



# *Annual* Report

## 2017

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2017

# Foreword



The adoption of new Staff Rules for staff of the Permanent Bureau by the Members of the HCCH rang in a new era for the Organisation. Having recognised that the HCCH lagged behind in this regard, it was a key priority to provide staff with clear and comprehensive rules that define their status, conditions of service, their rights, duties and responsibilities. The Staff Rules entered into force on 1 January 2018. I see this as another milestone in the ongoing reform process of the HCCH's good governance framework.

2017 was a successful year for the Hague Conference on Private International Law (HCCH).

As an Organisation, we took further steps towards universality, welcoming the Republic of Kazakhstan as the 83rd Member. Moreover, the Hague Conventions continued to prove popular, with 17 new ratifications or accessions to eight Hague Conventions and one Protocol driving up the number of States connected to the HCCH to 150.

I am particularly pleased with the significant progress the Judgments Project made in the course of 2017. The Special Commission on the Recognition and Enforcement of Foreign Judgments met for the second and third time, and its Fourth Meeting is already scheduled for May 2018. Experts further advanced a comprehensive draft Convention, and all the hard work of the past years will hopefully culminate in a Diplomatic Session adopting the final text of the new Hague "Judgments Convention" in mid-2019.

In addition, the Experts' Groups on Parentage / Surrogacy and on the Recognition and Enforcement of Agreements in Family Matters continued their important work throughout the past year, and the Special Commission on the practical operation of the 1980 and 1996 Conventions held its Seventh Meeting in October 2017.

As foreshadowed in the Foreword to last year's annual report, the HCCH will celebrate its 125th Anniversary in 2018. The official ceremony will take place on 12 September 2018, the exact date 125 years after our founder, Tobias Asser, opened the first Diplomatic Session of the HCCH. I am excited at the prospect of welcoming the many friends and supporters of the HCCH to The Hague for this important and joyous occasion. Other events throughout 2018 will also honour this important date, including a global conference in Hong Kong to consider the role private international law can play in addressing the challenges, and taking advantage of the opportunities, our increasingly connected world presents. This event will be a unique opportunity to discuss the future of private international law as well as the evolution of the HCCH.

2018 will provide plenty of opportunities to look back at our achievements, but most importantly, we will look towards the bright future of the HCCH.

I wish to thank all my colleagues at the Permanent Bureau and all the many experts and delegates from the Members of the HCCH and interested Observers for their invaluable input throughout 2017 and for enabling the HCCH to continue to grow from strength to strength!

**Christophe Bernasconi**  
**Secretary General**  
March 2018

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# Highlights

## 29-31 March

2<sup>nd</sup> Inter-American meeting of Central Authorities and International Hague Network Judges on International Child Abduction  
*Panama City (Panama)*

## 14-16 June

Third meeting of the Experts' Group on cross-border recognition and enforcement of agreements in family disputes involving children  
*The Hague*

## 18-19 January

Launch of iSupport.  
First meeting of the iSupport Governing Body  
*The Hague*

## 23 May

Meeting of the Council of Diplomatic Representatives  
*The Hague*



JANUARY

FEBRUARY

MARCH

APRIL

MAY

JUNE

## 31 January - 3 February

Second meeting of the Experts' Group on the Parentage / Surrogacy Project  
*The Hague*

## 14-16 March

Meeting of the Council on General Affairs and Policy  
*The Hague*

## 12 June

International meeting addressing Issues of Domestic / Family Violence and the 1980 Hague Child Abduction Convention  
*London (United Kingdom)*

## 16-24 February

Second Meeting of the Special Commission on the Recognition and Enforcement of Foreign Judgments  
*The Hague*

## 14 June

Republic of Kazakhstan becomes the 83<sup>rd</sup> Member of the HCCH

# 2017

## 3 July

30<sup>th</sup> anniversary of the People's Republic of China's membership

## 10-17 October

Seventh Meeting of the Special Commission on the practical operation of the 1980 Child Abduction Convention and the 1996 Child Protection Convention  
*The Hague*

## 1 December

Meeting of the Working Group on the authentication of documents generated by supranational and intergovernmental organisations  
*The Hague*



