

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Strasbourg, 10 June / *juin* 2025

CDCJ(2025)11

Original language / Langue originale

**EUROPEAN COMMITTEE ON LEGAL CO-OPERATION
COMITE EUROPÉEN DE COOPÉRATION JURIDIQUE
(CDCJ)**

104th plenary meeting / *104^e réunion plénière*

16-18 June / *juin* 2025

Strasbourg, Palais de l'Europe, Room / *Salle* 7

**CO-OPERATION WITH OTHER RELEVANT COUNCIL OF EUROPE BODIES AND
COMMITTEES, INTERNATIONAL ORGANISATIONS AND CIVIL SOCIETY
IN THE AREA OF PRIVATE LAW**

(Item 14 of the draft agenda)

**COOPÉRATION AVEC D'AUTRES ORGANES ET COMITÉS PERTINENTS DU
CONSEIL DE L'EUROPE, LES ORGANISATIONS INTERNATIONALES ET LA
SOCIÉTÉ CIVILE
DANS LE DOMAINE DU DROIT PRIVÉ**

(Point 14 du projet d'ordre du jour)

Document prepared by the Secretariat
Directorate General Human Rights and Rule of Law – DGI

*Document établi par le Secrétariat
Direction générale Droits humains et État de droit – DGI*

Contents / Table des matières

Introduction	3
Steering Committee for the Rights of the Child (CDENF) and Lanzarote Committee(T-ES) / Comité directeur pour les droits de l'enfant (CDENF) et comité de Lanzarote (T-ES).....	4
Hague Conference on Private International Law / Conférence de La Haye de droit international privé - HCCH	9

Introduction

In preparation of the 104th plenary meeting of the CDCJ (16-18 June 2025), the Secretariat asked, by e-mail of 22 April 2025, with a reminder on 21 May 2025, other relevant Council of Europe bodies/committees and international organisations and civil society to provide information on their activities being undertaken or planned to take place in a near future, in the area of **private law**, found particularly relevant for the work of the CDCJ or in relation to its work and to which the attention of the CDCJ should be brought.

Information collected to date is reproduced in this document.

*En vue de la préparation de la 104^e réunion plénière du CDCJ (16-18 juin 2025), le Secrétariat a demandé, par courriel du 22 avril 2025, avec un rappel le 21 mai 2025, aux autres organes/comités pertinents du Conseil de l'Europe et aux autres organisations internationales et à la société civile de fournir des informations sur leurs activités dans le domaine du **droit privé** actuellement en cours de réalisation ou prévues dans un futur proche, considérées comme particulièrement pertinentes pour les travaux du CDCJ, ou en relation avec ses travaux et sur lesquelles l'attention du CDCJ devrait être attirée.*

Les informations collectées à ce jour sont reproduites dans le présent document.

Steering Committee for the Rights of the Child (CDENF) and Lanzarote Committee(T-ES) / Comité directeur pour les droits de l'enfant (CDENF) et comité de Lanzarote (T-ES)

