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Better judicial cooperation and family mediation in international child abduction
cases
iCare2

Methodology on pre-mediation

International family mediation in the best interests of the child



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Glossary

This glossary is based on key terms and definitions used in the methodology and orientations for mediation in cases of international child abduction, as developed within the European project iCare.

Child

The UN Convention on the Rights of the Child defines a child as any person below the age of 18 years (UNCRC, Article 1)¹. This definition is upheld also by Regulation EU 2019/1111 (Article 2.2.6)².

The 1980 Hague Convention on the Civil Aspects of International Child Abduction clarifies in Article 4 that it applies to children who have not yet reached 16 years of age³.

Parents

The persons who are considered parents of a child under national law.

The Hague Conference on Private International Law notes that, in "... a small number of cases within the scope of the 1980 Convention it is a person other than the parent (a grandparent, a step-parent or any other related or unrelated person) or an institution or other body whose custody rights are breached by a wrongful removal

or retention of the child." In light of these considerations, the terms parents, left-behind parent⁴ and taking parent⁵ are used to refer to any other person or body whose custody rights are allegedly breached by a wrongful removal or retention or who are alleged to have wrongfully removed or retained a child⁶.

Domestic violence

Domestic violence refers to all acts of physical, sexual, psychological or economic violence that occur within the family or domestic unit or between former or current spouses or partners, whether or not the perpetrator shares or has shared the same residence with the victim. Council of Europe Convention on preventing and combating violence against women and domestic violence ("Istanbul Convention"), CETS No. 210, 2011, Article 3.b.

¹ United Nations Convention on the Rights of the Child, 1989

² Council Regulation (EU) 2019/1111 of 25 June 2019 on jurisdiction, the recognition and enforcement of decisions in matrimonial matters and the matters of parental responsibility, and on international child abduction (Regulation EU 2019/1111).

³ Hague Conference on Private International Law, Convention of 25 October 1980 on the Civil Aspects of International Child Abduction, No. 28 (1980 Hague Convention).

⁴ The parent or person whose custody rights have allegedly been breached by the wrongful removal or retention of the child.

⁵ The parent or person who is alleged to have wrongfully removed or retained the child.

⁶ Hague Conference on Private International Law, Mediation, Guide to good practice under the Hague Convention of 25 October 1980 on the Civil Aspects of International Child Abduction, 2012, p. 11

Requesting parent

It refers to the parent who makes the initial request for assistance to the mediation desk

Non-requesting parent or other parent

Refers to the parent that did not initiate contact with the pre-mediation desk

Pre-mediator

Refers to the professional in charge of conducting the pre-mediation process. He/She is part of the multidisciplinary-team that makes up the pre-mediation offices

Introduction

The present pre-mediation methodology may be subject to further additions and/or modifications following its practical implementation starting from October 2025.

This methodology is part of the iCare2 project, which complements the first iCare project and aims at “improving the situation of children affected by international child abduction by strengthening international family mediation (IFM) as a complement to judicial proceedings, with particular attention to the best interests of the child.”⁷

The UN Convention on the Rights of the Child states in Article 3.1 that the best interests of the child shall be a primary consideration in all decisions and actions concerning the child.⁸ The principle of best interests means promoting the integrity and dignity of the child, ensuring the child’s holistic physical, mental, spiritual, moral, psychological, and social development, and guaranteeing the full and effective enjoyment of all the rights recognized in the Convention.⁹

Emphasizing the importance of sustaining the child’s relationship with both parents is crucial, even if this is achieved through a temporary agreement, provided that no violence against the child is identified. Maintaining contact with the child at each stage is vital, and professionals should assist conflicted parents in making decisions that prioritize the child’s well-being.

The project is in line with this approach. Depending on the State, it has been observed that it can sometimes be difficult or time-consuming to obtain a family mediation appointment due

⁷ International family mediation in the best interests of the child, Methodology and orientations for mediation in international child abduction, page 10

⁸ International family mediation in the best interests of the child, Methodology and orientations for mediation in international child abduction, page 45

⁹ Committee on the Rights of the Child, General Comment No. 14 (2003) on the right of the child to have his or her best interests taken as a primary consideration, CRC /C/GC/14, 29 May 2013, para. 4.

to the particular nature of cross-border family disputes. The iCare2 project supports parents in these complex family situations by launching pre-mediation desks.

