

Improve Justice Court to Court (IJustC2C -GA 101138174)



Study Visit to Bonn, Germany

Date: 6 and 7 November 2025

Presents:

- **Rosa Lima** – Portuguese Contact Point Judge / Project Coordinator
- **Carlos Rosado** – Legal Advisor / Project Manager
- **Tiago Silva** – Legal Advisor / Project Manager
- **Anabela Gonçalves** – Guest Professor / Law School of University of Minho
- **Elisabete Assunção** – Judge of Appeal and former Judge of the School of Magistrature on International Cooperation

Agenda

Day 1 – Thursday, 06.11.2025

8:35 Train from Bonn to Düsseldorf

10:30 – 12:30 Visit to the Higher Regional Court in Düsseldorf Central Body under the Service and Evidence Regulation. Address: Cecilienallee 3 40474 Düsseldorf

— Welcome by the President of the Higher Regional Court in Düsseldorf: Mr. Dr. Werner Richter

10:45 – 12:00 Presentation by the Central Body under the Service and Evidence Regulation

— Ms. Dr. Ursula Mis-Paulußen

— Ms. Monika Bolten

— Ms. Silke Matthäus

Presentation by the Portuguese Delegation

— Project: Improve Justice Court-to-Court Services and Networks

12:00 – 12:30 A guided tour of the Higher Regional Court

— Ms. Dr. Ann-Malin Brune

12:30 Lunch at the Cafeteria of the Higher Regional Court

Day 2 – Friday, 07.11.2025

9:00 – 15:00 Visit at the Federal Office of Justice / Bundesamt für Justiz in Bonn

9:00 – 09:15 Welcome by the Head of Directorate International Civil Law, Federal Office of Justice

Improve Justice Court to Court (IJustC2C -GA 101138174)

- Mr. Stefan Schluß
- 09:15 – 10:00** Presentation by the German EJM Federal Contact Point
- Ms. Sandra Hauser
- 10:00 – 10:15** Break
- 10:15 – 11:00** Presentation by the Central Authority under the Brussels IIb Regulation
- Ms. Nadin Zehrt
- 11:00 – 11:45** Transfer to Main Building of the Federal Office of Justice
- 11:45 – 12:15** Welcome by the President of the Federal Office of Justice
- Ms. Veronika Keller-Engels
- Photo
- 12:15 – 14:00** Lunch and transfer back to Forum Bonn
- 14:00 – 14:45** Presentation by the Central Authority for Intercountry Adoption
- Ms. Saskia Warnken
- 14:45 – 15:00** Closing remarks
- Ms. Sandra Hauser

Report

The study visit to Bonn, Germany, took place on 6 and 7 November 2025, within the framework of the European project *Improve Justice Court-to-Court (IJustC2C)*.

The project's main objective is to strengthen judicial cooperation between courts and contact points of the European Judicial Network in civil and commercial matters, by promoting the exchange of best practices and direct interaction between judicial authorities of the Member States.

This visit was part of the series of study activities foreseen in the project, aimed at deepening knowledge about the functioning of German authorities and improving communication and the practical application of European regulations in force.

The Portuguese delegation was composed of the Contact Point Judge, Court of Appeal Judge Rosa Lima; Legal Advisers Carlos Rosado and Tiago Silva; Professor of the School of Law of the University of Minho, Anabela Gonçalves; and Court of Appeal Judge and former Judge of the School of Magistrature on International Cooperation Elisabete Assunção, who have been accompanying the team in various training sessions on EU Law within the scope of the project.

The study visit made it possible to:

Improve Justice Court to Court (IJustC2C -GA 101138174)

- Strengthen the exchange of experiences and best practices between the Portuguese and German contact points of the European Judicial Network.
- Deepen practical knowledge about the functioning of the German central authorities in matters of service of documents, taking of evidence, international adoption, and parental responsibility.
- Promote direct dialogue between judges and experts from both jurisdictions, contributing to a more effective application of European regulations.
- Consolidate the results of the IJustC2C project, fulfilling one of its main objectives of fostering study visits and interinstitutional cooperation activities.

With this initiative, one of the actions foreseen in the project's activity plan was concluded, reinforcing the Member States shared commitment to improving cross-border judicial cooperation and mutual trust between courts.

Photos



Improve Justice Court to Court (IJust2C2 -GA 101138174)



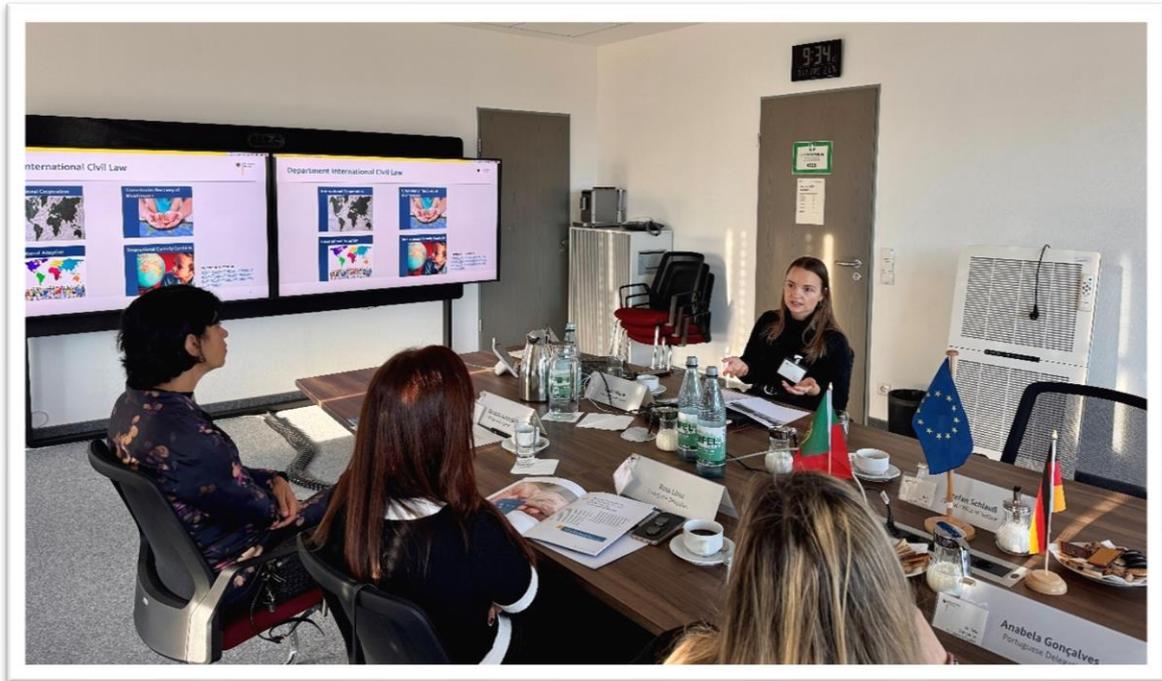
Improve Justice Court to Court (IJustC2C -GA 101138174)



Improve Justice Court to Court (IJustC2C -GA 101138174)



Improve Justice Court to Court (IJustC2C -GA 101138174)



Improve Justice Court to Court (IJustC2C -GA 101138174)



Annexes

- Working agenda
- Presentations used in the various meetings



Agenda
Study Visit of the Portuguese Delegation
6 and 7 November 2025

<u>6 November 2025</u>	
8:35	Train from Bonn to Düsseldorf IC 2341: Departing at 8:45 at Bonn Main Station; Arriving at 9:32 at Düsseldorf Main Station; Metro to Higher Regional Court in Düsseldorf
10:30 – 12:30	Visit to the Higher Regional Court in Düsseldorf Central Body under the Service and Evidence Regulation <i>Address: Cecilienallee 3 40474 Düsseldorf</i>
	Welcome by the President of the Higher Regional Court in Düsseldorf Mr. Dr. Werner Richter
10:45 – 12:00	Presentation by the Central Body under the Service and Evidence Regulation <i>Ms. Dr. Ursula Mis-Paulußen</i> <i>Ms. Monika Bolten</i> <i>Ms. Silke Matthäus</i> Presentation by the Portuguese Delegation <i>Project: Improve Justice Court-to-Court Services and Networks</i>
12:00 – 12:30	A guided tour of the Higher Regional Court <i>Ms. Dr. Ann-Malin Brune</i>
12:30	Lunch at the Cafeteria of the Higher Regional Court

7 November 2025	
9:00 – 15:00	Visit at the Federal Office of Justice / Bundesamt für Justiz in Bonn Address: Forum Bonn / Friedrich-Ebert-Allee 120 - 126 / 53113 Bonn
9:00 – 09:15	Welcome by the Head of Directorate International Civil Law, Federal Office of Justice <i>Mr. Stefan Schlauß</i>
09:15 – 10:00	Presentation by the German EJM Federal Contact Point <i>Ms. Sandra Hauser</i>
10:00 – 10:15	Break
10:15 – 11:00	Presentation by the Central Authority under the Brussels IIb Regulation <i>Ms. Nadin Zehrt</i>
11:00 – 11:45	Transfer to Main Building of the Federal Office of Justice
11:45 – 12:15	Welcome by the President of the Federal Office of Justice at the Main Building (Weltsaal) <i>Ms. Veronika Keller-Engels</i> Photo
12:15 – 14:00	Lunch and transfer back to Forum Bonn
14:00 – 14:45	Presentation by the Central Authority for Intercountry Adoption <i>Ms. Saskia Warnken</i>
14:45 – 15:00	Closing remarks <i>Ms. Sandra Hauser</i>

The Ordinary courts of the Federal Republic of Germany

on a federal level	
Executive	Judicial functions relating to the ordinary courts
Federal Ministry of Justice and Consumer Protection	Federal Constitutional Court
Federal Office of Justice	Federal Court of Justice (civil and criminal matters)

The Ordinary Courts of the States (*Länder*) of the Federal Republic of Germany

On the level of the individual states (<i>Länder</i>) 16 States (<i>Länder</i>)	
Executive	Judiciary
Ministry of Justice for each of the <i>Länder</i>	Higher Regional Courts (in Berlin: Chamber Courts)
	Regional Courts
	Local Courts



Ordinary Courts in North-Rhine Westphalia

- 3 Higher Regional Courts
(Düsseldorf, Cologne and Hamm)
- 19 Regional Courts
- 129 Local Courts
(of which 4 are headed by a Judge-President, i.e. those in Düsseldorf, Dortmund, Essen and Cologne)

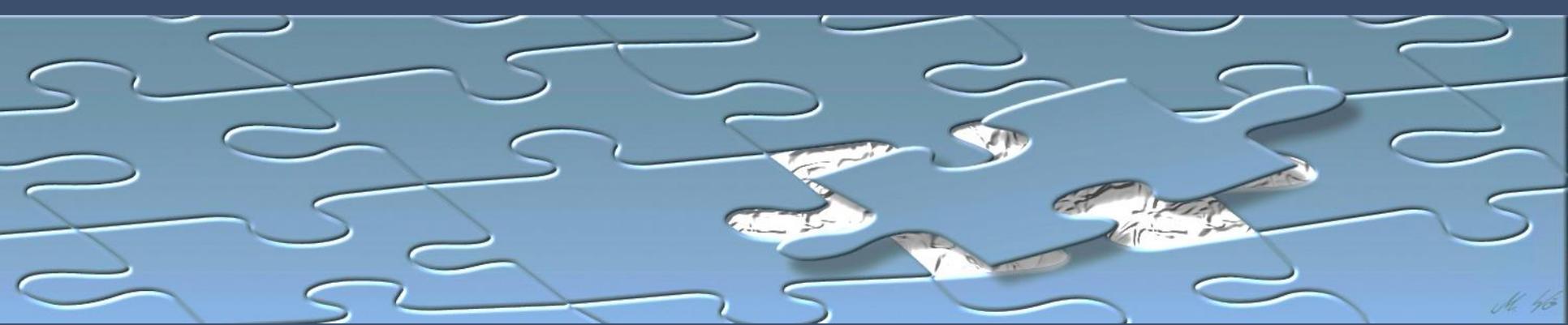


Ordinary Courts within Düsseldorf Higher Regional Court's jurisdiction

- 6 Regional Courts (Düsseldorf, Duisburg, Mönchengladbach, Kleve, Krefeld and Wuppertal), to which a total of 28 Local Courts belong
- 1 Local Court led by a Judge-President (Düsseldorf Local Court)

Duties of Düsseldorf Higher Regional Court:

- Jurisprudence: Hearing appeals on decisions from Local Courts and Regional Courts within its jurisdiction
- Administration: Co-ordination of staffing and resources for more than 5,500 members of staff within its jurisdiction
- Law exams office: responsible for carrying out the state exam in the obligatory modules in the 1st State exam as part of a law degree



Incoming requests pursuant to the European Regulation on the Service of Documents and the European Regulation on the Taking of Evidence

Düsseldorf, 24 July 2025





Civil jurisdiction in North Rhine-Westphalia

- Regional constitutional court
(*Landesverfassungsgerichtshof*)

- 3 higher regional courts
(*Oberlandesgerichte*)
(Düsseldorf, Cologne and Hamm)

- 19 regional courts (*Landgerichte*)

- 129 local courts (*Amtsgerichte*)
(of which 4 are courts with a judge-president (*Präsidialgerichte*) in
Düsseldorf, Dortmund, Essen and Cologne)





Duties in the area of mutual legal assistance in NRW (with relation to the EU Service Regulation)

- Receiving agencies as per Article 3:
The local court with competence for the district in which the document is to be served.

The governments of the individual *Länder* may pass a legal ordinance to assign the duties of the receiving agency to a local court of their choosing for districts under the jurisdiction of several local courts.

In NRW this is the case in Duisburg, Essen, Gelsenkirchen, Herne and Mönchengladbach.

(Section 3 [NRW] Ordinance on Jurisdiction in Mutual Legal Assistance for Implementing the Rules of Community Law (Mutual Legal Assistance Jurisdiction Ordinance) dated 6 January 2004).



Duties in the area of mutual legal assistance in NRW (with relation to the EU Service Regulation)



Duties of the receiving agency

- ➔ Verify whether the requested act of mutual legal assistance can be granted in terms of
 - Permissibility
 - Content
 - Formin accordance with the Regulation
- ➔ Refuse the requested mutual legal assistance (possibly following consultation with Ministry of Justice NRW) (Form F)
- ➔ Point out any flaws and suggest rectification or submission of a corrected request (Form E)
- ➔ Serve the document itself or have it served.





