

Questionnaire on the Practical Operation of the 1980 Hague Convention on the Civil Aspects of International Child Abduction

Prel. Doc. No. 4

Reply of the European Union to specific questions

Part I - Practical operation of the 1980 Convention

Recent developments in your State

1. *Since the 2017 SC, have there been any significant developments in your State regarding the **legislation** or **procedural rules** applicable in child abduction cases? Where possible please state the reason for the development in the legislation/rules and, where possible, the results achieved in practice (e.g. reducing the time required to decide a case).*

- *No*

- *Yes, please specify*

Cases of intra-EU cross-border parental child abduction are covered by [Council Regulation \(EU\) 2019/1111 of 25 June 2019 on jurisdiction, the recognition and enforcement of decisions in matrimonial matters and the matters of parental responsibility and on international child abductions](#) (the Brussels IIb Regulation)¹, which supplements the 1980 Convention on the Civil Aspects of International Child Abduction.

As from its entry into application on 1 August 2022, the Brussels IIb Regulation repealed [Council Regulation \(EC\) No 2201/2003 of 27 November 2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility, repealing Regulation \(EC\) No 1347/2000](#) (the Brussels IIa Regulation)². The Brussels IIa Regulation continues to apply to decisions given in legal proceedings instituted before 1 August 2022 (see Article 100(2) of the Brussels IIb Regulation). Thus, the Brussels IIa Regulation will continue to apply to decisions issued before and even after 1 August 2022 (the latter on the condition that proceedings were instituted before that date).

The 1980 Convention, which is in force in all Member States, continues to apply in relation to cases of child abduction between Member States. The 1980 Convention and the Regulation share the same aim of discouraging unilateral removals of children across borders. Both instruments establish a mechanism for the prompt return of the child to the State where the child was habitually resident before the abduction.

The Brussels IIb Regulation which introduced a separate chapter on international child abduction (Chapter III - Articles 22 – 29) continues to complement the return mechanism

¹ OJ L 178, 2.7.2019, p. 1–115.

² OJ L 338, of 23.12.2003, p. 1.

of the 1980 Convention by some procedural safeguards and an additional procedure if the return of the child to the State of habitual residence is refused under the 1980 Convention (the so-called ‘overriding mechanism’, Article 29 and recitals 48 – 53 of the Brussels IIb Regulation).

The Brussels IIb Regulation clarifies the timeframe established by Article 11 of the 1980 Convention and Article 11(3) of the Brussels IIa Regulation for issuing a return order. Namely, Central Authorities, courts and enforcement authorities all need to act expeditiously when processing a request for return. Furthermore, Article 23(2) establishes a 5 working day time limit from the receipt of the request for Central Authorities to acknowledge receipt and request additional documents and information, where necessary. Article 24(2) and (3) establish a separate six-week time limit for each court instance to give its decision. Moreover, according to Article 28(2), if an enforcement authority has not been able to enforce an order for the return of a child during six weeks, the party seeking enforcement may request a statement of the reasons for the delay.

Building on the Conclusions and Recommendations of the different Special Commissions on the 1980 Convention and Guides to Good Practice, Recital 41 calls upon Member States to consider concentrating jurisdiction for return proceedings upon as limited a number of courts as possible. This would allow judges to build up experience on this very specific type of procedure and thus rule on the return proceedings more quickly and expertly. In addition, Recital 42 calls upon Member States to limit the number of ordinary appeals against a decision granting or refusing the return of a child under the 1980 Convention to one.

The Brussels IIb Regulation, through its Articles 21 and 26, obliges the courts of the Member States dealing with parental responsibility matters and return proceedings to provide the child who is capable of forming his or her own views with a genuine and effective opportunity to express his or her views, either directly, or through a representative or an appropriate body in accordance with national law and procedure. These views will be given due weight in accordance with the child’s age and maturity. In addition, the court cannot refuse to return a child unless the person seeking the return of the child has also been given an opportunity to be heard.