The definition and framework of pre-mediation, which is the subject of this present methodology, are the result of consultations between the fifth iCare2 project stakeholders¹⁰.

This methodology is aimed at all organizations specializing in supporting family conflict, safeguarding, and protecting children's rights, and wishing to develop their own pre-mediation desk.

Pre-mediation definition and objectives

Pre-mediation in international family mediation cases is a service that occurs during the preparatory phase of the mediation process. During this phase, the parties involved, especially parents, are informed and supported in preparation for the upcoming mediation. Pre-mediation is less formal than the mediation itself. This stage includes several key actions:

1. **Inform:** Provide clear and accurate information about the mediation process, the rights of the parents and the child or children concerned, and the available options.
2. **Assess:** Analyse the situation to identify the specific needs and concerns of all parties involved, particularly the child. Make a first, preliminary assessment on whether the family's situation is suitable for a mediation¹¹;
3. **Refer:** Orient the family suitable for mediation to mediators – using the already established contacts that organization have with the identified mediators in each country involved;
4. Find, if possible, **temporary agreements** while waiting for mediation to start focusing on the need and the rights of the child or children concerned;
5. **Give guidance to maintain family links:** offer advice on how to preserve or rebuild positive family relationships, in accordance with the rights and responsibilities of both parents and the best interests of the child.

¹⁰ Defence for Children International (DCI) , Law and Internet Foundation (LIF) , Droit d'Enfance – ISS France , The ITAKA – Centre for Missing People and Missing Children Europe (MCE)

¹¹ See the criteria in section **“suitable case”**

Primary Objective:

The main objective of pre-mediation is to work towards reaching an agreement that supports the well-being of the child and the family (*see annex 3 for an example of a successful pre-mediation case*). The approach may vary depending on the specific situation and the ability to contact the parent(s) involved.

NB: Please note that each country can adapt this procedure depending on local cultural, legal, and social norms, considering the national system with a focus on providing parents with information about the child's rights and appropriate legal advice. The definition of pre-mediation may encompass various interpretations depending on the context.

What are the opportunities and benefits of a pre-mediation desk?

A pre-mediation desk not only helps families move past deadlocks and find constructive solutions, but it also ensures that children's rights and well-being are at the center of all actions. By collaborating with relevant partners and facilitating cross-border coordination, it strengthens the support available to families facing complex and international challenges.

1. Breaking impasse and initiating solutions

The pre-mediation desk helps families that have reached an impasse to find a way forward or a starting point for resolving their conflict.

2. Child-centred support

It provides essential support to individuals, guiding them toward solutions that prioritize the best interests of the child. This includes ensuring that, whenever possible, the child maintains regular personal relations and direct contact with both parents—unless such contact would be contrary to the child's best interests.

3. Collaboration with multiple organizations

The pre-mediation desk works in collaboration with all partners involved in each situation, fostering a multidisciplinary approach to support families.

4. Coordination among parties and across borders

It facilitates coordination among the various parties involved in the family situation, always with the best interests of the families in mind. Additionally, it supports coordination between different countries, which is especially important in international family disputes

Who can conduct the pre-mediation?

The pre-mediation process benefits from a multidisciplinary team, comprehensive and ongoing training, and strong cooperation between organizations across countries. This

ensures that all professionals are well-prepared to support families and uphold the best interests of the child

➤ **Multidisciplinary team composition**

The pre-mediation process should ideally be conducted by a multidisciplinary team. While a professional mediator is often involved, the team may also include social workers, legal professionals, or other qualified individuals. The profile of pre-mediation professionals should remain flexible and not be overly restrictive, to ensure a wide range of expertise and perspectives.

➤ **Training and competencies**

It is crucial that anyone responsible for pre-mediation has received at least two days of training in family mediation or other alternative dispute resolution processes for family conflicts, and/or in de-escalation techniques relevant to pre-mediation. Additionally, all pre-mediation professionals must have a clear understanding of the legal aspects related to international child abduction.

Professionals involved in pre-mediation should undergo specific training based on international and European standards regarding family law, the rights of the child, and child-friendly justice. This methodology can be used to support pre-mediation training. Each organization launching a pre-mediation desk must ensure that their team receives regular training on all relevant topics, at least once a year.

Training should adopt a multidisciplinary approach. For example, legal professionals should be trained in alternative dispute resolution processes and their application to cross-border family conflicts while psychologists should be educated on the legal aspects of such cases.

