CHAPTER XX

MAINTENANCE OBLIGATIONS

1. CONVENTION ON THE RECOVERY ABROAD OF MAINTENANCE

New York, 20 June 1956

ENTRY INTO FORCE: 25 May 1957, in accordance with article 14.

REGISTRATION: 25 May 1957, No. 3850.

STATUS: Signatories: 24. Parties: 64.

United Nations, *Treaty Series*, vol. 268, p. 3, and vol. 649, p. 330 (procès-verbal of rectification of authentic Spanish text). **TEXT:**

Note: The Convention was adopted and opened for signature by the United Nations Conference on Maintenance Obligations convened pursuant to resolution 572 (XIX)1 of the Economic and Social Council of the United Nations, adopted on 17 May 1955. The Conference met at the Headquarters of the United Nations in New York from 29 May to 20 June 1956. For the text of the Final Act of the Conference, see United Nations, Treaty Series, vol. 268, p. 3.

Participant ² Signatus	re	Accessio Successi Ratificat	ion(d),	Participant ²	Signatui	re	Accessio Successi Ratificat	ion(d),
Algeria	1956 1956		1 //	El Salvador Estonia Finland France ⁵ Germany ^{6,7} Greece Guatemala Haiti Holy See Hungary Ireland Israel Italy	20 Jun 	1956 1956 1956 1956 1956 1956 1956	8 Jan 13 Sep 24 Jun 20 Jul 1 Nov 25 Apr 12 Feb 5 Oct 23 Jul 26 Oct 4 Apr 28 Jul	1997 a 1962 a 1960 1959 1965 1957 1958 1964 1957 a 1995 a 1957 1958
Cambodia 20 Jun Central African Republic 16 Jul Croatia ³ 20 Jun Cyprus 20 Jun Czech Republic ⁴ 28 Dec Dominican Republic 20 Jun Ecuador 20 Jun	1956 1956 1956 1956 1956	15 Oct 9 Jan 10 Nov 20 Sep	1962 a 1961 a 1999 1993 d 1986 a 1993 d 1959	Kazakhstan		1956 1956 1956	28 Mar 27 May 16 Sep 1 Nov 23 Jul 28 Jun 23 Oct 18 Mar 31 Jul 26 Feb 15 Feb	2000 a 2004 a 2005 a 1971 a 1992 1961 2006 d 1957 a 1962 1986 a 1965 a

Participant ²	Signature	Accessio Successi Ratificat	ion(d),	Participant ²	Signature	e	Accessio Successio Ratificat	ion(d),
North Macedonia ³	••••	10 Mar	1994 d	Spain			6 Oct	1966 a
Norway	••••	25 Oct	1957 a	Sri Lanka	20 Jun	1956	7 Aug	1958
Pakistan	••••	14 Jul	1959 a	Suriname			12 Oct	1979 a
Philippines	20 Jun 1956	21 Mar	1968	Sweden	4 Dec	1956	1 Oct	1958
Poland	••••	13 Oct	1960 a	Switzerland			5 Oct	1977 a
Portugal	••••	25 Jan	1965 a	Tunisia			16 Oct	1968 a
Republic of Moldova.	••••	24 Jul	2006 a	Türkiye			2 Jun	1971 a
Romania		10 Apr	1991 a	Ukraine ^{11,12}			19 Sep	2006 a
Serbia ³		12 Mar	2001 d	United Kingdom of	•			
Seychelles		1 Nov	2004 a	Great Britain an				
Slovakia ⁴	••••	28 May	1993 d	Northern Ireland	d ¹³		13 Mar	1975 a
Slovenia ³		6 Jul	1992 d	Uruguay	•••••		18 Sep	1995 a

Declarations and Reservations (Unless otherwise indicated, the declarations and reservations were made upon ratification, accession or succession.)

ALGERIA

The Democratic and Popular Republic of Algeria does not consider itself bound by the provisions of article 16 of the Convention concerning the competence of the International Court of Justice and affirms that the agreement of all the parties concerned is required in each case before a dispute can be brought before the International Court of Justice.

ARGENTINA

(a) The Argentine Republic reserves the right, with respect to article 10 of the Convention, to restrict the application of the expression "highest priority" in the light of the provisions governing exchange controls in Argentina.

(b) In the event that another Contracting Party extends the application of the Convention to territories over which the Argentine Republic exercises sovereignty, such extension shall in no way affect the latter's rights (the reference is to article 12 of the Convention).

(c) The Argentine Government reserves the right not to apply the procedure provided for in article 16 of the Convention in any dispute directly or indirectly related to the territories referred to in its declaration concerning article 12.

AUSTRALIA

"Australia wishes to declare, in accordance with Article 12, that with the exception of the Territory of Norfolk Island, the Convention shall not be applicable to the territories for the International relations of which Australia is responsible."

ISRAEL

" Article 5: The Transmitting Agency shall transmit under paragraph 1 any order, final or provisional, and any other judicial act, obtained by the claimant for the payment of maintenance in a competent tribunal of Israel, and, where necessary and possible, the record of the proceedings in which such order was made.

" Article 10: Israel reserves the right:

"a) to take the necessary measures to prevent transfers of funds under this Article for purposes other than the bona fide payment of existing maintenance obligations:

obligations;
"b) to limit the amounts transferable pursuant to this

Article, to amounts necessary for subsistence."

NETHERLANDS (KINGDOM OF THE)

The Government of the Kingdom makes the following reservation with regard to article 1 of the Convention: the recovery of maintenance shall not be facilitated by virtue of this article if, the claimant and the respondent being both in the Netherlands, or, respectively, in Surinam, the Netherlands Antilles or Netherlands New Guinea, and assistance having been granted or similar arrangements made under the Assistance to the Needy Act (*Loi sur l'Assistance des Pauvres*), no recovery was in general obtained for such assistance from the respondent, having regard to the circumstances of the case in question.

"The Convention has for the time being been ratified for the Kingdom of the Netherlands in Europe only. If, in accordance with article 12, the application of the Convention will at any time be extended to the parts of the Kingdom outside Europe, the Secretary-General will be duly notified thereof. In that event the notification will contain such reservation as may be made on behalf of any

of these parts of the Kingdom.'

