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Report on the activities of the Regional Offices for Asia and the Pacific (ROAP) and for Latin America and the Caribbean (ROLAC) (1 January – 31 December 2022)

I. Introduction and Strategic Objectives

- 1 The Permanent Bureau (PB) of the HCCH currently has two Regional Offices (ROs): the Regional Office for Latin America and the Caribbean (ROLAC), and the Regional Office for Asia and the Pacific (ROAP).¹ ROs are established to strengthen the HCCH's universality and inclusiveness and to increase the HCCH's visibility, capability, and relevance within a region.² In addition to their broad-spectrum work in their respective regions, the Representative and Officers of ROAP provide substantive support to the Transnational Litigation Division, and the Representative and Officers of ROLAC provide substantive support to the International Family and Child Protection Law Division.
- 2 While ROAP's and ROLAC's respective work programmes present a degree of variation,³ both are tailored to contribute to the following strategic objectives:
 - a. Promoting the universality of the HCCH by increasing awareness of the HCCH, the HCCH instruments and their benefits, as well as of private international law (PIL), among States and other stakeholders in the regions.
 - b. Promoting the inclusiveness of the HCCH by supporting the active involvement of States and other stakeholders in the regions in its normative, non-normative and governance work.
 - c. Assisting States in the regions in the proper implementation and operation of HCCH instruments, including through the delivery of efficient, tailored post-Convention services and assistance.
- 3 ROLAC is headed by a Representative, who is supported by a part-time Legal and Office Coordinator. The Government of Argentina continues to finance the rental and operational costs for ROLAC, while the yearly travel budget for the office is covered by a voluntary contribution from the Government of the United States of America. The salaries of ROLAC's two staff members are fully covered by the Budget of the HCCH.
- 4 ROAP is headed by a Representative, who is supported by a Legal Officer and an Office Manager. All costs for ROAP, including salaries and travel, are covered exclusively through the support provided by the People's Republic of China. In November 2022, the Government of the People's Republic of China announced a further voluntary contribution to support the operation of ROAP from 2024 to 2026.

¹ For more information on ROAP and ROLAC, please consult Annex I: Background Information.

² See the HCCH Rules for the Establishment of Regional Offices ("Rules"). The Rules "do not apply retrospectively to already existing Regional Offices" (see para. 2) and so do not apply to either ROAP or ROLAC. However, para. 3(a) of the Rules provides a list of characteristic objectives and outcomes of future ROs, which is inspired by, and is reflective of, the work currently being undertaken by ROAP and ROLAC.

³ For more information on the specific objectives assigned to ROAP and ROLAC upon their establishment, please consult Info. Doc. No 2 of CGAP 2012 ("Proposal to Establish an Asia Pacific Regional Office for the Hague Conference on Private International Law in the Hong Kong Special Administrative Region of the People's Republic of China") and the Host Country Agreement Between the Argentine Republic and the HCCH, available on the HCCH website at www.hcch.net under "Governance" then "Council on General Affairs and Policy" then "Archive 2000-2022".

Field Code Changed

II. Work and Progress in Achieving the Strategic Objectives

A. Promoting the universality of the HCCH by increasing awareness of the HCCH, the HCCH instruments and their benefits, as well as of PIL, among States and other stakeholders in the Regions

1. ROAP

- 5 Over the past three years, there has been a modest but steady increase in the number of HCCH Members and Contracting Parties from Asia and the Pacific.⁴ At the same time, limited expertise in PIL among most States in the region and lack of a proper understanding of the role of the HCCH and its Conventions remain obstacles to further engagement. To address this, ROAP continues to play an essential role towards increasing awareness and understanding among States and other stakeholders in the region of the HCCH, the HCCH instruments, and PIL in general.
- 6 The organisation of HCCH Asia Pacific Week 2022, which took place in Manila, the Philippines, was among the year's highlights in terms of general outreach. Following a five-year hiatus, the return of the conference provided a significant opportunity for the HCCH to engage with stakeholders from across the region within a single setting. The participation of speakers from States well-versed in the work of the HCCH, eager to share their insights into some of the most prominent HCCH Conventions and instruments and to champion their widespread adoption in the region, contributed significantly to the success of the event. In this regard, the conference demonstrated, once more, the essential role which HCCH Members play in actively promoting the HCCH's Conventions and instruments as part of their national foreign policy and economic development programmes, including at the regional level. The PB has been approached in relation to the hosting of HCCH Asia Pacific Week 2023 and hopes that these plans can be finalised. The PB continues to explore the possibility of organising in parallel smaller, targeted meetings, conferences, or similar activities in specific sub-regions which are currently relatively underrepresented in its work, and welcomes expressions of interest from States willing to take on the role of hosts or co-organisers.^f
- 7 Complementing its general outreach activities, ROAP has endeavoured to promote specific HCCH Conventions or groups of Conventions among targeted audiences through the organisation and participation in various conferences and seminars. For example, in November 2022, ROAP hosted the workshop "HCCH Conventions Supporting Transnational Litigation in Civil or Commercial Matters", in partnership with the Department of Justice of the Government of the Hong Kong SAR and, in March 2022, it supported the organisation of the webinar "The HCCH & the Apostille Convention: Exploring the Benefits for AALCO Members", co-organised by the HCCH and the Asian-African Legal Consultative Organization (AALCO), with the participation of over 70 representatives of AALCO Member States.
- 8 The HCCH's ongoing collaboration with AALCO is illustrative of the many benefits which can be derived from harnessing synergies with other intergovernmental organisations (IOs) active in the region, and the relevance of multilateral approaches to the promotion of the HCCH and its Conventions. As such, ROAP continues to explore relevant avenues for cooperation with other IOs active in the region, in particular, in the short term, with UNCITRAL and UNIDROIT (on the digital economy and online dispute resolution (ODR)), AALCO (on arbitration and other forms of alternative dispute resolution), APEC (on Micro, Small and Medium Enterprises (MSMEs) and ODR), and the Association of Southeast Asian Nations (ASEAN) (building upon the HCCH's involvement in the ASEAN Law Forum 2022). The PB invites HCCH Member States, in particular those which are

⁴ From January 2020, the HCCH has welcomed three new Members and 11 new Contracting Parties from the region. Additionally, in 2022, Saudi Arabia and Pakistan acceded to the 1961 Apostille Convention, and the Philippines ratified the 2007 Child Support Convention.

