

Title	Revised Request for Return Recommended Model Form and new Request for Access Recommended Model Form under the HCCH 1980 Child Abduction Convention & Explanatory Note
Document	Prel. Doc. No 10 of July 2023
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Agenda Item	Item TBD
Mandate(s)	<ul style="list-style-type: none"> - C&R No 1.1.14 of the Fifth Meeting of the Special Commission to review the practical operation of the 1980 Child Abduction Convention and the practical implementation of the 1996 Child Protection Convention - C&R No 10 of the Sixth Meeting of the Special Commission on the practical operation of the 1980 and 1996 Conventions (Part I) - C&R Nos 8 and 9 of the Seventh Meeting of the Special Commission on the practical operation of the 1980 and 1996 Conventions
Objective	To submit a revised Request for Return Recommended Model Form and a new Request for Access Recommended Model Form for the approval of the Eighth Meeting of the Special Commission
Action to be Taken	For Decision <input type="checkbox"/> For Approval <input checked="" type="checkbox"/> For Discussion <input type="checkbox"/> For Action / Completion <input type="checkbox"/> For Information <input type="checkbox"/>
Annexes	<ul style="list-style-type: none"> - Annex I - Request for Return Recommended Model Form - Annex II - Request for Access Recommended Model Form
Related Documents	<u>Prel. Doc. No 12 of September 2017</u> - Modernisation of the standardised return application form and development of a standardised access application form under the <i>Hague Convention of 25 October 1980 on the Civil Aspects of International Child Abduction</i>

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Revised Request for Return Recommended Model Form and new Request for Access Recommended Model Form under the HCCH 1980 Child Abduction Convention & Explanatory Note

I. Introduction

- 1 This Explanatory Note presents the relevant information on the finalisation of the revised versions of the Request for Return Recommended Model Form (revised Return Form) and the new Request for Access Recommended Model Form (new Access Form) for the consideration of the Eighth Meeting of the Special Commission (SC) on the practical operation of the 1980 Child Abduction and 1996 Child Protection Conventions, to take place from 10 to 17 October 2023 (2023 SC). The revised Return Form and new Access Form are available in Annexes I and II respectively.¹
- 2 This Explanatory Note includes:
 - the background to the drafting of these revised Forms (Part II);
 - a summary of the comments received on the specific issues that were identified and discussed during the Seventh Meeting of the SC that took place in 2017 (2017 SC) (see [Prel. Doc. No 12 of September 2017](#), “Areas for further discussion”²) (Part III);
 - a presentation of the general comments received after the 2017 SC on the Return Form and the Access Form (Part IV);
 - a presentation of the substantive comments received after the 2017 SC on the Return Form (Part V) and the Access Form (Part VI); and
 - possible Conclusions and Recommendations (C&R) for the consideration of the 2023 SC (Part VII).
- 3 This Explanatory Note aims to explain the main changes that the Forms have undergone since they were circulated at the 2017 SC, to draw attention to those areas where conflicting comments were received from States and to indicate which approach was chosen to resolve these conflicting comments.³

II. Background to the Return and Access Forms

- 4 The Fourteenth Session of the HCCH, which adopted the 1980 Child Abduction Convention, also adopted a Recommendation⁴ that States make use of the standard Request for Return Form that

¹ For the purpose of this Explanatory Note, the Return and Access Forms circulated at the 2017 SC are respectively referred to as the “Return Form” and the “Access Form”, while the revised versions of these Forms, which are annexed to the present Explanatory Note, are referred to as the “revised Return Form” and the “new Access Form”.

² “Modernisation of the standardised return application form and development of a standardised access application form under *the Hague Convention of 25 October 1980 on the Civil Aspects of International Child Abduction*”, Prel. Doc. No 12 of September 2017 for the attention of Special Commission of October 2017, available on the Hague Conference website on the HCCH website at www.hcch.net under “Child Abduction Section” then “Seventh Special Commission meeting (October 2017)”.

³ In order to keep the focus on the substantive comments and changes resulting from comments received from States, minor changes, such as those pertaining to the formatting of the Forms, are not addressed in detail in this Explanatory Note. In addition, three minor amendments were made to the Forms in order to align their drafting with other Forms under other HCCH instruments (e.g., the Mandatory and Recommended Forms under the *Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance*). The field “Last name” has been changed to “Family name(s)”, “First name” has been changed to “Given name(s)” and the term “Sex” was replaced with “Gender”, with the possibility to specify.

⁴ See HCCH, *Actes et documents de la Quatorzième session (1980)*, Tome III, *Child Abduction*, The Hague, Imprimerie Nationale, 1982, p. 423.

was drafted and included in the Explanatory Report by Elisa Pérez-Vera.⁵ This Form has been used by Contracting Parties since then.⁶

5 In 2006, the Fifth Meeting of the SC to review the Practical Operation of the 1980 Child Abduction Convention and the practical implementation of the 1996 Child Protection Convention (2006 SC) reaffirmed that States make use of the standard Request for Return Form.⁷ It was further recommended that “the Permanent Bureau, in consultation with Contracting States, update the standard Request for Return Form”.⁸

6 Following these recommendations, the Sixth Meeting of the SC held in 2012 (2012 SC) encouraged “the Permanent Bureau to continue its work (described in Info. Doc. No 4) to modernise the recommended Request for Return model form and to create a form that can be completed electronically. The Special Commission also requests that the Permanent Bureau continue its work to develop a standardised Request for Access Form. The Special Commission requests that different language versions of the forms should be made available on the Hague Conference website. For this purpose, States are encouraged to provide the Permanent Bureau with translations”.⁹

7 Benefitting from experience gained over time, in particular with the development of various forms,¹⁰ the Permanent Bureau revised and produced a modernised Return Form¹¹ and developed the new Access Form, for the attention of the 2017 SC.¹² These Forms were included in [Prel. Doc. No 12 of September 2017](#). Prel. Doc. No 12 also included, as Annexes, over 30 forms gathered from the websites of various Central Authorities which were drawn upon to develop the revised Return Form and the new Access Form.

8 Following this work, the 2017 SC concluded that:

“The Special Commission welcomes the work undertaken to modernise the recommended request for return form and to develop a non-mandatory standardised access / contact application form under the 1980 Convention.”¹³

⁵ E. Pérez Vera, *Explanatory Report on the HCCH 1980 Child Abduction Convention*, The Hague, 1981, available on the HCCH website at www.hcch.net under “Child Abduction Section”.

⁶ The original standard Request for Return Form developed and adopted by the Fourteenth Session of the HCCH is available on the HCCH website at www.hcch.net under “Child Abduction Section” then “Miscellaneous” and then “Recommendation adopted by the Fourteenth Session: [model form to be used in making applications for the return of wrongfully removed or retained children](#)”.

