



**20 April 2017 11:00-12:30**

On behalf of the European Judicial Training Network (EJTN), it is our pleasure to invite you to EJTN's forthcoming webinar '***Wrongful removal or retention of the child – the Brussels II bis Regulation***' which will take place on **Thursday, 20 April at 11:00 CET**.

EJTN welcomes you to its pilot webinar, which has been produced with the invaluable expertise of CEPOL and hosted on CEPOL's facilities. EJTN is grateful to CEPOL for its long-standing support and partnership.

[Register for the event through CEPOL eNet. Post-event certificates will not be issued for this webinar.](#)

**TITLE**

***Wrongful removal or retention of the child – the Brussels II bis Regulation.***

**PRESENTER**

Carlos M. G. de Melo Marinho, *Court of Appeal Judge*, Co-Founder and Former National Contact Point of the European Judicial Network in Civil and Commercial Matters, Senior Expert on European and International Judicial Cooperation and E-justice, Portugal.

**OBJECTIVES**

To provide a better understanding of the current legal landscape of the cross-border child abduction in the EU;

To analyse the COUNCIL REGULATION (EC) No 2201/2003 of 27 November 2003 (Brussels II bis) as a true icon of the achievements of the European Judicial Cooperation in Civil and Commercial Matters generated by the approval of the Amsterdam Treaty;

To underline the role of this Regulation as a precursor EU law text in a fruitful and unfinished process of suppression of the *exequatur* in the proceedings with a cross-border connection developed with a view to create a Common Space of Justice marked by the existence of mutual trust and direct contacts between courts and by the free circulation of decisions;

To reveal the swift new ways that envisage to grant the return of a child wrongfully removed or retained, entailed by an enforceable judgment given in a Member State, in cases connected with two or more countries;

To show how the decisions with incidence on these matters started to have a status of immediately enforceable documents, *id est*, of legal orders with *free circulation*, avoiding the time-consuming proceedings oriented to the attainment of a declaration of enforceability.

### **TARGET GROUP**

Judges and prosecutors, preferably those involved in judicial cooperation in civil matters. Other legal professionals having professional contact with these questions are also welcome to join.

### **PROGRAMME**

1. Welcome and Housekeeping rules by EJTN

2. Introduction by Sara Sipos by EJTN

3. Treatment of the following themes:

- History and importance of the *Regulation Brussels II bis*;
- Use of the European Judicial Atlas as a supportive mechanism;
- Rules on the attribution of jurisdiction in cases of child abduction;
- The principles over which were build the EU legal provisions on Child abduction;
- The complementary rulings coming from The Hague Convention of October 25, 1980, on the Civil Aspects of International Child Abduction;
- The provisions oriented to ensure the swift return of the child;
- Structure of the decision of non-return;
- Relevant documents;
- Linguistic demands;
- Relations between the courts involved;
- Abolition of the 'exequatur' of the decision of the court of the State of habitual residence that determine the return of the child;
- Enforcement of the judgments that entail the return of the child;
- Relevant case-law of European Court of Human Rights on the enforcement of judicial decisions on child matters and the absolute demand for the hearing of the child.

4. Questions & Answers

5. Closure & Evaluation

Approximate duration: 60 minutes  
Moderator: Sara Sipos, EJTN