

CONVENTION OF 25 OCTOBER 1980 ON THE CIVIL ASPECTS OF INTERNATIONAL CHILD ABDUCTION

FOREWORD TO THE COUNTRY PROFILE

This Country Profile¹ should be used by Contracting States² to assist with fulfilment of the obligations contained within Article 7 of the *Convention of 25 October 1980 on the Civil Aspects of International Child Abduction* (1980 Child Abduction Convention or Convention). In particular, it is anticipated that the Country Profile will help Contracting States fulfil their obligations under Article 7(2)(e) and 7(2)(i) of the Convention, that is:

- To provide information of a general character on the law of their State in connection with the application of the Convention; and
- To keep other Central Authorities informed regarding the operation of the Convention in their State and to eliminate any obstacles to the Convention's application.

The Country Profile is intended to assist with the practical operation of the Convention. It is hoped that it will facilitate:

- a) information exchanges between Contracting States;
- b) knowledgeable service by Central Authorities under the 1980 Child Abduction Convention;
- c) cost-effective translation of the information provided by Contracting States into English, French, Spanish, and other languages as required by Contracting States; and
- d) prompt updates of the information provided.

NEWLY ACCEDING STATES:

It should be noted that the Country Profile does not replace the "Standard questionnaire for newly acceding States" (available at www.hcch.net under "Child Abduction Section" then "Questionnaires and responses"). The Standard Questionnaire provides a means for newly acceding States to describe promptly, and in brief, the measures taken in their State to ensure compliance with their Convention obligations and to ensure the effective practical operation of the Convention in their State. It thereby assists States already Party to the Convention with their decision as to whether to accept an accession. Newly acceding States are encouraged to complete this full Country Profile as soon as is practicable.

INSTRUCTIONS:

- Please mark the box which best represents the arrangements in your State:
 - Where the response requires either "Yes" or "No", please mark one box only.
 - For all other questions, it may be necessary to mark more than one box.
- Where applicable, please specify the relevant provision(s) of your domestic legislation and indicate how the legislation may be accessed, e.g., website, or provide a copy of the legislation.

¹ This new version follows the content and structure of Info. Doc. No 2 of March 2011 for the attention of the Special Commission of June 2011 on the practical operation of the 1980 Child Abduction Convention, with some minor format changes and necessary updates (e.g., the reference to Brussels IIa has been changed to Brussels IIb and references to INCASTAT have been deleted).

² Any reference to a Contracting State in this Country Profile is a reference to a Contracting State of the 1980 Child Abduction Convention.

- Please complete a separate profile for each territorial unit if there are significant differences in the substance and operation of the laws in each.
- Please note: the information contained in the Country Profile **is of a general nature only**. The purpose of the Country Profile is to assist with the practical operation of the Convention and not to provide a comprehensive picture of the legal system of each Contracting State. Please consider this when completing the Country Profile and when using the Country Profile of other Contracting States. Please contact the relevant Central Authority for clarification or specific advice.
- Contracting States are exclusively responsible for updating the information contained in their Country Profile. However, reminders for updates will be provided by the Permanent Bureau of the Hague Conference on Private International Law (HCCH).
- Completed Country Profiles will be published on the website of the HCCH (www.hcch.net).
- The Permanent Bureau of the HCCH has prepared a number of resources which may assist States in the effective implementation and operation of the Convention, in particular Guides to Good Practice. See www.hcch.net under “Child Abduction Section” for further information in this regard.

TERMINOLOGY:

- Whilst it is acknowledged that in some Contracting States the formal applicant to a return or access application under the Convention may be a State authority (see question 10.3 b) below), please note that the term “**applicant**” is used in the Country Profile as follows:
 - a) In relation to a *return* application, the term “applicant” denotes the person, institution or other body alleging that their actually exercised rights of custody in relation to a child have been breached by the removal or retention of the child, in accordance with Article 3 of the Convention; and
 - b) In relation to an access application, the term “applicant” denotes the person, institution or other body seeking to establish and / or exercise rights of access in relation to a child under Article 21 of the Convention.
- The term “**abducting party**” or “*alleged abducting party*” in the Country Profile refers to the person, institution or other body who has, or is alleged to have, wrongfully removed or retained a child in accordance with Article 3 of the Convention.

1980 CHILD ABDUCTION CONVENTION – COUNTRY PROFILE

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1980 CHILD ABDUCTION CONVENTION

COUNTRY PROFILE

Country Name: UKRAINE

Territorial Unit (where applicable):

Last updated: 2023

Part I: Central Authorities

1 Central Authority contact details ¹	
Provide the designation and contact details of the Central Authority to which communications may be addressed. Always check www.hcch.net then "Child Abduction Section" and "Central Authorities" for the most current contact details.	
Organisation:	Ministry of Justice of Ukraine International Cooperation and Representation Department International Legal Assistance Subdepartment Division on International Legal Assistance in Civil Matters
Address:	13, Horodetskoho Street, Kyiv, Ukraine, 01001
Territorial and personal extent of functions, if applicable:	
Telephone:	+38 044 279 56 74
Fax:	+38 044 279 56 74
E-mail:	ilatu@minjust.gov.ua
Website:	www.minjust.gov.ua
Contact person(s) and direct contact details (please indicate language(s) of communication):	Ms. Kateryna Shevchenko, Deputy Director of the International Cooperation and Representation Department - Head of the International Legal Assistance Subdepartment (Ukrainian, English, French), email: ilad@minjust.gov.ua; Ms. Olha Zozulia, Head of the Division (Ukrainian, English), email: ilatu@minjust.gov.ua; Ms Oksana Ilhova, Senior Specialist (Ukrainian, English), email: o.ilhova@minjust.gov.ua; Mrs. Mariia Snizhko, Senior Specialist (Ukrainian, English), email: m.snizhko@minjust.gov.ua; Ms Kateryna Pasko, Senior Specialist (Ukrainian, English), e-mail: k.pasko@minjust.gov.ua
Preferred method of communication:	<input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input checked="" type="checkbox"/> E-mail <input checked="" type="checkbox"/> Post <input checked="" type="checkbox"/> Other (<i>please specify</i>): Communication by telephone only in emergency cases.

¹ Please verify whether the contact details on the "Child Abduction section" of the HCCH website www.hcch.net under "Central Authorities" are up to date. If not, please e-mail the updated contact information to secretariat@hcch.net.

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy of the legislation.

OTHER DESIGNATED CENTRAL AUTHORITIES (IF APPLICABLE)

Please attach additional pages if there is more than one designated Central Authority in your State.

Organisation:

Address:

Territorial and personal extent of functions, if applicable:

Telephone:

Fax:

E-mail:

Website:

Contact person(s) and direct contact details (please indicate language(s) of communication):

Preferred method of communication:

Telephone

Fax

E-mail

Post

Other (*please specify*):

2 Language requirements

a) Does the Central Authority prefer applications, communications and other documents sent to them to be accompanied by a translation into the official language(s) of the State?

See Article 24

See questions 10.3 c) and 17.2 b) below regarding any translation(s) required by the court / administrative authority

Yes, for all communications, applications and other documents. Please specify the official language(s) of the State: Ukrainian. All documents should be accompanied with their affirmed translation into the Ukrainian language (wet seal and/or wet signature of a translator, translation should be stitched to a document - every document separately; notarized translation is not required)

Not for informal communications

No

b) Has your State made a reservation in respect of the use of French or English for communications, applications and other documents sent to the Central Authority?

See Article 42

Yes, object to English

Yes, object to French

No

3 Central Authority operations

a) What are the working days and hours of the Central Authority?

Days of the week open: Monday-Friday

Opening time: Monday – Friday from 8 a.m.

Closing time: Monday – Thursday till 5 p.m., Friday till 4.45 p.m.

Shut down periods (e.g., public holidays, court closures): 1st of January (New Year), 8th of March, 1st of May, 8th of May, 28th of June, 15th July, 24th of August, Easter and Trinity, 1st of October, 25th of December (Christmas). If the mentioned dates fall to

	the week-end, in such a case next Monday is a non-working day.
b) Can assistance be accessed outside of working hours?	<input type="checkbox"/> Yes (<i>please specify contact details, if different from above</i>): <input type="checkbox"/> For persons in other Convention States: <input type="checkbox"/> For persons in your State: <input checked="" type="checkbox"/> No
c) Does the Central Authority have a dedicated staff who deals <i>only</i> with 1980 Child Abduction Convention applications and related issues?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
d) Please indicate the professions represented in the Central Authority: <i>Please note that some individual staff members may fall under more than one category. This question should not be interpreted as an indication of the number of staff members in the Central Authority</i>	<input type="checkbox"/> Civil servants <input checked="" type="checkbox"/> Civil servants (legal advisors) <input type="checkbox"/> Lawyers <input type="checkbox"/> Social workers <input type="checkbox"/> Mediators <input type="checkbox"/> Other (<i>please specify</i>):

Part II: Relevant legislation

4 International Child Abduction	
4.1 1980 Child Abduction Convention	
a) When did the 1980 Child Abduction Convention enter into force in your State?	Date: 01.09.2006
b) Was implementing legislation necessary for the 1980 Child Abduction Convention to enter into force in your domestic law? <i>Please specify how legislation can be accessed (e.g., website) or attach a copy</i>	<input checked="" type="checkbox"/> Yes, please specify: <ul style="list-style-type: none"> • The date that the legislation entered into force: 11.01.2006 • The legislative provision(s) or implementing legislation: Law of Ukraine from 11.01.2006 № 3303-IV “On accession of Ukraine to the Convention on the Civil Aspects of International Child Abduction” (available on the website www.rada.gov.ua in Ukrainian only) <input type="checkbox"/> No
c) Whether implementing legislation was necessary in your State or not, have any (other) legislative provisions or procedural rules been enacted to assist with the effective operation of the 1980 Child Abduction Convention? <i>Please specify how legislation can be accessed (e.g., website) or attach a copy</i>	<input checked="" type="checkbox"/> Yes, please specify: <ul style="list-style-type: none"> • The date that the legislation or procedural rules entered into force or effect: 10.06.2006, 21.05.2009, 02.09.2010, 22.11.2017, 21.05.2020 • The legislative provision(s) or procedural rules: the Regulation of the Cabinet of Ministers of Ukraine from the 10th of June 2006 № 952 “On Operation in Ukraine of the Convention on the Civil Aspects of International Child Abduction” (as amended by the Decree of the Cabinet of Ministers of Ukraine from the 2nd of September 2010 No 795, from 22nd of November, 2017, from 6th of May, 2020); <input type="checkbox"/> No
4.2 Other agreements on international child abduction	
a) Is your State party to any other international agreements which relate to international child abduction?	<input type="checkbox"/> Yes: <ul style="list-style-type: none"> <input type="checkbox"/> Brussels IIb Regulation (Council Regulation (EU) 2019/1111 of 25 June 2019) <input type="checkbox"/> Inter-American Convention of 15 July 1989 on the International Return of Children <input type="checkbox"/> Bilateral agreements (<i>please specify</i>): <input type="checkbox"/> Non-binding memoranda of understanding (<i>please specify</i>): <input type="checkbox"/> Other (<i>please specify</i>): <input checked="" type="checkbox"/> No
5 1996 Child Protection Convention	
a) Is your State a Contracting State to the 1996 Child Protection Convention? <i>Refer to www.hcch.net for the status table of the 1996 Child Protection Convention</i>	<input checked="" type="checkbox"/> Yes, if so, on what date did the 1996 Child Protection Convention enter into force in your State: 01.02.2008 <input type="checkbox"/> No

<p>b) Was implementing legislation necessary for the 1996 Child Protection Convention to enter into force in your domestic law?</p> <p><i>Please specify how legislation can be accessed (e.g., website) or attach a copy</i></p>	<p><input type="checkbox"/> Yes, please specify:</p> <ul style="list-style-type: none"> • The date that the legislation entered into force: • The legislative provision(s) or implementing legislation: <p><input checked="" type="checkbox"/> No</p>
<p>c) Whether implementing legislation was necessary in your State or not, have any (other) legislative provisions or procedural rules been enacted to assist with the effective operation of the 1996 Child Protection Convention?</p> <p><i>Please specify how legislation can be accessed (e.g., website) or attach a copy</i></p>	<p><input type="checkbox"/> Yes, please specify:</p> <ul style="list-style-type: none"> • The date that the legislation or procedural rules entered into force or effect: • The legislative provision(s) or procedural rules: <p><input checked="" type="checkbox"/> No</p>

Part III: Applications for return

6 Applications through Central Authorities	
6.1 Outgoing applications (requesting State)	
a) What type of assistance is provided to applicants in your State when completing an application for return under the Convention? <i>See Articles 7 and 8</i>	<input checked="" type="checkbox"/> Assistance from the Central Authority <input type="checkbox"/> Assistance from another authority <input type="checkbox"/> Referral to a legal representative <input type="checkbox"/> Other (<i>please specify</i>):
6.2 Incoming applications (requested State)	
a) What form of application does your State require for an incoming application?	<input checked="" type="checkbox"/> (1) Model Application Form <i>Available at www.hcch.net under "Child Abduction Section"</i> Go to question c) <input type="checkbox"/> (2) Form developed by your State Please specify how this form can be accessed (e.g., website) or attach a copy: Go to question c) <input type="checkbox"/> Both (1) and (2), go to question c) <input checked="" type="checkbox"/> The form of the requesting State is accepted, go to question c) <input type="checkbox"/> No particular form is required, go to question b) <input type="checkbox"/> Other, go to question b)
b) If your State does not require a particular form of application, what information or documents does your State request? <i>See Article 8</i> <i>Please note that the only information actually required by the Convention (Art. 8) is indicated by a cross in the relevant box</i>	<input type="checkbox"/> Information concerning the identity of the child: <ul style="list-style-type: none"> <input type="checkbox"/> Name and previous name/s <input type="checkbox"/> Date of birth, where available <input type="checkbox"/> Address <input type="checkbox"/> Telephone number <input type="checkbox"/> Nationality / nationalities <input type="checkbox"/> Passport number(s) <input type="checkbox"/> Physical description (height, eye and hair colour) <input type="checkbox"/> Photograph (as recent as possible) <input type="checkbox"/> Information identifying the child's parents e.g., nationalities – where a parent is not the applicant or respondent to proceedings (<i>please specify</i>): <input type="checkbox"/> Other (<i>please specify</i>): <input type="checkbox"/> Information concerning the identity of the applicant: <ul style="list-style-type: none"> <input type="checkbox"/> Name and previous name/s <input type="checkbox"/> Date of birth <input type="checkbox"/> Address <input type="checkbox"/> Telephone number <input type="checkbox"/> Nationality / nationalities <input type="checkbox"/> Passport number(s) <input type="checkbox"/> Relationship of the applicant to the child <input type="checkbox"/> Name(s) of legal adviser, if any <input type="checkbox"/> Other (<i>please specify</i>):