⁷ “Conclusions and Recommendations of the Fifth Meeting of the Special Commission to review the operation of the Hague Convention of 25 October 1980 on the Civil Aspects of International Child Abduction and the Hague Convention of 19 October 1996 on Jurisdiction, Applicable Law, Recognition and Enforcement and Co-operation in Respect of Parental Responsibility and Measures for the Protection of Children (30 October – 9 November 2006)”, C&R No 1.1.13, available on the HCCH website at www.hcch.net under “Child Abduction Section” then “Special Commission meetings”.

⁸ *Ibid.*, C&R No 1.1.14.

⁹ See “Conclusions and Recommendations of the Sixth Meeting of the Special Commission on the practical operation of the 1980 Hague Child Abduction Convention and the 1996 Hague Child Protection Convention”, C&R No 10, available on the HCCH website at www.hcch.net (see path indicated in note 7).

¹⁰ In this context, it should be noted that the Permanent Bureau drew substantially on the experience of the “Forms Working Group” established further to the Recommendations of the SC on the International Recovery of Child Support and Other Forms of Family Maintenance at the Twenty-First Session of the HCCH (hereinafter “the Forms Working Group”). See, in particular, the “Forms Working Group, Report”, Prel. Doc. No 2A of July 2009 for the attention of the SC of November 2009 on the implementation of the 2007 Child Support Convention and the 2007 Maintenance Obligations Protocol (available on the HCCH website at www.hcch.net under “Child Support” then “Preliminary Documents”).

¹¹ See Annex 1 C to Prel. Doc. No 12 of September 2017.

¹² The “Request for Return Model Form” and the “Request for Access Model Form” are Annexes 1 A and 1 B, respectively, to Prel. Doc. No 12 of September 2017. The Permanent Bureau would like to thank, in particular, Nicolas Sauvage and Frédéric Breger, former Legal Officers at the Permanent Bureau for their invaluable assistance in the development of the attached Forms.

¹³ See “Conclusions and Recommendations of the Seventh Meeting of the Special Commission on the practical operation of the 1980 Hague Child Abduction Convention and the 1996 Hague Child Protection Convention” (“C&R of the 2017 SC”), C&R No 8, available on the HCCH website at www.hcch.net (see path indicated in note 7).

“The Special Commission invites the finalisation of the proposed forms in the light of comments provided by States with, if necessary, the assistance of a small Working Group. States are invited to share as soon as possible further comments on Preliminary Document No 12 with the Permanent Bureau. The Special Commission recommends that a high degree of priority be given to this work.”¹⁴

- 9 Following the 2017 SC, the Return Form and Access Form have been revised, taking into account, to the extent possible, the comments received from 13 States.¹⁵

III. Areas for further discussion identified in Prel. Doc. No 12 of September 2017

- 10 In Prel. Doc. No 12 of September 2017, States were asked in particular to provide comments on three specific issues, identified under “E. Areas for further discussion”. Most of the comments received have addressed these specific issues and some trends could thus be identified.

A. One Request for Multiple Children

- 11 States were asked whether the Return Form and Access Form should provide for the possibility of filling in the information pertaining to all siblings concerned in the request or whether it would be preferable that one form per sibling be submitted. From the 13 comments received, 11 States indicated that they were in favour of having one single form for all siblings concerned by the request. Interestingly, a couple of States who favoured the former approach noted that applicants should also have the possibility to submit one form per sibling where necessary (e.g., in the situation of a blended family where there are two left-behind parents as a result of an abduction by another relative).

- 12 One State commented in favour of submitting one form per sibling.

- 13 One State did not express any preference as to either option.

- 14 Against this background, it was decided to keep the approach of one form for all siblings in both the revised Return Form and new Access Form.

B. Electronic Form Completion

- 15 States were further asked in Prel. Doc. No 12 of September 2017 to give consideration to the possibility of developing a Return Form and an Access Form that could be completed online.

- 16 From the comments received, seven States indicated that it should be made possible for the Forms to be completed online.

- 17 Five States did not provide any comment on that point.

- 18 From the comments received, it is clear that there is an important distinction between the possibility to *complete* the Forms online and the possibility to *submit* the Forms electronically. While most States recognise the benefit of having Forms that can be completed online, a couple of States expressed reservations to the possibility of submitting the Forms electronically. It was stressed in particular that, subject to the requirements imposed by each jurisdiction, a request sent via e-mail may not be admissible and applicants would thus have to provide a hard copy of their return application. In any case, applicants can complete the Forms manually.

¹⁴ *Ibid.*, C&R No 9.

¹⁵ Australia, Canada, China (Macao SAR), Denmark, Germany, Israel, Latvia, Norway, Panama, Portugal, Switzerland, United Kingdom (England & Wales), and United States of America.

C. One Form, Multiple Languages

- 19 Finally, Prel. Doc. No 12 of September 2017 invited States to comment on the possibility of making the Forms available in multiple languages.
- 20 Five States were supportive of the possibility of providing for translations of the Return Form and Access Form, with a view to making these accessible in multiple languages. One State noted, in particular, that its Central Authority under the 1980 Convention had made its Return Form and Access Form available in a large number of languages.
- 21 One State stressed that it would have difficulty receiving a form in a foreign language, since its Central Authority would need to be satisfied that the application is in accordance with the 1980 Convention before submitting it to a foreign Central Authority. This State further commented that consideration ought to be given to cost implications in developing Forms in multiple languages.
- 22 Another State gave consideration to the possibility of developing bilingual or multilingual Forms, noting that this would be a cost-effective solution to minimise translation costs.
- 23 Seven States did not provide any comment on that point.
- 24 From the comments received, it is clear that some States still have reservations as to the possibility of developing multilingual Model Forms. It seems that the favoured approach would be (as several Central Authorities have already done) to make the Model Forms available in different languages.

IV. Presentation of General Comments on the Return Form and Access Form

A. Non-mandatory use of the Forms

- 25 One State noted that it should be stressed that the use of the Forms is *non-obligatory* and *non-mandatory*. Another State expressed concern about the use of the Forms being mandatory, noting that many States had already developed their own model forms.
- 26 To alleviate these concerns, a caveat to the effect that the use of the Return Form and Access Form is not mandatory could be placed on the website of the HCCH next to the Forms. This caveat could also be included in the Forms themselves. Another possibility would be to simply refer to these Forms as “recommended” Forms, thus indicating clearly that they are *non-obligatory* and *non-mandatory*. Furthermore, the Forms are labelled as “Model Forms” thus allowing States to replicate them and deviate from them, where necessary, such as for example making them bilingual forms.
- 27 A State noted that applicants should be cautioned that the Forms may not be admissible in all Contracting Parties to the 1980 Convention. Against this background, a caveat has been included at the bottom of the first page of the revised Forms.

B. Length of the Forms

- 28 A couple of States expressed concern that the Forms were too long and repetitive and that they should be limited to information that is strictly necessary for the purposes of the request. In particular, it was pointed out that having Forms that are too long may be daunting for applicants.
- 29 Taking these comments into account, efforts have been made to reduce the length of the Forms, e.g., by reducing the space allocated for some fields or removing information that was not strictly necessary for the purposes of the Requests for Return and Access Forms.

