

Title	Representation at the HCCH
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Annex	Annex I: Table of Chairs
Related Documents	N/A

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Representation at the HCCH

I. Introduction

- 1 In 2019, CGAP had a preliminary discussion on geographic representation at the HCCH, specifically related to regional groupings and the determination of Chairs of HCCH meetings. CGAP asked the PB to provide further information on past discussions on representation within the HCCH as well as the approaches of other international organisations.¹
- 2 In 2020, the PB prepared Prel. Doc. No 23 of January 2020 on regional groupings for the attention of CGAP.² This detailed the current HCCH model alongside other international organisations. CGAP did not reach consensus on an approach for regional groupings, with a number of delegations expressing concern around the risk of politicising the Organisation. CGAP agreed to retain the item on the agenda in 2021.³
- 3 In 2021, delegates suggested the PB facilitate informal consultations on regional groupings in an effort to provide direction and CGAP agreed to maintain the item on the agenda in 2022.⁴ In the context of this discussion, CGAP recalled the importance of ensuring appropriate gender representation.⁵ In light of these conclusions, CGAP requested the PB to provide a historical overview of geographic and gender representation in key bodies and groups of the HCCH.⁶
- 4 This document is intended to provide a comprehensive overview of geographic and gender representation among Chairs of HCCH meetings and within the PB staff. The complete overview of Chairs is included as Annex I.
- 5 This document considers geographic and gender representation *only*. The PB notes that any discussion on diversity, equity, and inclusion will necessarily extend beyond these two concepts. Further, the following is a surface-level statistical analysis of the available historical data. The PB acknowledges that representation also requires equal consideration of all opinions and experiences, by fostering an environment where those involved are freely and safely able to express their views and have access to equality of opportunity, without exclusion, preferential treatment, or discrimination. This also includes diversity at all levels of the Organisation.

II. Overview of Representation among Chairs of HCCH Meetings

A. Method

- 6 The PB has compiled a list of Chairs since 1 January 2010. It includes co-Chairs and excludes Vice Chairs. It considers only formal groups as defined by the Rules of Procedure:⁷ the Commissions of Diplomatic Sessions which draft normative instruments; CGAP; the Standing Committee of CDR;⁸ Special Commissions (SC), including both those that negotiate normative instruments and those that review the practical operation of Conventions; and Experts' Groups (EG) and Working Groups (WG). It excludes informal groups.
- 7 The number of Chairs was counted per mandate regardless of the length of term. For example, if a Chair of CGAP had a term of four years, this was considered as a single position. Similarly, if an

¹ C&R No 60 of CGAP 2019.

² This document did not go into detail about past discussions at the HCCH on geographic representation.

³ C&D No 52 of CGAP 2020.

⁴ C&D No 52 of CGAP 2021.

⁵ C&D No 53 of CGAP 2021.

⁶ C&D No 54 of CGAP 2021.

⁷ Rules of Procedure, Rule I.

⁸ The Council of Diplomatic Representatives (CDR) must be chaired by the Minister of Foreign Affairs of the Kingdom of the Netherlands (Art. 10(3), Statute) and has therefore not been included.

individual was a Chair of an Experts' Group and a related Working Group, this is counted as two positions as the subsequent Working Group required a second mandate from CGAP to continue work. When there have been multiple succeeding Chairs in a single position or co-Chairs to a single meeting, these have been counted separately.

8 The period starting from 2010 to the present was chosen for the statistical analysis in this Preliminary Document as, following a substantial increase in the period 2000 to 2010, Membership growth has been consistent since this time.

B. Findings

9 A discussion on representation at the HCCH should be considered against the background of its Membership. As of 1 December 2021, there were 90 Members. The breakdown is as follows:

Africa	8 Members	8.9%
Americas	17 Members	18.9%
Asia Pacific	21 Members	23.3%
Europe	44 Members	48.9%

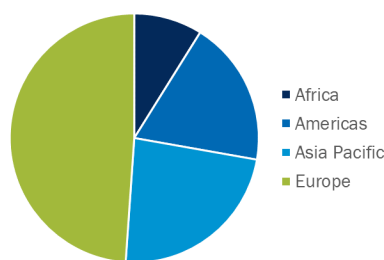


Figure 1

10 There have been 52 meetings since 1 January 2010 that have had a Chair. The breakdown is as follows:

Africa	3	5.8%
Americas	14	26.9%
Asia Pacific	18	34.6%
Europe	17	32.7%
Female	16	30.8%
Male	36	69.2%