Members of other IOs active in the region, to contact ROAP should they be interested in providing ideas and recommendations in this regard, as well as introductions to relevant officials.

- 9 Finally, on a day-to-day basis, ROAP continues to endeavour to provide tailored information and to offer support to States in the process of joining the HCCH or becoming a Contracting Party to an HCCH Convention, with several States across Asia and the Pacific having in recent months expressed interest in and / or submitted enquiries in this regard. For example, ROAP maintains an ongoing dialogue with the Governments of Malaysia and Thailand concerning their possible accession to the 1961 Apostille Convention.

2. ROLAC

- 10 ROLAC continues to provide encouragement and support in the process of becoming Members of the Organisation to States across Latin America and the Caribbean, with the ultimate aim of promoting the universality of the HCCH. During the course of 2022 ROLAC conducted missions to Bolivia and Trinidad and Tobago (two States which are not yet Members, but which have demonstrated interest in joining the Organisation) as well as to Colombia (an admitted State in the process of becoming a Member). On two of these missions (to Bolivia and to Colombia), the Secretary General, together with the Representative, met with key government officials. These visits provided the opportunity for the PB to explain in detail the benefits and implications of HCCH Membership for these States with their relevant authorities, providing a fresh momentum to their respective Membership processes which should result in further developments in the near future.
- 11 ROLAC continues to offer tailored support to new Members of the Organisation from across Latin America and the Caribbean, aimed at ensuring their seamless incorporation and full participation in the work of the Organisation. In 2022, for example, ROLAC's Representative travelled to Honduras and El Salvador, two States which have recently become HCCH Members, where he met with representatives of the respective Ministries of Foreign Affairs and other relevant authorities in order to assist in the establishment and operation of their respective National Organs.
- 12 The ability of jurisdictions to join HCCH Conventions and to engage with the HCCH's work is partly conditioned by the level of visibility and development of PIL, which in Latin America and the Caribbean varies considerably. Therefore, ROLAC has been actively promoting the development of the academic sector in the region with a view to facilitate the development of PIL and the interest of stakeholders in the HCCH's work and instruments.
- 13 Of particular note in this regard in 2022 was ROLAC's launch of a network of Latin American PIL associations set to meet regularly to increase coordination of their respective programmes of activities and to support the participation in PIL seminars and events of academics from States across the region, in particular States with no relevant academic associations or with a lower level of PIL development.
- 14 Another important resource in the promotion of PIL, and with it, of the HCCH and its Conventions, across Latin America and the Caribbean has been ROLAC's ongoing cooperation with the American Association of Private International Law (ASADIP)⁵. As in previous years, ROLAC participated in ASADIP's annual conference, in which ROLAC's Representative intervened in a panel on "The UN Sustainable Development Goals (SDGs) and the Role of Private International Law", bringing to light the important role of PIL in the advancement of many of the UN SDGs.

⁵ Certain ASADIP members are representing their respective States in HCCH Experts' and Working Groups (among others: EG on Parentage Surrogacy, Prof. Nieve Rubaja for Argentina and Prof. Mercedes Albornoz for Mexico; WG on Jurisdiction, Juan José Cerdeira for Argentina and Marcelo De Nardi and Fabricio Polido for Brazil) and they have participated as speakers in the CODIFI Conference (Prof. Lauro Gama from Brazil and Geneviève Saumier from Canada). Furthermore, ASADIP joined as an observer the July 2022 Special Commission (SC) meeting on the 1993 Intercountry Adoption Convention, bringing the voice of the academic sector to the global forum.

15 In addition to the various organisations mentioned above, there are multiple IOs and NGOs in the region which are widely respected authorities in areas of relevance to the HCCH's mandate, and could thus play an important role in increasing awareness among decision-makers in the region of the benefits of joining specific HCCH instruments. Among others, ROLAC has developed a fruitful dialogue with the United Nations Children's Fund (UNICEF) in the area of international child protection; with the International Organization for Migration (IOM) in the area of non-accompanied children; and with the Central American Integration System (SICA) in the areas of international legal cooperation and integration.

16 Finally, ROLAC continues to strengthen the HCCH's profile among Spanish-speakers in the region and beyond through the dissemination of content in the Spanish language. Throughout 2022, ROLAC organised the translation into Spanish of key publications and documents produced by the HCCH, and coordinated the expansion of the International Child Abduction Database (INCADAT)'s Spanish-language content, working closely with Belgrano University and the Pontifical Catholic University of Argentina.

B. Promoting the inclusiveness of the HCCH by supporting the active involvement of States and other stakeholders in the regions in its normative, non-normative and governance work

1. ROAP

17 ROAP continues to promote the active involvement of the Asia Pacific region in the HCCH's normative work at all stages. It does so, first of all, by serving as a direct source of information for interested parties on the status of normative work conducted at the HCCH, responding, for example, to inquiries by universities in the People's Republic of China and Japan in 2022. This is facilitated by ROAP's direct involvement in many of the HCCH's normative projects, such as, most recently, the Jurisdiction Project and the Digital Economy Project.