V. Presentation of Substantive Comments on the Return Form

A. Reference to the “actual exercise of rights of custody”

30 Several States provided comments on the reference to the “actual exercise of rights of custody” in the Return Form.

31 One State commented that Section V, Factual and legal grounds justifying the request, of the Return Form (currently Section VII of the annexed revised draft) should include a sub-heading titled “Exercise of rights of custody”. Another State further commented that this section should give space to the applicant to elaborate on the actual exercise of custody rights.

32 Conversely, one State commented to the effect that references to the “actual exercise of rights of custody” should be removed from the Return Form.

33 Further to Article 3(b) of the 1980 Convention, “the removal or retention of a child is to be considered wrongful where [...] at the time of removal or retention those rights [*rights of custody*] were actually exercised, either jointly or alone, or would have been so exercised but for the removal or retention”.

34 The Explanatory Report states at paragraph 73:

“This condition, by defining the scope of the Convention, requires that the applicant provide only some preliminary evidence that he actually took physical care of the child, a fact which normally will be relatively easy to demonstrate. (...) On the other hand, article 13 of the Convention shows us the real extent of the burden of proof placed upon the ‘abductor’; it is for him to show, if he wishes to prevent the return of the child, that the guardian had not actually exercised his rights of custody. **Thus, we may conclude that the Convention, taken as a whole, is built upon the tacit presumption that the person who has care of the child actually exercises custody over it.**” (emphasis added)

35 Against this background, and in order not to create the impression that the burden of proving the actual exercise of rights of custody lies with the applicant, the reference to the “actual exercise of rights of custody” was removed. Rather, the applicant is simply required to indicate whether they had rights of custody at the time of the alleged removal or retention. In that regard, one State commented that requiring the applicant to provide evidence of the actual exercise of custody may discourage them from filing a return application due to presumed limited chances of success.

B. Information regarding criminal proceedings

36 Four States provided comments regarding the inclusion of information on the existence of criminal proceedings in Section VI of the Return Form.

37 In particular, one State was concerned that including such information would go beyond the scope of the 1980 Convention and should thus be removed from the Return Form.

38 Conversely, two States were satisfied with the inclusion of information on criminal proceedings in the Return Form. One State further suggested that the Section request information about whether any protection order has ever been requested by either parent against the other and whether any such order has been issued.

39 While the object of the 1980 Convention, as it clearly derives from its full title, is limited to dealing with the *civil* aspects of international child abduction, the impact that criminal proceedings may have on the outcome of return proceedings is such that it was desirable to include this information in the Return Form.

C. Voluntary return / Amicable settlement of the dispute

- 40 Several States provided comments on Section VII (Section VIII of the revised Return Form) on “Voluntary return / Amicable settlement of the dispute”.
- 41 One State commented that asking the applicant whether they were “willing to participate in an amicable resolution of the dispute” could have unintended consequences for the return proceedings. This State expressed a reservation to requesting this information in the Return Form, considering that the applicant may not have appointed a counsel at this stage of the dispute.
- 42 One State further noted that the Return Form should distinguish between voluntary return and mediation, as applicants often require assistance from the Central Authority to send a voluntary return letter to the taking parent although they may not necessarily be willing to engage in mediation.
- 43 Two States commented that applicants should not be required to indicate their reservations or grounds for refusal. These States were concerned that such a question could imply that an applicant must have a basis for refusing a voluntary return or for refusing to engage in an amicable resolution of the dispute.
- 44 In order to address the concerns expressed above, the wording used in this section was amended.

VI. Presentation of Substantive Comments on the Access Form

- 45 Overall, States have welcomed the additional information on, e.g., languages spoken and the child’s medical condition. Conversely, information that was not deemed strictly necessary for the purposes of the application for access has been removed from the Access Form (e.g., information on the parents’ employers).
- 46 In line with the comments received, several headings in the Access Form have been renamed to provide more clarity. For instance, the heading of Section III of the Access Form (“Person with whom the child habitually resides and the whereabouts of the child”) has been changed to “Person with whom the child is currently living and the whereabouts of the child”, as it was pointed out in one comment that the child could be with a person other than the person with whom they habitually reside.
- 47 During the 2017 SC it was agreed that “[...] an application to make arrangements for organising or securing the effective exercise of rights of access / contact under Article 21 can be presented to Central Authorities, independently of being linked or not, to an international child abduction situation”.¹⁶ In this regard, “place of habitual residence immediately before removal or retention” has been replaced with “place of habitual residence” in Sections I and I *bis* of the Access Form (“Child (1) subject of the access application” and “Other child subject of the application”).
- 48 Regarding Section V of the Access Form (“Purpose of the request”), two States noted that the proposed distinction between “organising” and “securing” rights of access could be misleading and suggested to simplify this section. One State suggested adding an open-text field, while another State suggested asking about the current status of the applicant’s rights of access by providing check boxes.
- 49 Against this background, this section was revised and renamed. Section VI of the Access Form (“Legal Grounds for justifying the request”) provides for check boxes allowing applicants to indicate the nature of their rights of access, including an “Other” check box which provides for an open-text field. With this option, it is hoped that the Access Form will give applicants sufficient guidance while

¹⁶ See C&R No 18 of the 2017 SC (*op. cit.* note 13).

providing the necessary flexibility to take into account the variety of reasons that may lead up to the request.

VII. Possible Conclusions and Recommendations for the consideration of the 2023 SC

- 50 The SC approves the below annexed Request for Return Recommended Model Form (Annex I) and the Request for Access Recommended Model Form (Annex II) for the purpose of the 1980 Child Abduction Convention.

ANNEXES

Annex I

REQUEST FOR RETURN RECOMMENDED MODEL FORM

*Convention of 25 October 1980 on the
Civil Aspects of International Child Abduction*

*Application for assistance in securing the return of a child to their place
of habitual residence under Article 8 of the 1980 Convention*

Concerning the following child: ¹	
Who will attain the age of 16 on (dd/mm/yyyy)	
Does this child have siblings subject of a return application?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If so, please indicate their names and the date on which they will attain the age of 16:	
Does the child have siblings who are <u>not</u> the subject of a return application?	<input type="checkbox"/> Yes <input type="checkbox"/> No
REQUESTING STATE	
REQUESTED STATE	

Please note that this is a recommended model form. Before submitting your application, you should ensure with the appropriate Central Authority that this form is acceptable.

¹ If this request concerns more than one child, please include the initials of all the children concerned. In that case, the word "child" used in this form should be read as "children".