All individuals involved in the pre-mediation process must be equipped with the necessary skills and knowledge, particularly regarding the procedure, their national mediation context, and, most importantly, the best interests of the child.

➤ **Child-centred approach**

If the child wishes to participate (as outlined in the section “The Child-Centred approach in pre-mediation”), pre-mediators must possess the necessary qualifications and competencies to effectively listen to and consider the child’s perspective according to their own legal requirements in each country.

➤ **Bilateral cooperation**

Bilateral meetings can be organized between an organization wishing to launch a pre-mediation desk and an organization that already operates one in accordance with this methodology. Such meetings help ensure cooperation between countries providing pre-mediation services and support the successful implementation of new pre-mediation desks.

Ethics, Posture and Deontology

Principles of ethics, posture and deontology on pre-mediation are inspired from the principles commonly used for mediators. We recommend follow the International Social Service documentation¹² and European documents on this topic¹³.

Voluntary participation: participants in pre-mediation must not be pressured by National authorities, lawyers, mediators or anyone to contact us or to participate to the family mediation process.

Decision making by the participant: the pre-mediator has no decision-making power regarding the matter of the dispute and should not influence the outcome process

Confidentiality: this principle is that all matter and information discussed during the mediation or informational interview previous mediation should remain confidential and not be disclosed. The principle is tailored for the purpose of pre-mediation as follow: Information discussed during the informational interview will be disclose to our partner with the consent of the parent. Each organisation is responsible for providing a document to the parent with the name of each organization receiving and using the personal data (*see annex 2 : consent form*).

Independence: the pre-mediator must be independent of the state or court related structure that contacted him/her. The pre-mediator service must be separate and distinguished from the ongoing judicial or administrative process.

Neutral: the pre-mediator must have no personal or professional interest in the subject of conflict. This guarantees an unbiased perspective on the issues at stake.

Consideration of rights of interest of the children: The interests of the child will always be considered as a primary consideration. The pre-mediator must have in mind the needs and wellbeing of the children involved in the case. And pay a special attention to the children's resumption and maintenance of relationships (physical as well as virtual) with both parents and families where it is in their best interest.

Qualification of pre-mediator: appropriate training is required to operate as a pre-mediator. Pre-mediator will face many challenges due to cross-border family disputes specificities and their national mediation context. It is essential for pre-mediator to develop knowledge of international cross-border family framework, mediation process, national family mediation framework and cross-cultural awareness.

¹² Charter for International Family Mediation Processes, a collaborative process, 2017 https://www.ifm-mfi.org/sites/default/files/CHARTER/ENGLISH/IFM%20Charter_ENG.pdf

¹³ European Code of Conduct for Mediators, 2004.

Council of Europe, European Commission for the Efficiency of Justice (CEPEJ), European Code of Conduct for Mediation Providers, CEPEJ(2018)24, 3-4 December 2018.

Cultural awareness and sensitivity of pre-mediator: pre-mediator will be facing cultural diversity, it is important to respect and manage cultural differences

Suitable cases for pre-mediation

The individuals concerned by pre-mediation are parents (holders of parental responsibility rights, whether or not they have custody), grandparents, and, if applicable, any guardian.

Pre-mediation—just like mediation—can be initiated before, during, or after any legal proceedings.

Cases suitable for pre-mediation service include:

- ✓ **International parental abduction or risk of abduction,**
- ✓ **Parental conflict or lack of communication,** including situations where parents are in contact but unable to communicate constructively due to persistent or high conflict.

CAUTION: In accordance with national law, cases where domestic violence is identified can be excluded from pre-mediation.

Assessing suitability for mediation:

A core function of pre-mediation is to establish whether a case is suitable for formal mediation. This assessment is based on clear criteria:

- ✓ Existence of a conflict or disagreement that can be addressed through mediation
- ✓ Willingness of the parties to participate in the process
- ✓ Absence of domestic violence or significant risks to safety, especially for the child
- ✓ Capacity and good faith of the parents or involved parties to engage in discussion
- ✓ Primacy of the child's best interests at every stage

If the family situation is suitable for mediation, the pre-mediator must refer the parties to mediators—using the already established contacts that pre-mediation services have with mediation providers.

