

Title	Report of the Experts' Group on the Parentage / Surrogacy Project (meeting from 15 to 19 November 2021)
Document	Prel. Doc. No 2B of November 2021
Author	Experts' Group on the Parentage / Surrogacy Project Chair of the Experts' Group on the Parentage / Surrogacy Project
Agenda Item	TBD
Mandate(s)	C&D Nos 5 and 6 of CGAP 2021
Objective	To report on the tenth meeting of the Experts' Group
Action to be Taken	For Action <input type="checkbox"/> For Approval <input type="checkbox"/> For Decision <input type="checkbox"/> For Information <input checked="" type="checkbox"/>
Annexes	Annex I: <i>Aide-mémoire</i> of the tenth meeting of the Experts' Group on the Parentage / Surrogacy Project prepared by the Chair Annex II: List of participants of the tenth meeting of the Experts' Group on the Parentage / Surrogacy Project
Related Documents	<ul style="list-style-type: none"> - Prel. Docs Nos 3A of February 2015, 3B and 3C of March 2014 and C&R No 5 of CGAP 2015 - Prel. Doc. No 3 of February 2016 and C&R No 15 of CGAP 2016 - Prel. Doc. No 2 of February 2017 and C&R Nos 8-10 of CGAP 2017 - Prel. Doc. No 2 of February 2018 and C&R Nos 6-7 of CGAP 2018 - Prel. Docs Nos 2A of October 2018, 2B of February 2019 and C&R Nos 7-12 of CGAP 2019 - Prel. Doc. No 2 of November 2019 and C&R Nos 5-9 of CGAP 2020 - Prel. Doc No 2A of October 2020, Prel. Doc. No 2B of February 2021 and C&D Nos 5-6 of CGAP2021 - Prel. Doc. No 2A of July 2021

Report of the Experts' Group on the Parentage / Surrogacy Project (meeting from 15 to 19 November 2021)

I. Introduction

- 1 From 15 to 19 November 2021, the Experts' Group on the Parentage / Surrogacy Project met via videoconference. This tenth meeting of the Experts' Group was attended by 38 experts representing 23 Member States from various regions, one Member Regional Economic Integration Organisation and three Observers, as well as members of the Permanent Bureau (PB) of the HCCH. The list of participants is included as an Annex (II).
- 2 At its 2021 meeting, the Council on General Affairs and Policy (CGAP) endorsed the recommendation of the Group to extend its mandate by one year, in order to allow time to prepare the submission of its final report to CGAP at its 2023 meeting, to have at least one further in-person meeting, as well as to continue intersessional work and convene several short online meetings.¹ This was the second short online meeting of the Group; the previous online meeting took place in July 2021.²
- 3 The *Aide-mémoire* of the Chair in Annex I provides an overview of the main points of discussion at the tenth meeting of the Experts' Group.

II. Proposal for CGAP

- 4 The Experts' Group invites CGAP to take note of the *Aide-mémoire* prepared by the Chair based on the deliberations during the Experts' Group meeting.

¹ C&R No 5 of CGAP 2021, available on the HCCH website www.hcch.net under "Governance".

² See "Report of the July 2021 meeting of Experts' Group on the Parentage / Surrogacy Project (9th meeting)" available on the HCCH website www.hcch.net under "Parentage / Surrogacy".

ANNEXES

Annex I

Aide-mémoire **of the tenth meeting of the Experts' Group on the Parentage / Surrogacy Project prepared by the Chair**

- 1 This *Aide-mémoire* provides an overview of the main points discussed at the tenth meeting of the Experts' Group.
- 2 The Group discussed the form, structure and focus of the final report that is to be presented to CGAP at its 2023 meeting. A draft structure as well as some draft chapters were considered.
- 3 The Group also continued its discussions on the feasibility of advancing work with respect to a possible Protocol on the recognition of legal parentage established as a result of an (international) surrogacy arrangement (Protocol). This included, in particular:
 - the aims of a possible Protocol;
 - the different approaches; and
 - the different possible elements that could be included.
- 4 The Experts' Group will meet again in March 2022 to advance its work on its final report.