REPUBLIC OF MOLDOVA

"Until the full re-establishment of the territorial integrity of the Republic of Moldova, the provisions of the Convention shall be applied only on the territory controlled effectively by the authorities of the Republic of Moldova."

SEYCHELLES

"The Republic of Seychelles reserves the right, with respect to article 10 of the Convention, to restrict the application of the expression ' highest priority ' in the

light of the legal provisions governing exchange control in Seychelles."

SWEDEN¹⁴

Article 1: Sweden reserves the right to reject, where the circumstances of the case under consideration appear to make this necessary, any application for legal support aimed at the recovery of maintenance from a person who entered Sweden as a political refugee.

entered Sweden as a political refugee.

Article 9: "Where the proceedings are pending in Sweden, the exemptions in the payment of costs and the facilities provided in paragraph 1 shall be granted only to persons resident in a State Party to the Convention or to

any person who would otherwise enjoy such advantages under an agreement concluded with the State of which he is a national."

TUNISIA

- (1) Persons living abroad may only claim the advantages provided for in the Convention when considered non-residents under the exchange regulations in force in Tunisia.
- (2) A dispute may only be referred to the International Court of Justice with the agreement of all the parties to the dispute.

Objections

(Unless otherwise indicated, the objections were made upon ratification, accession or succession.)

CZECH REPUBLIC4

POLAND

The Government of the Polish People's Republic wishes to express its objection, in accordance with article 17, paragraph 1, of the said Convention, to the first two reservations made by the Government of Tunisia in its instrument of accession.

SLOVAKIA4

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

"With reference to article 17 (1) of the Convention . . . the Government of the United Kingdom [objects] to reservations (b) and (c) made by Argentina in respect of articles 12 and 16 upon accession to the Convention."

Notifications made under article 3 (Unless otherwise indicated, the notifications were made upon ratification, accession or succession.)

COLOMBIA

"Maintenance" is understood to mean everything essential for the support, housing, clothing, medical treatment, recreation, comprehensive training and education or instruction of the minor. Maintenance shall include the obligation to pay the mother's pregnancy and childbirth expenses. Article 133, Decree No. 2737 of 1989, Minors' Code.

Every minor is entitled to the protection, care and assistance necessary to achieve adequate physical, mental, moral and social development, and such rights are recognized from the time of conception. Article 3 of Decree No. 2737, Minors' Code.

In the event of non-compliance with the maintenance obligation towards a minor, a request for conciliation may be submitted to the Family Ombudsman, the competent judges, the Family Commissioner or the Corrections Inspector of the minor's place of residence by either parent, by the child's relatives, by the guardian or person caring for the child or motu proprio. Article 136, Decree No. 2737 of 1989, Minors' Code.

The right to claim maintenance may not be waived and is non-transferable in the event of death. The right to claim maintenance may not be sold or assigned in any

The person owing maintenance (respondent) may not ask the claimant to offset that debt with sums owed to him by the claimant.

Even if the parents have been deprived of parental authority, their maintenance obligation does not cease. This obligation ceases when the minor is adopted.

As long as the respondent does not fulfil or agree to fulfil the maintenance obligation towards the minor, he may not claim custody and personal care or exercise other rights over the minor.

When necessary, the judge will decide who is to have custody and care of the minor(s) on whose behalf the proceedings were instituted, without prejudice to the relevant judicial actions. Article 150, Decree No. 2737, Minors' Code.

An expectant mother may claim maintenance in respect of the offspring of the legitimate father (husband) or of the man who has recognized paternity in the case of a child to be born out of wedlock. Article 135, Decree No. 2737 of 1989, Minors' Code.

Act No. 23 of 1991, Act No. 446 of 1998 and Act No. 640 of 2001

Article 35 of Act No. 640 of 2001. "Admissibility requirement. In cases suitable for conciliation, extrajudicial conciliation as of right is an admissibility requirement for application to the civil, administrative law, labour and family courts, as specified in this Act for each of these areas."

Accordingly, in requests for imposition of maintenance payments for a minor, the child's mother or father or the child's relatives or officials dealing with the case may initiate conciliation with the person obligated to pay such maintenance.

In this case, the (non-compliant) person obligated to pay maintenance will be summoned to the office of the Family Commissioner, the Family Ombudsman or the competent judge to try to reach agreement on the amount of the maintenance payments, the means of making them, their timing and guarantees of observance. The respondent may authorize deduction from his salary of the agreed amounts.

When conciliation has produced agreement on the maintenance figure, method of payment, timing of the payments and relevant guarantee, a record will be prepared for signature by the presiding official and the parties. The official will then approve it by means of a

writ and the conciliation will thus become enforceable; in other words, in caseof non-compliance by the respondent, maintenance enforcement proceedings will be initiated.

If the person summoned does not appear, after being summoned twice and after the reason for the summons has been given, or if the conciliation fails, the official may establish a provisional maintenance figure and the writ establishing it will be enforceable. The official must submit the claim for maintenance to the competent judge in order for the figure provisionally established to be confirmed by the judge.

Maintenance conciliations may vary depending on the circumstances of the person obligated to pay maintenance and the needs of the person receiving the financial support. In addition, the judicial decision awarding maintenance may be reviewed in order to revise the maintenance figure, when the respondent is the father of

another minor or other minors.

The conciliation record must contain the following information:

Place, date and time of the conciliation hearing;

Name of the Conciliator;

Name of the persons summoned to the conciliation

and indication of who attended the proceedings:

Brief account of the claims that are the subject of the conciliation;

Agreement reached by the parties during the

proceedings.
Each of the parties participating in the conciliation

must receive a copy of the record.

Claims for maintenance for minors are dealt with in the manner established in Decree No. 2737 of 1989 (Minors' Code); as specified in Decree No. 2272 of 1989,

the decision is not subject to appeal.

