

International Family Law

Conventions, Statutes, and Regulatory Materials

Second Edition

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Preface

This book was created to assist American law students and attorneys who are studying or practicing international family law. It was designed to supplement materials in courses on private and/or public international family law, whether the courses utilize the authors' own casebook (Blair, Weiner, Stark & Maldonado, *Family Law in the World Community: Cases, Materials and Problems in Comparative and International Family Law* (Carolina Academic Press 2009)) or other materials.

The dynamic field of international family law draws upon numerous sources of international and domestic law. While many volumes of documents could be usefully compiled, we have selected and edited those primary documents we feel are most critical to an introductory exploration of this exciting area. For reasons of space, we have excluded the numerous and often voluminous documents and reports relevant to the field of international family law that are issued by the United Nations, the Hague Conference on International Law, and the regional intergovernmental organizations. Many of the excluded documents and reports are discussed in our casebook.

We have divided the book into five parts. Part I primarily contains selected U.N. instruments. We have included multilateral conventions and General Assembly declarations that are particularly pertinent to familial rights and obligations.

Part II includes selected conventions of the Hague Conference on Private International Law that address transnational family formation, dissolution, rights, and duties. We generally included only the most current convention if the Hague Conference promulgated successive conventions addressing the same topic. We did, however, include both maintenance conventions currently in force from the 1970s as well as the two newest maintenance conventions that will ultimately replace them.

Part III consists of selected conventions and regulations promulgated by the following regional intergovernmental organizations: European Union, Council of Europe, Organization of American States, African Union, and League of Arab States. Many of these instruments are human rights conventions that shape the development of domestic family law within the member states. Other conventions in this section address courts' jurisdiction to adjudicate transnational family law disputes and courts' obligation to recognize and enforce foreign judgments related to family disputes.

Part IV contains excerpts from U.S. federal statutes relevant to international family issues. These materials include the International Parental Kidnapping Crime Act, the Trafficking Victims Protection Act, the International Child Abduction Remedies Act, the Intercountry Adoption Act of 2000, and statutes relevant to immigration, mail-order brides, female genital mutilation, and international child support enforcement. U.S. federal regulations governing international child abduction and international adoption are also included in this Part.

Part V consists of four Uniform Acts promulgated by the National Conference of Commissioners on Uniform State Laws: the Uniform Child Custody Jurisdiction and En-

forcement Act, the Uniform Child Abduction Prevention Act, and the 2001 and 2008 versions of the Uniform Interstate Family Support Act. These Acts, which address issues of jurisdiction and enforcement, are pertinent to disputes involving international child custody and international child support.

We hope this compilation of materials provides a convenient tool for exploring the field of international family law. We welcome your comments and suggestions.

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