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Objective	To report on iSupport and to promote its implementation
Action to be Taken	For Decision <input type="checkbox"/> For Approval <input type="checkbox"/> For Discussion <input type="checkbox"/> For Action/Completion <input type="checkbox"/> For Information <input checked="" type="checkbox"/>
Annexes	N/A
Related Documents	N/A

Report on iSupport

I. Introduction

- 1 The idea of a case management system to service the *Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance* (HCCH 2007 Child Support Convention) originated during the negotiations of the Convention.¹ From the outset, it was also clear that iSupport should service other international instruments such as the *Council Regulation (EC) No 4/2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations* (2009 Regulation), the 1956 United Nations *Conference on Maintenance Obligations and Convention on the Recovery Abroad of Maintenance*, or any other bilateral instrument.
- 2 In 2014, a Grant from the European Union (EU), complemented by voluntary contributions from nine HCCH Member States and three organisations, resulted in the delivery of the iSupport software in August 2016. iSupport is an open-source software for which there is no licence fee. Portugal has used iSupport since 2016 and has since been joined by France. Brazil, Germany and Norway are currently in advanced stages of testing iSupport.
- 3 While it is a complete system in its own right, iSupport is conceived to be used in conjunction with the e-CODEX technology. e-CODEX is a secure communication system that has been developed with EU funding since 2011. It provides evidence relating to the handling of the transmitted data, including proof of sending and receiving the data, and protects transmitted data against the risk of loss, theft, damage or any unauthorised alterations.
- 4 iSupport is currently funded thanks to a fourth EU Action Grant, which will last until August 2022. iSupport is coordinated by the Permanent Bureau and administered by a Governing Body made up of 15 HCCH Member States. In addition, as a recipient of EU funding, iSupport is subject to the checks and monitoring that the EU has devised for such projects.

II. Development of the iSupport software

- 5 Successive versions of the iSupport software have been released following the initial 2016 version. Most notably, they include the possibility to use two-factor authentication, as well as the possibility to separate the database within one State (e.g., to service multi-unit States or non-unified States with several Central Authorities). In 2018, iSupport was adapted to function with the MySQL database, which is open-source, in contrast to the costly Oracle database that was initially chosen. The 2019 and 2020 versions focused on implementing and improving encryption of the data in the database, to bring iSupport in line with the highest standard of national requirements. This additional work has also enabled iSupport to be compatible with the recommendations of the *Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data* (General Data Protection Regulation). All these developments will facilitate the implementation of iSupport by ensuring the same level of data protection in all participating States.
- 6 In addition to the initial English and French versions, iSupport is also now available in German, Portuguese and Spanish. Convention forms (mandatory and recommended) are available in English, French, Portuguese and Spanish and Regulation forms can be generated in all EU official languages .

¹ See para. 23, Alegría Borrás & Jennifer Degeling, “Explanatory Report on the 2007 HCCH Child Support and Other Forms of Family Maintenance Convention”.

- 7 The current EU-funded project is tasked with modernising the software interface, as well as with producing a statistical report for the Convention (to be adopted by the First Meeting of the Special Commission).

III. State of play

- 8 At the time of writing Brazil, Germany, Portugal, and Norway have installed the 2019 version of iSupport. These States are also performing e-CODEX connectivity testing. Germany, Portugal and Norway can all reach each other's e-CODEX gateways and will start iSupport to iSupport testing. France is upgrading to the 2020 version and installing e-CODEX components.

IV. Cost of iSupport

- 9 Over the 2014 to 2022 period, iSupport will have cost an estimated € 2,670,000 – inclusive of human resources at the PB which represent about a third of the total cost of the project (and which have been fully reimbursed by transferring the relevant amounts of voluntary contributions to the salary article of the HCCH Budget).²
- 10 The majority of the cost of iSupport (79%, € 2,098,000) has been shouldered by the European Union. The rest of the cost has been covered by (in decreasing number of importance): Norway, France, Germany, Switzerland, the Netherlands, the Hong Kong Special Administrative Region, the state of California (United States of America), Brazil, Lipman Karas, Finland, Italy, the United Kingdom, Portugal, Belgium, Estonia, the Council of Bars and Law Societies of Europe (CCBE), Romania, the Czech Republic, Hungary, the Slovak Republic, *l'Union Internationale des Huissiers de Justice* (UIHJ) and Bloomsbury publishing. Most of these contributors have also contributed in kind, through the provision of expertise. In this respect a considerable contribution has been made by the province of British Columbia (Canada) and the Office of Child Support Enforcement (United States of America).
- 11 Without PB human resources, the yearly cost of iSupport is estimated between € 75,000 and € 115,000, depending on whether additional developments are provided for (as opposed to just simple maintenance). On the basis of the arrangement described in Information Document No 7 of March 2015, States using iSupport are expected to contribute to these costs in proportion of their HCCH contribution units.³ Taking into account the current membership of the iSupport Governing Body, this represents a yearly cost of between € 5,984 and € 9,175 for a State with 15 units (between € 398 and € 611 per unit). This cost per State will decrease as more States join and use iSupport.

