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iSupport

cross-border recovery
of maintenance obligations
*pour le recouvrement
transfrontière des
obligations alimentaires*

iSupport Tender, Maintenance and Governance Working Group (5) – 16 February 2015
Meeting

Draft Report of Meeting n°2

List of Participants

Experts	iSupport Team
John AXIAK (Malta) excused Leo de BAKKER (The Netherlands) Alisha GRIFFIN (United States of America) Hannah ROOTS (NCSEA) Eduardo SPANO JUNQUEIRA DE PAIVA (Brazil) excused Thomas STEIMER (Switzerland) Maria ARIOKANATHAN (France)	Philippe LORTIE (Chair) Brigitte VOERMAN Marie VAUTRAVERS Patrick GINGRAS

Opening of the meeting

1. Philippe Lortie, First Secretary, welcomed experts to the Meeting of the Tender, Maintenance and Governance Working Group.

Discussion of a draft Information Document on Governance Issues for the 2015 Meeting of the Council on General Affairs and Policy

2. Philippe Lortie stated that the Information Document on Governance Issues to be distributed to the Council on General Affairs and Policy had been drafted on the basis of the Working Paper discussed during the first meeting of the Tender, Maintenance and Governance Working Group, the content of which had been discussed and endorsed by the Secretary General. He briefly explained the role of the Council which takes decisions on the Hague Conference work program and endorses the Organisation's annual budget before submitting it to the Council of Diplomatic Representatives.

3. An expert of the United States of America commented on article 2 ("*Governing Body – Composition*") of the draft Information Document. She expressed concerns about the foreseeable enlargement of the membership of the Governing Body, and the related consequences for the decision

making process. She underscored the need for an explicit and clear description of the conditions of membership (maximum duration of the service, minimum experience in the area).

4. Philippe Lortie recognized the importance of implementing a detailed decision making process, but noted that this issue would be better addressed at a later stage. He observed that the Governing Body would most probably be a small group at the beginning of the project, and that it would be premature to enter into further details of its organization and decision making policy, without a clear and certain view of its future evolution. With regard to the composition of the Governing Body, he suggested adding a footnote concerning the later creation of a smaller group within the Governing Body if necessary.

5. An expert from the United States of America suggested that the Hague Conference reserves the right to regulate the conditions of membership in detail at a later stage.

6. Philippe Lortie explained that the Hague Conference decision making process is based on consensus rather than by vote, which enables observers to express their opinions and to be involved in the process. He suggested adding a reference to the relevant article of the Hague Conference Statute in that respect.

7. An expert from France queried the role of European Member States that play a significant role with regard to maintenance recovery but that are currently not contributing financially to the project nor taking part in the Working Groups.

8. Philippe Lortie noted that some States that are not explicitly participating in the project have already expressed their support for the project, and trust the involved States and the Hague Conference to make sound decisions. He recalled that all European States will be invited to implement iSupport, and that each State implementing iSupport will be a full member of the Governing Body. He highlighted the importance of promoting iSupport by encouraging other States to join, not only to facilitate secure and swift communication, but also with a view to reducing the costs related to iSupport maintenance. He explained that certain costs will indeed decrease in proportion to the increased membership in iSupport.

9. An expert from France intervened to ascertain whether the Central Authority would have to use three different case management systems at the same time for cases related to international instruments such as the New York 1956 Convention, iSupport cases and “non iSupport” Convention and Regulation cases.

10. Philippe Lortie reiterated that iSupport will manage any kind of cross-border maintenance case based on existing international instruments. He added that iSupport will not only allow the electronic management of cases and communication with States that have implemented iSupport, but it will also enable the caseworker to electronically process a case related to a Country not using iSupport, with the sole difference that those applications would need to be sent by regular mail. He observed that iSupport was ultimately intended to be implemented worldwide.

11. Philippe Lortie referred the experts to the draft Information Document. Further to the first meeting of the Tender, Maintenance and Governance Working Group discussions, he proposed spreading the costs between participating States on the basis of the Universal Postal Union system, currently used by the Hague Conference, to bring further predictability to the costs. He noted that the alternative would be to calculate the contribution of each State on the basis of the number of cases handled by that State.

He underscored the uncertainty of this approach, since the number of cases will not be known by the Service Provider nor by the Hague Conference, and is likely to vary from one year to another.

12. An expert from France asked for extra time to approve the Information Document. Philippe Lortie invited experts to give any additional comments before Wednesday 18 February.

13. An expert from the United States of America recommended that any State implementing iSupport should sign the Governance Document and agree on the Governing Body's rules and procedures.

General Description of iSupport Services (including procedures for changes)

14. Philippe Lortie gave a short overview of the iSupport Services. He noted that the Services Document is based on the IT Information Library (ITIL) 2011, and provides guidelines with regard to service management to be followed by the Service Provider. He stated that priorities and levels of urgency will be assessed and defined on the basis of this document. He explained that specific response time and time limits for intervention are also provided. He noted that those guidelines are commonly used by the industry and will ensure the use of predefined procedures by States as well as Service Providers. He added that the Service Provider will have to report failures to comply with the deadlines to the Governing Body. Such failures should not exceed a certain pre-defined proportion (for instance 10%). Philippe Lortie also presented a proposal to create a subset of the Governing Body, the Emergency Change Advisory Board, which would consist of representatives from different backgrounds and different geographical origins. He also stressed the need for constant tracking of changes, from the perspective of both the owner and the Service Provider. Those knowledge management tools will enable the Service Provider to link possible incidents with recent global or local changes.