The scope of pre-mediation covers a wide range of situations, from simple actions like sending gifts to more complex and urgent issues such as preventing child abduction. Each scenario requires adaptable strategies tailored to the specific circumstances and the parties involved. In all cases, the methodology emphasizes flexibility and adaptability, ensuring that each situation is addressed with the child's best welfare in mind—whether the issue involves the parents or other family members, such as grandparents. The strategies must be adjusted as needed to address the specific needs of each case.

Pre-mediation is particularly relevant in cases of persistent conflict between separated parents, even when some level of communication already exists but is ineffective or negative.

Child centred approach in pre-mediation

Throughout the entire pre-mediation process, the child's best interests must be given primary consideration. In accordance with UNCRC Article 9.3., the child has the right to maintain personal relations and direct contact with both parents on a regular basis, except if it is contrary to the child's best interests. The child has the right to form and express his or her views freely in all matters affecting the child, including in any judicial and administrative proceedings affecting the child, either directly, or through a representative, in accordance with applicable law¹⁴. To be heard is a right of the child, not a duty. If it is the case see in the section **"Who can conduct the pre-mediation?"** for information on how the pre-mediator should be trained to communicate with the child. Pre-mediators involved must guide the parents with this guideline in mind.

Contact with the parents

The pre-mediation process should be accessible to any parents or stakeholders, involved in a situation identified above, through any means of communication first by phone and/or email and/or letter (*more details in the STEP 1 of the process*), then by phone/email/letter/video-calls.

To make the initial contact with the non-requesting parent, it is preferred to send a letter in order to preserve confidentiality as much as possible, as we do not know who might answer the phone, etc., as shown in **Annex 1**.

For the next steps in the process (informational interviews), we prioritize communication via phone or videoconference. This ensures that communication can take place efficiently and at times that are most suitable for the families involved. However, it is essential that this communication remains non-intrusive, respectful of privacy. It includes offering families the option to initiate contact through a preferred channel without feeling pressured. Communication should be clear, with no requirement for personal or sensitive information unless necessary for the process. For example, not asking too many questions to have details that are not necessary or essential to understand the situation or to ask intimate questions when not necessary to assess a danger for the child.

This approach promotes accessibility while safeguarding the privacy and comfort of the individuals involved. It also allows for flexibility, enabling families to engage in the pre-mediation process at their own pace, while still ensuring that the process remains focused on resolving issues in the best interest of the child.

¹⁴ UNCRC Article 12 - CoE Guidelines on Child-friendly justice IV.D.3.46

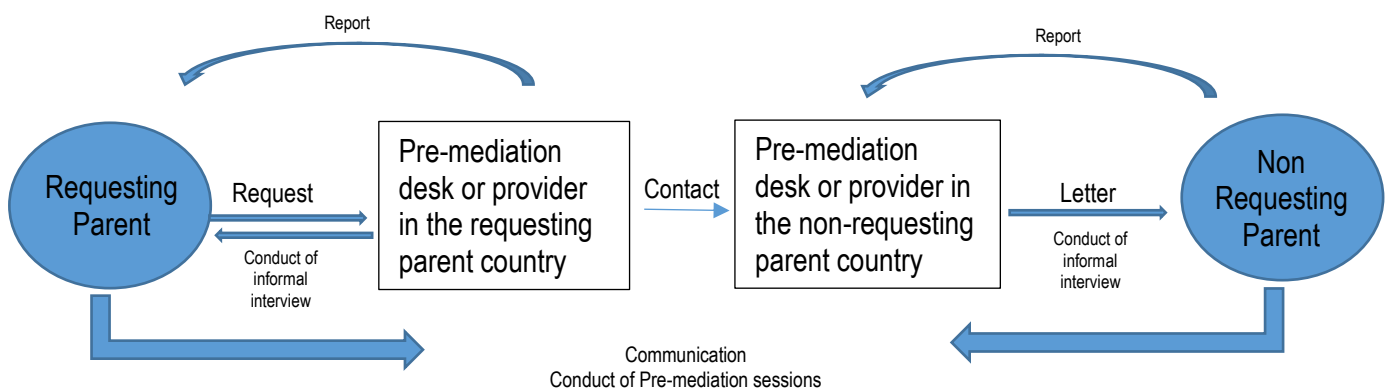
Pre-mediation process

Different steps will be followed to engage the pre-mediation process.