Claims for maintenance must contain the name of the parties, their address for notification purposes (place of residence, domicile, whereabouts or place of work), the amount of maintenance claimed, the justification for the claimand the evidence adduced and must be accompanied by any documents in the possession of the claimant. Claims may be submitted orally or in writing. If any document is missing that the claimant is unable to attach, the judge may, at the request of a party or ex officio, order the relevant authority to issue the document.

If he deems it necessary, the judge may order attachment of the respondent's salary (in an amount that he considers appropriate) in the writ authorizing submission of the claim (in order to guarantee fulfilment of the maintenance obligation), for which purpose he shall communicate officially with the respondent's employer. He may also order retention of an amount that he considers appropriate from the respondent's severance pay, in order to guarantee the minor's maintenance in the event that the respondent resigns or is laid off from his

employment.

Any judicial decision must be based on the evidence duly and regularly produced in the proceedings. Article 174 of the Code of Civil Procedure.

Means of proof. The means of proof are statements by the parties, responses under oath, testimony of third parties, expert opinions, physical examination of exhibits, documents, circumstantial evidence and any other means that may help the judge to form an opinion. Article 175 of the Code of Civil Procedure.

When the civil proceedings require formalities on foreign territory, the judge may, depending on the nature

and urgency of the matter:

Send letters rogatory, through the Ministry of Foreign Affairs, to one of the judicial authorities in the country where the formalities are to take place so that it may conduct them and send the evidence back through the diplomatic or consular agent of Colombia or of a friendly country.

Directly request the consul or diplomatic agent of Colombia in the country concerned to conduct the formalities in accordance with national legislation and to

send the evidence back directly. The consuls and diplomatic agents of Colombia abroad are authorized to conduct all the judicial formalities in civil cases entrusted to them under article 193 of the Code of Civil Procedure.

Evidence is provided at the request of the parties or following an official order from the judge, if he considers it necessary for verification of the facts alleged by the parties. The cost of providing evidence is shared equally by the parties, without prejudice to the judge's decision regarding the costs of the proceedings.

Deposition. Statement made before the judge in exercise of his functions. Other statements are extra-

judicial.

Questioning. The judge may officially summon the parties to answer under oath any questions he wishes to put to them. He may also summon one of the parties, at the request of the other, provided that the request is made in due form

Oath. When the law authorizes the judge to request any of the parties to take an oath, the oath must be taken at the time when the evidence is to be presented, at the date and time appointed.

Statements by third parties. All persons are obliged to make statements if requested, except in the cases

specified by law.

Expert opinion. An opinion requiring the participation of experts or persons specializing in specific scientific, technical or artistic subjects.

Physical examination of exhibits. Proof established by verification of certain facts germane to the proceedings.

Circumstantial evidence. In order for a fact to be

considered as circumstantial evidence, it must be fully proved in the proceedings. The judge is authorized to deduce circumstantial evidence from the behaviour of the parties.

Documents. Documents may be public or private. Public documents are those issued by a public official in the performance of his duties or with his intervention. Private documents are those not meeting the requirements

to be considered as public documents.

Authentic document. A document regarding which certainty exists as to the person who drafted, wrote or signed it. A public document is presumed to be authentic, unless the contrary is proved by evidence of forgery. Private documents are authentic if they meet the requirements specified by law.

In order for proceedings to be initiated for recovery of maintenance for minors, the relationship between the minor claiming maintenance and the person obligated to provide it must be proved. This shall be done by reference to the Civil Registry where the minor's birth is recorded. The financial ability of the respondent to provide maintenance must also be proved, even summarily (reason to believe). If such ability cannot be proved, an analysis will have to be made of the respondent's social position and habits and it will ultimately be presumed that the respondent will pay the minor the minimum wage.

In order to demonstrate the respondent's ability to pay, a certificate of income and statutory allowances, if he is employed, may be requested as evidence (documentary or oral). The Land Registry Office may be requested to report on immovable property owned by the respondent. The Transit and Transport Secretariat may be asked to determine the ownership of automobiles registered to the respondent. The Chamber of Commerce may be asked to establish the respondent's ownership of or participation in commercial firms. The national Tax Office may be asked to provide the respondent's tax return, and credit or banking institutions may be asked to report on the respondent's balances and on credit card usage. Oral evidence may also be sought, in which persons are asked about the respondent's income.

Maintenance is due at the time of the first claim and must be paid monthly in advance, during the first five days of the month in question. Article 421 of the Civil Code, in conformity with the second paragraph of article 498 of the Code of Civil Procedure, Decree No. 2282 of 1989.

An amount to be deducted from the respondent's pay or salary, which may not exceed 50 per cent of his monthly income. Establishment of a fund, the income from which will be used to make the established maintenance payments.

A specific sum of money, depending on the respondent's demonstrated ability to pay.

Maintenance payments will increase annually, either in order to reflect cost-of-living increases or as agreed between the parties during the conciliation.

In the event of non-compliance with the maintenance obligation agreed during the conciliation or decreed by decision of the judge, the family judge concerned may initiate maintenance enforcement proceedings, with the legal consequences, if necessary, of attachment and auction of property.

"Any person who without good reason fails to provide maintenance legally due to his relatives in the ascending line, descendants, adopter or adoptee, or spouse shall be liable to imprisonment for a term ranging from one (1) to three (3) years and a fine ranging from ten (10) to twenty (20) times the monthly legal minimum wagein force."

"The penalty shall be imprisonment ranging from two

(2) to four (4) years and a fine ranging from fifteen (15) to twenty-five (25) times the monthly legal minimum wage in force if the failure to provide maintenance concerns a minor under fourteen (14) years of age." Article 233 of the Penal Code.

"Aggravating circumstances. The penalty specified in the preceding article shall be increased by up to one third if the respondent has fraudulently concealed, reduced or encumbered his income or assets in order to avoid paying maintenance." Article 234 of the Penal Code.

"Repetition. Enforcement of the sentence shall not

preclude the initiation of further proceedings if the person concerned again fails to make maintenance payments."
Article 235 of the Penal Code.