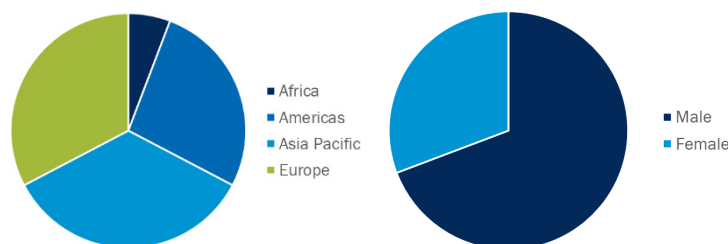


Figure 2

11 Based on these figures alone, Africa and Europe are underrepresented based on their proportion of the Membership.

12 However, within the regional groupings, there are a small number of Members that are overrepresented. Of the Europe group, 47% were Swiss (8), and there was no other Chair from a State outside the European Economic Area (EEA). Similarly, for Asia Pacific, 50% were from Australia (5) or New Zealand (4) and for the Americas, 57% were from the United States (5) or Canada (3). These five Members have collectively chaired 48% of meetings in the reporting period.

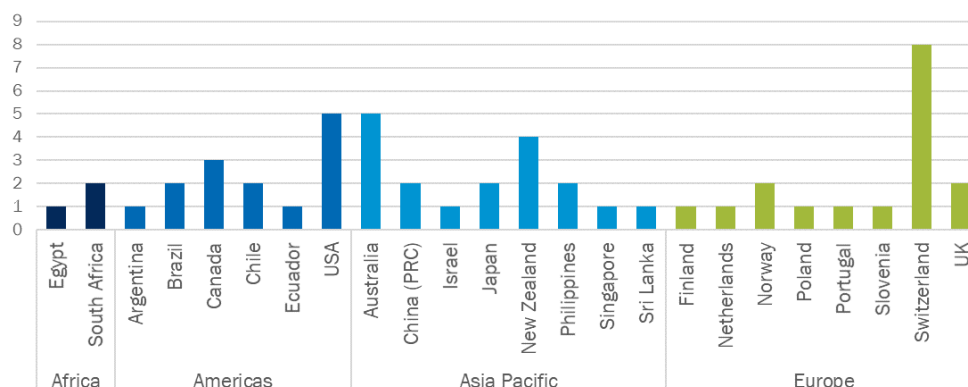
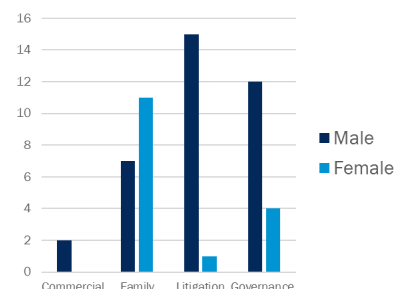


Figure 3

- 13 Of the HCCH’s current Membership, 66 have not held a Chair position since 2010. In 2021, four Members were represented for the first time.
- 14 Men tend to be overrepresented, with more than double the number of male Chairs than female Chairs since 2010. In addition, gender representation is disproportionate within the categories of HCCH work. The breakdown is as follows:

	Commercial	Family	Litigation	Governance
Female	0	11	1	4
Male	2	7	15	12

Figure 4



- 15 Women are well represented in the family law space with 11 of the total 16 Chairs in this area. Comparatively, the transnational litigation and legal cooperation area had its first female Chair in 2021.⁹
- 16 Similarly, within these categories, women have chaired more Working and Experts’ Groups rather than the larger format meetings. The breakdown is as follows:

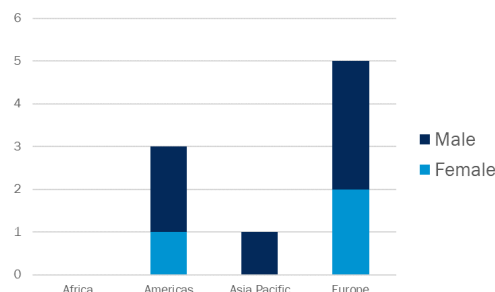
	Working Group	Experts’ Group	Diplomatic Session	Special Commission	CGAP	Standing Committee
Female	7	5	0	4	0	0
Male	15	8	1	7	2	3

Figure 5

- 17 Of the active Chairs in ongoing legal work (both normative and non-normative), the breakdown is as follows:

Africa	0	0%
Americas	3	33.3%
Asia Pacific	1	11.1%
Europe	5	55.6%
Female	3	33.3%
Male	6	66.7%

Figure 6



- 18 Within this group, Switzerland and the United States both have two Chairs.