	<p><input type="checkbox"/> Information concerning the identity of the person alleged to have removed or retained the child:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Name and previous name/s <input type="checkbox"/> Date of birth <input type="checkbox"/> Address <input type="checkbox"/> Telephone number <input type="checkbox"/> Nationality / nationalities <input type="checkbox"/> Passport number(s) <input type="checkbox"/> Physical description (height, eye and hair colour) <input type="checkbox"/> Photograph (as recent as possible) <input type="checkbox"/> Relationship of the person to the child <input type="checkbox"/> Other (<i>please specify</i>): <p><input type="checkbox"/> The grounds upon which the applicant's claim for return of the child is based</p> <ul style="list-style-type: none"> <input type="checkbox"/> Evidence of the applicant's rights of custody <input type="checkbox"/> An authenticated copy of any relevant decision or agreement <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 <input type="checkbox"/> The alleged habitual residence of the child, with supporting information <input type="checkbox"/> Other (<i>please specify</i>): <p><input type="checkbox"/> All available information relating to the whereabouts of the child and the identity of the person with whom the child is presumed to be</p> <p><input type="checkbox"/> Any other relevant document / information</p> <ul style="list-style-type: none"> <input type="checkbox"/> Concerning any child protection issues <input type="checkbox"/> Marriage certificate (if applicable) <input type="checkbox"/> Divorce decree (if applicable) <input type="checkbox"/> Civil and / or criminal proceedings in progress (if applicable) <input type="checkbox"/> Evidence of child or other relevant person's right to re-enter the State of the child's habitual residence <input type="checkbox"/> Other (<i>please specify</i>):
<p>c) Does your Central Authority accept an application and accompanying documentation transmitted by electronic means?</p>	<p><input checked="" type="checkbox"/> Yes, please specify any requirements for electronically transmitted applications / documentation: As the Electronic Court is already implemented in Ukraine, the application and Authorization under Article 28 of the Convention shall be signed by the applicant personally. All documents and their affirmed translation into the Ukrainian language shall be scanned in color and sent in "pdf." format (every document and its translation in the same pdf-file) to</p>

	<p>the e-mails of the Ministry of Justice of Ukraine themis@minjust.gov.ua (only for the first sending of the new application) and ilatu@minjust.gov.ua (in copy for all e-mails). So, it is no need to send the documents in paper as the return or access claims and evidence may be submitted to the Court through the Electronic Cabinet of the Electronic Court. The documents in paper shall be sent only if the Court, considering the particular case, requested to provide documents in paper.</p> <p><input type="checkbox"/> Yes, but any documentation sent electronically is not accepted by the court / administrative authority (please specify):</p> <p><input type="checkbox"/> No</p>
<p>d) Does the Central Authority require a written authorisation empowering it or a designated representative (e.g., lawyer) to act on behalf of the applicant?</p> <p>See Article 28</p>	<p><input checked="" type="checkbox"/> Yes, the authorisation should be provided:</p> <p><input type="checkbox"/> On the application form</p> <p><input type="checkbox"/> In a signed statement or declaration</p> <p><input checked="" type="checkbox"/> Other (please specify): form is attached</p> <p><input type="checkbox"/> No</p>
<p>e) Does the Central Authority acknowledge receipt of the application?</p>	<p><input checked="" type="checkbox"/> Yes, acknowledgment generally is provided by:</p> <p><input checked="" type="checkbox"/> E-mail</p> <p><input type="checkbox"/> Facsimile</p> <p><input type="checkbox"/> Post</p> <p><input type="checkbox"/> Other (please specify):</p> <p><input type="checkbox"/> No</p>
<p>f) Can the Central Authority proceed with an application where the information provided is incomplete?</p>	<p><input type="checkbox"/> Yes, the Central Authority will begin processing the application and will immediately inform the requesting Central Authority of what additional information is required to complete the request</p> <p><input checked="" type="checkbox"/> No:</p> <p><input type="checkbox"/> The Central Authority will not process an application without all of the necessary supporting documentation</p> <p><input checked="" type="checkbox"/> The Central Authority is unable to process the application but will immediately inform the requesting Central Authority of what additional information is required before further action can be taken</p> <p><input type="checkbox"/> It depends upon what type of information is missing (please specify):</p> <p><input type="checkbox"/> Other (please explain):</p>
<p>g) Who does the Central Authority prefer to communicate with in incoming applications?</p>	<p><input checked="" type="checkbox"/> The requesting Central Authority</p> <p><input type="checkbox"/> The applicant</p> <p><input type="checkbox"/> The applicant's legal representative</p> <p><input type="checkbox"/> All of the above</p> <p><input type="checkbox"/> Other (please specify):</p>

<p>h) What measures are taken by the Central Authority (directly, or through an intermediary) to attempt to secure the voluntary return of a child allegedly wrongfully removed or retained in accordance with Article 3 of the Convention (hereinafter, simply “the child”)?</p> <p><i>Please explain where necessary</i></p> <p>See Article 7(c) and Article 10</p> <p>See also Part V: Mediation and other forms of alternative dispute resolution below</p>	<p><input checked="" type="checkbox"/> Contact is made with the alleged abducting party to seek a voluntary return by the Central Authority through its territorial departments</p> <p><input checked="" type="checkbox"/> Mediation and / or other forms of alternative dispute resolution are offered to the parties (see Part V: Mediation and other forms of alternative dispute resolution) it is not obligatory</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
<p>i) How is it ensured that no undue delay results from the measures taken, or attempted, to secure the voluntary return of the child (see question h) above)?</p>	<p>Please explain: <i>In each particular case the Central Authority requests to establish contact by the territorial departments with the alleged abducting party for seeking a voluntary return within 15 days.</i></p>
<p>j) What is the role of the Central Authority in taking or causing to be taken provisional measures to prevent further harm to the child?</p> <p>See Article 7(2)(b)</p> <p>Refer also to sections 10.5 and 11.2 below</p>	<p><input checked="" type="checkbox"/> Alert appropriate agencies where there are concerns that a child is at risk</p> <p><input type="checkbox"/> Apply directly to authorities for protection orders</p> <p><input checked="" type="checkbox"/> Refer parties to appropriate agencies</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
<p>k) Can an applicant commence proceedings in your State for the return of the child under the Convention without using the Central Authority channel?</p> <p>See Article 3 and Article 29</p>	<p><input checked="" type="checkbox"/> Yes, if so, please explain:</p> <ul style="list-style-type: none"> • Where the applicant can obtain information about commencing proceedings: from his legal representative (advocate). • What role, if any, the Central Authority has in these proceedings: Central Authority of Ukraine takes all measures, foreseen by Article 7 of the Convention, except representation of interests of such applicant before courts and other authorities of Ukraine. <p><input type="checkbox"/> No</p>

7 Locating a child and preventing removal

For best practice on locating a child and preventing removal, see the Guides to Good Practice under the 1980 Child Abduction Convention available at www.hcch.net under “Child Abduction Section” then “Guides to Good Practice”. In particular, in relation to preventing removal, see Part III of the Guide to Good Practice on Preventive Measures.

<p>a) Can return proceedings commence before the child is located?</p>	<p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> Yes, in certain circumstances (<i>please specify</i>): In case of establishing the entry of a child into Ukraine the claim to the court may be lodged at the last known address of the respondent (alleged abducting and/or retaining person) in Ukraine or his/her whereabouts or location of his/her property.</p> <p><input type="checkbox"/> No</p>
<p>b) What evidence / information does your State require regarding the child’s whereabouts to begin to assist with locating the child?</p> <p><i>Please explain where necessary</i></p>	<p><input type="checkbox"/> Evidence that the child entered your State (e.g., evidence that the child boarded an aeroplane bound for your State):</p> <p><input checked="" type="checkbox"/> Information from the applicant as to why he / she believes the child is in your State: information about possible whereabouts of the alleged abducting party or his/her relatives, date and place of birth of the alleged abducting party and passport/ID details, if available, last known address in Ukraine of the alleged abducting party. Any contact details, if any</p>

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy of the legislation.

	<input type="checkbox"/> No information or evidence is required; searches for the child can begin upon request: <input type="checkbox"/> Other (<i>please explain</i>):
<p>c) What mechanisms or sources of information are available in your State to discover the whereabouts of the child?</p> <p><i>Please indicate in the space provided any associated costs for an applicant or any other necessary information</i></p> <p>See Article 7(2)(a)</p>	<input type="checkbox"/> (1) Private location services: <input checked="" type="checkbox"/> (2) Population register: <input type="checkbox"/> (3) Employment register: <input checked="" type="checkbox"/> (4) Information maintained by other government agencies (e.g., immigration, social welfare): State Migration Service of Ukraine, Register of Internally Replaced Persons, local authorities of registration <input checked="" type="checkbox"/> (5) Police: Usually police apply to the population register or another kind of registers in order to establish the whereabouts of the child and in outgoing cases applies to Interpol when there is no any information concerning the whereabouts of the child abroad <input type="checkbox"/> (6) INTERPOL: <input type="checkbox"/> (7) Court orders to compel the production of information on the whereabouts of the child: <input type="checkbox"/> (8) Other (<i>please specify</i>):
<p>d) Please indicate who is responsible for arranging the measures listed above in question c) by inserting the relevant number next to the responsible person or authority</p> <p><i>E.g., Central Authority: 2, 3 The applicant's representative: 7</i></p>	<p>Central Authority: 2, 4, 5 The applicant: 2, 4, 5 The applicant's representative: 2, 4, 5 Other (<i>please specify</i>):</p>
<p>e) Please indicate, by inserting the relevant numbers, which of the measures listed above in question c) need an order from a competent authority?</p>	<p>None</p>
<p>f) What measures can be taken in your State to deter the removal or re-abduction of the child?</p> <p><i>Please explain where necessary</i></p> <p><i>Refer also to the Guide to Good Practice, Part III – Preventive Measures, available at www.hcch.net, particularly to paragraph 3.1 on barriers to international travel</i></p>	<input type="checkbox"/> (1) Child's passport(s) to be deposited with authorities <input type="checkbox"/> (2) Alleged abductor's passport to be deposited with authorities <input checked="" type="checkbox"/> (3) Obtain orders to prevent the removal of the child under the interim court order <input type="checkbox"/> (4) Issuing border and / or port alerts <input type="checkbox"/> (5) Requiring the alleged abductor to report periodically to authorities <input type="checkbox"/> (6) Requiring the alleged abductor to pay a bond / deposit <input checked="" type="checkbox"/> (7) Temporary placement of child in institutional care under the interim court order <input type="checkbox"/> (8) Other (<i>please specify</i>):
<p>g) Please indicate who may apply for the measures listed above in question f) by inserting the relevant number next to the responsible person or authority</p>	<p>Central Authority: 3, 7 The applicant: The applicant's representative: 3, 7 Other (<i>please specify</i>):</p>
<p>h) Please indicate, by inserting the relevant numbers, which of the measures above in</p>	<p>3, 7</p>

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy of the legislation.

question f) need an order from a competent authority?	
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8 Legal representation and assistance

8.1 General

a) Has your State made a reservation to Article 26 of the Convention?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
b) Does the Central Authority provide legal advice regarding return applications?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> No, however: <ul style="list-style-type: none"> <input type="checkbox"/> The Central Authority will refer the applicant to the appropriate person or authority to obtain legal advice <input checked="" type="checkbox"/> The Central Authority will provide information that is of a general nature about laws and procedures <input type="checkbox"/> Other (<i>please specify</i>):
c) Is legal representation required in return proceedings? <i>See Article 25</i> <i>Please explain where necessary</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> No, but recommended advocates (attorneys) (Article 15 of the Civil Procedural Code of Ukraine).
d) What is the role of the Central Authority in arranging legal representation? <i>See Article 7(2)(g)</i>	<input type="checkbox"/> The applicant is required to make his / her own arrangements for legal representation, but the Central Authority will: <ul style="list-style-type: none"> <input type="checkbox"/> Provide the applicant with a list of lawyers <input type="checkbox"/> Provide the applicant with a list of free or reduced rate lawyers <input type="checkbox"/> Other (<i>please specify</i>): <input type="checkbox"/> Legal representation is not required. The Central Authority ensures the application is forwarded to the competent authority for action. Please provide additional information if necessary: <input checked="" type="checkbox"/> Legal representation is arranged by the Central Authority. Representation is provided by: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Central Authority lawyers <input type="checkbox"/> Private lawyers <input type="checkbox"/> Public prosecutor <input checked="" type="checkbox"/> Other (<i>please specify</i>): If an applicant resides in a State having made reservations to Articles 26, 42 of the Convention the Ministry of Justice of Ukraine as the CA of Ukraine on the principle of reciprocity does not provide the applicant with the legal representation in courts and other authorities of Ukraine. The applicant may search the attorney via Internet or to find contacts of attorneys on the Unified Register of Attorneys of Ukraine at the link: https://erau.unba.org.ua/. <p>The Unified Register of Attorneys of Ukraine is an electronic database containing information on the number and staff of attorneys of Ukraine, their organizational forms of advocacy as well as</p>

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy of the legislation.

	<p>information on lawyers of foreign States, who have acquired the right to practice in the field of advocacy on the territory of Ukraine in accordance with the Law of Ukraine “On Advocacy and Attorney Activity”.</p> <p><input checked="" type="checkbox"/> Other (<i>please specify</i>): There is a free legal aid in Ukraine. In case the applicant belongs to the one of the categories of persons, mentioned in Article 14 of the Law of Ukraine “On free legal aid”, he/she may obtain a pro bono attorney, who will represent his/her interests in the case. The Ministry of Justice of Ukraine as the Central Authority assists in forwarding the copies of an application and supported documents to the local free legal aid center.</p> <p>In any case the applicant has a right to appoint a private attorney to act on his/her behalf. In case the applicant appoints the private attorney, the Ministry of Justice of Ukraine as the Central Authority does not provide representation before the court and other authorities of Ukraine.</p>
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8.2 Free or reduced rate legal assistance