REPUBLIC OF MOLDOVA

In its capacity as Receiving Agency, the Ministry of Justice shall limit the performance of its duties to receiving documents from foreign claimants and, where appropriate, communicating replies. It will also have the right, pursuant to article 3, paragraph 3, of the aforementioned Convention, to appoint the national authority authorized to act on behalf of the claimant.

Pursuant to article 3, paragraph 2, of the aforementioned Convention, the evidence required for the

proof of maintenance claims is as follows:

- the power of attorney granted to the Receiving Agency of the country in which the respondent is domiciled:

- a certified copy of the marriage or divorce certificate, as appropriate:

a certified copy of the child's birth certificate. For claimants over the age of 18 who do not have a regular income, the following is also required:
- a statement of monthly income and a certificate

concerning the increase in maintenance;

- any other documents attesting to the claimant's delicate financial situation (school certificates, medical certificates in the case of disabled persons, etc.);

the bank account of the claimant into which the respondent may transfer maintenance payments from

abroad;

- photographs, where available, of the claimant and respondent;

such other additional documents as may be requested

by the courts.

The aforementioned documents must be submitted in

duplicate, both copies having been duly authorized.

The Republic of Moldova hereby declares that all documents submitted to the Republic of Moldova pursuant to the provisions of the Convention must be accompanied by certified translations into Moldovan.

Territorial Application

	Date of receipt of the	ę
Participant	notification	Territories
Australia	12 Feb 1985	Norfolk Island
France	24 Jun 1960	Comoro Islands, French Polynesia, French Somaliland, New Caledonia and Dependencies and St. Pierre and Miquelon
Netherlands (Kingdom of the) ⁹	12 Aug 1969	Netherlands Antilles
United Kingdom of Great Britain and Northern Ireland	29 Nov 1984	Isle of Man
1 torthorn notand	30 Jul 2003	Bailiwick of Jersey

Notifications made under article 2 (Designation of administrative or judicial authority)

Participant	Region:	Transmitting Agency:	Receiving Agency:
Algeria		Ministry of Justice	Ministry of Justice
Argentina		Ministry of Justice	Ministry of Justice
Australia		Child Support Agency, GPO	Child Support Agency, GPO
		Box 9815, Hobart, Tasmania	Box 9815, Hobart, Tasmania
		7001 Australia, Phone: +61 3	7001, Australia, Phone: +61 3
		6221 0187, Facsimile: +61 3	6221 0187, Facsimile: +61 3

Participant	Region:	Transmitting Agency:	Receiving Agency:
		6221 0180	6221 0180
Austria		District Court(Bezirksgericht) exercising judicial jurisdiction in civil law matters in whose territory the claimant has his permanent residence, or if he has none in the country, his actual residence to act in its territory as Transmitting Agency.	
Austria	Vienna - Districts I-XX	District Court of the Inner City of Vienna	
Austria	Vienna - Districts XXI, XXII	District Court of Florisdorf	
Austria	Vienna - Districts XXIII	District Court of Liesing	
Barbados		Attorney General of Barbados	Attorney General of Barbados
Belarus ¹⁵		Ministry of Justice (See attachment 1)	District Courts (See attachment 1)
Belgium		Ministry of Justice	Ministry of Justice
Bosnia and Herzegovina		Ministry of Justice	Ministry of Justice
Brazil		Procuradoria Geral da República (Attorney General's Office)	Procuradoria Geral da República (Attorney General's Office)
Burkina Faso	··	Ministry of Justice	Ministry of Justice
Cape Verde		Regional Courts	Procuradoria-Geral da República
Central African Republic ¹⁶	. .		
Chile		Corporación de Asistencia Judicial de la Región Metropolitana, Calle Augustinas 1419, Telephone: (56) (2) 6982829, Facsimile: (56) (2) 6728700	Corporación de Asistencia Judicial de la Región Metropolitana, Calle Augustinas 1419, Telephone: (56) (2) 6982829, Facsimile: (56) (2) 6728700
China ¹⁷			
Colombia		Consejo Superior de la Judicatura Presidencia de la Sala Administrativa Calle 12 No. 7-65, En Bogotá D.C. PBX 57-1-5658500	Instituto Colombiano de Bienestar Familiar Subdirección de Intervenciones Directas Avenida 68 No. 64-01, en Bogotá D.C. PBX 57-1- 4377630-página Web: www.bienestarfamiliar.gov.co
Croatia		Ministarstvo rada, mirovinskoga sustava, obitelji i socijalne politike (Ministry of Labour, Pension System, Family and Social Policy) Ulica grada Vukovara 78 10000 Zagreb, Croatia Telephone: + 385 1 555 7111, + 385 1 555 7015 Fax: + 385 1 555 7222 E-mail: pisarnica@mrosp.hr Web- site: https://mrosp.gov.hr/	i socijalne politike (Ministry of Labour, Pension System, Family and Social Policy) Ulica grada Vukovara 78 10000 Zagreb, Croatia Telephone: + 385 1 555 7111, + 385 1 555 7015 Fax: + 385 1 555 7222 E-mail: pisarnica@mrosp.hr Web-

