

### Council on General Affairs and Policy of the Conference – March 2019

<b>Document</b>	Preliminary Document <input checked="" type="checkbox"/> Information Document <input type="checkbox"/>	No 2 A of October 2018
<b>Title</b>	Report of the Experts' Group on the Parentage / Surrogacy Project (meeting from 25 to 28 September 2018)	
<b>Author</b>	Experts' Group on the Parentage / Surrogacy Project	
<b>Agenda item</b>	Item III.2	
<b>Mandate(s)</b>	C&R Nos 6-7 of the March 2018 Council on General Affairs and Policy of the HCCH	
<b>Objective</b>	To report on the fourth meeting of the Experts' Group, in particular on progress made in relation to the Parentage / Surrogacy Project in the area of parentage generally	
<b>Action to be taken</b>	For Approval <input type="checkbox"/> For Decision <input checked="" type="checkbox"/> For Information <input type="checkbox"/>	
<b>Annexes</b>	List of participants of the fourth meeting of the Experts' Group on the Parentage / Surrogacy Project	
<b>Related documents</b>	<ul style="list-style-type: none"> <li>- Prel. Doc. No 3A of February 2015, 3B and 3C of March 2014 and C&amp;R No 5 of the March 2015 Council on General Affairs and Policy</li> <li>- Prel. Doc. No 3 of February 2016 and C&amp;R No 15 of the March 2016 Council on General Affairs and Policy</li> <li>- Prel. Doc. No 2 of February 2017 and C&amp;Rs No 8-10 of the March 2017 Council on General Affairs and Policy</li> </ul>	

**REPORT OF THE EXPERTS' GROUP ON THE PARENTAGE / SURROGACY PROJECT  
(MEETING OF 25-28 SEPTEMBER 2018)**

**A. INTRODUCTION**

1. From 25 to 28 September 2018, the Experts' Group on Parentage / Surrogacy ("the Group") met in The Hague. This fourth meeting was attended by 21 experts, one observer and members of the Permanent Bureau of the Hague Conference on Private International Law ("HCCH"). The Experts represented 20 States from various regions. The list of participants is included as an Annex.
2. The meeting took place in accordance with the Conclusions and Recommendations reached by the Council on General Affairs and Policy of the HCCH ("Council") at its last meeting in March 2018. At this meeting, the Council welcomed the Report of the Group and its recommendations made at the conclusion of its third meeting in February 2018. Moreover, the Council agreed on the need to convene a fourth meeting focusing on the private international law (PIL) issues surrounding legal parentage in general and, a fifth meeting focusing specifically on legal parentage arising in cases of international surrogacy arrangements (ISAs).<sup>1</sup>
3. The Group considered the following matters during its fourth meeting:
  - a) the possibility of accepting foreign public documents on legal parentage;
  - b) the possibility of recognising legal parentage established abroad where there is no judicial decision;
  - c) whether there is a need for, and, if so, whether it is possible to reach agreement on uniform applicable law rules on legal parentage, including how any such rules might operate together with public documents; and
  - d) refined provisions regarding the cross-border recognition, by operation of law, of foreign judicial decisions concerning legal parentage.
4. The meeting did not address issues relating to ISAs, as those will be considered at the upcoming fifth meeting.
5. The Group discussed the above matters in light of the recent legal developments at the national, regional and international levels with respect to legal parentage.

**B. THE NEED FOR COMMON SOLUTIONS**

6. The Group recalled that the absence of uniform PIL rules on legal parentage can lead to limping parentage across borders in a number of cases and can create significant problems for children<sup>2</sup> and families. The Group further recalled that uniform PIL rules can assist States in resolving these conflicts and can introduce safeguards for the prevention of fraud involving public documents, while ensuring that the diverse substantive rules on legal parentage of States are respected. Any new instrument should aim to provide predictability, certainty and continuity of legal parentage in international situations for all persons involved, taking into account their fundamental rights, the *UN Convention on the Rights of the Child* and in

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All HCCH documents on the Parentage / Surrogacy Project mentioned in this Report are available on the HCCH website at < [www.hcch.net](http://www.hcch.net) > under "Parentage / Surrogacy".