<p>a) Is free or reduced rate legal assistance available to an applicant in return proceedings in your State?</p>	<p><input checked="" type="checkbox"/> Yes, free legal assistance. Go to question c)</p> <p><input type="checkbox"/> Yes, reduced rate legal assistance. Go to question c)</p> <p><input type="checkbox"/> No, go to question b)</p>
<p>b) If free or reduced rate legal assistance is <u>not</u> available, in what other ways can your State assist an applicant financially?</p>	<p><input type="checkbox"/> There is a system of costs ordering the respondent to pay</p> <p><input type="checkbox"/> <i>Pro bono</i> legal assistance</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p> <p><input type="checkbox"/> Not at all - Go to section 9</p>
<p>c) Is the applicant required to complete an application form for free or reduced rate legal assistance?</p>	<p><input checked="" type="checkbox"/> Yes, please specify how application forms can be obtained (e.g., website) or attach a copy: see attachment</p> <p><input type="checkbox"/> No</p>
<p>d) Please indicate on what basis free or reduced rate legal assistance may be available</p> <p><i>Please explain where necessary</i></p>	<p><input checked="" type="checkbox"/> Income of the applicant</p> <p><input checked="" type="checkbox"/> Assets of the applicant</p> <p><input type="checkbox"/> Country of residence of the applicant</p> <p><input type="checkbox"/> Likelihood of success of the proceedings</p> <p><input checked="" type="checkbox"/> Other (<i>please specify</i>): see the summary information on free legal aid in Ukraine (attached)</p>
<p>e) Which costs are covered by free or reduced rate legal assistance?</p> <p><i>Please explain where necessary</i></p>	<p><input type="checkbox"/> (1) Mediation</p> <p><input type="checkbox"/> (2) Translation</p> <p><input type="checkbox"/> (3) Interpreters</p> <p><input type="checkbox"/> (4) Service of documents</p> <p><input type="checkbox"/> (5) Costs associated with locating the child</p> <p><input type="checkbox"/> (6) Court fees</p> <p><input type="checkbox"/> (7) Travel costs for the return of the child (see question 11.1 c))</p> <p><input checked="" type="checkbox"/> (8) Other (<i>please specify</i>): attorney's fees</p>

f) Please indicate which costs, if any, are covered by the Central Authority by listing the numbers set out in question e) above?	None. It is not foreseen the covering of any costs in regard with the proceedings of return application in Ukraine by the Central Authority. In the meantime, all measures taking by the Ukraine's CA within the competence are free of charge.
g) Is free or reduced rate legal assistance available for the appeal of decisions?	<input type="checkbox"/> No, go to question i) <input checked="" type="checkbox"/> Yes, free legal assistance; go to question h) <input type="checkbox"/> Yes, reduced rate legal assistance; go to question h) <input type="checkbox"/> It depends upon an assessment of the merits of the case and / or the means of the individual concerned (<i>please specify</i>): Go to question h)
h) Is a new application for free or reduced rate legal assistance required for appeals?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
i) Is free or reduced rate legal assistance available for proceedings needed to enforce a return order?	<input checked="" type="checkbox"/> No, go to question k) <input type="checkbox"/> Yes, free legal assistance; go to question j) <input type="checkbox"/> Yes, reduced rate legal assistance; go to question j) <input type="checkbox"/> It depends upon an assessment of the merits of the case and / or the means of the individual concerned (<i>please specify</i>): Go to question j)
j) Is a new application for free or reduced rate legal assistance required for enforcement applications?	<input type="checkbox"/> Yes <input type="checkbox"/> No
k) Is free or reduced rate legal assistance available to an alleged abducting party located in your State?	<input checked="" type="checkbox"/> Yes, free legal assistance <input type="checkbox"/> Yes, reduced rate legal assistance Please specify in what circumstances and on what basis legal assistance will be granted: in case the alleged abducting party belongs to the one of the categories of persons, mentioned in Article 14 of the Law of Ukraine "On Free Legal Aid". (see the summary information in attachment to the 8.2 d). <input type="checkbox"/> No
l) Where a child is returned to your State, is free or reduced rate legal assistance available to all parties in the custody proceedings in your State?	<input type="checkbox"/> Yes, free legal assistance is available to all parties <input type="checkbox"/> Yes, reduced rate legal assistance is available to all parties Please specify in what circumstances and on what basis legal assistance will be granted: <input checked="" type="checkbox"/> Free legal assistance is only available to certain persons (<i>please specify</i>): The possibility of certain categories of persons to receive free secondary legal aid in cases stipulated by the Law of Ukraine "On Free Legal Aid" (see the summary information in attachment to the 8.2 d).

	<input type="checkbox"/> Reduced rate legal assistance is only available to certain persons (<i>please specify</i>): Please specify in what circumstances and on what basis legal assistance will be granted: <input type="checkbox"/> No, free and / or reduced rate legal assistance is not available to any party <input type="checkbox"/> Other (<i>please specify</i>):
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9 Rights of custody

9.1 Acquisition and exercise of rights of custody <i>See Articles 3 and 5</i>

a) Do rights of custody arise by operation of law in your State? <i>Please specify the relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy</i>	<input checked="" type="checkbox"/> Yes, go to question b) <input type="checkbox"/> No, go to question c)
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<p>b) To whom are rights of custody attributed by operation of law?</p> <p>See Articles 3 and 5</p> <p>Please specify the relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy</p>	<p>Please explain: In Ukraine custody rights and family relations are regulated by the Family Code of Ukraine 10.01.2002 № 2947-III (Articles 55, 58, 141-171, 207, 232, 249), (available on the website www.rada.gov.ua in Ukrainian language only) and the Law of Ukraine “On Protection on Childhood” (Articles 15, 16,16-1).</p> <ol style="list-style-type: none"> 1. Parents, 2. adoptive parents, 3. Guardianas/custodians (status shall be confirmed by the court decision), except the right to make a transaction with real estate. Rights of custody shall be confirmed by the court decision <p>The mother and father have equal rights and obligations towards the child, regardless of whether they were married to each other (Article 141 of the Family Code of Ukraine).</p> <p>According to parts 3 and 4 of Article 232 of the Family Code of Ukraine from the moment of adoption, mutual personal non-property and property rights and obligations arise between the adopted person (and in the future - between his or her children and grandchildren) and the adoptive parent and his or her relatives by descent. Adoption grants the adopter rights and imposes obligations on him/her in relation to the child he/she has adopted to the same extent as the parents have in relation to the child.</p> <p>Under Article 249 of the Family Code of Ukraine a guardian or custodian is obliged to bring up a child, take care of his or her health, physical, mental, and spiritual development, and ensure that the child receives a complete general secondary education.</p> <p>The guardian or custodian has the right to independently determine the ways of raising the child, taking into account the child's opinion and the recommendations of the guardianship authority.</p> <p>The guardian or custodian has the right to demand the return of the child from any person who keeps him or her not on the basis of the law or a court decision.</p> <p>The guardian or custodian has no right to interfere with the child's communication with his or her parents and other relatives, except when such communication is contrary to the child's interests.</p> <p>More detailed information on legislation about rights and obligations of the guardian/custodian may be provided by the Central Authority under the relevant request.</p>
<p>c) By what other methods can a person or institution acquire rights of custody?</p>	<p><input checked="" type="checkbox"/> Judicial decision</p> <p><input checked="" type="checkbox"/> Administrative decision</p> <p><input checked="" type="checkbox"/> Agreement having legal effect</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>

<p>d) How, if at all, can the attribution of rights of custody be modified?</p>	<p><input checked="" type="checkbox"/> By order of a judicial or administrative authority</p> <p><input type="checkbox"/> By written agreement</p> <p><input checked="" type="checkbox"/> It depends upon how the rights of custody were acquired (<i>please specify</i>): the decision of a local Guardianship authority on custody rights and agreement can be modified only by a court.</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
<p>e) How, if at all, can rights of custody be terminated?</p>	<p><input checked="" type="checkbox"/> By order of a judicial or administrative authority</p> <p><input type="checkbox"/> By written agreement</p> <p><input type="checkbox"/> It depends upon how the rights of custody were acquired (<i>please specify</i>):</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>

<p>f) Prior to any order determining the issue, who <i>generally</i> has the right to determine the child's residence?</p>	<p>Please explain: the parents, if not deprived of the parental rights, have right to determine their/his/her child's residence.</p> <p>In accordance with Article 157 of the Family Code of Ukraine the issues concerning upbringing of the child shall be resolved by parents together.</p> <p>A parent who lives separately from a child, should take part in his/her upbringing and has the right on personal communication with the child.</p> <p>According to Article 153 of the Family Code of Ukraine the mother, the father and the child have the right on unimpeded contact, except, when this right is limited under the law.</p> <p>Under Article 157 of the Family Code of Ukraine there are some exceptions pursuant to which one of a parent, with whom the child resides in accordance with a court decision or conclusions issued by an Office on Children Issues, has a right to move a child abroad without consent of the parent who lives separately.</p> <p>Article 160 of the Family Code determines that the child's place of residence who is under the age of ten shall be determined by mutual consent of his (her) parents. The child's place of residence who is ten years or older shall be determined by the mutual consent of his (her) parents and by a consent of the child. If parents live separately, the child's place of residence who is fourteen years or older shall be determined by the child himself (herself).</p> <p>According to Article 162 of the Family Code if one of the parents or any other person willfully, without consent of another parent or other persons, with whom the minor child lived according to the law or by the court decision, change the place of his (her) residence, also by means of abduction, a court, upon application of the interested person, has the right to deliver immediately the decision on taking the child and his (her) return to the last place of residence.</p> <p>Moreover, the similar rights toward the child by the operation of law are also attributed to a custodian, a guardian, foster parents (Articles 249, 256-2 of the Family Code of Ukraine) (the Family Code is available on the website www.rada.gov.ua in the Ukrainian language).</p>
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10 Proceedings for Return

10.1 Organisation of competent authorities

a) Does your State limit the number of judicial or administrative authorities who can hear return applications under the Convention?

(i.e., has your State "concentrated jurisdiction" in respect of applications under the Convention)

- Yes
 No

<p>b) If possible, please state exactly how many courts or administrative authorities and how many judges or relevant decision-makers can hear return applications under the Convention?</p>	<p>Courts / administrative authorities: in case of initiation of the court proceedings by the CA of Ukraine through its territorial department there are 4 local courts under the location of the territorial department of justice. In all other cases the private advocate or pro bono advocate may submit a return claim to the court at the place of residence of the defendant - all of the courts of the first instance (565 courts) and all of the appeal courts existed on the territory of Ukraine (26 courts)</p> <p>Judges / decision-makers:</p>
<p>c) Please list the judicial or administrative authorities that can make decisions in return applications under the Convention</p>	<p>Court of first instance, court of appeal instance, court of cassation (the Supreme Court)</p>
<p>d) Are the judges or administrative authorities who decide return applications in your State specialists in either family law or international child abduction?</p> <p><i>See also section 22 below on Training</i></p>	<p><input checked="" type="checkbox"/> Yes, specialists in family law</p> <p><input type="checkbox"/> Yes, specialists in international child abduction</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
<p>e) In ascertaining whether there has been a wrongful removal or retention under the Convention, do judicial or administrative authorities in your State take judicial notice of foreign law and decisions without recourse to the specific procedures for the proof of that law or for the recognition of foreign decisions which would otherwise be applicable in ascertaining whether there has been a wrongful removal or wrongful retention?</p> <p><i>See Article 14</i></p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
<p>10.2 Articles 15 and 16 of the Convention</p>	
<p>a) In your State is it possible for a decision or other determination to be made, in accordance with Article 15 of the Convention, that the removal or retention of a child was wrongful within the meaning of Article 3?</p> <p><i>See Article 3 and Article 15</i></p>	<p><input type="checkbox"/> Yes, go to question b)</p> <p><input checked="" type="checkbox"/> No, go to question e)</p>
<p>b) Which authorities in your State can issue Article 15 decisions / determinations?</p> <p><i>See Article 15</i></p>	<p>Please list:</p>
<p>c) Who can apply for an Article 15 decision / determination?</p>	<p><input type="checkbox"/> Central Authority</p> <p><input type="checkbox"/> The applicant in the return proceedings</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
<p>d) Are Article 15 decisions / determinations of other States accepted by the judicial or administrative authorities in your State?</p>	<p><input type="checkbox"/> Yes, <i>please explain if necessary</i>:</p> <p><input type="checkbox"/> No</p>
<p>e) Who notifies the relevant judicial or administrative bodies that a decision on the merits of rights of custody should not be made until it has been determined that the child should not be returned?</p>	<p><input checked="" type="checkbox"/> Central Authority</p> <p><input checked="" type="checkbox"/> The applicant's legal representative</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>

See Article 16	
f) When does notification in accordance with Article 16 take place?	<input type="checkbox"/> Automatically upon receipt of a return application <input checked="" type="checkbox"/> Upon request of either party <input checked="" type="checkbox"/> Other (<i>please specify</i>): in case the Central Authority received information about the pending custody proceedings.
10.3 Procedures	
a) How does the Central Authority fulfil its obligation to initiate or facilitate the initiation of proceedings in your State? See Article 7(2)(f) See also question 8.1 d) above	<input checked="" type="checkbox"/> The Central Authority itself initiates the proceedings for return <input checked="" type="checkbox"/> The Central Authority sends the file to an appropriate lawyer <input type="checkbox"/> The Central Authority sends the file to the Public Prosecutor <input type="checkbox"/> Other (<i>please specify</i>):
b) Who is the formal applicant in return proceedings before the court / administrative authority in your State?	<input checked="" type="checkbox"/> The person, institution or other body which made the application under the Convention <input type="checkbox"/> The Central Authority <input type="checkbox"/> The Public Prosecutor <input type="checkbox"/> Other (<i>please specify</i>):
c) Does documentation submitted to the court / administrative authority have to be translated into the official language(s) of your State? See question 2 a) for the official language(s) of the State	<input checked="" type="checkbox"/> Yes, please state who is responsible for the organisation and cost of the translation: the applicant is required to arrange the translation of documents by his/her own costs. Translation into Ukrainian language must be stitched to the document (every document separately) and affirmed with the wet seal and/or wet signature of a translator. <input type="checkbox"/> No <input type="checkbox"/> It depends upon the type of documentation submitted (<i>please specify</i>):
d) Have measures been taken to ensure that the judicial and administrative authorities in your State act expeditiously in return proceedings? See Article 11	<input checked="" type="checkbox"/> Yes, please explain briefly what the measures are: <input type="checkbox"/> In the implementing legislation: <input type="checkbox"/> In procedural rules: <input checked="" type="checkbox"/> Other (<i>please specify</i>): the court is always informed by CA about Article 11 of the Convention. Please specify how the legislation or rules can be obtained (e.g., website) or attach a copy: <input type="checkbox"/> No
e) Generally, what is the expected time from the commencement of the proceedings for return to a final order (excluding appeals)? See Article 11	<input type="checkbox"/> Up to 6 weeks <input type="checkbox"/> 6 to 12 weeks <input checked="" type="checkbox"/> More than 12 weeks (<i>please provide further information</i>): the proceedings continue for 13- 16 weeks or more.
f) Is the applicant generally required to participate in the return proceedings?	<input type="checkbox"/> Yes, please specify in what circumstances: <input type="checkbox"/> No, but advisable <input checked="" type="checkbox"/> No

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy of the legislation.

<p>Please note that attendance in person is not required under the Convention (see para. 6.5.3 of the Guide to Good Practice, Part II – Implementing Measures)</p>	
<p>g) Are facilities available to enable the applicant to participate in return proceedings from outside your State?</p>	<p><input checked="" type="checkbox"/> Yes: <input checked="" type="checkbox"/> Videoconference available only upon request of the applicant <input type="checkbox"/> Telephone <input checked="" type="checkbox"/> Through a legal representative <input type="checkbox"/> Other (please specify): <input type="checkbox"/> No</p>
<p>h) If the applicant does participate in return proceedings in your State, is simultaneous interpretation available, where necessary?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> It depends upon the circumstances of the case (please specify): if an applicant arranges by himself/herself on his/her own costs.</p>
<p>i) Where the facilities set out in question 10.3 g) and h) above are required, who is responsible for the cost of providing such facilities?</p>	<p><input checked="" type="checkbox"/> The applicant <input type="checkbox"/> The requesting Central Authority <input type="checkbox"/> The requested Central Authority <input type="checkbox"/> The court / administrative authority <input checked="" type="checkbox"/> It depends upon the facility used (please specify): The responsibility to secure the video-link belongs to a court which considers the case. According to Article 212 of the Civil Procedural Code of Ukraine the parties of the case have a right to participate in the court hearings through a video-link outside the courtroom, in case the court has the appropriate technical capacity, what the court shall indicate about in the ruling on opening the court proceedings, except when the appearance of this participant of the case in a court hearing is recognized obligatory by a court. Taking into account the time need for organization of the video-link the appropriate request shall be transmitted to the court not later than 5 days before the court hearing. The interpreter's participation is allowed by the court on the request of the party of the case or is appointed on the initiative of the court. The applicant shall hire the interpreter on his own costs. The court may oblige the parties to deposit into the court's deposit account a determined amount of court costs related to the proceedings or a certain procedural action (Articles 135 and 139 of the Civil Procedural Code of Ukraine). <input type="checkbox"/> Other (please specify):</p>
<p>j) Can special immigration arrangements (e.g., visas) be made to enable the applicant to attend return proceedings in person if he / she so wishes?</p>	<p><input type="checkbox"/> Yes (please specify): <input checked="" type="checkbox"/> No</p>
<p>k) Is it possible for a return application to be decided solely on the basis of the papers i.e., with no court (or administrative authority) hearing at all?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> Yes, but it is unlikely <input checked="" type="checkbox"/> No, there will always be a hearing</p>

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy of the legislation.