JULY

AUGUST

SEPTEMBER

OCTOBER

NOVEMBER

DECEMBER

## 3-6 July

HCCH Asia Pacific Week 2017  
*Seoul (Republic of Korea)*

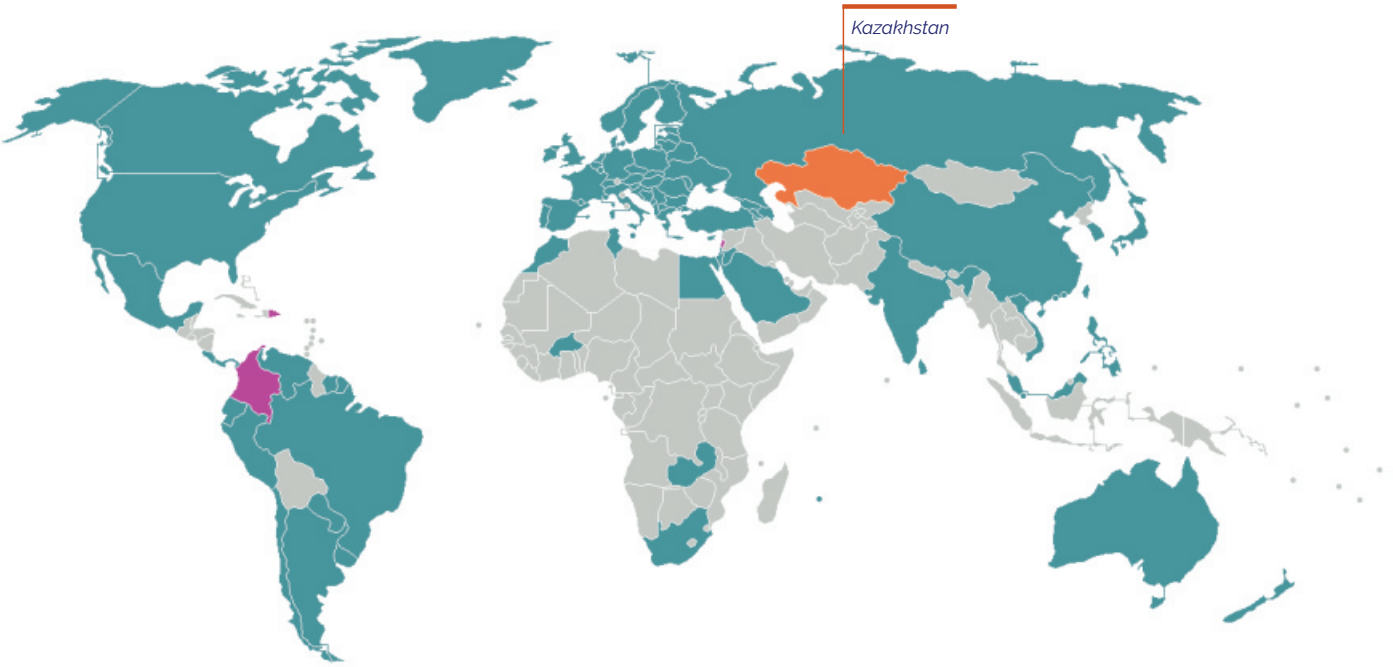
## 13-17 November

Third Meeting of the Special Commission on the Recognition and Enforcement of Foreign Judgments  
*The Hague*