<sup>1</sup> See "Conclusions and Recommendations of the Council on General Affairs and Policy of the Conference (13-15 March 2018)", C&R Nos 6 to 7, available on the HCCH website at < [www.hcch.net](http://www.hcch.net) >, under "Governance" then "Council on General Affairs and Policy".

<sup>2</sup> Experts have agreed that a possible future instrument should apply to any person (Report of the Experts' Group (EG) on the Parentage / Surrogacy Project (meeting of 6-9 February 2018), para. 7). However, in order to avoid misunderstandings, the term "child" is used in this Report to refer to the person whose legal parentage is being determined. When the term child is meant to refer only to children below the age of 18, this is specified if it is not fully clear from the context.

particular the best interests of children. The Group agreed that any international instrument would need to be developed with a view to complementing the existing Hague Family Conventions and to attracting as many States as possible.

7. The Group confirmed that the three primary methods of establishing legal parentage across most States are: (1) by operation of law; (2) following an act of (an) individual(s);<sup>3</sup> and (3) by decision of a State authority (usually judicial).<sup>4</sup>

8. As in the majority of cases legal parentage is not established by a judicial decision, the Group discussed possible methods to facilitate the continuity of legal parentage when it arises by operation of law or following an act of (an) individual(s). Any method considered in a possible future instrument should be kept as simple as possible in order to be of added value for families and easy for States to implement. The Experts also agreed that a combination of different approaches might be most effective.

## **C. POSSIBLE METHODS TO ENSURE CROSS-BORDER CONTINUITY OF LEGAL PARENTAGE IN THE ABSENCE OF A JUDICIAL DECISION**

### **1. In the absence of uniform applicable law rules in a possible future instrument**

9. The Group discussed two possible methods to ensure cross-border continuity of legal parentage in the absence of uniform applicable law rules in a possible future instrument and where there is no decision of a State (usually judicial) authority.

*a) Acceptance of a public document as rebuttable evidence of the legal parentage recorded therein (with or without conditions for acceptance)*

10. The Group discussed the possibility of adopting an approach in a possible future international instrument which would ensure that a public document (typically, a birth certificate or an act of acknowledgement of parentage) recording<sup>5</sup> a child's parentage, issued by one State, would be accepted by all Contracting States<sup>6</sup> to the possible instrument as *evidence* of the legal parentage. This evidence of legal parentage could be rebutted by the presentation of contrary evidence, and the procedure for challenging the content of the document would be governed by the law of the requested Contracting State, *i.e.*, this State's law, including its PIL rules on establishment and contestation of legal parentage.

11. This approach would support a general objective of simplifying the administrative formalities to facilitate and enhance the acceptance of public documents. Simplification of the requirements for presenting in a State public documents issued in another State should bring tangible benefits to children. In addition, it may provide for a more structured framework in cases of reasonable doubt, particularly if co-operation mechanisms were included in a possible future instrument.

12. The Group agreed that this approach would, for many States, be a codification of existing practice and, in this respect, it would not meet the overarching aims of the work of the Group already identified: in particular, it would not ensure continuity of legal parentage cross-border, nor would it significantly improve the current situation.

<sup>3</sup> Typically, an acknowledgement of parentage.

<sup>4</sup> Report of the EG on the Parentage / Surrogacy Project (meeting of 15-18 February 2016), para. 8.

<sup>5</sup> For the purposes of this project, "record" (as a verb) is used to only mean that the document contains a reference to who the parents of a child are.

<sup>6</sup> Whether this would need to be a Contracting State or could also be a non-Contracting State was not an issue determined at this stage by the Group. Such a system could be limited to relations between Contracting States or could work universally (*erga omnes*).