The Brussels IIb Regulation also is focused on promoting alternative dispute resolution, such as mediation. Article 25 and Recital 43 call upon the court dealing with the return proceedings either directly or, where appropriate, with the assistance of the Central Authorities, as early as possible and at any stage of the proceedings to invite the parties to consider whether they are willing to engage in mediation or other means of alternative dispute resolution, unless this is contrary to the best interests of the child, it is not appropriate in the particular case (for example in cases of domestic violence) or would unduly delay the return proceedings. Where in the course of return proceedings, parents reach agreement on the return or non-return of the child, and also on matters of parental responsibility, Article 10 allows, under certain circumstances, for them to agree that the court seised under the 1980 Convention also has jurisdiction to give binding legal effect to their agreement, either by incorporating it into a decision, approving it or by using any

other form provided by national law and procedure. Furthermore, the courts are also called upon to examine at any stage of the return proceedings whether contact between the child and the person seeking the return of the child should be ensured through provisional, including protective, measures, taking into account the best interests of the child.

According to Article 27(3) where a court considers refusing to return a child solely on the basis of point (b) of Article 13(1) of the 1980 Convention, it cannot refuse to return the child if the party seeking the return of the child satisfies the court by providing sufficient evidence, or the court is otherwise satisfied, that adequate arrangements have been made to secure the protection of the child after his or her return. This assessment of adequate arrangements can be facilitated by the cooperation between the Central Authorities or a direct communication by a judge with the relevant court in the Member State of origin. Even where the court deciding on return is not convinced by the adequate arrangements in place, according to Article 27(5) that court is able to order urgent protective measures which, if necessary, can also "travel with the child" to the Member State of habitual residence where a final decision of the substance of parental responsibility has to be taken. These measures would remain in place until the Member State of the child's habitual residence has lifted, amended or replaced them.

Through its Article 27(6), the Regulation also creates the possibility to the court to declare the decision ordering the return of the child declared provisionally enforceable, notwithstanding any appeal, where the return of the child before the decision on the appeal is required by the best interests of the child.

As to the 'overriding mechanism', Article 29 allows the court of the Member State of the child's former habitual residence to exercise its jurisdiction in matters of parental responsibility even if return under the 1980 Convention was refused by the Member State of refuge based solely on point (b) of Article 13(1), or on Article 13(2), of the Convention. Namely, Article 29(6) obliges the court of the Member State of origin to conduct a thorough examination of the best interests of the child before a final custody decision, possibly implying return of the child, is issued. Such 'overriding' decision, which entails the return of the child, is enforceable in another Member State without any possibility to challenge its recognition or enforceability in the Member State of enforcement.

To provide for speedier proceedings in cases of re-abduction, Article 36(1)(c) provides for the circulation of decisions ordering the return of a child under the 1980 Convention, and, where applicable, any provisional, including protective, measures ordered accompanying those decisions within Member States without the need for recognition or declaration of enforceability.

Lastly, it is also noteworthy that Article 86 of Brussels IIb Regulation provides a legislative basis for direct judicial cooperation during, among others, return proceedings.

A Practice Guide on the Application of the Brussels IIb Regulation has been adopted by the [European Judicial Network in civil and commercial matters](#) (EJN-civil) and published on the [European e-Justice Portal - EJN's publications \(europa.eu\)](#).

2. Following the Covid-19 pandemic, have there been any improvements that have remained in your State in the following areas, in particular in relation to the use of information technology, as a result of newly adopted procedures or practices applicable to child abduction cases? In each case, please describe the tools, guidelines or protocols put in place.

- a) Methods for accepting and processing return and access applications and their accompanying documentation;
- b) Participation of the parties and the child (e.g., appearance in court proceedings, mediation);
- c) Promoting mediation and other forms of amicable resolution;
- d) Making arrangements for organising or securing the effective exercise of rights of access, including while pending return proceedings;
- e) Obtaining evidence by electronic means;
- f) Ensuring the safe return of the child;
- g) Cooperation between Central Authorities and other authorities;
- h) Providing information and guidance for parties involved in child abduction cases;
- i) Other, please specify.

The Brussels IIa and IIb Regulations are technology neutral as to the means of communication. However, on 1 December 2021, the European Commission adopted a [proposal for a Regulation on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation and a proposal for a Directive amending certain acts in the field of judicial cooperation](#) (Digitalisation proposals). These proposals also apply to the Brussels IIb Regulation.