## 20 August

20<sup>th</sup> anniversary of the Republic of Korea's membership

# Members



*Members joining in 2017*

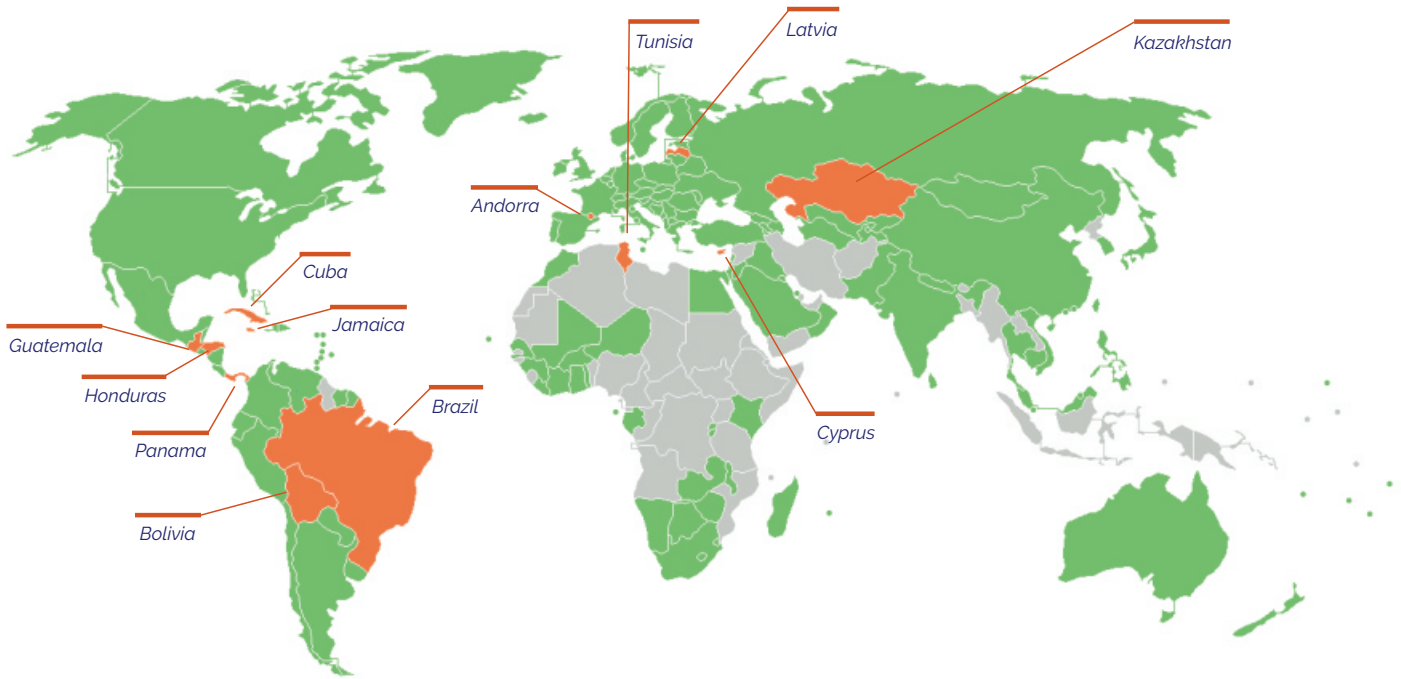


*Members*



*Admitted States (the membership of Colombia, Dominican Republic and Lebanon is currently subject to their acceptance of the Statute)*

# Ratifications & Accessions



## New Ratifications & Accessions to Hague Conventions in 2017

 *Ratifications & Accessions in 2017*

 *Other Connected Parties*

\* EIF: Entry into force in 2017

\*\* EIF: Entry into force in 2018

### 1961 Apostille Convention

Bolivia \*\*

Guatemala \*

Tunisia \*\*

### 1965 Service Convention

Andorra \*\*

Tunisia \*\*

### 1970 Evidence Convention

Andorra \*

### 1980 Child Abduction Convention

Jamaica \*

Tunisia \*

### 1985 Trusts Convention

Cyprus \*

Panama \*\*

### 1996 Child Protection Convention

Cuba \*

Honduras \*\*

### 2000 Protection of Adults Convention

Latvia \*\*

### 2007 Child Support Convention

Brazil \*

Honduras \*\*

Kazakhstan \*\*

### 2007 Maintenance Obligations Protocol

Brazil \*



**1**

New Member to  
the Hague Conference

# Facts

**3**

New Accessions  
1961 Apostille Convention

**1**

New Accession  
1970 Evidence Convention

**2**

New Accessions  
1965 Service Convention

**2**

New Accessions  
1980 Child Abduction Convention

**1+1**

New Accession / Ratification  
1985 Trusts Convention



**2**

New Accessions  
1996 Child Protection Convention

**2+1**

New Accessions / Ratification  
2007 Child Support Convention

**1**

New Ratification  
2000 Protection of Adults Convention

**1**

New Ratification  
2007 Maintenance Obligations  
Protocol





**3,277** ⇒ **3,771**  
in 2016 in 2017

Number of fans  
on Facebook

**3,299** ⇒ **3,708**  
in 2016 in 2017

Number of followers  
on LinkedIn

**832** ⇒ **1,055**  
in 2016 in 2017

Number of followers  
on Twitter

**€ 425,000** of  
monetary voluntary contributions  
for specific projects of the HCCH

**€ 35,000** of  
monetary voluntary contributions  
(Government of Argentina) for  
the operation of the Regional Office  
for Latin America and the Caribbean  
(ROLAC)

**€ 175,000** of  
monetary voluntary contributions  
(mainly from the Government of  
Hong Kong SAR) for the operation of  
the Regional Office for Asia and the  
Pacific (ROAP)



# Key Events

- 11 Experts' Group on the Parentage / Surrogacy Project
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- 16 Launch of the improved INCADAT
- 17 Meeting of the Working Group on the Authentication of Documents Generated by Supranational and Intergovernmental Organisations



## Experts' Group on the Parentage / Surrogacy Project



*Second meeting of the Experts' Group, 31 January-3 February 2017, Permanent Bureau, The Hague*

The Experts' Group on Parentage / Surrogacy held its second meeting in January-February 2017 in The Hague, continuing its work to explore the feasibility of establishing international rules in the area of legal parentage and the status of children, including those born of international surrogacy arrangements (ISAs). At the request of the Council on General Affairs and Policy, this second meeting of the Group focused primarily on recognition of legal parentage established in another State. The experts agreed in principle on the feasibility of developing a binding multilateral instrument dealing with the recognition of foreign judicial decisions on legal parentage, subject to further consideration of how such an instrument could operate. Owing to the complexity of the issues and the diversity of

approaches by States, the experts concluded that further consideration and discussion were needed with respect to (1) the recognition of legal parentage when recorded in a public document, and (2) the possible application of future agreed private international law rules on legal parentage to ISAs and in cases of assisted reproductive technology (ART). The Group will convene again in February 2018 to resume its work on these issues.