13. The Group also discussed the possibility of a variant to the acceptance approach described above in which the competent authority of the requested State would have to verify that certain conditions have been met before the foreign public document could be accepted as evidence of legal parentage. Compliance with such conditions would provide greater assurance to the requested State. Some Experts suggested that the process could be made easier if these conditions were framed as grounds for non-acceptance instead. The Group, however, highlighted that the fundamental problems with the acceptance approach identified in paragraph 12 above would not be resolved by this variant. It might moreover be burdensome to implement.

14. The Group agreed that although this approach (with or without conditions for acceptance) could be implemented in practice, it would not in itself achieve the aims. Some Experts were of the opinion that this method could however be useful in conjunction with the methods discussed below.

*b) Cross-border recognition of legal parentage established by operation of law or following the act of (an) individual(s)*

15. The possible cross-border recognition of legal parentage established by operation of law or following the act of (an) individual(s)<sup>7</sup> was also discussed by the Group.

16. Under the proposed "recognition method", the recognising State would not determine whether legal parentage exists according to its own applicable law rules, but rather would determine whether the legal relationship validly established abroad can be recognised by operation of law in the requested State subject to safeguards.

17. In order to recognise legal parentage, the requested State would require confirmation that legal parentage has been validly established in the State of origin. One way to facilitate recognition could be that the valid establishment of legal parentage is confirmed and certified by a competent authority of the State of origin, either in a form chosen by that State or by a standard stamp or other form of validation of existing documents agreed in a possible future international instrument. Alternatively, a new type of standard document, such as an international certificate of parentage, might be developed to confirm that legal parentage has been validly established in the State of origin, and might prevent confusion with existing public documents and avoid undermining the weight currently given to them. Such a certificate might be optional and available only on request subject to an appropriate fee. Some Experts suggested that each State should have discretion to designate its competent authorities and to decide on the procedure used to issue such a certificate as long as the State's implementation complies with the requirements of an instrument.

18. Some Experts stressed the advantages of this approach in terms of its simplicity and potential to meet the aims of a possible future instrument. The Group also noted that such an approach would provide a mechanism for recognition of legal parentage without a judicial decision or uniform applicable law rules.

19. Some Experts identified the following challenges with such an approach:

- Thought would need to be given to rules of jurisdiction (whether direct or indirect), so that there would be agreement as to which State (or States) is (are) competent to determine legal parentage. Some Experts noted that it is easier to agree on indirect grounds of jurisdiction. Other Experts, however, stressed the advantages of direct grounds of jurisdiction, possibly in combination with uniform applicable law rules, to avoid multiple determinations creating limping parentage.
- The Group noted that under this recognition method, parentage might still be open to contestation in accordance with the applicable law on legal parentage of the requested State.

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<sup>7</sup> Without the active intervention of a decision-making authority.

- Some Experts were of the opinion that this method might require substantial changes in current practices for certain States.

20. Some Experts expressed concerns that issuing such an international certificate would create new demands on the competent authorities. Consideration was therefore given to the workability of this method without the support of such a certificate.

21. The Group identified a number of questions that would need to be analysed further, in particular, appropriate jurisdictional filters and grounds for refusal of recognition. Some Experts suggested that a recognition rule together with uniform applicable law rules would more effectively facilitate the continuity of legal parentage.

22. Some Experts believed that such an approach would be beneficial, possibly in combination with an acceptance method concerning public documents (see above), a new international certificate on legal parentage, and / or with uniform applicable law rules. However, there were mixed views as to whether such an approach would be feasible.

#### Formal validity of public documents

23. The Group agreed that whether to have rules on the formal validity of public documents in a possible future instrument could not be determined prior to knowing in more detail the overall approach of this instrument. However, the Group noted the importance of legalisation / Apostille in combatting fraud and forgery. The Group also discussed the possibility of relying on multilingual standard forms to facilitate the translation of foreign public documents, and there was general agreement that although such forms might be useful in a possible future instrument (depending on the approach ultimately adopted), they should not be mandatory.

### **2. With uniform applicable law rules in a possible future instrument**

24. With a uniform applicable law approach, States considering legal parentage would apply an agreed applicable law to determine who is / are the child's legal parent(s). The Group agreed that this method would help ensure the continuity of legal parentage cross-border.