15. An expert from the United States of America acknowledged the work of the iSupport team on the General Description of iSupport Services Document. She commented on paragraph 15 and recommended establishing different levels of priorities for the Change Advisory Board (CAB), in order to distinguish critical changes from less important changes and to accordingly manage the expectations of users and providers. She also suggested adding to paragraph 17 upgrades as a specific type of change, even though they could be considered as a service request or as a normal change, with a view to monitoring the need for upgrades.

16. Brigitte Voerman agreed with the view of the expert from the United States of America on the different levels of priorities of changes. She however observed that a detailed description of levels of priorities was premature. She recommended that the Service Provider only provides advice in that respect, because the CAB is responsible for discussing those priorities and making decisions accordingly. With regard to upgrades, she specified that even though upgrades and updates had deliberately not been mentioned, due to the risk of confusion, they were included in the changes contemplated.

17. An expert from Switzerland added that iSupport change management processes should take into account the specific lifecycle of the tools of each State (implementation of an Oracle 11G database for instance). With this in mind, he suggested drawing the attention of participating States to the potential impact of any local changes.

18. An expert from the United States of America clarified that it would be the responsibility of the Service Provider to keep the system up-to-date and to implement mandatory upgrades, however, in terms

of local hardware changes, it would be the responsibility of the State to inform the Governing Body which would assess the impact of those changes and eventually take measures in that respect.

19. Brigitte Voerman suggested that States should inform the Service Provider of any local infrastructural change (upgrade of hardware for instance) to assess the possible impact and avoid unforeseen consequences. Due to the number of States eventually implementing iSupport, the Service Provider would not be in a position to track those changes directly.

20. An expert from the United States of America expressed her support with this proposal and recommended implementing a regular communication process between States and the Service Provider. Philippe Lortie took this opportunity to underscore the role of the Governing Body in that matter.

21. In response to a question from the French expert, Brigitte Voerman stated that paragraph 27 of the Services Document provides for a maximum period of three months for States to install a new release. Philippe Lortie referred to the Information Document paragraph 7. The Governing Body will ensure that implementation of changes are harmonized and seamless.

22. Philippe Lortie suggested including those additional thoughts and comments in track changes and circulating the updated documents by Wednesday 18 February.

Outline of tender and contractual matters

23. Philippe Lortie reminded the participants that the Hague Conference as an international organisation was not bound by any national public procurement law. He however noted that the iSupport call for tender will follow the open procedure rules laid down in the EU 2004 Directive and the 2011 UNCITRAL model law on public procurement. He observed that European States would expect the contract to be awarded under the European rules.

24. Philippe Lortie presented the timeline for the call for tender and contract award procedure. A detailed invitation to tender will be circulated for the Tender, Maintenance and Governance Working Group Meeting of 9 March 2015, and experts will be invited to provide final comments. By 2nd of April 2015, a prior information notice, including a draft deliverables document, will be published to inform the industry about the intention of the Hague Conference to subcontract. Those documents are to be reviewed by States as well as by possible candidates from the industry. He noted that the contractual aspects of the procurement will not be presented at this stage. The Advisory Board will approve the final version of the call for tender including the deliverables document on 28 and 29 April 2014, prior to its publication on the 1st of May. Philippe Lortie explained that, to ensure transparency, at every stage of the tender process, queries from States as well as from candidates or tenderers and subsequent answers from the iSupport team, will be published on the Hague Conference website.

25. In response to a question from an expert, Philippe Lortie reiterated that a draft call for tender will be submitted for approval of the Tender, Maintenance and Governance Working Group on 9 March 2015. He observed that the Working Group experts might be invited to attend an extra meeting in order to comment the final version after the 2nd of April. He stated that the Deliverables document was currently being discussed during the Working Groups meetings and that a finalized version will be available on 2nd of April.

26. An expert from the Netherlands queried the use of a criteria table to award the contract. In addition, he asked for a reference table with the Deliverables document.

27. Philippe Lortie opined on the importance of such an award criteria table, provided by Chapter 1.C of the Outline Document *“Evaluation of the bids based on the attached table”*. He welcomed any suggestion, example or comments related to that matter.

Open source

28. Philippe Lortie referred to the Advisory Board decision to develop iSupport using open source. He explained that this could be done either by using pre-existing open source solutions, or by developing a new system and releasing it without proprietary rights. He observed that the Advisory Board had, amongst other reasons, favoured open source to avoid future license fees. He suggested however that a tenderer could offer an alternative solution, such as using proprietary source codes without license fees. He invited the experts to investigate their governmental requirements in that matter.

Other items for discussion

27. Philippe Lortie invited all experts to share any documents or comments by Wednesday 18 February and welcomed any further contributions before the next meeting with regard to non-addressed issues.