SECTION I – CHILD (1) SUBJECT OF THE RETURN APPLICATION			
IDENTITY OF THE CHILD			
Family name(s)	Click or tap here to enter text.		
Given name(s)	Click or tap here to enter text.		
Alias	Click or tap here to enter text.		
Place and date of birth (dd/mm/yyyy)	[Place], [dd/mm/yyyy]		
Nationality(ies)	Click or tap here to enter text.		
Gender	Click or tap here to enter text.		
Identity document(s), number(s) and validity dates thereof (if applicable)	Click or tap here to enter text.		
Travel document(s), number(s) and validity dates thereof (if applicable)	Click or tap here to enter text.		
Place of habitual residence immediately before removal or retention	Click or tap here to enter text.		
Language(s) (please specify for each language: spoken, written, understood)	Click or tap here to enter text.		
PHYSICAL DESCRIPTION OF THE CHILD			
Height	Click or tap here to enter text.	Weight	Click or tap here to enter text.
Hair colour	Click or tap here to enter text.	Eye colour	Click or tap here to enter text.
Additional characteristics (e.g., scars or birth marks):	Click or tap here to enter text.		
Medical conditions (if necessary, please provide further information on a separate sheet):	Click or tap here to enter text.		
Are recent photos of the child attached?	<input type="checkbox"/> Yes Please specify, if known, when the photos were taken: Click or tap here to enter text. <input type="checkbox"/> No		

SECTION I bis – OTHER CHILD SUBJECT OF APPLICATION			
CHILD (2)			
IDENTITY OF THE CHILD			
Family name(s)	Click or tap here to enter text.		
Given name(s)	Click or tap here to enter text.		
Alias	Click or tap here to enter text.		
Place and date of birth (dd/mm/yyyy)	[Place], [dd/mm/yyyy]		
Nationality(ies)	Click or tap here to enter text.		
Gender	Click or tap here to enter text.		
Identity document(s), number(s) and validity dates thereof (if applicable)	Click or tap here to enter text.		
Travel document(s), number(s) and validity dates thereof (if applicable)	Click or tap here to enter text.		
Place of habitual residence immediately before removal or retention	Click or tap here to enter text.		
Language(s) (please specify for each language: spoken, written, understood)	Click or tap here to enter text.		
PHYSICAL DESCRIPTION OF THE CHILD			
Height	Click or tap here to enter text.	Weight	Click or tap here to enter text.
Hair colour	Click or tap here to enter text.	Eye colour	Click or tap here to enter text.
Additional characteristics (e.g., scars or birth marks):	Click or tap here to enter text.		
Medical conditions (if necessary, please provide further information on a separate sheet):	Click or tap here to enter text.		
Are recent photos of the child attached?	<input type="checkbox"/> Yes Please specify, if known, when the photos were taken: Click or tap here to enter text. <input type="checkbox"/> No		

SECTION II – APPLICANT, <i>I.E.</i> , PERSON REQUESTING RETURN OF THE CHILD	
IDENTITY AND CONTACT DETAILS OF APPLICANT	
Family name(s)	Click or tap here to enter text.
Given name(s)	Click or tap here to enter text.
Alias	Click or tap here to enter text.
Place and date of birth (<i>dd/mm/yyyy</i>)	[Place], [dd/mm/yyyy]
Relationship to the child	<input type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Legal or customary guardian <input type="checkbox"/> Other. Please specify:
Nationality(ies)	Click or tap here to enter text.
Gender	Click or tap here to enter text.
Identity document(s), number(s) and validity dates thereof (<i>if applicable</i>)	Click or tap here to enter text.
Travel document(s), number(s) and validity dates thereof (<i>if applicable</i>)	Click or tap here to enter text.
Address (<i>if an institution, please also provide the name of a contact person</i>)	Click or tap here to enter text.
Telephone number(s)	Mobile: Click or tap here to enter text. Home: Click or tap here to enter text. Office: Click or tap here to enter text.
E-mail address(es)	Click or tap here to enter text.
Fax number(s)	Click or tap here to enter text.
Language(s) (<i>please specify for each language: spoken, written, understood</i>)	Click or tap here to enter text.
Please state whether the above contact details can be disclosed to the person alleged to have wrongfully removed or to retain the child (<i>i.e.</i> , the person in “SECTION III”)? <input type="checkbox"/> Yes <input type="checkbox"/> No	
LEGAL ADVISER(S) OF THE APPLICANT (<i>IF APPLICABLE</i>)	
LEGAL ADVISER (1)	
Name	
Address	
Telephone number(s)	
E-mail address(es)	
LEGAL ADVISER (2)	
Name	
Address	
Telephone number(s)	
E-mail address(es)	
Please state whether you wish to correspond directly with the Central Authority or through your legal adviser? <input type="checkbox"/> Directly <input type="checkbox"/> Through my legal adviser	

SECTION III – PERSON ALLEGED TO HAVE WRONGFULLY REMOVED or TO RETAIN THE CHILD	
Family name(s)	Click or tap here to enter text.
Given name(s)	Click or tap here to enter text.
Alias	Click or tap here to enter text.
Place and date of birth (<i>dd/mm/yyyy</i>)	[Place], [dd/mm/yyyy]
Relationship to the child	<input type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Legal or customary guardian <input type="checkbox"/> Other. Please specify:
Nationality(ies)	Click or tap here to enter text.
Gender	Click or tap here to enter text.
Identity document(s), number(s) and validity dates thereof (<i>if applicable</i>)	Click or tap here to enter text.
Travel document(s), number(s) and validity dates thereof (<i>if applicable</i>)	Click or tap here to enter text.
Address (<i>if an institution, please also provide the name of a contact person</i>)	Click or tap here to enter text.
Telephone number(s)	Mobile: Click or tap here to enter text. Home: Click or tap here to enter text. Office: Click or tap here to enter text.
E-mail address(es)	Click or tap here to enter text.
Fax number(s)	Click or tap here to enter text.
Language(s) (<i>please specify for each language: spoken, written, understood</i>)	Click or tap here to enter text.
Please provide any other relevant information on the present status and whereabouts of the child and the person(s) thought to be with the child.	Click or tap here to enter text.
Please provide information on any other person(s) who might be able to provide additional information concerning the present status and whereabouts of the child. (<i>if applicable</i>)	
Family name(s)	Click or tap here to enter text.
Given name(s)	Click or tap here to enter text.
Alias	Click or tap here to enter text.
Place and date of birth (<i>dd/mm/yyyy</i>)	[Place], [dd/mm/yyyy]
Relationship to the child	<input type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Legal or customary guardian <input type="checkbox"/> Other. Please specify:
Nationality(ies)	Click or tap here to enter text.
Gender	Click or tap here to enter text.
Identity document(s), number(s) and validity dates thereof (<i>if applicable</i>)	Click or tap here to enter text.
Travel document(s), number(s) and validity dates thereof (<i>if applicable</i>)	Click or tap here to enter text.

Address (if an institution, please also provide the name of a contact person)	Click or tap here to enter text.
Telephone number(s)	Mobile: Click or tap here to enter text. Home: Click or tap here to enter text. Office: Click or tap here to enter text.
E-mail address(es)	Click or tap here to enter text.
Fax number(s)	Click or tap here to enter text.
Language(s) (please specify for each language: spoken, written, understood)	Click or tap here to enter text.

