

Hague Convention (1980) on the Civil Aspects of International Child Abduction: accession of Georgia and South Africa; acceptance by Luxembourg and Romania

2017/0148(NLE) - 18/12/2017 - Final act

PURPOSE: to authorise Luxembourg and Romania to accept the accession of Georgia and South Africa to the 1980 Hague Convention on the Civil Aspects of International Child Abduction.

NON-LEGISLATIVE ACT: Council Decision (EU) 2017/2462 authorising Luxembourg and Romania to accept, in the interest of the European Union, the accession of Georgia and South Africa to the 1980 Hague Convention on the Civil Aspects of International Child Abduction.

CONTENT: the Council Decision **authorises Luxembourg and Romania to accept the accession of Georgia and South Africa to the 1980 Hague Convention in the interest of the Union.**

Luxembourg and Romania shall, no later than 19 December 2018, deposit a declaration of acceptance of the accession of Georgia and South Africa to the 1980 Hague Convention.

The 1980 Hague Convention on the Civil Aspects of International Child Abduction establishes, at international level, a system of obligations and cooperation among contracting states and between central authorities and aims at ensuring the prompt return of wrongfully removed or retained children. All the Member States of the Union are parties to the Convention.

At EU level, [Regulation \(EC\) No 2201/2003](#) (Brussels IIa Regulation) complements and reinforces the 1980 Hague Convention.

The Union encourages third states to accede to the 1980 Hague Convention.

The existence of the **exclusive competence of the European Union** to accept the accession of a third State to the 1980 Convention has been confirmed by the Court of Justice of the European Union.

Georgia and South Africa respectively deposited the instrument of accession to the Convention on 24 July 1997 and 8 July 1997. The Convention is already in force with 25 Member States in respect of Georgia and with 26 Member States for South Africa.

An assessment of the situation in Georgia and South Africa led to the conclusion that Luxembourg and Romania are in a position to accept the accession of these countries to the Convention.

The United Kingdom and Ireland shall be bound by the Brussels IIa Regulation and participate in the adoption and application of the Decision. Denmark shall not be bound by this Decision.

ENTRY INTO FORCE: the Decision shall take effect on the day of its notification.