III. PB Staff Breakdown

- 19 As of 1 December 2021, with funding from the core Budget, the PB had:
- 26 permanent staff members in The Hague.
 - 2 temporary staff members in The Hague.
 - 2 permanent staff members in Buenos Aires.

⁹ To the PB’s knowledge, this includes meetings preceding 2010.

20 Additionally, with funding from other sources, the PB had:

- a. 1 project-specific staff member in The Hague.
- b. 2 full-time secondees in The Hague.
- c. 2 permanent staff members in Hong Kong SAR.
- d. 1 full-time secondee in Hong Kong SAR.

21 Of the abovementioned 36 staff members, the breakdown is as follows:¹⁰

Africa	0	0%
Americas	9	25%
Asia Pacific	9	25%
Europe	18	50%
Female	22	61.1%
Male	14	38.9%

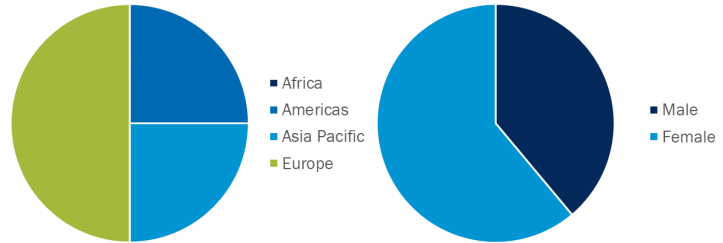


Figure 7

22 Of the staff members in The Hague that are paid from the core Budget, the breakdown is as follows:¹¹

Africa	0	0%
Americas	7	25%
Asia Pacific	4	14.3%
Europe	17	60.7%
Female	19	67.9%
Male	9	32.1%

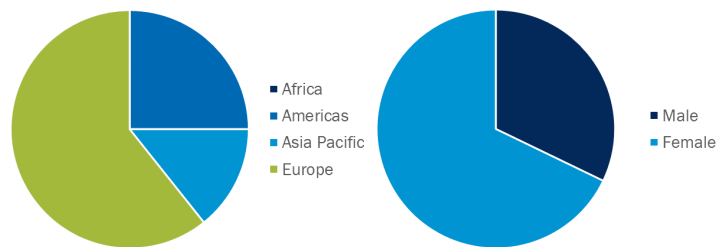


Figure 8

23 Within each of the regional groupings, there is a nationality that makes up a significant proportion. For the Americas, 3 of 7 are from the United States; for Asia Pacific, 2 of 4 are from Australia; and for Europe, 7 of 17 are from France.

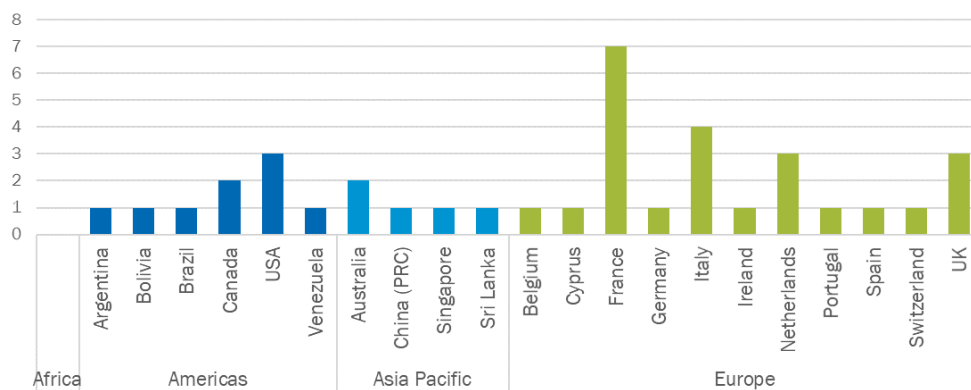


Figure 9

24 While the majority of staff members in The Hague identify as female, the proportion of women is concentrated in the administrative team. Of the administrative staff, 80% identify as female (incl. the Head of Administration and Head of Finance) and 20% identify as male. Of the legal staff, 54%

¹⁰ For staff members with dual nationality, regions have been determined by primary nationality.
¹¹ Regions are determined by primary nationality.

identify as female and 46% identify as male. Among the five Diplomat Lawyers, 40% identify as female and 60% identify as male.

