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

Sarah Vigers

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There has been growing enthusiasm for the use of mediation to seek a resolution for cases arising under the Hague Convention of October 25, 1980 on the Civil Aspects of International Child Abduction. However, despite being endorsed by the conclusions of experts, judicial comment, and even legislative changes, there have been relatively few cases where mediation has played a significant role. It has been 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? Why offer mediation in Convention cases given the existing legal framework? This book addresses these questions and, in doing so, encourages a movement from enthusiasm about the use of mediation in the Convention context to greater practice. It will be useful as a point of reference for practitioners, and stimulating and interesting to academics. (Series: Studies in Private International Law - Vol. 7)

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