18 Secondly, ROAP actively listens to ideas and concerns emanating from the region to ensure that these are properly communicated and taken into account in the context of the HCCH's normative work. For instance, in 2022 ROAP engaged in discussions with several universities, associations and diplomatic missions from the region to obtain their input on the Jurisdiction Project. ROAP's efforts to strengthen the voice of the region within the HCCH are relevant not only to existing normative projects, but also to the determination of future normative work. ROAP closely monitors regional developments to identify practical needs which might be addressed by new PIL solutions, as well as regional initiatives for the further development of PIL of relevance to the HCCH, aided in this regard by its extensive network of contacts and its participation in a broad range of forums. Examples of this are ROAP's participation in the online meeting on Asian Principles of Private International Law organised by the Asian Private International Law Association in May 2022, during which the Regional Representative discussed pathways to amplify the voice of the region within the framework of the HCCH, and its participation in the annual conference of the Asian Private International Law Academy, held in December 2022, in which the Regional Representative delivered a keynote speech on the concept of Asian Principles of Private International Law.

19 Finally, ROAP also facilitates the participation of the region in projects, activities, and events organised by the HCCH in the context of its normative work. In 2022, ROAP contributed to the organisation of the CODIFI Conference, among others by supporting the participation of experts from the region as speakers on topics of relevance to the Digital Economy Project.

20 In parallel to its normative work, ROAP continues to support the involvement of States and other stakeholders from the region in the HCCH's efforts to promote the continued effectiveness and relevance of existing HCCH Conventions and instruments. This has included partnering with

regional stakeholders in the organisation of workshops aimed at improving the practical operation of HCCH Conventions – for example, with the Department of Justice of the Government of the Hong Kong SAR in the organisation of a workshop on the HCCH Conventions supporting transnational litigation in civil or commercial matters, or with the Asian Business Law Institute (ABLI) in the organisation of a webinar on the 2005 Choice of Court and 2019 Judgments Conventions.

2. ROLAC

- 21 Supporting Latin America and the Caribbean's active involvement in the HCCH's ongoing normative, non-normative and governance work continues to be a priority for ROLAC.
- 22 Key in this regard is its collaboration with National Organs and Central Authorities, the HCCH's direct points of contact with States across the region. Throughout 2022, ROLAC continued providing assistance to States in the establishment or improvement of the operation of these entities (among others to Honduras, El Salvador, Ecuador and Bolivia). While their roles differ, National Organs and Central Authorities face many common challenges with respect to prioritisation, resources and expertise, often lacking the human resources needed to provide meaningful contributions to the work of the HCCH (e.g., responding to questionnaires, analysing Prel. Docs, participating in Experts' or Working Groups, assessing the incorporation of new Conventions, implementing them, etc.). Therefore, some States have sought the support of academia through assistance provided by PIL professors (e.g., Argentina, Mexico, and Paraguay) or by interns (e.g., Argentina). These practices have the dual benefit of drawing on the rich expertise in the academic community while alleviating resourcing pressures in public institutions. ROLAC has been raising awareness of this practice among authorities that report limitations in following the work of the HCCH, and facilitating it through its wide network of contacts among academic associations and individual academics with interest in receiving information and / or contributing to the work of the HCCH.
- 23 ROLAC continues to promote the active involvement of States and other stakeholders in the region in the normative work of the HCCH. In this regard, engagement with the Organization of American States (OAS) has provided a useful framework for ensuring that regional concerns can be properly identified and communicated for consideration in ongoing work and discussions at both organisations, while at the same time avoiding duplication of efforts and promoting harmony in the development of PIL in the continent.
- 24 Prominent examples are ROLAC's participation in ongoing discussions at the OAS on the resumption of the codification and progressive development of PIL at the regional level, as well as both organisations' participation in ASADIP's "Meeting of International Forums on Private International Law - MIFPIL". In September 2022, the Joint Meeting of the Legal Advisors on PIL from OAS Member States, co-organised by ROLAC and the Department of International Law of the OAS, provided the opportunity for an open discussion on strategies for harnessing the complementarity between codification at the regional and global levels, as well as between the roles of the OAS' PIL Focal Points and the HCCH's National Organs and Central Authorities, where a high degree of overlap exists.
- 25 More generally, ROLAC's ability to effectively communicate with relevant stakeholders in the region continues to be an important asset in the conduct of normative projects. Its role in this regard ranges from facilitating the participation of and responding to logistical questions from experts from the region, to helping identify speakers for a specific conference or channelling feedback or concerns to the officers in charge of the relevant project. When visiting States from the region, the Representative updates the relevant authorities on the progress of the projects and provides additional information should there be special interest.

- 26 In parallel to its normative work, ROLAC continues to support the involvement of States and other stakeholders from the region in the HCCH's efforts to promote the continued effectiveness and relevance of existing HCCH Conventions and instruments.
- 27 To this end, the ROLAC has actively encouraged and supported the participation of States from the region in the various bodies of the HCCH responsible for leading its non-normative work, including the meetings of the SC on the 2007 Child Support Convention and on the 2007 Maintenance Obligations Protocol (15 States), the SC on the 1993 Adoption Convention (19 States), the SC on the 2000 Protection of Adults Convention (4 States), the EG on International Transfer of Maintenance Funds (2 States), and the Administrative Cooperation WG (3 States). For the SC meetings held in 2022, this has included holding preparatory meetings in advance of the meetings of the SCs on the 2007 Child Support and 1993 Intercountry Adoption Conventions and encouraging responses to the questionnaires on the practical operation of relevant instruments circulated in advance of the meetings. For the Working and Experts' Groups, this has included providing information in response to queries from interested National Organs and experts, as well as encouraging the provision of input from the region by following up on the questionnaire circulated in preparation of the EG meeting of 13 to 15 February 2023 on international transfers of maintenance funds.
- 28 Finally, ROLAC continues to support the involvement of States and other stakeholders from the region in governance matters by, among others, convening preparatory meetings for National Organs from the region in advance of each CGAP meeting, which, in addition to serving as a source of information on the meeting itself, provide the opportunity for States to coordinate positions and identify common interests. This has resulted, among others, in a clearer articulation of regional interests at CGAP level on key matters such as the election of the new Chair (Prof. Marcelo De Nardi from Brazil), the first from Latin America, and the possible adoption of Spanish as an official language of the HCCH.