Duties in the area of mutual legal assistance in NRW (with relation to the EU Service Regulation)

→ It may be necessary to involve the Ministry of Justice

- in the event of uncertainty whether the matter at hand is of a civil or commercial nature

The decision whether it is a civil or commercial matter comes down to the subject of the legal dispute and

the nature of the relationships between the parties.

The branch of court that the process is brought before has no relevance

- in the case of service on bodies of the NRW regional government or the Federal Republic of Germany (where these are not received directly by the Federal Office of Justice)





Duties in the area of mutual legal assistance in NRW (with relation to the EU Service Regulation)

- As courts with competence for mutual legal assistance, local courts effect service
 - as a rule, in one of the forms as stipulated by the German Code of Civil Procedure (*Zivilprozessordnung – ZPO*)
 - or
 - in the case of an application pursuant to Article 11 (1) second half of sentence 1, in the requested form, insofar as possible.





Duties in the area of mutual legal assistance in NRW (with relation to the EU Service Regulation)

- Central body as per Article 4 of the EU Service Regulation:
for North-Rhine Westphalia:

President of Düsseldorf Higher Regional Court

(Section 1 [NRW] Ordinance on Jurisdiction in Mutual Legal Assistance for Implementing the Rules of Community Law (Mutual Legal Assistance Jurisdiction Ordinance) dated 6 January 2004).



Duties in the area of mutual legal assistance in NRW (with relation to the EU Service Regulation)



Duties of the central body

- Support the receiving/transmitting agency
e.g. on the whereabouts/processing status of a request
- In exceptional cases, at the request of a transmitting agency:
forward a request for service to the competent receiving agency

Duties in the area of mutual legal assistance in NRW (with relation to the EU Service Regulation/EU Taking of Evidence Regulation)



That is all for the explanations of the duties of the German bodies as relates to service.

We will now move on to the duties related to the taking of evidence:



Duties in the area of mutual legal assistance in NRW (with relation to the EU Taking of Evidence Regulation)

- "Requested court" pursuant to Article 3, Article 1(1)(a):
the competent local court for the district in which the procedural action is to take place.

The governments of the individual *Länder* may pass a legal ordinance to assign the duties of the requested court to a local court of their choosing for districts under the jurisdiction of several local courts.

In NRW this is the case in Duisburg, Essen, Gelsenkirchen, Herne and Mönchengladbach.

(Section 4 [NRW] Ordinance on Jurisdiction in Mutual Legal Assistance for Implementing the Rules of Community Law (Mutual Legal Assistance Jurisdiction Ordinance) dated 6 January 2004).



Duties in the area of mutual legal assistance in NRW (with relation to the EU Taking of Evidence Regulation)



Duties of the requested court

- ➔ Verify whether the requested act of mutual legal assistance can be granted in terms of
 - Permissibility
 - Content
 - Formin accordance with the Regulation
- ➔ Refuse the requested mutual legal assistance (possibly following consultation with Ministry of Justice NRW) (Form K)
- ➔ Indicate any flaws and propose rectification or submission of a corrected request (Form D)
- ➔ Carry out the taking of evidence/procedural action

Duties in the area of mutual legal assistance in NRW (with relation to the EU Taking of Evidence Regulation)



Duties of the requested court

→ Procedural action under the authority of the court:

- Taking of evidence (witnesses/experts)
- Other court actions such as
 - hearing and questioning of parties to the proceedings
 - visual inspection
 - recording documentary evidence
 - checking documents
 - administering oaths or effecting an attempt at reconciliation

→ Non-judicial actions, such as procedural actions that do not fall under the authority of the court are to be refused

- e.g.
- requesting files/documents
 - obtaining information from public authorities
 - locating people





Duties in the area of mutual legal assistance in NRW (with relation to the EU Taking of Evidence Regulation)

→ It may be necessary to involve the Ministry of Justice

for example

in the event of uncertainty whether the matter at hand is of a civil or commercial nature

The decision whether it is a civil or commercial matter comes down to the subject of the legal dispute

and

the nature of the relationships between the parties

The branch of court that the process is brought before has no relevance.





Duties in the area of mutual legal assistance in NRW (with relation to the EU Taking of Evidence Regulation)

- Central body as per Article 4 of the EU Service Regulation:
for North-Rhine Westphalia:

President of Düsseldorf Higher Regional Court
for North-Rhine Westphalia

(Section 1 [NRW] Ordinance on Jurisdiction in Mutual Legal Assistance for Implementing the Rules of Community Law (Mutual Legal Assistance Jurisdiction Ordinance) dated 6 January 2004).



Duties in the area of mutual legal assistance in NRW (with relation to the EU Taking of Evidence Regulation)



Duties of the central body

- Support the requested/requesting court
e.g. on the whereabouts/processing status of a request
- In exceptional cases, at the request of a transmitting agency:
forward the request to the relevant court with competence for mutual legal assistance
- Article 4(3) EU Regulation on Taking of Evidence
receive/check requests for direct taking of evidence as per Article 19

Duties in the area of mutual legal assistance in NRW (with relation to the EU Taking of Evidence Regulation)



Duties of the approval body as per Article 4(3) EU Taking of Evidence Regulation

- ➔ Verify whether the requested act of mutual legal assistance can be granted in terms of
 - Permissibility
 - Content
 - Formin accordance with the Regulation

- ➔ Refuse the requested mutual legal assistance (possibly following consultation with the Ministry of Justice NRW) (Form M)



Duties in the area of mutual legal assistance in NRW (with relation to the EU Taking of Evidence Regulation)



Duties of the approval body as per Article 4(3) EU Taking of Evidence Regulation

- ➔ Approve the direct taking of evidence (Form M)
- ➔ Set conditions (Article 19(4)) for carrying out the direct taking of evidence
- ➔ Appoint the court that shall provide practical support (e.g. provision of a video conferencing system)



Thank you for your attention!





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IMPROVE JUSTICE
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Ponto de Contacto de PORTUGAL
Rede Judiciária Europeia
em matéria civil e comercial



CSM
Conselho Superior
da Magistratura



REPÚBLICA
PORTUGUESA

JUSTIÇA

The Portuguese Contact Point



Study Visit of the Portuguese Delegation

6th and 7th November 2025, Bonn, Deutschland

Tiago Silva – Legal Advisor

Contact Point of Portugal



PORTUGUESE CONTACT POINT

Is regulated by the Ministry of Justice
but is appointed by the **High Judicial
Council** and performs under its
responsibility

(Protocol between the HJC and the Ministry
of Justice)

- The purpose of the Contact Point is to serve institutions connected to the national and international judicial system in order to facilitate judicial cooperation.
- It is also responsible for ensuring internal coordination between National Members.

The Mission





Contact Point Team



ROSA LIMA

Contact Point Judge



CARLOS ROSADO

Legal Advisor



TIAGO SILVA

Legal Advisor



EJN

European Judicial Network

Targets:

Facilitate judicial co-operation between EU Member States in civil and commercial matters, both in the areas covered by the instruments in force and in the areas where no instrument applies.

Main functions



- 1) Directorate-General for Justice Policy;
- 2) Directorate-General for the Administration of Justice;
- 3) Institute for Financial Management and Justice Equipment;
- 4) Commission for the Protection of Victims of Crime;
- 5) Institute of Registries and Notaries;
- 6) Council of Justice of the Peace;
- 7) Social Security Institute;
- 8) Bar Association;
- 9) Order of Notaries;
- 10) Order of Solicitors and Enforcement Agents;
- 11) Liaison Judge of the International Network of Judges of the Hague Conference;
- 12) General Prosecutor's Office

Portuguese National Members of EJM



Portuguese National Members of EJN

- The Contact Point meets every three months with the Portuguese national members of EJN, with the aim of finding solutions to facilitate the practical application of the European Union's legal instruments



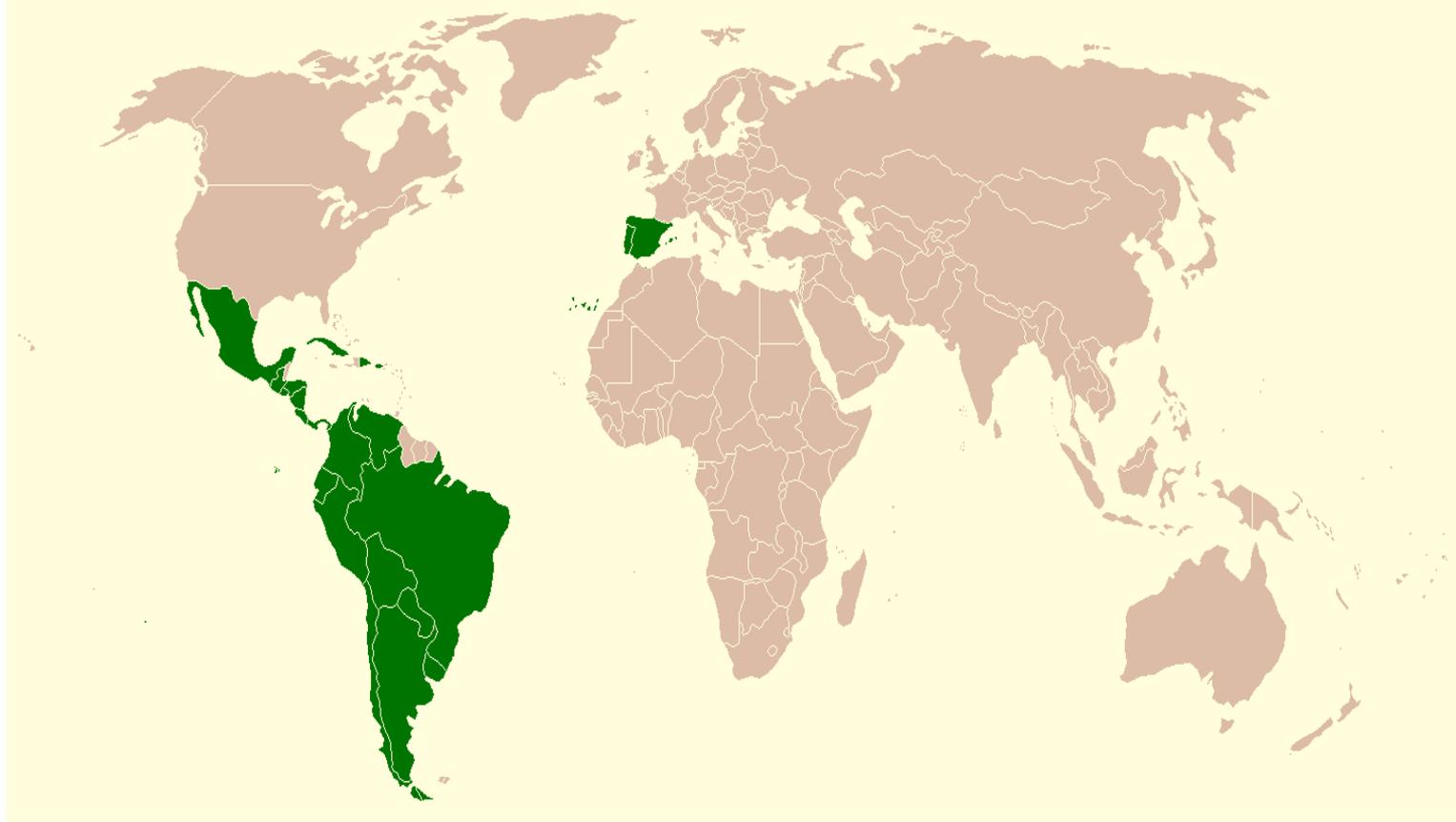


IberRed

Ibero-American Network for International
Legal Cooperation

Targets:

To facilitate judicial co-operation in civil and commercial matters between Ibero-American Community.





CPLP

Community of Portuguese-speaking
Countries

Targets:

To facilitate judicial co-operation in civil and commercial matters between the Community of Portuguese-speaking Countries.



CPLP



- The Portuguese Contact Point is also the National Coordinator of the *Cumbre Judicial IberoAmericana*
- That is a structure for co-operation, agreement and exchange of experiences, which is articulated through the highest levels of the Ibero-American Judicial Powers



CUMBRE JUDICIAL IBERO-AMERICAN



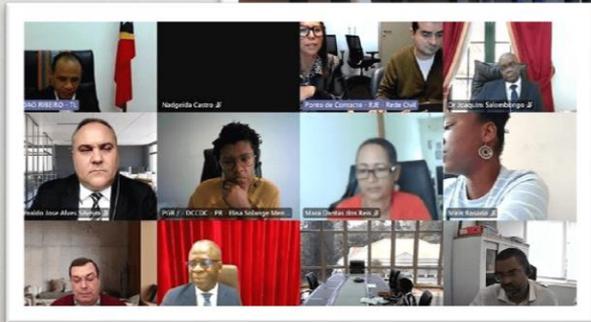
CUMBRE JUDICIAL
IBEROAMERICANA

- The Portuguese Contact Point also carries out functions as Secretary General of the Permanent Commission of the Forum of High Judicial Councils of the CPLP
- That is an international cooperation organization between the judicial management bodies of the Community of Portuguese-speaking Countries

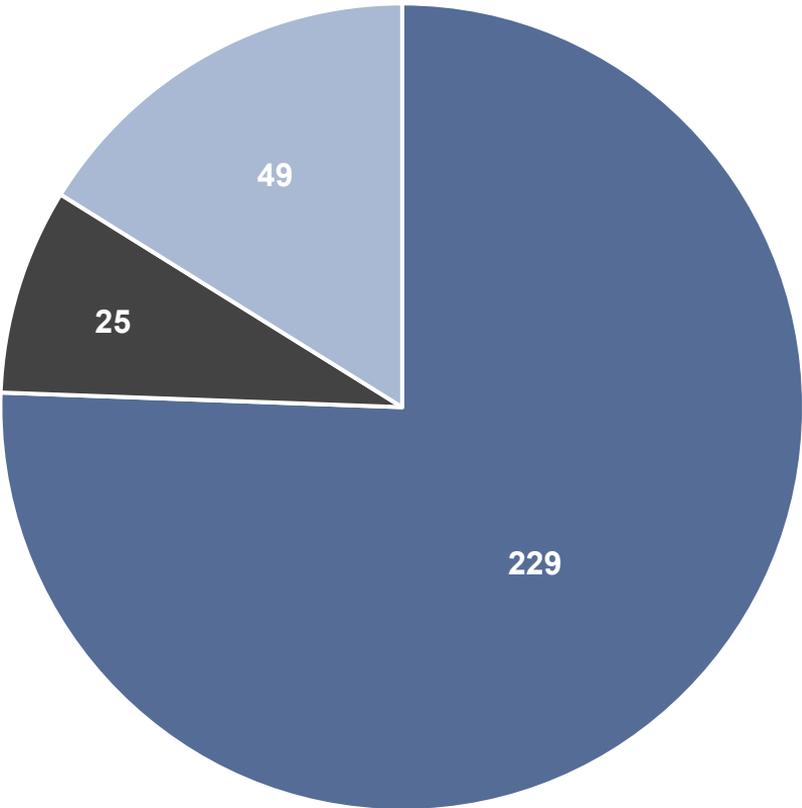


FORUM OF THE SUPERIOR COUNCILS OF JUSTICE OF THE CPLP





NUMBER OF REQUESTS (in 2024)