The main objective of the [proposal for a Digitalisation Regulation](#) is to make the digital communication channel between competent authorities mandatory. The intention is to build upon our achievements to date, namely to extend existing IT tools such as e-CODEX and the eEvidence Digital Exchange System (eEDES), which already support digital exchanges of European Investigation Orders and Mutual Legal Assistance (in criminal matters) requests. The Service of Documents / Taking of Evidence IT systems will also be based on the eEDES and will start applying from May 2025.

Additionally, in civil and commercial matters, the proposed Regulation will provide natural and legal persons with the option to communicate with competent authorities digitally through a European electronic access point (on the [e-Justice Portal](#)) or existing national IT portal.

Furthermore, Article 7 of the proposal for a Digitalisation Regulation provides for a legal basis for convening hearings through videoconferencing or other distance communication technology in civil and commercial matters where one or more parties (including children when they are considered parties) are abroad.

The Council adopted its [General Approach](#) in December 2022 and the European Parliament is expected to adopt its position in March 2023 after which the trilogues can start.

With regard to (e) obtaining evidence by electronic means, the [Taking of Evidence Recast Regulation](#) obliges Member States to start using a decentralised IT system for transmission of requests and communication related to the taking of evidence at the latest by 1 May 2025. The Recast Regulation also provides elaborated rules for the use of videoconference or other distance communication technology for the purposes of taking of evidence (applicable from 1 July 2022) – see in particular Article 20. In its Recital 21, it is explained that videoconferencing could also be used to hear a child as provided for in Brussels IIb Regulation.

Please also see reply to question 1 with regard to points (b) participation of the parties and the child (e.g., appearance in court proceedings, mediation), (c) promoting mediation and other forms of amicable resolution, (d) making arrangements for organising or securing the effective exercise of rights of access, including while pending return proceedings, (f) ensuring the safe return of the child, (g) cooperation between Central Authorities and other authorities and (h) providing information and guidance for parties involved in child abduction cases.

3. Please provide the three most significant decisions concerning the interpretation and application of the 1980 Convention rendered since the 2017 SC by the relevant authorities in your State.

Case law of the Court of Justice of the European Union relating to the 1980 Convention:

- The CJEU's judgment of 8 June 2017 in Case [C-111/17 PPU \(OL v PQ\)](#), reaffirmed that the physical presence of a child in a Member State is a prerequisite and in addition other factors must also make it clear that that presence is not in any way temporary or intermittent and that the child's habitual residence corresponds to the place which reflects such integration in a social and family environment. Nevertheless, the intention of the parents cannot as a general rule by itself be crucial to the determination of the habitual residence of a child but constitutes an 'indicator' complementing a body of other consistent evidence. This being said, the Court pointed out that the concept of 'habitual residence' is essentially a question of fact. Consequently, the initial intention of the parents that a child should reside in one given place cannot take precedence over the fact that the child has continuously resided since birth in another state.
- In case [C-85/18 PPU \(CV v DU\)](#) of 10 April 2018, the Court continued to clarify the concept of habitual residence and the jurisdiction of the national courts in cases where a child who was habitually resident in a Member State was wrongfully removed by one of the parents to another Member State. The CJEU ruled that the courts of the Member State of refuge do not have jurisdiction to rule on an application relating to custody or the determination of a maintenance allowance

- with respect to that child, in the absence of any indication that the other parent consented to his removal or did not bring an application for the return of that child.
- The CJEU in its judgment of 24 March 2021 in case [C-603/20 PPU \(SS v MCP\)](#) clarified jurisdiction issues as regards child abduction cases. The Court specified that where a finding is made that the child now has his or her habitual residence in a third State, the jurisdiction of the court of Member State will have to establish whether it has jurisdiction on the basis of any relevant bilateral or multilateral international conventions, or, in the absence of such an international convention, on the basis of the rules of its national law, in accordance with relevant rules of the Regulation.
 - In its judgement of 19 September 2018 in [the Joined Cases C-325/18 PPU and C-375/18 PPU \(Hampshire County Council v C.E., N.E.\)](#) the Court found that where it is alleged that children have been wrongfully removed, the decision of a court of the Member State in which those children were habitually resident, directing that those children be returned and which is entailed by a decision dealing with parental responsibility, may be declared enforceable in the host Member State in accordance with those general provisions.
 - In the judgment of 2 August 2021 in case [C-262/21 PPU \(A v B\)](#) the Court found that the term ‘wrongful removal or retention’ (Article 2(11) Brussels IIa Regulation), must be interpreted as meaning that a situation in which one of the parents, without the other parent’s consent, removes the child from his or her Member State of habitual residence to another Member State pursuant to a decision to transfer taken by the first Member State in application of Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person, then remains in the second Member State after the decision to transfer has been annulled without the authorities of the first Member State deciding to take back the persons transferred or authorise their residence, cannot be considered wrongful removal or retention within the meaning of that provision.
 - In the judgment of 16 February 2023 in case [C-638/22 PPU \(Rzecznik Praw Dziecka and Others\)](#) the CJEU found that Brussels IIa Regulation precludes national legislation conferring on authorities not having the status of court the right to obtain the automatic suspension, for a period of at least two months, of the enforcement of a return decision issued on the basis of the 1980 Convention without having to state the reasons for their request for suspension.

