

Title	Report on the activities of the Regional Offices for Latin America and the Caribbean (ROLAC) and for Asia and the Pacific (ROAP) (1 January – 31 December 2020)
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Report on the activities of the Regional Offices for Latin America and the Caribbean (ROLAC) and for Asia and the Pacific (ROAP) (1 January – 31 December 2020)

I. Introduction

- 1 This Report chronicles the major activities and achievements of the Regional Offices (ROs) of the Permanent Bureau (PB).
- 2 The work of the ROs is an essential element of the HCCH's work to become a universal and inclusive organisation. This Report demonstrates the value of the ROs' efforts to increase membership, to attract new Contracting Parties to HCCH Conventions, and to engage with existing Contracting Parties with a view to monitoring and improving the practical operation of the Conventions.
- 3 Despite the year's challenges, both ROs participated in meetings, conferences, seminars, and workshops throughout 2020, involving engagement with government officials, judiciaries, legal practitioners, academics, and other international organisations. This comprehensive regional network is an invaluable tool promoting the use of HCCH Conventions and instruments and to encourage the active participation of States in the work of the Organisation.

ANNEXES

Annex I

The Regional Office for Latin American and the Caribbean (ROLAC) (Buenos Aires, Argentina)

I. Background

- 1 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, a Regional Office of the PB for Latin America was later established in Buenos Aires, Argentina. A decade later, in late 2015, the RO moved into its own offices, which was made possible with generous support from the Argentinian Government, which financed the renovations of the premises and assumed responsibility for rental payments. The new offices enabled the RO to expand its services in 2016, including with the support of interns to conduct research, follow up, and translation work. In 2017, CGAP approved the extension of the RO's geographical reach, to include the Caribbean and in doing so approved the corresponding name change.

II. Staff

- 2 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 the Regional Office's Legal and Office Co-ordinator and supports the Representative by performing legal and administrative tasks. In 2020, ROLAC also welcomed ten translation interns and one international relations intern.

III. Projects & Activities

- 3 In response to the pandemic, ROLAC swiftly adapted its operations through the use of technologies to ensure the continuation of its activities. While some meetings had to be rescheduled, the increased use of technologies resulted in a number of positive developments in the region. Technology has greatly facilitated judicial and administrative cooperation and access to justice, for example through electronic transmission of documents and videoconference hearings. The prevailing view is that many of these new practices will continue to streamline procedures after the pandemic. Similarly, there was a significant increase in the participation of public officials, judges, and academics from the region in HCCH meetings. Online meetings are more inclusive, enabling the participation of experts and delegates from States which are not always able to fund travel to attend in-person meetings.

A. Supporting the Operation of HCCH Conventions

- 4 ROLAC continued to field requests from officials, judges, and academics relating to HCCH Conventions and instruments and to engage with regional actors, with a view to facilitating their understanding, implementation, and operation throughout the region. ROLAC also continued its work monitoring the practical operation of HCCH instruments in the region, identifying good practices and any challenges that may require addressing.
- 5 Strengthening the operation of the Children's Conventions continues to be an important part of ROLAC's work. ROLAC consulted regularly with Central Authorities and members of the IHNJ; facilitated communications and videoconferences among Latin American Central Authorities; and participated in a series of international child abduction, protection of children, international adoption, and child support trainings and seminars in Argentina, Costa Rica, Ecuador, Guatemala,

Mexico, Panama, and Venezuela. ROLAC also contributed to the addition of Latin American cases in INCADAT, identifying cases and coordinating with editors and translators.

- 6 In relation to the 1980 Child Abduction Convention in particular, ROLAC took part in a number of targeted activities, namely:
- An online training on International Child Abduction for Iberoamerican judges, in partnership with the Iberoamerican Network of Judicial Schools (RIAEJ). The training was attended by 93 judges from 20 Ibero-American jurisdictions (selected from 1,389 registrations) in April-June 2020.
 - Assistance to the Supreme Court of Argentina to develop and implement a Pilot Project for the application of mediation to cases originated under the Convention. The project, which included the provision of training to 127 mediators, benefited from the assistance of the Judiciary of England and Wales and REUNITE International. The project was approved by the Access to Justice Commission of the Supreme Court of Argentina in November 2020 and will start operating as of February 2021.
 - Assistance and training to the Central Authority of Panama in June 2020.
 - Organisation of two meetings of Central Authorities, one for Latin American States and the other for Caribbean States, to discuss and exchange experiences on the operation of the Convention in the context of the COVID-19 situation. This was in addition to a joint US-Latin America IHNJ meeting to discuss operational challenges in light of COVID-19.
 - Promotion of the Guide to Good Practice on Art. 13 (1)(b) in several seminars and events held in Brazil, Costa Rica, Ecuador, Guatemala, Mexico and Venezuela, and the production of an unofficial translation into Spanish.
- 7 With regards to the operation of the 1993 International Adoption Convention, ROLAC organised a virtual meeting of Latin American Central Authorities to discuss and exchange experiences on the operation of the Convention within the COVID-19 context; and a preparatory meeting of Latin American experts who participated in the Working Group on Preventing and Addressing Illicit Practices in Intercountry Adoption.