EJM CIVIL 229



CPLP 25

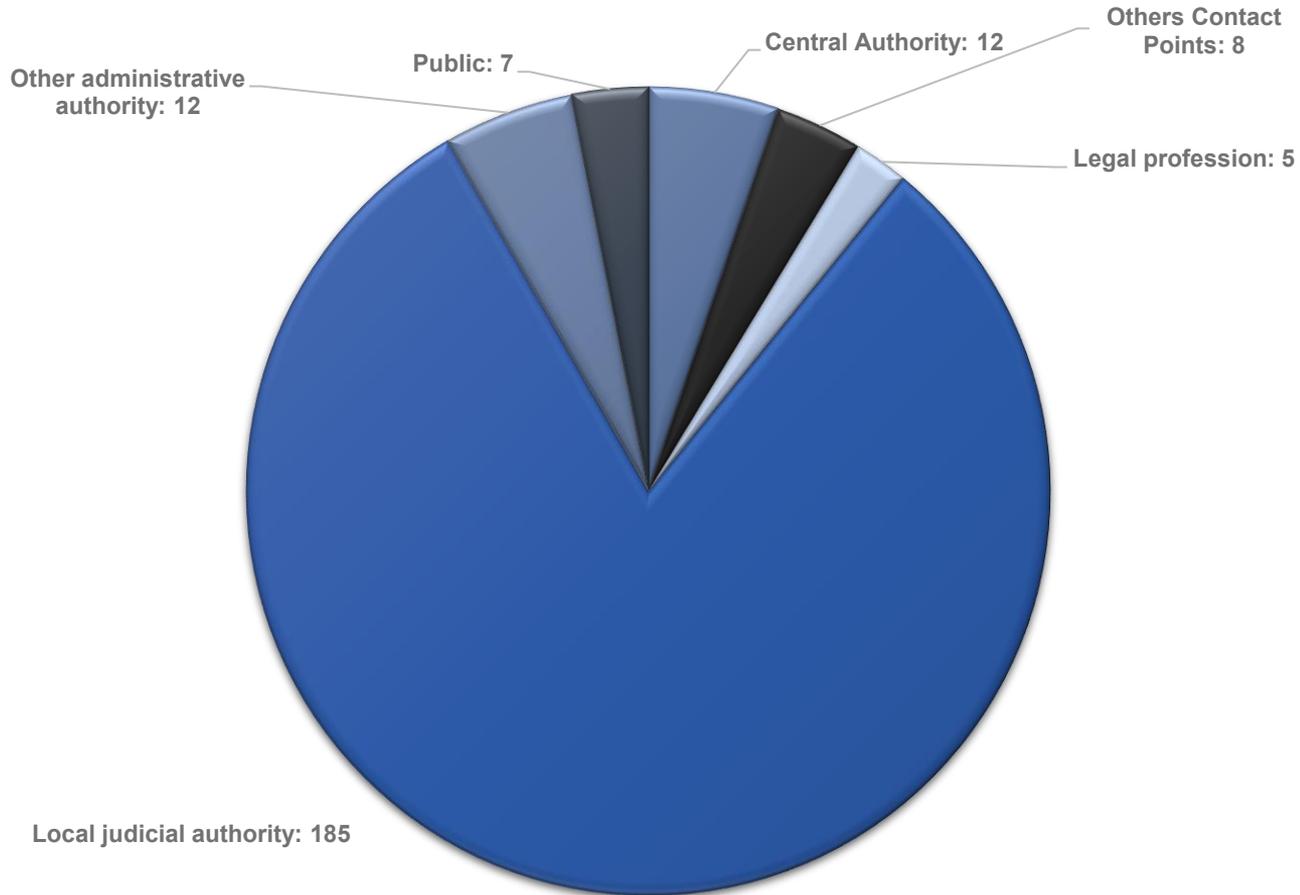


IBERRED 49



Total 303

REQUESTING ENTITIES (in 2024)



PONTO DE CONTACTO

NEWSLETTER

N.º 92 | MARÇO DE 2024

WWW.REDECIVIL.CSM.ORG.PT



NOTÍCIAS

- 9.º REUNIÃO DOS PONTOS DE CONTACTO DA REDE JUDICIÁRIA DA CPLP
- 6.º REUNIÃO DA COMISSÃO PERMANENTE - FÓRUM DOS CONSELHOS SUPERIORES DE JUSTIÇA DA CPLP
- 22.ª REUNIÃO ANUAL DA RJE CIVIL E COMERCIAL
- 94.º REUNIÃO EJM BRUXELAS REGULAMENTO INSOLVÊNCIA

EM DESTAQUE

ARRANQUE DO PROJETO EUROPEU
IJUSTC2C - IMPROVE JUSTICE COURT TO COURT
GRANT AGREEMENT - 101138174

ACÓRDÃO DO TRIBUNAL DE JUSTIÇA UE (C-81/23)



IMPROVE JUSTICE
COURT-TO-COURT

RELATÓRIO DE ATIVIDADES

JÁ SE MOSTRA DISPONÍVEL O RELATÓRIO ANUAL DE
ATIVIDADES DE 2023



Ponto de Contacto de **PORTUGAL**
Rede Judiciária Europeia
em matéria civil e comercial



NEWSLETTER

The Contact Point has a regular newsletter, where it shares its activities and important information

All numbers are available in:

redcivil.csm.org.pt/newsletters



WEBSITE



redecivil.csm.org.pt

Visibility



WEBSITE
redecivil.csm.org.pt



LINKEDIN
linkedin.com/ponto-de-contacto-de-portugal



FACEBOOK
facebook.com/PontodeContactoPT



INSTAGRAM
[@pontodecontactodeportugal](https://www.instagram.com/pontodecontactodeportugal)



THANK YOU!

Tiago Silva – Legal Advisor
Contact Point of Portugal

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correio@redecivil.mj.pt
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Improve Justice

Court-to-Court



Study Visit of the Portuguese Delegation

6th and 7th November 2025, Bonn, Deutschland

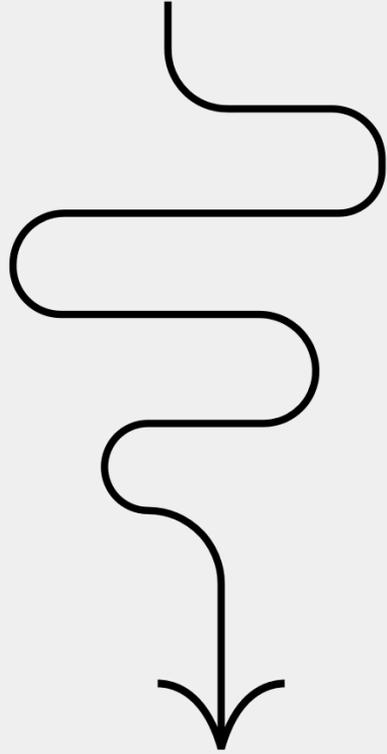
Carlos Rosado – Legal Advisor

Portuguese Contact Point of the European Judicial Network in Civil and Commercial Matters



Bundesamt für Justiz

Federal Office of Justice



The Project

- Consists in providing personalised training on several European instruments of judicial cooperation in civil and commercial matters directed to judges and clerks of the 23 district courts
- The project has started in January 2024 and will last 24 months
- The beneficiary is the High Judicial Council, and the project will be managed by the EJM's Portugal Contact Point

Objectives



1

Strengthen the training of Portuguese judges and clerks in EU civil regulations in order to ensure the effective application of these rules on judicial co-operation in civil and commercial matters

2

Experience sharing among the EJM network members

3

Increasing cooperation between the courts

4

Increase EJM visibility



Project Team



ROSA LIMA

Portuguese Contact Point Judge / Project Coordinator



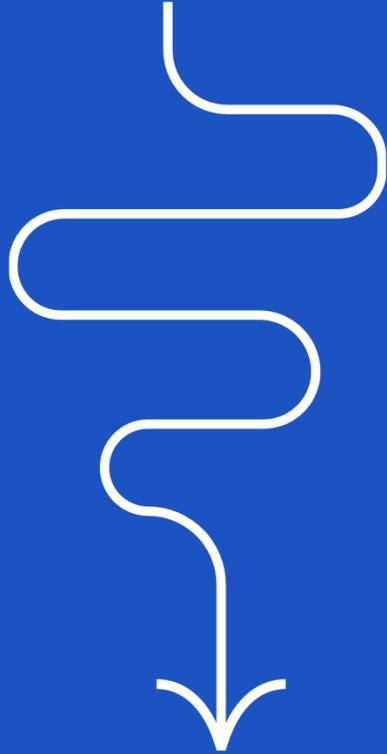
CARLOS ROSADO

Legal Advisor / Project Manager



TIAGO SILVA

Legal Advisor / Project Manager

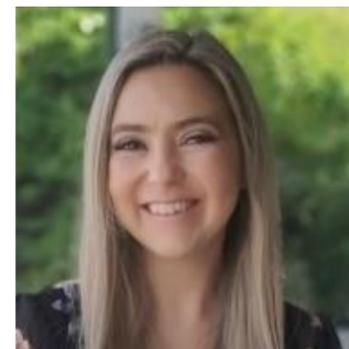


Experts in the area of international cooperation as Guests



MIGUEL VARA

Head of International Judicial Cooperation
Unit



ANABELA GONÇALVES

Professor / Law School of University of
Minho



ELISABETE ASSUNÇÃO

Judge of Appeal and former Judge of the
School of Magistrature on International
Cooperation



This project will provide

- Improving the knowledge of civil justice instruments through training sessions on the 23 District Courts. These activities ensure interaction at national level, knowledge sharing and gathering of information
- Promote the proper functioning of one of the most important cooperation mechanisms in the field of civil Justice, which it is essential not only to strengthen the Portuguese judges in civil and commercial matters, but also to increase the knowledge of the clerks, who are responsible for the execution of some of the procedures, in particular filling the forms enclosed with the regulations
- Identify best practices regarding e.g. the work of national network members



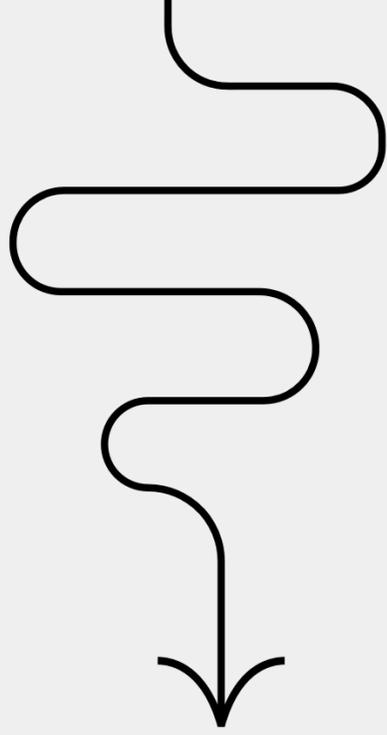
This project will provide



Sharing the experiences and tools for the use of the EJM network members

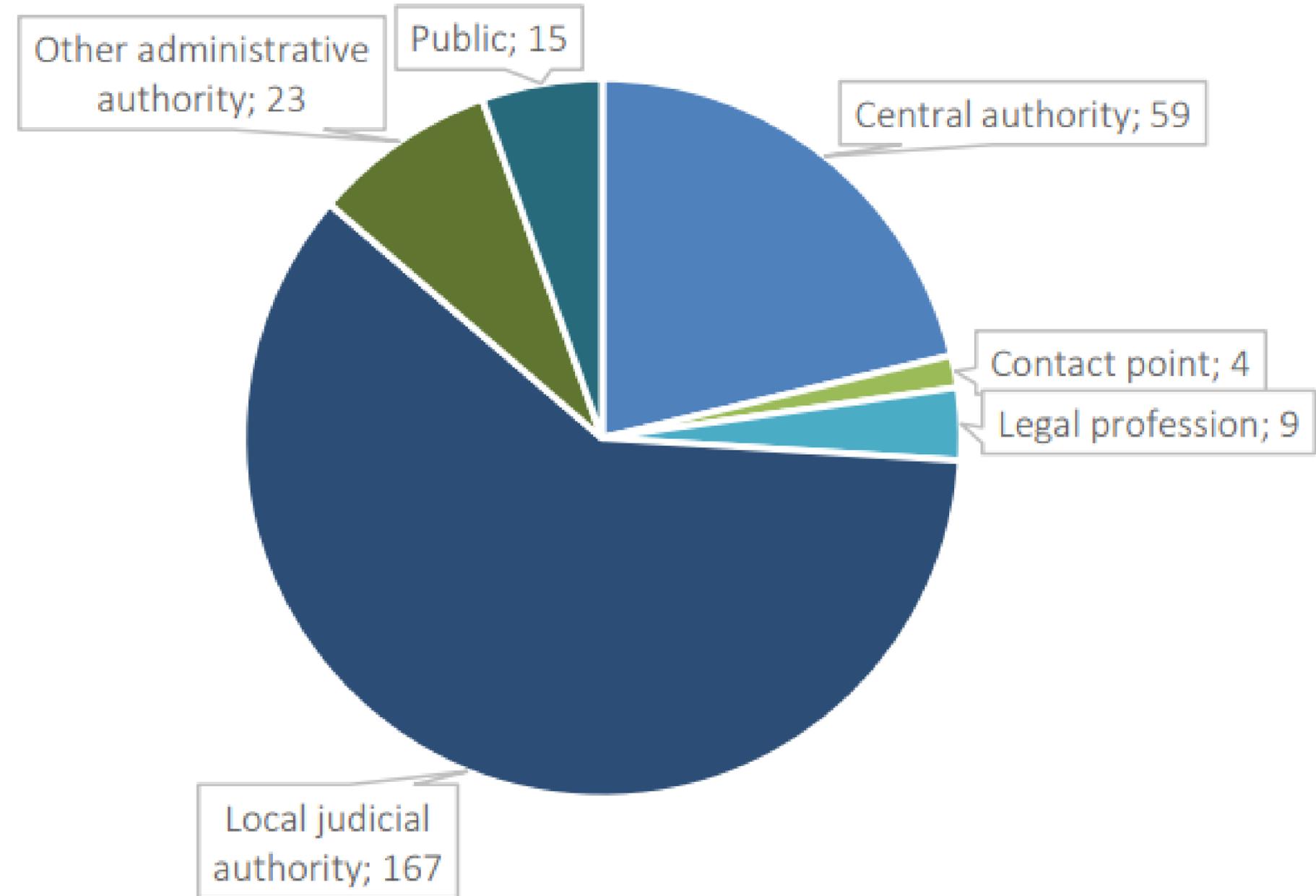
Make the Portuguese courts aware of the mission of the EJM Contact Point and the tools provided for EU cross-border cooperation

