

Hague Convention (1980) on the Civil Aspects of International Child Abduction: accession of Panama, Uruguay, Colombia and El Salvador; acceptance by Austria and Romania

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The Legal Affairs Committee adopted the report by Angel DZHAMBAZKI (ECR, BG) on the proposal for a Council decision on the proposal for a Council decision authorising Austria and Romania to accept, in the interest of the European Union, the accession of Panama, Uruguay, Colombia and El Salvador to the 1980 Hague Convention on the Civil Aspects of International Child Abduction.

The committee recommended that Parliament approve the authorisation for Austria and Romania to accept, in the interest of the European Union, the **accession of Panama, Uruguay, Colombia and El Salvador** to the 1980 Hague Convention on the Civil Aspects of International Child Abduction.

As recalled in the explanatory memorandum accompanying the report, the Hague Convention of 25 October 1980 on the Civil Aspects of International Child Abduction has been ratified by all the Member States of the European Union.

In cases of international child abduction following a separation or a divorce and the mother and father are from different states, it may often be that the courts in both of the states concerned declare themselves competent, with each of them awarding custody of the child to the parent who is a national of their state.

The purpose of the Convention is to resolve such situations at an international level, by establishing that the competent courts and applicable laws are those of the state of residence of the child. The Convention also introduces a system which ensures the immediate return of children who have been abducted.

The EU now has **exclusive external competence** in this field as confirmed by the Court of Justice.

- **Panama** deposited the accession instrument to the 1980 Convention on 2 February 1994. The Convention entered into force in Panama on 1 May 1994. The 1980 Convention is already into force between Panama and 26 EU Member States. Only Austria and Romania have not yet accepted the accession of Panama to the Convention.
- **Uruguay** deposited the accession instrument to the 1980 Convention on 18 November 1999. The Convention entered into force in Uruguay on 1 February 2000. The 1980 Convention is already into force between Uruguay and 25 Member States. Only Austria, Denmark and Romania have not yet accepted the accession of Uruguay to the Convention.
- **Colombia** deposited the accession instrument to the 1980 Convention on 13 December 1995. The Convention entered into force in Colombia on 1 March 1996. The 1980 Convention is already into force between Colombia and 25 EU Member States. Only Austria, Denmark and Romania have not yet accepted the accession of Colombia to the Convention.
- **El Salvador deposited** the accession instrument to the 1980 Convention on 5 February 2001. The Convention entered into force in El Salvador on 1 May 2001. The 1980 Convention is already into force between El Salvador and 25 EU Member States. Only Austria, Denmark and Romania have not yet accepted the accession of El Salvador to the Convention.

The acceptance of Austria and Romania would render the 1980 Convention applicable between Uruguay, Colombia, El Salvador and all EU Member States except Denmark. In relation to Panama the 1980 Convention will become applicable with all EU Member States.

The accession of Panama, Uruguay, Colombia and El Salvador to the Convention is to be welcomed. Your rapporteur therefore proposes that Parliament approve the proposal without amendment, in order to ensure that EU-wide protection is afforded to the children in question.