

**First Meeting of the Special Commission
to review the practical operation of
the 2007 Child Support Convention and
2007 Protocol on Applicable Law**

Academy Building, Peace Palace, The Hague, Netherlands

17-19 May 2022

9.30 a.m. – 5.30 p.m. (CEST)

DRAFT AGENDA

*The draft agenda will be treated with some flexibility
and may need to be modified in the light of ongoing discussions.*

Tuesday 17 May 2022	
Time	Item
9.30 a.m.	<p>I. Opening of the Special Commission</p> <ol style="list-style-type: none"> 1. Opening of the meeting by Mr Paul Vlas, President of the Netherlands Standing Government Committee on Private International Law 2. Election of the Chair(s) of the Special Commission 3. Welcome remarks by Dr Christophe Bernasconi, Secretary General 4. Introduction to the draft agenda and documentation by Mr Philippe Lortie, First Secretary 5. Adoption of the agenda 6. Practical announcements
10.15 a.m.	<p>II. General operation of the 2007 Child Support Convention</p> <ol style="list-style-type: none"> 1. General assessment of the operation of the 2007 Convention <i>Prel. Doc. No 4 of October 2020 (second revised version)¹</i> 2. Interpretation of the term “residence” (Art. 9) <i>Prel. Doc. No 4: Responses of Latvia, Germany (CA) and Romania to Question 3.2. at pp. 29-30</i> 3. Applications made in the name of a “creditor child” – information about the “custodial parent” <i>Prel. Doc. No 4: Responses of Germany (CA), Romania and the United States of America to Question 3.3. at pp. 31-33, response of Germany (CA) to</i>

¹ Hereinafter Prel. Doc. No 4.

	<p><i>Question 6.1. at p. 54, and response of the United States of America to Question 6.9. at p. 67</i></p> <p>4. Public bodies as applicant (Art. 36) <i>Prel. Doc. No 4: Responses of Germany (CA), Germany (DIJuF), Latvia, Lithuania, Norway, Romania and Ukraine to Question 3.4. at pp. 33-35, and responses to Question 3.6. at pp. 37-38</i></p>
11.00 a.m.	<i>Break</i>
11.15 a.m.	<p>5. Transmission of applications within States with a non-unified legal system (Arts 4(2), 9 and 12) <i>Prel. Doc. No 4: Responses of Austria and Germany (CA), Germany (DIJuF) to Question 3.8. at pp. 40-41</i></p> <p>6. Time frame for the acknowledgment of receipts of applications (Art. 12(3)) <i>Prel. Doc. No 4: Responses to Question 3.1 at p. 28</i></p> <p>7. Conditions to access legal aid in the requested State, particularly the examination of the debtor's resources (Art. 17(b)) <i>Prel. Doc. No 4: Responses of Austria, Bulgaria, Colombia (1956 New York Convention), Germany (CA), Germany (DIJuF), Romania and Slovenia to Question 3.5 at pp. 35-37</i></p> <p>8. Application of the 2007 Convention to children regardless of the marital status of their parents (Arts 1, 2(4), 6(1) and 6(2)(h), 7(1), 10(1)(c) and 10(3), 15(2) and 22(a)) <i>Prel. Doc. No 4: Response of the United States of America to Question 14.1. at p. 130</i> <i>Prel. Doc. No 13 of June 2021, ACWG Report, Attachment to Annex I at pp. 7-10</i></p>
1.00 p.m.	<i>Lunch break</i>
2.00 p.m.	<p>III. Restrictions on access to personal data</p> <p>1. Location of the respondent (debtor) (Art. 6(2)(b)) <i>Prel. Doc. No 4: Responses of Brazil and Germany (DIJuF) to Question 4.1. at pp. 43-44</i></p> <p>2. Information regarding the income and other financial circumstances of the debtor or creditor (Art. 6(2)(c)) <i>Prel. Doc. No 4: Responses of Cyprus and Romania to Question 4.1. at pp. 44-45</i></p> <p>IV. Recognition and enforcement of maintenance decisions</p> <p>1. Recognition and enforcement of maintenance decisions concerning relationships not provided by the law of the requested State (Art. 22(a)) <i>Prel. Doc. No 4: Response of Romania to Question 8.3. at p. 88</i></p> <p>2. Grounds for refusing recognition and enforcement – in a case where the respondent has neither appeared nor was represented in the proceedings in the State of origin (Art. 22(e)) <i>Prel. Doc. No 4: Response of Latvia to Question 14.1. at p. 129</i></p>
3.45 p.m.	<i>Break</i>