C. Assisting States in the regions in the proper implementation and operation of HCCH instruments, including through the delivery of efficient, tailored post-Convention services and assistance

1. ROAP

- 29 ROAP contributes to the promotion of the proper implementation and operation of HCCH instruments in Asia and the Pacific, liaising with governments and other key stakeholders in the region.
- 30 It does so, first of all, by acting as a direct point of contact for States seeking information and advice on best practices in the implementation and operation of the HCCH Conventions. In this regard, ROAP regularly responds to day-to-day enquiries from National Organs, Central or Competent Authorities, and other public entities, via phone, email, or other means. Through its regular exchanges with governments from across the region, ROAP is able to monitor issues and challenges arising in the implementation and operation of the HCCH Conventions and ensure that these can inform future work conducted by the PB and the relevant SCs and Working/Experts' Groups of the HCCH.
- 31 Secondly, ROAP assists States which are in the process of joining HCCH Conventions with the preparations for their entry into force. This might include guidance in the steps required to ratify or accede to the instrument, assistance with the drafting of implementing legislation, or advice on the establishment of a well-functioning Central or Competent Authority. For example, in 2022 ROAP assisted the Philippines with the preparations for the entry into force of the 1965 Service Convention and supported [Singapore-Indonesia](#) in the process of accession to the 1961 Apostille

Convention and in preparations for its entry into force. ROAP's assistance in this regard might also be requested by States which are assessing the possibility of joining a specific Convention, and who might have questions or concerns about specific aspects of its future implementation and operation. For example, in August 2022 ROAP held a virtual meeting with Malaysian officials to discuss its possible accession to the 1961 Apostille Convention, including possible challenges in the implementation process.

- 32 Thirdly, ROAP facilitates the organisation of trainings or seminars aimed at judges, practitioners, government officials, and other professionals directly involved in the day-to-day operation of the HCCH Conventions and instruments, with the aim of promoting their effective and uniform implementation worldwide. As an example, in 2022 ROAP supported the organisation of a webinar on the 2005 Choice of Court and 2019 Judgments Conventions, which provided an overview of the key features of these Conventions, analysed issues arising in their development and operation, and illustrated how the Conventions complement each other in practice.

2. ROLAC

- 33 During 2022 ROLAC continued to field requests and enquiries from officials from the region and from other States Parties to HCCH Conventions. ROLAC's close working relations with actors in the region generate the necessary trust to raise the amplest range of practical and theoretical matters that include facilitating communications between different Central Authorities and members of the International Hague Network of Judges (IHNJ). On a daily basis, officers from National Organs, Central Authorities, IHNJ judges, prosecutors, public defenders, diplomats, legislators and academics reach out to the RO seeking information on the interpretation, implementation or operation of HCCH instruments. Some of these enquiries are addressed in person during missions but most of them are channelled via email, WhatsApp, or videoconference meetings.

- 34 ROLAC also continued monitoring the practical operation of HCCH instruments in the region, identifying good practices as well as challenges that may require action. ROLAC's missions, participation and organisation of trainings (remotely and in person), facilitated the identification of challenges and good practices in the implementation and operation of HCCH Conventions, the promotion of HCCH instruments among relevant actors and the delivery of post-Convention services and assistance.

- 35 In practical terms, ROLAC's role in facilitating the provision of information and assistance have a concrete impact in the understanding, implementation, and operation of HCCH Conventions and instruments throughout the region and contribute to the PB's monitoring role.

III. Key Upcoming Projects and Initiatives

A. ROAP

- 36 In addition to its regular work programme, the following are some of the priority areas to which ROAP intends to dedicate particular attention in 2023.

- 37 As the year progresses, ROAP will further develop its programme of events, leveraging, to this end, Hong Kong's unique advantages in terms of strategic location and connectivity. At present, the major upcoming events planned for 2023 are a webinar on the 1961 Apostille Convention (February 2023); HCCH Asia Pacific Week 2023 (tentatively scheduled for September 2023); and a Conference on the 130th Anniversary of the HCCH and the 2019 Judgments Convention, co-hosted by the Department of Justice of the Hong Kong SAR (September 2023).

- 38 ROAP's Representative intends to visit the Consulates General of States from the region which are based in the Hong Kong SAR throughout 2023, with a view to continuing the exchanges of views

on matters related to the HCCH and its Conventions. At the same time, ROAP will continue to actively promote the expansion of the HCCH's Membership in the region.

39 In 2023 ROAP will produce new issues of its recently launched newsletter for distribution among government officials, judges, lawyers, and academics in the region, and in particular among Consulates General in the Hong Kong SAR. It will also make further improvements to its newly developed leaflet and expand its use in the context of its promotional activities.

40 Last but not least, ROAP will continue to cultivate closer working relationships with other international, regional and national organisations, as well as with universities, in the region, including the Asia-Pacific Economic Cooperation (APEC), ASEAN, UNICEF, the International Academy of Comparative Law (IACL), the Asian Academy of International Law (AAIL), and AALCO.

B. ROLAC

41 In addition to its regular work programme, the following are some of the priority areas to which ROLAC intends to dedicate particular attention in 2023.

42 ROLAC will continue to emphasise the role of PIL in reinforcing human rights and enabling access to justice, so as to secure political support for PIL and its development. In doing so, ROLAC will continue to work closely with the Department of International Law of the OAS, the Inter-American Court of Human Rights and the Inter-American Human Rights Commission, and other relevant stakeholders. ROLAC also continues to tie the promotion of HCCH instruments with the implementation of Target 16.3 of the United Nations 2030 Agenda and to organise, in partnership with the Department of International Law of the OAS, the annual meeting of Legal Advisors of the Americas.

43 ROLAC has implemented several initiatives aimed at addressing the lack of awareness of, and expertise in relation to, PIL by strengthening cooperation between the public and academic sectors. ROLAC will continue, through these and new initiatives, to engage the private sector in the promotion and development of the HCCH's work (e.g., lawyers, other professional associations, and non-governmental organisations), to support the work of ASADIP and national PIL associations, and to promote networking in the field.

