



Project funded by the
European Union



EUROMED JUSTICE III PROJECT

COMPONENT II: RESOLUTION OF CROSS-BORDER FAMILY CONFLICTS

Third Training Seminar: “ADR methods in the resolution of cross-border family conflicts: special reference to mediation.”

Luxembourg (LU), 11-13 March 2014

FINAL CONCLUSIONS

The third training seminar under the component “Resolution of cross-border family conflicts” of the EuroMed Justice III Project of the European Commission, funded by the European Union, was held on 11-13 March 2014 in Luxembourg (LU).

The participants were members of the delegations of the following Mediterranean Partners: Israel, Jordan, Lebanon, Palestine and Tunisia. The speakers came from Germany, Palestine, Portugal and United Kingdom. In addition, among the speakers there was also one representative of the Permanent Bureau of the Hague Conference on Private International Law.

The training seminar was opened by Virgil Ivan-Cucu, Senior Lecturer, EIPA Luxembourg, and by Mr Andrés Salcedo Velasco, Team Leader of the EuroMed Justice III Project, who welcomed the participants. The seminar was also closed by Andrés Salcedo.

The background, the context and the structure of the training seminar, including the overall approach and the main topics suggested for discussion, were introduced by the Team Leader and by Mr José María Fernández Villalobos, Course Manager of the Project Team implementing the EuroMed Justice III Project.

Then the participants took the floor to introduce themselves and to present the current situation in the ENPI South partner countries on the topics on the agenda.

Furthermore, six presentations were made during the seminar: “Presentation of the work developed during the 1st phase of the project related to Resolution of cross-border family conflicts”; “Conciliation, mediation and arbitration: concepts and methodologies. The status of the mediator”; “The legal framework of ADR in the resolution of cross-border family conflicts: special reference to mediation”; “ADR methods in the resolution of cross-border family conflicts in the ENPI South partner countries”; “Practical ways of ensuring children’s right to maintain personal relations with both parents in cross-border family cases”; and “The Hague Conference and the work developed on mediation”.

During these presentations, the speakers analysed the different approaches related to the topics being considered, especially from a practical point of view, as well as the legal international framework.

Considering the objectives of this training seminar and taking into account the debate and discussions held during the seminar, the participants had the opportunity:

- To examine over a period of three days, and from an international angle, the different topics on the agenda.
- To keep abreast of the current situation and future developments in each Mediterranean Partner regarding the topics covered by this seminar and to have a fruitful debate on the state of play in this field in the ENPI South area, whilst presenting their respective experience and legal framework.
- To get a better insight into the current European and international framework related to resolution of cross-border family conflicts.
- To receive a general overview related to the work developed during the 1st phase of the project, with special reference to the handbook on good practices concerning the resolution of cross-border family conflicts.
- To be informed about concepts and methodologies related to conciliation, mediation and arbitration, and more particularly the status of the mediator.
- To be made familiar with the legal framework of ADR in the resolution of cross-border family conflicts, with a special reference to mediation.
- To learn about the use of ADR methods in the resolution of cross-border family conflicts in the ENPI South partner countries.
- To explore the practical ways of ensuring children's right to maintain personal relations with both parents in cross-border family cases.
- To have an in-depth discussion on and a practical approach to the work developed by the Hague Conference on mediation.
- To get an insight into the role and work of the European Parliament mediator for International parental child abduction.
- To explore the means to further promote an exchange of knowledge, experience and best practices, including information about the utilisation of the TAIEX programme.
- To receive the suggested reading documentation list related to the topics examined as support to facilitate the discussion and debate during the training seminar.

Participants are grateful to the host country, Luxembourg, to the Directorate-General Development and Cooperation – EuropeAid, European Commission, and to the Project Team for organising this training seminar.

The participants present during the reading of this document approve the conclusions of this seminar.

Luxembourg, 13 March 2014