Participant	Region:	Transmitting Agency:	Receiving Agency:
Cyprus		Ministry of Justice of the Republic	Ministry of Justice of the Republic
Czech Republic		Contact: Office for International Legal Protection of Children, Šilingrovo námestí 3/4, 602 00 BRNO, Czech Republic, email: podatelna@umpod.cz, Contact persons: Mr. Zdenek Kapitán, Director, Ms. Markéta Nováková, Deputy Director	Contact: Office for International Legal Protection of Children, Šilingrovo námestí 3/4, 602 00 BRNO, Czech Republic, email: podatelna@umpod.cz, Contact persons: Mr. Zdenek Kapitán, Director, Ms. Markéta Nováková, Deputy Director
Denmark		Gaeldsstyrelsen Pionér Allé 1 DK - 6270 Tonder, Danemark Email : international- inddrivelse.toender@gaeldst.d k	6200 Aabenraa, Denmark Email :
Ecuador		National Court of Minors	President of National Court of Minors
Estonia		Ministry of Justice	Ministry of Justice
Finland		Ministry of Foreign Affairs	Ministry of Foreign Affairs
France		Ministère des affaires étrangères, Division du contentieux service du	Ministère des affaires étrangères, Division du contentieux service du
		recouvrement des aliments à l'étranger(Ministry of Foreign Affairs, Contentious Matters, Recovery Abroad of Maintenance Service)23, rue la Pérouse, Paris (XVIème), France	recouvrement des aliments à
Germany		Bundesamt für Justiz 53094 Bonn Tel.: + 49 228 99 410- 40 Fax.: + 49 228 99 410- 5202E-Mail: auslandsunterhalt- 2@bfj.bund.de Homepage: http://www.bundesjustizamt.de"	Bundesamt für Justiz 53094 Bonn Tel.: + 49 228 99 410- 40 Fax.: + 49 228 99 410- 5202E-Mail: auslandsunterhalt- 2@bfj.bund.de Homepage: http://www.bundesjustizamt.d e"
Germany	.Land Baden-Württemberg	Ministry of Justice of Land Baden-Württenberg in Stuttgard	Bundesverwaltungsamt, Außenstelle Bonn, Postfach 20 03 5153133 Bonn, E-mail address: bva- poststelle@bva.bund.de, Internet: www.bundesverwaltungsamt. de
Germany	.Land Bayern (Bavaria)	Bavarian Ministry of Justice in Munich/ Bayerisches Staatsministerium der Justiz, 80097 Muenchen	
Germany	.Land Berlin	Senator of Justice at Berlin- Schoneberg	

Participant	Region:	Transmitting Agency:	Receiving Agency:
Germany	Land Bremen	Senator of Justice and Constitution in Bremen	
Germany	Land Hamburg	Senate of Hamburg - Justice Administration - in Hamburg	
Germany	Land Hessen (Hesse)	Hessian Minister of Justice in Wiesbaden	
Germany	Land Niedersachsen (Lower Saxony)	Minister of Justice of Land Lower Saxony in Hanover	
Germany	Land Nordrhein -Westfalen (North Rhine/Westphalia)	Minister of Justice of Land North-Rhine / Westphalia in Dusserldorf	
Germany	Land Rheinland-Pfalz (Rhineland/Palatinate)	Minister of Justice of Land Rhineland-Palatinate in Mainz	
Germany	Saarland	Minister of Justice in Saarbrücken	
Germany	Land Schleswig-Holstein	Minister of Justice of Land Schleswig-Holstein in Kiel	
Germany	Land Brandenburg	Brandenburg Ministry of Justice, Potsdam	
Germany	Land Mecklenburg - Western Pomerania	Minister of Justice, Federal and European Affairs of Mecklenburg - Western Pomerania, Schwerin	
Germany	Land Saxony	Saxon Ministry of Justice, Dresden	
Germany	Land Saxony-Anhalt	Minister of Justice of Saxony- Anhalt, Magdeburg	
Germany	Land Thuringia	Thurigian Minister of Justice, Erfurt	
Greece		Ministry of Foreign Affairs	Ministry of Justice
Guatemala		Attorney-General of the Nation (Procurador General de la Nación, Jefe del Ministerio Público)	Attorney-General of the Nation (Procurador General de la Nación, Jefe del Ministerio Público)
Haiti		Commissaire du Gouvernement près de la Cour de cassation et Juriste du Ministère des Affaires étrangères	Département de la Justice, par le truchement du Minstère des Affaires étrangères
Holy See		Office of Protocol - General Affairs Section, Secretariat of State, 00120 Vatican City	Office of Protocol - General Affairs Section, Secretariat of State, 00120 Vatican City
Hungary		Ministry of Justice and Law Enforcement(Igazságügyi és Rendészeti Minisztérium), Postal Address: Kossuth lajos tér 4. Budapest 1055, Hungary, Tel:+36-1-441- 3003, Fax:+36-1-441-3711	Ministry of Social Affairs and Labour(Szociális és Munkaügyi Minisztérium)Postal Address: POB 609, Budapest 1373, Hungary, Tel:+36-1-475- 5700, Fax:+36-1-475-5800
Ireland		Central Authority for Maintenance Recovery from Abroad, Department of	Central Authority for Maintenance Recovery from Abroad, Department of

Participant	Region:	Transmitting Agency:	Receiving Agency:
		Justice, 51 St Stephen's Green, Dublin 2, D02 HK52 Ireland Phone: +353 1 859- 2232 Email Address: mainrecov@justice.ie	Justice, 51 St Stephen's Green, Dublin 2, D02 HK52 Ireland Phone: +353 1 859- 2232 Email Address: mainrecov@justice.ie
Israel		Department of Legal Aid, Ministry of Justice, 1 Soreg Street, Beit Mizpeh, P.O. Box 1777, Jerusalem 91017, Israel. Tel.: 972(2)6211381; Fax: 972(2)6467945.	Department of Legal Aid
Italy		Ministry of Interior, Ministry of Foreign Affairs	Ministry of Interior
Kazakhstan		Committee on Judicial Administration to the Supreme Court of the Republic of Kazakhstan	
Kyrgyzstan		Judicial Department under the Supreme Court of the Kyrgyz Republic	Judicial Department under the Supreme Court of the Kyrgyz Republic
Luxembourg		M. le Procureur général d'État, 12, Côte D'Eich, Boîte postale 15L-2010 Luxembourg	M. le Procureur général d'État, 12, Côte D'Eich, Boîte postale 15L-2010 Luxembourg
Mexico		de Protección a Mexicanos en	Secretaría de Relaciones Exteriores, Dirección General de Protección a Mexicanos en el Exterior, Dirección General Adjunta de Derecho de Familia, Plaza Juárez #20, Piso 17, Col. Centro, Del. Cuauhtémoc, 06010 Ciudad de México, Tel.: +52 (55) 3686-5856, Email: dgpmexterior@sre.gob.mx; Represented by: Jacob Prado, Director General, jprado@sre.gob.mx; Raúl García Zentlapal, Director General Adjunto de Derecho de Familia, rgarciaz@sre.gob.mx, +52 (55) 3686-5871; Mónica Alexander Padilla, Subdirectora de Pensiones Alimenticias y Adopciones Internacionales,
		The state of the s	malexander@sre.gob.mx, +52 (55) 3686-5100 ext. 7543
Moldova		Le Ministère de la Justice de la République de Moldova, rue 31 Aout 1989, 82, Chisinau, MD-2012, République de Moldova	Le Ministère de la Justice de la République de Moldova, rue 31 Aout 1989, 82, Chisinau, MD-2012, République de Moldova
Moldova		• •	"Le Ministère de la Justice de

