

# Hague Convention (1980) on the Civil Aspects of International Child Abduction: accession of Chile, Iceland and Bahamas; acceptance by Romania

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

The committee recommended that Parliament **approve** the authorisation for Romania to accept, in the interest of the European Union, the **accession of Chile, Iceland and Bahamas** 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.

- **Chile** deposited the accession instrument to the 1980 Convention on 23 February 1994. The Convention entered into force in Chile on 1 May 1994. The 1980 Convention is already into force between Chile and 27 EU Member States. Only Romania has not yet accepted the accession of Chile to the Convention.
- **Iceland** deposited the accession instrument to the 1980 Convention on 14 August 1996. The Convention entered into force in Iceland on 1 September 1996. The 1980 Convention is already into force between Iceland and 27 Member States. Only Romania has not yet accepted the accession of Iceland to the Convention.
- **Bahamas** deposited the accession instrument to the 1980 Convention on 1 October 1993. The Convention entered into force in Bahamas on 1 January 1994. The 1980 Convention is already into force between Bahamas and 26 EU Member States. Only Denmark and Romania have not yet accepted the accession of Bahamas to the Convention.

The acceptance of Romania would render the 1980 Convention applicable between Bahamas and all EU Member States except Denmark. In relation to Chile and Iceland the 1980 Convention will become applicable with all EU Member States.

The accession of Chile, Iceland and Bahamas 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.