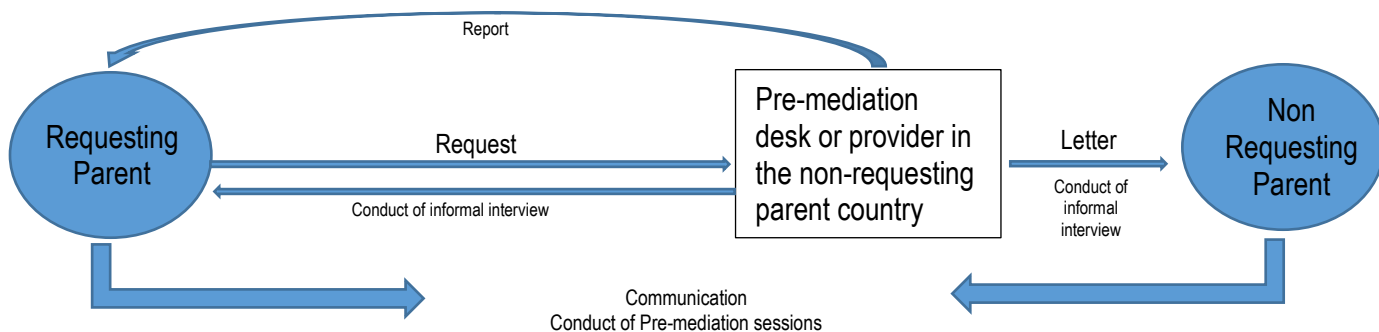
STEP 1: Initial Contact

3 cases scenarios:

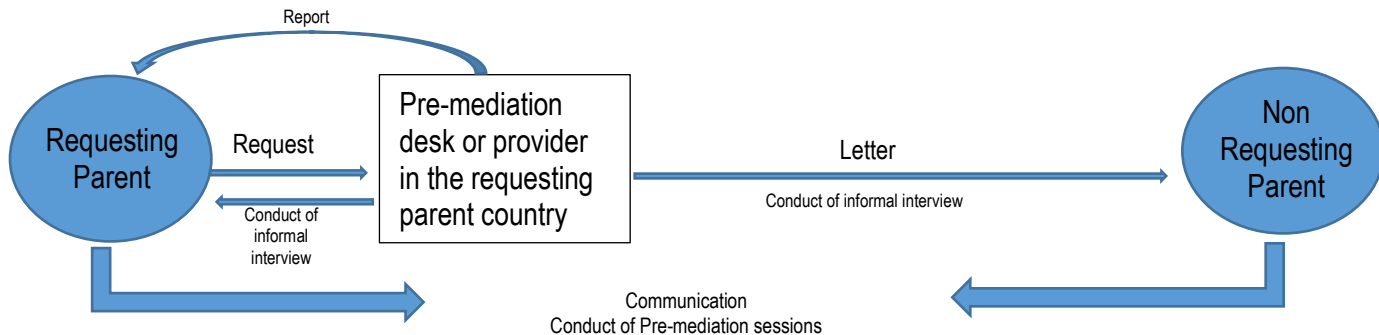
- a. There is a pre-mediation desk in the country of residence of each parent. The requesting parent contacts the pre-mediation desk in his/her country of residence by phone or by email. An appointment will be made after this initial contact for an informational interview (STEP 2). At this stage, the parent will be provided with an information sheet and a consent form regarding their participation in the process and the collection of their personal data. These documents must be signed prior to the start of the process (Annex 4). The pre-mediator contacted will contact the pre-mediation desk of the requested country by phone or by email providing the elements needed for the desk to be in a position to contact the other parent. Pre-mediators will be in contact with the parent residing in his/her country after sending a letter to propose the pre-mediation process accompanied with the same document provided to the requesting parent: information sheet and a consent form regarding their participation in the process and the collection of their personal data.



- b. There is no pre-mediation desk in the country where the requested parent leaves, the parent will contact the pre-mediation desk in the country of residence of the other parent. The pre-mediator contacted will be in contact with both parents following the same process as above.



- c. There is no pre-mediation desk in the country where the non-requesting parent resides: the pre-mediator contacted in the country where the requesting parent leaves will contact both parents.



