As globalization progresses and migratory streams increase, the number of de facto and dual citizenships and marriages is growing. This brings new solutions and diversity to our societies, but can also bring new challenges and difficulties when those relationships break down. One of the difficulties that can occur is the absence of a common ground, where as parents either live in the same country when their children are of a different country, or when their children live in the same country but their parents live in the other country. In such cases, one of the parties can be from a different country to the other, and this can bring a whole host of multilingual, multicultural, and multireligious issues which need to be addressed. In practical terms this means that the parents can address not only where the child or children will live, but all other arrangements such as contact with the non-resident parent, a parenting plan, and financial matters. Not only will this save the family time and money, but it can significantly reduce the stress on the family, and in particular their children, as a safe, confidential environment is an advantage of family mediation in general, as is the flexibility of the process.

Mediation however offers a number of specific advantages in parents in the context of child abduction cases. One of these advantages is the level of regulation in the Hague Convention on International Child Abduction (1980), to which all countries are parties, the only issue that can be decided in the court is whether the child should be returned to the state of origin of the parents or not. The legal frameworks have various differences in their approach, but they are all aligned to the Hague Convention. This means that the court has no jurisdiction to decide any other matters not relevant to the return of the child, such as custody, access, maintenance or any other matters that might change the decision is in order for the “family” to make a decision. In case of proceeding, it is a way of proceeding to decide such matters must be considered in the relevant country, depending on where the child and the parents will live. This means, in effect, that at least two sets of legal proceedings in two different courts, possibly in two different countries will be required to resolve the circumstances of the child. After the abduction, in mediation, the case is brought to the child’s parents, and in the case of mediation, the case is brought to the child’s parents, and in the case of mediation, the case is brought to the child’s parents. A mediator is appointed by the child’s parents to mediate the dispute, and the child is allowed to address the court in both countries. In mediation, the scope of the dispute is limited to the child’s parents and the legal process for return is an easier one. In mediation, the real needs and interests of the parties can be identified and addressed, and the parties can address not only where the child or children will live, but all other arrangements such as contact with the non-resident parent, a parenting plan, and financial matters. Not only will this save the family time and money, but it can significantly reduce the stress on the family, and in particular their children, as a safe, confidential environment is an advantage of family mediation in general, as is the flexibility of the process.

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