




Procedure file

Basic information	
NLE - Non-legislative enactments	2021/0198(NLE)
Awaiting final decision	
Hague Convention (1980) on the Civil Aspects of International Child Abduction: accession of Tunisia	
Subject	
4.10.02 Family policy, family law, parental leave	
4.10.03 Child protection, children's rights	
7.40.02 Judicial cooperation in civil and commercial matters	
Geographical area	
Tunisia	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Legal Affairs	 HAUTALA Heidi	09/09/2021
Council of the European Union European Commission	Commission DG	Shadow rapporteur	
	Justice and Consumers	 CHINNICI Caterina	
	Commissioner	Commissioner	
		REYNDERS Didier	

Key events			
06/07/2021	Legislative proposal published	COM(2021)0371	Summary
13/09/2021	Committee referral announced in Parliament		
28/10/2021	Vote in committee		
04/11/2021	Committee report tabled for plenary, 1st reading/single reading	A9-0309/2021	
25/11/2021	Decision by Parliament	T9-0479/2021	

Technical information	
Procedure reference	2021/0198(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consultation of Parliament
Legal basis	Treaty on the Functioning of the EU TFEU 081-p3-a1; Treaty on the Functioning of the EU TFEU 218-p6a
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Awaiting final decision
Committee dossier	JURI/9/06778

Documentation gateway					
Legislative proposal		COM(2021)0371	06/07/2021	EC	Summary
Committee draft report		PE697.601	29/09/2021	EP	
Committee report tabled for plenary, 1st reading/single reading		A9-0309/2021	04/11/2021	EP	
Text adopted by Parliament, 1st reading/single reading		T9-0479/2021	25/11/2021	EP	

Hague Convention (1980) on the Civil Aspects of International Child Abduction: accession of Tunisia

PURPOSE: to authorise the Member States of the European Union to accept the accession of Tunisia to the 1980 Hague Convention on the Civil Aspects of International Child Abduction.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: the Council adopts the act after consulting the European Parliament but without being obliged to follow its opinion.

BACKGROUND: the Hague Convention of 25 October 1980 on the Civil Aspects of International Child Abduction, which has so far been ratified by 101 countries, including all EU Member States, aims to restore the status quo through the prompt return of children who have been wrongfully removed or retained, by means of a system of cooperation between the central authorities appointed by the contracting parties.

As far as parental child abduction is concerned, the 1980 Hague Convention is the international counterpart of Council Regulation No 2201/2003 (known as the Brussels IIa Regulation) whose main aim is to deter child abduction between Member States by establishing procedures to ensure the child's prompt return to the Member State of his/her habitual residence.

As the prevention of child abduction is an essential part of the EU policy to promote the rights of the child, the European Union is active at international level to improve the application of the 1980 Hague Convention and encourages third States to accede to it.

Tunisia deposited the accession instrument to the 1980 Hague Convention on 10 July 2017. The Convention entered into force in Tunisia on 1 October 2017.

On 14 October 2014, Opinion 1/13 of the Court of Justice of the European Union stated that the exclusive competence of the European Union encompasses the acceptance of the accession of a third state to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. The decision whether to accept the accession of Tunisia has to be taken at EU level by means of a Council Decision.

The overwhelming majority of the Member States of the European Union, consulted by the Commission on their willingness to accept the accession of Tunisia to the 1980 Hague Convention, gave a favourable opinion.

18 Council Decisions have been already adopted between June 2015 and February 2019 in order to accept the accession to the 1980 Hague Convention on International Child Abduction of 26 third countries.

CONTENT: the Commission proposes that the EU Member States be authorised to accept the accession of Tunisia to the Hague Convention of 25 October 1980 on the Civil Aspects of International Child Abduction in the interest of the Union.

The Member States of the European Union should, no later than twelve months after the date of adoption of the proposed Decision, deposit a declaration of acceptance of the accession of Tunisia to the 1980 Hague Convention in the interest of the Union.

The acceptance of the Member States of the European Union would render the 1980 Hague Convention applicable between Tunisia and the EU Member States except Denmark.

Ireland is bound by Regulation (EC) No 2201/2003 and therefore participates in the adoption and application of this Decision.