



Official Programme<sup>1</sup>

# HCCH 125 - Ways Forward Challenges and Opportunities in an Increasingly Connected World

*A global conference for the future of private international law and the evolution of the HCCH*

18-20 April 2018

2/F, Large Moot Court Room, Faculty of Law  
Cheng Yu Tung Tower, The University of Hong Kong

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<sup>1</sup> Current as of 17 April 2018. This programme remains subject to change

<sup>2</sup> The Law Society of Hong Kong has approved the allocation of CPD points for the conference, delegates can earn up to 13 CPD points by attending the conference.  
18 April 2018-> 3 points  
19 April 2018 Morning Session -> 3 points  
19 April 2018 Afternoon Session -> 4 points  
20 April 2018 -> 3 points

## | Wednesday 18 April 2018

- 13:00 pm      Registration
- 2:30 pm      **Opening of the Conference**
- Mr Xie Feng, Commissioner of the Ministry of Foreign Affairs of the People's Republic of China in the Hong Kong SAR
  - The Honourable Chief Justice Geoffrey Ma Tao-li, GBM, Chief Justice of the Court of Final Appeal of the Hong Kong SAR
  - Ms Teresa Cheng Yeuk-wah, GBS, SC, JP, Secretary for Justice of the Hong Kong SAR
  - Dr Christophe Bernasconi, Secretary General of the Hague Conference on Private International Law
- 3:00 pm      **Key Note Address**  
Prof Jürgen Basedow
- 3:45 pm      Group photo and coffee break
- 4:30 pm      **Session 1 – Discussion on Private International Law in the 21<sup>st</sup> Century**
- The focus of this Davos Style session is deliberately broad: it will consider the role private international law does, will and/or should play in the 21st Century. This session will set the scene for the conference, provide the bigger picture, and highlight global trends in private international law as well as the relevance of this field to globalization and an 'open society'. In addition to the general role of private international law in an increasingly connected world, and its importance to facilitating protection of human rights (with a particular focus on family issues and child protection) and to promoting trade, commerce and investment, moderators and expert panellists may also offer thought-provoking insights into some of the cutting-edge topics to encourage a lively and stimulating dialogue with the audience on issues such as the relationship between public and private international law generally, and what, if any, the consequences of a possible convergence may be; as well as on private international law as global normative order or as governance tool.*
- Lord Collins of Mapesbury (Lawrence Collins) (Moderator)
  - Prof Jürgen Basedow
  - Prof Richard Fentiman
  - Prof Diego P. Fernández Arroyo
- 6:15 pm      Welcome reception

## **Thursday 19 April 2018**

8:30 am Registration

**9:15 am Session 2 – International Family Law & Child Protection**

*This Session will also be conducted “Davos Style”. Its aim is to delve deeply into the importance of private international law in the area of international family law and child protection. Moderators and expert panellists will consider how private international law does, and can continue to, facilitate protection of human rights, with a particular focus on family issues and child protection. The session’s starting point are the existing HCCH instruments in this area; however the Session will go beyond that, and identify areas, and ways, in which private international law can continue to make a significant contribution to the protection of children, or the specific issues besetting cross-border families, in the future.*

- The Hon Diana Bryant AO QC (Moderator)
- Prof Léna Gannagé
- Ms Anne-Marie Hutchinson OBE, QC (Hon)
- Prof Nieve Rubaja

10:45 am Coffee break

**11:15 am Session 3 – International Commercial and Finance Law**

*Session 3 will also be conducted “Davos Style”. Its aim is to highlight the increasing importance of private international law in the area of international commercial and finance law. Moderators and expert panellists will consider how private international law does, and can continue to, promote cross-border economic activity in multi-jurisdictional settings, including by improving certainty and predictability of outcome, both at the transactional and dispute resolution/litigation stage. The Session will use as starting point the past and current work of the HCCH in this area. In addition, the Session will seek to identify new areas that may benefit from private international law, including artificial intelligence, autonomous decision-making systems, smart contracting, the internet and block chain.*

- Prof Richard Fentiman (Moderator)
- Prof Mercedes Albornoz
- Sir William Blair
- Prof Francisco J. Garcimartín
- Mr David Goddard QC
- Prof José Moreno Rodríguez

