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*Intergovernmental Group of Experts on Consumer Law and Policy  
(IGE Consumer)*

3rd SESSION

9-10 July 2018

Room XVII, Palais des Nations, Geneva

Tuesday, 10 July 2018

Side event 9h-9h45

**Side Event. The Hague Conference's Project on the Creation of a  
Global Network to Protect International Tourists: Feasibility and  
Opportunity**

by

BRASILCON

Instituto Brasileiro de Política e Direito do Consumidor

ILA

International Law Association

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**THE HAGUE CONFERENCE'S PROJECT ON THE CREATION OF A GLOBAL NETWORK TO PROTECT INTERNATIONAL TOURISTS: Feasibility and Opportunity**

**Side Event Organised by BRASILCON and Committee on International Protection of Consumers/ILA**

Tuesday, 10 July 2018 - Side event 9h-10h - Room XVI, Palais des Nations, Geneva

**The proposed agenda for the 1-hour side meeting (to be conducted in English) is as follows:**

**Chair: Diógenes Carvalho** - President of Brasilcon-Brazilian Institute of Consumer Law and Policy, Brasília/Federal University of Goiás, Brazil.

**Rapporteurs: Tatiana Squeff**, Federal University of Rio Grande do Sul, Porto Alegre, Brazil and **Ana Muniz**, Director of Brasilcon, Brasília, Brazil.

**Panelists** (Each speaker will speak for about 10 minutes):

**Claudia Lima Marques** (Chair of the Committee on International Protection of Consumers-ILA/Federal University of Rio Grande do Sul, Brazil)  
Historical Development of the Hague Tourism Project

**Torquato Jardim** (Ministry of Justice, Brazil)  
The importance of Hague Tourism Project to the States

**Wei Dan** (Rapporteur of the Committee on International Protection of Consumers-ILA/University of Macau, China)  
China and the Tourist Protection

**Antonino Serra** (Director of the Consumers International, Argentina)  
The importance of the Hague Tourism Project to Consumers International

**Thierry Bourgoignie** (Committee on International Protection of Consumers-ILA, Director of IACL/UQAM, Canada)  
The need of the Hague Convention or a Soft Law Instrument to protect the international tourists

**Fabiana D'Andrea Ramos** (Director of BRASILCON/ Federal University of Rio Grande do Sul, Brazil)  
Closure: Feasibility and Opportunity of the Hague Tourism Project

**The Hague Tourism Project** - The Project concerning a possible future Convention on Cooperation and Access to Justice for International Tourists originates from a proposal of the Government of Brazil, under the expertise of ASADIP. The Council on General Affairs and Policy decided in 2015 that the Permanent Bureau should conduct a study on the Project.

The importance of tourism for the global economy, the growth of mass tourism and the increased participation of developing countries in tourism have brought issues concerning legal protection of those international tourists.

Language barriers, lack of knowledge of rights and remedies, inability to use mediation-conciliation beyond the stay in the visited country, inability to initiate (and continue) court proceedings beyond the stay in the visited country, absence of governmental authorities in charge of helping tourists, are examples of obstacles that international tourists might face regarding access to justice.

To tackle these issues, using the Hague Conference expertise in building global networks, The Brazilian Proposal suggests developing methods at a global level addressing these difficulties by setting up an international cooperation mechanism between Central Authorities together with provisions on access to justice. Such mechanisms will offer the international tourist the possibility of understanding the complaint in his own language. At the same time, any mediation attempt is made through the Authorities. The cooperation mechanism would also be of use if the mediation attempt fails. Therefore, international tourists would build on the Hague Conference's vast experience in building networks of Central Authorities in the field of international civil procedure to achieve rapid and facilitated protection of their rights.

#### **BRASILCON – BRAZILIAN INSTITUTE OF CONSUMER POLICY AND LAW**

The Brazilian Institute of Consumer Policy and Law (BRASILCON) is a national, multidisciplinary, non-profit association created in 1992 as an auxiliary entity in the consolidation of Consumer Law in Brazil. Updating and debating topics such as sustainability, responsible credit, collective consumer advocacy, quality of public services, international consumer protection, among others. Its founders are authors of the draft law that gave rise to the Brazilian Consumer Defense Code (Law 8.078 /90). The institute has national and international congresses of consumer rights, bringing together national and international interests, an international cycle of learning through the exchange of entities, professionals and academics in addition to bimonthly publication of the Journal of Consumer Law (RDC Thomson Reuters).

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#### **COMMITTEE ON INTERNATIONAL PROTECTION OF CONSUMERS - CIPC/ILA-**

The Committee on International Protection of Consumer was created In 2008, at International Law Association (ILA) Biennial Conference, in Rio de Janeiro, by suggestion of ILA-Brazilian Branch dedicated to protecting consumers. From this Committee came the Sofia Declaration on the development of international principles on consumer protection (Res. ILA 4/2012) and the Johannesburg Guidelines on the best Practices on the Law applicable to international protection of consumers (ILA Resolution 1/2016). The Committee was accepted as observer at the Hague Tourism Project.

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