<p>Achievements in the area private law</p> <p>Réalisations dans le domaine du droit privé</p>	<p>Please specify any particular major recent achievement(s) you consider of interest or relevant to be brought to the attention of the CDCJ having regard to its areas of competence and terms of reference, including main tasks/deliverables for 2022-2025 (see also the CDCJ website):</p> <p><i>Veuillez indiquer toute(s) réalisation(s) importante(s) récente(s) qu'il est, selon vous, intéressant ou pertinent de porter à l'attention du CDCJ eu égard à ses domaines de compétence et à son mandat, y compris à ses tâches/livrables principaux pour 2022-2025 (voir aussi le site internet du CDCJ) :</i></p> <p>The Steering Committee for the Rights of the Child (CDENF), jointly with the CDCJ, has finalised two recommendations adopted by the Committee of Ministers on 28 May 2025:</p> <p>(1) CM/Rec(2025)4 - Recommendation on the protection of the rights and best interests of the child in parental separation proceedings; and</p> <p>(2) CM/Rec(2025)5 - Recommendation on the protection of the rights and best interests of the child in care proceedings.</p> <p>The joint EU/CoE project “<i>Ensuring the Best Interests of the Child in Civil Court Proceedings in Slovenia</i>” focuses on private law, particularly parental separation cases involving children. As part of this initiative, a team of national experts conducted an analysis of Slovenia’s legal and policy framework to identify gaps and propose recommendations for better safeguarding the best interests of the child in civil proceedings. Concurrently, an international expert prepared a comparative study on selected guidance, methods, and tools used across Council of Europe member states to support the best interests of the child in parental separation cases.</p> <p>The joint European Union - the Council of Europe Child-friendly Justice project aims to improve the protection of children in contact with the law – as offenders, victims or witnesses in non-judicial, judicial (such as civil and criminal cases) and administrative proceedings – across Europe at the national and local level. The project has been instrumental in supporting the setting-up of child-friendly justice systems in Belgium, Poland and Slovenia by conducting self-assessments with the support of the Child-friendly Justice Assessment Tool, operationalising the Guidelines of the Committee of Ministers of the Council of Europe on child-friendly justice, and formulating recommendations to adapt the three countries legal and policy frameworks. Furthermore, Greece, Hungary and Portugal have shared their insights during the project steering committee.</p>
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	<p>Please provide hyperlink(s) to the achievement(s) and/or webpage where the achievement(s) is(are) accessible in English and/or in French: <i>Veuillez indiquer le/les hyperlien(s) vers la(les) réalisation(s) et/ou la page web où la(les) réalisation(s) est(sont) accessible(s) en anglais et/ou en français :</i></p> <p><u>Ensuring the best interests of the child in civil court proceedings in Slovenia - Children's Rights</u></p> <p><u>Joint European Union-Council of Europe Child-friendly Justice Project - Children's Rights</u></p>
<p>Ongoing work in the area of private law <i>Travaux en cours dans le domaine du droit privé</i></p>	<p>Please provide update on the work in preparation/progress within your organisation/country/committee-body: <i>Veuillez fournir une mise à jour sur le travail en préparation/progress au sein de votre organisation/pays/comité-organe :</i></p> <p>1) The Cooperation Unit of the Children's Rights Division is supporting the following activities:</p> <p>Slovenia is preparing to adopt and implement a national Strategy and Action Plan, developed within the framework of the joint EU/CoE project "<i>Ensuring the Best Interests of the Child in Civil Court Proceedings in Slovenia.</i>" This strategic document aims to support Slovenian authorities in reforming the national legal, policy, and institutional framework to more effectively protect children's rights by promoting and ensuring the best interests of the child in civil proceedings.</p> <p>Belgium, Poland and Slovenia are currently developing training sessions based on the Child-friendly Justice HELP course as well as modules on child-friendly communication and child participation in judicial and non-judicial proceedings, the rights of children in migration context, inter-agency coordination, and the appointment of guardians <i>ad litem</i>. The three countries are also preparing awareness raising sessions with and for children in contact with the law on the rights of children before, during and after judicial proceedings. Finally, a Handbook on the state of play of child-friendly justice in Europe is being drafted with the participation of Belgium, Greece, Hungary, Poland, Portugal and Slovenia.</p> <p>2) Lanzarote Committee:</p> <p>In its ongoing monitoring round on the protection of children against sexual abuse in the circle of trust, the Lanzarote Committee is examining, among others, issues of withdrawal and suspension of parental authority pending the outcome of criminal proceedings for sexual abuse of own child and following a criminal conviction for such abuse, as well as issues related to the functioning of special representatives appointed to represent children in cases of a conflict of interest between a parent's role of a lawful representative of their child and their status in criminal proceedings.</p>