<p>l) Can oral evidence (<i>i.e.</i>, in-person evidence) be received in return proceedings?</p>	<p><input type="checkbox"/> Yes, oral evidence will always be received in return proceedings</p> <p><input checked="" type="checkbox"/> Yes, oral evidence can be received in return proceedings but in limited circumstances only (<i>please specify</i>): According to the Civil Procedural Code of Ukraine the court may decide to consider the oral evidences and to hear the testimonies of the witnesses. The testimony of the witnesses is heard during the hearings of the case on the merits. Moreover, the parties, third parties and their representatives, with their consent, including on their own initiative may be questioned as witnesses of circumstances known to them regarding the case (Articles 69, 90, 92 of the Civil Procedural Code of Ukraine).</p> <p><input type="checkbox"/> No, oral evidence can never be received in return proceedings</p>
<p>10.4 Participation of the child</p>	
<p>a) Does the child have an opportunity to be heard in return proceedings in your State?</p>	<p><input type="checkbox"/> Yes, in every case; go to question b)</p> <p><input checked="" type="checkbox"/> It depends upon the particular case and is always at the discretion of the judge / authority hearing the case. <i>Please explain if necessary</i>: It depends on the age of a child. Only child who has attained the age and degree of maturity at which it is appropriate to take account of its views can be heard in the return proceedings. Go to question b)</p> <p><input type="checkbox"/> Only where Article 13(2) is relied upon; go to question b)</p> <p><input type="checkbox"/> Other (<i>please specify</i>): Go to question b)</p> <p><input type="checkbox"/> No, never. Go to section 10.5</p>
<p>b) How is the child heard in return proceedings?</p>	<p><input checked="" type="checkbox"/> Direct interview with judge</p> <p><input checked="" type="checkbox"/> Report prepared for court by independent expert</p> <p><input type="checkbox"/> Child's own legal representative</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
<p>c) How does your State ensure that no undue delay results from hearing the child in the course of return proceedings?</p>	<p><i>Please explain: When the child is heard by the court through the direct interview with the judge, the judge appoints the hearing during which the child is interviewed. It is always one visit to the court which doesn't result in delay.</i></p> <p><i>When the court decides that the child shall be heard by an independent expert, the Court by its ruling indicates the final date (deadline) until which the opinion of an expert, made as a result of psychological expertise, must be submitted to the court.</i></p>
<p>d) Can judicial or administrative authorities appoint a legal representative (attorney or <i>guardian ad litem</i>) to represent the child's best interests in return proceedings?</p>	<p><input checked="" type="checkbox"/> Yes, please specify under what circumstances: According to the procedural rules the interests of the minors under the age of fourteen years in the court are defended by their parents, adoptive parents, guardians or other persons, determined by the law (legal representation). (Article 59 of the Civil Procedural Code of Ukraine)</p>

	<p>The interests of the minors at the age from fourteen to eighteen years in the court are defended by their parents, adoptive parents, guardians or other persons, determined by the law. The court may involve a minor in such cases. (Article 59 of the Civil Procedural Code of Ukraine)</p> <p>In case it is established that the minor is deprived parental care, has no legal representative, the court appoints a guardian and involves him/her to participate in the case as a legal representative.(Article 63 of the Civil Procedural Code of Ukraine)</p> <p>If the legal representative has no right to conduct legal proceedings on the grounds established by law, the court appoints the legal representative. (Article 63 of the Civil Procedural Code of Ukraine)</p> <p>The court may appoint or substitute the legal representative on the ground of the request of the minor if it responds to the child's interests. (Article 63 of the Civil Procedural Code of Ukraine)</p> <p><input type="checkbox"/> No</p>
<p>10.5 Protective measures</p>	
<p>a) Where there are concerns about the care being given to a child in your State, which authorities provide services for the assessment and protection of the child?</p> <p><i>Please provide additional information if necessary</i></p> <p><i>On the role of the Central Authority in this respect, see also question 6.2 j) above</i></p>	<p><input checked="" type="checkbox"/> Government social / welfare agency: local guardianship authority</p> <p><input type="checkbox"/> Non-governmental organisations / agencies:</p> <p><input type="checkbox"/> Central Authority:</p> <p><input type="checkbox"/> Police:</p> <p><input type="checkbox"/> Courts:</p> <p><input type="checkbox"/> Other (please specify):</p>
<p>b) What measures are available to ensure the protection of a child in your State (both prior to the initiation of return proceedings and whilst return proceedings are ongoing)?</p>	<p><input checked="" type="checkbox"/> (1) Injunctive orders can be placed on the alleged abducting party prohibiting certain forms of conduct e.g., violence, drinking etc.</p> <p><input checked="" type="checkbox"/> (2) Placement of the child in foster care</p> <p><input checked="" type="checkbox"/> (3) Placement of the child in State care</p> <p><input checked="" type="checkbox"/> (4) Supervision of the alleged abducting party's care of the child by a social / welfare agency</p> <p><input type="checkbox"/> (5) Other (please specify):</p>
<p>c) Which of the above measures require a court order? Please list the relevant numbers from question 10.5 b) above</p>	<p>1, 2, 3, 4</p>
<p>d) Who is responsible for applying for any protective measure requiring a court order? Please list next to the relevant individual or body the number of the measure from question b) above, which they are required to apply for</p> <p><i>On the role of the Central Authority in this respect, see also question 6.2 j) above</i></p>	<p><input checked="" type="checkbox"/> The applicant: 1, 2, 3, 4</p> <p><input type="checkbox"/> The requesting Central Authority:</p> <p><input checked="" type="checkbox"/> The requested Central Authority: 1, 2, 3, 4</p> <p><input type="checkbox"/> The Public Prosecutor:</p> <p><input type="checkbox"/> The judge (ex officio):</p> <p><input checked="" type="checkbox"/> A government social / welfare agency: 1, 2, 3, 4</p> <p><input type="checkbox"/> The police:</p> <p><input type="checkbox"/> Other (please specify):</p>

10.6 Contact or access during return proceedings	
a) Can judicial or administrative authorities take provisional or interim measures to enable an applicant to exercise contact or access in respect of the child while return proceedings are pending?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
10.7 Appeals	
a) Can a decision in return proceedings be appealed?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Only in certain circumstances (<i>please specify</i>): If either of the boxes above are ticked, please specify how many levels of appeal exist and to which court(s) / authority(ies) an appeal may be made: there are two levels of appeal. The first instance court decision may be appealed to the court of Appeal, further it may be appealed to the court of cassation – the Supreme Court (Verkhovnyi Sud) in cases prescribed by the legislation. <input type="checkbox"/> No, go to section 11
b) Is there an expedited procedure or special process of appeal for Hague return cases? <i>Please specify the legislation and / or rules which provide for this and how they can be obtained (e.g., website) or attach a copy</i>	<input type="checkbox"/> Yes, please specify: <input checked="" type="checkbox"/> No
c) Who can initiate the appeal process?	<input checked="" type="checkbox"/> Either party to the proceedings <input type="checkbox"/> Central Authority <input type="checkbox"/> Public Prosecutor <input checked="" type="checkbox"/> Other (<i>please specify</i>): Central Authority only when it represents an applicant
d) Is leave to appeal required?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> In certain circumstances (<i>please specify</i>):
e) If a return order is made, can it be suspended (<i>i.e.</i> , “stayed”) pending an appeal?	<input type="checkbox"/> Yes, a return order is <i>automatically</i> suspended pending an appeal <input type="checkbox"/> Yes, a return order can be suspended pending an appeal at the request of either party <input checked="" type="checkbox"/> Yes, a return order can be suspended pending an appeal at the request of either party <u>and</u> after determination by the judge / authority <input type="checkbox"/> No
f) Is there a time limit by which an appeal must be filed in return proceedings?	<input type="checkbox"/> Yes, please specify: The time limit: 30 days From when the time limit starts to run (<i>e.g.</i> , from the date of judgment, from the date of the order, from the date the decision was notified to the parties <i>etc.</i>): The appeal complaint must be submitted to the Appeal court within 30 days after proclamation of the decision by the court of the first instance. If only the introduction and operative parts of the court decision were announced at the

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy of the legislation.

	<p>court hearing or if the case has been considered without notification of the parties, the term is calculated from the date of drafting preparing of the full court decision. The party of the case who has not been served with a full court decision on the day of its proclamation or drafting preparing of the full court decision, has the right to renew the missed deadline for appeal against court decision - within 30 days from the date of service of the full court decision. The time limits for lodging appeal may be renewed in cases of reasonable grounds. (Article 354 CPC of Ukraine)</p> <p><input type="checkbox"/> No</p>
<p>g) Generally, what is the expected time within which appeals are filed and decided?</p>	<p><input checked="" type="checkbox"/> Up to 3 months <input checked="" type="checkbox"/> 3 to 6 months <input type="checkbox"/> Longer than 6 months</p>
<p>h) Is the applicant generally required to participate in the appeal proceedings?</p> <p><i>Please note that attendance in person is not required under the Convention (see para. 6.5.3 of the Guide to Good Practice, Part II – Implementing Measures)</i></p>	<p><input type="checkbox"/> Yes, please specify in what circumstances:</p> <p><input type="checkbox"/> No, but advisable <input checked="" type="checkbox"/> No</p>
<p>i) Are facilities available to enable the applicant to attend appeal proceedings from outside your State?</p>	<p><input checked="" type="checkbox"/> Yes, please specify:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Videoconference <input type="checkbox"/> Telephone <input checked="" type="checkbox"/> Through a legal representative <input type="checkbox"/> Other (<i>please specify</i>): <p><input type="checkbox"/> No</p>
<p>j) If the applicant does participate in appeal proceedings in your State, is simultaneous interpretation available, where necessary?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>k) Where the facilities set out in questions i) and j) above are required, who is responsible for the cost of providing such facilities?</p>	<p><input type="checkbox"/> The applicant <input type="checkbox"/> The requesting Central Authority <input type="checkbox"/> The requested Central Authority <input type="checkbox"/> The court / administrative authority <input checked="" type="checkbox"/> It depends upon the facility used (<i>please specify</i>): The responsibility to secure the video-link belongs to a court which considers the case. According to Article 212 of the Civil Procedural Code of Ukraine the parties of the case have a right to participate in the court hearings through a video-link outside the courtroom, in case the court has the appropriate technical capacity, what the court shall indicate about in the ruling on opening the court proceedings, except when the appearance of this participant of the case in a court hearing is recognized obligatory by a court. Taking into account the time need for organization of the video-link the appropriate request shall be transmitted to the court not later than 5 days before the court hearing. The interpreter’s participation is allowed by the court on the request of the party of the case or is appointed on the initiative of the court. The applicant may hire the interpreter on his own costs. The court may also decide who bears costs, including for the services of the</p>

	<p>translator. The court may oblige the parties to deposit into the court's deposit account a determined amount of court costs related to the proceedings or a certain procedural action, including translation (Articles 135 and 139 of the Civil Procedural Code of Ukraine).</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
l) Can special immigration arrangements (e.g., visas) be made to enable the applicant to attend appeal proceedings in person if he / she so wishes?	<p><input type="checkbox"/> Yes (<i>please specify</i>):</p> <p><input checked="" type="checkbox"/> No</p>

11 Return of the child

11.1 Arrangements for return and the costs of return

a) Who is responsible for making travel arrangements for the return of the child?	<p><input type="checkbox"/> The abducting party</p> <p><input type="checkbox"/> The applicant</p> <p><input type="checkbox"/> The abducting party and the applicant</p> <p><input type="checkbox"/> The requesting Central Authority</p> <p><input type="checkbox"/> The requested Central Authority</p> <p><input checked="" type="checkbox"/> The judicial or administrative authority will direct who is to make arrangements on a case-by-case basis. Please explain if necessary: it is always desirable to be aware about propositions of the applicant concerning the travel arrangements for the return of the child before initiations of the court proceedings.</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
b) Who is responsible for the travel costs relating to the return of the child?	<p><input type="checkbox"/> The abducting party</p> <p><input type="checkbox"/> The applicant</p> <p><input type="checkbox"/> The abducting party and the applicant</p> <p><input type="checkbox"/> The requesting Central Authority</p> <p><input type="checkbox"/> The requested Central Authority</p> <p><input checked="" type="checkbox"/> The costs are decided by the judicial or administrative authority on a case-by-case basis. Please explain if necessary: it is always desirable to be aware about propositions of the applicant concerning the travel arrangements for the return of the child before initiations of the court proceedings.</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
c) Is there financial assistance available in your State to assist with travel costs associated with the return of the child? <i>See also question 8.2 e)</i>	<p><input type="checkbox"/> Yes, please specify:</p> <p><input checked="" type="checkbox"/> No</p>
d) Can special immigration arrangements (e.g., visas) be made, where necessary, to enable an applicant to travel to your State to collect a child (following a return order or a voluntary agreement to return the child)?	<p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No</p> <p>Please explain, if necessary:</p>
e) Can special immigration arrangements (e.g., visas) be made, where necessary, for abducting parties and children returning to your State?	<p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No</p> <p>Please explain, if necessary:</p>

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy of the legislation.

