



EC-HCCH Joint Conference on the Cross-border Protection of Vulnerable Adults

Agenda of the Joint Conference
European Commission ~ Hague Conference on Private International Law
Brussels, 5-7 December 2018

Venue : Albert Borschette Conference Centre (CCAB), Room 0A, Rue Froissart 36, 1040 Brussels, Belgium

Wednesday 5 December 2018 (*afternoon*)

1.00–2.30 p.m. *Reception of participants.*

2.30–2.45 p.m. Welcoming words by:
- Tiina Astola, Director General, Directorate-General for Justice and Consumers, European Commission.
- Christophe Bernasconi, Secretary General, Hague Conference on Private International Law (HCCH).

2.45–3.45 p.m. **Panel I – The need for an international and regional legal framework for the Cross-border Protection of Vulnerable Adults – Point of view from organisations with a normative and / or research function**

Moderator: Eric Clive, Honorary Professor, School of Law, Edinburgh University, Scotland, UK, former member of the Scottish Law Commission, President of the HCCH Special Commission with a diplomatic character on the Protection of Adults.

Organisations represented and Panellists:

United Nations Organisation (UN) – 2006 Convention on the Rights of Persons with Disabilities - Catalina Devandas Aguilar, UN Special Rapporteur on the rights of persons with disabilities (by video).

HCCH – 2000 Hague Convention on the International Protection of Adults – Philippe Lortie, First Secretary, HCCH.

European Parliament (EP) – Joelle Bergeron, MEP, Rapporteur on the Protection of Vulnerable Adults.

European Commission (EC) – Andreas Stein, Head of Civil Justice Unit, Directorate-General for Justice and Consumers, EC.

Council of Europe (CoE) – Judge Brigitte Konz, District Court, Luxembourg, former Chair of the Council of Europe Steering Committee for Human Rights (CDDH).

European Law Institute (ELI) – Pietro Franzina, Associate Professor of International Law, Università di Ferrara, Reporter on the ELI project on the Protection of Adults.

3.45–4.30 p.m. Discussion

4.30–4.45 p.m. *Tea break*

4.45–5.45 p.m. **Panel II – The need for an international and regional legal framework for the Cross-border Protection of Vulnerable Adults – Point of view from organisations providing services and / or protection**

Moderator: Gerard Quinn, Professor of law, Wallenberg Chair, Wallenberg Institute (Lund University) & research chair, Leeds University.

Organisations represented and Panellists:

Dementia Alliance & Alzheimer Disease International – Kate Swaffer, Chair, CEO & Co-founder, Dementia Alliance International, and Board member, Alzheimer's Disease International.

AGE Platform Europe - Anne-Sophie Parent, Secretary General.

Leading figure in global banking – Philippe Legrand, CEO and Founder London and Capital Asia, former Deputy CEO BNP Paribas Wealth Management, North Asia, former Executive Director ABNAMRO Private Banking North Asia, former Executive Director Rabobank Private Banking Asia.

STEP - Richard Frimston, Partner Russell-Cooke.

UINL – Me José Marqueño de Llano, President of the International Union of Notaries (UINL).

5.45–6.30 p.m. Discussion

6.30 p.m. *Cocktail*

Thursday 6 December 2018 (*morning*)

9.00–10.00 a.m. **Panel III – Experience in non-State Parties and recent State Parties on the implementation in domestic law of the 2000 Convention on the International Protection of Adults**

Moderator: Christophe Bernasconi, Secretary General, HCCH.

States represented and Panellists:

Hungary – Kornél Tóth, Counsellor, Central Authority, Department of Child Protection and Guardianship Affairs, Ministry of Human Capacities of Hungary.

Ireland – Aine Flynn, Director of Decision Support Service, Mental Health Commission of Ireland.

Latvia – Linda Strazdina, Ministry of Justice of Latvia.

Portugal – Paula Távora Vítor, Professor, Faculty of Law - University of Coimbra, Portugal.

10.00–10.45 a.m. Discussion

10.45–11.00 a.m. *Coffee Break*

11.00 a.m.–12.00 p.m. **Panel IV – Experience from States Parties to the 2000 Convention on the International Protection of Adults**

Moderator: Christelle Hilpert, Head of the Private International Law and Judicial Assistance Unit (Central Authority under the HCCH Conventions of 1961, 1965, 1970, 1980, 1996 and 2000), Ministry of Justice, France.

States represented and Panellists:

Czech Republic – Zuzana Fišerová, Director, International Department for Civil Matters, Ministry of Justice.