SECTION IV – LEGAL PARENTS (IF NOT ALREADY LISTED IN SECTION II and / or III)	
PARENT (1)	
Is this person already listed in either SECTION II or III? If yes, please skip to “PARENT (2)”. <input type="checkbox"/> Yes <input type="checkbox"/> No	
Family name(s)	Click or tap here to enter text.
Given name(s)	Click or tap here to enter text.
Alias	Click or tap here to enter text.
Place and date of birth (dd/mm/yyyy)	[Place], [dd/mm/yyyy]
Relationship to the child	<input type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Legal or customary guardian <input type="checkbox"/> Other. Please specify:
Nationality(ies)	Click or tap here to enter text.
Gender	Click or tap here to enter text.
Identity document(s), number(s) and validity dates thereof (if applicable)	Click or tap here to enter text.
Travel document(s), number(s) and validity dates thereof (if applicable)	Click or tap here to enter text.
Address (if an institution, please also provide the name of a contact person)	Click or tap here to enter text.
Telephone number(s)	Mobile: Click or tap here to enter text. Home: Click or tap here to enter text. Office: Click or tap here to enter text.
E-mail address(es)	Click or tap here to enter text.
Fax number(s)	Click or tap here to enter text.
Language(s) (please specify for each language: spoken, written, understood)	Click or tap here to enter text.

PARENT (2)	
Is this person already listed in either SECTION II or III? If yes, please skip to "RELATIONSHIP STATUS OF THE PARENTS". <input type="checkbox"/> Yes <input type="checkbox"/> No	
Family name(s)	Click or tap here to enter text.
Given name(s)	Click or tap here to enter text.
Alias	Click or tap here to enter text.
Place and date of birth (dd/mm/yyyy)	[Place], [dd/mm/yyyy]
Relationship to the child	<input type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Legal or customary guardian <input type="checkbox"/> Other. Please specify:
Nationality(ies)	Click or tap here to enter text.
Gender	Click or tap here to enter text.
Identity document(s), number(s) and validity dates thereof (if applicable)	Click or tap here to enter text.
Travel document(s), number(s) and validity dates thereof (if applicable)	Click or tap here to enter text.
Address (if an institution, please also provide the name of a contact person)	Click or tap here to enter text.
Telephone number(s)	Mobile: Click or tap here to enter text. Home: Click or tap here to enter text. Office: Click or tap here to enter text.
E-mail address(es)	Click or tap here to enter text.
Fax number(s)	Click or tap here to enter text.
Language(s) (please specify for each language: spoken, written, understood)	Click or tap here to enter text.
RELATIONSHIP STATUS OF THE PARENTS	
Relationship	<input type="checkbox"/> Married <input type="checkbox"/> Other form of union (e.g., registered partnership) <input type="checkbox"/> Unmarried cohabitation <input type="checkbox"/> Divorced <input type="checkbox"/> Separated <input type="checkbox"/> Other:
Date and place of marriage / union	[Place], [dd/mm/yyyy]
Date and place of divorce / dissolution of the union	[Place], [dd/mm/yyyy]
Are there ongoing divorce / legal proceedings or ongoing alternative dispute resolution procedures (e.g., mediation) that may affect the custody rights concerning the child covered by this Request? If yes, please provide further details in SECTION VII.	<input type="checkbox"/> Yes. Please specify: Click or tap here to enter text. <input type="checkbox"/> No

SECTION V - TIME PLACE, DATE AND CIRCUMSTANCES OF THE WRONGFUL REMOVAL OR RETENTION	
Date of the wrongful removal or retention (dd/mm/yyyy)	Click or tap here to enter text.
Place of the wrongful removal or retention	Click or tap here to enter text.
CIRCUMSTANCES OF THE WRONGFUL REMOVAL OR RETENTION <i>(IF NECESSARY, PLEASE PROVIDE FURTHER INFORMATION ON A SEPARATE SHEET)</i>	
Click or tap here to enter text.	

SECTION VI - FACTUAL AND LEGAL GROUNDS JUSTIFYING THE REQUEST

HABITUAL RESIDENCE OF THE CHILD

Please state the child’s habitual residence immediately before the date of the removal or retention and give your reasons for saying this. (You may refer for this purpose to elements such as, e.g., the residence of the child or the schooling of the child. Please note however that these factors, while they may be taken in consideration, are not necessarily decisive for the judicial or administrative authority when determining the habitual residence of the child).

RIGHTS OF CUSTODY

Did you have rights of custody in respect of the child at the time of the alleged removal or retention? According to Article 5 of the Convention, rights of custody “shall include rights relating to the care of the person of the child, and in particular, the right to determine the child’s place of habitual residence”.

- Yes
- No

If yes, please indicate how these rights of custody arose: Click or tap here to enter text.

- By virtue of a **court order**
- By **operation of law** (i.e., where no court order or enforceable agreement exists)
- By virtue of a **legally binding agreement** between the parties (i.e., an agreement reached by the parties regarding rights of custody and having legal effect under the law applicable in the country of the child’s habitual residence)
- Other** (please specify): Click or tap here to enter text.

Please **attach any documentation** (copy of a court order, legal agreement, affidavit, relevant legal provisions...) **that support the existence of such rights of custody** at the time of the alleged removal or retention.

SECTION VII – ONGOING PROCEDURES CONCERNING THE CHILD (IF APPLICABLE)		
ONGOING LEGAL PROCEEDINGS		
Ongoing civil proceedings in the <u>requesting</u> State Not applicable <input type="checkbox"/>	Name of court	Click or tap here to enter text.
	Date of hearing	Click or tap here to enter text.
	Case No	Click or tap here to enter text.
	<i>Please provide details:</i> Click or tap here to enter text.	
Ongoing civil proceedings in the <u>requested</u> State Not applicable <input type="checkbox"/>	Name of court	Click or tap here to enter text.
	Date of hearing	Click or tap here to enter text.
	Case No	Click or tap here to enter text.
	<i>Please provide details:</i> Click or tap here to enter text.	
Ongoing civil proceedings in a <u>third</u> State Not applicable <input type="checkbox"/>	Name of court	Click or tap here to enter text.
	Date of hearing	Click or tap here to enter text.
	Case No	Click or tap here to enter text.
	<i>Please provide details:</i> Click or tap here to enter text.	
ONGOING ALTERNATIVE DISPUTE RESOLUTION PROCEDURES		
<i>Please provide details regarding ongoing ADR procedures (e.g., out-of-court mediation) relating to the child:</i> Click or tap here to enter text.		