Participant	Region:	Transmitting Agency:	Receiving Agency:
Monaco		la République de Moldova, rue 31 Aout 1989, 82, Chisinau, MD-2012, République de Moldova".	la République de Moldova, rue 31 Aout 1989, 82, Chisinau, MD-2012, République de Moldova". Direction des Relations
Monaco	••	Parquet général	extérieures
Montenegro		Ministry of Finance of the Republic of Montenegro	Ministry of Finance of the Republic of Montenegro
Morocco		Ministry of Justice	Ministry of Justice
Netherlands		Raad voor de Kinderbescherming's Gravenhage Dependance Gouda, LBIOBureau Verdrag van New York, Postbus 8002800 AV Gouda	Raad voor de Kinderbescherming's Gravenhage Dependance Gouda, LBIOBureau Verdrag van New York, Postbus 8002800 AV Gouda
Netherlands (Netherlands Antilles)		de Voogdijraad (Court of Guardianship) on Curaçao	de Voogdijraad (Court of Guardianship) on Curaçao
New Zealand		Department of Justice, Private Bag Postal Center, Wellington, New Zealand	Department of Justice, Private Bag, Postal Center, Wellington, New Zealand
Niger		Department of General Administrative and Consular Affairs of the Ministry of Foreign Affairs	Department of General Administrative and Consular Affairs of the Ministry of Foreign Affairs
Norway		NAV Family Benefits and Pensions Child Support Postboks 6600 Etterstad N- 0607 OSLO Norway e-mail: central.authority.child.support @nav.no	NAV Family Benefits and Pensions Child Support Postboks 6600 Etterstad N- 0607 OSLO Norway e-mail: central.authority.child.support @nav.no
Pakistan		Ministry of Law and Justice point of contact and correspondence address: Office of the Solicitor General Block, R, 3rd Floor, Ministry of Law and Justice, Pakistan Secretariat, Islamabad, Pakistan	Ministry of Law and Justice point of contact and correspondence address: Office of the Solicitor General Block, R, 3rd Floor, Ministry of Law and Justice, Pakistan Secretariat, Islamabad, Pakistan
Portugal		Ministère de la Justice) Divisão de Cooperação Judiciária Internacional (Division de la coopération judiciaire internationale) Adresse: Av. D. João II, n.° 1.08.01 D/E, Ed. H - Pisos do	Direcção-Geral da Administração de Justiça - Ministerio da Justiça (Direction générale de l'administration de la Justice - Ministère de la Justice) Divisão de Cooperação Judiciária Internacional (Division de la coopération judiciaire internationale) Adresse: Av. D. João II, n.° 1.08.01 D/E, Ed. H - Pisos do 0, 9° ao 14° 1990-097 Lisboa, PORTUGAL
Romania		Ministry of Justice of Romania, Bd. Mihail	Baroul de Avocati al Municipiului Bucaresti, Bd.

Participant	Region:	Transmitting Agency:	Receiving Agency:
		Kogalniceanu 33, Bucharest 70749	Magheru 22, Bucharest 70158
Serbia		"The Ministry of Finance of the Republic of Serbia, the Contact Point being Ms. Snezana Nedeljkovic (address: Kneza MIlosa 20, 11000 Beograd, Republic of Serbia; telephone/fax: +381 11 3642 732; e-mail address: snezana.nedeljkovic@mfin.go v.rs)."	"The Office for Human and Minority Rights, the Contact Point being Mrs. Milica Ivkovic (Address: Bulevar Mihaila Pupina 2, 11070 Novi Beograd, Republic of Serbia; telephone: +381 11 3111 710; e-mail: milica@ljudskaprava.gov.rs)."
Seychelles		Ministry of Foreign Affairs	Ministry of Foreign Affairs
Slovakia		Centrum pre medzinárodnosprávnu ochranu deté a mládeze (Centre for the international legal protection of children and youth)Spitálska 6, P.O. Box 5781499 BRATISLAVA, Slovakia	Centrum pre medzinárodnosprávnu ochranu deté a mládeze (Centre for the international legal protection of children and youth)Spitálska 6, P.O. Box 5781499 BRATISLAVA, Slovakia
Slovenia ¹⁸		"Javni štipendijski, razvojni, invalidski in preživninski sklad Republike Slovenije (Public Scholarship, Development, Disability and Maintenance Fund of the Republic of Slovenia), Dunajska cesta 20, 1000 Ljubljana, Slovenia; Phone: + 386 1 4720 990; Fax: + 386 1 4345 899; E-mail: jpsklad@jps-rs.si; Website: http://www.srips-rs.si/"	"Javni štipendijski, razvojni, invalidski in preživninski sklad Republike Slovenije (Public Scholarship, Development, Disability and Maintenance Fund of the Republic of Slovenia), Dunajska cesta 20, 1000 Ljubljana, Slovenia; Phone: + 386 1 4720 990; Fax: + 386 1 4345 899; E-mail: jpsklad@jps-rs.si; Website: http://www.srips-rs.si/"
Spain		Dirección General de Codificación y Cooperación Juridica Internacional del Ministerio de Justicia e Interior	Dirección General de Codificación y Cooperación Juridica Internacional del Ministerio de Justicia e Interior
Sri Lanka		Permanent Secretary to the Ministry of External Affairs	Permanent Secretary to the Ministry of External Affairs
Suriname		Bureau for Family Law Affairs	Bureau for Family Law Affairs
Sweden		Transmitting and Receiving Agency: General questions and questions regarding policy decisions: Försäkringskassan (Swedish Social Insurance Agency) SE -103 51 Stockholm Sweden Tel + 46 (8) 786 90 00 Fax +46 (8) 411 27 89 Email: huvudkontoret@forsakringskassan.se Applications and requests for assistance in	Transmitting and Receiving Agency: General questions and questions regarding policy decisions: Försäkringskassan (Swedish Social Insurance Agency) SE -103 51 Stockholm Sweden Tel + 46 (8) 786 90 00 Fax +46 (8) 411 27 89 Email: huvudkontoret@forsakringska ssan.se Applications and requests for assistance in