Annex II

List of participants of the tenth meeting of the Experts' Group on the Parentage / Surrogacy Project

	<i>Representing</i>	<i>Surname</i>	<i>First name</i>	<i>Job Title</i>	<i>Organisation</i>
Members	Argentina	Rubaja	Nieve	Legal Adviser, Ministry of Foreign Affairs; Professor in Private International Family Law	University of Buenos Aires
	Australia	Pascoe, AC CVO	John	Former Chief Justice, Chief Justice's Chambers	Family Court of Australia, Chief Justice's Chambers
	Brazil	Froeder Dittrich	Lalisa	Specialist in Public Policy and Government Management, Asset Recovery and International Legal Cooperation	National Secretariat of Justice, Ministry of Justice and Public Security
	Canada	Riendeau	Marie	Counsel, Constitutional, Administrative and International Law Section	Department of Justice Canada
		Jacques	Emmanuelle	Counsel, Constitutional, Administrative and International Law Section	Department of Justice Canada
	China	Wu	Qiong	Deputy Division Director, Department of Treaty and Law	Ministry of Foreign Affairs
		Zhu	Rongzheng	Staff, Department of Treaty and Law	Ministry of Foreign Affairs
	European Union	Vilar-Badia	Maria	Legislative Officer	European Commission
		Vysoka	Lenka	Legal and Policy Officer	European Commission

Members	France	Launay	Edith	Cheffe du bureau du droit des personnes et de la famille	Ministère de la Justice
		Richard	Juliette	Rédactrice au Bureau du droit des personnes et de la famille	Ministère de la Justice
	Germany	Janzen	Ulrike	Head of the Unit for Private International Law	Federal Ministry of Justice and Consumer Protection
		Henneberger	Barbara	Legal Officer, Unit for Private International Law	Federal Ministry of Justice and Consumer Protection
	India	Narayan	Geeta	Joint Secretary, Department of Health Research	Ministry of Health and Family Welfare
		Sowmya	K.C.	Legal Officer (Gr. I), Legal and Treaties Division	Ministry of External Affairs
	Israel	Friedberg	Jacob	Senior Legal Counsel, Office of Legal Counsel and Legislative Affairs	Ministry of Justice
		Baron	Miriam	Senior Legal Counsel, Office of Legal Counsel and Legislative Affairs	Ministry of Justice
	Italy	Carpaneto	Laura	Associate Professor of European Law; Member, International Association of Child Law Researchers	University of Genoa
		Nicolussi	Andrea	Full Professor of Civil Law and Family Law	Catholic University of the Sacred Heart - Milan
Japan	Nishitani	Yuko	Professor of Private International Law	Kyoto University	

Members	Mexico	Albornoz	María Mercedes	External Adviser on Private International Law to the Office of the Legal Adviser, Ministry of Foreign Affairs; Professor	Centro de Investigación y Docencia Económicas, A.C. (CIDE)
		Pérez-Galeana	Patricia	First Secretary	Embassy of the United Mexican States
	Netherlands	Rutten	Susan	Professor of Islamic Family Law in an European context and Associate Professor of Private International Law	Universiteit Maastricht
	New Zealand	Casey, QC	Margaret	Barrister	Margaret Casey, QC, Private Practice
	Philippines	Aguiling-Pangalangan	Elizabeth	Professor of Private International Law; Director, Institute of Human Rights	University of the Philippines
	Russian Federation	Khazova	Olga	Leading Legal Scholar	The Moscow School of Social and Economic Sciences
	South Africa	Ozah	Ronaldah Lerato Karabo	Attorney; Director, Centre for Child Law, Faculty of Law	University of Pretoria
	Spain	González Beilfuss	Cristina	Professor in Private International Law, Faculty of Law	University of Barcelona
	Sweden	Hellner	Michael	Professor of Private International Law	Stockholm University
	Switzerland	Schickel-Küng	Joëlle	Co-Head of the Private International Law Unit(Chair of the tenth meeting of the Experts' Group)	Federal Office of Justice
	Ukraine	Ruda	Lyudmyla	Deputy Head of the Department on International Legal Assistance – Head of the Division on Conclusion	Ministry of Justice

Members	United Kingdom	Knight	Eral	Head of EU/International PIL Negotiations & Strategy	Ministry of Justice
		Wright	Andrea	Senior Legal Advisor, European Union Civil Law & Private International Law Team	Ministry of Justice
	United States of America	Vogel	Lisa	Attorney Adviser, US Department of State, Office of the Legal Adviser	United States of America
Observers IGO	United Nations Children's Fund (UNICEF)	Di Martino	Kirsten	Senior Child Protection Adviser, Programme Division	United Nations Children's Fund (UNICEF)
Observers NGO	International Academy of Family Lawyers (IAFL)	Kelsey	Rachael	President, European Chapter International Academy of Family Lawyers	SKO Family Law Specialists
		Dally	Jemma	Lawyer, Partner	Goodman Ray Solicitors
	International Social Service (ISS)	Alloero	Carlotta	Child protection lawyer	International Social Service (ISS)
HCCH	Permanent Bureau	Martinez-Mora	Laura	Secretary	HCCH
		Page	Capucine	Legal Officer	HCCH

HCCH	Permanent Bureau	Wells-Greco	Michael	Consultant to the Permanent Bureau	HCCH
		Borisova	Betina	Intern	HCCH
		Hawkins	Stuart	Website / IT Officer	HCCH
		Préнас	Mathilde	Senior Administrative Assistant	HCCH