



## ***Letter of the 450<sup>th</sup> anniversary of the City of Rio de Janeiro (2015)***

### ***Cross-border recognition and enforcement of agreements in international child disputes***

At the **Fifth Preparatory Meeting of the ASADIP for the Annual Meeting of the Council on General Affairs and Policy of the Hague Conference** (*V Encuentro Preparatorio de la ASADIP para la Reunión del Consejo de la Conferencia de La Haya*), held on 5 and 6 March 2015 at *Pontificia Universidade Católica do Rio de Janeiro*, PUC-Rio, the participants reaffirmed their support for the ongoing work at The Hague Conference, and;

*Whereas* the 2012 Letter of Rio de Janeiro recommended the adoption of proactive measures to formulate an agenda on Private International Law for the Americas on issues of interest to the States of the region;

*Recognizing* that such private agreements are of interest to ASADIP members, especially since they affect the full exercise of fundamental rights of children;

*Taking into account* the work carried out by the Experts' Group on cross-border recognition and enforcement of private agreements, reported at the 2013 meeting, and the recommendation of The Hague Conference in 2014;

*Recognizing* that child protection – as regulated by the 1980, 1996 and 2007 Conventions - has not yet addressed

circumstances in which the family is able to reach a common and comprehensive understanding which may involve issues that are beyond the individual scope of each of the Conventions. Thus, a new instrument (either binding or soft law) would have two goals: complement the existing Conventions in order to enable the fulfillment of their scope; and operate autonomously;

*Taking into account* the current complexity of family problems with transnational connections that lead to unnecessary litigation of matters which could be addressed in private agreements of equal legal force and thus allow the realization of the rights of children more appropriately and effectively;

*Aware* of the singular condition of vulnerability of children in this context and also taking into account their welfare;

### **Express their full support**

in what regards the extension of the Experts' Group mandate with the admittance of new experts at its next meeting, and

### **Undertake to**

Contribute to the works of The Hague Conference to reach a consensus on this issue on the agenda of Private International Law; and,

Encourage discussion by the American States and specialists in this field.

Rio de Janeiro, 6 March 2015.

**José Antonio Moreno Rodriguez**  
**Presidente**