11.2 Provisions for safe return	
<p>See also: Article 7(2)(b)</p> <p>Part VI: Direct judicial communications</p> <p>Section 6: Applications through Central Authorities</p>	
<p>a) Does the law in your State provide for the protection of children from domestic violence or other forms of abuse?</p>	<p><input checked="" type="checkbox"/> Yes, please specify how legislation can be accessed (e.g., website) or attach a copy: Law of Ukraine “On preventing and counteracting domestic violence” is available on the website www.rada.gov.ua (in the Ukrainian language).</p> <p><input type="checkbox"/> No</p>
<p>b) Does the law in your State provide for the protection of adults from domestic violence or other forms of abuse?</p>	<p><input checked="" type="checkbox"/> Yes, please specify how legislation can be accessed (e.g., website) or attach a copy: Law of Ukraine “On preventing and counteracting domestic violence” is available on the website www.rada.gov.ua (in the Ukrainian language).</p> <p><input type="checkbox"/> No</p>
<p>c) Which authorities provide services for the protection, if necessary, of the child?</p> <p><i>Please provide additional information if necessary</i></p>	<p><input checked="" type="checkbox"/> Government social / welfare agency: local guardianship authorities</p> <p><input type="checkbox"/> Non-governmental organisations:</p> <p><input type="checkbox"/> Central Authority:</p> <p><input checked="" type="checkbox"/> Police: local police division</p> <p><input type="checkbox"/> Courts:</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
<p>d) What action can the Central Authority in your State take, where necessary, to ensure the safe return of the child?</p> <p><i>See Article 7(2)(h)</i></p>	<p>Please explain: According to the Regulation of the Cabinet of Ministers of Ukraine from the 10th of June, 2006, № 952 “On Operation in Ukraine of the Convention on the Civil Aspects of International Child Abduction” when the court grants a return of the child to a foreign country the Central Authority of Ukraine may assist to the applicant during the enforcement of the court decision on return of the child.</p> <p>When Ukraine is the requested State the Ukraine's Central Authority:</p> <p>1) explains to the applicant the procedure of enforcement of the return decision;</p> <p>2) if necessary, informs the Central Authority of the foreign State on the need to involve the competent authorities of the foreign State to assist the child and ensure the protection of the child's rights after the child's return.</p> <p>In case the applicant has an attorney, the assistance provided by him/her. Also, the general information may be provided by the Ministry of Justice as the Central Authority in this stage.</p> <p>When Ukraine is the requesting State the Ukraine's Central Authority:</p> <p>1) informs the applicant about the delivered return decision and the measures that have to be taken by the applicant to ensure the child's return to Ukraine based on information from the central authority of the foreign state;</p> <p>2) under the inquiry of the applicant, applies to the Central Authority of a foreign State with the request to</p>

	provide information about the competent authorities of a foreign State authorized to assist the applicant in order to ensure the child's safe return to Ukraine.
Requested State	
<p>e) Where a judge or administrative authority in your State is ordering the return of the child, what can the authority do to create conditions for a safe return?</p> <p><i>Please explain where necessary</i></p> <p><i>Please tick all boxes which apply</i></p>	<p><input type="checkbox"/> Make a protective order or other order designed to prevent harm occurring to the child</p> <p><input type="checkbox"/> Accept undertakings from either party designed to prevent harm occurring to the child Please specify the subject-matter of, and any limitations on, the undertakings the authority can accept:</p> <p><input checked="" type="checkbox"/> Other (<i>please specify</i>): The party of the enforcement proceedings - the applicant (or his/her legal representative) or the State Enforcement Agent may apply to the court, which delivered the decision on the return of the child, for the explanation of the procedure of execution of the return decision or for the protective order by placing the child to the child's protection institutions, medical institution.</p> <p>The State Enforcement Agent may also involve a psychologist for the child, to apply to the court with a request on searching the child, to deliver a reasoned decision on forced entry into the house or other property of the debtor - an individual or other person with whom the child is, in respect of which an executive document on his/her removal.</p>
<p>f) Where a judge or administrative authority in your State takes measures to create conditions for a safe return, what can the authority do to ensure compliance with those measures?</p>	<p><i>Please specify: see para e) of this Section above</i></p>
Requesting State	
<p>g) Can judicial or administrative authorities in your State:</p> <p>i. Recognise and enforce protective orders or other orders made in the requested State designed to prevent harm occurring to the child?</p> <p>ii. Insist upon undertakings given in the requested State being carried out?</p> <p>iii. Make any "mirror orders" necessary as a result of protective measures taken in the requested State?</p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p>Please explain where necessary: upon application of the interested person</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p><input checked="" type="checkbox"/> It depends upon the subject-matter of the undertakings given</p> <p>Please explain where necessary:</p> <p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No</p> <p>Please explain where necessary:</p>

11.3 Criminal law and the return of the child	
<p>a) Is the wrongful <i>removal</i> of a child by a parent from your State a criminal offence?</p> <p>See Article 3</p> <p><i>Please specify the relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy of the legislation</i></p>	<input type="checkbox"/> Yes <input type="checkbox"/> It depends upon the circumstances of the case, please specify: <input checked="" type="checkbox"/> No
<p>b) Is the wrongful <i>retention</i> of a child by a parent outside your State a criminal offence?</p> <p>See Article 3</p> <p><i>Please specify the relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy of the legislation</i></p>	<input type="checkbox"/> Yes <input type="checkbox"/> It depends upon the circumstances of the case, please specify: <input checked="" type="checkbox"/> No If the answer to both question 11.3 a) and b) is “no”, go to section 12
<p>c) What penalties are available for the wrongful removal or wrongful retention of a child by a parent?</p>	<input type="checkbox"/> (1) Pecuniary measures <input type="checkbox"/> (2) Imprisonment <input type="checkbox"/> (3) Other (<i>please specify</i>):
<p>d) Please indicate which of the penalties listed above are mandatory</p>	
<p>e) Can criminal proceedings in your State proceed without a complaint being presented (e.g., by the applicant to the return proceedings or any other concerned person / body)?</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No, please specify:
<p>f) Once initiated, can criminal proceedings in your State be withdrawn or suspended to facilitate the return of a child?</p>	<input type="checkbox"/> Yes, please specify: <input type="checkbox"/> No, go to section 12
<p>g) Who is able to initiate the withdrawal or suspension of criminal proceedings relating to the wrongful removal or wrongful retention of a child?</p>	<input type="checkbox"/> Prosecuting authority <input type="checkbox"/> Police <input type="checkbox"/> The person / body / institution alleging a wrongful removal or retention <input type="checkbox"/> Judicial or administrative authority <input type="checkbox"/> Other (<i>please specify</i>):
<p>h) Who will determine whether the criminal proceedings are to be withdrawn or suspended?</p>	<input type="checkbox"/> Prosecuting authority <input type="checkbox"/> Police <input type="checkbox"/> The person / body / institution alleging a wrongful removal or retention <input type="checkbox"/> Judicial or administrative authority <input type="checkbox"/> Other (<i>please specify</i>):
<p>i) What assistance can the Central Authority provide regarding the suspension or withdrawal of criminal proceedings?</p>	<input type="checkbox"/> None <input type="checkbox"/> Refer the matter to prosecuting authority <input type="checkbox"/> Other (<i>please specify</i>):

12 Enforcement of return orders	
<p><i>For best practice in relation to the enforcement of return orders, see the Guide to Good Practice, Part IV – Enforcement available at www.hcch.net under “Child Abduction Section” then “Guides to Good Practice”.</i></p>	
<p>a) What procedure may be used to enforce a return order?</p>	<input checked="" type="checkbox"/> Directions by a judicial or administrative authority to make arrangements for return <input checked="" type="checkbox"/> Measures for the immediate execution of final orders

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy of the legislation.

	<input type="checkbox"/> Issue of a warrant for the apprehension or detention of the child <input type="checkbox"/> Authority for coercive detention or use of force <input type="checkbox"/> Other (<i>please specify</i>):
b) Who is generally responsible for exercising supervision over the process of enforcement?	<input checked="" type="checkbox"/> The applicant <input type="checkbox"/> Central Authority <input type="checkbox"/> Public Prosecutor <input type="checkbox"/> The court / administrative authority <input type="checkbox"/> Police <input type="checkbox"/> No one body has general responsibility <input checked="" type="checkbox"/> Other (<i>please specify</i>): Department of the State Enforcement Service of the Ministry of Justice of Ukraine when compulsory enforcement proceedings are commenced
c) Where parties do not voluntarily comply with a return order, is it necessary to commence additional proceedings to enforce the order?	<input checked="" type="checkbox"/> Yes, go to question d) <input type="checkbox"/> It depends on the circumstances (<i>please specify</i>): Go to question d) <input type="checkbox"/> No, go to Part IV: Applications relating to access
d) What is the procedure to commence enforcement proceedings?	<input type="checkbox"/> The Central Authority will apply for enforcement <input checked="" type="checkbox"/> The applicant must apply for enforcement <input checked="" type="checkbox"/> Other (<i>please specify</i>): an enforcement letter is issued by a court upon application of the plaintiff or his/her representative who then refers with the enforcement letter to the local State enforcement service. A State enforcement agent opens an enforcement proceedings upon application of the plaintiff or his/her representative.
e) Can the merits of the proceedings for return be reviewed in enforcement proceedings?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
f) What coercive measures, if any, are available to enforce a return order?	<input checked="" type="checkbox"/> Intervention by government agency (e.g., <i>police, social welfare</i>) <input checked="" type="checkbox"/> Removal of the child from the abducting party <input type="checkbox"/> Removal of the child from the State <input checked="" type="checkbox"/> Criminal charges <input type="checkbox"/> Imprisonment <input checked="" type="checkbox"/> Pecuniary measures <input checked="" type="checkbox"/> An order placing the child under supervision <input type="checkbox"/> Other (<i>please specify</i>):

Part IV: Applications relating to access

13 Applications through Central Authorities	
13.1 Outgoing applications (requesting State)	
<p>a) What assistance is available to applicants in your State in the preparation of outgoing access applications?</p> <p><i>See Articles 7 and 21</i></p>	<p><input checked="" type="checkbox"/> Assistance from the Central Authority to apply under Article 21</p> <p><input type="checkbox"/> Assistance from another authority or body to apply under Article 21</p> <p><input type="checkbox"/> Referral to a legal representative for assistance to apply under Article 21</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
13.2 Incoming applications (requested State)	
<p>a) Has your State developed a specific form for access applications under the Convention?</p>	<p><input checked="" type="checkbox"/> Yes Please specify how this form can be accessed (e.g., website) or attach a copy: see attachment. Also, the Ukraine's CA accepts access forms of other Contracting States. Go to question c)</p> <p><input type="checkbox"/> No, go to question b)</p>
<p>b) If your State does not require a particular form for access applications, what information or documents are requested?</p>	<p><input type="checkbox"/> Information concerning the identity of the child:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Name and previous name/s <input type="checkbox"/> Date of birth, where available <input type="checkbox"/> Address <input type="checkbox"/> Telephone number <input type="checkbox"/> Nationality / nationalities <input type="checkbox"/> Passport number(s) <input type="checkbox"/> Physical description (height, eye and hair colour) <input type="checkbox"/> Photograph (as recent as possible) <input type="checkbox"/> Information identifying the child's parents e.g., nationalities – where a parent is not the applicant or respondent to proceedings (<i>please specify</i>): <input type="checkbox"/> Other (<i>please specify</i>): <p><input type="checkbox"/> Information concerning the identity of the applicant:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Name and previous name/s <input type="checkbox"/> Date of birth <input type="checkbox"/> Address <input type="checkbox"/> Telephone number <input type="checkbox"/> Nationality / Nationalities <input type="checkbox"/> Passport number(s) <input type="checkbox"/> Relationship of the applicant to the child <input type="checkbox"/> Name(s) of legal adviser, if any <input type="checkbox"/> Other (<i>please specify</i>): <p><input type="checkbox"/> Information concerning the identity of the person with whom the child is presumed to be (the proposed respondent to the application):</p> <ul style="list-style-type: none"> <input type="checkbox"/> Name and previous name/s

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy of the legislation.

	<input type="checkbox"/> Date of birth <input type="checkbox"/> Address <input type="checkbox"/> Telephone number <input type="checkbox"/> Nationality / nationalities <input type="checkbox"/> Passport number(s) <input type="checkbox"/> Physical description (height, eye and hair colour) <input type="checkbox"/> Photograph (as recent as possible) <input type="checkbox"/> Relationship of the person to the child <input type="checkbox"/> Other (<i>please specify</i>): <input type="checkbox"/> The grounds upon which the applicant's claim for access to the child is based <input type="checkbox"/> Evidence of the applicant's rights of access (whether obtained by operation of law, or otherwise) <input type="checkbox"/> An authenticated copy of any relevant decision or agreement <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 <input type="checkbox"/> Other (<i>please specify</i>): <input type="checkbox"/> All available information relating to the whereabouts of the child and the identity of the person with whom the child is presumed to be <input type="checkbox"/> Any other relevant document / information <input type="checkbox"/> Concerning any child protection issues <input type="checkbox"/> Marriage certificate (if applicable) <input type="checkbox"/> Divorce decree (if applicable) <input type="checkbox"/> Civil and / or criminal proceedings in progress (if applicable) <input type="checkbox"/> Other (<i>please specify</i>):
<p>c) Does your Central Authority accept an application and accompanying documentation transmitted by electronic means?</p>	<input checked="" type="checkbox"/> Yes, please specify any requirements for electronically transmitted applications / documentation: As the Electronic Court is already implemented in Ukraine, the application and Authorization under Article 28 of the Convention shall be signed by the applicant personally. All documents and their affirmed translation into the Ukrainian language shall be scanned in color and sent in "pdf." format (every document and its translation in the same pdf-file) to the e-mails of the Ministry of Justice of Ukraine themis@minjust.gov.ua (only for the first sending of the new application) and ilatu@minjust.gov.ua (in copy for all e-mails). So, it is no need to send the documents in paper as the return or access claims and evidence may be submitted to the Court through the Electronic Cabinet of the Electronic

	<p>Court. The documents in paper shall be sent only if the Court, considering the particular case, requested to provide documents in paper.</p> <p><input type="checkbox"/> Yes, but any documentation sent electronically is not accepted by the court / administrative authority (<i>please specify</i>):</p> <p><input type="checkbox"/> No</p>
<p>d) Does the Central Authority require a written authorisation empowering it or a designated representative (e.g., lawyer) to act on behalf of the applicant?</p> <p>See Article 28</p>	<p><input checked="" type="checkbox"/> Yes, the authorisation should be provided:</p> <p><input type="checkbox"/> On the application form</p> <p><input type="checkbox"/> In a signed statement or declaration</p> <p><input checked="" type="checkbox"/> Other (<i>please specify</i>): form is attached</p> <p><input type="checkbox"/> No</p>
<p>e) Does the Central Authority acknowledge receipt of the application?</p>	<p><input checked="" type="checkbox"/> Yes, acknowledgment generally is provided by:</p> <p><input checked="" type="checkbox"/> E-mail</p> <p><input type="checkbox"/> Fax</p> <p><input type="checkbox"/> Post</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p> <p><input type="checkbox"/> No</p>
<p>f) Can the Central Authority proceed with an application where the information provided is incomplete?</p>	<p><input type="checkbox"/> Yes, the Central Authority will begin processing the application and will immediately inform the requesting Central Authority of what additional information is required to complete the request</p> <p><input checked="" type="checkbox"/> No:</p> <p><input type="checkbox"/> The Central Authority will not process an application without all of the necessary supporting documentation</p> <p><input checked="" type="checkbox"/> The Central Authority is unable to process the application but will immediately inform the requesting Central Authority of what additional information is required before further action can be taken</p> <p><input type="checkbox"/> It depends upon what type of information is missing (<i>please specify</i>):</p> <p><input type="checkbox"/> Other (<i>please explain</i>):</p>
<p>g) Who does the Central Authority prefer to communicate with in incoming applications?</p>	<p><input checked="" type="checkbox"/> The requesting Central Authority</p> <p><input type="checkbox"/> The applicant</p> <p><input type="checkbox"/> The applicant's legal representative</p> <p><input type="checkbox"/> All of the above</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
<p>h) What measures are taken by the Central Authority (directly, or through an intermediary) to attempt to secure agreement between parties in international access cases?</p> <p>See Article 21</p> <p>See Part V: Mediation and other forms of alternative dispute resolution</p>	<p><input checked="" type="checkbox"/> Contact is made with the respondent to the application</p> <p><input checked="" type="checkbox"/> Mediation and / or other forms of alternative dispute resolution are offered to the parties (see Part V: Mediation and other forms of alternative dispute resolution)</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
<p>i) How is it ensured that no undue delay results from the measures taken, or attempted, to secure an agreement between parties in</p>	<p><i>Please explain: In each particular case the Central Authority requests the territorial departments to establish contact with the party, whom the child</i></p>

international access cases (see question h) above)?	<i>resides with, for seeking a voluntary agreement within 30 days.</i>
j) What general assistance can be provided by the Central Authority in respect of arrangements for rights of access? <i>See Article 21</i>	<input checked="" type="checkbox"/> The Central Authority can facilitate contact with the parties: <input checked="" type="checkbox"/> Directly through the Central Authority <input type="checkbox"/> Through intermediaries <input checked="" type="checkbox"/> The Central Authority can provide information to the applicant on services available, e.g., mediation, legal services, social welfare services (<i>please specify</i>): The CA provides the contact details of the relevant local guardianship authority, what the applicant may contact directly without assistance of the CA <input type="checkbox"/> Other (<i>please specify</i>):
k) Will the Central Authority's assistance depend on: <i>See paragraph 4.6 of the General Principles and Guide to Good Practice on Transfrontier Contact Concerning Children (available at www.hcch.net under "Child Abduction Section" then "Guides to Good Practice") recommending that Central Authorities should make their services available in all cases where cross-frontier contact rights of parents and children are in issue</i>	<input type="checkbox"/> Existence of a judicial or administrative order establishing or confirming rights of access <input checked="" type="checkbox"/> Other (<i>please specify</i>): there is no difference in the handling of the access cases.
l) Can an applicant commence proceedings in your State with respect to access without using the Central Authority channel?	<input checked="" type="checkbox"/> Yes; if so, please explain: <ul style="list-style-type: none"> • Where an applicant can obtain information about commencing proceedings: from the advocate • What role, if any, the Central Authority has in these proceedings: none <input type="checkbox"/> No

