

Information for parties in proceedings under the Convention of 25 October 1980 on the Civil Aspects of International Child Abduction (hereafter “The 1980 Convention”)

You are encouraged to engage in mediation in parallel to the court proceedings under The 1980 Convention. This is to help you, as parents, to solve your conflicts on your own but with the assistance of trained and experienced mediators. The court proceedings will only deal with the question whether the child will have to return to his or her country of origin; custody and access are not considered. However, within the scope of mediation, you will have the opportunity to talk about all the issues you would like solved. In addition, you will have more time during the mediation than during the court hearing.

Despite the high level of conflict between the parties, parents are often able to find amicable solutions in mediation. It is possible through mediation to solve a wide range of problems without there being ‘winners and losers’. This in turn relieves the burden on your child.

You do not have to fear that anything you say during mediation will be used in court. Mediation is confidential. The court is only informed about what was said during the mediation as far as the parties agree.

Mediation is a voluntary process that only happens if both parties agree. You have to pay for the mediation yourself, but you should remember that it concerns your child. In addition, mediation offers good prospects that may help you avoid the cost of further court proceedings.

If you have any further questions you are invited contact the following persons:

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Here you can find out the names and addresses of trained mediators, who have experience of international custody and Hague abduction cases. You might also be able to address possible financing problems. Finally, the family court can help you with the choice of mediators.

The court asks you to carefully consider this advice as soon as possible. If you have a lawyer please talk to him or her as soon as possible. Due to the short time until the court hearing you are required to decide quickly whether you are ready for mediation.

The district court - family court