AFFAIRES GÉNÉRALES ET POLITIQUE
GENERAL AFFAIRS AND POLICY

Projet d'ordre du jour
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HccH
HAGUE CONFERENCE ON
PRIVATE INTERNATIONAL LAW
CONFÉRENCE DE LA HAYE
DE DROIT INTERNATIONAL PRIVÉ

PROJET D'ORDRE DU JOUR

proposé par le Bureau Permanent

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DRAFT AGENDA

proposed by the Permanent Bureau

Conseil sur les affaires générales
et la politique de la Conférence d'avril 2007

Council on General Affairs
and Policy of the Conference of April 2007

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DRAFT AGENDA
MEETING OF THE COUNCIL ON
GENERAL AFFAIRS AND POLICY OF THE CONFERENCE[1]

(2-4 April 2007)

I. Follow-up on the results of the Twentieth Session of the Conference (see Final Act of the Twentieth Session, 30 June 2005)

1. Parts A and B: Convention on Choice of Court Agreements.

   Oral remarks by the Secretariat.

2. Part C: Amendments to the Statute and related decisions taken by the Session.

   The Secretary General will present oral remarks.

II. Admission of the European Community to the Conference (see Final Act of the Twentieth Session, part C.6)

3. Decision to be taken in conformity with Article 3 of the amended Statute.

III. Preparation of the Twenty first Session of the Conference

4. Preparation of a Convention on the International Recovery of Child Support and other Forms of Family Maintenance (see Final Act, Nineteenth Session, under C.1).

   Progress report on the development of a new international instrument on the International Recovery of Child Support and other Forms of Family Maintenance.

IV. Round table on progress made concerning the ratification of and accession to Conventions

5. Convention adopted by the Nineteenth Session (2002): *Convention of 5 July 2006 on Law Applicable to Certain Rights in respect of Securities held with an Intermediary.*

6. Conventions adopted by the Eighteenth Session (1996) and by the Special Commission with a Diplomatic Character (1999):

   (a) *Convention of 19 October 1996 on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in respect of Parental Responsibility and Measures for the Protection of Children;* and

   (b) *Convention of 13 January 2000 on the International Protection of Adults*.

7. Conventions adopted by previous Sessions:

   the following Conventions are proposed, in particular, for discussion:

   (a) *Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents;*

[1] Preliminary documents will follow at a later date.

(b) *Convention of 15 November 1965 on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters*;

(c) *Convention of 18 March 1970 on the Taking of Evidence Abroad in Civil or Commercial Matters*;

(d) *Convention of 25 October 1980 on International Access to Justice*;

(e) *Convention of 14 March 1978 on Celebration and Recognition of the Validity of Marriages.*

V. Promotion, monitoring, assistance and support of Conventions: Conventions in the areas of commercial and finance law, and on legal co-operation and litigation

8. *Report on the activities on the Conventions on legal co-operation and, in particular,* Apostille*, Service Abroad and the Taking of Evidence (see Final Act, Nineteenth Session, under C.4.a) and b)*:

(a) Progress report on the e-Apostille Pilot Program;

(b) Practical Handbook on the Service Convention: publication in other languages than English and French;

(c) seminars and (judicial) training activities.

9. *Report on regional expansion and development, including Report by the Legal Liaison Officer for Latin America*.

VI. Promotion, monitoring, assistance and support of Conventions: Conventions on International Protection of Children, Vulnerable Adults, International Family and Family Property Relations

10. *Report on the activities in relation to the Conventions of 1980, 1993 and 1996 and, in particular:*

(a) Special Commission of October-November 2006 on the practical operation of the International Child Abduction Convention and the implementation of the 1996 Convention, including progress in relation to Guides to Good Practice;

(b) progress with the implementation assistance programme for the 1993 Convention and follow-up on the Special Commission of 2005 on the Practical operation of the 1993 Convention;

(c) INCADAT, INCASTAT and iChild;

(d) seminars and (judicial) training activities.