SECTION VIII – VOLUNTARY RETURN / AMICABLE SETTLEMENT OF THE DISPUTE
Would you agree to a voluntary return of the child? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> I do not know
Would you consider the possibility of an amicable settlement of the dispute by means, e.g., of mediation? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> I do not know

SECTION IX – PROPOSED ARRANGEMENTS TO SECURE THE RETURN OF THE CHILD
<p>Are there any arrangements that would help to secure the return of the child and that you would like to propose? <i>(If necessary, please provide further information on a separate sheet.)</i> Click or tap here to enter text.</p>

SECTION X – OTHER RELEVANT INFORMATION	
<p>Is the child / Are the children believed to be currently at risk of harm? If yes, please provide details. Click or tap here to enter text.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>Could the child be exposed to other possible harm and if so what kind? If yes, please provide details. Click or tap here to enter text.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>Has the child / Have the children ever been involved with the welfare authorities? If yes, please elaborate and attach any relevant reports or documentation. Click or tap here to enter text.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>Is there any flight risk existing regarding the possible return of the child? If yes, please provide details. Click or tap here to enter text.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>Please set out on a separate sheet any further information that may be relevant to the Central Authority (<i>e.g.</i>, access issues, protective measures).</p>	

SECTION XI – LIST OF DOCUMENTS ATTACHED TO THIS FORM	
<i>Please indicate the selected documents that are attached with this form by ticking the relevant box(es). Please note that the documents marked in bold are mandatory documents.</i>	
<i>Concerning the child</i>	
(a) <input type="checkbox"/>	Copy of the child’s identity card(s) / travel document(s)
(b) <input type="checkbox"/>	Copy of the child’s birth certificate
(c) <input type="checkbox"/>	Copy of relevant decision(s) and / or agreement(s) relating of the child (e.g., judicial decisions attributing rights of custody, access, designating a guardian or placing the child in alternative care
(d) <input type="checkbox"/>	Recent photograph of the child (please date the attached photograph)
(e) <input type="checkbox"/>	Copy of the medical prescription for treatment (if applicable)
(f) <input type="checkbox"/>	Evidence of the child’s habitual residence (school and medical certificates, etc.)
(g) <input type="checkbox"/>	Letter of consent to travel / Consent to travel form (if applicable)
(h) <input type="checkbox"/>	Revocation of the letter of consent to travel / consent to travel form (if applicable)
(i) <input type="checkbox"/>	Other: Click or tap here to enter text.
<i>Concerning the applicant</i>	
(j) <input type="checkbox"/>	Copy of the applicant’s identity card(s)
(k) <input type="checkbox"/>	Legal aid form (if applicable)
(l) <input type="checkbox"/>	Power of Attorney (if applicable)
(m) <input type="checkbox"/>	Other: Click or tap here to enter text.
<i>Concerning the parents</i>	
(n) <input type="checkbox"/>	Copy of the marriage or registered partnership certificate of the child’s parents (if applicable)
(o) <input type="checkbox"/>	Copy of the divorce decree of the child’s parents or the official document stating the end of their registered partnership (if applicable)
(p) <input type="checkbox"/>	Other: Click or tap here to enter text.
<i>Concerning the person thought to have wrongfully removed the child or other persons thought to be with the child</i>	
(q) <input type="checkbox"/>	Recent photograph of the person thought to have wrongfully removed the child (please date the attached photographs)
(r) <input type="checkbox"/>	Copy of the identity card(s)/travel document(s) of the person thought to have wrongfully removed the child
(s) <input type="checkbox"/>	Recent photograph of other person(s) thought to be with the child (please date the attached photographs)
(t) <input type="checkbox"/>	Other: Click or tap here to enter text.
<i>Others (please specify)</i>	
(u) <input type="checkbox"/>	A certificate or an affidavit emanating from the Central Authority, or other competent authority of the State of the child’s habitual residence, or from a qualified person, concerning the relevant law of that State (e.g., the law governing custody and access / contact rights)
(v) <input type="checkbox"/>	Click or tap here to enter text.

SECTION XII – AUTHORISATION AND SIGNATURE

I confirm that the information above is true and correct to the best of my knowledge.

I hereby authorise the Central Authority to act on my behalf with respect to my application for the return of the child_____

(Signature of the applicant)

Name:

Date:

ID card No / Passport type and No:

Annex II

REQUEST FOR ACCESS RECOMMENDED MODEL FORM

*Convention of 25 October 1980 on the
Civil Aspects of International Child Abduction*

*Application for assistance in organising or securing access for a child
under Article 21 of the 1980 Convention*

Concerning the following child: ²	
Who will attain the age of 16 on (dd/mm/yyyy)	
Does this child have siblings subject of an access application?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If so, please indicate their names and the date on which they will attain the age of 16:	
Does the child have siblings who are <u>not</u> the subject of an access application?	<input type="checkbox"/> Yes <input type="checkbox"/> No
REQUESTING STATE	
REQUESTED STATE	

Please note that this is a recommended model form. Before submitting your application, you should ensure with the appropriate Central Authority that this form is acceptable.

² If this request concerns more than one child, please include the initials of all the children concerned. In that case, the word "child" used in this form should be read as "children".

SECTION I – CHILD (1) SUBJECT OF THE RETURN APPLICATION			
IDENTITY OF THE CHILD			
Family name(s)	Click or tap here to enter text.		
Given name(s)	Click or tap here to enter text.		
Alias	Click or tap here to enter text.		
Place and date of birth (dd/mm/yyyy)	[Place], [dd/mm/yyyy]		
Nationality(ies)	Click or tap here to enter text.		
Gender	Click or tap here to enter text.		
Identity document(s), number(s) and validity dates thereof (if applicable)	Click or tap here to enter text.		
Travel document(s), number(s) and validity dates thereof (if applicable)	Click or tap here to enter text.		
Place of habitual residence immediately before removal or retention	Click or tap here to enter text.		
Language(s) (please specify for each language: spoken, written, understood)	Click or tap here to enter text.		
PHYSICAL DESCRIPTION OF THE CHILD			
Height	Click or tap here to enter text.	Weight	Click or tap here to enter text.
Hair colour	Click or tap here to enter text.	Eye colour	Click or tap here to enter text.
Additional characteristics (e.g., scars or birth marks):	Click or tap here to enter text.		
Medical conditions (if necessary, please provide further information on a separate sheet):	Click or tap here to enter text.		
Are recent photos of the child attached?	<input type="checkbox"/> Yes Please specify, if known, when the photos were taken: Click or tap here to enter text. <input type="checkbox"/> No		

SECTION I bis – OTHER CHILD SUBJECT OF APPLICATION			
CHILD (2)			
IDENTITY OF THE CHILD			
Family name(s)	Click or tap here to enter text.		
Given name(s)	Click or tap here to enter text.		
Alias	Click or tap here to enter text.		
Place and date of birth (dd/mm/yyyy)	[Place], [dd/mm/yyyy]		
Nationality(ies)	Click or tap here to enter text.		
Gender	Click or tap here to enter text.		
Identity document(s), number(s) and validity dates thereof (if applicable)	Click or tap here to enter text.		
Travel document(s), number(s) and validity dates thereof (if applicable)	Click or tap here to enter text.		
Place of habitual residence immediately before removal or retention	Click or tap here to enter text.		
Language(s) (please specify for each language: spoken, written, understood)	Click or tap here to enter text.		
PHYSICAL DESCRIPTION OF THE CHILD			
Height	Click or tap here to enter text.	Weight	Click or tap here to enter text.
Hair colour	Click or tap here to enter text.	Eye colour	Click or tap here to enter text.
Additional characteristics (e.g., scars or birth marks):	Click or tap here to enter text.		
Medical conditions (if necessary, please provide further information on a separate sheet):	Click or tap here to enter text.		
Are recent photos of the child attached?	<input type="checkbox"/> Yes Please specify, if known, when the photos were taken: Click or tap here to enter text. <input type="checkbox"/> No		

