Resolution on the declaration of acceptance by the Member States, in the interest of the European Union, on the accession of eight third countries to the 1980 Hague Convention on the Civil Aspects of International Child Abduction

2012/2791(RSP) - 22/11/2012 - Text adopted by Parliament, single reading

The European Parliament adopted a resolution tabled by the Committee on Legal Affairs on the declaration of acceptance by the Member States, in the interest of the European Union, of the accession of Gabon, Andorra, the Seychelles, the Russian Federation, Albania, Singapore, Morocco and Armenia to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. Parliament recalls that Commission proposals for Council decisions on the accession of these countries to the Convention were adopted during the course of 2011, but that the Council has not yet requested Parliament's consent to these decisions.

It therefore addresses the following recommendations to the Council:

- the Council should proceed immediately with the procedure for the adoption of the aforementioned proposed decisions and to that end, it should **consult Parliament** on the eight proposed decisions;

- in the interest of European citizens who would benefit from the adoption of those decisions, it should **refrain from impeding the proper functioning of the European Union on spurious legal grounds.**

On the latter point, Members note that the European Union has already exercised its internal competence in the field of international child abductions, in particular by means of Council Regulation (EC) No 2201 /2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility. Accordingly, it follows that the EU has acquired exclusive external competence in the field of international child abduction. Given that the Convention does not allow international organisations to become members, the European Union should empower the Member States to act in its interest when accepting the accessions, and Parliament considers that the Council should therefore take steps as quickly as possible to adopt the decisions proposed by the Commission, including by consulting Parliament immediately. However, it seems that despite the urgency of the matter and the clarity of the legal situation, the Council has decided to delay the consultation of Parliament and the adoption of the aforementioned decisions with a view to contesting the principle of those decisions on legal grounds.