

Hague Convention on the Civil Aspects of International Child Abduction (1980): accession of Honduras; acceptance by Austria and Romania

2018/0278(NLE) - 18/02/2019 - Final act

PURPOSE: to authorise Austria and Romania to accept, in the interest of the European Union, the accession of Honduras to the 1980 Hague Convention on the Civil Aspects of International Child Abduction (the 1980 Convention).

NON-LEGISLATIVE ACT: Council Decision (EU) 2019/307 authorising Austria and Romania to accept, in the interest of the European Union, the accession of Honduras to the 1980 Hague Convention on the Civil Aspects of International Child Abduction.

CONTENT: under this Council Decision, Austria and Romania are hereby authorised to accept, in the interest of the Union, the accession of Honduras to the 1980 Hague Convention on the Civil Aspects of International Child Abduction (the 1980 Convention).

Austria and Romania shall, no later than 19 February 2020, deposit a declaration of acceptance of the accession of Honduras to the 1980 Hague Convention in the interest of the Union.

The 1980 Hague Convention establishes, at the international level, a system of obligations and cooperation between Contracting States and between central authorities and aims to ensure the immediate return of wrongfully removed or retained children. All EU Member States are parties to the Convention.

[Regulation \(EC\) No 2201/2003](#) ('Brussels II bis' Regulation) complements and reinforces the 1980 Hague Convention. It aims to protect children from the harmful effects of wrongful removal or retention and to establish procedures to ensure their prompt return to the state of their habitual residence, as well as to secure the protection of rights of access and rights of custody.

The European Union has set as one of its aims the promotion of the protection of the rights of the child. Measures for the protection of children against wrongful removal or retention are an essential part of that policy. In this context, the Union encourages third States to accede to the 1980 Hague Convention and supports the proper implementation of the Convention.

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In its Opinion 1/13 of the Court of Justice of the European Union, it was stated that the exclusive competence of the European Union.

The decision whether to accept the accession of Honduras has to be taken at EU level by means of a Council Decision.

Honduras deposited its instrument of accession to the 1980 Hague Convention on 20 December 1993.

The 1980 Convention is already into force between Honduras and 25 EU Member States. Austria and Romania, consulted by the Commission on their willingness to accept the accession of Honduras to the 1980 Convention, gave a favourable opinion.

The acceptance of Austria and Romania shall make the 1980 Convention applicable between Honduras and all EU Member States except Denmark.

The United Kingdom and Ireland are bound by the Brussels IIa Regulation and are therefore taking part in the adoption and application of this Decision.

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