



Letter of the 450th anniversary of the City of Rio de Janeiro (2015)

Protection for international tourists

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 members of ASADIP 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 the subject of international tourist protection is of interest to ASADIP members, especially since international tourists, as non-residents and foreigners in the countries they visit, often face difficulties in securing their rights as consumers, such as in accessing administrative authorities, courts or alternative dispute resolution methods, which would enable them to resolve issues and disputes concerning their economic interests as well as to safeguard and guarantee their rights;

Aware that international tourists should be provided with adequate information on administrative procedures, on

access to courts and on alternative means of dispute resolution at disposal in the countries they visit; taking into account the state of high vulnerability to which international tourists are exposed.

Having examined the new version of DRAFT CONVENTION ON COOPERATION AND ACCESS TO JUSTICE REGARDING INTERNATIONAL TOURIST (Prel Doc No. 2, January 2015), which is more clear, pragmatic and concise; with a firm view on facilitating access of international tourists to justice and to alternative resolution methods, as well as to the administrative authorities in charge of safeguarding consumers.

Taking into account the benefits of having a standard form - harmonizing procedural requirements for claims-, by means of which communication between authorities and international tourists is made effective.

Aware that the new version provides a clearer definition of its scope, directed to international tourist consumers, in order to simplify the lives of people in the visited countries.

Having analyzed the fifth proposal of the World Tourism Organization, which has drafted a Convention on the protection of tourists and providers of tourism services, and taking into account that such an instrument relates to emergency or force majeure cases, it is understood that there is no conflict between these proposals. Furthermore, the WTO Convention draft does not adversely impact the Draft "Convention on Cooperation and Access to Justice on International Tourists" currently under discussion at ASADIP.

Having analyzed, also, the new version of the "Judgments Project" dated February 8, 2015, which provides for the recognition and enforcement of judgments in consumer-related cases, ASADIP understands that the provisions therein are compatible with the new text has been studied at ASADIP.

Express their full support with regards to the:

- (a) Inclusion of the subject of international tourists protection in the agenda of The Hague Conference;
- (b) Conduction of a feasibility study by the Permanent Bureau of The Hague Conference and the creation of an experts' group to carry on the studies based on the solid proposal already submitted.

Undertake to:

Contribute to the future work of The Hague Conference on this issue and **provide** the necessary cooperation to advance on the outlines and negotiations.¹

Support the incorporation of international tourist protection to the agenda of The Hague Conference and the delineation of a working paper to be developed by a group of specialists considering the solid proposal already submitted;

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

Rio de Janeiro, 6 March 2015.

José Antonio Moreno Rodriguez
Presidente

¹ Attached hereto is the Spanish version of the draft and an explanatory technical note prepared by Professor Dr. Juan José Cerdeira, and approved at the V Meeting.