Offer EU sessions for Portuguese civil and commercial judges and clerks on current topics in EU civil law



Needs analysis

Request by Authority (in 2022)



Prior survey



- Considering the issues raised daily by judges and court clerks, this project aims to make a survey of the training needs for both groups in the 23 Portuguese courts
- The survey's results are being collated and analysed by the training team, who defines the EU law sessions program
- In this way, the training sessions will be completely personalised for each target group

Target groups



- Portuguese Judges and clerks are the target groups

- Portugal has around 900 judges and 7500 clerks, and the EU law sessions are targeted at professionals in the first court instance, distributed across 23 county courts

Expected participants:

- Judges - between 200 and 300
- Clerks - between 500 and 700

23

TRAINING SESSIONS



½ day – judges



½ day – clerks

TRAINING SESSIONS

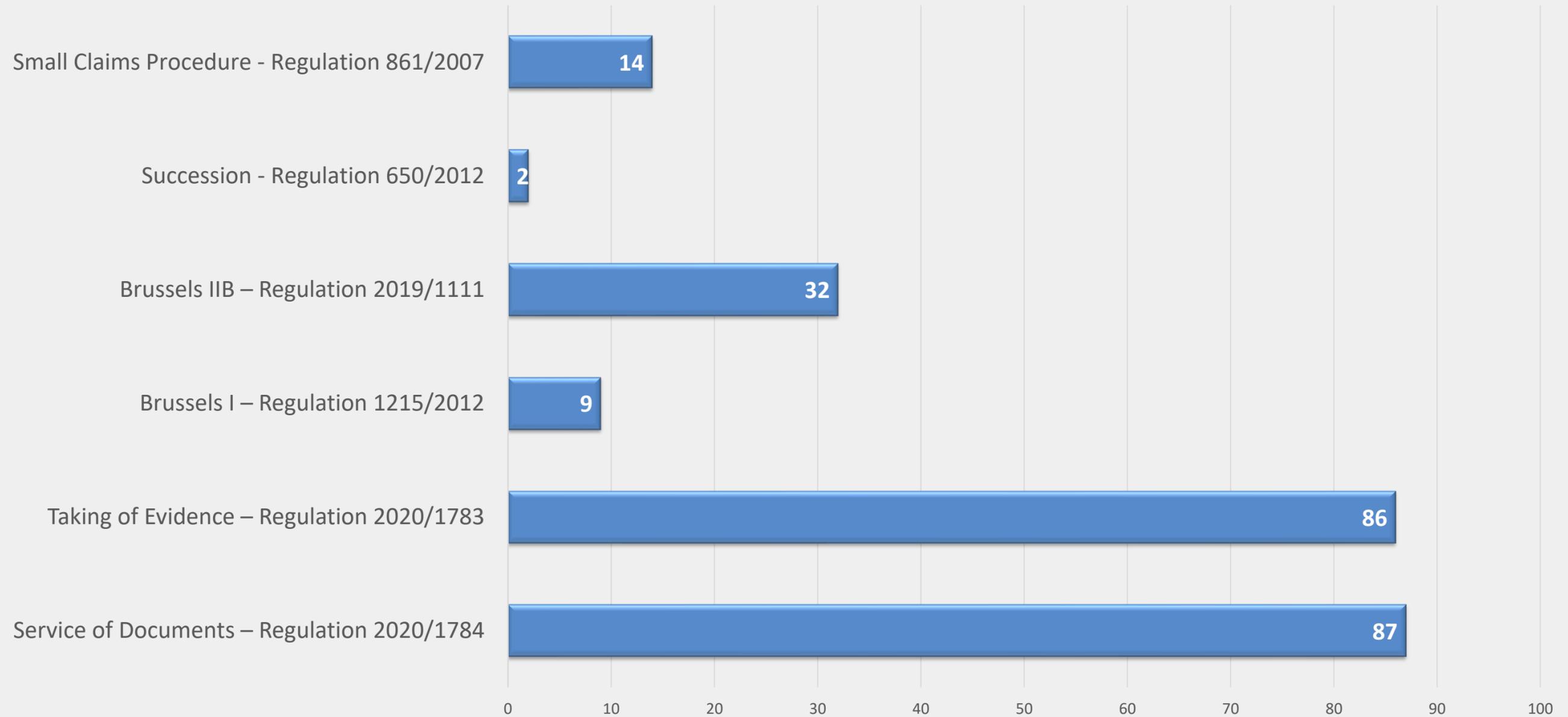
Training sessions



- It presents the functioning, characteristics and difficulties presented by the European instruments most requested by the participants
- During the sessions, selected subjects are presented in a practical way and the filling in of the corresponding forms is simulated, using the most common situations
- The purpose of the sessions is to be as interactive and dynamic as possible, so that all participants take an active part

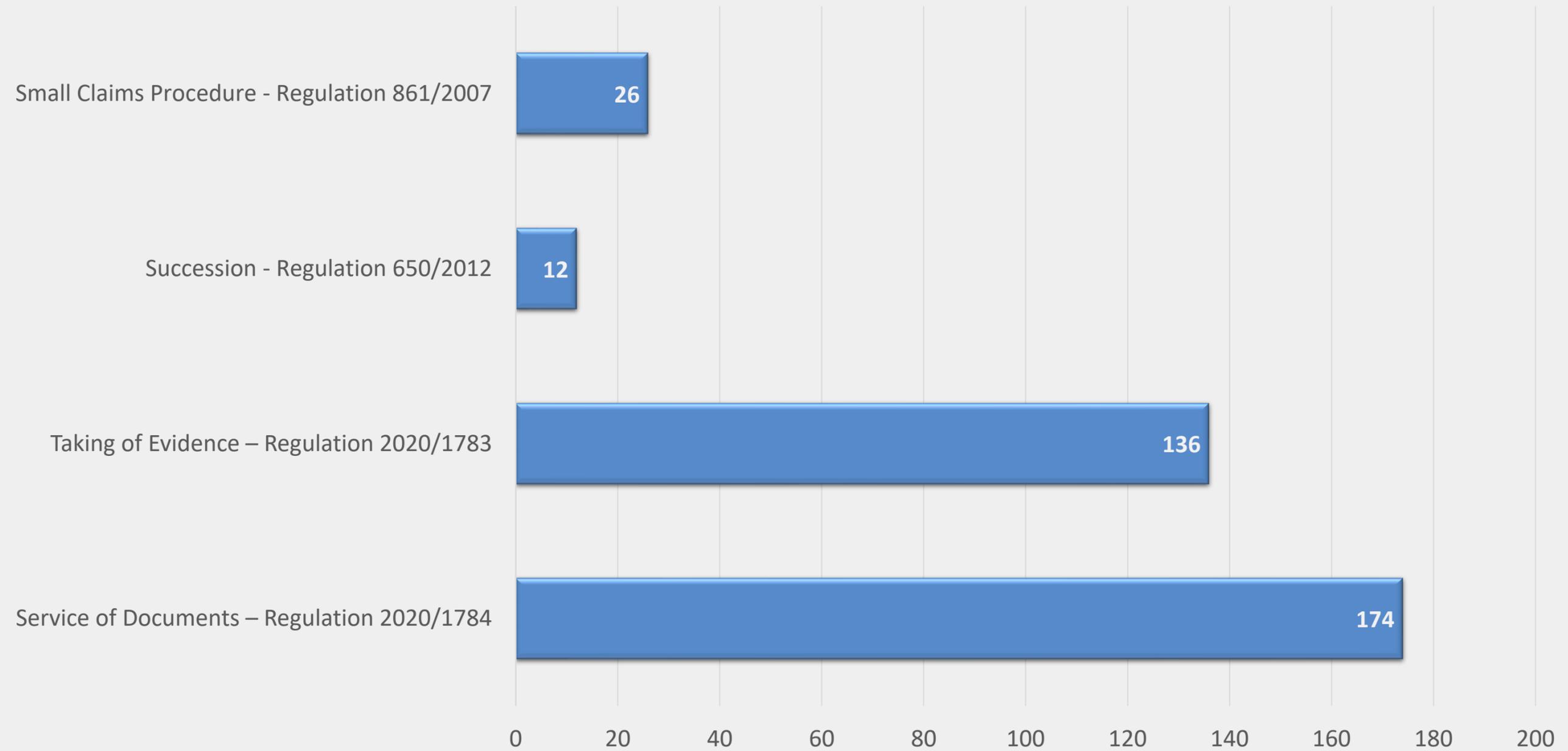


European Instruments requested – Judges



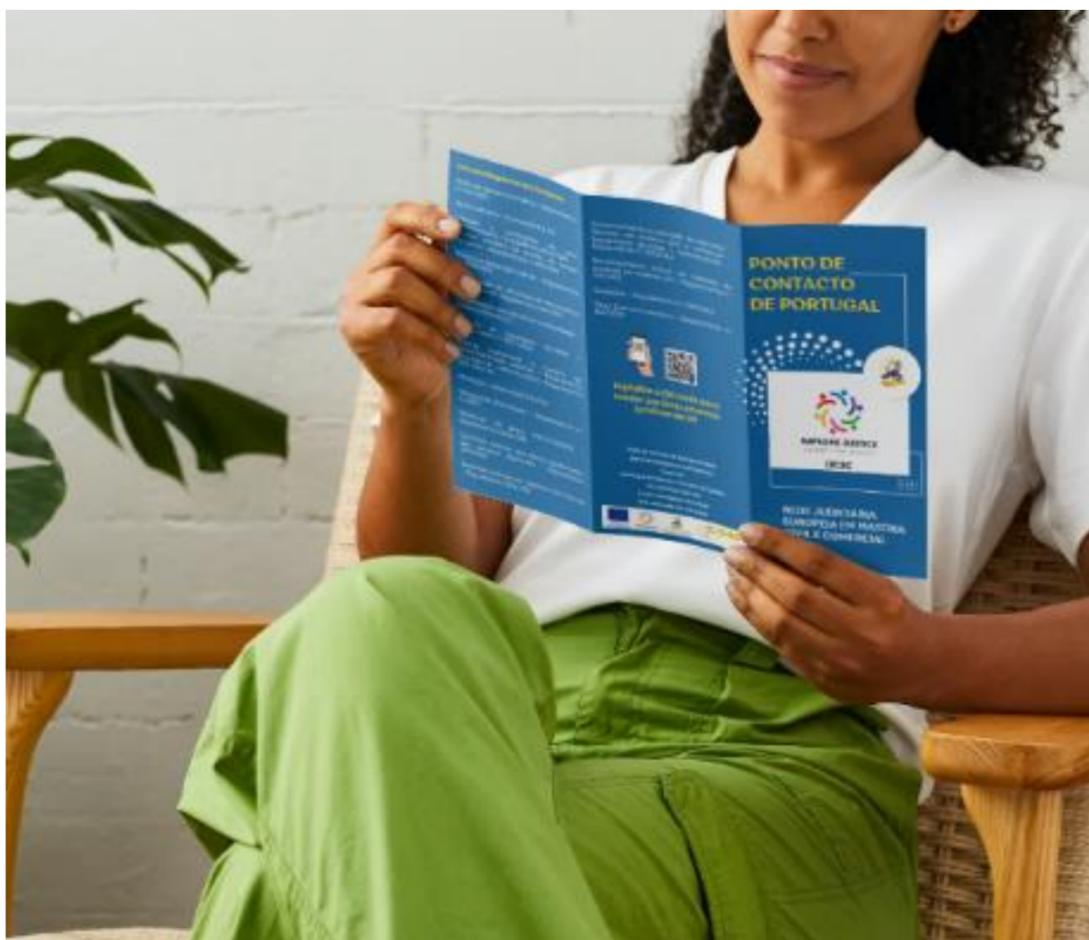


European Instruments requested - Clerks





Practical flyer



- The project team created a practical flyer which included the most frequently used EU instruments, as well as video tutorials (accessible via QR code) and FAQs
- This practical flyer is being distributed at the training sessions

Practical flyer

Lista dos Regulamentos Europeus:

Ações de pequeno montante – Regulamento n.º 861/2007

Apoio Judiciário – Diretiva 2003/8/CE

Citações e notificações de atos (reformulação) – Regulamento 2020/1784
Decisão europeia de arresto de contas bancárias – Regulamento n.º 655/2014

Divórcio e Separação Judicial – Regulamento n.º 1259/2010

Simplificação da circulação de documentos públicos na UE - Regulamento 2016/1191

Indemnização das vítimas da criminalidade – Diretiva 2004/80/CE

Injunção de pagamento europeia – Regulamento n.º 1896/2006

Matéria matrimonial e matéria de responsabilidade parental - Regulamento Bruxelas II-B – (reformulação) – Regulamento (UE) 2019/1111

Mediação – Diretiva 2008/52/CE

Obrigações Alimentares – Regulamento n.º 4/2009

Obtenção de prova (reformulação) - Regulamento 2020/1783

Questões relativas aos efeitos patrimoniais das parcerias registadas – Regulamento 2016/1104

Questões relativas aos regimes matrimoniais – Regulamento 2016/1103

Reconhecimento e execução de decisões - Decisões em matéria civil e comercial - Regulamento Bruxelas I (reformulado) – Regulamento n.º 1215/2012

Reconhecimento mútuo de medidas de proteção em matéria civil – Regulamento n.º 606/2013

Sucessões – Regulamento n.º 650/2012

Título Executivo europeu – Regulamento n.º 805/2004



Digitalize o QR code para aceder aos instrumentos jurídicos da UE

Ponto de Contacto de Portugal da Rede Judiciária Europeia em matéria Civil e Comercial

Rua Duque de Palmela, n.º 23 1250-097 LISBOA

Tel: (00351) 213 220 020

E-mail: correio@redcivil.mj.pt

Web: www.redcivil.csm.org.pt



PONTO DE CONTACTO DE PORTUGAL



IMPROVE JUSTICE
COURT-TO-COURT

IJC2C

REDE JUDICIÁRIA EUROPEIA EM MATÉRIA CIVIL E COMERCIAL

Practical flyer

Quem somos?