25 The internship programme, which is supported solely by voluntary contributions, included 16 nationalities represented among 18 interns in 2021.¹² This included 8 nationalities that are not otherwise represented among PB staff members. Of the interns, 78% identify as female and 22% identify as male.

IV. Assessment and Conclusions

26 In practice, potential Chairs are informally approached by the PB. In undertaking this task in the future, the PB intends to increase its focus on inclusiveness in the form of representation of individual Members as well as regional groupings. A focus on inclusiveness also encompasses gender representation and, in the selection of Chairs, consideration should be given to both geographic and gender representation.

27 In relation to staffing, the PB proposes taking a more active approach to recruiting staff from underrepresented Members. The PB also intends to take an active approach to ensuring representation across all levels of staff.

V. Proposal for CGAP

28 The PB invites CGAP to:

- a. Continue to discuss the current regional groupings used by the HCCH.
- b. Mandate the PB to actively seek appropriate representation across the geographic regions, and within underrepresented Member States, when proposing Chairs of meetings of the HCCH.
- c. Mandate the PB to actively seek appropriate representation across genders when proposing Chairs of meetings of the HCCH.
- d. Invite the PB to implement measures relating to diversity, equity, and inclusion in the recruitment of staff.
- e. Ask the PB to report to CGAP regularly on representation.

¹² Including those with dual nationality.

ANNEX

Annex I: Table of Chairs

<i>Meeting</i>	<i>Year Commenced</i>	<i>Meeting Type</i>	<i>Category</i>	<i>Gender</i>	<i>Nationality</i>	<i>Region</i>
Council on General Affairs and Policy	2010	CGAP	Governance	Male	Finland	Europe
Special Commission on the practical operation of the 1993 Adoption Convention	2010	Special Commission	Family	Female	Canada	Americas
Working Group of Members	2010	Working Group	Governance	Female	Canada	Americas
Working Group on Choice of Law in International Contracts	2010	Working Group	Commercial	Male	Switzerland	Europe
Special Commission on the practical operation of the 1980 Child Abduction and 1996 Child Protection Convention	2011	Special Commission	Family	Male	Canada	Americas
Experts' Group on the Financial Aspects of Intercountry Adoption <i>1993 Adoption, Co-Chair</i>	2012	Experts' Group	Family	Female	Philippines	Asia Pacific
Experts' Group on the Financial Aspects of Intercountry Adoption <i>1993 Adoption, Co-Chair</i>	2012	Experts' Group	Family	Male	Switzerland	Europe
Experts' Group on the Judgments Project	2012	Experts' Group	Litigation	Male	New Zealand	Asia Pacific
Special Commission on Choice of Law in International Contracts	2012	Special Commission	Commercial	Male	Switzerland	Europe
Special Commission on the practical operation of the 1961 Apostille Convention	2012	Special Commission	Litigation	Male	Argentina	Americas
Experts' Group on Family Agreements	2013	Experts' Group	Family	Female	Netherlands	Europe
Working Group on the Judgments Project	2013	Working Group	Litigation	Male	New Zealand	Asia Pacific
Working Group on the Guide to Good Practice on Article 13(1)(b) <i>1980 Child Abduction</i>	2013	Working Group	Family	Female	Australia	Asia Pacific
Working Group on Technical Assistance	2013	Working Group	Governance	Female	United States of America	Americas

<i>Meeting</i>	<i>Year Commenced</i>	<i>Meeting Type</i>	<i>Category</i>	<i>Gender</i>	<i>Nationality</i>	<i>Region</i>
Experts' Group on the Recognition and Enforcement of Foreign Protection Orders	2014	Experts' Group	Family	Female	South Africa	Africa
Special Commission on the practical operation of the 1965 Service, 1970 Evidence, and 1980 Access to Justice Conventions	2014	Special Commission	Litigation	Male	United States of America	Americas
Working Group on Financial Matters and Budgetary Practices	2014	Working Group	Governance	Male	Sri Lanka	Asia Pacific
Working Group on Financial Matters and Budgetary Practices	2014	Working Group	Governance	Male	Switzerland	Europe
Working Group on the Service and Evidence Handbooks <i>1965 Service, 1970 Evidence</i>	2014	Working Group	Litigation	Male	United States of America	Americas
Experts' Group on Family Agreements	2015	Experts' Group	Family	Male	United Kingdom	Europe
Experts' Group on the Use of Video-Link and other Modern Technologies in the Taking of Evidence Abroad <i>1970 Evidence</i>	2015	Experts' Group	Litigation	Male	Australia	Asia Pacific
Special Commission on the practical operation of the 1993 Adoption Convention	2015	Special Commission	Family	Female	Philippines	Asia Pacific
Working Group on Financial Matters and Budgetary Practices	2015	Working Group	Governance	Male	Norway	Europe
Experts' Group on the Parentage / Surrogacy Project	2016	Experts' Group	Family	Female	Switzerland	Europe
Special Commission on the Judgments Project	2016	Special Commission	Litigation	Male	New Zealand	Asia Pacific
Special Commission on the practical operation of the 1961 Apostille Convention	2016	Special Commission	Litigation	Male	China, People's Republic of	Asia Pacific
Standing Committee of the Council of Diplomatic Representatives	2016	Standing Committee	Governance	Male	United Kingdom	Europe