11. *Report on regional expansion and development, including Report by the Legal Liaison Officer for Latin America.*

VII. Promotion, education and training – establishing a systematic Hague Conference international training programme; a Hague Conference International Centre for Judicial Studies and Technical Assistance

12. *The Secretariat will offer oral remarks.*

VIII. Future work: new topics

13. *Under this heading there will be a discussion of any new topics which may be suggested by the governments, the international organisations or the Permanent Bureau.*

The Secretary General suggests that, if possible, the Council prioritise two topics for which there is a pressing global need for future work, both in the areas of either commercial and finance law or legal co-operation and litigation, and in the field of international protection of children, vulnerable adults, international family and family property relations, including successions.

See Annex I for:

– topics retained in the Conference's agenda for future work (Final Act of the Nineteenth Session, under C.3);

– topics informally suggested to the Permanent Bureau.

Reports will be presented on the feasibility studies:

- on the development of an instrument concerning choice of law in international contracts;
- on cross-border mediation in family matters;
- on the development of a new instrument for cross-border co-operation concerning the treatment of foreign law.

IX. Organisation of the work of the Conference (see Final Act, Nineteenth Session under B)

14. The Strategic Plan.

Report on progress by the Secretariat.

15. Proposed Budget for Financial Year LIII (1 July 2007 – 30 June 2008).

Proposed Budget for Financial Year LIII (1 July 2007 – 30 June 2008) and Explanatory Notes.

16. Supplementary Budget for Financial Year LIII (1 July 2007 – 30 June 2008).

Proposed Supplementary Budget for Financial Year LIII (1 July 2007 – 30 June 2008) and Explanatory Notes.

X. Co-operation with other international organisations

17. Co-operation with UNCITRAL and UNIDROIT.

The Secretariat will offer oral remarks.

18. Co-operation with other international organisations.

The Secretariat will offer oral remarks.

ANNEX I

Final Act of the Nineteenth Session, Part C.3:

"**C The following Decisions on matters pertaining to the Agenda of the Conference –**

(...)

3. Decides to retain in the Conference's Agenda for future work –

a) questions of private international law raised by the information society, including electronic commerce,

and, without priority –

b) the conflict of jurisdictions, applicable law and international judicial and administrative co-operation in respect of civil liability for environmental damage,

c) jurisdiction, and recognition and enforcement of decisions in matters of succession upon death,

d) jurisdiction, applicable law, and recognition and enforcement of judgments in respect of unmarried couples,

e) the law applicable to unfair competition,

f)[1] assessment and analysis of transnational legal issues relating to indirectly held securities and security interests, taking into account in particular the work undertaken by other international organisations."

Topics informally suggested to the Permanent Bureau:[2]

- continuation of the Judgments Project, possibly through additional Protocols to the Convention on Choice of Court Agreements, a model law or model (bilateral) agreements;
- formulation of "principles of choice of law" for international contracts;
- development of a practical guide on comparative private international law (on a country-by-country or subject-by-subject basis);
- development of model bilateral agreements to facilitate the implementation of (multilateral) Hague Conventions;
- questions of private international law in relation to intellectual property issues;
- the international recovery of assets relevant to criminal law enforcement as well as to ordinary claims, and which is related to aspects of provisional and protective measures;

[1] As amended by the Special Commission on General Affairs and Policy of 1-3 April 2003.

[2] See, in particular, Preliminary Document No 20 for the attention of the Nineteenth Session: "Observations concerning the Strategy of the Hague Conference – Observations made by other international organisations and observations made in a personal capacity in response to the Secretary General's letter of 30/31 July 2001".

- legal issues relating to economic migrants;
- questions in relation to status of children (excluding adoption), in particular recognition of parent-child relationships (*filiation*);
- international mediation in family matters;
- Conventions (or model laws) on the law applicable to specific contracts (barter transactions; trading in futures on a stock exchange);
- cross-border regulatory issues: how to preserve, through international co-operation and mutual enforcement, the integrity of the growing variety of regulatory systems in a converging world;
- development of a worldwide system for administrative and judicial co-operation concerning exchange of information on foreign law.