25. The Group discussed whether different applicable law rules would be required depending upon:

- the method used to establish legal parentage, *i.e.*, by operation of law or by an act of acknowledgement of parentage; and
- the time at which the question of legal parentage arises in the child's life, *i.e.*, whether at the time of birth or subsequently.

26. In terms of which law should be applied to the question of legal parentage arising by operation of law, the Group agreed that the following connecting factors warranted further consideration:

(a) The State of the child's birth:

The Group considered that the primary advantage of this connecting factor was that, in the majority of cases, it is proximate to both the child and putative legal parent(s) (as it would usually be the State of the family's habitual residence and possibly the State of nationality of the putative legal parent(s) and / or the child). In addition, it was noted that all States agree on registering children immediately after birth and congruence between that State and the law that is applied to establish legal parentage might be helpful.<sup>8</sup> Thus, applying the law of the State of birth to the question of the child's legal

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<sup>8</sup> This results from "the clear obligation placed on States Parties to multiple international human rights instruments to register all children immediately after birth" (see the "Study of Legal Parentage and the Issues Arising from International Surrogacy Arrangements", Prel. Doc. No 3 C of March 2014 for the attention of the Council of April 2014 on General Affairs and Policy of the HCCH, paras 3 to 10 and 67 to 68). It may subsequently also happen in the State of nationality of the putative legal parents and / or child.

parentage would mean that the State authorities would be able to apply their own law (and not a foreign law) to the question of the child's legal parentage. Moreover, the Group noted that this connecting factor was certain, clear and unchanging.

The primary disadvantage of this connecting factor was identified to be the fact that if a question of legal parentage arises later in a person's life, he / she may no longer have a proximate connection with the State of birth. In addition, the Group noted that in a minority of cases, even at the time of the child's birth, this State may not have a proximate connection to the child and / or putative legal parent(s). This could arise, for example, in cases of forum shopping or birth during a holiday abroad.

(b) The State of the child's habitual residence at the time of birth:

The Group noted that this connecting factor might help to ensure proximity between the child and the State whose law on legal parentage is applied. However, there may be difficulty in determining the habitual residence of a (new-born) baby. Given the lack of uniform interpretation on this question, this may give rise to uncertainty as to which law should be applied (if different conclusions are reached on the issue of the child's habitual residence by different States).

(c) The State with which the child has a real and substantial connection:

Some Experts suggested the State with which the child has a real and substantial connection, with the possible use of presumptions, as a possible connecting factor. This connecting factor could be useful when the child's State of birth or State of habitual residence is unknown or cannot be determined; or if the State of birth is chosen as the primary connecting factor, and the child was born in that State accidentally or in other exceptional circumstances where the State of birth was not felt to be proximate. Some Experts raised the risk of unpredictability in applying such a connecting factor.

27. The Group underlined that, in the vast majority of cases, the State of birth of the child would usually be the State of his / her habitual residence and thus the distinction between these two connecting factors should not be over-emphasised. In this regard, several Experts observed that it might be possible to combine these connecting factors such that the law of the State of the child's birth could be applied provided that it was also the law of the State of the habitual residence of the child<sup>9</sup> (to ensure proximity and mitigate any forum shopping concerns). If these two matters did not coincide, a different – perhaps a subsidiary – connecting factor could apply (e.g., the law of the State of the habitual residence of the person who gave birth to the child or the law of the State with which the child has a real and substantial connection).

28. It was agreed that it would need to be further discussed whether the same applicable law rule would apply at the time of the child's birth and also to later establishments of legal parentage.

29. In terms of legal parentage arising following the act(s) of (an) individual(s), Experts discussed the potential need for uniform applicable laws as to the substantive validity of an act and its formal validity. The Group discussed possible connecting factors including the State of habitual residence or nationality of the author of the act. Several Experts recommended the same connecting factor as that which is selected for legal parentage established by operation of law in order to avoid the application of different laws at the same moment in time.