<i>Meeting</i>	<i>Year Commenced</i>	<i>Meeting Type</i>	<i>Category</i>	<i>Gender</i>	<i>Nationality</i>	<i>Region</i>
Working Group on Illicit Practices <i>1993 Adoption</i>	2016	Working Group	Family	Female	United States of America	Americas
Working Group on the Staff Rules	2016	Working Group	Governance	Male	Switzerland	Europe
Special Commission on the practical operation of the 1980 Child Abduction and 1996 Child Protection Convention <i>Co-Chair</i>	2017	Special Commission	Family	Female	Switzerland	Europe
Special Commission on the practical operation of the 1980 Child Abduction and 1996 Child Protection Convention <i>Co-Chair</i>	2017	Special Commission	Family	Female	Israel	Asia Pacific
Working Group on the Authentication of Documents Generated by Supranational and Intergovernmental Organisations <i>1961 Apostille</i>	2017	Working Group	Litigation	Male	China, People's Republic of	Asia Pacific
Council on General Affairs and Policy	2018	CGAP	Governance	Male	Australia	Asia Pacific
Working Group on Secretaries General	2018	Working Group	Governance	Male	Australia	Asia Pacific
Working Group on the Strategic Plan	2018	Working Group	Governance	Male	Australia	Asia Pacific
Working Group on the Strategic Plan	2018	Working Group	Governance	Female	Chile	Americas
Working Group on Rules of Procedure	2018	Working Group	Governance	Male	Poland	Europe
Experts' Group on the Protection of Tourists	2018	Experts' Group	Litigation	Male	Ecuador	Americas
Twenty-Second Diplomatic Session	2019	Diplomatic Session	Litigation	Male	New Zealand	Asia Pacific
Experts' Group on International Transfer of Maintenance Funds <i>2007 Child Support</i>	2019	Experts' Group	Family	Male	Brazil	Americas
Experts' Group on the Protection of Tourists	2019	Experts' Group	Litigation	Male	South Africa	Africa

<i>Meeting</i>	<i>Year Commenced</i>	<i>Meeting Type</i>	<i>Category</i>	<i>Gender</i>	<i>Nationality</i>	<i>Region</i>
Standing Committee of the Council of Diplomatic Representatives	2019	Standing Committee	Governance	Male	Brazil	Americas
Working Group on Regional Framework	2019	Working Group	Governance	Female	Chile	Americas
Experts' Group on Jurisdiction	2020	Experts' Group	Litigation	Male	Japan	Asia Pacific
Working Group on Administrative Cooperation <i>2007 Child Support, Co-Chair</i>	2020	Working Group	Family	Female	Norway	Europe
Working Group on Administrative Cooperation <i>2007 Child Support, Co-Chair</i>	2020	Working Group	Family	Male	United States of America	Americas
Experts' Group on the e-APP and New Technologies <i>1961 Apostille</i>	2021	Experts' Group	Litigation	Female	Slovenia	Europe
Special Commission on the practical operation of the 1961 Apostille Convention	2021	Special Commission	Litigation	Male	Singapore	Asia Pacific
Standing Committee of the Council of Diplomatic Representatives	2021	Standing Committee	Governance	Male	Egypt	Africa
Working Group on Applicable Law <i>2007 Maintenance Protocol</i>	2021	Working Group	Family	Male	Switzerland	Europe
Working Group on draft Practical Handbook <i>2000 Protection of Adults</i>	2021	Working Group	Family	Male	Portugal	Europe
Working Group on Jurisdiction	2021	Working Group	Litigation	Male	Japan	Asia Pacific