	<p>3) The Council of Europe Consultation Group on the Children of Ukraine (CGU):</p> <p>The CGU works closely on a number of matters of private international law, including guardianship, adoption, “habitual residence”, and family reunification. A dedicated Dialogue Group was set up to discuss these matters among experts of family law and private international law.</p> <p>4) The Steering Committee for the Rights of the Child (CDENF) is currently supervising the following activities:</p> <p>(1) an ongoing thematic review of the Guidelines of the Committee of Ministers of the Council of Europe on Child-Friendly Justice; and</p> <p>(2) work has just started by the Committee of experts on access to child-friendly justice through multidisciplinary and interagency services (ENF-JUS) on a recommendation on multidisciplinary and interagency services for child-friendly justice (based on the Barnahus model) and on operational guidelines.</p> <p>Expected result(s) / <i>Résultat(s) attendu(s)</i>:</p> <p>1) Adoption and implementation of several priority actions under the Strategy and action plan by the Slovenian authorities.</p> <p>Training sessions for legal and non-legal professionals as well as awareness sessions for children and carers regarding the rights of children in contact with the law, and a Handbook on the state of play of child-friendly justice in Europe.</p> <p>2) The Lanzarote Committee will produce several recommendations to the State Parties to the Lanzarote Convention on the issues of parental authority as identified above.</p> <p>3) The CDENF will adopt the thematic review of the Guidelines on Child-friendly Justice and approve a recommendation on multidisciplinary and interagency services for child-friendly justice based on the Barnahus model, and operational guidelines.</p> <p>Possible date of achievement / <i>Possible date d'achèvement</i>:</p> <p>1) Slovenia: February 2026 (priorities of the Action plan) Training and awareness sessions will be conducted in Belgium, Poland and Slovenia between September and December 2025. The Handbook will be submitted in December 2025.</p> <p>2) The implementation report is expected to be adopted by the Lanzarote Committee in July 2025.</p>
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	<p>3) The Committee of Ministers should adopt the recommendation to member states on multidisciplinary and interagency services for child-friendly justice based on the Barnahus model by December 2026. The thematic review of the Guidelines on Child-Friendly Justice should be finalised by the CDENF by December 2027.</p> <p>Please provide hyperlink(s) to the work in progress if accessible in English and/or in French: <i>Veillez indiquer le/les hyperlien(s) vers les travaux en cours si accessible(s) en anglais et/ou en français :</i></p> <p>1) Ensuring the best interests of the child in civil court proceedings in Slovenia - Children's Rights</p> <p>Joint European Union-Council of Europe Child-friendly Justice Project - Children's Rights</p> <p>2) https://www.coe.int/en/web/children/3rd-monitoring-round</p>
<p>Plans for future work in the area of private law</p> <p><i>Projets de travaux futurs dans le domaine du droit privé</i></p>	<p>Please advise on possible avenues for future work in relation to the CDCJ area of competence: <i>Veillez donner votre avis sur les possibilités de travaux futurs en rapport avec le domaine de compétence du CDCJ :</i></p> <p>Phase II of the joint EU/CoE project “<i>Ensuring the Best Interests of the Child in Slovenia</i>” will be developed and proposed to the partners. Its aim is to continue, evaluate, and complete the implementation of the Strategy and Action Plan formulated during Phase I.</p> <p>Phase II of the Joint European Union-Council of Europe Child-friendly Justice Project will aim to build on the Phase I achievements by continuing to carry out the Child-friendly Justice Assessment Tool in other Council of Europe-European Union member states, benefiting from good practices and lessons learnt during Phase I and scaling up the tools already developed, and developing and piloting three annexes of the Child-friendly Justice Assessment Tool on thematic areas identified during Phase I: diversion and child-friendly alternatives to detention; restorative justice; and prevention of first offence and recidivism.</p> <p>If so, please specify possible timeline for launching such work: <i>Dans l'affirmative, veuillez préciser le possible calendrier pour le lancement de ces travaux :</i></p> <p>Slovenia: July 2026.</p> <p>Four Council Europe and European Union member States to be selected: in 2026 – exact start date to be confirmed.</p>

<p>Proposals for possible synergies/co-operation on areas of common interest</p> <p><i>Propositions de synergies/coopérations possibles dans des domaines d'intérêt commun</i></p>	<p>Please advise on any possible synergies/co-operation with the CDCJ on areas of common interest (such as consultation, participation in specific meetings/events):</p> <p><i>Veuillez indiquer toute synergie/coopération possible avec le CDCJ dans des domaines d'intérêt commun (tels que la consultation, la participation à des réunions/événements spécifiques) :</i></p> <p>On 17 June 2025: Joint session (CDCJ/CDENF) on the thematic review of the Child-friendly Justice Guidelines.</p> <p>On 19 November 2025: Joint CDENF and CDCJ launch of the two recommendations on:</p> <p>(1) Draft Recommendation on the protection of the rights and best interests of the child in parental separation proceedings; and</p> <p>(2) Draft Recommendation on the protection of the rights and best interests of the child in care proceedings.</p>
<p>Any further relevant information or comments</p> <p><i>Toute autre information ou commentaire pertinent</i></p>	

Hague Conference on Private International Law / *Conférence de La Haye de droit international privé* - HCCH

<p>Achievements in the area private law</p> <p><i>Réalisations dans le domaine du droit privé</i></p>	<p><u>International Family & Child Protection Law</u></p> <p>1980 Child Abduction (and 1996 Child Protection) Conventions</p> <ul style="list-style-type: none"> - The Eighth Meeting of the Special Commission on the Practical Operation of the 1980 Child Abduction Convention and the 1996 Child Protection Convention was held from 10 until 17 October 2023. The Special Commission adopted 103 Conclusions & Recommendations. - In March 2024, Members of the HCCH approved a Revised Country Profile for the 1980 Child Abduction Convention. The Country is now subject to publication. - In July 2022, Members of the HCCH approved a Revised Request for Return Recommend Model Form and new Request for Access Recommended Model Form under the HCCH 1980 Child Abduction Convention <p>1993 Adoption Convention</p> <ul style="list-style-type: none"> - The Fifth Meeting of the Special Commission on the Practical Operation of the 1993 Adoption Convention was held from 4 to 8 July 2022. The Special Commission adopted 54 Conclusions & Recommendations.* - In June 2023, the HCCH published the Toolkit for Preventing and Addressing Illicit Practices in Intercountry Adoption.* - In 2024, the HCCH published the Recommended Model Forms for use under the 1993 Adoption Convention <p>1996 Child Protection Convention</p> <ul style="list-style-type: none"> - In March 2023, the HCCH published the document entitled The Application of the 1996 Child Protection Convention to Unaccompanied and Separated Children - In November 2024, Members of the HCCH approved a Country Profile for the 1996 Child Protection Convention <p><u>2000 Protection of Adults Convention</u></p>
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	<ul style="list-style-type: none"> - The First meeting of the Special Commission on the practical operation of the 2000 Protection of Adults Convention was held from 9 to 11 November 2022. The Special Commission adopted 76 Conclusions & Recommendations.* - In January 2024, Members of the HCCH approved the Implementation Checklist under the HCCH 2000 Protection of Adults Convention. The Implementation Checklist is now subject to an official publication.* - In January 2024, Members of the HCCH approved the 2000 Protection of Adults Convention Country Profile. The Country Profile is now subject to an official publication.* - In April 2024, Members of the HCCH approved the Practical Handbook on the Operation of the 2000 Protection of Adults Convention. The Country Profile is now subject to an official publication.* <p>2007 Child Support Convention</p> <ul style="list-style-type: none"> - The First meeting of the Special Commission on the practical operation of the 2007 Child Support Convention and on the 2007 Maintenance Obligations Protocol was held from 17 to 19 May 2022. The Special Commission adopted 87 Conclusions & Recommendations on the 2007 Child Support Convention and 36 Conclusions & Recommendations on the 2007 Maintenance Obligations Protocol. - In January 2025, Members of the HCCH approved the 2007 Child Support Convention: Country Profile (update) <p><u>Commercial, Digital, and Financial Law</u></p> <ul style="list-style-type: none"> - In March 2024, the Council on General Affairs and Policy mandated the establishment of an Experts' Group on the applicable law and jurisdiction issues raised by the cross-border use and transfers of CBDCs. - In March 2025, the Council on General Affairs and Policy mandated the establishment of an Experts' Group to study the private international law issues raised by digital tokens. - In March 2025, the Council on General Affairs and Policy mandated the establishment of an Experts' Group to study the private international law issues arising from carbon markets, as described in Prel. Doc. No 6 of November 2024, with an initial focus on the possible inclusion of an applicable law provision in the draft UNIDROIT Principles on Verified Carbon Credits.
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	<p><u>Transnational Litigation & Apostille</u></p> <p>2019 Judgments Convention</p> <p>One of the key developments for 2023 was the entry into force of the Convention of 2 July 2019 on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters (2019 Judgments Convention) on 1 September 2023, which occurred slightly over four years after its adoption in July 2019.</p> <p>The 2019 Judgments Convention facilitates the circulation of judgments among its Contracting Parties. By establishing conditions for recognition and enforcement, and possible grounds for their refusal, the Convention provides certainty and predictability for those operating in transnational civil or commercial situations. This ensures that a successful party will have a meaningful judgment, enhancing their access to justice by reducing timeframes, costs, and risks. It also allows a plaintiff to make an informed decision as to where to initiate proceedings, taking into account where a judgment will be recognised and enforced. Please find more information here.</p> <p>1965 Service, 1970 Evidence, 1980 Access to Justice Conventions</p> <p>From 2 to 5 July 2024, the Meeting of the Special Commission (SC) on the Practical Operation of the 1965 Service, 1970 Evidence, and 1980 Access to Justice Conventions was held in The Hague. The SC adopted 138 Conclusions & Recommendations, which are available here (in English).</p> <p>The fifth edition of the Practical Handbook on the 1965 Service Convention as well as the fifth edition of the Practical Handbook on the 1970 Evidence Convention were approved by the Members of the HCCH in January and March 2025, respectively. The Handbooks will be published shortly.</p> <p>In March 2025, the Country Profiles for the 1965 Service and 1970 Evidence Conventions were also approved by the Members of the HCCH. The Country Profiles are now subject to an official publication. *</p> <p>In June 2025, two Working Groups, namely, the Working Group on a Good Practices document for the 1965 Service, 1970 Evidence, and 1980 Access to Justice Conventions as well as the Working Group on the Model Forms for Chapter II of the Evidence Convention, had their first meetings.</p> <p>1961 Apostille Convention</p> <p>In October 2024, the 13th International Forum on the electronic Apostille Programme (e-APP) was held in Astana, Kazakhstan. The Forum adopted eighteen Conclusions & Recommendations.</p>
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	<p>The methodology underlying the World Bank Group's Business Ready Report, published in October 2024, identifies the Apostille Convention and the e-APP, as well as the Judgments Convention, as factors that improve an economy's business environment.</p>
<p>Ongoing work in the area of private law</p> <p><i>Travaux en cours dans le domaine du droit privé</i></p>	<p><u>International Family & Child Protection Law</u></p> <p>1980 Child Abduction Convention - In March 2024, a Working Group completed its work on the Revised Request for Return Recommend Model Form and new Request for Access Recommended Model Form under the HCCH 1980 Child Abduction Convention. Both Forms are now subject to approval by Members of the HCCH.</p> <p>1993 Adoption Convention - An Expert Group on the Financial Aspects of Intercountry Adoption has met from 2012 until 2016. Since 2023, a Working Group has been working on the Financial Aspects of Intercountry Adoption. Thus far, the Working Group has produced four reports, please find further information here.</p> <p>1996 Child Protection - In May 2024, up-dates to The Application of the 1996 Child Protection Convention to Unaccompanied and Separated Children were completed. The Update is available here.</p> <p>The Parentage / Surrogacy Project (Normative) Further to an Expert Group working on this project from 2016 until 2022, in March 2023, the Council on General Affairs and Policy (CGAP) of the HCCH mandated the establishment of a Working Group on private international law matters related to legal parentage generally, including legal parentage resulting from an international surrogacy arrangement. For more information, please refer to the Reports available here</p> <p><u>Commercial, Digital, and Financial Law</u></p> <p>The International Commercial, Digital, and Financial Law Division of the Permanent Bureau is working on a number of normative projects and a variety of matters related to post-Convention assistance and research.</p> <p>Normative</p> <ul style="list-style-type: none"> - Experts' Group on CBDCs (to study the applicable law and jurisdiction issues raised by the cross-border use and transfers of CBDCs)¹