The purpose of the contact is explained: preparation for a potential pre-mediation process. This initial contact follows 3 steps:

- 1) **Introduction of the pre-mediator and the organization.**
- 2) **Explanation of the procedure:** the pre-mediator explains that it is a first call, lasting 30 minutes and whose purpose is to gather the necessary information to begin the process, the pre-mediator discusses the process and the steps of a pre-mediation process. When in contact with the non-requesting parent, the pre-mediator resumes the context that led to the initiation of this procedure, providing a clear understanding of the reason why the process is taking place.

Questions to be asked to the requesting parent or both parents if applicable during this contact:

- What is your name?
- Where do you live?
- What's the name of your children?
- Do you live with your children? If not, where do they live?
- What's the situation with the other parent?
- Did you decide on custody together?
- Did you make any legal procedures?
- Do you have a lawyer?
- What are your perspectives for this pre-mediation process?

- 3) **Conclusion of the first call:** When the pre-mediator has gathered all the elements needed, he/she explains the next step to the parent and tells the parent when he or she will be contacted again. The pre-mediator has to make sure he/she has all the elements to be able to contact the parent, and that the parent has also the contact if needed.

Confidentiality and voluntary participation are clearly stated and document related sent to the parents (*see annex 2 : consent form*).

STEP 2: Informational interview to assess the situation, as outlined in the 'Contact with the family' section.

- The pre-mediator will conduct a structured interview to:
 1. Understand the parent's perspective, emotional state, communication ability and the parents ability and willingness to care for and meet the needs of the child and to respect the rights of the child.
 2. Assess the parent's openness to dialogue and cooperation.
 3. Identify specific needs: language support, cultural mediation, legal context.
- The interview lasts 30 minutes up to 1 hour.

STEP 3: Internal Synthesis

- The mediator prepares a short, neutral report (*see annex 3: report session*)
- Key observations are highlighted: the parent's position, points of blockage, contextual elements, limits, views on the best interests of the child in the specific situation, any experiences of violence - between the parents, against the child - or other
 - Sections: family situation, parent's attitude, expectations, observations. Serve as a shared reference tool between partners.
- According to each organization process, this report may need validation from your supervisor.

STEP 4: Information Sharing with pre-mediator in the other country or organization providing mediation services.

- Information is transmitted via secured channels, through email or platform.
- A meeting may be scheduled between both pre-mediators to align on the understanding of the situation. It can occur after the first contact with the requesting parent or at any stage of the process.

STEP 5: Conduct pre-mediation session and orient to mediation

When both parents agree to participate to the pre-mediation process, several pre-mediation sessions can be conducted to continue providing information and guidance.

During the sessions, the pre-mediator provides support and guidance to the parents, it can be to both parents

- Provide clear explanations about the mediation process.
- Normalize doubts or concerns, without forcing participation.
- Support the parent's reflection and decision-making.

- Distinguish between mediation and legal proceedings: it is not a decision-making process, but a structured dialogue.
- Present the role of the mediator: a neutral third party, not a judge, responsible for maintaining the framework.
- Provide a clear and informative document to explain the mediation process.
- Providing information on the child's rights and legal advice, parents' rights and responsibilities.

Orient to mediation: After one or several sessions with each parent, the professional is able to determine if the parents can be referred to mediation service.

- Criteria that can help identify if the parents are ready to start a mediation:
 - ✓ The conflict is deescalating
 - ✓ The number of sessions per parent is getting higher (if +3 session)
 - ✓ Both parties show interest to establish communication with the other parent
 - ✓ Both parties agreed to receive information about mediation service available
 - ✓ Both parties agreed on starting mediation
- The decision is made jointly:
 - ✓ Between parents
 - ✓ Between both pre-mediators if applicable

In case of any doubt, pre-mediator can take advice from mediators or from their supervisor.

- How to orient?
 1. Keep communication with the other pre-mediator.
 2. Give reliable information on mediation services existing (center of mediation or independent mediators).
 3. Take into consideration conditions required by both parties. These conditions have been identified during the contact between pre-mediators and parties.

It can be:

- Language,
- Culture,
- Communication mode (online/ in person),
- Distance,
- Child to be included,
- Fees,
- Any other specific condition

NB : It is recommended to have established a list of mediators and/or mediation services to be able to refer suitable families to mediators.

Number of sessions and duration

The pre-mediation process involves contacting parents, (*see sample letter – annex 1*). The number of sessions will depend on the specific case and the ease of contact with the families involved. The average number of sessions is of 1 to 5 sessions during the complete process from the first contact to the end of the pre-mediation case. Each session is lasting 30 min to 1 hour.