4.00 p.m.	<p>V. Enforcement matters under the 2007 Child Support Convention</p> <ol style="list-style-type: none"> 1. Enforcement of decisions that set the amount of child support in percentage <i>Prel. Doc. No 4: Responses of Argentina, Finland, France, Germany (CA), Germany (DIJuF), Hungary, Netherlands, Norway, Poland, Romania, Slovenia, Switzerland, United States of America to Question 5.1. at pp. 46-50</i> 2. Enforcement of child support arrears after the creditor has reached the age of 21 years <i>Prel. Doc. No 4: Response of Norway to Question 3.8. at p. 41</i> 3. Interruption or suspension of the enforcement of child support for creditors under the age of 18 years <i>Prel. Doc. No 4: Response of Romania to Question 14.1. at p. 129</i> 4. Enforcement of decisions against the assets of a debtor in a State where they are not habitually resident <i>Prel. Doc. No 4: Responses of Bulgaria, Germany (CA), Germany (DIJuF), Latvia, Lithuania, Luxembourg, Portugal, Romania, Switzerland and United States of America to Question 5.2. at pp. 50-52</i> 5. Currency conversion and transfer of maintenance funds <i>Prel. Doc. No 4: Response of Lithuania to Question 3.8. at p. 41</i>
5.30 p.m.	<i>Welcome reception offered by the Permanent Bureau</i>
Wednesday 18 May 2022	
Time	Item
9.30 a.m.	<p>VI. Mandatory and recommended forms under the 2007 Child Support Convention <i>Annexes I and II of the 2007 Convention Prel. Docs Nos 2A of July 2009 & 2B (revised) of August 2010</i></p> <ol style="list-style-type: none"> 1. Use of the Status of Application Reports <i>Prel. Doc. No 4: Responses of Germany (CA) and the United States of America to Question 3.8. at pp. 40-43</i> 2. Signature of applications when filed with competent authorities in accordance with their domestic law (Art. 42) <i>Prel. Doc. No 4: Responses to Questions 6.2. and 6.3. at pp. 55-57, and to Questions 6.10. and 6.11. at pp. 67-69 Declaration of Poland at the time of the European Union acceptance of the 2007 Convention</i> 3. Certification of applicants via telephone and authenticity of signatures <i>Prel. Doc. No 4: Response of Romania to Question 3.3. at pp. 31-32</i> 4. Acceptance of an abstract or an extract in place of the complete text of the decision <i>Prel. Doc. No 4: Responses to Question 6.4. at pp. 58-60, and to Question 6.12. at pp. 69-73.</i>
11.00 a.m.	<i>Break</i>
11.15 a.m.	<ol style="list-style-type: none"> 5. Availability of Mandatory and Recommended Forms in languages other than English and French (Art. 44) <i>Prel. Doc. No 4: Responses to Question 10.3. at pp. 94-96 See Item VIII.1.b. of this agenda</i> 6. Processing handwritten application forms