30. Experts considered the need to add safeguards and caveats to any uniform applicable law rule and, noted that any possible future instrument would include a public policy exception.

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<sup>9</sup> Or possibly provided that it was also the law of the State of habitual residence of the person who gave birth (to avoid the concerns about establishing the habitual residence of a (new-born) child).

31. The Group identified the following challenges with the use of applicable law rules:
- The fact that some States are not used to applying foreign law to the question of legal parentage (currently applying the *lex fori*). The Group considered that this challenge might be mitigated to a certain extent by selecting a connecting factor which would result in the application of the *lex fori* in the vast majority of cases (*e.g.*, such as using the law of the State of birth). It was also noted that other Hague Conventions (*e.g.*, the 1996 Hague Child Protection Convention) have overcome such challenges.
  - How such rules would operate together with public documents and whether these documents could be relied upon in conjunction with uniform applicable law rules. Reference was made here to the inspiration which might be drawn from the 1978 Hague Marriage Convention.
  - Whether the exclusion of *renvoi* would help to ensure predictability and certainty in the establishment of legal parentage.
  - Some Experts were of the opinion that this method would require substantial changes in current practices for certain States.
32. The Group also noted that further consideration would need to be given as to whether the same applicable law rule would also be applied in a contestation of legal parentage.
33. Some Experts believed that uniform applicable law rules would be beneficial, possibly in combination with an acceptance method concerning public documents (see section C. 1. a) above), a new international certificate on legal parentage and / or recognition of legal parentage established by operation of law or following the act of (an) individual(s) (see section C. 1. b) above). However, there were mixed views as to whether such an approach would be feasible.

#### **D. POSSIBLE METHODS TO ENSURE CROSS-BORDER CONTINUITY OF LEGAL PARENTAGE ESTABLISHED BY JUDICIAL DECISION**

##### **1. The recognition of foreign judicial decisions on legal parentage: refined provisions**

34. The Group recalled its previous discussions and noted that there was general agreement on the feasibility of developing a binding multilateral instrument dealing with the recognition of foreign judicial decisions on legal parentage<sup>10</sup>. This regime should occur by operation of law and be subject to the satisfaction of certain indirect grounds of jurisdiction in the State where the decision was issued.

##### *a) Jurisdictional filters*

35. The Group agreed that alternative indirect grounds of jurisdiction would be beneficial and feasible.

36. The Group identified the following possible alternative grounds:

- the child or person who is the subject of proceedings had his / her habitual residence in the State rendering the decision; or
- the respondent had his / her habitual residence in the State rendering the decision.

37. These two possible grounds may not be sufficient to address all cases, and therefore another ground was proposed: a "real and substantial connection" between the respondent or the subject matter of the proceedings and the State where the decision was issued. The Group noted that the discretionary nature of this ground may potentially reduce the requisite clarity and certainty.

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<sup>10</sup> Cases of ISAs will be dealt with at the fifth meeting and were not specifically discussed but, of course, such an approach would need to be considered with those cases in mind.

38. Experts discussed other possible grounds of indirect jurisdiction: where a respondent has submitted to the jurisdiction either expressly or by defending the merits of the case without objecting to the jurisdiction at the first available opportunity, and where there has been agreement to the jurisdiction in writing by the parties. Some Experts believed that, in light of the subject matter of the proceedings (legal parentage) which relates to a key matter of personal status and identity, such a ground might not be suitable.

39. The Group further discussed whether the identified connecting factors could be used as direct grounds for jurisdiction. Some Experts noted that, if the Group agreed on having uniform applicable law rules to complement a recognition regime, direct grounds of jurisdiction would seem more appropriate. It was also noted that direct grounds of jurisdiction would prevent duplication of litigation and be particularly appropriate in the context of contestation of parentage. This would need to be considered further once the *overall* structure, design and scope of a possible future instrument are agreed.

*b) Material scope*

40. The Group reaffirmed its view that various matters such as maintenance, succession, nationality and other matters covered by existing Hague Conventions be excluded from the scope of a possible future instrument.