B. Promotional Activities

- 8 ROLAC supported the two new HCCH Members from the region, the Dominican Republic and Nicaragua, and coordinated with authorities and stakeholders from Argentina, Bolivia, Chile, Colombia, Dominican Republic, El Salvador, Guatemala, Guyana, Honduras, Jamaica, Nicaragua, Panama, Paraguay, Peru, Trinidad and Tobago, Uruguay, and Venezuela.
- 9 In December, ROLAC and the American Association of Private International Law (ASADIP) jointly organised an International Conference on the 2019 Judgments Convention, attended by approximately 300 participants from 26 States both within and outside of the region. The topics addressed at the Conference were prepared in consultation with Latin American Nation Organs which are currently studying the Convention, with a view to facilitating their respective studies. ROLAC assisted with the preparation of a Spanish translation of the Convention. This translation has been endorsed by Latin American Members and is currently available on the HCCH website.

C. Participation in International Meetings & Events

- 10 ROLAC participated remotely in several international events during 2020:
- “MERCOSUR Forum of Central Authorities on Child Abduction” in October, organised by the Central Authority of Uruguay.
 - “Course on International Conventions on the Protection of Children and Families in Interparental Conflicts” organised by the Supreme Court of Nicaragua with UNICEF support.

- “Seminar of International Law” organised by the Mexican Ministry of Foreign Affairs in November, as well as the “11th Meeting of the Mexican Network of Judges”.
- “International Seminar of Family and Childhood Law” organised by the Bar of lawyers and notaries of Guatemala.
- “XVII Forum on the children and adolescents’ rights”, held in December and organised by the Supreme Court of Venezuela.
- “Mona Law 6th Annual Symposium on Law, Governance and Society” organised by the University of West Indies at Mona, Jamaica.

IV. Challenges & Future Work

11 The meeting on the implementation and operation of HCCH Conventions held in Buenos Aires in 2018 identified several challenges which have informed much of ROLAC’s work throughout 2019 and 2020. ROLAC will continue to work to address these in 2021 and beyond, with a number of activities planned, listed below in the context of the broader goals.

- a. *Emphasising the role of private international law in reinforcing human rights and enabling access to justice, to secure political support for private international law and its development.*
 - Explore joint activities with the Organization of American States (OAS) Human Rights Commission and other relevant stakeholders.
 - Explore the relationship between HCCH instruments and the United Nations 2030 Agenda (e.g. Sustainable Development Goal 16.3).
- b. *Improving coordination among government agencies and domestic stakeholders, to facilitate the incorporation and implement of Conventions.*
 - Continue promoting interinstitutional meetings to assess and implement HCCH instruments.
- c. *Addressing the lack of awareness of, and expertise in relation to, private international law*
 - Continue strengthening cooperation with the academic sector.
 - Explore synergies with the International Association of Lawyers and other professional associations, international organisations and non-governmental organisations.
- d. *Ensuring effective implementation and operation of Children’s Conventions*
 - Continue assisting relevant stakeholders in the implementation of the Conventions (in partnership with other Members and institutions such as UNICEF and the Inter-American Children’s Institute).
 - Explore the possibility of a second online training on International Child Abduction.
 - Continue supporting the development of the INCADAT database on Spanish and the inclusion of decisions from the region.
- e. *Overcoming the language barrier*
 - Continue translating documents in cooperation with Belgrano University, Argentina.
- f. *Increasing engagement with Caribbean States*
 - Assist Caribbean States that have recently joined HCCH instruments.
 - Explore a possible joint meeting with the Caribbean Court of Justice.
 - Explore possible joint initiatives with CARICOM.

Annex II

The Regional Office for Asia and the Pacific (ROAP) (Hong Kong SAR, People's Republic of China)

I. Background

- 1 In 2012, CGAP endorsed the establishment of the Regional Office for Asia and the Pacific (ROAP) in the Hong Kong Special Administrative Region (SAR) of the People's Republic of China. The Asia Pacific Regional Office officially opened in December 2012, with the generous support of the Government of the People's Republic of China. In October 2020, ROAP relocated to new premises in the former French Mission Building, located in the Central District of Hong Kong. The new office was generously provided by the Government of Hong Kong SAR. Together with other legal organisations and the Department of Justice, the new office forms part of an international legal hub in the central business district.

II. Staff

- 2 ROAP is headed by a Representative, who is supported by a Legal Officer and an Office Manager. On 1 August 2020, Professor Yun Zhao became the fourth ROAP representative, having succeeded Mr Frank Poon. 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, having succeeded Ms Judy Xiong in this role. In 2020, ROAP also welcomed five interns.