*Participants in the second meeting of the Experts' Group, 31 January-3 February 2017, Permanent Bureau, The Hague*

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## Second and Third Meetings of the Special Commission on the Recognition and Enforcement of Foreign Judgments



*Participants in the Second Meeting of the Special Commission on the Judgments Project, 16-24 February 2017, the Hague Academy of International Law (Peace Palace), The Hague*

The Special Commission on the Recognition and Enforcement of Foreign Judgments met for the second (16-24 February 2017) and third (13-17 November 2017) time in The Hague. The Meetings were chaired by Mr David Goddard QC of New Zealand. More than 180 experts, representing 58 and 57 Members respectively, as well as 25 and 19 Observers, participated. The Second Meeting proceeded from the basis of the June 2016 preliminary draft Convention and, after considering a paper on draft General and Final Clauses, negotiated a further version of the draft Convention. These negotiations continued in the Third Meeting, which also saw detailed negotiations concerning matters related to intellectual property. The Third Meeting produced the November 2017 draft Convention,

which will serve as a starting point for the Fourth Meeting to be held in May 2018. It is hoped that the Fourth Meeting will make sufficient progress so that a Diplomatic Session to finalise the Convention can be held in 2019.



*Participants in the Third Meeting of the Special Commission on the Judgments Project, 13-17 November 2017, the Hague Academy of International Law (Peace Palace), The Hague*

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## Third meeting of the Experts' Group on Cross-Border Recognition and Enforcement of Agreements in Family Disputes Involving Children



*Participants in the third meeting of the Experts' Group, 14-16 June 2017, Permanent Bureau, The Hague*

From 14 to 16 June 2017, the Experts' Group on cross-border recognition and enforcement of agreements in family disputes involving children met in The Hague for the third time. Under the chairmanship of Professor Paul Beaumont, University of Aberdeen, 28 experts continued earlier discussions on the nature and extent of the legal challenges arising in the context of recognition and enforcement of voluntary agreements reached in the course of international child disputes. As mandated by the 2016 Meeting of the Council on General Affairs and Policy, considerations focussed initially on a non-binding "navigation tool" which could provide best practices on how an agreement made in the area of family law involving children should be recognised and enforced in a foreign State under the 1980, 1996 and 2007 Hague Conventions, and which may also help with assessing the desirability and feasibility of developing a new binding instrument in this area. The experts recognised that, while the existing Hague Family Conventions do facilitate to a certain extent the cross-border recognition and

enforcement of these agreements, they do not address the specific issue of "package agreements" nor provide a simple, certain or efficient means for their enforcement. The Group also recognised that often, matters covered require the simultaneous application of more than one Hague Family Convention, while some elements of those package agreements are not within the scope of any of the existing Hague Family Conventions. This creates difficulties for the enforcement of package agreements, and the Experts' Group agreed to recommend to the 2018 Meeting of the Council on General Affairs and Policy to develop a new Hague Convention that would build on, and add value to, the above Conventions.

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## HCCH Asia Pacific Week 2017



From 3 to 6 July 2017, the Permanent Bureau, through its Regional Office for Asia and the Pacific (ROAP), held the HCCH Asia Pacific Week 2017 in Seoul (Republic of Korea). The Symposium, held in co-operation with the Ministry of Justice and the Supreme Court of Korea, commemorated the 20th anniversary of the Republic of Korea's membership of HCCH. The Symposium was attended by over 250 participants from over 20 jurisdictions from both within and outside the Asia Pacific region. The symposium sought to introduce relevant Hague Conventions to the Asia and Pacific region, share and exchange information on Convention-

related practices and experiences, and strengthen co-operation amongst participating States. The Symposium focused on child abduction, intercountry adoption, child protection and child support, Apostilles and the e-APP, international litigation and information technology, including service of documents by electronic means and use of video-conferencing to obtain evidence under the 1970 Evidence Convention, the 2005 Choice of Court Convention and the recent developments concerning the Judgments Project.



*Participants in the Symposium, 3-6 July 2017, Seoul (Korea)*

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## Seventh Meeting of the Special Commission on the practical operation of the 1980 Child Abduction Convention and the 1996 Child Protection Convention



*Participants in the Seventh Meeting of the Special Commission on the 1980 and 1996 Conventions, 10-17 October 2017, the Hague Academy of International Law (Peace Palace), The Hague*