SECTION II – APPLICANT, I.E., PERSON SEEKING TO ORGANISE OR TO SECURE THE EXERCISE OF RIGHTS OF ACCESS	
IDENTITY AND CONTACT DETAILS OF APPLICANT	
Family name(s)	Click or tap here to enter text.
Given name(s)	Click or tap here to enter text.
Alias	Click or tap here to enter text.
Place and date of birth (dd/mm/yyyy)	[Place], [dd/mm/yyyy]
Relationship to the child	<input type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Legal or customary guardian <input type="checkbox"/> Other. Please specify:
Nationality(ies)	Click or tap here to enter text.
Gender	Click or tap here to enter text.
Identity document(s), number(s) and validity dates thereof (if applicable)	Click or tap here to enter text.
Travel document(s), number(s) and validity dates thereof (if applicable)	Click or tap here to enter text.
Address (if an institution, please also provide the name of a contact person)	Click or tap here to enter text.
Telephone number(s)	Mobile: Click or tap here to enter text. Home: Click or tap here to enter text. Office: Click or tap here to enter text.
E-mail address(es)	Click or tap here to enter text.
Fax number(s)	Click or tap here to enter text.
Language(s) (please specify for each language: spoken, written, understood)	Click or tap here to enter text.
LEGAL ADVISER(S) OF THE APPLICANT (IF APPLICABLE)	
LEGAL ADVISER (1)	
Name	Click or tap here to enter text.
Address	Click or tap here to enter text.
Telephone number(s)	Click or tap here to enter text.
E-mail address(es)	Click or tap here to enter text.
LEGAL ADVISER (2)	
Name	Click or tap here to enter text.
Address	Click or tap here to enter text.
Telephone number(s)	Click or tap here to enter text.
E-mail address(es)	Click or tap here to enter text.
Please state whether you wish to correspond directly with the Central Authority or through your legal adviser?	
<input type="checkbox"/> Directly <input type="checkbox"/> Through my legal adviser	

SECTION III – PERSON WITH WHOM THE CHILD IS CURRENTLY LIVING AND THE WHEREABOUTS OF THE CHILD	
Family name(s)	Click or tap here to enter text.
Given name(s)	Click or tap here to enter text.
Alias	Click or tap here to enter text.
Place and date of birth (<i>dd/mm/yyyy</i>)	[Place], [dd/mm/yyyy]
Relationship to the child	<input type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Legal or customary guardian <input type="checkbox"/> Other. Please specify:
Nationality(ies)	Click or tap here to enter text.
Gender	Click or tap here to enter text.
Identity document(s), number(s) and validity dates thereof (<i>if applicable</i>)	Click or tap here to enter text.
Travel document(s), number(s) and validity dates thereof (<i>if applicable</i>)	Click or tap here to enter text.
Address (<i>if an institution, please also provide the name of a contact person</i>)	Click or tap here to enter text.
Telephone number(s)	Mobile: Click or tap here to enter text. Home: Click or tap here to enter text. Office: Click or tap here to enter text.
E-mail address(es)	Click or tap here to enter text.
Fax number(s)	Click or tap here to enter text.
Language(s) (<i>please specify for each language: spoken, written, understood</i>)	Click or tap here to enter text.
Please provide any other relevant information on the present status and whereabouts of the child and the person(s) thought to be with the child.	Click or tap here to enter text.
Please provide information on any other person(s) who might be able to provide additional information concerning the present status and whereabouts of the child. (<i>if applicable</i>)	
Family name(s)	Click or tap here to enter text.
Given name(s)	Click or tap here to enter text.
Alias	Click or tap here to enter text.
Place and date of birth (<i>dd/mm/yyyy</i>)	[Place], [dd/mm/yyyy]
Relationship to the child	<input type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Legal or customary guardian <input type="checkbox"/> Other. Please specify:
Nationality(ies)	Click or tap here to enter text.
Gender	Click or tap here to enter text.
Identity document(s), number(s) and validity dates thereof (<i>if applicable</i>)	Click or tap here to enter text.
Travel document(s), number(s) and validity dates thereof (<i>if applicable</i>)	Click or tap here to enter text.

Address (if an institution, please also provide the name of a contact person)	Click or tap here to enter text.
Telephone number(s)	Mobile: Click or tap here to enter text. Home: Click or tap here to enter text. Office: Click or tap here to enter text.
E-mail address(es)	Click or tap here to enter text.
Fax number(s)	Click or tap here to enter text.
Language(s) (please specify for each language: spoken, written, understood)	Click or tap here to enter text.

SECTION IV – LEGAL PARENTS (IF NOT ALREADY LISTED IN SECTION II and / or III)	
PARENT (1)	
Is this person already listed in either SECTION II or III? If yes, please skip to “PARENT (2)”. <input type="checkbox"/> Yes <input type="checkbox"/> No	
Family name(s)	Click or tap here to enter text.
Given name(s)	Click or tap here to enter text.
Alias	Click or tap here to enter text.
Place and date of birth (dd/mm/yyyy)	[Place], [dd/mm/yyyy]
Relationship to the child	<input type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Legal or customary guardian <input type="checkbox"/> Other. Please specify:
Nationality(ies)	Click or tap here to enter text.
Gender	Click or tap here to enter text.
Identity document(s), number(s) and validity dates thereof (if applicable)	Click or tap here to enter text.
Travel document(s), number(s) and validity dates thereof (if applicable)	Click or tap here to enter text.
Address (if an institution, please also provide the name of a contact person)	Click or tap here to enter text.
Telephone number(s)	Mobile: Click or tap here to enter text. Home: Click or tap here to enter text. Office: Click or tap here to enter text.
E-mail address(es)	Click or tap here to enter text.
Fax number(s)	Click or tap here to enter text.
Language(s) (please specify for each language: spoken, written, understood)	Click or tap here to enter text.