12:45 pm Lunch

2:00 pm

#### **Session 4 – International Legal Cooperation & Civil Procedure**

*This Session, again following the “Davos Style”, focuses on issues relating to international legal cooperation and cross-border civil procedure. The moderator and expert panellists will consider the significant value of existing cooperation mechanisms, and may explore ways in which innovative improvements, including dedicated electronic cooperation platforms, can further enhance existing and future regimes. In relation to international civil procedure, the Session will highlight the worth of the very successful Hague Civil Procedure Conventions, and discuss possible further areas in which bridging private international law rules would be of value in light of a continued lack of harmonised civil procedure rules. The Session may also consider how private international law and civil procedure interrelate, including if, and if so, to what extent, private international law can be considered a precursor to harmonised civil procedure rules.*

- Mr Bill Fritzlen (Moderator)
- Justice Madiyar Balken
- Prof Feng Guo
- Prof Diego P. Fernández Arroyo
- Prof Peter Zablud AM, RFD

3:30 pm

Coffee break

4:00 pm

#### **Session 5 – The role of the HCCH I – challenges and opportunities: Presentations**

*The short and informal presentations delivered in this Session will offer introductory remarks concerning the challenges and opportunities for the HCCH. These remarks may link to, and draw on the issues canvassed in, the preceding Sessions. Moreover, presenters may focus on the HCCH itself, including its workings and operations as well as the sustainable growth of the Organisation, and its sustained capacity to service the global needs in the area of private international law. Central to the Session would be how the HCCH will remain the pre-eminent organisation that develops high-quality solutions in the area of private international law, considering people’s international mobility as well as the cross-border flow of goods and capital. This session may also consider how the HCCH may capitalise on synergies that can be generated by the Organisation’s targeted cooperation with other international organisations. The presentations will prepare the ground for dialogues among all participants, both of which will serve as the basis for the three breakout sessions that follow the next morning.*

- Dr Christophe Bernasconi (Moderator)
- Prof Richard Frimpong Oppong
- Prof Yuko Nishitani
- Justice Fausto Pocar
- Prof Linda Silberman

7:00 pm

Dinner cruise

**(Coaches will depart at 5.45pm sharp from the venue to North Point Pier for boarding)**

## | Friday 20 April 2018

8:30 am Registration

9:15 am **Session 6 – The role of the HCCH II – challenges and opportunities: Breakouts**

*This Session will comprise of three breakout sessions. Mirroring Sessions 2 – 4, the breakout sessions deal with International Family Law & Child Protection; International Legal Cooperation & Civil Procedure; and International Commercial and Financial Law respectively. Moreover, the breakout sessions will also be informed by the presentations made in Session 5. Led by experienced moderators, the breakout sessions provide all participants with a forum to reflect further on the future of private international law, and the role the HCCH will play in that regard in the next two decades. The moderators and rapporteurs will guide the discussions not only with a view to identifying specific challenges and opportunities, but also with a view to finding solutions to overcome the challenges and to harness these opportunities. A report of each breakout session will be presented to the final plenary Session 7, where they will serve as the basis for the development of the key conclusions.*

- Breakout 1: International Family Law & Child Protection (chaired by Dr Hans van Loon)
- Breakout 2: International Commercial and Finance Law (chaired by Dr Niklaus Meier)
- Breakout 3: International Legal Cooperation & Civil Procedure (chaired by Prof Anselmo Reyes)

11:00 am Coffee break

11:30 am **Session 7 – The role of the HCCH II – challenges and opportunities: Conclusions**

*The final plenary session presents the findings of the breakouts, and draws together the various threads and themes that emerged during the past two days. The moderators and panelists will discuss these, as well as the outcomes of the preceding sessions, and offer some key conclusions. It is envisaged that these key conclusions will significantly inform the development of the next Strategic Plan of the HCCH.*

- Prof Linda Silberman (Moderator)
- Prof Nadia de Araujo
- Dr Christophe Bernasconi
- Sir William Blair
- Deputy Director-General Xiaomei Guo

1:00 pm Closing of the Conference