

**Question for written answer E-004194/2014
to the Commission**

Rule 117

Roberta Angelilli (PPE)

Subject: International abduction of a child to Slovakia - still unresolved

The office of the European Parliament Mediator for International Parental Child Abduction has been contacted with regard to a case involving the abduction and retention of a child in Slovakia.

From the information received, it emerges that an Italian man and a Slovakian woman had a daughter together who was born in 2005 in Italy, where the couple had set up their home.

Following their separation, the Children's Court of Campobasso issued a decree that allowed both parents to have joint custody of the child, who would predominantly live with her mother.

In 2010, the mother illegally took the child to Slovakia without the father's permission, and in doing so breached the terms of the decree, which expressly prohibited the mother from taking the child out of Italy.

The first ruling issued by the Court of Bratislava decreed that the child could remain in Slovakia. Following an appeal lodged by the father, the same Court then ordered that the child be returned to Italy, since the father was being denied access to the child while she was living in Slovakia. The mother subsequently lodged an appeal of her own, and the case was then referred to the local court of first instance.

In the meantime, the Campobasso Court of Appeal granted sole custody of the child to the father and removed all parental authority from the mother. This judgment should be recognised in accordance with Regulation (EC) No 2201/2003.

On 18 February 2014, the District Court of Bratislava ordered that the child be returned to Italy, but failed to order provisional enforcement.

As a result, yet another appeal has been lodged, which will further prolong the repatriation process.

The case in question is the latest in a long line of instances where the competent Slovakian authorities have failed to properly apply Regulation (EC) No 2201/2003 and the Hague Convention of 25 October 1980 on the Civil Aspects of International Child Abduction.

Can the Commission indicate whether the case in question could give rise to infringement proceedings being initiated against Slovakia?