	<p><i>Prel. Doc. No 4: Responses to Question 6.6. at pp. 61-63</i></p> <p>7. Processing non-certified documents for the purpose of recognition and enforcement <i>Prel. Doc. No 4: Responses to Question 6.7. at pp. 63-64, and to Question 6.13. at pp. 73-74</i></p> <p>8. Acceptance of Recommended Forms for direct requests under Article 37 <i>Prel. Doc. No 4: Responses to Question 6.14. at pp. 74-75</i></p> <p>9. Non-secure transmission of confidential information <i>Prel. Doc. No 4: Response of the United States of America to Question 3.8. at p. 43</i></p>
1.00 p.m.	<i>Lunch break</i>
2.00 p.m.	<p>VII. General issues</p> <p>1. Temporal application of the 2007 Convention - Transmission of applications to Central Authorities v. competent authorities (Arts 12, 37 and 56(1)(b)) <i>Prel. Doc. No 4: Response of Germany (CA) to Question 14.1. at p. 127</i></p> <p>2. Completion and update of the Country Profile (Art. 57) <i>Prel. Doc. No 4: Response of Finland, Germany (CA), Germany (DIJuF), Norway, Slovenia and the United States of America to Question 8.1. at pp. 86-87</i></p> <p>3. Regular updates to the HCCH website including updating Central Authorities' contact details (Art. 4(3)) <i>Prel. Doc. No 4: Response of Germany (CA) to Question 14.1 at p. 126</i></p> <p>4. Possible model declarations and reservations</p> <p>VIII. Experts' and Working Groups – Adoption of Reports and other matters</p> <p>1. Report of the Administrative Cooperation Working Group (ACWG), meeting of 14 to 17 December 2020</p> <p>a. Possible future forms <i>Prel. Doc. No 13 of June 2021 – Annex I: Aide-mémoire, paras 20-21</i></p> <p>b. Possible future fillable forms including in other languages <i>Prel. Doc. No 13 of June 2021 – Annex I: Aide-mémoire, paras 22-23</i></p> <p>c. Country Profile for spousal support <i>Prel. Doc. No 13 of June 2021 – Annex I: Aide-mémoire, para. 25</i></p>
3.45 p.m.	<i>Break</i>
4.00 p.m.	<p>2. Report of the 2007 Protocol Working Group (PWG), meeting of 25 to 27 January 2021 <i>Prel. Doc. No 14 of June 2021</i></p> <p>3. Report of the Experts' Group (EG) on International Transfer of Maintenance Funds (ITMF), meetings of 16 to 18 September 2019, 8 to 11 February 2021 and 7 to 9 February 2022 <i>Prel. Doc. No 13C of February 2022 of CGAP 2022</i></p> <p>4. Membership of the Forms Working Group (Forms WG) <i>Prel. Doc. No 2A of July 2009 – Forms Working Group Report at p. 5</i></p> <p>5. Future meetings of Experts' and Working Groups</p> <p>a. ACWG – When needed</p>

	<ul style="list-style-type: none"> b. PWG – No need to meet c. ITMF EG – February 2023 d. Forms WG – Starting in early 2023
5.30 p.m.	<i>End of day 2</i>
Thursday 19 May 2022	
Time	Item
9.30 a.m.	<p>IX. Adoption of Prel. Docs</p> <ol style="list-style-type: none"> 1. Draft Guidance to complete the Mandatory and Recommended Forms under the 2007 Child Support Convention <i>Prel. Doc. No 7 of April 2022 (fifth revised version)</i> 2. Working Practices of Central Authorities under Articles 5 and 6 of the 2007 Convention <i>Prel. Doc. No 8 of April 2022 (sixth revised version)</i> 3. Request for Specific Measures & Response (Art. 7(1)) <i>Prel. Doc. No 9 of December 2020 (final version)</i> 4. Statistical Report for the 2007 Child Support Convention <i>Prel. Docs Nos 18A & 18B of December 2021</i>
11.00 a.m.	<i>Break</i>
11.15 a.m.	<p>X. iSupport</p> <ol style="list-style-type: none"> 1. Presentation of iSupport by the Permanent Bureau and Protech 2. Presentation of e-CODEX including EU Regulation on a computerised system for communication in cross-border civil and criminal proceedings (e-CODEX system) 3. Experience of States operating iSupport 4. Experience of States implementing iSupport and e-CODEX 5. Questions & Answers
1.00 p.m.	<i>Lunch break</i>
2.00 p.m.	XI. Adoption of Conclusions & Recommendations
3.45 p.m.	<i>Break</i>
4.00 p.m.	XI. Adoption of Conclusions & Recommendations (Cont.)
5.30 p.m.	<i>End of Special Commission meeting</i>