14 Locating a child and preventing removal	
a) Are the responses to the questions in this section the same as for applications for return (see section 7)?	<input checked="" type="checkbox"/> Yes, go to section 15 <input type="checkbox"/> No, continue to question b)
b) What evidence / information does your State require regarding the child's whereabouts to begin to assist with locating the child? <i>Please explain where necessary</i>	<input type="checkbox"/> Evidence that the child entered your State (e.g., evidence that the child boarded an aeroplane bound for your State): <input type="checkbox"/> Information from the applicant as to why he / she believes the child is in your State: <input type="checkbox"/> No information or evidence is required; searches for the child can begin upon request: <input type="checkbox"/> Other (<i>please explain</i>):
c) What mechanisms or sources of information are available in your State to discover the whereabouts of a child who is the subject of an access application? <i>Please indicate in the space provided any associated costs for the applicant or any other necessary information</i>	<input type="checkbox"/> (1) Private location services: <input type="checkbox"/> (2) Population register: <input type="checkbox"/> (3) Employment register: <input type="checkbox"/> (4) Information maintained by other government agencies (e.g., <i>immigration, social welfare</i>): <input type="checkbox"/> (5) Police:

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy of the legislation.

	<input type="checkbox"/> (6) INTERPOL: <input type="checkbox"/> (7) Court orders to compel the production of information on the whereabouts of the child: <input type="checkbox"/> (8) Other (<i>please specify</i>):
d) Please indicate who is responsible for arranging the measures indicated above in question c) by listing the relevant number next to the responsible person or authority <i>E.g., Central Authority: 2, 3 The applicant's representative: 6</i>	Central Authority: The applicant: The applicant's representative: Other (<i>please specify</i>):
e) Please indicate by listing numbers which of the measures above in question c) need an order from a competent authority?	

15 Legal representation and assistance	
15.1 General	
a) Are the responses to the questions in this section the same as for applications for return (see section 8)?	<input checked="" type="checkbox"/> Yes, go to section 15.2 <input type="checkbox"/> No, continue to question b)
b) Does the Central Authority provide legal advice regarding access applications?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> No, however: <input type="checkbox"/> The Central Authority will refer the applicant to the appropriate person or authority to obtain legal advice <input type="checkbox"/> The Central Authority will provide information that is of a general nature about laws and procedures <input type="checkbox"/> Other (<i>please specify</i>):
c) Is legal representation needed in access proceedings? <i>Please explain where necessary</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No, but advisable <input type="checkbox"/> No
d) What is the role of the Central Authority in making arrangements to progress the application? <i>See Article 7(2)(g)</i>	<input type="checkbox"/> The applicant is required to make his / her own arrangements for legal representation, but the Central Authority will: <input type="checkbox"/> Provide the applicant with a list of lawyers <input type="checkbox"/> Provide the applicant with a list of free or reduced rate lawyers <input type="checkbox"/> Other (<i>please specify</i>): <input type="checkbox"/> Legal representation is not required. The Central Authority ensures the application is forwarded to the competent authority for action. Please provide additional information if necessary: <input type="checkbox"/> Legal representation is arranged by the Central Authority. Representation is provided by: <input type="checkbox"/> Central Authority lawyers

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy of the legislation.

	<input type="checkbox"/> Private lawyers <input type="checkbox"/> Public prosecutor <input type="checkbox"/> Other (<i>please specify</i>): <input type="checkbox"/> Other (<i>please specify</i>):
15.2 Free or reduced rate legal assistance	
a) Are the responses to the questions in this section the same as for applications for return (see section 8.2)?	<input checked="" type="checkbox"/> Yes, go to section 16 <input type="checkbox"/> No, go to question b)
b) Is free or reduced rate legal assistance for access applications available for applicants located in another Contracting State?	<input type="checkbox"/> Yes, free legal assistance; go to question d) <input type="checkbox"/> Yes, reduced rate legal assistance; go to question d) <input type="checkbox"/> No; go to question c)
c) If free or reduced rate legal assistance is <u>not</u> available, in what other ways can your State assist an applicant financially?	<input type="checkbox"/> There is a system of costs ordering the respondent to pay <input type="checkbox"/> <i>Pro bono</i> legal assistance <input type="checkbox"/> Other (<i>please specify</i>): <input type="checkbox"/> Not at all - go to section 16
d) Is the applicant required to complete an application form for free or reduced rate legal assistance?	<input type="checkbox"/> Yes. Please specify how application forms can be obtained (e.g., website) or attach a copy: <input type="checkbox"/> No
e) Please indicate on what basis free or reduced rate legal assistance may be available <i>Please explain where necessary</i>	<input type="checkbox"/> Income of the applicant <input type="checkbox"/> Assets of the applicant <input type="checkbox"/> Country of residence of the applicant <input type="checkbox"/> Likelihood of success of the proceedings <input type="checkbox"/> Other (<i>please specify</i>):
f) Which costs are covered by free or reduced rate legal assistance? <i>Please explain where necessary</i>	<input type="checkbox"/> (1) Mediation <input type="checkbox"/> (2) Translation <input type="checkbox"/> (3) Interpreters <input type="checkbox"/> (4) Service of documents <input type="checkbox"/> (5) Costs associated with locating the child <input type="checkbox"/> (6) Court fees <input type="checkbox"/> (7) Travel costs for the return of the child (see question 11.1 c)) <input type="checkbox"/> (8) Other (<i>please specify</i>):
g) Please list the corresponding numbers of the costs, if any, listed in question f) above which are covered by the Central Authority?	
h) Is free or reduced rate legal assistance available for the appeal of decisions?	<input type="checkbox"/> No, go to question j) <input type="checkbox"/> Yes, free legal assistance <input type="checkbox"/> Yes, reduced rate legal assistance
i) Is a new application for free or reduced rate legal assistance needed for appeals?	<input type="checkbox"/> Yes <input type="checkbox"/> No
j) Is free or reduced rate legal assistance available for proceedings needed to enforce an access order?	<input type="checkbox"/> No, go to section 16 <input type="checkbox"/> Yes, free legal assistance <input type="checkbox"/> Yes, reduced rate legal assistance

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy of the legislation.

k) Is a new application for free or reduced rate legal assistance needed for enforcement applications?	<input type="checkbox"/> Yes <input type="checkbox"/> No
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16 Rights of access

16.1 Determining rights of access

a) Which legislation in your State governs the establishment and exercise of rights of access? <i>See Article 5</i>	Please specify how legislation can be accessed (e.g., website) or attach a copy: In Ukraine the establishment and exercise of rights of access are regulated by Articles 153-159, 257 - 262 of the Family Code of Ukraine (available on the website www.rada.gov.ua in Ukrainian only) and the Law of Ukraine "On Protection on Childhood" (Articles 15, 16, 16-1).
b) Which judicial and / or administrative authorities can make decisions with respect to rights of access?	Local Guardianship authorities and courts. According to the current legislation, the local Guardianship authorities are empowered to make decisions with respect to rights of access, except when the applicant requests the possibility to take a child abroad for temporary travel (if the proposals to schedule contain proposal of the applicant to take the child abroad for temporary travel, so the case shall be considered by the court only). In case any of the parents does not fulfill the decision of the local guardianship authority, the other parent has a right to apply to the court with the access claim. The same is when there is a dispute between the parents as to the rights of access, it shall be resolved by a court.
c) In your State, who may seek rights of access in respect of a child?	<input checked="" type="checkbox"/> Parent <input checked="" type="checkbox"/> Step-parent <input checked="" type="checkbox"/> Grandparent <input checked="" type="checkbox"/> Other family member (<i>please specify</i>): great-grandfather, great-grandmother, sisters, brothers <input type="checkbox"/> Other (<i>please specify</i>):
d) Are the best interests of the child a primary consideration in access proceedings? <i>See Articles 3 and 9 of the United Nations Convention on the Rights of the Child</i> <i>Please explain, if necessary</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, please specify what are the primary considerations:

16.2 Exercising rights of access

a) Where necessary, what guarantees and safeguards do your courts or administrative authorities have to enable them to secure rights of access for children and applicants?	<input type="checkbox"/> Surrender of passport or travel documents <input type="checkbox"/> Applicant to regularly report to police or other authority <input type="checkbox"/> Deposit of a monetary bond or surety <input checked="" type="checkbox"/> Supervised contact <input checked="" type="checkbox"/> Placing restrictions on how contact is exercised <input type="checkbox"/> Signing an affidavit or religious oath <input checked="" type="checkbox"/> Provision of a detailed itinerary with contact details <input type="checkbox"/> Requesting foreign consulates / embassies should not issues new passports / travel documents for the child <input type="checkbox"/> Other:
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16.3 Supervised access	
a) Do facilities exist in your State for the exercise of rights of access in a supervised environment?	<input checked="" type="checkbox"/> Yes, please explain if necessary: local Guardianship authorities <input type="checkbox"/> No, go to section 17
b) Under what circumstances is access supervised?	<input type="checkbox"/> Where it is agreed between the parties <input type="checkbox"/> Where it is requested by one party <input checked="" type="checkbox"/> As a result of a decision by a social welfare agency <input checked="" type="checkbox"/> By order of a judicial or administrative authority <input type="checkbox"/> Other (<i>please specify</i>):
c) Which authorities provide supervised access?	<input checked="" type="checkbox"/> Government social / welfare agency: local Guardianship authorities <input type="checkbox"/> Non-government organisations: <input type="checkbox"/> Central Authority: <input type="checkbox"/> Police: <input type="checkbox"/> Courts: <input type="checkbox"/> Other (<i>please specify</i>):
d) Who will pay the costs associated with exercising supervised access?	<input type="checkbox"/> The applicant <input type="checkbox"/> The person(s) with day-to-day care of the child <input type="checkbox"/> The Central Authority <input checked="" type="checkbox"/> It depends upon the order of the judicial or administrative authority <input type="checkbox"/> Other (<i>please specify</i>):

17 Proceedings for access / contact	
17.1 Organisation of competent authorities	
a) Does your State limit the judicial or administrative authorities who can hear access applications under the Convention? (i.e., has your State "concentrated jurisdiction" in respect of access applications under the Convention?)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
b) If possible, please state exactly how many courts or administrative authorities and how many judges or relevant decision-makers can hear access applications under the Convention?	Courts / administrative authorities: all of the courts of the first instance (565 courts) and all of the appeal courts existed on the territory of Ukraine (26 courts), all Services on Children Issues Judges / decision-makers:
c) Which courts or administrative authorities can make decisions in applications relating to access under the Convention?	First courts instance Appeal courts The Supreme Court (Verkhovnyi Sud) as the court of cassation)
d) Are the judges or administrative authorities who decide access applications in your State specialists in family law? <i>See also section 22 on Training below</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other (<i>please specify</i>):

17.2 Procedures	
<p>a) Is a special procedure applied by judicial or administrative authorities to access applications made under Article 21 of the Convention?</p> <p><i>Please explain where necessary</i></p>	<input type="checkbox"/> Yes: <input checked="" type="checkbox"/> No: general civil procedural rules are applicable
<p>b) Does documentation submitted to the court / administrative authority have to be translated into the official language(s) of your State?</p> <p><i>See question 2 a) for the official language(s) of the State</i></p>	<input checked="" type="checkbox"/> Yes, please state who is responsible for the organisation and cost of the translation: The applicant shall organize the translation of documents into the Ukrainian language by his/her own costs. The translation shall be stitched to the document (every document separately) and affirmed with the wet seal and/or wet signature of a translator <input type="checkbox"/> No <input type="checkbox"/> It depends upon the type of documentation submitted (<i>please specify</i>):
<p>c) Generally, how long are proceedings relating to access from commencement to final order (excluding appeals)?</p>	<input type="checkbox"/> Up to 6 weeks <input type="checkbox"/> 6 to 12 weeks <input checked="" type="checkbox"/> 3 to 6 months <input type="checkbox"/> Longer than 6 months
<p>d) Is the applicant generally required to participate in proceedings relating to access?</p> <p><i>Please note that attendance in person is not required under the Convention (see para. 6.5.3 of the Guide to Good Practice, Part II - Implementing Measures)</i></p>	<input type="checkbox"/> Yes, please specify in what circumstances: <input type="checkbox"/> No, but advisable <input checked="" type="checkbox"/> No
<p>e) Are facilities available to enable an applicant to participate in access proceedings from outside your State?</p>	<input checked="" type="checkbox"/> Yes, please specify: <input checked="" type="checkbox"/> Videoconference <input type="checkbox"/> Telephone <input checked="" type="checkbox"/> Through a legal representative <input type="checkbox"/> Other (<i>please specify</i>): <input type="checkbox"/> No
<p>f) If the applicant does participate in access proceedings in your State, is simultaneous interpretation available, where necessary?</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>g) Where the facilities set out in questions e) and f) above are required, who is responsible for the cost of providing such facilities?</p>	<input type="checkbox"/> The applicant <input type="checkbox"/> The requesting Central Authority <input type="checkbox"/> The requested Central Authority <input type="checkbox"/> The court / administrative authority <input checked="" type="checkbox"/> It depends upon the facility used (<i>please specify</i>): The responsibility to secure the video-link belongs to a court which considers the case. According to Article 212 of the Civil Procedural Code of Ukraine the parties of the case have a right to participate in the court hearings through a video-link outside the courtroom, in case the court has the appropriate technical capacity, what the court shall indicate about in the ruling on opening the court proceedings, except when the appearance of this participant of the case in a court hearing is recognized obligatory by a court. Taking into

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy of the legislation.