41. There was an initial discussion on the possible inclusion of domestic adoptions (where both the child and the (prospective) adoptive parents are habitually resident in the same State),<sup>11</sup> including second parent adoptions. Most Experts agreed that it would be appropriate to recognise such cases under a possible future instrument on legal parentage. Furthermore, some Experts recommended that if the recognition of domestic adoptions were included, it should be based on grounds for non-recognition / conditions for recognition corresponding to basic safeguards in the adoption procedure.

42. Some Experts raised the possible inclusion of intercountry adoptions when one or both States are not Party to the 1993 Hague Intercountry Adoption Convention but Experts had different views as to whether it would be appropriate to deal with this matter in a possible future instrument. The Group reaffirmed, however, that it is essential that the 1993 Hague Convention, and its aims of ensuring that adoptions take place in the best interests of children and preventing illicit practices, are not undermined in any way by a new instrument. It would be crucial that any new instrument is not used as a tool to avoid the safeguards under the 1993 Hague Convention and that it not discourage States from joining the 1993 Hague Convention. It was agreed that this issue required further discussion and careful consideration.

*c) Grounds for refusal of recognition*

43. In regard to the public policy exception, the Group discussed how it could possibly work under a possible future instrument. There was general agreement on the necessity of the inclusion of a public policy clause. It should be framed consistently with previous Hague Family Conventions in that it should be expressed to take into account the best interests of the child. The Group discussed that the application of the public policy exception might render a child parentless in certain circumstances and was of the view that this concern could be addressed in an Explanatory Report accompanying a possible future instrument rather than in the public policy exception in the text of a possible future instrument. There was also

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<sup>11</sup> Domestic adoptions in this Report is to be understood in comparison with intercountry adoption as defined in Art. 2 of the 1993 Hague Intercountry Adoption Convention ("a child habitually resident in one State has been, is being, or is to be adopted by spouses or a person habitually resident in another State"). For more information on this, please see HCCH, *Habitual Residence and the Scope of the 1993 Hague Convention on Protection of Children and Co-operation in respect of Intercountry Adoption*, The Hague, 2018 and the *HCCH Report on cross-border recognition of domestic adoptions* to be published, in principle, before the end of 2018 on the HCCH website.



consensus that public policy includes principles of procedural fairness. Some Experts suggested that not providing the child an opportunity to be heard should be a separate ground. Other Experts thought that this would be covered by the general public policy exception and, as such, could be addressed in an Explanatory Report accompanying a possible future instrument.

44. It was agreed that further consideration of other grounds for refusal of recognition (such as fraud, inconsistent judgments or parallel proceedings) would still be needed.

*d) Incidental questions*

45. There was general agreement that incidental questions should be included within the scope of a possible future instrument only if:

- the decision on the incidental question is a judicial determination of legal parentage; and
- the judicial determination has *erga omnes* effect under the law of the Contracting State rendering the judgment.

*e) Possible co-operation provisions*

46. The Group discussed possible co-operation provisions to assist with the recognition by operation of law of judicial decisions on legal parentage. Some Experts noted that Country Profiles would be helpful in order to provide information about the law and procedures of a State provided that States keep these Profiles up to date. A number of Experts indicated that direct judicial communications might also be a helpful mechanism to support the practical operation of any multilateral instrument, particularly in cases where there is a legal challenge that might lead to non-recognition. The Group further considered that once the overall scope of any possible future instrument is determined, consideration should, at that time, be given to possible types of co-operation.

## **E. CONCLUSIONS AND RECOMMENDATIONS**

47. The Group will meet for the fifth time from 29 January to 1 February 2019 to discuss the feasibility of future work relating to legal parentage arising in cases of international surrogacy arrangements and / or assisted reproductive technologies.