The duration of the process will be variable according to each case. It may take **between 1 week to several months** depending on the complexity of the situation, the flexibility required, and the number of meetings needed.

Flexibility is crucial in this process, as there may be situations where more than one session is necessary, especially when discussions involve other participants involved in the situation. This adaptable approach ensures that all aspects of the case are addressed appropriately and that the child's best interests are a primary consideration.

STEP 6: End of the process

Pre-mediation generally ends when its primary objectives have been met and the process transitions into formal mediation. Here are the key points defining when pre-mediation typically ends:

Transition to mediation: Pre-mediation concludes when the parties are ready to engage in full mediation, meaning they have received sufficient information, initial assessments are complete, and the mediator or pre-mediator determines that mediation is appropriate.

Assessment of suitability: If, during pre-mediation, it is determined that mediation is not suitable (for example, due to safeguarding concerns or high conflict without the necessary framework for dialogue), pre-mediation may end with a referral to other services or the issue of a decision from one or both of the organizations stating that mediation is not appropriate.

Achievement of temporary agreements: In some cases, pre-mediation ends when temporary agreements have been reached between the parties while they await formal mediation, and the parties are ready to move forward.

However, the process is flexible and may vary depending on the specific circumstances of each case.

STEP 7: Follow up of the case

1. Take some news to see if the mediation has effectively taken place. It can be after 3 to 4 weeks.
2. If possible, keep information in order to have indicators and statistics. Check if the pre-mediation process has effectively led to mediation.
3. Close the case:
 - Parents must be informed that the support has come to an end. The pre-mediator should justify the decision of closing the case.
 - The other pre-mediator must be informed as well if applicable

Limits of the pre-mediation

- **Violence:**
When there is psychological or physical violence between parents or against the child/children, pre-mediation is not appropriate. Please refer to your national law to assess whether it is appropriate to provide such service when domestic violence has been identified.
- **When both parties want to find a solution:**
If both individuals are willing to engage in finding a solution, we shift from pre-mediation to mediation. The decision can be taken by the parents or the pre-mediator.
- **Contact or discussion between the parents:**
While pre-mediation is primarily intended for cases where parents are not communicating, it can also be considered when parents are in contact but unable to communicate effectively due to high conflict. Ultimately, the decision to offer pre-mediation or mediation should be guided by the specific circumstances of each case.

ANNEXES

Annex 1: Sample Letter

Subject: Proposal for Pre-Mediation

Dear [Sir/Madam],

I am reaching out to you following the referral of [name of your organization] by the organization, [name of the organization that referred the case + country].

[2 to 3 lines of presentation of your service]. You can find more information about our objectives, ethics, and services on our website : [www.]. .

The [mother/father] of your [child/children], [M./Mrs.] xxx, residing in [country], has contacted our colleagues at [requesting organization name], informing them of difficulties in exercising her cross-border visitation rights with your [child/children], YYY. [He/she] expresses a preference for an amicable process rather than a judicial one. In this context, [requesting organization name] has requested our cooperation so that we may contact you in order to:

1. Present the information provided by [M./Mrs.] xxx;
2. Obtain your perspective on these matters;
3. Assist in restoring communication between you and [M./Mrs.] xxx, with the aim of finding solutions that allow your [child/children] to maintain relationships with both parents, as stipulated by the International Convention on the Rights of the Child.

Also, if you agree, we would like to discuss your situation and that of your [child/children] over the phone as part of a "pre-mediation" process. During this process, our service will communicate with you, and our colleagues from [requesting organization name], will communicate with [M./Mrs.] xxx. Depending on the progress of the case, we may consider organizing a discussion involving [M./Mrs.] xxx, you, [requesting organization name], and us [organization name]..

Annex 2: Consent form

Consent for the treatment of personal data

Consent should be obtained for the gathering, storing, use, transfer, and processing of data. The consent may be given by the parent who is in direct contact with the organization leading the pre-mediation process.

NB : In case the child is included in the pre-mediation process, his consent should be taken as well.