	<p>account the time need for organization of the video-link the appropriate request shall be transmitted to the court not later than 5 days before the court hearing.</p> <p>The interpreter's participation is allowed by the court on the request of the party of the case or is appointed on the initiative of the court. The applicant may hire the interpreter on his own costs. The court may also decide who bears costs, including for the services of the translator. The court may oblige the parties to deposit into the court's deposit account a determined amount of court costs related to the proceedings or a certain procedural action, including translation (Articles 135 and 139 of the Civil Procedural Code of Ukraine).</p> <p><input checked="" type="checkbox"/> Other (<i>please specify</i>): In each case the court decides which party is responsible for the cost of providing facilities.</p>
h) Can special immigration arrangements (e.g., visas) be made to enable the applicant to attend access proceedings in person if he / she so wishes?	<p><input type="checkbox"/> Yes (<i>please specify</i>):</p> <p><input checked="" type="checkbox"/> No</p>
17.3 Participation of the child	
a) Are the responses to the questions in this section the same as for applications for return (see section 10.4)?	<p><input checked="" type="checkbox"/> Yes, go to section 17.4</p> <p><input type="checkbox"/> No, continue to question b)</p>
b) Does the child have an opportunity to be heard in access proceedings under the Convention in your State?	<p><input type="checkbox"/> Yes, always; go to question c)</p> <p><input type="checkbox"/> It depends upon the particular case and is always at the discretion of the judge / authority hearing the case. <i>Please explain if necessary:</i> Go to question c)</p> <p><input type="checkbox"/> Other (<i>please specify</i>): Go to question c)</p> <p><input type="checkbox"/> No, never; go to section 17.4</p>
c) How can the child be heard in access proceedings?	<p><input type="checkbox"/> Direct interview with judge</p> <p><input type="checkbox"/> Report prepared for court by independent expert</p> <p><input type="checkbox"/> Child's own legal representative</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
d) How does your State ensure that no undue delay results from hearing the child in the course of access proceedings?	Please explain:
e) Can judicial or administrative authorities appoint a legal representative (attorney or <i>guardian ad litem</i>) to represent the child's best interests?	<p><input type="checkbox"/> Yes, please specify under what circumstances:</p> <p><input type="checkbox"/> No</p>
17.4 Appeals	
a) Can a decision in applications relating to access be appealed?	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> Only in certain circumstances (<i>please specify</i>):</p> <p>If either of the boxes above are ticked, please specify how many levels of appeal exist and to which</p>

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy of the legislation.

	<p>courts / authorities an appeal may be made: as in return proceedings in case the decision was delivered by a court. In case a decision delivered by the local Guardianship authority is not executed voluntarily or the respondent does not agree with the decision of the local Guardianship authority the access claim may be submitted to the court of first instance.</p> <p><input type="checkbox"/> No, go to section 18</p>
<p>b) Is there an expedited procedure or special process of appeal for Hague access cases?</p> <p><i>Please specify the legislation and / or rules which provide for this and how they can be obtained (e.g., website) or attach a copy</i></p>	<p><input type="checkbox"/> Yes, please specify: <input checked="" type="checkbox"/> No</p>
<p>c) Who can initiate the appeal process?</p>	<p><input checked="" type="checkbox"/> Either party to the proceedings <input type="checkbox"/> Central Authority <input type="checkbox"/> Public Prosecutor <input checked="" type="checkbox"/> Other (<i>please specify</i>): Central Authority if it represents an applicant</p>
<p>d) Is leave to appeal required?</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> In certain circumstances (<i>please specify</i>):</p>
<p>e) If an access order is made, can it be suspended (<i>i.e.</i>, “stayed”) pending an appeal?</p>	<p><input checked="" type="checkbox"/> Yes, an access order is <i>automatically</i> suspended pending an appeal <input type="checkbox"/> Yes, an access order can be suspended pending an appeal at the request of either party <input type="checkbox"/> Yes, an access order can be suspended pending an appeal at the request of either party and after determination by the relevant judge / authority <input type="checkbox"/> No</p>
<p>f) Is there a time limit by which an appeal must be filed in access proceedings?</p>	<p><input checked="" type="checkbox"/> Yes, please specify: The time limit: 30 days From when the time limit starts to run (<i>e.g.</i>, from the date of judgment, from the date of the order, from the date the decision is notified to the parties <i>etc.</i>): The appeal complaint must be submitted to the Appeal court within 30 days after proclamation of the decision by the court of the first instance. If only the introduction and operative parts of the court decision were announced at the court hearing or if the case has been considered without notification of the parties, the term is calculated from the date of drafting preparing of the full court decision. The party of the case who has not been served with a full court decision on the day of its proclamation or drafting preparing of the full court decision, has the right to renew the missed deadline for appeal against court decision - within 30 days from the date of service of the full court decision. The time limits for lodging appeal may be</p>

	<p>renewed in cases of reasonable grounds. (Article 354 CPC of Ukraine)</p> <p><input type="checkbox"/> No</p>
g) Generally, what is the expected time within which appeals are filed and decided?	<p><input checked="" type="checkbox"/> Up to 3 months</p> <p><input checked="" type="checkbox"/> 3 to 6 months</p> <p><input type="checkbox"/> Longer than 6 months</p>
h) Is the applicant generally required to participate in appeal proceedings? <i>Please note that attendance in person is not required under the Convention (see para. 6.5.3 of the Guide to Good Practice, Part II – Implementing Measures)</i>	<p><input type="checkbox"/> Yes, please specify in what circumstances:</p> <p><input checked="" type="checkbox"/> No</p>
i) Is the applicant able to participate in proceedings without being physically present?	<p><input checked="" type="checkbox"/> Yes, please specify:</p> <p><input checked="" type="checkbox"/> Video-conference</p> <p><input type="checkbox"/> Telephone</p> <p><input checked="" type="checkbox"/> Through a legal representative</p> <p><input type="checkbox"/> Other (please specify):</p> <p><input type="checkbox"/> No</p>
j) If the applicant does participate in appeal proceedings in your State, is simultaneous interpretation available, where necessary?	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>
k) Where the facilities set out in questions i) and j) above are required, who is responsible for the cost of providing such facilities?	<p><input type="checkbox"/> The applicant</p> <p><input type="checkbox"/> The requesting Central Authority</p> <p><input type="checkbox"/> The requested Central Authority</p> <p><input type="checkbox"/> The court / administrative authority</p> <p><input checked="" type="checkbox"/> It depends upon the facility used (<i>please specify</i>): For securing the video-link is responsible (The responsibility to secure the video-link belongs to?) a court which considers the case. According to Article 212 of the Civil Procedural Code of Ukraine the parties of the case have a right to participate in the court hearings through a video-link outside the courtroom, in case the court has the appropriate technical capacity, what the court shall indicate about in the ruling on opening the court proceedings, except when the appearance of this participant of the case in a court hearing is recognized obligatory by a court. Taking into account the time need for organization of the video-link the appropriate request shall be transmitted to the court not later than 5 days before the court hearing.</p> <p>The interpreter's participation is allowed by the court on the request of the party of the case or is appointed on the initiative of the court. The applicant may hire the interpreter on his own costs. The court may also decide who bears costs, including for the services of the translator. The court may oblige the parties to deposit into the court's deposit account a determined amount of court costs related to the proceedings or a certain procedural action, including translation (Articles 135 and 139 of the Civil Procedural Code of Ukraine).</p>

	<input checked="" type="checkbox"/> Other (<i>please specify</i>): In each case the court decides which party is responsible for the cost of providing facilities foreseen in i and j.
l) Can special immigration arrangements (e.g., visas) be made to enable the applicant to attend appeal proceedings in person if he / she so wishes?	<input type="checkbox"/> Yes, please specify: <input checked="" type="checkbox"/> No

18 Enforcement of rights of access	
a) Can an order relating to rights of access made in another State be registered for enforcement or be declared enforceable in your State?	<input checked="" type="checkbox"/> Yes, all orders made in another State are recognised and are enforceable. Please explain or specify how relevant legislation can be accessed (e.g., website) or attach a copy: when there is no international treaty regarding mutual recognition and enforcement of judgements, an application for recognition and enforcement under the principle of reciprocity may be submitted to a competent local court by the interested person <input checked="" type="checkbox"/> Yes, if there is an international agreement in place with the foreign State. Please specify: <input type="checkbox"/> Brussels IIb Regulation (Council Regulation (EU) 2019/1111 of 25 June 2019) <input checked="" type="checkbox"/> 1996 Child Protection Convention <input checked="" type="checkbox"/> Other (<i>please specify</i>): On the basis of bilateral agreements <input type="checkbox"/> Yes, subject to conditions. Please explain or specify how relevant legislation can be accessed (e.g., website) or attach a copy: <input type="checkbox"/> No, however the party can seek to have “mirror orders” made by the judicial or administrative authorities <input type="checkbox"/> No
b) Can an agreement relating to rights of access made in another State be registered for enforcement or be declared enforceable in your State?	<input type="checkbox"/> Yes, if there is an international agreement in place with the foreign State. Please specify: <input type="checkbox"/> Brussels IIb Regulation (Council Regulation (EU) 2019/1111 of 25 June 2019) <input checked="" type="checkbox"/> Other (<i>please specify</i>): in case if an agreement is approved by a court - through the procedure of the recognition and enforcement <input type="checkbox"/> Yes, subject to conditions. Please explain: <input type="checkbox"/> No, however the party can seek to have “mirror orders” made by the judicial or administrative authorities <input type="checkbox"/> No
c) Can a party seek to have orders made in your State in respect of a decision from another State on rights of access?	<input checked="" type="checkbox"/> Yes, the party must apply to the judicial or administrative authorities <input type="checkbox"/> Yes, the Central Authority will apply to the judicial or administrative authorities on behalf of the party <input type="checkbox"/> No
d) What is the procedure for the applicant to commence enforcement proceedings?	<input checked="" type="checkbox"/> The Central Authority can apply for enforcement on behalf of the applicant <input checked="" type="checkbox"/> The applicant must seek enforcement

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy of the legislation.

	<input type="checkbox"/> Other (<i>please specify</i>):
e) What coercive measures, if any, are available to enforce an order relating to access and contact?	<input checked="" type="checkbox"/> Intervention by government agency (e.g., police, social welfare, etc.) <input type="checkbox"/> Removal of the child from the custodial person(s) <input checked="" type="checkbox"/> Criminal charges <input type="checkbox"/> Imprisonment <input checked="" type="checkbox"/> Pecuniary measures <input type="checkbox"/> An order placing the child under supervision <input type="checkbox"/> Other (<i>please specify</i>):
f) Does the application of coercive measures require a separate order from judicial or administrative authorities?	<input type="checkbox"/> Yes. If so, who must apply for the order: <input type="checkbox"/> The applicant <input type="checkbox"/> Public Prosecutor <input type="checkbox"/> Police <input type="checkbox"/> Other (<i>please specify</i>): <input checked="" type="checkbox"/> No

Part V: Mediation and other forms of alternative dispute resolution

19 Mediation	
For best practice in relation to mediation in the context of the 1980 Child Abduction Convention, see the Guide to Good Practice, Part V - Mediation, available at www.hcch.net under "Child Abduction Section" then "Guides to Good Practice".	
19.1 Mediation services	
a) What family matters can be dealt with by mediation in your State?	<input checked="" type="checkbox"/> Return / non-return of a child following an alleged wrongful removal / retention <input checked="" type="checkbox"/> Custody <input checked="" type="checkbox"/> Access / contact <input checked="" type="checkbox"/> Relocation <input checked="" type="checkbox"/> Child support <input checked="" type="checkbox"/> Property disputes on relationship breakdown <input type="checkbox"/> Other (<i>please specify</i>):
b) What mediation services / structures exist in your State where an incoming application has been received for the return of a child? <i>See Article 7(2)(c) and Article 10</i>	<input checked="" type="checkbox"/> Private mediation services / structures (<i>please specify</i>): <input type="checkbox"/> Mediation services / structures within the judicial or administrative system (<i>please explain</i>): <input checked="" type="checkbox"/> Mediation services / structures provided by NGOs (<i>please specify the NGO and give brief details of the service they provide</i>): There are plenty of NGOs in Ukraine which provide a mediation in family matters that can be easily found in the Internet, including information in English <input type="checkbox"/> Other (<i>please explain</i>): <input type="checkbox"/> There are no mediation services / structures available
c) What mediation services / structures exist in your State where an incoming application has been received for access / contact with a child? <i>See Article 21</i>	<input checked="" type="checkbox"/> Private mediation services / structures (<i>please specify</i>): <input type="checkbox"/> Mediation services / structures within the judicial or administrative system (<i>please explain</i>): <input checked="" type="checkbox"/> Mediation services / structures provided by NGOs (<i>please specify the NGO and give brief details of the service they provide</i>): There are plenty of NGOs in Ukraine which provide a mediation in family matters that can be easily found in the Internet, including information in English <input type="checkbox"/> Other (<i>please explain</i>): <input type="checkbox"/> There are no mediation services / structures available If you answered that there are no mediation services / structures available in your State in response to both questions b) and c) above, go to section 20
d) Is co-mediation (<i>i.e.</i> mediation involving two mediators – one from each State) available in your State for the mediation of international family disputes which are within the scope of the Convention?	<input type="checkbox"/> Yes (<i>please provide brief details of any available scheme, e.g., bi-national mediation programmes</i>): <input checked="" type="checkbox"/> No
19.2 Legislation and / or rules on mediation	
a) Is mediation in family matters regulated in your State?	<input checked="" type="checkbox"/> Yes, there is general legislation relating to mediation which also applies to mediation in family

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy of the legislation.

<p>Please tick all boxes which apply</p> <p>EU Member States, excluding Denmark, should note that Directive 2008/52/EC of the European Parliament and of the Council of 21 May 2008 on certain aspects of mediation in civil and commercial matters applies since May 2011. EU Member States, excluding Denmark, should reference the laws, regulations and administrative provisions brought into force to comply with this Directive if known at the time of completion of this Country Profile.</p>	<p>matters. Please specify how the legislation can be accessed (e.g., website) or attach a copy: the Law of Ukraine "on Mediation", available in the Ukrainian language at the website https://zakon.rada.gov.ua/</p> <p><input type="checkbox"/> Yes, there is specific legislation relating to mediation in family matters. Please specify how the legislation can be accessed (e.g., website) or attach a copy:</p> <p><input type="checkbox"/> Yes, there is specific legislation relating to mediation in international family matters within the scope of the Convention. Please specify how the legislation can be accessed (e.g., website) or attach a copy:</p> <p><input checked="" type="checkbox"/> Yes, mediation in family matters is regulated in another way (<i>please specify</i>): Order of the Ministry of Social Policy from 17.08.2016 № 892 "On Approval of the State Standard for Social Services Mediation (Mediation)".</p> <p><input type="checkbox"/> No, go to section 19.3</p>
<p>b) Please indicate which matters are regulated by the legislation / rules in relation to mediation in your State</p> <p><i>Please explain where necessary</i></p>	<p><input type="checkbox"/> Formal accreditation of mediators</p> <p><input checked="" type="checkbox"/> Necessary qualifications / experience of mediators</p> <p><input checked="" type="checkbox"/> Process of mediation</p> <p><input checked="" type="checkbox"/> Confidentiality of mediation</p> <p><input checked="" type="checkbox"/> Status and enforceability of mediated agreements</p> <p><input type="checkbox"/> Taking into consideration the child's views in the mediation of disputes relating to him / her</p> <p><input type="checkbox"/> Availability of mediation in disputes involving allegations of domestic violence or other forms of abuse</p> <p><input type="checkbox"/> Other (<i>please explain</i>):</p>
<p>19.3 Access to mediation</p>	
<p>a) How can individuals obtain information identifying suitable mediators in your State?</p>	<p><input checked="" type="checkbox"/> Lists of mediators are available:</p> <p><input type="checkbox"/> Through the Central Authority (<i>see also question 19.3 b) below</i>)</p> <p><input type="checkbox"/> Via accrediting bodies (<i>please provide details</i>):</p> <p><input checked="" type="checkbox"/> Through other sources (<i>please specify</i>): Guardianship authority and in the internet</p> <p><input checked="" type="checkbox"/> Other methods of accessing information are available (<i>please specify</i>): The local guardianship authority may assist the parties on finding the mediator in the region; the parties are free to find a mediator in the Internet by themselves</p> <p><input type="checkbox"/> No general information is available. Individuals must carry out research themselves</p>