III. Projects & Activities

A. Supporting the Operation of HCCH Conventions

- 3 In September, ROAP and other PB colleagues participated in a Webinar Series covering a number of core HCCH Conventions, organised by the Office of Treaties and Legal Affairs of the Department of Foreign Affairs of the Philippines. ROAP also liaised with the Philippine National Agency following its accession to the 1965 Service Convention, to assist with preparations subsequent entry into force for the Philippines on 1 October 2020.
- 4 On 2 November 2020, Singapore's Parliament passed the Apostille Bill, paving the way for the Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents (Apostille Convention) to have domestic force. ROAP has closely monitored Singapore's consideration of the Convention and is ready to provide assistance in relation to the implementation of the Convention.

B. Promotional Activities

- 5 Throughout 2020, ROAP cooperated with other international, regional, and national organisations as well as the universities in the region to promote the HCCH and its Conventions. This included cooperation with Asia Pacific Economic Cooperation (APEC), the Association for Southeast Asian Nations (ASEAN), the Asia Academy of International Law (AAIL) and UNCITRAL.
- 6 Of particular note was the submission of a document to ASEAN, entitled "Synergy and Cooperation Between the HCCH and the ASEAN" which builds on previous work and provides a platform for future cooperation and joint initiatives.

- 7 ROAP continued its work actively promoting the expansion of HCCH Membership in the region, including close cooperation with authorities of Thailand and Mongolia, both of which have now been admitted and invited to deposit their respective instruments of acceptance of the HCCH Statute.

C. Participation in International Meetings & Events

- 8 On 2 November, ROAP attended the opening ceremony of the Hong Kong Legal Hub and the French Mission Building, which marked the launch of “Hong Kong Legal Week 2020” and the official launch of the “Vision 2030 for Rule of Law”.
- 9 On 12 and 13 November, ROAP and other PB colleagues participated remotely in the International Conference of the Judicial Policy Research Institute (JPRI) of the Republic of Korea on the International Commercial Litigation.
- 10 On 14 and 15 November, ROAP attended the annual Conference of the Chinese Society of Private International Law, with the Representative delivering a keynote speech on the HCCH and its latest developments, expressing appreciation for China’s active participation in the HCCH and noting the HCCH’s potential contribution to the Belt and Road Initiative.
- 11 On 17 November, ROAP participated in the Basic Law 30th Anniversary Legal Summit hosted by the Department of Justice (DoJ) of the Government of the Hong Kong SAR.
- 12 On 28 November, 4 December and 10 December, ROAP participated in a series of events to celebrate UNCITRAL Asia-Pacific Day at Wuhan University, the University of Macau and the University of Hong Kong. The Representative delivered presentations on collaboration between the HCCH, UNCITRAL and UNIDROIT during these conferences.
- 13 On 30 November 2020, ROAP presented at Dongguan University of Technology on the latest developments of the HCCH and private international law in Hong Kong, and participated in the Fifth Belt and Road Summit, jointly organised by the Government of the Hong Kong SAR and the Hong Kong Trade Development Council (HKTDC).
- 14 On 7 December 2020, ROAP attended a webinar given by the Secretary General in the context of the Hague Academy of International Law’s Advanced Course (rescheduled to 2021), which will be devoted to delving into the means and current practices of the settlement of international commercial disputes, including the HCCH and its work regarding dispute resolution, the current trends on international commercial dispute settlement and the programmes of the Hague Academy of International Law.

V. Challenges & Future Work

- 15 The COVID-19 pandemic has disrupted the lives of many around the world. Yet, amidst the difficult times, we rise to the challenges and aspire to carry on business as usual. Although some activities were conducted online and others have been postponed to 2021 or later, we have made every effort to ensure our important work continues as efficiently as possible.
- 16 The diverse cultural, religious, and legal traditions of States in the Asia-Pacific region continues to present a challenge for ROAP’s efforts to promote HCCH Conventions, especially in relation to family law matters. Diversity in the status of the domestic development of private international law among States in the region can also complicate the processing of studying, joining, and implementing HCCH Conventions and technical assistance is frequently required. Finally, the lack visibility of the work of the HCCH and HCCH Conventions remains an impediment. ROAP will continue its work to overcome these challenges, however its resource constraints (relying solely on voluntary contributions) make it difficult for ROAP to commit to long-term plans and strategies.

- 17 Throughout 2021, ROAP will continue to promote the HCCH and its core Conventions, developing strategies for strengthening the network of National Organs as well as Central and Competent Authorities in the region and enhancing the provision of post-Convention services. In September, ROAP will join the ASEAN Senior Law Officials Meeting (ASLOM) to present not only the HCCH and its work, but also the Service and Evidence Conventions in particular. In December, ROAP will support the preparation of the Hague Academy on International Law's advanced international law course. There are also plans for a joint symposium on the Child Abduction Convention with the Ministry of Foreign Affairs of Japan, in addition to workshops on implementing the APEC Online Dispute Resolution Collaborative Framework in Tokyo.