Participant	Region:	Transmitting Agency:	Receiving Agency:
		Insurance Agency Box 1164 SE - 621 22 Visby Tel + 46	specific cases: Swedish Social Insurance Agency Box 1164 SE - 621 22 Visby Tel + 46 (771) 17 90 00 Fax + 46 (498) 20 04 11 Email: centralmyndigheten@forsakri ngskassan.se
Switzerland			Federal Office of Justice Central authority for international maintenance matters Bundesrain 20 CH- 3003 Bern Tel.: +41 58 464 80 48 Fax.: +41 58 462 78 64 E-mail: alimente@bj.admin.ch Website: https://www.bj.admin.ch/bj/en /home/gesellschaft/alimente.h tml
The former Yugoslav Republic of Macedonia		Ministry of Justice	Ministry of Justice
Tunisia		Directorate of Consular Affairs of the Secretariat of State for Foreign Affairs	Directorate of Consular Affairs of the Secretariat of State for Foreign Affairs
Turkey		General Directorate for International Law and Foreign Affairs of the Ministry of Justice	General Directorate for International Law and Foreign Affairs of the Ministry of Justice
Ukraine		Ministry of Justice	Ministry of Justice
United Kingdom of Great Britain and Northern Ireland	England and Wales	The Secretary of State Home Office (C2 Division)50 Queen Anne's Gate, London SW1H 9AT	The Secretary of State Home Office (C2 Division)50 Queen Anne's Gate, London SW1H 9AT
United Kingdom of Great Britain and Northern Ireland	Northern Ireland	The Lord Chancellor's Department, Windsor House9/15 Bedford Street Belfast BT2 7EA	The Lord Chancellor's Department, Windsor House9/15 Bedford Street Belfast BT2 7EA
United Kingdom of Great Britain and Northern Ireland	Scotland 	The Scottish Government, EU & International Law Branch, 2W, St. Andrew's House Edinburgh EH1 3DG	The Scottish Government, EU & International Law Branch, 2W, St. Andrew's House Edinburgh EH1 3DG
United Kingdom of Great Britain and Northern Ireland	Isle of Man	Chief Registrar, Isle of Man Courts of Justice, Douglas, Isle of Man, IM1 3AR	Chief Registrar, Isle of Man Courts of Justice, Douglas, Isle of Man, IM1 3AR

Notes.

Signed and ratified on behalf of the Republic of China on
 December 1956 and 25 June 1957 respectively. See note

concerning signatures, ratifications, accessions, etc., on behalf of China (note 1 under "China" in the "Historical Information" secton in the front matter of this volume).

¹ Official Records of the Economic and Social Council, Nineteenth Session, Supplement No. 1A (E/2730/Add.1), p. 5.

With reference to the above-mentioned accession, communications have been addressed to the Secretary-General by the Permanent Missions to the United Nations of Poland on the one hand, and of China on the other hand. The objection made on that occasion by the Govern- ment of Poland and the communication from the Government of the Republic of China are identical in essence, *mutatis mutandis*, to the corresponding communications referred to in note 3 in chapter VI.14.

- ³ The former Yugoslavia had signed and ratified the Convention on 31 December 1956 and 29 May 1959. See also note 1 under "Bosnia and Herzegovina", "Croatia", "former Yugoslavia", "Slovenia", "The Former Yugoslav Republic of Macedonia" and "Yugoslavia" in the "Historical Information" section in the front matter of this volume.
- ⁴ Czechoslovakia had acceded to the Convention on 3 October 1958. Subsequently, on 21 April 1973, Czechoslovakia notified an objection with regard to the reservation made by the Government of Argentina to article 10 of the Convention. For the text of the objection see United Nations, *Treaty Series*, vol. 867, p. 214. See note 1 under "Czech Republic" and note 1 under "Slovakia" in the "Historical Information" section in the front matter of this volume.
- ⁵ The instrument of ratification by France contains the following declaration:
- (a) That the Convention shall apply to the territories of the French Republic, namely: the metropolitan departments, the departments of Algeria, the departments of the Oases and of Saoura, the departments of Guadeloupe, Guiana, Martinique and Réunion and the Overseas Territories (St. Pierre and Miquelon, French Somaliland, the Comoro Archipelago, New Caledonia and Dependencies and French Polynesia);
- (b) That its application may be extended, by subsequent notification, to the other States of the Community or to one or more such States.
- ⁶ See note 1 under "Germany" regarding Berlin (West) in the "Historical Information" section in the front matter of this volume.
- ⁷ See note 2 under "Germany" in the "Historical Information" section in the front matter of this volume.
- ⁸ See note 1 under "Montenegro" in the "Historical Information" section in the front matter of this volume.
- ⁹ Subject to the reservation with regard to article 1 which was made by the Netherlands upon ratification of the Convention. See also note 1 under "Netherlands" regarding Aruba/Netherlands Antilles in the "Historical Information" section in the front matter of this volume.
- $^{10}\,$ The Convention shall not extend to the Cook Islands nor to Niue or Tokelau.

In a communication received on 30 June 2000, the Government of New Zealand informed the Secretary-General of the following:

"Pursuant to Article 58 of the Vienna Convention on the Law of Treaties, [the Government of New Zealand] has the honour to

notify the United Nations, in its capacity as depository for [the Convention on the Recovery Abroad of Maintenance] of the intention to conclude an Agreement between the Government of New Zealand and the Government of Australia on Child and Spousal Maintenance ("the Agreement") which will suspend the operation of the Convention as between New Zealand and Australia.