<p>b) What role, if any, does the Central Authority play in facilitating mediation where an incoming application has been received for the return of a child?</p> <p>See Articles 7(2)(c) and 10</p> <p>Please explain where necessary</p>	<p><input type="checkbox"/> Provides information about mediation to the parties</p> <p><input type="checkbox"/> Refers parties to accredited professionals to undertake mediation</p> <p><input type="checkbox"/> Seeks orders from judicial or administrative authorities for mediation between the parties</p> <p><input checked="" type="checkbox"/> Other (<i>please explain</i>) the Central Authority only informs the parent with whom the child stays in Ukraine on possibility to resolve the issue in amicable way including the procedure of mediation and in case of necessity may assist the applicant to forward the written consents for mediation, provided by the both parties, to the competent Guardianship authority</p>
<p>c) What role, if any, does the Central Authority play in facilitating mediation where an incoming application has been received for access / contact with a child?</p> <p>See Article 21</p> <p>Please explain where necessary</p>	<p><input type="checkbox"/> Provides information about mediation to the parties</p> <p><input type="checkbox"/> Refers parties to accredited professionals to undertake mediation</p> <p><input type="checkbox"/> Seeks orders from judicial or administrative authorities for mediation between the parties</p> <p><input checked="" type="checkbox"/> Other (<i>please explain</i>) the Central Authority only informs the parent with whom the child stays in Ukraine on possibility to resolve the issue in amicable way through the procedure of mediation and in case of necessity may assist the applicant to forward the written consents for mediation, provided by the both parties, to the competent Guardianship authority</p>
<p>d) How are the costs of mediation met in disputes where an incoming application has been received for the return of a child?</p> <p>Please explain if necessary</p>	<p><input type="checkbox"/> If an individual qualifies for free or reduced rate legal assistance, this will <i>always</i> include the cost of mediation (see question 8.2 e) above)</p> <p><input type="checkbox"/> If an individual qualifies for free or reduced rate legal assistance, this <i>may</i> cover the cost of mediation (see question 8.2 e) above) (<i>please specify</i>)</p> <p><input type="checkbox"/> The Central Authority will meet the costs associated with mediation</p> <p><input type="checkbox"/> Other sources of funding are available (<i>please specify</i>)</p> <p><input checked="" type="checkbox"/> The costs of mediation must be borne by the parties</p> <p><input checked="" type="checkbox"/> Other (<i>please explain</i>) The mediation service in family matters could be provided by the local Guardianship authorities and in this case it will be free of charge.</p>
<p>e) How are the costs of mediation met where an incoming application has been received for access / contact with a child?</p> <p>Please explain if necessary</p>	<p><input type="checkbox"/> If an individual qualifies for free or reduced rate legal assistance, this will <i>always</i> include the cost of mediation (see question 15.2 f) above)</p> <p><input type="checkbox"/> If an individual qualifies for free or reduced rate legal assistance, this <i>may</i> cover the cost of mediation (see question 15.2 f) above) (<i>please specify</i>)</p>

	<input type="checkbox"/> The Central Authority will meet the costs associated with mediation <input type="checkbox"/> Other sources of funding are available (<i>please specify</i>) <input checked="" type="checkbox"/> The costs of mediation must be borne by the parties <input checked="" type="checkbox"/> Other (<i>please explain</i>) The mediation service in family matters could be provided by the local Guardianship authorities and in this case it will be free of charge.
19.4 The mediation process	
a) At what stage of a return application is mediation available?	<input checked="" type="checkbox"/> At all stages, including prior to any application and as a preventive measure where necessary (<i>provide an explanation if necessary</i>) <input type="checkbox"/> Only before an application has been made to the relevant Central Authority <input type="checkbox"/> Only after an application has been made to the relevant Central Authority <input type="checkbox"/> Only before an application has been filed in the relevant court or administrative authority <input type="checkbox"/> Only after an application has been filed in the relevant court or administrative authority <input type="checkbox"/> Other (<i>please explain</i>)
b) At what stage of an access / contact application is mediation available?	<input checked="" type="checkbox"/> At all stages, including prior to any application and as a preventive measure where necessary (<i>provide an explanation if necessary</i>) <input type="checkbox"/> Only before an application has been made to the relevant Central Authority <input type="checkbox"/> Only after an application has been made to the relevant Central Authority <input type="checkbox"/> Only before an application has been filed in the relevant court or administrative authority <input type="checkbox"/> Only after an application has been filed in the relevant court or administrative authority <input type="checkbox"/> Other (<i>please explain</i>)
c) Are cases assessed to determine their suitability for mediation?	<input checked="" type="checkbox"/> Yes, always; go to question d) <input type="checkbox"/> No, never; go to question e) <input type="checkbox"/> Other (<i>please explain</i>) ; go to question d) or e) as appropriate
d) Who carries out the assessment of cases to determine whether they are suitable for mediation?	<input checked="" type="checkbox"/> Mediator(s) <input type="checkbox"/> Other (<i>please explain</i>)
e) Where legal proceedings have commenced, can such proceedings be suspended while mediation is undertaken?	<input checked="" type="checkbox"/> Yes, provide additional information if necessary: upon request by the both parties <input type="checkbox"/> No
f) How, if at all, are the views of the subject child(ren) taken into account in mediation in your State? <i>See also question 19.2 b) above</i>	<input type="checkbox"/> Rules / legislation require that, if the child is of a sufficient age / maturity, the child must be seen by the mediator (<i>see also question 19.2 b) above</i>) <input type="checkbox"/> Rules / legislation require that, if the child is of a sufficient age / maturity, the views of the child must be communicated to the mediator but this need not

	<p>be directly (see also question 19.2 b) above). Please explain the method(s) used</p> <p><input checked="" type="checkbox"/> It is within the discretion of the particular mediator</p> <p><input type="checkbox"/> The child's views play no part in the mediation</p> <p><input type="checkbox"/> Other (please explain)</p>
g) What safeguards are available in your State where allegations of domestic violence and / or other forms of abuse are made in a dispute which goes to mediation?	<p><input type="checkbox"/> (1) Address and other contact details of the alleged victim are kept confidential</p> <p><input checked="" type="checkbox"/> (2) Other safeguards (please specify) mediation is not provided for cases where a domestic violence or abuse is involved</p>
h) Please specify which, if any, of the safeguards set out in question 19.4 g) above are required by rules / legislation in your State and which safeguards are left to the discretion of the mediator? <i>See also question 19.2 b) above</i>	<p>Required by legislation / rules of State:</p> <p>Left to the discretion of the mediator:</p>
i) Can judicial or administrative authorities take provisional or interim measures to enable an applicant to exercise contact or access in respect of a child while mediation is ongoing?	<p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No</p>
19.5 The enforceability of mediated agreements	
a) Are there legal restrictions on the content of mediated agreements regarding family law matters in your State?	<p><input type="checkbox"/> Yes, please specify:</p> <p><input checked="" type="checkbox"/> No</p>
b) Which additional formalities, if any, are required in your State to make mediated agreements in a family dispute involving children enforceable?	<p><input type="checkbox"/> (1) Notarisation of the mediated agreement</p> <p><input checked="" type="checkbox"/> (2) Court approval of the mediated agreement Please specify competent court: any court</p> <p><input type="checkbox"/> (3) Registration of the mediated agreement with the court. Please specify competent court:</p> <p><input type="checkbox"/> (4) Other (please specify)</p> <p><input type="checkbox"/> (5) No additional formalities are required. Mediated agreements in family disputes involving children are immediately enforceable <i>without</i> any additional formalities being required</p> <p>If you ticked option (2) and / or (3) above, please go to question 19.5 c). If not, please proceed to question 19.5 d)</p>
c) Is the mediated agreement, once approved by or registered with a court, treated as an order of that court? <i>Please explain where necessary</i>	<p><input checked="" type="checkbox"/> Yes, the court approves the mediated agreement by its ruling. Such ruling is an executive document and must meet the requirements for the executive document established by the Law of Ukraine "On Enforcement Proceedings". Go to question 19.5 e)</p> <p><input type="checkbox"/> No, Go to question 19.5 d)</p>
d) Is it possible to turn a mediated agreement into a court order?	<p><input type="checkbox"/> Yes, please briefly explain what steps are required and which court would be competent:</p> <p><input checked="" type="checkbox"/> No</p>

<p>e) Who bears the cost of rendering the mediated agreement enforceable? Please list the number from question 19.5 b) next to the relevant answer</p>	<p>The parties must pay: there is no special costs prescribed, but if the case in the court resulted in the mediated agreement approved by court, the court returns 60 % of court fees to the claimant.</p> <p>The cost is covered by any free or reduced rate legal assistance provided to one / both parties:</p> <p>Central Authority:</p> <p>There are no costs:</p>
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19.6 Agreements mediated in another State

<p>a) Can an agreement mediated in another State in a family dispute involving children be approved by a court or otherwise formalised in your State in the same manner as an agreement mediated in your State (see question 19.5 b) above)?</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No, a different method for formalising the agreement must be used. Please specify:</p> <p><input type="checkbox"/> No, it is not possible to formalise an agreement mediated in another State</p> <p><input checked="" type="checkbox"/> Other (<i>please specify</i>): only a mediated agreement approved by a foreign court may be recognised and enforced as any other foreign judgement</p>
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20 Other forms of alternative dispute resolution (“ADR”)

<p>a) What other forms of ADR are available in your State for the resolution of international family disputes falling within the scope of the Convention?</p> <p><i>See Articles 7(2)(c) and 10</i></p>	<p><input checked="" type="checkbox"/> (1) In-court conciliation</p> <p><input type="checkbox"/> (2) Out-of-court conciliation</p> <p><input type="checkbox"/> (3) Collaborative law</p> <p><input type="checkbox"/> (4) Early Neutral Evaluation</p> <p><input type="checkbox"/> (5) Other (<i>please specify</i>):</p> <p><input type="checkbox"/> (6) No other forms of ADR are available, go to Part VI: Direct judicial communications</p>
<p>b) What services / structures exist in respect of the other forms of ADR available in your State? Please list the relevant number(s) from question 20 a) above next to the service / structure which is available in respect of that method of ADR</p>	<p>Private ADR services / structures (<i>please specify</i>):</p> <p>ADR services / structures within the judicial or administrative system (<i>please explain</i>):</p> <p>ADR services / structures provided by NGOs (<i>please specify the NGO and give brief details of the service they provide</i>):</p> <p>Other (<i>please explain</i>):</p>
<p>c) In relation to:</p> <ul style="list-style-type: none"> • legislation on ADR • access to ADR • the ADR process • the enforceability of agreements reached as a result of ADR; and • the enforceability of agreements reached as a result of ADR in another State <p>are the responses the same as for the section on mediation above – see sections 19.2 to 19.6?</p>	<p><input type="checkbox"/> Yes, go to Part VI: Direct judicial communications</p> <p><input type="checkbox"/> Some of the responses are the same, go to question d)</p> <p><input type="checkbox"/> No, go to question d)</p>
<p>d) Please briefly specify in what way the answers to the questions in sections 19.2 to 19.6 above</p>	

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy of the legislation.

are different in relation to other forms of ADR in your State	
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Part VI: Direct judicial communications

21 Direct judicial communications	
<p>a) Has a member of the International Hague Network of Judges been designated for your State?</p> <p>For more information, go to www.hcch.net under “Child Abduction Section” then “Judicial Communications”</p>	<p><input checked="" type="checkbox"/> Yes</p> <p>Name(s): Ms. Yuliia Cherniak and Mr. Ms Yuliia CHERNIAK, Judge, Supreme Court of Ukraine, Mr Pavlo PARKHOMENKO, Judge, Head of the Bakhmach District Court</p> <p><i>Please do not list the contact details of the judge(s) here. Instead, please ensure that the name, position, court and contact details have been provided to the Permanent Bureau</i></p> <p><input type="checkbox"/> No</p>
<p>b) Is there a legislative basis upon which judges in your State can engage in direct judicial communications?</p>	<p><input type="checkbox"/> Yes, please specify how the legislation can be accessed (e.g., website) or attach a copy: Go to Part VII: Other information</p> <p><input checked="" type="checkbox"/> No, go to question c)</p>
<p>c) In the absence of legislation, can judges in your State engage in direct judicial communications?</p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>

Part VII: Other information

22 Training	
<p>a) What measures are being taken to ensure that persons responsible for implementing the Convention (e.g., judges, lawyers and Central Authority personnel) have received appropriate information and training?</p> <p><i>Please contact the Permanent Bureau for information in relation to forms of assistance which may be available for this purpose</i></p>	<p><input type="checkbox"/> Training as required for Central Authority staff</p> <p><input type="checkbox"/> Training as required for responsible authorities</p> <p><input checked="" type="checkbox"/> Updates as required on legal developments related to the Convention provided to staff responsible for its implementation</p> <p><input type="checkbox"/> Training as required for lawyers</p> <p><input type="checkbox"/> Training as required for law enforcement</p> <p><input checked="" type="checkbox"/> Other (<i>please specify</i>): Central Authority organizes annually seminars for the staff of its territorial departments as well as to the State enforcement agents</p> <p>Specifically in respect of judges:</p> <p><input type="checkbox"/> Sending a basic package of information on the 1980 Convention to judges</p> <p><input type="checkbox"/> Training through a dedicated judicial studies board</p> <p><input checked="" type="checkbox"/> Participation in judicial training seminars</p> <p><input checked="" type="checkbox"/> Participation in the International Hague Network of Judges</p> <p><input type="checkbox"/> Accessing <i>The Judges' Newsletter on International Child Protection</i> (available at www.hcch.net under "Child Abduction Section" then "Judges' Newsletter on International Child Protection")</p> <p><input checked="" type="checkbox"/> Other (<i>please specify</i>): in 2014 and in 2017 the Higher Special Court of Ukraine on consideration of the Criminal and Civil Matters published the summarization of practice of the application of the Hague Child Abduction Convention</p>
<p>b) Is your Central Authority willing to participate in a "twinning arrangement" with another Central Authority?</p> <p><i>A "twinning arrangement" is where two Central Authorities engage in discussions and / or visits to exchange information with the view to improving operations in both Central Authorities</i></p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>

23 Other implementing measures	
<p>a) Does your State use an electronic case management system?</p>	<p><input type="checkbox"/> Yes, please specify:</p> <p><input checked="" type="checkbox"/> No</p>
<p>b) Does your State use INCADAT?</p> <p>For more information, go to www.incadat.com</p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>
<p>c) Are statistics related to applications under the Convention in your State publicly available?</p>	<p><input checked="" type="checkbox"/> Yes, please specify how the statistics can be accessed (e.g., <i>website, annual report</i>): It's not available for public. Statistic may be provided upon request</p> <p><input type="checkbox"/> No</p>

24 Other services

a) What general services / resources are available in your State to assist those involved in international child abduction cases?

Please indicate, where available, contact details, websites and costs for such services

- International Social Service (ISS) (*please provide contact information*):
- Specific NGOs dealing with child abduction:
- Financial assistance:
- Social / welfare assistance:
- Immigration services:
- Other (*please specify*):