Germany – Stefan Schlauss, Director, International Civil Law, Federal Office of Justice, Germany.

Monaco – Carole Delorme-Le Floch, Juge des tutelles, Tribunal de première instance, Monaco.

Switzerland – Anna Claudia Alfieri, Head of the Central Authorities under the HCCH Conventions of 1980, 1996 and 2000, Switzerland.

12.00–1.00 p.m. Discussion

1.00–2.30 p.m. **Lunch**

Thursday 6 December 2018 (afternoon)

2.30–3.30 p.m. **Panel V – Additional Legal Norms and / or Cooperation Mechanisms**

Moderator: Paul Lagarde, Professor Emeritus, *Université Paris 1*, Rapporteur of the Special Commission with a diplomatic character on the Protection of Adults.

Subject matters and Panellists:

Abolishing exequatur (pros & cons) – Ian Curry-Sumner, Voorts Juridische Diensten, Netherlands.

More party autonomy (pros & cons) – Cyril Nourissat, Professor at the University of Lyon, European Notary Chair.

Consular Affair Mechanisms – Added Value and Shortcomings – Jeanette Sautner, Consular Policy Expert and member of Canada’s Delegation to the 2006 UN Convention on the Rights of Persons with Disabilities, Canada.

Strengthen Co-operation including Direct Judicial Communications – Francisco Javier Forcada Miranda, Spanish Member of the International Hague Network of Judges, International Relations Service, General Council of the Judiciary, Spain.

Progressing the implementation of power of representation frameworks – Adrian Ward, Specialist in law for people with cognitive and volitional impairments, Scotland, UK, as consultant to the Council of Europe, author of “Enabling Citizens to Plan for Incapacity” (2018)

3.30–4.15 p.m. Discussion

4.15–4.30 p.m. *Tea break*

4.30–5.30 p.m. **Panel VI – Possible post-Convention services and Good Practices**

Moderator: Salla Saastamoinen, Director, Civil and Commercial Justice, Directorate-General for Justice and Consumers, European Commission.

Subject matters and Panellists:

Powers of Representation (PoRs) in France and how PoRs come into effect – Marie-Odile Baur, Magistrate (retired), France, former member of the French delegation to the Special Commission with a diplomatic character on the Protection of Adults.

Powers of Representation (PoRs) in Austria and how PoRs come into effect - Dr. Ilse Koza, Judge, Directorate General of Civil Law, Federal Ministry of Justice, Austria

Electronic Registry and coming into effect of PoRs in Quebec, Canada – Me Laurent Fréchette, TEP, M. Not, Quebec, Canada.

Electronic Tools developed by Notaries in Europe – Me Pedro Carrión García de Parada, President of the CNUE Family Law Working Group.

Model Forms including PoRs and how PoRs come into effect in British Columbia, Canada – Jay Chalke, Ombudsperson of British Columbia, Canada, former member of the Canadian delegation to the Special Commission with a diplomatic character on the Protection of Adults.

5.30–6.00 p.m. Discussion

7.30 p.m. *Dinner*

Friday 7 December 2018 (*morning*)

9.30–10.30 a.m.

Panel VII – Main points arising from Panels I – VI

Co-Moderators:

- Patrizia De Luca, Team Leader for External Relations & International, Civil Justice Unit, Directorate-General for Justice and Consumers, EC.
- Philippe Lortie, First Secretary, HCCH.

Panellists:

Panel I – Eric Clive, Faculty of Law, University of Edinburgh.

Panel II – Gerard Quinn, Professor of law, National University of Ireland Galway.

Panel III – Christophe Bernasconi, Secretary General, HCCH.

Panel IV – Christelle Hilpert, Head of the Private International Law and Judicial Assistance Unit (Central Authority under the HCCH Conventions of 1961, 1965, 1970, 1980, 1996 and 2000), Ministry of Justice, France.

Panel V – Andreas Stein, Head of Civil Justice Unit, Directorate-General for Justice and Consumers, EC.

Panel VI – Salla Saastamoinen, Director, Civil and Commercial Justice, Directorate-General for Justice and Consumers, EC.

10.30–11.00 a.m.

Discussion

11.00–11.15 a.m.

Coffee Break

11.15 a.m.–1.00 p.m.

Panel VIII – Conclusions and Recommendations

Co-Moderators:

- Salla Saastamoinen, Director, Civil and Commercial Justice, Directorate-General for Justice and Consumers, EC.
- Christophe Bernasconi, Secretary General, HCCH.

1.00 p.m.

End of work – Closing.