

INTERNATIONAL LAW SEMINAR
COOPERATION ON FAMILY AND CHILD LAW
DE DERECHO DE FAMILIA Y NIÑEZ

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SUMMARY

INTERNATIONAL LAW SEMINAR
COOPERATION ON FAMILY AND CHILD LAW
October 17 & 18, 2011

Gabriela Mistral Room
Organization of American States
Washington, D.C.

CONTENT

The purpose of the “International Law Seminar: Legal Cooperation in Family and Children Law” is to identify new knowledge and ideas to facilitate legal cooperation in the Americas, by means of a holistic and comparative analysis of the Inter-American conventions on family law, first to see if these conform to current needs and secondly to identify and learn from experiences and best practices from other regions in order to improve the functioning of cooperation in this hemisphere.

METHODOLOGY

The Seminar will be held with presentations by the panelists, which will have approximately forty-five minutes to present the different topics, allowing additional time for discussion and exchange of ideas between them, then open the discussion to other participants. With this methodology is expected to emerge reflections on the issues to be addressed as well as recommendations to improve the framework to develop the hemispheric legal cooperation in matters of family and childhood. After each of the partial threads, the seminar will conclude with a final discussion of which draw conclusions from the panelists and these are going to be the guidelines to follow to pursue cooperation in this matter within the Americas.

OBJECTIVES

The main objectives of the seminar are to:

- Support the construction of internal policies within the Secretariat for Legal Affairs of the Organization of American States related to judicial cooperation in matters of family law and children.
- Understand, develop and deepen the analysis of new trends in legal cooperation on family law and children, both from a hemispheric, European and universal perspectives.
- Combine the progress that legal cooperation has had at the universal level to advances that have taken place in the Americas, with a view towards achieving convergence among the various efforts and sharing different experiences and practices to improve judicial cooperation in this discipline.

TARGET AUDIENCE

The seminar's main target includes officials and staff of the General Secretariat of the Organization of American States, officials of OAS Permanent Missions, and academics, professionals and civil society organizations in the field.

BASIS OF PANELS

First Panel: Compatibility of Inter-American and Universal Conventions on Family Law and Children Law *Document available in Spanish only

The first panel aims to provide an overview of the Inter-American system in family and child from a comparative perspective with universal systems. To this end, the panelist will make reference to the similarities and differences between the two, trying to find answers to common problems and optimize efforts and resources to facilitate international legal cooperation. It also seeks to find strategies that lead to convergence between the two systems as well as in relation to the existing legal cooperation networks in order to streamline and render them more effective. To this end, the conference aims to establish a common framework of understanding aimed at building an opinion on the issue and identify points of contact between the two.

- Panelist: *Nuria González Martín* – Researcher, Juridical Research Institute, National Autonomous University of Mexico, Mexico D.F.

Second Panel: Inter-American Legal Cooperation in comparative perspective with the European Union *Document available in Spanish only

The second panel will discuss the Inter-American system for legal cooperation (particularly in family and child law) in a comparative perspective with system in the European Union. The goal is to understand the system that prevails in that continent and the tools employed therein that can help improve the American system, seeking, in the end, a convergence and proper functioning of the two systems without losing the characteristics of each. To this end, the comparative study will observe similarities and differences, allowing reflection on the qualities of both, and will share best practices from European cooperation that can help in Inter-American context.

- Panelist: *Gonzalo Ferrer Amigo* – Judge, Court of First Instance, Girona, Spain.

Third Panel: International Legal Cooperation under the Inter-American Convention on Support Obligations *Document available in Spanish only

The third panel is oriented to in-depth analysis of the Inter-American Convention on Support Obligations, to analyze this instrument and confirm whether its text remains applicable two decades after its initial adoption, or whether there are considerations and/or new realities in the hemisphere with regard to child and spousal support that requires new private international law rules, tools or practices to improve American legal cooperation on the topic.

- Panelist: Liliana Rapallini – Professor, Private International Law, University of La Plata, Buenos Aires, Argentina

Fourth Panel: Convergence of International Cooperation in Abduction, Adoption and International Child Trafficking *Document available in Spanish only

The fourth panel will focus on the Inter-American conventions on adoption, return of children and international child trafficking to analyze the individual characteristics of each, and the convergence (or lack thereof) between them. In particular, discussion will focus on civil cooperation within these conventions to check whether their respective texts remain valid and work holistically and in convergence with each other, or whether there are considerations and/or new realities in the Hemisphere that requires new rules, practices and/or tools from procedural and substantive points of view to facilitate cooperation with respect to minors.

- Panelist: *Mercedes Albornóz* – Profesor, Private International Law, Center for Economic and Social Research (CIDE), México D.F.

Fifth Panel: Role of Social Workers in International Legal Cooperation in Family and Child Law

The fifth panel will analyze the convergence and role of the public authorities and judges, on one hand, the role of social workers, on the other, from the multidisciplinary perspective with regard to international legal cooperation on family and child law. In this regard, the discussion will provide the perspective of those additional actors who are not only in frequent contact with families and children, but who in the end play a substantial role in international cooperation (be it legal or social). The analysis of interdisciplinary cooperation will provide a broader view to the seminar from the perspective of those who are in daily contact with families in the Americas and will provide a broader paradigmatic view to encompass the phenomenon and its impact on hemispheric legal cooperation from the contribution of the social sciences.

- Panelists: - Julie Rosicky – Executive Director, Internacional Social Services
- Felicity Northcott – Director, Arthur C. Helton Institute for the Study of International Social Service