into force. The Hague Conventions, in a very practical way, have come to influence the lives and doings of millions of people. With nearly 70 Members representing all continents and more than 110 years of accumulated experience, the Hague Conference on Private International Law is well equipped to keep on building bridges between legal systems and reinforcing legal certainty and security for the years ahead.



### THE HAGUE CONFERENCE ON PRIVATE INTERNATIONAL LAW

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THE HAGUE CONFERENCE ON PRIVATE INTERNATIONAL LAW



ORIGIN  
FIRST CONFERENCE 1893  
STATUTE 1955, REVISED IN 2007



STATUS  
IGO



MEMBERSHIP  
MEMBERS: 69 (SPRING 2008)  
(68 STATES, 1 REGIONAL ECONOMIC INTEGRATION ORGANISATION)



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COUNCIL ON GENERAL AFFAIRS AND POLICY  
COUNCIL OF DIPLOMATIC REPRESENTATIVES (PLENARIES OF MEMBERS)  
SPECIAL COMMISSIONS OF GOVERNMENTAL EXPERTS  
PERMANENT BUREAU (SECRETARIAT), THE HAGUE



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