These judgments as well as the jurisprudence of the CJEU, i.e., the previous case-law in this area remains relevant with regard to the Brussels IIb Regulation so long as the latter Regulation does not legislate otherwise.

All judgments can be found at <http://curia.europa.eu/>

6. Are you aware of situations or circumstances in which there has been avoidance or improper application of the 1980 Convention as a whole or any of its provisions in particular?

- No

- Yes, please specify

On 26 January 2023 the European Commission sent a letter of formal notice to Poland ([INFR\(2021\)2001](#)) for failure to fulfil its obligations under the [Brussels IIa Regulation](#). The Regulation aims to protect children in the context of cross-border disputes relating to parental responsibility and child abduction. This infringement case concerns the non-conformity of the Polish law with the Brussels IIa Regulation, specifically the provisions relating to the enforcement of judgments or orders that require the return of abducted children to their place of habitual residence. The Commission considers that there is a systematic and persistent failure of Polish authorities to speedily and effectively enforce judgments ordering the return of abducted children to other EU Member States.

Additionally, please see the judgment of 16 February 2023 in case [C-638/22 PPU \(Rzecznik Praw Dziecka and Others\)](#) (please also see reply to question 3 for more information).

Addressing delays and ensuring expeditious procedures

7. The 2017 SC encouraged States to review their procedures (including, where applicable, at the Central Authority, judicial, enforcement and mediation / other alternative dispute resolution - “ADR” phases) in order to identify possible sources of delay and implement the adjustments needed to secure shorter time frames consistent with Articles 2 and 11 of the Convention. Please indicate any identified sources of delay at the following phases:

Central Authority

- No

- Yes

- Procedure not yet revised

If the answer to the above is YES, please share any measures that have been implemented to address the delays

Judicial proceedings

- No

- Yes

- Procedure not yet revised

If the answer to the above is YES, please share any measures that have been implemented to address the delays

Enforcement

- *No*

- *Yes*

- *Procedure not yet revised*

If the answer to the above is YES, please share any measures that have been implemented to address the delays

Mediation / ADR

- *No*

- *Yes*

- *Procedure not yet revised*

If the answer to the above is YES, please share any measures that have been implemented to address the delays

Please see reply to question 1 for further information.

Court proceedings and promptness

8. *Does your State have mechanisms in place to deal with return decisions within six weeks (e.g., production of summary evidence, limitation of appeals, swift enforcement)?*

- *No*

- *Yes, please specify*

Please see reply to question 1 for further information.

10. *Do the courts in your State make use of direct judicial communications to ensure prompt proceedings?*

- *No*

- *Yes, please specify*

Article 86 of Brussels IIb Regulation provides a legislative basis for direct judicial cooperation during, among others, return proceedings.

Information exchange, training and networking of Central Authorities

24. *Has your Central Authority shared experiences with other Central Authority(ies), for example by organising or participating in any networking initiatives such as regional meetings of Central Authorities, either in person or online?*

- *No*

- *Yes, please specify*

Once a year a meeting of the [EJN-civil](#) is dedicated to discussing the application of the Brussels IIa and IIb Regulations and the 1980 Convention. The meetings are in particular attended by the EJN-civil contact points, Central Authorities and contact judges.