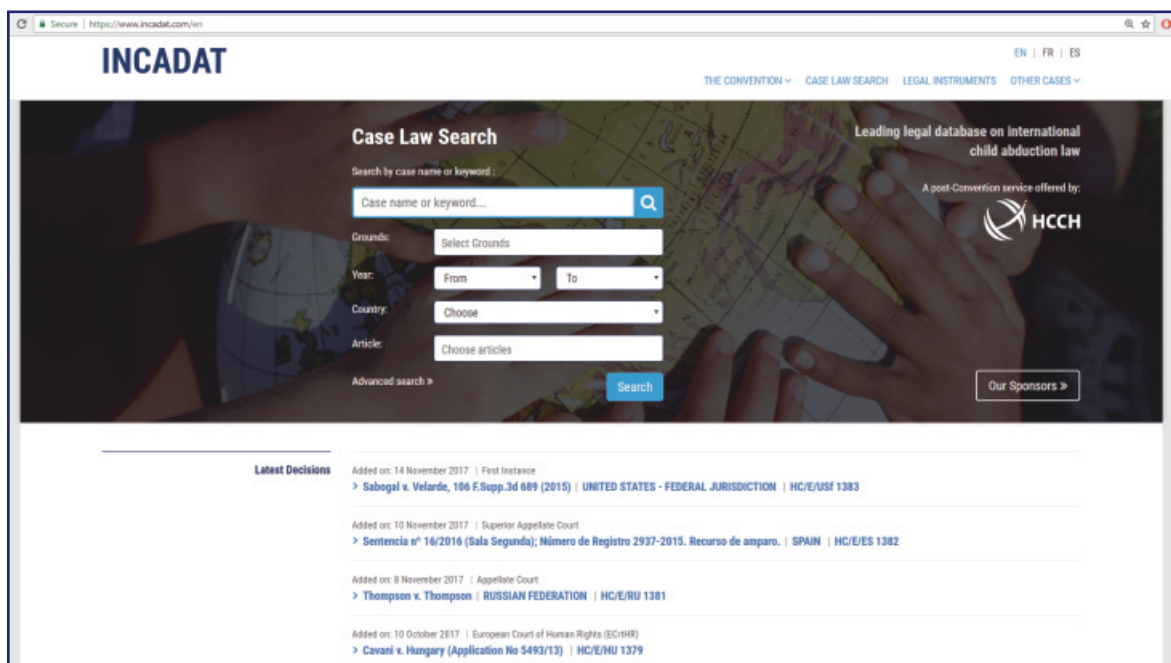
From 10 to 17 October 2017, the HCCH convened the Seventh Meeting of the Special Commission on the practical operation of the 1980 Child Abduction and the 1996 Child Protection Conventions. The meeting brought to The Hague over 290 experts from 72 Contracting and non-Contracting States, one Regional Economic Integration Organisation, as well as observers from 14 IGO / NGOs. Experts shared their experiences and discussed various issues regarding the interpretation and application of the two Conventions and could, for the first time during a Special Commission meeting, meet bilaterally at the offices of the Permanent Bureau to discuss practical operational issues in a confidential setting. The Special Commission meeting resulted in 82 Conclusions and Recom-

mendations adopted unanimously. In order to make relevant information in relation to the domestic implementation of the 1996 Convention readily accessible to competent authorities, the Special Commission also recommended the development of a Country Profile. Moreover, the Special Commission recommended that the Permanent Bureau modernise the return and access application model forms under the 1980 Convention.

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## Launch of the improved INCADAT



*The improved online-based International Child Abduction Database (INCADAT)*

On 16 October 2017, during the Seventh Meeting of the Special Commission on the practical operation of the 1980 Child Abduction Convention and the 1996 Child Protection Convention, Mr Christian Höhn, Head of the German Central Authority for the 1980 Child Abduction Convention, launched an improved online-based International Child Abduction Database (INCADAT). The improvements to INCADAT (< [www.incadat.com](http://www.incadat.com) >) are designed to enhance the searchability of the full content of judicial decisions, including by keyword. The modern, fresh look of the website is more user-friendly and supports use on mobile devices. A brand new content management system streamlines the editorial workflow and helps to ensure the currency of the database. The technical refurbishment was made possible by the generous financial assistance provided by the German Government and Miles & Stockbridge P.C.



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more information  
about INCADAT



## Meeting of the Working Group on the Authentication of Documents Generated by Supranational and Intergovernmental Organisations



*Participants in the meeting of the Working Group, 1 December 2017, Permanent Bureau, The Hague*

The Working Group on the Authentication of Documents Generated by Supranational and Intergovernmental Organisations met on 1 December 2017. The 36 experts reviewed the different practices with respect to authenticating documents generated by supranational and intergovernmental organisations across the Contracting Parties to the Apostille Convention, and considered possible approaches to authenticating these documents. They noted that while some organisations have experienced difficulties in having their documents authenticated, others have not encountered such situations. The Working Group therefore concluded that the most desirable way forward was not to impose any individual method, but to simply afford Contracting Parties a choice of three possible options. These options include the direct apostillisation of such documents by the Competent Authority of the host State, as well as the apostillisation of an authentication issued either by a notary of the host State or by a government office or authority

designated by the host State acting as an intermediary. In the latter two cases, the Apostille relates to the authentication of the notary or intermediary, which itself relates to the document of the supranational and intergovernmental organisation. The Working Group resolved that at this stage no further meetings are needed, and sought the approval of its Conclusions and Recommendations by the 2018 Meeting of the Council on General Affairs and Policy.