44 ROLAC will focus on promoting interinstitutional meetings to assess and adopt HCCH instruments, improving coordination among government agencies and domestic stakeholders to facilitate the incorporation and implementation of HCCH Conventions, and to support the work of National Organs.

45 Furthermore, ROLAC will continue to assist relevant stakeholders in ensuring the effective implementation and operation of the HCCH Conventions in partnership with other Members and with institutions such as UNICEF, the Inter-American Children's Institute (IIN), the Conference of Ministers of Justice of the Ibero-American Countries (COMJIB), the Southern Common Market (MERCOSUR), SICA, the Caribbean Community (CARICOM), and other relevant regional organisations. ROLAC will continue to explore opportunities for online trainings, to support the further development of INCADAT, and to facilitate the participation of States in the region in meetings of SCs planned for the upcoming year.

46 Additionally, ROLAC will increase its engagement with States from the Caribbean, in particular through the provision of assistance in the implementation of HCCH instruments, as well as by exploring possible joint activities with the Caribbean Court of Justice and CARICOM.

IV. Proposal to CGAP

47 The PB proposes the following Conclusions and Decisions:

CGAP welcomed the reports of the ROs and recognised the services they continue to provide to HCCH Members. CGAP further:

- a. Encourages Members to offer concrete support towards the implementation of the activities and objectives of the ROs, including, for example, in the form of voluntary contributions, secondments, information, translations, introductions, or other;
- b. Invites States from the relevant regions which are currently considering the possibility of joining one or more HCCH Conventions, or of becoming HCCH Members, to contact their respective RO in order to receive assistance during the assessment, implementation and / or incorporation phases, including through introductions to States that have already implemented the relevant Conventions or undergone the process of becoming Member;
- c. Invites National Organs and Central Authorities from the relevant regions which are currently facing difficulties in following the HCCH's work and in performing their tasks due to limited human resources to consider enlisting the support of the academic sector and, to this end, to contact their respective RO for introductions to States willing to share their experiences in this regard; and
- d. Invites Members from Latin America and the Caribbean which are currently considering the designation of OAS PIL focal points to consider selecting, to this end, the bodies already designated as HCCH National Organs.

ANNEXES

Annex I: Background Information

1. Regional Offices (ROs) comprise an essential part of the Permanent Bureau (PB). They are established to strengthen the HCCH's inclusiveness and to increase the HCCH's visibility, capability, and relevance within a particular region. A key objective of the ROs is to promote the HCCH and its Conventions by increasing the visibility of the HCCH, awareness of the value of the Membership of the HCCH, and cognisance of the usefulness of HCCH Conventions to the region, with a view to attracting more States in the region to become Members of the HCCH and Parties to HCCH Conventions. The ROs also provide training programmes, promotion, advice, and coordination of, and participation in, relevant regional events and meetings. Better understanding of HCCH Conventions by States Parties in the respective regions facilitates the development of good practice and consistent interpretation, which in turn contribute to the successful proper operation of HCCH Conventions to the benefit of all States Parties. The HCCH currently has two ROs: the Regional Office for Latin America and the Caribbean (ROLAC) and the Regional Office for Asia and the Pacific (ROAP).
2. In 2005, the PB established a Special Programme for Latin American States in response to requests for expansion of the work of the HCCH in Latin America. Due to the Special Programme's success, and with the generous support of the Argentinian Government, an RO of the PB for Latin America was later established in Buenos Aires, Argentina. In 2017, the Council on General Affairs and Policy (CGAP) approved the extension of the RO's geographical reach to include the Caribbean and, in doing so, approved the RO's corresponding name change. In 2021, the premises of the RO were relocated to a new building, again with the support of the Government of Argentina.
3. ROLAC is headed by a Representative, who is supported by a part-time Legal and Office Coordinator. Mr Ignacio Goicoechea has served as Representative of ROLAC since its establishment. Ms Florencia Castro is ROLAC's Legal and Office Coordinator and supports the Representative by performing legal and administrative tasks. In 2022 ROLAC welcomed 12 translation interns and three international relations interns and, to further strengthen its internship programme, signed a new Memorandum of Understanding with the Universidad Católica Argentina governing the conduct of translation internships. The Government of Argentina continues to finance the rental and operational costs for ROLAC, while the yearly travel budget for the office is covered by a voluntary contribution from the Government of the United States of America. The salaries of ROLAC's two staff members are fully covered by the Budget of the HCCH.
4. ROAP was established in 2012 in the Hong Kong Special Administrative Region (SAR) of the People's Republic of China. In October 2020, ROAP relocated to new premises, generously provided by the Government of the Hong Kong SAR. Together with other legal organisations and the Department of Justice, the new office forms part of an international legal hub in Hong Kong's central business district.
5. ROAP is headed by the Representative for Asia and the Pacific, who is supported by a Legal Officer and an Office Manager. On 1 August 2020, Professor Yun Zhao became the fourth ROAP Representative. Ms Alix Ng has held the position of Office Manager since ROAP's establishment. Mr Levi Gao joined ROAP in August 2020 as Legal Officer seconded from the Ministry of Foreign Affairs of the People's Republic of China. In 2022, ROAP welcomed three legal interns. Human resources costs for ROAP are covered exclusively through the support provided by the Government of the People's Republic of China. In November 2022, the Government of the People's Republic of China announced a further voluntary contribution to support the operation of ROAP from 2024 to 2026.