PARENT (2)	
Is this person already listed in either SECTION II or III? If yes, please skip to "RELATIONSHIP STATUS OF THE PARENTS". <input type="checkbox"/> Yes <input type="checkbox"/> No	
Family name(s)	Click or tap here to enter text.
Given name(s)	Click or tap here to enter text.
Alias	Click or tap here to enter text.
Place and date of birth (dd/mm/yyyy)	[Place], [dd/mm/yyyy]
Relationship to the child	<input type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Legal or customary guardian <input type="checkbox"/> Other. Please specify:
Nationality(ies)	Click or tap here to enter text.
Gender	Click or tap here to enter text.
Identity document(s), number(s) and validity dates thereof (if applicable)	Click or tap here to enter text.
Travel document(s), number(s) and validity dates thereof (if applicable)	Click or tap here to enter text.
Address (if an institution, please also provide the name of a contact person)	Click or tap here to enter text.
Telephone number(s)	Mobile: Click or tap here to enter text. Home: Click or tap here to enter text. Office: Click or tap here to enter text.
E-mail address(es)	Click or tap here to enter text.
Fax number(s)	Click or tap here to enter text.
Language(s) (please specify for each language: spoken, written, understood)	Click or tap here to enter text.
RELATIONSHIP STATUS OF THE PARENTS	
Relationship	<input type="checkbox"/> Married <input type="checkbox"/> Other form of union (e.g., registered partnership) <input type="checkbox"/> Unmarried cohabitation <input type="checkbox"/> Divorced <input type="checkbox"/> Separated <input type="checkbox"/> Other:
Date and place of marriage / union	[Place], [dd/mm/yyyy]
Date and place of divorce / dissolution of the union	[Place], [dd/mm/yyyy]
Are there ongoing divorce / legal proceedings or ongoing alternative dispute resolution procedures (e.g., mediation) that may affect the custody rights concerning the child covered by this Request? If yes, please provide further details in SECTION VII.	<input type="checkbox"/> Yes. Please specify: Click or tap here to enter text. <input type="checkbox"/> No

**SECTION V – CIRCUMSTANCES RELATING TO THE PREVENTION
OF THE EXERCISE OF THE RIGHTS OF ACCESS**

(If necessary, please provide further information on a separate sheet)

Click or tap here to enter text.

SECTION VI – LEGAL GROUNDS FOR JUSTIFYING THE REQUEST

Please indicate what is the applicant's current situation as regards rights of access to the child:

- Applicant has rights of access by virtue of a **court order**.
- Applicant has rights of access by **operation of law**.
- Applicant has rights of access by virtue of a **legally binding agreement**.
- Applicant seeks to establish rights of access **through the current proceedings**.
- Other** (please specify): Click or tap here to enter text.

SECTION VII – ONGOING PROCEDURES CONCERNING THE CHILD (IF APPLICABLE)		
ONGOING LEGAL PROCEEDINGS		
Ongoing civil proceedings in the <u>requesting</u> State Not applicable <input type="checkbox"/>	Name of court	Click or tap here to enter text.
	Date of hearing	Click or tap here to enter text.
	Case No	Click or tap here to enter text.
	<i>Please provide details:</i> Click or tap here to enter text.	
Ongoing civil proceedings in the <u>requested</u> State Not applicable <input type="checkbox"/>	Name of court	Click or tap here to enter text.
	Date of hearing	Click or tap here to enter text.
	Case No	Click or tap here to enter text.
	<i>Please provide details:</i> Click or tap here to enter text.	
Ongoing civil proceedings in a <u>third</u> State Not applicable <input type="checkbox"/>	Name of court	Click or tap here to enter text.
	Date of hearing	Click or tap here to enter text.
	Case No	Click or tap here to enter text.
	<i>Please provide details:</i> Click or tap here to enter text.	
ONGOING ALTERNATIVE DISPUTE RESOLUTION PROCEDURES		
<i>Please provide details regarding ongoing ADR procedures (e.g., out-of-court mediation) relating to the child:</i> Click or tap here to enter text.		

SECTION VIII – AMICABLE SETTLEMENT OF THE DISPUTE
Are you in principle willing to participate in an amicable settlement of the dispute (by means, e.g., of conciliation or mediation)? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> I do not know

SECTION IX – PROPOSED ARRANGEMENTS FOR EXERCISING THE RIGHTS OF ACCESS

Are there any arrangements that would facilitate the exercise of your rights of access and that you would like to propose?
(If necessary, please provide further information on a separate sheet.)

Click or tap here to enter text.

SECTION X – OTHER RELEVANT INFORMATION

Please set out any further information relevant to the access application. (If necessary, please provide further information on a separate sheet.)

Click or tap here to enter text.

SECTION XI – LIST OF DOCUMENTS ATTACHED TO THIS FORM	
<i>Please indicate the selected documents that are attached with this form by ticking the relevant box(es). Please note that the documents marked in bold are mandatory documents.</i>	
<i>Concerning the child</i>	
(a) <input type="checkbox"/>	Copy of the child’s identity card(s) / travel document(s)
(b) <input type="checkbox"/>	Copy of the child’s birth certificate
(c) <input type="checkbox"/>	Copy of relevant decision(s) and / or agreement(s) relating of the child (e.g., judicial decisions attributing rights of custody, access, designating a guardian or placing the child in alternative care
(d) <input type="checkbox"/>	Recent photograph of the child (please date the attached photograph)
(e) <input type="checkbox"/>	Copy of the medical prescription for treatment (if applicable)
(f) <input type="checkbox"/>	Other: Click or tap here to enter text.
<i>Concerning the applicant</i>	
(g) <input type="checkbox"/>	Copy of the applicant’s identity card(s)
(h) <input type="checkbox"/>	Legal aid form (if applicable)
(i) <input type="checkbox"/>	Power of Attorney (if applicable)
(j) <input type="checkbox"/>	Other: Click or tap here to enter text.
<i>Concerning the parents</i>	
(k) <input type="checkbox"/>	Copy of the marriage or registered partnership certificate of the child’s parents (if applicable)
(l) <input type="checkbox"/>	Copy of the divorce decree of the child’s parents or the official document stating the end of their registered partnership (if applicable)
(m) <input type="checkbox"/>	Other: Click or tap here to enter text.
<i>Concerning the person thought to prevent the exercise of the rights of access or other persons thought to be with the child</i>	
(n) <input type="checkbox"/>	Recent photograph of the person thought to prevent the exercise of the rights of access to the child (please date the attached photographs)
(o) <input type="checkbox"/>	Copy of the identity card(s)/travel document(s) of the person thought to prevent the exercise of the rights of access to the child
(p) <input type="checkbox"/>	Recent photograph of other person(s) thought to be with the child (please date the provided photographs) (if applicable)
(q) <input type="checkbox"/>	Other: Click or tap here to enter text.
<i>Others (please specify)</i>	
(r) <input type="checkbox"/>	A certificate or an affidavit emanating from the Central Authority, or other competent authority of the State of the child's habitual residence, or from a qualified person, concerning the relevant law of that State (e.g., the law governing custody and access / contact rights)
(s) <input type="checkbox"/>	Click or tap here to enter text.

SECTION XII – AUTHORISATION AND SIGNATURE

I confirm that the information above is true and correct to the best of my knowledge.

I hereby authorise the Central Authority to act on my behalf with respect to my application for the access of the child_____

(Signature of the applicant)

Name:

Date:

ID card No/Passport type and No: