



**EUROPEAN COMMISSION**

DIRECTORATE-GENERAL JUSTICE, FREEDOM AND SECURITY

Directorate C: Civil Justice, Fundamental Rights and Citizenship  
**Unit C1: Civil Justice**

Brussels, 04-02-2008

JLS.C.1/MZ/ew/D/08/4909

Ms Sabine Vander Elst

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Dear Ms Vander Elst,

Thank you for your e-mails of 16 January, 21 January, 2 February and 8 February 2008. Please accept my apologies for the delay in replying.

The first part of the document entitled 'Request to the EP – Enquiry concerning the parental kidnapping' dated 14 January 2008 and attached to your e-mail of 16 January 2008 and of the follow-up document dated 20 January 2008 and sent by e-mail on 21 January 2008 contain your comments on MEP Angelilli's report 'Towards an EU strategy on the rights of the child (2007/2093(INI))' and on various amendments to this report. We have taken note of these comments. MEP Angelilli's report was adopted by the European Parliament in its plenary session on 16 January 2008. There has been a follow-up in the European Commission to the adoption of the report, as a result of which detailed written comments will be provided to the European Parliament.

Furthermore, we have taken note of your request to MEP MacMillan-Scott for the setting-up of a Committee of Inquiry of the European Parliament dealing with the difficulties that you and other parents face in Germany with maintaining contact with your children. The European Commission is happy to examine or re-examine individual cases mentioned by you, including your own case. To this end, the parents concerned should provide us with an up-to-date summary of the respective individual case and copies of the relevant legal documents. Please note, however, that the European Commission does not have the power under the Treaties to ensure that national law and international conventions are applied in the Member States, except in cases where a violation of Community law is involved. The European Commission has also no general powers to intervene in individual cases pending before national courts or administrations.

The second part of your documents dated 14 and 20 January 2008 and your e-mail of 2 February 2008 concern your request to various stakeholders for statistical data on cross-border parental child abduction. Your request was also addressed to the Central Authorities designated under Council Regulation (EC) No 2201/2003 of 27 November 2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility. The obligations of Central Authorities under the Regulation are set out in Articles 54 and 55. Under the Regulation there is no obligation of Central Authorities to reveal the requested information. Your request for information is therefore subject to Member States' law and practice, particularly Member States' data protection legislation.

With regard to your e-mail dated 8 February 2008, we have taken note of the different actions planned by you and other parents, notably the citizens' initiative under Article 8 B of the Treaty on European Union as amended by the Treaty of Lisbon.

I am aware that the above clarifications and comments do not provide an immediate solution to your and other parents' difficulties, but I hope nevertheless that they show that the European Commission takes these difficulties very seriously.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'S. Saastamoinen', with a long horizontal flourish extending to the left.

Salla Saastamoinen  
Head of Unit