



# DIJUF

Newsletter 2022, No. 53

## NEWSLETTER OF THE GLOBAL NETWORK: "CHILD SUPPORT WORLDWIDE"

Dear network members and child support experts all over the world,

Our network can look back on a successful year. With the creation of the Child Support Forum, which met for a second time on 23 November 2022, a useful and fruitful exchange has been established, which we hope will continue in 2023. The report on this second meeting of the Child Support Forum will follow in due course. For now, the Forum has already succeeded in highlighting the work of public bodies in the cross-border recovery of maintenance. In view of the next meetings, we are more than happy to take any suggestions you may have for further topics of discussion.

Until then, we wish you a relaxing holiday period and a good start to the new year!

### Kay Cook publishes "The failure of child support: Gendered systems of inaccessibility, inaction and irresponsibility"

Drawing on interviews with experts from a diverse range of 16 countries, including the US, the UK, Germany, Portugal, Norway, Peru, Japan, South Korea, Malaysia and Nigeria, Kay Cook's book examines how child support systems often fail to transfer payments from separated fathers to mothers and their children. It lays out how, irrespective of their design, these systems are structured in ways that render them ineffective, leaving women [mothers] to bear the burden of their failures. The book also examines child support as a non-performative policy that seeks to hold individual women, rather than the State, responsible for the system's failure. It charts the demise of child support as a feminist intervention, re-situating it as gendered governance practice that operates by making the system inaccessible, failing to deliver outcomes, and condoning the irresponsibility of fathers. It identifies how the gender order is entrenched through child support failure and offers possibilities for feminist reform.

### Denmark designates transmitting and receiving authorities within the 1956 New York Convention

By a communication received on 30 September 2022, the Government of Denmark notified the Secretary-General of the United Nations that the following authorities have been designated to act as Transmitting and Receiving Agencies.

#### Transmitting Agency:

Gaeldsstyrelsen

Pionér Allé 1

DK - 6270 Tønder, Denmark

Email : international-inddrivelse.toender@galdst.dk



# INCSS

## Receiving Agency

Familieretshuset

Storetorv 10

6200 Aabenraa, Denmark

Email : [post@familieretshuset.dk](mailto:post@familieretshuset.dk)

Website : [www.familieretshuset.dk](http://www.familieretshuset.dk)

**Practice note:** Even if Chapter VII of the EU Maintenance Regulation (EC 4/2009) does not apply in Denmark, the use of the application forms Annex VI and VII is recommended and accepted.

## 2007 Hague Convention applicable in the Philippines from 1 October 2022

On 1 October 2022, the 2007 Child Support Convention entered into force in the Philippines. The Republic of the Philippines has made the following reservations:

- Article 2 (2) - the Republic of the Philippines reserves the right to limit the application of the Convention under sub-paragraph 1 a), to persons who have not attained the age of 18 years;
- Article 20 (2) - the Republic of the Philippines reserves the right not to recognize and enforce a foreign support decision based on the following grounds:
  - i. the creditor was habitually resident in the State of origin at the time proceedings were instituted;
  - ii. except in disputes relating to maintenance obligations in respect of children, there has been agreement to the jurisdiction in writing by parties; or
  - iii. the decision was made by an authority exercising jurisdiction on a matter of personal status or parental responsibility, unless that jurisdiction was based solely on the nationality of one of the parties;
- Article 30 (8) - the Republic of the Philippines reserves the right not to recognize and enforce a maintenance agreement; and
- Article 44 (3) - the Republic of the Philippines objects to the use of the French language for any other communications between Central Authorities.

Further information concerning the designated Central Authority and the implementation of the Convention will follow.

## 2007 Hague Protocol entered into force for Ukraine on 1 December 2022

On 29 August 2022, Ukraine ratified the 2007 Hague Protocol. The Protocol is now applicable in Ukraine as of 1 December 2022. Ukraine is the 32<sup>nd</sup> Contracting Party to this instrument, which harmonizes the law applicable on maintenance obligations.

## 2007 Hague Convention will enter into force for Botswana on 16 November 2023

On 14 November 2022, the Republic of Botswana deposited its instrument of accession to the 2007 Hague Convention. Following this accession, 45 States and the European Union are bound by the Child Support Convention. It is an important step towards improving access to justice for many children. Numerous requests for support received by DIJuF and via the e-mail address of our network show the need for an efficient legal framework in African countries.

## CSW-Newsletter – get involved!

Thank you for your feedback on the latest contributions!

You are kindly invited to continue sharing information with us regarding:

- Your national child support law and public supporting instruments,
- Private international law developments related to child support,

- The practice of cross-border recovery of child support in your State,
- Any events related to the cross-border recovery of child support.



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