A Rede Judiciária Europeia em Matéria Civil e Comercial apoia e facilita a aplicação dos instrumentos de justiça civil da UE a nível nacional e as relações entre autoridades judiciais nacionais através de pontos de contacto em cada Estado-Membro.

Em que situações?

Sempre que estamos perante um caso transfronteiriço.

O que é um caso transfronteiriço?

É um caso onde existe a ligação com, pelo menos, dois Estados-Membros.

Como proceder num Caso Transfronteiriço?

Identificar:

- O regulamento aplicável à execução do pedido formulado por Tribunal ou outra entidade portuguesa a um Tribunal ou entidade de outro estado membro ou a situação inversa
- Os formulários, linguas aceites e despesas cobradas pelo Estado-Membro;
- A Autoridade Central ou autoridade competente para tramitar o pedido.



Digitalize os QR codes para assistir aos nossos videos informativos
ou
Aceda ao nosso canal do Youtube em:
youtube.com/@pontodecontactoportugal9677

Exemplos Práticos:

Obtenção de prova



Obtenção de prova - Videoconferência



Citação e Notificação



No caso da Citação e Notificação, a DGAJ disponibiliza uma ferramenta de informação sobre os instrumentos aplicáveis e declarações e reservas efetuadas pelos Estados. Não dispensa a consulta dos portais oficiais e da legislação aplicável.



Como proceder num Caso Transfronteiriço quando estão em causa países terceiros à UE? (Dinamarca e Reino Unido são situações excecionais)

Podem ser aplicáveis:

Conferência da Haia de Direito Internacional Privado

Exemplos Práticos:

Citação e notificação



Acordos de Cooperação Jurídica e Judiciária entre Portugal e Países da CPLP ou países ibero-americanos

Exemplos Práticos:

Obrigações Alimentares

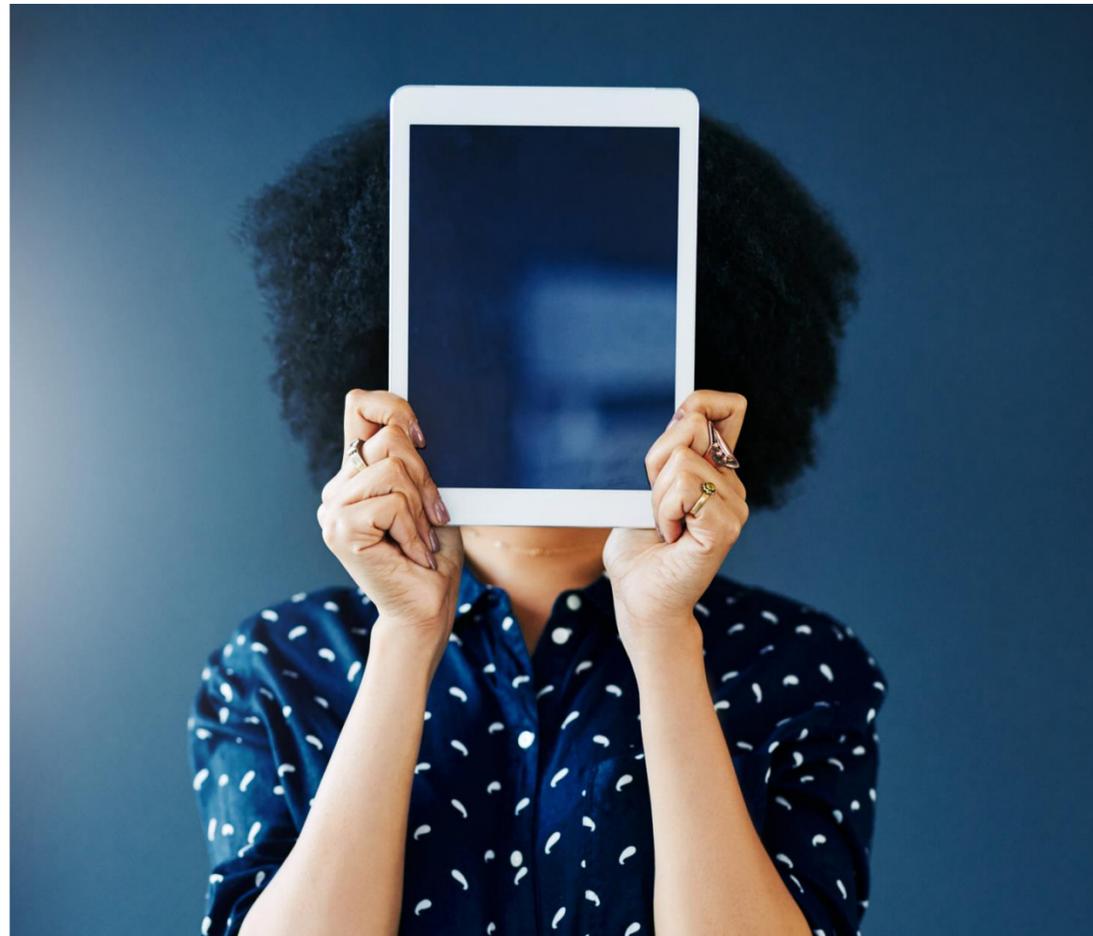


Nos casos transfronteiriços, quando não se aplica nenhum dos acordos acima mencionados dever-se-á seguir a via diplomática.

Caso ainda persistam dúvidas consulte o site do Ponto de Contacto de Portugal:

redecivil.csm.org.pt/

Project Dissemination



- Making all the information available on the contact point website and on its social media pages, Facebook, Instagram and LinkedIn

www.redecivil.csm.org.pt/ijustc2c

The screenshot shows the homepage of the website. At the top left is a logo featuring a map of Europe with a blue and yellow arc and stars. To the right of the logo, the text reads: **Ponto de Contacto de PORTUGAL** and **Rede Judiciária Europeia em matéria civil e comercial**. Below this is a navigation menu with the following items: **Início**, **Sobre nós** (with a dropdown arrow), **Atividades** (with a dropdown arrow), **Direito** (with a dropdown arrow), **Notícias** (with a dropdown arrow), and **Contactos**. A search icon is located to the right of the menu. Below the navigation menu is a large blue banner with the text: **Sessões de Direito Comunitário** and **EU law sessions**. Underneath this, it says: *Instrumentos de Cooperação Judiciária Europeia em matéria civil e comercial* and *European Judicial Cooperation Instruments in civil and commercial matters*. Below the banner is the **IMPROVE JUSTICE** logo with the tagline **COURT-TO-COURT**. At the bottom left of the banner are logos for the European Union, the Portuguese Council of the Judiciary (CSM), and the Portuguese Ministry of Justice. On the right side of the banner is a photograph of a modern classroom or meeting room with desks and a whiteboard.

Visit to Other Network



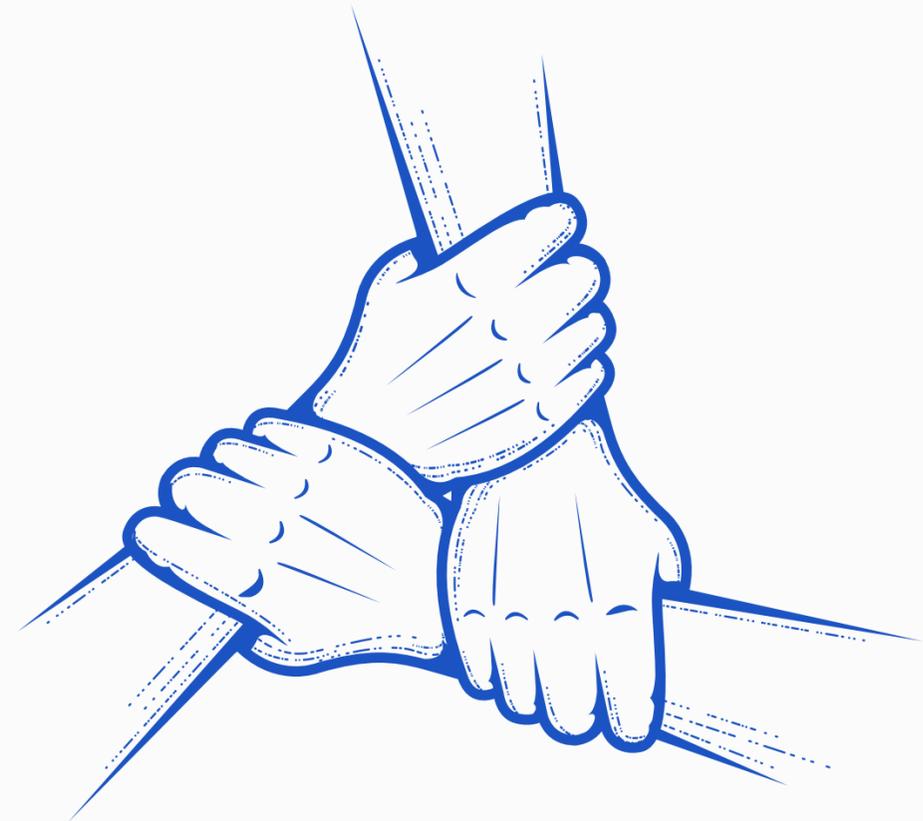
- Since Portugal hosted the Finnish EJM in 2022, following an exchange of experiences as part of another EU project, as a way of completing the cycle of exchanging experience, Portugal considered important to go to Finland to find out how the Finnish EJM works and how it organises the transmission of information between its national members and the central authorities

Visit to Other Network



- Portugal and Germany share a significant number of cross-border civil and commercial cases – some of them still pending. This visit will be an excellent opportunity to gain insight into how the German Contact Point and other German institutions operate and to exchange good practices between our networks.

- Directly, Portugal, Finland and Germany will benefit from part of the project
- Directly all EU member States will benefit from the remaining part of the project, better case handling, and increase the visibility and operational value of EJM with reasonable costs



EJN Visibility



WEBSITE

www.redecivil.csm.org.pt



LINKEDIN

[linkedin.com/in/ponto-de-contacto-de-portugal-rje-civil-253b0419a/](https://www.linkedin.com/in/ponto-de-contacto-de-portugal-rje-civil-253b0419a/)



FACEBOOK

[facebook.com/PontodeContactoPT/](https://www.facebook.com/PontodeContactoPT/)



INSTAGRAM

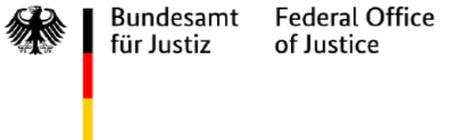
[@pontodecontactodeportugal](https://www.instagram.com/pontodecontactodeportugal)



NEWSLETTER

www.redecivil.csm.org.pt/newsletters/





Study Visit of the Portuguese Delegation

6th and 7th November 2025, Bonn, Deutschland

Carlos Rosado – Legal Advisor
Portuguese Contact Point of the European Judicial Network in Civil and Commercial Matters



WEBSITE
www.redecivil.csm.org.pt



Bundesamt
für Justiz



Presentation by the German EJM Federal Contact Point

Sandra Hauser

International Cooperation



Cross-border Recovery of Maintenance



International Adoption



International Custody Conflicts



Further information:

https://www.bundesjustizamt.de/EN/Topics/InternationalCooperation/InternationalCooperation_node.html

Structure of the German EJM Network

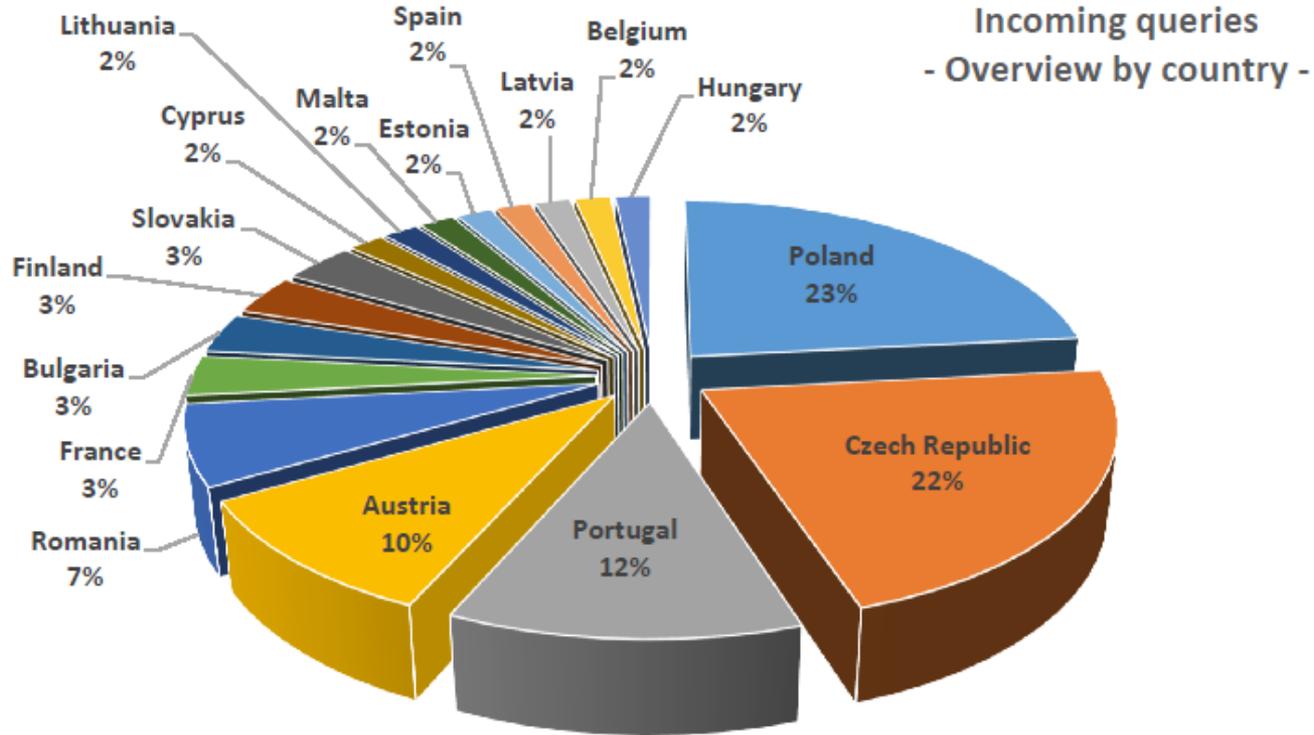


- Federal EJM contact point: Federal Office of Justice in Bonn
- 16 regional contact point in each state in Germany (known as Länder)