PARENT :

Last Name:

First Name:

DOB:

Address:

Postal Code:

City:

Country :

CHILD / CHILDREN :

1) Last Name:

First Name:

DOB:

Address:

Postal Code:

City:

Country :

2) Last Name:

First Name:

DOB:

Address:

Postal Code:

City:

Country :

3) Last Name:

First Name:

DOB:

Address:

Postal Code:

City:

Country :

I hereby give my consent for the treatment of the personal data stated above, as well as

information about the parent requesting our service and the child/children included in case documents such as written reports, any court decisions and notes of the caseworker.

To be transmitted to the following organization
located at :

This transmission aims to enable our organization to liaise with the partner organization in the other country (where the other parent or the child is) and to invite the other parent to a pre-mediation process.

Your personal data and the personal data of your partner/spouse and child/children will be treated in accordance with the General Data Protection Regulation (Regulation EU 2016/679 of 27 April 2016 – GDPR). You have the right to access, rectify, delete, and object to the processing of your personal data.

If you wish to exercise these rights or request information concerning the treatment of your data, please contact:

Date: **at:**

Signature:

Annex 3: Report session

MEETING		PARENT		CHILD / CHILDREN		GENERAL INFORMATION	
Date		Parent name's		Number of children		Name of the other parent	
Session format (in person / online / visio)		Address		Children name's		Address	
Duration		Email		DOB		Court decision or not	
Name of the professional		Tel		Place of residence of the child		Other legal proceeding	

The report session must provide 4 sections:

- 1) Facts and ongoing proceeding
- 2) Needs of the parties
- 3) Actions to be taken
- 4) General observation of the professional

Annex 4: Successful Pre-Mediation Cases

(In this case, the ISS network facilitated the connection between two parents located in different countries.)

Mr. XXXX and Ms. XXXX were married and lived in Switzerland. From their union, XXXX was born on May 3, 2011. The entire family holds French nationality.

In 2014, Ms. XXXX was reportedly expelled from Switzerland and returned to France with the child. A divorce was granted, awarding custody of XXXX to Ms. XXXX and granting Mr. XXXX visitation rights, including half of the school holidays. The terms related to other forms of personal contact between Mr. XXXX and his son are not specified.

Since the separation, Ms. XXXX is said to have failed to respect the visitation rights and the child's right to personal contact with his father. According to Mr. XXXX, visits occur only "at Ms. XXXX's discretion," depending on her availability, and she does not respect the appointments they agreed upon.

Mr. XXXX is currently detained at the closed facility of XXXX in the canton of Geneva. This makes it even more difficult for him to maintain contact with his son.

Mr. XXXX has repeatedly tried to send packages to his son as gifts, but Ms. XXXX is said to have prevented this. At present, Mr. XXXX does not know the exact address of his former partner and is worried about his child's well-being.

Ms. XXXX is reportedly working at XXXX in XXXX, and the child is said to be attending school at XXXX in XXXX. Mr. XXXX therefore assumes that Ms. XXXX and the child reside in one of these areas.

According to Mr. XXXX, Ms. XXXX allegedly used heroin and currently lives with a new partner aged 74. Mr. XXXX had contact a few months ago with this man's children, who expressed concern that Ms. XXXX might be exploiting their father financially.

Currently, Mr. XXXX wishes to have regular phone contact with his son and, most importantly, to be able to send him letters and gifts, particularly a birthday package on May 3.

Mandate of ISS and Objective of the Intervention

The International Social Service – Switzerland was mandated by Mr. XXXX and his social worker, Mr. XXXX, to help re-establish contact between Mr. XXXX and Ms. XXXX, the mother

of his son XXXX, with the aim of reaching a parental agreement that ensures Mr. XXXX's visitation and contact rights are respected and that a relationship can be maintained between father and child — including the ability to send gifts by mail.

Required services

Given the above, we kindly request your valuable collaboration to approach Ms. XXXX within a mediation framework, in order to open a dialogue and raise awareness of the importance of the relationship between the child and his father, as well as the importance of complying with legal decisions regarding visitation and personal contact rights granted to Mr. XXXX.

More specifically, the contact with Ms. XXXX should allow for discussion of the following aspects:

- xxxx (*depending on the situation*)
 - xxxx....
-

Following this request, email exchanges took place between Mr. XXXX and ISS France, and between Ms. XXXX and ISS Switzerland. The collaboration between the two entities led to the father being able to send a gift to his son via the town hall of the mother's place of residence. Through this pre-mediation service, a temporary agreement has been concluded enabling the father to send gifts to his son and having news of his situation.