V. Benefits of iSupport

- 12 Central Authorities which use iSupport point out the benefits in terms of processing time: information about the parties to a case only needs to be filled in once to populate the forms along the lifetime of a case. This reduces the risk of errors such as a spelling mistake on a party's name. The same Central Authorities also highlight the important reduction in translation costs that results from being able to fill in forms in your own language, while they can easily be printed or sent in another one. The generation of the statistical report for the 2009 Regulation can also be done at the touch of a button, as opposed to a few hours, if not days, to gather the required data.

² This can be compared with other projects tasked with developing cross-border applications such as e-CODEX. Over the 2010 to 2021 period, e-CODEX will have cost an estimated € 29,000,000.

³ See para. 22, "Governance issues in relation to iSupport", Info. Doc. No 7 of March 2015 for the attention of the Council on General Affairs and Policy of the Conference (available on the Hague Conference website at < www.hcch.net > under Child Support / iSupport.

- 13 One Central Authority estimates it takes 3 minutes and 32 seconds to fill in Annex V of the 2009 Regulation on the European e-justice portal, against 58 seconds in iSupport. Considering the high volume of cross-border maintenance cases, the potential savings are significant and would enable caseworkers to spend more time on substance for the ultimate benefit of applicants.
- 14 These benefits will be compounded as more authorities use iSupport and e-CODEX. Among the anticipated benefits are the following:
- Reduction in response time between corresponding Central Authorities;
 - Direct electronic sending of requests to a Central Authority without the danger of them being lost or sent to the wrong recipient;
 - No more courier or registered mail costs;
 - Very little or no more translation costs;
 - More efficient and effective case handling, contribution to the uniform application of the Convention;
 - Security of the electronic exchange as opposed to email.

VI. e-CODEX

- 15 As underscored in the previous section, e-CODEX is of crucial importance to fully realise the benefits of iSupport. In this respect, the European Commission has taken a step to ensure the long-term maintenance and development of e-CODEX, transitioning from a series of EU-funded projects to a permanent solution. On 2 December 2020, the European Commission published a proposal for a Regulation on e-CODEX.⁴ The proposal sets out to make an agency of the European Union, eu-LISA, responsible for the further development and maintenance of e-CODEX. The handover to eu-LISA from the current e-CODEX consortium would be effective on 1 July 2023. In its tasks, eu-LISA would be assisted by an e-CODEX advisory group meeting at least every second month. The responsibility of eu-LISA in terms of operational support is described as “technical support for the e-CODEX correspondents in relation to the e-CODEX system” (Art. 6(2)(f)). In the current text, these correspondents are designated by EU Member States, which can each designate up to five correspondents.
- 16 The iSupport Governing Body welcomed the proposal. It stressed, however, that appropriate solutions should be found to accommodate those States outside of the European Union (“third countries”) that have committed to the use of e-CODEX through iSupport. For the iSupport Governing Body, accommodating third countries is instrumental to avoid the risk of diverging technical requirements between the Convention and the Regulation. Finally, the iSupport Governing Body remarked that existing agencies of the European Union, such as Frontex, have a mandate to conclude cooperation agreements with third countries.
- 17 iSupport can function independently of e-CODEX. Once the technical pre-requisites are in place, iSupport can be installed in a matter of days. On the other hand, e-CODEX can take longer to install, configure and test with other partners. In this respect, the PB would like to recommend a staged approach, where Members consider implementing and using iSupport for its immediate benefits, while working on the establishment of an e-CODEX connection.

VII. Possible future developments

- 18 It is important to note at this stage that iSupport has been following a step-by-step approach from the outset. The requirements that were approved by participants centred on what was deemed

⁴ Proposal for a Regulation of the European Parliament and of the Council on a computerised system for communication in cross-border civil and criminal proceedings (e-CODEX system), and amending Regulation (EU) 2018/1726.

essential for Central Authorities. The ambition was definitely to focus on immediate benefits that were achievable in the short term as opposed to a long-term solution that would service every need but may never see the light of the day.

- 19 Now iSupport has a firm basis and it is possible to contemplate future realisations in addition to those mentioned above, subject to interest from participants and funding. Several States have for instance inquired about the possibility to link iSupport to a bank account, as it is done in the national case management system of the Netherlands, in order to automate the monitoring of funds for those Central Authorities which handle payments. Other possibilities could include receiving data directly from applicants residing in the State through a webservice or interacting electronically, within the State, with competent authorities and enforcement authorities.

VIII. Conclusion

- 20 iSupport is unique in providing an application for the management of an international civil procedure. The quality and reach of this work were recognised at the 2019 European Public Sector Award, where iSupport was nominated for an award (top three out of 81 participants in its category).
- 21 The current pandemic has underscored the need for digital solutions that allow public services to carry on functioning. As a readily available tool for international legal cooperation, iSupport offers Central Authorities such a solution.
- 22 Further documentation about iSupport, including a promotional video and demonstration videos, is available on the following specialised webpage:

< <https://www.hcch.net/en/instruments/conventions/isupport1/> >.

The software is available on demand. Microsoft Teams pages are also managed by the PB for iSupport, with the aim of creating a community of users, from both technical and functional perspectives. A demonstration can be organised by contacting the iSupport coordinator, Jean-Marc Pellet, at the following address <jmp[at]hcch.net>. Finally, a test environment is available for States which would like to test the system with dummy data.