Case management and collection of statistical data on applications made under the Convention

26. *Does your Central Authority operate a case management system for processing and tracking incoming and outgoing cases?*

- *No*

- *Yes, please specify*

The main objective of the [proposal for a Digitalisation Regulation](#) (please see reply to question 2) is to establish a decentralised IT system for transmission of requests and communication related to, among others, the Brussels IIb Regulation. The Commission will develop reference implementation software, which the Member States may choose to use to connect to the decentralised IT system. The reference implementation software should be able to track requests made by each requesting and requested Central Authority.

27. *Does your State collect statistical data on the number of applications made per year under the 1980 Convention (e.g., number of incoming and / or outgoing cases)?*

- *No*

- *Yes*

In case this information is publicly made available, please share the links to the statistical reports

The reference implementation developed by the Commission (please also see reply to question 26) should be able to collect statistics on the number of requests transmitted through the decentralised IT system and the number of requests executed by each Member State. National IT systems, where equipped to do so, should also be able to collect and transmit such data.

Transfrontier access / contact

28. *Since the 2017 SC, have there been any significant developments in your State regarding Central Authority practices, legislation, procedural rules or case law applicable in cases of transfrontier access / contact?*

- *No*

- *Yes, please specify*

The Brussels IIb Regulation (please also see the reply to question 1) abolished *exequatur* within the Member States for all decisions in matters of parental responsibility including decisions on rights of access.

Special topics

Obtaining the views of a child in a child abduction case

34. Are there any procedures, guidelines or principles available in your State to guide the person (e.g., expert, judge, guardian ad litem) in seeking the views of the child in a child abduction case?

- No

- Yes, please specify

Please see:

- Article 24 of the [EU Charter of Fundamental Rights](#)³, which refers to the hearing of the child. The Charter applies when implementing Union law. Article 24 is based on Article 12 of the [UN Convention on the Rights of the Child](#);
- [EU Strategy on the rights of the child](#), which includes references to child participation and child-friendly justice;
- CJEU judgment in case [C-491/10 PPU \(Aguirre Zarraga\)](#) of 22 December 2010;
- Brochure [Bouncing back: Ensuring the wellbeing of children in cases of international child abduction](#) (deliverable of a project co-financed by the European Commission).

Relationship with other international instruments on human rights

39. *Has your State faced any challenges, or have questions arisen, in processing international child abduction cases where there was a parallel refugee claim lodged by the taking parent?*

- No

- Yes, if possible, please share any relevant case law or materials that are relevant to this type of situation in your State or, alternatively, a summary of the situation in your State

- Do not know

In the judgment of 2 August 2021 in case [C-262/21 PPU \(A v B\)](#) the CJEU found that the term ‘wrongful removal or retention’ (Article 2(11) Brussels IIa Regulation), must be interpreted as meaning that a situation in which one of the parents, without the other parent’s consent, removes the child from his or her Member State of habitual residence to another Member State pursuant to a decision to transfer taken by the first Member State in application of Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person, then remains in the second Member State after the decision to transfer has been annulled without the authorities of the first Member State deciding to take back the persons

³ Article 24. The rights of the child

1. Children shall have the right to such protection and care as is necessary for their well-being. They may express their views freely. Such views shall be taken into consideration on matters which concern them in accordance with their age and maturity.
2. In all actions relating to children, whether taken by public authorities or private institutions, the child's best interests must be a primary consideration.
3. Every child shall have the right to maintain on a regular basis a personal relationship and direct contact with both his or her parents, unless that is contrary to his or her interests.

transferred or authorise their residence, cannot be considered wrongful removal or retention within the meaning of that provision.

Part II – Training, Education and Post Convention service

52. Please provide below details of any training sessions/conferences organised in in your State to support the effective functioning of the 1980 Convention, and the influence that such sessions/conferences have had?

On 8 September 2022 a high-level conference co-hosted by the European Commission and the European Parliament drew attention to the important changes introduced by the new Brussels IIb Regulation. It also was an opportunity for the participants to hear from experts in EU family law on the key changes introduced in the Brussels IIb Regulation and to provide a forum for an exchange of views with legal practitioners on cross-border family disputes involving children in the European Union. The salient points of the Practice Guide for the application of the Brussels IIb Regulation (please see also reply to question 1).

On meetings of the EJM-civil, please see reply to question 24.

