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EuroMed Justice III Project

COMPONENT II: RESOLUTION OF CROSS-BORDER FAMILY CONFLICTS

WORKING GROUP 2

Fifth Meeting

PREPARATION OF A HANDBOOK

**“Handbook on best practices concerning the resolution of cross-border family conflicts:
custody and visiting rights”**

Finalisation of the Handbook

Prague (CZ), 23-25 April 2013

INFORMATIVE NOTE

The 5th meeting of Working Group II on the component “Resolution of Cross-Border Family Conflicts” of the EuroMed Justice III Project of the European Commission, funded by the European Union, was held on 23-25 April 2013 in Prague, Czech Republic.

The participants were members of the delegations of the following Mediterranean countries: Egypt, Israel, Jordan, Lebanon, Morocco and Tunisia.

The meeting was opened by Mr. Vit SCHORM, Government Agent of the Czech Republic at the European Court of Human Rights, and by Mr. Andrés SALCEDO VELASCO, Team Leader of the EuroMed Justice III Project, who welcomed the participants.

A summary of the work carried out since the previous meeting and the main topics suggested for discussion during this meeting were presented by the Project Team and the main short-term expert, Ms Juliane HIRSH, who is in charge of this Working Group.

Two thematic presentations were made during the meeting.

The first one on “Cross-border family conflicts: Custody and visiting rights. The Czech Republic experience. Hearing the voice of the child in the course of court proceedings in cross-border family disputes.” was made by Mr. Lubomir PTÁČEK, Judge, Czech liaison judge in family law matters (International Hague Network of Judges).

The second presentation entitled “Cross-border recovery of maintenance – solutions offered by the European Maintenance Regulation and the 2007 Hague Convention the International Recovery of Child Support and Other Forms of Family Maintenance and the 2007 Hague Protocol on the Law Applicable to Maintenance Obligations” was delivered by Mr. Philippe LORTIE, First Secretary of the Hague Conference on Private International Law. Mr. Lortie. These presentations were followed by an open debate.

The most relevant sessions of the meeting were devoted to discussing different topics suggested in order to make progress in preparing and finalising the handbook.

During the meeting the representatives of the Mediterranean countries took the floor to make a presentation on the current situation in the main field under discussion in their respective countries. These presentations were followed by an open debate.

Considering the objectives of this meeting and taking into account the recommendations made during the working sessions and the debate, the participants are of the opinion that this fifth meeting gave them the opportunity:

- a) To continue the debate and the overall approach to the handbook which identifies and describes possible approaches and best practices to improve resolution of cross-border family conflicts.
- b) To follow the methodology agreed during the previous meetings and, in this context, to have the opportunity to listen to the different approaches and opinions from the beneficiary countries' participants regarding the topics on the agenda.
- c) To analyse and discuss on the working document prepared by the main short-term expert, based on the work developed during the fourth meeting of this working group held in The Hague. The participants had the opportunity to contribute useful comments to this document.
- d) To continue and finalise the discussion started during the fourth meeting on best practices in the field of resolution of cross-border family conflicts: "Hearing the voice of the child in international family conflicts"; "Domestic violence accusations in international family conflicts – protective measures".
- e) To further strengthen cooperation among the Euro-Mediterranean Partners in the field of justice.

Participants agree with the conclusions of this meeting.

Participants are grateful to the Czech Ministry of Justice, to the Directorate-General Development and Co-operation-EuropeAid, European Commission, and to the Project Team for organising this meeting.

Prague, 25 April 2013