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# Governance

- 19 Meeting of the Council on General Affairs and Policy
- 19 Meeting of the Council of Diplomatic Representatives
- 19 HCCH Staff Rules
- 19 Appointment of a new Representative for the Regional Office for Asia and the Pacific





## Meeting of the Council on General Affairs and Policy

The 2017 Meeting of the Council on General Affairs and Policy took place from 14 to 16 March 2017, bringing together 162 participants from 67 Members, as well as observers from seven inter-governmental and non-governmental organisations. The meeting dealt with numerous issues, and set an ambitious work agenda for 2018. At the beginning of the meeting, Mr Antti Leinonen, Director of Legislation, Law Drafting Department, Ministry of Justice of Finland, handed over the chairmanship of the Council to Mr Andrew Walter, Assistant Secretary, Civil Law Unit, Australian Attorney-General's Department. Participants expressed their gratitude for Mr Leinonen's service and dedication to the HCCH.

## Meeting of the Council of Diplomatic Representatives

The 2017 Meeting of the Council of Diplomatic Representatives (CDR) took place on 23 May 2017. In addition to the approval of the Organisation's Budget for the Financial Year 2017-2018 (total Budget: € 4,150,710; total assessed contributions: € 4,097,210; total units: 82 Member States with 620 units – 372.5 units at € 6,835.16 and 247.50 units at € 6,267.12), the CDR dealt with a number of complex financial matters concerning the financial framework within which the HCCH operates. The CDR decided to continue to apply Dutch Accounting Standards (DAS) to the HCCH's operational Budget and all monetary voluntary contributions, while it approved International Public Sector Accounting Standards to be used for the HCCH Pension Reserve Fund (PRF). The CDR also adopted a new Strategic Asset Allocation for the PRF which should ensure the long-term viability of the fund for an estimated period of 75 years and which will be reviewed periodically. Finally, in line with the Financial Regulations of the HCCH, the CDR appointed PricewaterhouseCoopers as the HCCH's auditors for a term of five years (renewable).

## HCCH Staff Rules

After the adoption of the draft Staff Rules applicable to officials and personnel of the Organisation by the Members in early 2017, and following a period of close consultations between the Permanent Bureau and the Council of Europe, the Secretary General of the Hague Conference and the Deputy Secretary General of the Council of Europe, Ms Gabriella Battaini-Dragoni, signed on 24 November 2017 the Agreement to extend the jurisdiction of the Administrative Tribunal of the Council of Europe to the HCCH. The Administrative Tribunal becoming the apex of the Staff Rules' dispute resolution mechanism was the last step required for the entry into force of the Staff Rules, which occurred on 1 January 2018.

## Appointment of a new Representative for the Regional Office for Asia and the Pacific

On 1 August 2017, Mr Frank Poon, former Solicitor-General of Hong Kong SAR, China, succeeded Professor Anselmo Reyes as the Representative of ROAP in Hong Kong. The Secretary General announced Mr Poon's appointment during the 2017 HCCH Asia Pacific Week, and he took the opportunity to thank Professor Reyes wholeheartedly for his outstanding work in raising the visibility and profile of the HCCH in the Asia Pacific Region.

# Our People

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## Team of the Permanent Bureau

(per 31 December 2017)