Annex II: Report on the Activities of the Regional Office for Asia and the Pacific (ROAP)

A. Projects and activities

Transnational Litigation and Apostille

1. In relation to the HCCH's instruments in the area of transnational litigation, as well as the 1961 Apostille Convention, in 2022 ROAP conducted the following projects and activities:
 - a. Supported the organisation of an online seminar on “The HCCH & the Apostille Convention: Exploring the Benefits for AALCO Members”, co-hosted by the HCCH and AALCO in March 2022. The seminar, attended by over 70 participants, introduced AALCO Member States to the 1961 Apostille Convention and illustrated the benefits of acceding to it.
 - b. Supported the organisation of the webinar “Cross-border Commercial Dispute Resolution - HCCH 2005 Choice of Court and 2019 Judgments Conventions”, co-hosted by the HCCH and ABLI in July 2022.
 - c. Organised the workshop “HCCH Conventions Supporting Transnational Litigation in Civil or Commercial Matters: A Workshop to celebrate the Tenth Anniversary of the Regional Office for Asia and the Pacific (ROAP)”, held in November 2022 in the Hong Kong SAR of the People's Republic of China.

Cross-cutting

2. In terms of projects or activities spanning multiple HCCH instruments, in 2022 ROAP:
 - a. Supported the organisation of HCCH Asia Pacific Week 2022, hosted from 17 to 21 October 2022 in Manila by the Government of the Philippines and the HCCH. Over a period of three days, the conference provided participants with a comprehensive overview of the HCCH and its Conventions across its various areas of work: from transnational litigation and apostille to international family and child protection law as well as commercial, digital and financial law. It was attended by over 450 participants representing government and judicial authorities, academic institutions, the civil society and the private sector from across the region.
 - b. Participated in the ASEAN Forum in Viet Nam on 17 and 18 November 2022: Introduction to the HCCH and its Conventions.
 - c. Participated in the annual conference of the Asian Private International Law Academy, held in Japan in December 2022, during which the Regional Representative delivered a keynote speech on the concept of Asian Principles of Private International Law.
 - d. Participated in the online meeting on Asian Principles of Private International Law organised by the Asian Private International Law Association in May 2022, during which the Regional Representative discussed pathways to amplify the voice of the Asia Pacific region within the framework of the HCCH.
 - e. Supported the implementation of the Memorandum of Understanding (MOU) for the secondment of legal professionals between the HCCH and the Government of the Hong Kong SAR. The PB hosted its first secondee under the MOU, Mr Cheuk Lun Yuen, Acting Senior Government Counsel of the Department of Justice of the HKSAR, from 13 September 2021 to 11 March 2022. Mr Yuen was succeeded by Ms Wei Wu, solicitor in private practice, hosted by the PB from 7 February to 5 August 2022, who was in turn followed by Ms Wen Qing Melissa Kiang, Senior Government Counsel of the Department of Justice of the HKSAR, hosted by the PB from 17 November 2022 to 16 November 2023.

Annex III: Report on the Activities of the Regional Office for Latin America and the Caribbean (ROLAC)

A. Projects and activities¹

International Family and Child Protection Law

1. In relation to the HCCH's instruments in the area of international family and child protection law, in 2022 ROLAC conducted the following projects and activities:
 - a. Assisted Central Authorities experiencing difficulties in establishing contact with their counterparts in certain States, facilitating the reestablishment of communications between them.
 - b. Conducted meetings with Central Authorities from Argentina, Bolivia, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Honduras, Peru, Uruguay and the United States of America to discuss the challenges experienced by them in the operation of the Conventions over which they hold responsibility and to identify possible actions to increase the effectiveness of their work. ROLAC also held meetings with officers from the Ministry of Foreign Affairs, judiciaries and parliaments from Argentina, Bolivia, Colombia, Costa Rica, El Salvador, Honduras, Jamaica, Paraguay, and Trinidad and Tobago. Through these meetings, ROLAC explained the benefits of the HCCH Children's Conventions and provided support to ongoing processes of assessment or implementation of these Conventions. Follow up actions and support to some of these jurisdictions is expected to take place in 2023 and beyond.
 - c. Contributed to the organisation of the meetings of the SCs on the 2007 Child Support, 1993 Adoption and 2000 Protection of Adults Conventions, participating in preparatory sessions and assisting States from the region prior to and during the meetings.
 - d. Organised and participated in a series of trainings, seminars and academic events on international child abduction, protection of children, international adoption, and child support in Argentina, Barbados, Bolivia, Brazil, Colombia, Ecuador, Honduras, Jamaica, Trinidad and Tobago, Paraguay, and Peru. These activities contributed to the training of competent authorities and the identification of possible actions to address challenges faced by them in relevant jurisdictions. Some of these jurisdictions requested continued support to implement some of the identified actions and additional training for their operators. These activities included ROLAC's delivery of, and participation in, several judicial trainings in region, at the request of Contracting Parties. In June 2022, ROLAC organised a training on the 1980 Child Abduction Convention in collaboration with the Bolivian Judicial School, which was attended by more than 350 judges and judicial servants from Bolivia. In July 2022, ROLAC organised the first training for Caribbean Judges with the Supreme Court of Jamaica, attended by the Jamaican Competent Judges and IHNJ

¹ ROLAC wishes to express its gratitude to the many Central Authorities that provided support in the organisation of capacity-building activities aimed at strengthening the operation of HCCH Conventions and instruments across the region, including the CAs of Argentina (Child Abduction), Brazil (Service, Evidence and Child Support), Nicaragua (Service, Evidence and Child Support), Uruguay (Protection of Children), the United Kingdom (Child Abduction and Protection of Children), the United States of America (Child Abduction), as well as to judges of the IHNJ from Argentina, Australia, Paraguay, the United Kingdom, the United States of America, Uruguay and Trinidad and Tobago, who shared their experiences during the judicial trainings on the 1980 Child Abduction and 1996 Protection of Children Conventions held in Argentina, Bolivia, Barbados, Ecuador, Honduras, and Trinidad and Tobago. ROLAC also wishes to recognise the work of National Organs and IHNJ Members from Argentina, Barbados, Bolivia, Brazil, Colombia, Costa Rica, Ecuador, Paraguay, Peru and Trinidad and Tobago in the organisation of trainings or other activities focused on the HCCH Conventions in their respective States.

