

# Germany: New Central Authority For International Child Abduction and Adoption Cases

Since 1 Januar 2007, Germany has a new authority dealing with questions of international legal relations and international legal assistance which had fallen before in the competence of the Federal Public Prosecutor (*Generalbundesanwalt*) - the *Bundesamt für Justiz*.

Thus, the *Bundesamt für Justiz* is now *inter alia* the competent authority according to:

- the 1980 Hague Convention on the Civil Aspects of International Child Abduction
- the 1993 Hague Convention on Protection of Children and Co-operation in respect of Intercountry Adoption
- the European Convention on Recognition and Enforcement of Decisions concerning Custody of Children and on Restoration of Custody of Children
- the Brussels II *bis* Regulation

In addition, the *Bundesamt für Justiz*

- is the German contact point in the European Judicial Network (EJN)
- is competent to refer questions on the interpretation of the Brussels Convention and the Rome Convention on the Law Applicable to Contractual Obligations to the ECJ
- will be the central authority according to the Hague Convention on the International Protection of Adults as soon as it will enter into force (the German Parliament adopted the implementing law on 14 December 2006 - however, for the entry into force of this Convention it is necessary that, besides Germany, a third State ratifies the Convention. So far, only the UK has ratified the Convention (only for Scotland))

Cf. with regard to the competences of this new authority the article by *Rolf Wagner*, *Das Bundesamt für Justiz*, IPRax 2007, 87