

ANSWERS TO THE QUESTIONNAIRE ON PRACTICAL OPERATION OF THE  
CONVENTION AND POSSIBLE SUGGESTIONS

(1.)

1. The Central Authority of Bosnia and Herzegovina points out the attitude of FR Germany's Central Authority as an example of difficulties in establishing cooperation with other Authorities which do not accept to mediate in the servicing of court decisions made in Bosnia and Herzegovina related to the persons living in FR Germany, who submitted applications under the Hague Convention of 25 October 1980. Instead, they direct the Central Authority of Bosnia and Herzegovina to send all documents under this Convention through diplomatic channels, which significantly slows down the achievement of fast legal protection under the Hague Convention of 25 October 1980.

Our opinion is that such an attitude of the Central Authority of FR Germany is not in the spirit of Article 7 paragraph 2 item i ) of the Convention.

2. We think that the answer under 1. also applies to question 2.

3. The Central Authority of Bosnia and Herzegovina sends the applications submitted under the Hague Convention of 25 October 1980 to the competent court for further procedure, so that the court in charge of the proceedings under the application in question is competent to undertake all measures stipulated under in item 3.

4. Answer to this question is given under item 3.

5. No

6. a – Yes

b – Yes

c – Yes

d - No

e – Yes

f - Yes

7. a – Yes

b – Yes

c – Yes

d – Yes

e – Yes

8. Data processed for the year 1999 were returned. Also, a Report for the year 2000 was written and sent.

9. Yes

10. Yes, depending on the content of such recommendations.

(2.)

1. \_\_\_\_\_

2. No

3. \_\_\_\_\_

4. \_\_\_\_\_

5. \_\_\_\_\_

6. \_\_\_\_\_

7. a – Yes

b – Yes

c – Yes

d – Yes

e – Yes

f – Yes

g \_\_\_\_\_

8. The Courts have not provided any answers.

(2.)1 \_\_\_\_\_

2 \_\_\_\_\_

3 \_\_\_\_\_

4. Bosnia and Herzegovina is not a party to the Hague Convention on Jurisdiction, Competent Law, Recognition, Implementation and Cooperation Related to Parental Responsibility and Measures to Protect Children of 19 October 1996.

5. No

6. The parents against whom criminal charges were brought to court in Bosnia and Herzegovina for child abduction abroad (two cases total) have not been found yet (according to the information from the Police in Bosnia and Herzegovina – those persons together with the abducted children had left Bosnia and Herzegovina.).

7. \_\_\_\_\_

8. No.

9. \_\_\_\_\_

10. Amendment to Decision on entrusting a child for custody and care to one parent is always possible by application of the other parent, provided there have been some changes in the circumstances existing at the time the Decision whose amendment is required was made.

11. -

a – Yes

b – Yes

c – Yes

d – Yes

e – Yes

f – Yes

(4.) 1. There are no special provisions apart from those in force related to Bosnia and Herzegovina indigent citizens, who are accountable for certain forms of legal aid in civil cases.

2. \_\_\_\_\_

3. So far, accession of Bosnia and Herzegovina to the Hague Convention of 19 October 1996 has not been considered.

4. There are no special provisions.

5. \_\_\_\_\_

6. \_\_\_\_\_

7. \_\_\_\_\_

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9. \_\_\_\_\_

10. \_\_\_\_\_

11. \_\_\_\_\_

12. Yes, depending on the content of such recommendations.

(5.) 1. Apart from the suggestions given under 1, we have no other remarks.

2. We are not against accession of any other State to the Convention.

3. No

4. Yes

- 5. a – Yes
- b – Yes
- c – Yes

(6.) 1. \_\_\_\_\_

2. Yes

3. Yes

4. Yes

5. \_\_\_\_\_

6. There are no such arrangements.

7. \_\_\_\_\_