[The Government of New Zealand] assures the United Nations that the conclusion of the Agreement will not affect the enjoyment by the other Parties to the Convention of their rights under the Convention vis-a-vis the Parties to the Agreement, or the performance of their obligations to other Parties under the Convention. Furthermore, the Agreement to be concluded between the Government of New Zealand and Australia is not considered by them to be inconsistent with the object and purpose of the Convention."

See also note 1 under "New Zealand" regarding Tokelau in the "Historical Information" section in the front matter of this volume

- ¹¹ On 20 October 2015, the Government of Ukraine made a communication. The text can be found here: C.N.607.2015.TREATIES-XX.1 of 20 October 2015.
- ¹² On 4 March 2022, the Government of Ukraine made a communication. The text can be found here: C.N.70.2022.TREATIES-XX.1 of 8 March 2022.
- ¹³ "In accordance with article 12 of the Convention, the United Kingdom of Great Britain and Northern Ireland hereby gives notice that the provisions of the Convention shall not apply to any of the territories for the international relations of which the United Kingdom is responsible." *See also under "Territorial Applications"*.
- ¹⁴ In a communication received on 11 November 1988, the Government of Sweden notified the Secretary-General of the following concerning

certain of the reservations, made upon ratification of the said Convention:

(Original: English)

"Sweden withdraws the reservations made in respect of Article 9, paragraph 2 in the Convention done at New York on

20 June 1956 on the recovery abroad of maintenance, and makes the following limited reservations in respect of paragraph 1 of

the same Article:

Where the proceedings are pending in Sweden, the exemptions in the payment of costs and the facilities provided in paragraph 1 shall be granted only to persons resident in a State Party to the Convention or to any person who would otherwise enjoy such advantages under an agreement concluded

with the State of which he is a national."

It should be noted that the above reservation in respect of paragraph 1 of Article 9 constitutes in substance a partial withdrawal of the original reservation to paragraph 1, since it

differs from it only in that the facilities and exemptions concerned are now granted to all residents, and not only as was previously the v.case, to nationals and stateless residents.

- Pursuant to the provisions of article 2, paragraph 3, of the Convention on the Recovery Abroad of Maintenance, adopted under the United Nations auspices on 20 June 1956, we have the honour to inform you that in the Republic of Belarus the Ministry of Justice of the Republic of Belarus is the Transmitting Agency, and the Republic's district (municipal) courts are the Receiving Agencies. Pursuant to article 3, paragraph 2, we have the honour to inform you that, for the recovery of maintenance in the territory of the Republic of Belarus, the Transmitting Agencies of the States parties to the Convention are obliged to submit the following documents: 1. Claimant's application for the recognition and execution of the court decision. 2. The court decision or a certified copy thereof and the official document concerning the decision's entry into force. 3. The document indicating that the party against whom the decision was taken and who did not take part in the court proceedings was duly notified or represented. 4. The document confirming partial execution of decisions at the time of its transmittal. Samples of the aforementioned documents are annexed hereto. We also wish to inform you that the aforementioned documents should be sent by the Transmitting Agencies of the States parties to the regional courts and the Minsk Municipal Court depending on the respondent's place of residence:
- 1. Brest Regional Court 224000, Brest, ul. Sovetskikh pogranichnikov, 41
 - 2. Vitebsk Regional Court 210015, Vitebsk, ul. Shubina, 4
 - 3. Gomel Regional Court 246000, ul. Sovetskaya, 20
- 4. Grodno Regional Court 230023, Grodno, ul. Karbysheva, 20
- 5. Mogilev Regional Court 21203, Mogilev, ul Pervomaiskaya, 28a
 - 6. Minsk Regional Court 220 030, Minsk, ul. Lenina, 28
- 7. Minsk Municipal Court220092, Minsk, ul. D. Martsinkevicha, 1 Address of the Ministry of Justice of the

Republic of Belarus: 220084, Minsk, ul. Kollektornaya, 10 Tel./fax: 20 97 55 Tel.: 20 83 81

- ¹⁶ A. First situation: the Central African Republic has concluded a judicial convention: 1. With France, under the Agreement on Co-operation in Judicial matters, dated 18 January 1965, the Agency which transmits or receives the maintenance claims is the Minister of Justice, Keeper of the Seals. Claims are received or sent in the form of writs of debt, judgements or decrees, and the Ministers of Justice of the two States transmit them to the competent official, in this case the Procureur Général at the Court of Appeals of the respondent's residence, for execution. 2. With the African countries signatories of the Tananarive Convention of 12 September 1961, the exchanges are made through the Procureurs Généraux at the Court of Appeals. B. Second situation: The Central African Republic has not concluded a judicial convention with a particular country. Claims for recovery of maintenance are transmitted by the Procureur général at the Court of Appeals or the Minister of Justice, who refers them to the Minister for Foreign Affairs of the Central African Republic, who refers them to the Minister for Foreign Affairs of the country where the respondent resides. Claims originated abroad follow the same procedure.
- ¹⁷ Upon ratification (depositary notification C.N.80.1957.TREATIES-6 of 5 July 1957), the Government of the Republic of China designated the Ministry of Justice as Transmitting Agency and the National Bar Association of the Republic of China as Receiving Agency, both located in Taipei, Taiwan, China. With reference to signatures, ratifications, accessions, etc., on behalf of China, see United Nations publication Multilateral Treaties deposited with the Secretary-General, Status as at 31 December 2003 (document ST/LEG/SER/E/22/Add.1), notes 1, 2 and 3 in the "Historical Information" section in the front matter of this volume.
- ¹⁸ On 1 August 2011, the Government of Slovenia had designated the following as Transmitting and Receiving Agency:

"Ministrstvo za delo, družino in socialne zadeve (Ministry of Labour, Family and Social Affairs) Kotnikova 5, 1000 Ljubljana Email: gp.mddsz@gov.si Slovenia Telephone number: +386 (1) 369 75 00 Telefax number: +386 (1) 369 75 63."