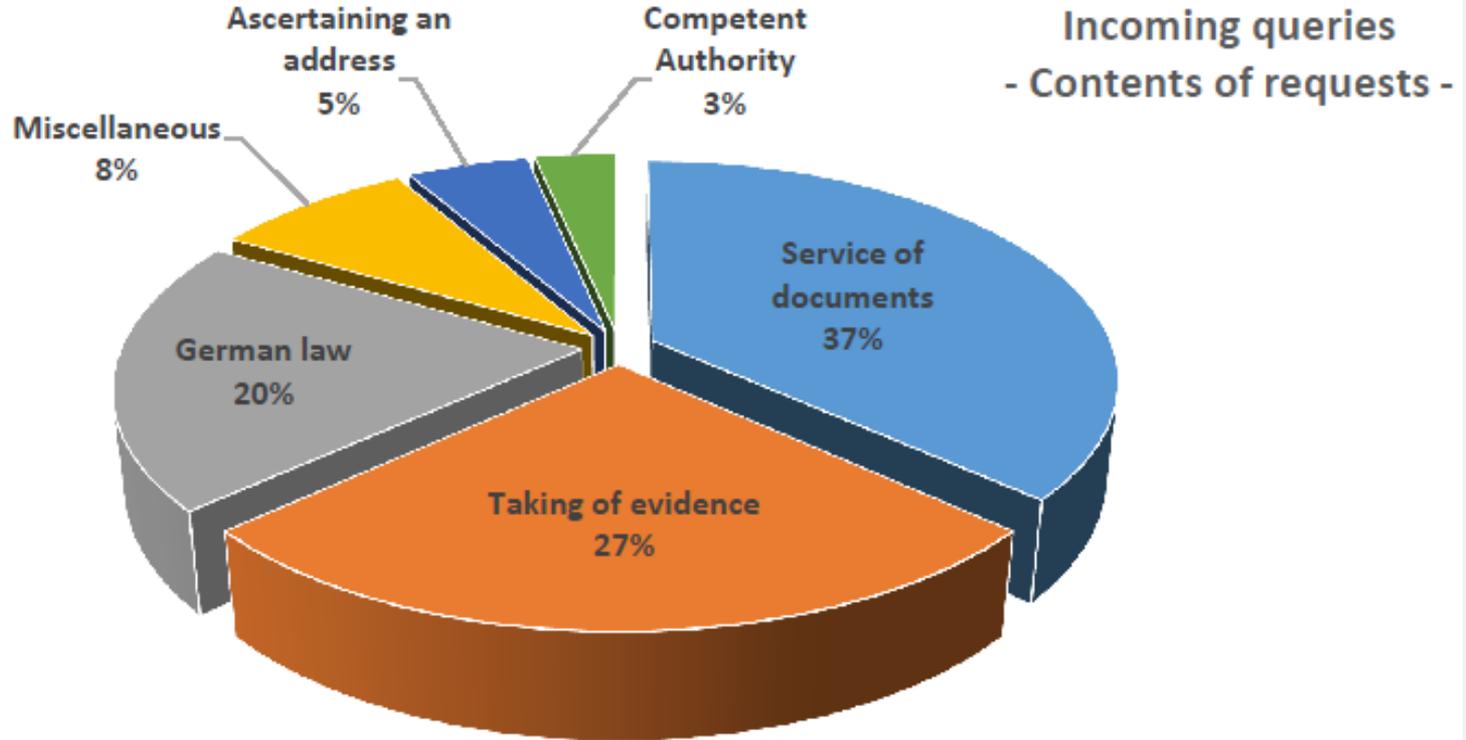
Incoming EJN queries



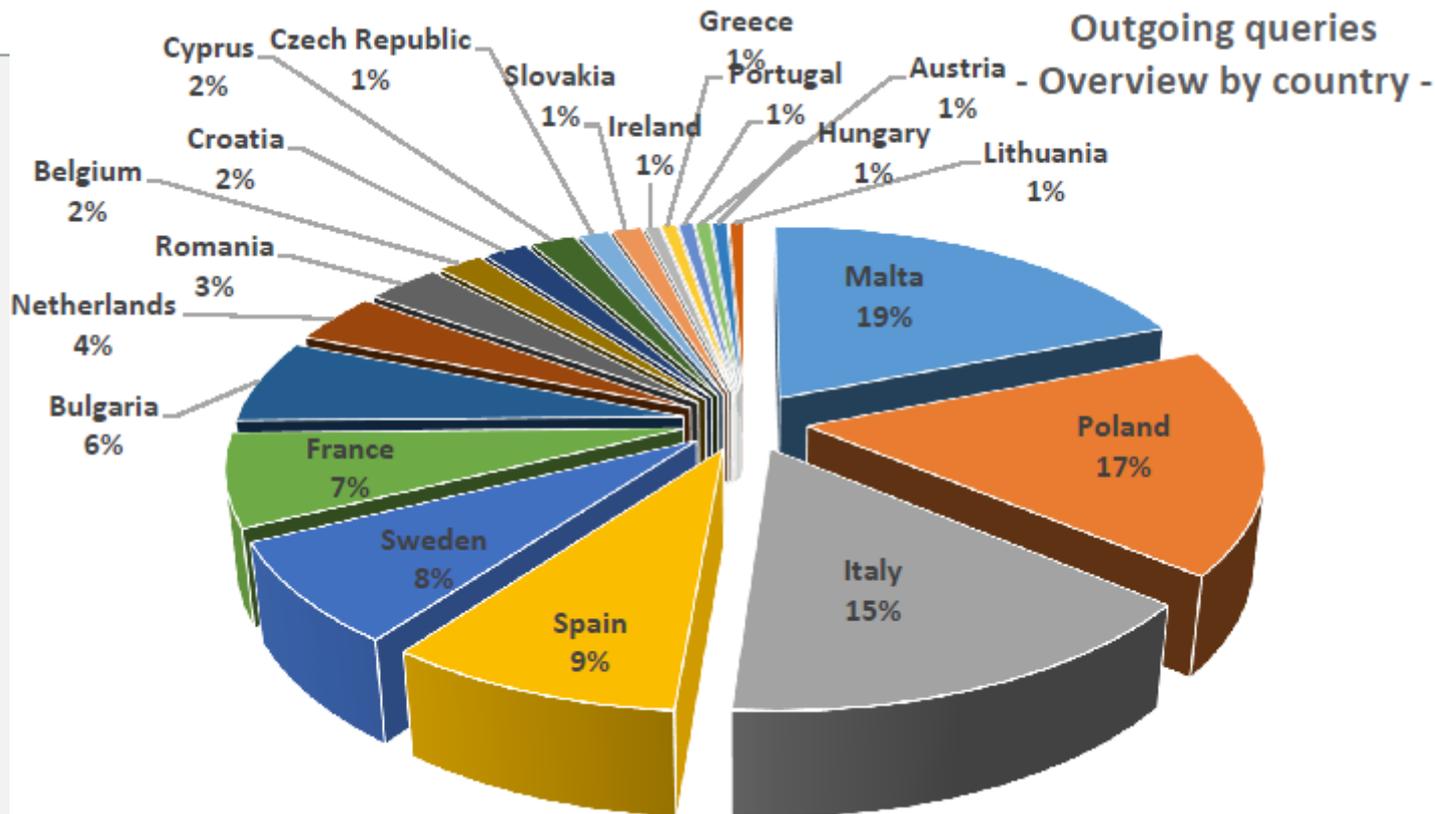
2024: Incoming EJM queries – Overview by country



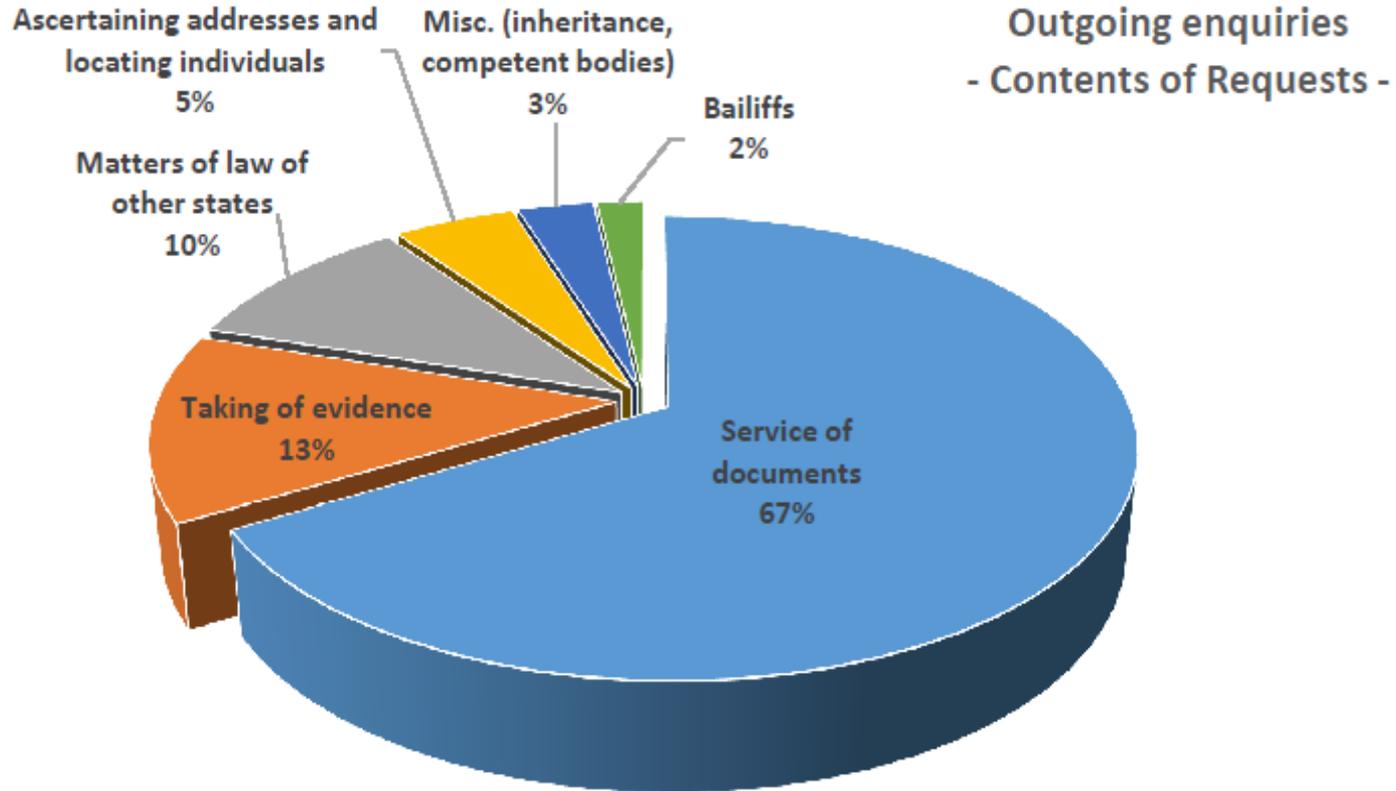
2024: Incoming EJM queries – Contents of requests



2024: Outgoing EJN queries



2024: Outgoing EJM queries – Contents of requests



Members of the German EJM Network

- All 17 EJM contact points in Germany
- Central Authorities
- Four EJM family judges
- German liaison official at the French Ministry of Justice
- Professional associations:
 - Federal Bar Association (Bundesrechtsanwaltskammer),
 - the Federal Chamber of German Civil Law Notaries (Bundesnotarkammer),
 - the German Patent Attorneys Association (Patentanwaltskammer),
 - the German Bar Association (Deutscher Anwaltsverein),
 - the German Bailiffs' Association (Deutscher Gerichtsvollzieher Bund e.V.),
 - the Association of German Judicial Officers (Bund Deutscher Rechtspfleger),
 - the German Association of Judges (Deutscher Richterbund)



Annual Meeting of the German EJM Members



Ein Schwerpunkt bei dem diesjährigen Treffen der deutschen Mitglieder im EJM lag auf den Fragen der Digitalisierung der internationalen Zusammenarbeit auf EU-Ebene im Rahmen der ziviljustiziellen Zusammenarbeit.