Members from Bermuda, Curaçao, Guyana and Suriname. Later in the year, in September 2022, ROLAC organised a training on the 1980 Child Abduction and 1996 Child Protection Conventions in Barbados, in cooperation with the Barbados Judicial School, with the participation of more than 27 judges and senior practitioners from Barbados, the Bahamas, Belize and Trinidad and Tobago. This training was followed, within the same month, by another hybrid training on the 1980 Child Abduction Convention in Trinidad and Tobago, organised with the IHNJ Member from Trinidad and Tobago and the Judicial Education Institute. It was attended by more than 15 judges from Trinidad and Tobago and the Bahamas. In October 2022 ROLAC and the Central Authority of Honduras organised a training on the 1980 Child Abduction, 1996 Child Protection and 2007 Child Support Conventions, aimed at judges as well as Central Authority officers, psychologists, social workers, public defenders and prosecutors, in which the need to develop a draft procedural law to allow for the swift application of the 1980 Child Abduction Convention was stressed. In that same month ROLAC assisted the IHNJ and the Judicial School of Paraguay in the organisation of a judicial training, attended by more than 100 judges, public defenders, prosecutors and rapporteurs of the Ministers of the Supreme Court. Finally, in December 2022, ROLAC assisted the Supreme Court of Ecuador and the American and Canadian Embassies in the organisation of a training for approximately 300 judges, Central Authority officers, public defenders, police officers, Ministry of Foreign Affairs officers and others. The training was followed by a workshop for actors involved in child abduction cases, with the aim of identifying the challenges in child abduction proceedings experienced by each of the institutions involved and discussing possible actions to address them.

ROLAC also participated in seminars on child abduction and mediation organised by the IHNJ Members from Argentina, Brazil and Colombia.

- e. Continued supporting Members of the IHNJ from the region. In this regard, ROLAC responded to inquiries and discussed in detail specific aspects of the implementation and operation of these Conventions in their States, in particular the 1980 Child Abduction and 1996 Protection of Children Conventions, through bilateral meetings and various channels of communication. In 2022 ROLAC organised the First Meeting of Caribbean Judges of the IHNJ, in cooperation with the IHNJ Member from Trinidad and Tobago. This meeting resulted in several concrete results. First of all, the establishment of a WhatsApp group, which will facilitate communications and strengthen relations between members of the IHNJ from the Caribbean (complementing the WhatsApp group established in 2021 for members from Latin America). Secondly, the subsequent participation of judges from Belize and the Bahamas in the judicial trainings on the 1980 Child Abduction and 1996 Protection of Children Conventions organised in Jamaica, Barbados and Trinidad and Tobago later in the year (see above). Thirdly, the commitment by some IHNJ Members from the Caribbean to develop case management guidelines for child abduction proceedings in their respective jurisdictions (Trinidad and Tobago, Barbados and Jamaica). ROLAC has committed to provide support for the completion of these actions.
- f. Contributed to the incorporation of new caselaw from the region to INCADAT, among others by identifying cases and coordinating the work of editors and translators. Throughout 2022, and as in previous years, a team of PIL professors, young lawyers, and law students, coordinated by Professor Nieve Rubaja, prepared summaries of child abduction decisions from the region for the database, holding monthly meetings with the participation of experts

from different parts of the world to discuss caselaw and specific topics of interpretation and application of the 1980 Child Abduction Convention².

- g. Assisted Argentina (Buenos Aires Province) and Ecuador in the revision and development of implementing legislation for the 1980 Child Abduction Convention. This assistance will continue in these and other jurisdictions that may require ROLAC's assistance during the course of the year.
- h. Assisted the Central Authorities of Honduras, Ecuador, and Bolivia with the revision of their internal guidelines for addressing child abduction cases at the administrative level.
- i. Continued providing assistance to Argentina and Panama in their respective processes of development and implementation of pilot programmes on mediation and supported Brazil in the early stages of the development of its own pilot programme for the 2nd Federal Region (including putting them in contact with REUNITE, which has started providing assistance for the implementation of this project).

Transnational Litigation and Apostille

- 2. In relation to the HCCH's instruments in the area of transnational litigation, as well as the 1961 Apostille Convention, in 2022 ROLAC conducted the following projects and activities:
 - d. Participated in seminars in Argentina and Peru, focused on legal cooperation and the work of the HCCH.
 - e. Met with representatives of the legislatures of El Salvador, to discuss the 1970 Evidence Convention (currently before Congress), and of Paraguay, to encourage approval of the 1965 Service and 1970 Evidence Conventions (before Congress at the time).
 - f. Met with Spain's Central Authority under the 1961 Apostille Convention to hear about their new developments on the electronic apostille programme (e-APP) and explore possible support they might be able to provide for States in the region. The Central Authority agreed to resume this dialogue once they have finalised implementing the project.
 - g. Organised a hybrid event in Argentina aimed at raising awareness of the 2019 Judgments Convention in the region in partnership with Torcuato Di Tella University.

Cross-cutting

- 3. In terms of projects or activities spanning multiple HCCH instruments, in 2022 ROLAC:
 - a. Continued to encourage States from the region to become Members of the HCCH and to provide support to States in the process of becoming Members or States which have recently become Members. Among others, in 2022 ROLAC provided advice to Bolivia, Colombia, Guatemala, Guyana and Trinidad and Tobago on the process of becoming Members, including by meeting with key stakeholders in these States in order to encourage them to pass legislation to approve the Statute of the HCCH, and supported Honduras and El Salvador in the process of organising their respective National Organs.

² The HCCH thanks Prof. Nieve Rubaja (Director), Prof. Emilia Gortari Wirz (Assistant), and all the members of the team (Sofia Aldana Ansalone; Mariano Miranda da Cruz; Romina Martín; Josefina Ordenavia; Natalia Belen Petz; Antonela Rojas; Martina Traveso; Daniela Agustina Vuchich; Valentina Romina Esperanza; Catalina Comte) for their sustained work and commitment to the work of HCCH and the issue of international child abduction.