¹ C&D of March 2025, No 13.

	<ul style="list-style-type: none"> - Digital Tokens Project (in partnership with relevant subject-matter experts and Observers, to study the PIL issues relating to digital tokens)² - Digital Economy Project (specific matters include digital platforms, generative AI, and immersive technologies)³ - Carbon Markets (mandate to establish EG, see also above)⁴ - Continued monitoring of developments and contribution to partners' projects on restructuring and insolvency, and intellectual property.⁵ <p>Post-Convention</p> <ul style="list-style-type: none"> - The PB continues to study the current and future role of the 2006 Securities Convention in the context of the continued digitisation of the global economy.⁶ - CGAP mandated the establishment of a WG to review and complete the study on the application and interpretation of Article 2 of the 1985 Trusts Convention and on the institutions analogous to trusts, having due regard to any possible implications on non-Contracting Parties, and subject to available resources.⁷ - The PB holds a mandate to work, in partnership with relevant subject-matter experts, and subject to available resources, to study the feasibility, desirability and necessity of developing guidance on applicable law in international contracts providing protection to weaker parties.⁸ <p>Please find a link to the C&D of March 2025 here.</p> <p><u>Transnational Litigation & Apostille</u></p> <p>2005 Choice of Court Convention and 2019 Judgments Convention (Post-Convention)</p> <p>To celebrate the 10th anniversary of the entry into force of the 2005 Choice of Court Convention, a number of activities will be organised.⁹ Where appropriate, such activities will also be organised to promote the 2019 Judgments Convention.</p> <p>1965 Service, 1970 Evidence, 1980 Access to Justice Conventions (Post-Convention)</p>
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² C&D of March 2025, Nos 14-16.