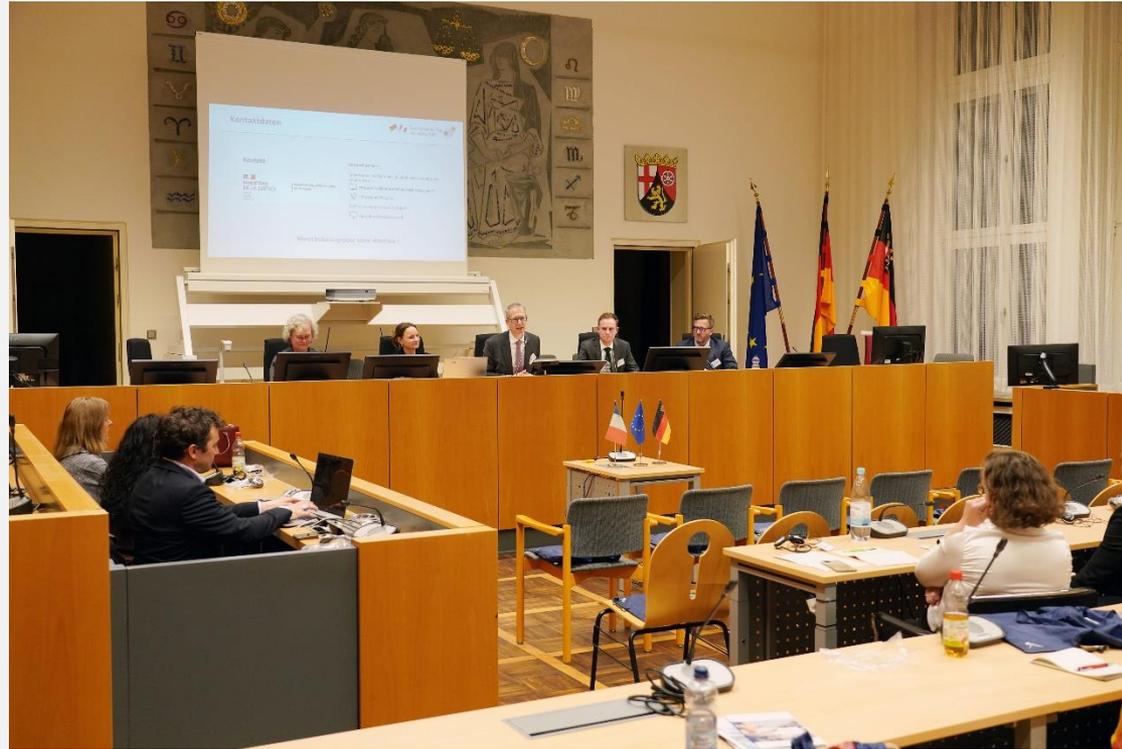
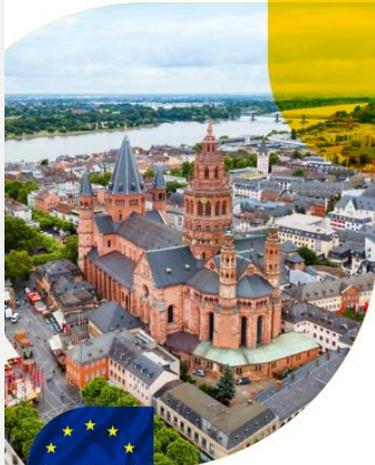
Quelle: *Bundesamt für Justiz*

European Day of Justice



Europäischer Tag der Justiz 2025

30. Oktober 2025 in Mainz





German

Topics The Federal Office of Justice 

 > Topics > International Cooperation > Civil matters > European Judicial Network in civil and commercial matters



European Judicial Network in civil and commercial matters

https://www.bundesjustizamt.de/EN/Topics/InternationalCooperation/Civilmatters/EuropeanNetwork/EuropeanNetwork_node.html



https://www.bundesjustizamt.de/SharedDocs/Downloads/DE/EJNZH/Merkblatt_EJN.pdf?__blob=publicationFile&v=1



https://www.bundesjustizamt.de/SharedDocs/Downloads/DE/EJNZH/Infoschrift_082024.pdf?__blob=publicationFile&v=1

Länderabschnitte (alphabetische Sortierung)

[⬇](#) **Vorbemerkungen** (PDF, 78KB, Datei ist barrierefrei)

Länder A – B

A

[⬇](#) **Afghanistan**

PDF, 55KB, Datei ist barrierefrei

[⬇](#) **Äthiopien**

PDF, 42KB, Datei ist barrierefrei

[⬇](#) **Andorra**

PDF, 103KB, Datei ist barrierefrei

[⬇](#) **Argentinien**

PDF, 111KB, Datei ist barrierefrei

[⬇](#) **Aserbaidshan**

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[⬇](#) **Ägypten**

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[⬇](#) **Albanien**

PDF, 104KB, Datei ist barrierefrei

[⬇](#) **Angola**

PDF, 101KB, Datei ist barrierefrei

[⬇](#) **Armenien**

PDF, 104KB, Datei ist barrierefrei

[⬇](#) **Australien**

PDF, 152KB, Datei ist barrierefrei

[⬇](#) **Äquatorialguinea**

PDF, 100KB, Datei ist barrierefrei

[⬇](#) **Algerien**

PDF, 102KB, Datei ist barrierefrei

[⬇](#) **Antigua und Barbuda**

PDF, 102KB, Datei ist barrierefrei

[⬇](#) **Aruba**

PDF, 106KB, Datei ist barrierefrei

Contact

Bundesamt für Justiz / Federal Office of Justice
Referat II 1 / Division II 1
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53113 Bonn

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Federal Office
of Justice

Support options of the Federal Office of Justice as Central Authority in International Custody Law

Nadin Zehrt (Legal Advisor)

Department II 3 – International Custody, Child Abduction and
Child Protection Matters

Bonn, November 7, 2025

The Federal Office of Justice in facts and figures

- Federal higher authority in the portfolio of the Federal Ministry of Justice and Consumer Protection
- Central service provider of the judiciary
- Contact for international legal transactions (bridge abroad)
- German Central Authority
- Approx. 1,400 employees
- Headquarters: Bonn

Diverse areas of responsibility

- Devided into 8 directorates
- Specialized in different areas, such as:
 - International Civil Law
 - International legal assistance in criminal matters; hardship payments; judicial statistics
 - **Central registers** (e.g. Administration of Federal Central Criminal Register (BZR); Central Trade and Industry Register (GZR) and Central Register of Proceedings conducted by Public Prosecution Offices (ZStV))
 - Information technology
 - Disciplinary fining proceedings; regulatory fining proceedings in accounting and corporate law; compulsory execution
 - Federal legal Information System; language services
 - Consumer protection; out-of-court dispute resolution

Directorate II: International Civil Law

International
Custody Matters



Maintenance



Intercountry
Adoption



International Legal
Assistance



International Custody Matters

In cases of courts coming into contact with international custody law...

Which bodies can be involved?

- exchange via Central Authority, Art. 76 Brussels-IIb-Regulation
- EJN Contact Points
- direct exchange with foreign courts, Art. 86 Brussels-IIb-Regulation
- exchange via liaison judges



Scenarios/Examples

- An unaccompanied minor comes to Germany via Belgium and is taken into custody here. Are there already Belgian youth protection measures in place?
- In an ongoing child protection procedure, the affected family moves back to their home state to evade the proceedings before the German authorities. Options for action?
- For a child living in a children's home facility in Germany, close relatives in the Czech Republic have contacted them and would like to take care of the child. The suitability of the relatives is still unclear. Investigative possibilities abroad?
- A child under guardianship in Germany lives with his or her relatives abroad. Review of guardianship/transfer of jurisdiction?

Role of the Central Authority

- Help with international custody conflicts as a point of contact and coordination
- No competence to make decisions on the merits
- Channeling the international exchange of information
- Communication hinge between national and international competent authorities ("bridge abroad")
- Exception: Extensive powers in incoming proceedings under the Hague Child Abduction Convention (ipso iure representative for the applicant in incoming return cases)

Intermediary function in crossborder cases

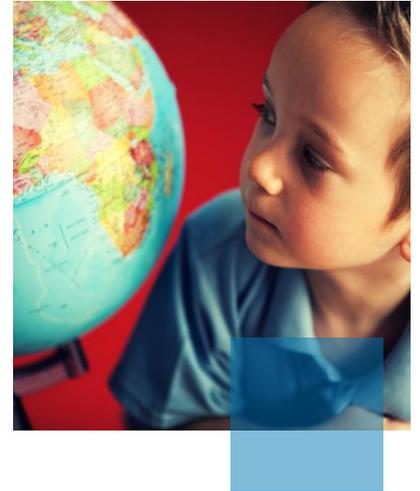
For private individuals:

In cross-border child abduction and access cases:

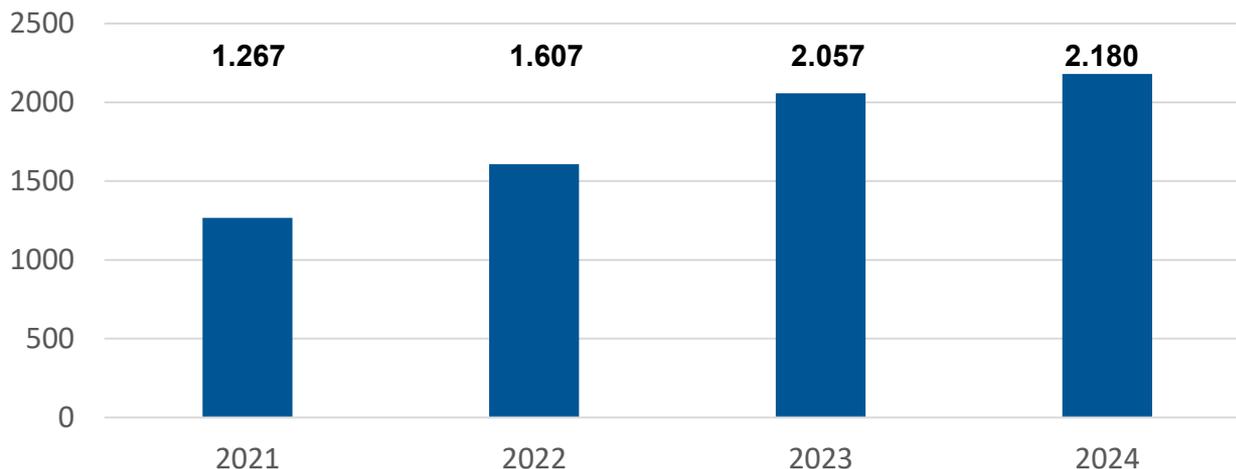
- Support for custodians in cross-border recognition/enforcement of decisions
- Promotion of amicable settlements
- Determining the whereabouts of a child (as an annex to an application within the framework of the Hague Child Abduction Convention)

For courts/competent authorities:

- Collection/forwarding of social reports
- Transmission of endangerment notices
- Collection and exchange of information
- Assistance with interim measures or clarification of other lis pendens
- Identification of competent authorities
- Determining the whereabouts of a child (annex to an application or request)



Total Statistics from 2021 to 2024

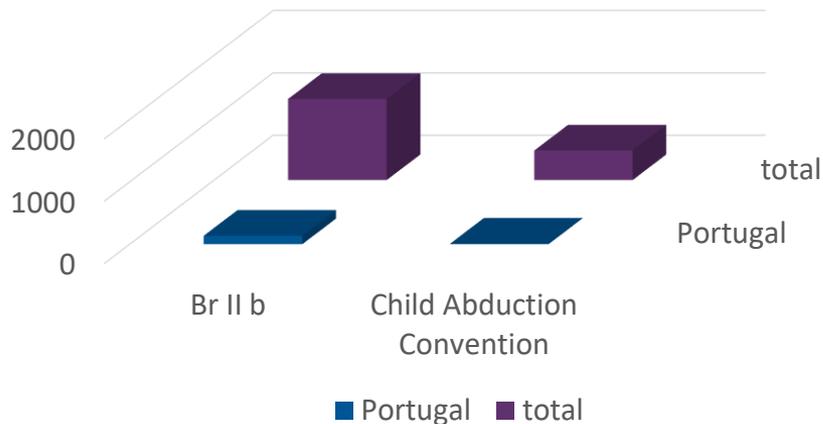


Total case numbers (Br II b, Hague Child Abduction Convention, Hague Child Protection Convention, European Custody Convention, and Protection of Adults Convention), without general enquiries (2024 -> 1.171 Cases)

2024: Br II b: approx. 1.300 cases, **Hague Child Abduction Convention:** 474 cases, **Hague Child Protection Convention:** approx. 360 cases, **European Custody Convention:** 1 case, **Protection of Adults Convention:** 28 cases

Statistics 2024 with reference to Portugal

Overview: Total cases and Portugal related cases



Br II b:

1300 cases in total -> 135 Portugal related, thereof 76 incoming cases and 59 outgoing cases (**67 requests for consultation**: 1 incoming, 66 outgoing; **68 requests for social reports/endangerment notices/exchange of information**: 58 incoming, 10 outgoing)

Child Abduction Convention:

474 cases in total -> 9 Portugal related, all return cases, thereof 7 incoming and 2 outgoing

Central Authority



Brussels II b Regulation



Hague Child Abduction Convention



Hague Child Protection Convention



European Custody Convention

**International
Family Law
Procedure Act**

Section 3 para. 1

Overview of Support Options within the scope of Br II b

1. Determination of the whereabouts, Art. 79 lit. a)
2. Exchange of information in crossborder situations/forwarding of child-endangerment-notices, Art. 79 lit. b), 80
3. Facilitating cross-border communication between courts, Art. 79 lit. e)
4. Cross-border communication between courts related to the Hague Child Abduction Convention, Art. 16 Hague Convention, Art. 27, 29 Brussels II b Regulation
5. Support with cross-border placement, Art. 79 lit. f), 82
6. Support with the implementation of access decisions in other member states, Art. 79 lit. d), 81

In Detail: Investigation of the Whereabouts

1. Whereabouts determination, Art. 79 lit. a) Br II b:

Section 7 IFLPA: Upon receipt of an incoming request, the Federal Office of Justice takes all necessary measures to determine the whereabouts of the child

- Involvement of the local police enforcement authorities (to confirm/investigate alleged residence, school, work place...)
- Enquiring address data at the KBA (= Federal Motor Transport Authority) -> Authorisation to collect vehicle keeper data
- Social security institutions/providers (pension fund, health insurance, family benefits office, social security office)
- Enquiry to the Central Register for Foreigners (only for non-EU citizens)
- Filing for a notice of ascertainment of a person's whereabouts by the Federal Criminal Police Office
- Initiate the storage of a search notice in the Federal Central Criminal Register

Channeling Information exchange between national and foreign authorities

2. Cross-border exchange of information/forwarding of child endangerment notices, Article 79 lit. b), 80 Br II b:

Collect, forward and channel...

