structures used to organize how to work together stifle inclusion and ideas at:

- Staff projects with unlikely

- Include dissenters with alternative

- connector
iFLG attend The Hague Conference on Global Recovery of Child Support and Family Maintenance


The delegates comprise a mixture of senior judges, academics, Central Authority representatives, child maintenance administrators and practitioners/lawyers from all continents throughout the world.

The 2007 Hague Convention is an ambitious project designed to aid the difficult issue of reciprocal enforcement of maintenance orders across international borders.

The conference is not only for educational purposes but also to promote dialogue from worldwide, professional participants as to the need and practicalities for countries considering signing the 2007 Hague Convention.

So far there are few signatories to the 2007 Convention although the US (who were instrumental in it's development) proudly announced on the first day of the Conference that they now have 48 states on board and the due date for the whole of the US to sign up to the 2007 Convention is 2016.

Brazil and a lot of South America are also keen to join. Brazil in particular is undertaking a very thorough due diligence procedure and has already invested a lot of time, energy and money into preparing to join.

Only the following countries are currently signatories to the 2007 Hague Convention:

- Norway
- Bosnia-Herzegovina
- EU
- Ukraine
- Albania
- Burkina Faso

It's current practical use is limited further by the fact the Maintenance Regulation "trumps" the 2007 Convention for EU members and so EU members must use the Maintenance
Regulation for inter-EU enforcement.

Consequently, until other countries outside the EU join the 2007 convention its practical use to EU countries remains limited.

Norway was the first to ratify the 2007 Hague Convention. Their Central Authority, totalling some 155 staff, has so far dealt with approximately a hundred 2007 Hague Convention matters with many countries throughout the EU. To date, they are the country with the most experience in using this legislation.

The majority of Norway's cases are with the Baltic States and Poland. They are also currently investing in a new IT package to streamline the process.

The Norwegian administrators have found, perhaps understandably, that different countries throughout Europe have differing knowledge and understanding/interpretation of their Central Authorities' obligations pursuant to the 2007 Hague Convention. This has led to some teething problems, delays and frustrations.

The Hague 2007 Convention is similar to the Maintenance Regulation (although designed to be less restrictive and prescriptive in terms of how it can be implemented in each country - to seek to overcome some of the significant differences in procedure, law, administrative provisions and resources in different countries worldwide).

The EU Maintenance Regulation was drafted around the same time as the Hague Convention 2007 and was implemented on 18 June 2011.

As a consequence, the language of The Maintenance Regulation is similar to that of the Hague Convention 2007. (The Hague Protocol 2007 about applicable law was also key to facilitating a compromise amongst EU members to enable the Maintenance Regulation to be ratified after years of debate between its member states).

The UK's experience of the Maintenance Regulation therefore provides some useful insights into the benefits as well as the disadvantages (some unforeseen) of quite similar legislation.

Hopefully the UK's experience can therefore help other countries to develop and implement the valuable and potentially very broad reaching 2007 Hague Convention.

Lucy Greenwood's paper which was co-written with David Hodson and entitled "The Experience from Europe of the EU Maintenance Regulation" was well received.

Lucy's presentation highlighted some of the less attractive issues as well as the benefits which have arisen from the Maintenance Regulation. Lucy also very much emphasised the need for further legislation like the Hague Convention 2007. Such legislation is desperately needed to catch up with the outdated and limited legislation currently available to practitioners and debtors in respect of the enforcement of family, financial orders worldwide.
The conference concludes tomorrow with a drawing together of conclusions and recommendations arising from the numerous seminars given by professionals from all over the world about their particular experiences of enforcement of child and other maintenance in their respective countries.

To request a copy of Lucy's powerpoint presentation please click here [3].

Posted by Lucy Greenwood [9]