48. The Group reserved its final conclusions and recommendations on future work pending the results of that meeting.



October 2018

**FOURTH MEETING OF THE EXPERTS' GROUP  
ON THE PARENTAGE / SURROGACY PROJECT**

*From 25 to 28 September 2018*

**Final List of Participants**

**MEMBERS / MEMBRES**

**ARGENTINA**

Ms Nieve RUBAJA, Professor of Private International Family Law and Researcher, University of Buenos Aires, Buenos Aires

**AUSTRALIA**

The Honourable Mr John PASCOE, AC CVO, Chief Justice, Family Court of Australia, Canberra

**CANADA**

Ms Marie RIENDEAU, Counsel, Constitutional, Administrative and International Law Section, Department of Justice, Ottawa

**CHINA, PEOPLE'S REPUBLIC OF**

Ms Yingying WU, China University of Political Science and Law, Beijing

**FRANCE**

Ms Sophie MAITRE, *Bureau du droit des personnes et de la famille (C1), Direction des affaires civiles et du Sceau*, Ministry of Justice, Paris

**GERMANY**

Mr Rolf WAGNER, *Ministerialrat*, Head of Division for Private International Law, *Bundesministerium der Justiz und für Verbraucherschutz*, Berlin

**INDIA**

Ms K.C. SOWMYA, Senior Legal Officer, Legal & Treaties Division, Ministry of External Affairs, New Delhi

Dr. Luther RANGREJI, Counsellor (Legal), Embassy of India, The Hague

**ISRAEL**

*Excusé / unable to attend*

**ITALY**

Ms Laura CARPANETO, Associate Professor of European Law, University of Genoa, Genoa (*via videoconference*)

**JAPAN**

Ms Yuko NISHITANI, Professor of Private International Law, Kyoto University, Kyoto

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Ms María Mercedes ALBORNOZ, External Adviser to the Office of the Legal Adviser, Ministry of Foreign Affairs; Professor, Department of Legal Studies, *Centro de Investigación y Docencia Económicas (CIDE)*, Mexico City

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Ms Susan RUTTEN, Professor on Islamic Family Law in European context and Associate Professor of Private International Law, Faculty of Law, Maastricht University, Maastricht

**NEW ZEALAND**

Ms Margaret CASEY, Q.C., Auckland

**PHILIPPINES**

Ms Elizabeth AGUILING-PANGALANGAN, Professor of Private International Law; Director, Institute of Human Rights, University of the Philippines, College of Law, Quezon City

**RUSSIAN FEDERATION**

Prof. Olga A. KHAZOVA, Faculty of Law, The Moscow School of Social and Economic Sciences; Faculty of Law, National Research University "Higher School of Economics"; Vice-Chair of the Committee on the Rights of the Child, Moscow (*via videoconference – attending Wednesday 26 September*)

**SOUTH AFRICA**

*Excusé / unable to attend*

**SPAIN**

Ms Cristina GONZÁLEZ BEILFUSS, Professor of Private International Law, Universidad de Barcelona, Barcelona

**SWEDEN**

Mr Michael HELLNER, Professor of Private International Law, Stockholm University, Faculty of Law, Stockholm (*attending Tuesday 25 and Wednesday 26 September*)

**SWITZERLAND**

Ms Joëlle SCHICKEL-KÜNG, Co-Head of the Private International Law Unit, Federal Office of Justice (OFJ), Berne (**Chair of the Fourth meeting of the Experts' Group**)

**UKRAINE**

Mrs Lyudmyla RUDA, Head of the Unit on the Conclusion of International Treaties on Legal Assistance, Deputy Head of Division on International Legal Assistance, Department of International Law, Ministry of Justice, Kyiv

**UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND**

Ms Natalie BERRY, Policy Advisor - International Law, British Embassy, The Hague (*attending Thursday 27 September*)

**UNITED STATES OF AMERICA**

Ms Lisa VOGEL, Attorney Adviser, US Department of State, Overseas Citizens Services, Office of Legal Affairs, Washington, DC

**INTERGOVERNMENTAL AND NON-GOVERNMENTAL ORGANISATIONS****COUNCIL OF EUROPE**

*Excusé / unable to attend*

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Ms Anne-Marie HUTCHINSON, OBE, QC (HON), Partner, Dawson Cornwell, Solicitors, London

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