- information about the child's situation/ongoing custody proceedings/decisions, Art. 80 para. 1 lit. a)
- information about other persons relevant to custody proceedings (parents, relatives, or other persons suitable for care), Art. 80 Abs. 1 lit. b)
- requests to consider whether protective measures need to be taken, Art. 80 Abs. 1 lit. c)
- informing foreign courts/authorities about child welfare endangerment or protective measures already taken, in the event of a change of residence, Art. 80 Abs. 2

Facilitating communication between courts

3. Facilitating cross-border communication between courts, Art. 79 lit. e) Br II b:

- Transmitting communication in cases of jurisdiction to be transferred to a court of another Member State, Art. 12, 13
- Support in the event of other lis pendens, Art. 20
(Example: in the course of ongoing proceedings, another lis pendens is objected to in another Member State -> the foreign court may be asked for information of the ongoing proceedings)
- In the event of interim measures, including protective measures communication between competent courts can be channeled through the Federal Office of Justice, Art. 15

Support in Hague Child Abduction Convention Cases

- Of a purely civil, non-criminal nature
- Provision of support in incoming and outgoing return and access cases
- Extensive role in incoming return cases: FOJ is deemed to be authorized by law to represent the applicant, Section 6 para. 2 IFLPA (German Implementation Act)
- In outgoing proceedings: supporting exchange of information as a communication mediator

Role in incoming Hague Convention Return Cases

a. Informing the local family court (= court in the district of which the child resides) in accordance with Art. 16 Hague Convention:

- Notifying the local family court of the wrongful removal/retention -> Blocks custody decision

Because:

- International jurisdiction in the event of unlawful removal/retention stays with the member state of the former habitual residence, Art. 9 Br II b
- Concentration of jurisdiction in custody/access/surrender proceedings at the specialized Hague Child Abduction Court, § 13 IFLPA (German implementation act)



Support for the competent 1980 Hague Convention Court

b. Competent Court in Hague Child Abduction Cases: Local Family Court in whose district a higher regional court has its seat for the district of such higher regional court

Support:

- Facilitating clarification whether adequate protection measures are in place upon return of the child, Art. 27 Abs. 3, 4 Br II b Regulation, Art. 13 para. 1 lit. b) Hague Child Abduction Convention
- In case of non-return decisions pursuant to Art. 13 para. 1 lit. b) or Art. 13 para. 2 of the Hague Child Abduction Convention, channeling the notification of the refusal decision to the court hearing the custody proceedings in the member state of origin/habitual residence, Art. 29 Abs. 3 Brussels II b Regulation

Support for the applicant in Return Cases

c. Support for the applicant in incoming return cases:

- FOJ is, by law deemed authorized on behalf of the applicant to take action in or out of court
- FOJ applies for the return of the child and represents the interests of the applicant in and out of court proceedings
- If necessary FOJ files a complaint against the first instance court order and also represents the applicant's interests in the second instance

Placement, Article 82 Brussels II b Regulation

5. Support in cross-border placement cases, Art. 79 lit. f), 82:

- E.g. German child protection measure aiming for a placement abroad
- Gathering and channeling information about the requirements that need to be met for the consultation procedure to be successful
- Mandatory involvement of the Central Authority, Art. 82 Abs. 1 Br II b

Support in Access Cases

6. In the implementation of access orders in other Member States, Art. 79 lit. d, 81 Br II b

- Gathering and providing information
- Support e.g. in the case of ordered accompanied contact in another Member State
- If necessary, involvement of the youth welfare office, Section 9 No. 4 IFLPA



Federal Office of Justice

Adenauerallee 99 – 103
D-53113 Bonn

International Custody Conflicts:

Department II 3

Phone.: +49 228-410-5212

Mail: int.sorgerecht@bfj.bund.de

Internet:

https://www.bundesjustizamt.de/EN/Topics/FamilyMattersInternational/Custody/Custody_node.html



Bundesamt
für Justiz

Intercountry adoption

7 November 2025

in Bonn

Saskia Warnken

Desk Officer Directorate II 2 -

**Federal Central Authority for Intercountry
Adoption**

Hague Adoption Convention



- › **Convention of 29 May 1993 on Protection of Children and Co-operation in Respect of Intercountry Adoption**
(Hague Adoption Convention)
- › **Aim:** to ensure the protection of children during intercountry adoption, to establish procedures for co-operation and to counteract trafficking in children
- › **Focus:** best interests of the child and his or her fundamental rights
- › Currently 107 Contracting States
- › Since 1 March 2002, the Federal Republic of Germany has been a Contracting State



Federal Central Authority for Intercountry Adoption



- › The Federal Office of Justice is the Federal Central Authority for Intercountry Adoption under the Hague Adoption Convention
- › In addition, the central adoption offices of the State Youth Welfare Offices are designated as Central Authorities at regional level
- › Central contact and coordination point for Non-Contracting States
- › **No adoption placement activities** (task of the Regional Central Authorities at the State Youth Welfare Offices and the Accredited Adoption Bodies)
- › Participation in proceedings on the recognition and legal effect of international adoptions before the German family courts



Regional Central Authorities and Accredited Adoption Bodies

- › There are 12 Regional Central Authorities at the State Youth Welfare Offices who carry out intercountry adoptions from countries all over the world (in accordance with the Hague Adoption Convention)
- › There are six accredited adoption bodies (NGOs) who are only authorized to carry out adoptions from certain countries:



Rawpixel.com - stock.adobe.com

Ada Adoptionsberatung e.V.:

Chile, Honduras, Colombia, Czechia, Vietnam

Eltern-Kind-Brücke e.V.:

Bulgaria, Latvia, Poland, Taiwan, Thailand, Czechia

Eltern für Kinder e.V.:

Haiti, Mongolia, Peru, Sri Lanka, Thailand, Togo

Evangelischer Verein für Adoption und Pflegekinderhilfe e.V.:

South Africa

Familie international frankfurt (fif) e.V.:

Bosnia and Herzegovina, Hong Kong, Indonesia, Kazakhstan, Croatia, North Macedonia, Philippines, Serbia, Slovakia, Slovenia, South Africa, Thailand, Czechia, Turkiye

HELP a child e.V. – Kinder finden Eltern:

Burkina Faso, Dominican Republic, Côte d'Ivoire, Haiti, Romania

Statistics



States of origin of the children (based on the recognition proceedings 2024)



1. Thailand



2. Cameroon



3. USA

States of origin of the children (based on the final notifications 2024)



1. Thailand

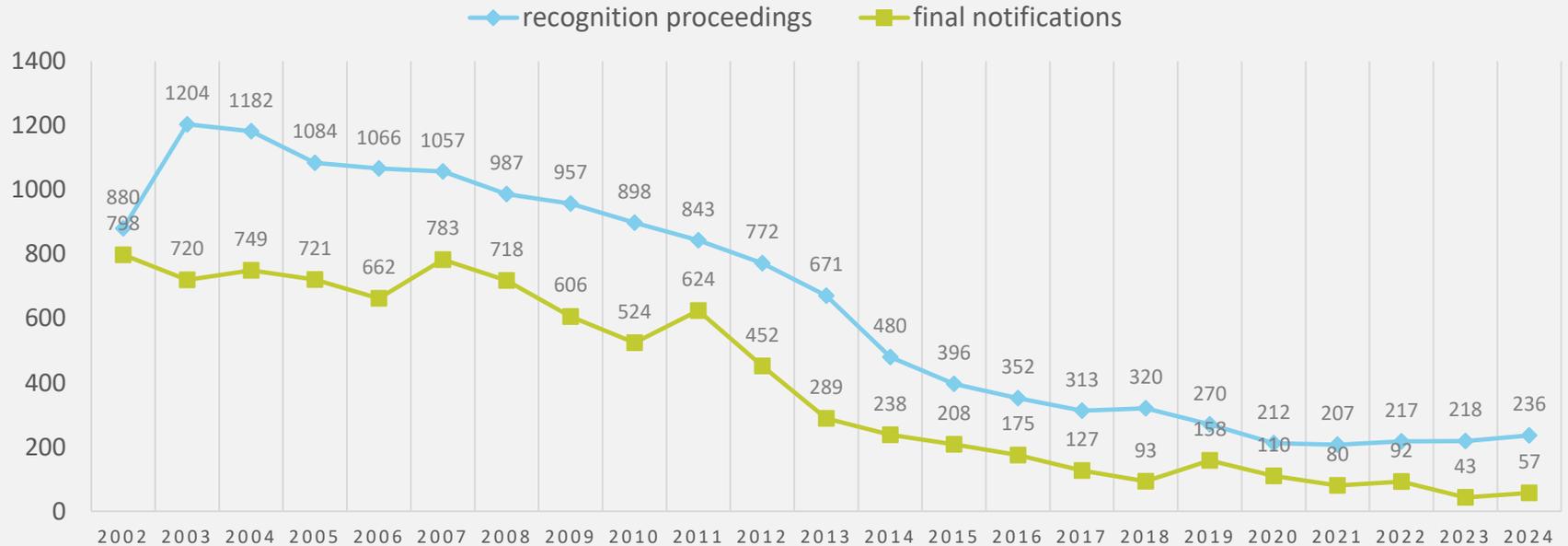


2. South Africa



3. Sri Lanka

Development of recognition proceedings and final notifications 2002 to 2024



The process of an intercountry adoption



The process of an intercountry adoption

- › The national rules were reformed in 2021 and now contain an explicit **requirement for the involvement of either a Regional Central Authority or an Accredited Adoption Body** and a **ban on such adoptions being carried out without the involvement of an intercountry adoption body**
- › Intercountry adoptions which are not carried out with the involvement of such a body are generally no longer recognized in Germany
- › **Exception:** A parent-child relationship is expected to develop between the adopter and the child and the adoption is in the best interests of the child



The process of an intercountry adoption

- › Prospective adoptive parents (PAPs) who wish to apply for an international adoption must first of all contact an **intercountry adoption body** =
- › Regional Central Authorities at the Youth Welfare Offices or
- › Independently owned state-accredited adoption bodies
- › **Two-step test of suitability of the PAPs:**



- › If both stages of the examination have been passed, the intercountry adoption body sends the application documents submitted by the PAPs to their counterpart in the other country



The process of an intercountry adoption

- › **Adoption proposal** from the body in the other country (usually after a certain waiting period)
- › Taking into consideration what is offered by the PAPs, the child is then „**matched**“ to the prospective adoptive parents
- › **Aim:** to ensure that the PAPs are a good fit for the real-life needs of the child in the adoption proposal
- › If the PAPs agree to the proposal, the intercountry adoption body officially declares to its counterpart in the other country that it consents to the continuation of the procedure



The process of an intercountry adoption

- › The adoption is then pronounced and carried out in the child's State of origin according to that country's law
- › Before the child travels to Germany, the relevant official documentation for entering Germany must be applied for at the relevant embassy, consulate or other official representation



The process of an intercountry adoption

- › For an adoption decision issued abroad to become legally effective in Germany, **in the event of adoption procedures that began after 31 March 2021, proceedings on the recognition and legal effect of the adoption must under all circumstances be carried out before the German family courts**
- › The application must be made immediately after the issuance of the adoption decision issued abroad
- › The application cannot be withdrawn by the applicant
- › During the proceeding on the recognition and legal effect of the adoption, the Federal Central Authority for Intercountry Adoption, the Youth Welfare Office and the State Youth Welfare Office issue statements



The process of an intercountry adoption

- › No requirement for a court to carry out proceedings on the recognition and legal effect of the adoption in the following

There is a certificate issued under Article 23 of the Hague Adoption Convention

- The certificate under Article 23 of the Hague Adoption Convention certifies that the adoption was made by the competent authority of the State of origin of the child and in accordance with the Convention. It is therefore recognized by operation of law in Germany
- The recognition may be refused only if the adoption is manifestly contrary to Germany's public policy, taking into account the best interests of the child

Domestic adoption

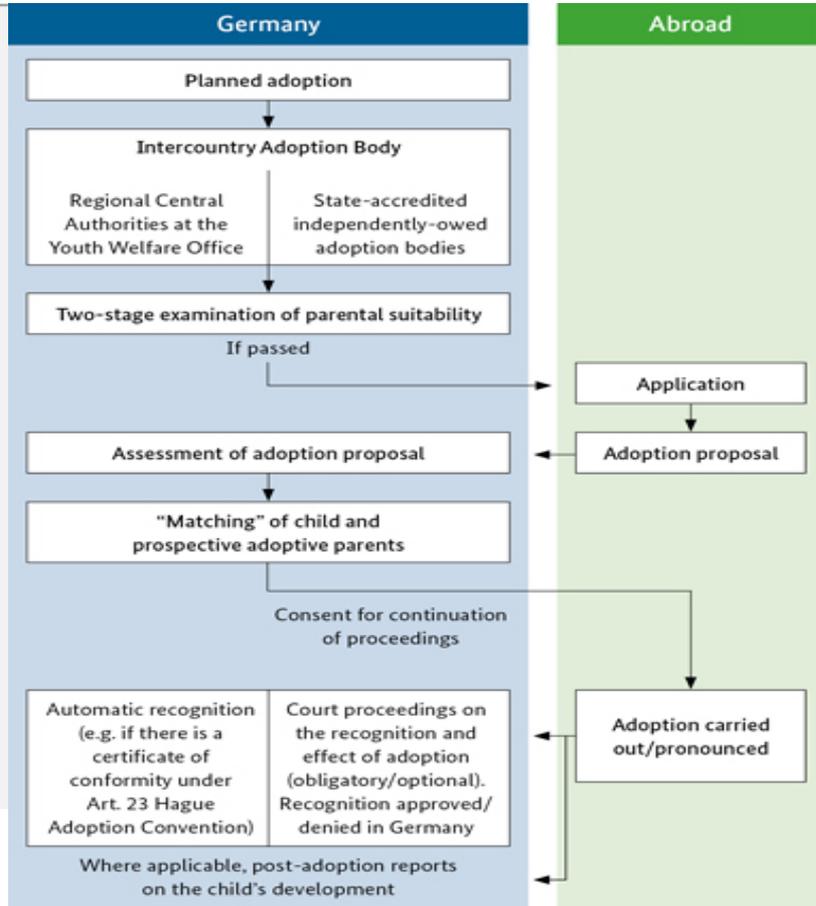
- PAPs have their habitual residence outside of Germany and want to adopt a child there
- Example: PAPs permanently live and work in Thailand. They want to adopt a child who also lives in Thailand.

Third country adoption

- PAPs have their habitual residence outside of Germany and want to adopt a child from a third country
- Example: PAPs permanently live and work in Spain. They want to adopt a child who lives in Thailand



The process of an intercountry adoption



The legal effects of an intercountry adoption



The legal effects of an intercountry adoption

- › With regard to the legal effects of an adoption, a distinction must be made between a **full adoption**, a **strong adoption** and a **weak adoption**

Full adoption

- The adopted child receives the legal status of a biological child of the adopter(s) as a result of the adoption
- This includes the creation of a family relationship with the relatives of the adopter and the termination of corresponding legal relationships with the biological family

Strong adoption

- The adopted child loses his or her legal ties to his or her biological parents and, on the other hand, the adoption only establishes corresponding rights and obligations towards the adopter(s)
- The creation of a family relationship is limited to the newly created parent-child relationship

Weak adoption

- The adoption establishes a permanent parent-child relationship with the adopters, but the remaining essential legal relationships, such as inheritance rights, with the biological parents are retained



The legal effects of an intercountry adoption

- › If an adoption pronounced abroad has only strong or weak effects and not the effects of a full adoption, the legal effects of the adoption can be changed to the legal effects according to German law (= full adoption) in a **conversion procedure** before the German family courts
- › This is especially important if the child wants to become a German citizen
- › In order to receive German citizenship, at least one adoptive parent has to be German and the child must not have reached the age of 18 at the time of the adoption or, in the case of a conversion of a strong or weak adoption, at the time of the application for conversion



Thank you very much for your attention!

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