



Mediating International Child Abduction Cases: The Hague Convention: 7 (Studies in Private International Law)

Sarah Vigers

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There is growing enthusiasm for the use of mediation to seek to resolve cases arising under the Hague Convention of 25 October 1980 on the Civil Aspects of International Child Abduction (the Convention). However, despite being endorsed by the conclusions of meetings of experts, judicial comment and even legislative changes, there have been relatively few cases where mediation has played a significant role. It is suggested that the reason underlying this dichotomy between the widespread support for the use of mediation and the current limited practice is that there are several key questions regarding the use of mediation in the context of the Convention which remain to be answered. Specifically: what is meant by Convention mediation? How can a mediation process fit within the constraints of the Convention? And why offer mediation in Convention cases given the existing legal framework? This book addresses these questions and in so doing seeks to encourage a movement from enthusiasm about the use of mediation in the Convention context to greater practice.

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