³ C&D of March 2025, No 17.

⁴ C&D of March 2025, Nos 18-19.

⁵ C&D of March 2025, Nos 20-24.

⁶ Prel. Doc. No 13A of January 2025.

⁷ C&D of March 2025, No 71.

⁸ C&D of March 2025, No 74.

⁹ C&D of March 2025, No 61.

	<p>The Working Group on the Good Practices document for the 1965 Service, 1970 Evidence, and 1980 Access to Justice Conventions will work to finalise the document. Once concluded, the document will be submitted to the Members of the HCCH for approval.¹⁰</p> <p>The Working Group on the Model Forms for Chapter II of the Evidence Convention will continue working on the development of the Model Forms. Once concluded, the Model Forms will be submitted to the Members of the HCCH for approval.¹¹</p> <p>Jurisdiction Working Group (Normative)</p> <p>The Working Group on matters related to jurisdiction in transnational civil or commercial litigation (WG), under the chairmanship of Professor Keisuke Takeshita (Japan), was established following the Council on General Affairs and Policy (CGAP) mandate in 2021. Since then, the WG has met on eight occasions. Please find further information here. Please find the Report of 2025 here, which includes the Draft Text containing rules on parallel proceedings, related actions, cooperation and communication.</p> <p>Following the ninth WG meeting in October 2025, an open and inclusive written consultation process on the Draft Text will be carried out, with a view to gathering feedback from future operators of the envisaged Convention, particularly practitioners and judges.¹²</p>
<p>Plans for future work in the area of private law</p> <p><i>Projets de travaux futurs dans le domaine du droit privé</i></p>	<p><u>Commercial, Digital, and Financial Law</u></p> <ul style="list-style-type: none"> - Apart from continuation and potential expansion of the mandates listed above, the Permanent Bureau is mandated to continue, subject to available resources: <ul style="list-style-type: none"> a. monitoring developments with respect to the digital economy, including digital platforms, artificial intelligence and automated contracting, immersive technologies, and decentralised autonomous organisations, with a view to identifying private international law issues for potential future work; and b. working with relevant organisations on matters relating to the private international law aspects of the digital economy. - The Permanent Bureau cooperates with the UNCITRAL and UNIDROIT secretariats on a secretariat-to-secretariat basis on projects of mutual relevance, such as contributing to the PIL matter presented in a UNCITRAL guidance document on legal issues relating to the use of distributed ledger systems in

¹⁰ C&D of March 2025, No 47.

¹¹ C&D of March 2025, No 50.

¹² C&D of March 2025, No 8.

	<p>trade, and to the UNCITRAL/UNIDROIT study on the legal nature of verified carbon credits issued by independent carbon standard setters.</p> <p>- The PB also participates as an Observer in UNCITRAL Working Group IV on Electronic Commerce, which recently considered a set of draft principles on these topics, as an Observer in UNIDROIT's Working Group on the Legal Nature of Verified Carbon Credits.</p> <p>- The Division's CODIFI Conference of 2022 gathered a significant number of inputs and perspectives on different topics related to the digital and green economies, and the private international law questions which arise. When further study on PIL issues is considered desirable and feasible, the Division will propose new normative projects to CGAP.</p>
<p>Proposals for possible synergies/co-operation on areas of common interest</p> <p><i>Propositions de synergies/coopérations possibles dans des domaines d'intérêt commun</i></p>	<p><u>International Family & Child Protection Law</u></p> <p>- Since the Summer of 2023, the Permanent Bureau (the Secretariat of the HCCH) is involved in the work of the Council of Europe of the Consultation Group on the Children of Ukraine (CGU).</p>
<p>Any further relevant information or comments</p> <p><i>Toute autre information ou commentaire pertinent</i></p>	