Ms Caroline ARMSTRONG HALL  
*Temporary Legal Assistant*

Ms Hannah BAKER  
*Senior Legal Officer*

Ms Maryze BERKHOUT  
*Head of Finance / Senior Human Resources Officer*

Mr Christophe BERNASCONI  
*Secretary General*

Mr Frédéric BREGER  
*Legal Officer*

Ms Florencia CASTRO  
*Legal and Office Co-ordinator (ROLAC)*

Ms Mayela CELIS  
*Principal Legal Officer*

Ms Marie-Charlotte DARBAS  
*Information Manager*

Ms Lydie DE LOOF  
*Publications Co-ordinator*

Ms Marie DEPLEDT  
*Library Assistant*

Ms Willy DE ZOETE  
*Senior Administrative Assistant*

Ms Eugenia GENTILE  
*Finance / Human Resources Assistant*

Mr Ignacio GOICOECHEA  
*Representative (ROLAC)*

Ms Maja GROFF  
*Senior Legal Officer*

Mr Stuart HAWKINS  
*Website / IT Officer*

Mr Thomas JOHN  
*Attaché to the Secretary General / Principal Legal Officer*

Ms Anna KOELEWIJN  
*Head of Administration*

Mr Philippe LORTIE  
*First Secretary*

Ms Laura MARTÍNEZ-MORA  
*Principal Legal Officer*

Ms Aurélie MERCIER  
*Translator / Reviser*

Ms Laura MOLENAAR  
*Administrative Officer*

Ms Alix NG  
*Office Manager (ROAP)*

Ms Sophie PINEAU  
*Personal Assistant to the Secretary General*

Mr Frank POON  
*Representative (ROAP)*

Ms Mathilde PRÉNAS  
*Senior Administrative Assistant*

Mr Willem VAN DER ENDT  
*General Services Officer*

Ms Livia VAN DER GRAAF  
*Project Officer*

Mr Brody WARREN  
*Legal Officer*

Ms Ana ZANETTIN  
*Translator / Reviser / Administrative Assistant*

Ms Ning ZHAO  
*Senior Legal Officer*

### Consultants to the HCCH

#### **Consultants supporting Normative Work**

Mr Emmanuel GUINCHARD  
*Tourism Project*

Ms Julianne HIRSCH  
*Voluntary Agreements Project*

Ms Cara NORTH  
*Judgments Project*

Mr Michael WELLS-GRECO  
*Parentage / Surrogacy Project*

#### **Consultants supporting Governance & Operations**

Ms Helene GUERIN  
*Publications*

Mr Willem-Paul HERBER  
*Dutch certified public accountant*

### Secondments to the Permanent Bureau

Mr Keith LOKEN (*Lawyer, seconded to the Permanent Bureau (The Hague) from the Bureau of Consular Affairs, US Department of State, United States of America*)

Mr Seungwoo CHA (*Judge, seconded to the Permanent Bureau (The Hague) from the Supreme Court of the Republic of Korea*)

Ms Judy XIONG (*Lawyer, seconded to the Permanent Bureau (Regional Office for Asia and the Pacific) from the Ministry of Foreign Affairs, People's Republic of China*)

### iSupport

Mr Jean-Marc PELLET  
*iSupport Co-ordinator*

## Internship Programme at the HCCH

### Interns at the Office in The Hague, the Netherlands

Ms Sarah COCO (United States of America)	Ms Capucine PAGE (France)
Ms Alicia DURAN (Spain)	Ms Julie PHELINE (France)
Ms Morgane FRAPART (France)	Ms Caterina SCARABELLO (Italy)
Ms Alina GAGARIN (Israel)	Mr Andreas SHERBORNE (Australia)
Ms Mohadeseh JAHANGIRI (Iran)	Mr Haruki SHINODA (Japan)
Ms Nevena JEVREMOVIC (Bosnia Herzegovina)	Ms Anni-Maria TAKA (Finland)
Mr Chung Ho LEE (Republic of Korea)	Ms Christine TOMAN (Germany)
Ms Fanghan MA (People's Republic of China)	Ms Romina URSIC (Italy)
Ms Ana Carolina MASSARO (Brazil)	Ms Lenka VYSOKA (Czech Republic)
Ms Charlotte MOL (the Netherlands)	Ms Sharon ZERVAAS (the Netherlands and Spain)

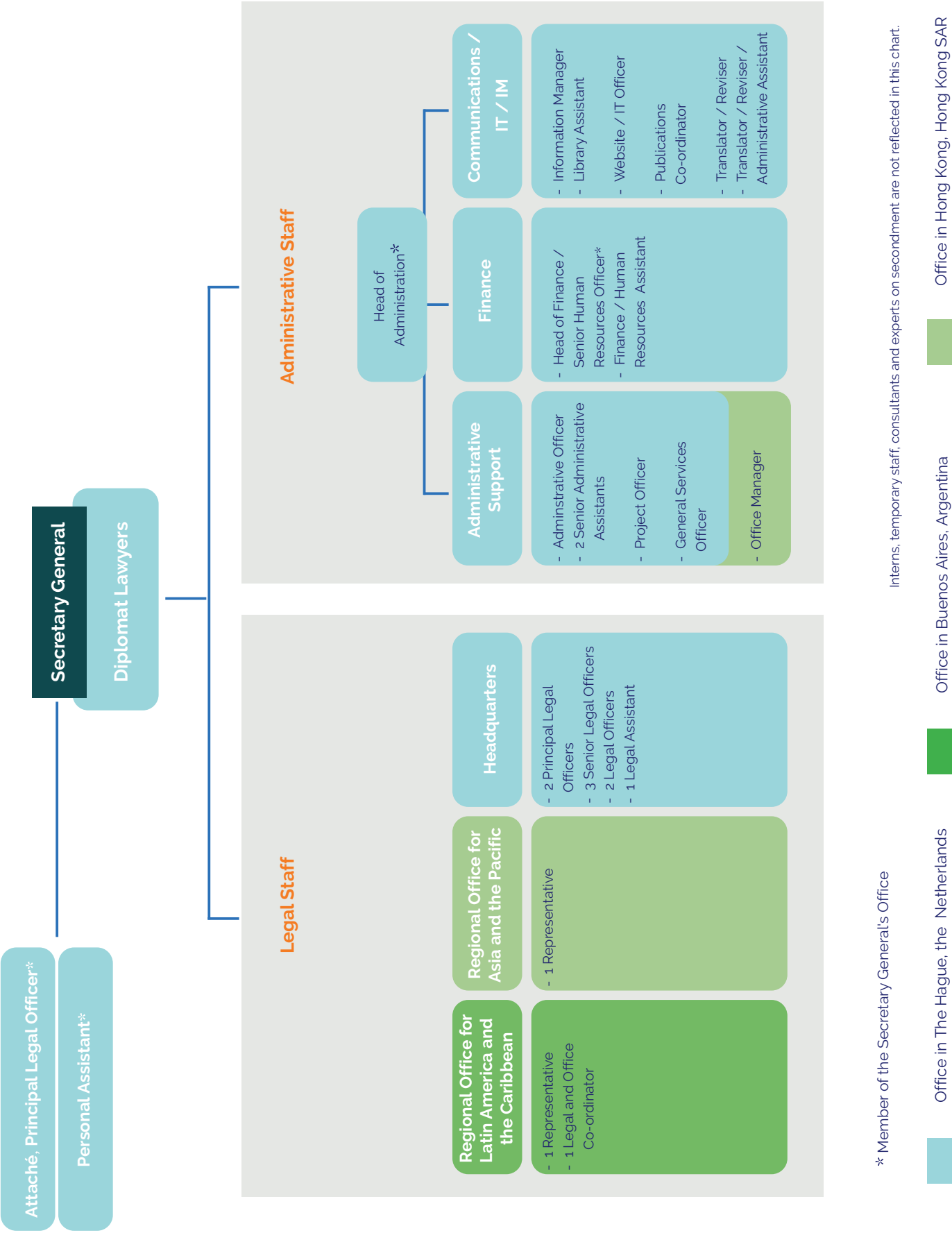
### Interns at the Regional Office for Latin America and the Caribbean (ROLAC) in Buenos Aires, Argentina

