THE INTERNATIONAL UNION OF JUDICIAL OFFICERS (UIHJ)

CROSS-BORDER ENFORCEMENT OF CHILD SUPPORT IN BELGIUM

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WHAT IS THE UIHJ?

- Global professional organisation
- Judicial officers and enforcement agents
- Professional and non-political
- Focus on practical enforcement

WHY ENFORCEMENT MATTERS ?

- Courts decide rights
- Enforcement makes them real
- Final stage of justice

MISSION AND OBJECTIVES

- Effective and lawful enforcement
- Respect for fundamental rights
- Balance efficiency and proportionality

A GLOBAL PROFESSIONAL PLATFORM

- Different enforcement models
- Exchange of best practices
- Essential for cross-border cases

COOPERATION WITH INSTITUTIONS

- EU judicial cooperation
- Hague Conference instruments
- Council of Europe and human rights

WHY CHILD SUPPORT ENFORCEMENT MATTERS

- Child protection
- Cross-border mobility of parents
- High risk of non-payment

BELGIAN SYSTEM – ARCHITECTURE

- Hybrid model
- Administrative support
- Judicial enforcement

SECAL – CORE ROLE

- Public service within Finance
- Advance payments to protect children
- State temporarily replaces debtor

SECAL – RECOVERY FUNCTION

- Public creditor
- Wage garnishment
- Bank attachment

CENTRAL AUTHORITY – PURPOSE

- International contact point
- Based on 2007 Hague Convention
- Facilitates cooperation

CENTRAL AUTHORITY – FUNCTIONS

- Intermediary between States
- Transmission of applications
- Recognition and enforcement

INFORMATION AND FOLLOW-UP

- Applicant information
- Monitoring procedures
- Transparency

CENTRAL AUTHORITY VS SECAL

- Coordination vs recovery
- Justice vs Finance
- Complementary roles

OTHER COMPETENCES

- International adoption
- Parental child abduction
- Civil cooperation

LEGAL FRAMEWORKS

- EU Regulation 4/2009
- Hague Convention
- Belgian Private International Law

EU REGIME

- Abolition of exequatur
- Direct enforceability
- Limited judicial control

HAGUE CONVENTION REGIME

- Third States
- Child-centered approach
- Public policy exception

BELGIAN PIL REGIME

- Mandatory exequatur
- Strict procedural control
- Rights of defence

STRENGTHS OF BELGIAN SYSTEM

- Automatic indexation
- Efficient enforcement
- Priority of maintenance claims

LIMITS AND CHALLENGES

- Hidden assets abroad
- Translation costs
- Administrative delays

JUDICIAL OFFICER AS FACILITATOR

- Neutral role
- Clarifying calculations
- Avoiding unnecessary litigation

BEST INTERESTS OF THE CHILD

- Pragmatic solutions
- Reduced conflict
- Effective protection

CONCLUSION

- Robust and structured system
- Central role of SECAL
- Coordinated and swift enforcement

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THANK YOU FOR YOUR ATTENTION

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