54. For any of the Guides to Good Practice which you may have used to assist in implementing for the first time, or improving the practical operation of, the 1980 Convention in your State please provide comments below:

- a. Part I on Central Authority Practice.*
- b. Part II on Implementing Measures.*
- c. Part III on Preventive Measures.*
- d. Part IV on Enforcement.*
- e. Part V on Mediation*
- f. Part VI on Article 13(1)(b)*
- g. Transfrontier Contact Concerning Children – General Principles and Guide to Good Practice*

The European Union supports the use and continuous updating of the Practice Guides on the 1980 Convention, as a useful tool for practitioners applying the Convention.

In order to encourage the use of the Guides, the European Commission has translated Part V on Mediation in all EU official languages (except Spanish provided by the HCCH) plus Arabic and Part VI on Article 13(1)(b) in all EU official languages. The EU would like to underline that, when a Member starts translating a Convention or a Guide, it would be a good practice to inform the Permanent Bureau of this initiative. The Permanent Bureau will then inform all Members. This way, double translations of the same text would be avoided, saving time and resources.

Part III - Non-Convention States

59. Are there any States that you would particularly like to see become a State Party to the 1980 Convention? If so, what steps would you suggest could be taken to promote the Convention and encourage ratification of, or accession to, the Convention in those States? Please explain:

In its contacts with third States, the EU already promotes the 1980 Convention and encourages its ratification/accession. However, the actual acceptance of a third country's accession to the 1980 Convention is subject to a specific EU procedure.

The EU promotes a world-wide ratification of / accession to the Convention, in particular of those countries which have special links to the EU, as in the context of the [European Neighbourhood Policy](#) (ENP), the EU policy addressed to its southern and eastern neighbours in order to achieve the closest possible political association and the greatest possible degree of economic integration.

Several ENP countries are already Party to the 1980 Convention, but others are not. The EU is particularly interested in the accession of **Algeria** and **Egypt**, as, because of geographical proximity and immigration issues, a relevant number of cases of child abduction are pending with these countries and the conventional framework would undoubtedly facilitate their resolution..

Beside the political dialogue, the EU has also used the instrument of the consular demarche in order to convey the message that accession to the Convention would be beneficial for the best interests of children involved in cross-border family disputes. Another country of EU interest is **China**⁴. An EU demarche on child abduction was delivered on 30 April 2015 to the Ministry of Foreign Affairs, Department of Treaty and Law, responsible for handling issues related to the 1980 Convention. As indicated below, in order to promote the Convention, the EU has also used some financial instruments to the benefit of the third countries which are entitled to participate in the relevant programmes, basically [Euromed Justice](#) and [TAIEX](#).

The “Malta Process”

61. Do you have any suggestions of activities and projects that could be discussed in the context of the ‘Malta Process’ and in particular, in the event of a possible Fifth Malta Conference? Please explain:

The EU has actively supported the Malta Process since its beginning, encouraging, in its international contacts, third States to accede to the Hague Conventions on family law and participating to the four Malta Conferences organized so far.

With the Euromed Justice Programme and the TAIEX Instrument, the EU has co-financed seminars and study visits, as, for instance, the *"Judicial Seminar on Cross-*

⁴ Currently, the Convention applies to the *Special Administrative Regions of Hong Kong and Macao* only.

border protection of children and families" organized in December 2010 in Rabat, Morocco. All these activities were aimed at improving co-operation between Hague and non-Hague countries in the Mediterranean area and promoting accession to the 1980 and 1996 Conventions.

As already pointed out, the European Union particularly appreciated the work of the Working Party on Mediation in the context of the Malta Process which led to the **Principles for the Establishment of Mediation Structures** and the accompanying **Explanatory Memorandum**.

The Union underlines the practical benefits of this project. It is important, in the absence of a Convention framework, to establish an alternative practical framework for the resolution of sensitive disputes involving children (in particular with regard to the mentioned countries of North Africa).

Regarding the future of the Malta Process, the Union believes that the work on mediation should be continued now by focussing on the practical implementation of the guide to good practice on mediation and the acceptance and implementation of the Principles for the Establishment of Mediation Structures. Among other things, best practise might include the establishment of central contact points facilitating the provision of information on available mediation services, on access to mediation, etc.

As mentioned in reply to question 54, in order to further promote mediation, the EU has also translated the Guide to Good Practice Part V on Mediation into all EU official languages and into Arabic.