Ms Abril BARBEITO (Argentina)	Ms Micaela RIOS CONTRERAS (Argentina)
Mr Juan CÁCERES (Argentina)	Mr Pablo RUSSO GEISMAN (Argentina)
Ms Noralí NOGUERA (Argentina)	Ms María Melisa TORANZO MAGAZ (Argentina)
Mr Nicolás PAGE (Argentina)	Ms Nathalia ULLOA CASTILLO (Costa Rica)
Mr Emiliano POMBO (Colombia)	Ms Constanza VELAZQUEZ (Argentina)

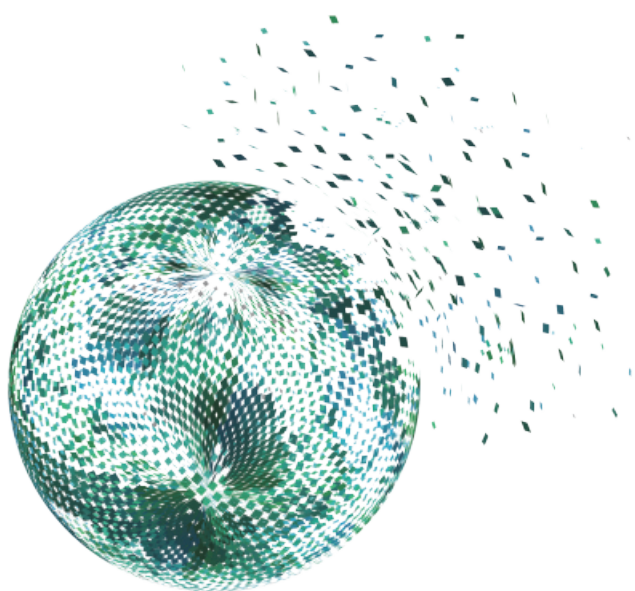
### Interns at the Regional Office for Asia and the Pacific (ROAP) in Hong Kong, Hong Kong SAR, People's Republic of China

Mr Juhyun AHN (Japan)	Ms LU Zhouyi (People's Republic of China)
Ms Hyun-Ji BAE (Republic of Korea)	Mr Al Asad Md. MAHFUZUL ISLAM (Japan)
Mr Purevdorj GANKHUYAG (Japan)	Ms Mai OSUMI (Japan)
Ms GU Menghan (People's Republic of China)	Ms QIAN Zejia (People's Republic of China)
Mr HONG Haoyi (People's Republic of China)	Ms Shiho SAKASITA (Japan)
Ms JI Ruijia (People's Republic of China)	Ms SHI Yi (People's Republic of China)
Mr Koki KOBAYSHI (Japan)	Ms Fuko UTSUGI (Japan)
Ms KONG Xiaotong (People's Republic of China)	Ms ZHOU Jingwen (People's Republic of China)
Ms LIU SONG Zian (People's Republic of China)	

Organisational chart of the Permanent Bureau (2017)







Hague Conference on Private International Law  
Permanent Bureau

6b, Churchillplein  
2517 JW The Hague  
The Netherlands

Tel.: +31 70 363 3303  
Fax: +31 70 360 4867  
e-mail: [secretariat@hcch.net](mailto:secretariat@hcch.net)  
Website: [www.hcch.net](http://www.hcch.net)

*Author:* Hague Conference on Private  
International Law

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ISBN 978-94-90265-80-9