- b. Supported the launch and organisation of the first two meetings of a new network of Latin American PIL associations,³ which will meet regularly with a view to ensure greater coordination of their respective programmes of activities and to support the participation in PIL seminars and events of academics from States across the region, in particular States that have no academic associations or have a lower level of development of PIL. Through this network ROLAC will increase its capacity to follow relevant developments, identify at an early stage potential synergies and areas for cooperation, and exchange information on relevant HCCH projects and activities with organisations across the region, with the ultimate aim of increasing awareness of the HCCH, its instruments, and their benefits among States in the region, in particular those with limited engagement with PIL and the HCCH. The first two meetings of the network, held in May and June 2022, respectively, served, among others, to establish the basis for future coordination and information-sharing mechanisms. ROLAC intends to convoke a third meeting of the network in advance of CGAP's 2023 meeting.
- c. Continued advocating the further incorporation of PIL in the planning, implementation and monitoring of progress in the advancement of the UN SDGs. In particular, ROLAC has been exploring means to foreground the “international access to justice” dimension to discussions on SDG 16 (*i.e.*, assess how people can resolve conflicts with international components, and to what extent the necessary legal infrastructure needed has been implemented and is fulfilling its purposes). In this area, ROLAC has:
- i. Continued supporting the Supreme Court of Costa Rica in its assessment of the implementation of the SDGs at the judicial level, which includes measuring indicators relating to transnational access to justice. As part of this assessment, the Supreme Court has identified data related to judicial cooperation requests and exequaturs that were listed in the HCCH's questionnaire on parallel proceedings and provided information on its ongoing cooperation with the HCCH.
 - ii. Pursued conversations on this topic with the Government of Paraguay which has implemented a system (“Congress2030”) which monitors progress towards the achievement of the SDGs by assessing projects implemented by Congress in terms of the SDG indicators they address.⁴ The Paraguayan authorities expressed interest in learning more about Costa Rica's experience.
- d. In 2022 ROLAC and the International Law Department of the OAS⁵ organised a joint meeting with legal advisors from OAS Member States responsible for PIL matters, attended by representatives of 16 States. The purpose of the meeting was to provide a forum for discussion and feedback on the Inter-American Juridical Committee and the HCCH's ongoing

³ Asociación Argentina de Derecho Internacional (AADI); Rede Brasileira de Direito Internacional Privado; Asociación Chilena de Derecho Internacional privado (ADIPRI); Asociación de Derecho Internacional Privado y Comparado de Panamá (ADIPCOP); Centro de Estudios, Derecho y Economía (CEDEP-Paraguay) and the Instituto Paraguayo de Derecho Internacional Privado; Instituto Uruguayo de Derecho Internacional Privado Universidad de la República; Academia Mexicana de Derecho Internacional Privado y Comparado (AMEDIP); Maestría de Derecho Internacional Comparado de la Universidad Central de Venezuela Instituto de Derecho Maekelt; Instituto Antioqueño de Derecho Internacional Privado; and ASADIP.

⁴ This platform was developed with the cooperation of Eurosocal and is currently being used by Spain and Paraguay.

⁵ The Omnibus Resolution on International Law (AG/doc.5730/21) adopted by the OAS General Assembly on 5 November 2021 by the OAS General Assembly provides the framework for cooperation between the OAS and the HCCH. The resolution instructs the Department of International Law of the OAS to continue working in cooperation with other international organisations such as UNCITRAL, UNIDROIT and the HCCH in order to generate common proposals to reactivate activities related to the study and development of PIL and to promote, within those organisations, the work that has been carried out in the inter-American system. At the regional level, the resolution also instructs the Department of International Law to continue to work closely with the regional offices of these organisations (explicitly mentioning ROLAC) in order to jointly address issues currently being discussed within the expert groups of these forums.

work in this field. Accordingly, the agenda covered one topic of particular relevance to the CJI (the study “Contracts between Merchants with a Contractually Weak Party”), and one topic of particular relevance to the HCCH (the 1996 Child Protection Convention and its possible application in the protection of unaccompanied and separated children). There was also an open discussion on strategies for the OAS to resume its activities in the area of codification and progressive development of PIL as a follow up to the meeting on this matter held by the OAS Committee on Political and Juridical Affairs in July 2022.

- e. In October 2022 ROLAC participated in the XV Conference of ASADIP (“A Private International Law to Change the World”), organised in partnership with the Center for Law, Economics and Policy Studies (CEDEP) and the International Academy of Comparative Law (IACL) in Paraguay. ROLAC’s Representative intervened in a panel on “The UN Sustainable Development Goals and the Role of Private International Law” and also delivered a joint presentation on “The Inclusiveness of PIL” with Professor Veronica Ruiz Abou-Ning (University of Edinburgh), in which he highlighted challenges and suggested ideas to increase inclusiveness in the field of PIL and the HCCH, and participated in the “Meeting of International Forums on Private International Law”, established by ASADIP as a regular slot within its annual conference aimed at promoting dialogue between the different international organisations active in this field (HCCH, UNIDROIT, UNCITRAL and the OAS).
- f. ROLAC also continued its increasing relationship with regional and international intergovernmental organisations. Among others, ROLAC’s Representative:
 - i. Visited SICA’s headquarters in El Salvador, where he met with Secretary General Werner Vargas, and initiated negotiations towards a cooperation agreement;
 - ii. Delivered a presentation during a workshop addressing the trafficking of children organised by CARICOM and SICA;
 - iii. Met with UNICEF’s Regional Advisor on Child Protection and planned a series of trainings on HCCH Children’s Conventions for UNICEF officers, to take place in the first semester of 2023; and
 - iv. Met with his counterparts at the RO of the IOM to explore synergies, in particular on the promotion of the 1996 Child Protection Convention as a helpful tool to facilitate the protection of unaccompanied children.