

**МІНІСТЭРСТВА ЮСТЫЦЫІ
РЭСПУБЛІКІ БЕЛАРУСЬ**

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Ministry for Foreign Affairs
Department for Consular Affairs
and Civil Law

Hague Convention of 25 October 1980 on the
Civil Aspects of International Child Abduction

The Ministry of Justice of the Republic of Belarus takes the opportunity to renew to the Ministry for Foreign Affairs of Sweden the assurances of its highest consideration and herewith acknowledges receipt of the electronic copies of the applications (with annexes) of Nicolas Cheropoulous for the return of minors Anthie and Alexandra Cheropoulou.

We were able to confirm the mother's whereabouts in the Republic of Belarus. Please note that according to the Criminal Code of the Republic of Belarus parental abduction is not recognized as a criminal offense in Belarus.

According to the Belarusian family law a place of residence of the child in case of separation of parents owing to divorce or other reasons, is decided by the consent of the parents. Disagreements between the parents about whom the child will live with are settled by a court in the light of the child's interests.

We kindly ask you to inform the applicant about the possibility of mediation, which is, however, available not only at a pre-trial stage, but also throughout the judicial proceedings and does not affect his right to litigate if he prefers. If the applicant agrees to start mediation procedure, he can contact the law office "Law and Family Mediation", specializing in mediation in family matters (<http://lawfirm-belarus.com>, telephone: +375 17 219 48 30) or choose a mediator himself in the Register of Mediators available on the official website of the Ministry of Justice of the Republic of Belarus (<http://minjust.gov.by/ru/mediation/list-certificat-of-mediator>).

If conciliation is impossible, legal proceedings under the Hague Convention can be initiated by the applicant or his representative by filling a suit to the competent Belarusian court. It should be noted that according to the Belarusian civil procedural legislation a Hague application is not sufficient for a court to examine the case on the merits and to deliver a judgment – the applicant should file a claim to the competent court of the Republic of Belarus (a competent court is the court of the place where the

defendant has its residence).

According to the Code of Civil Procedure of the Republic of Belarus foreign citizens have the unhindered right of access to the courts of the Republic of Belarus and enjoy the same procedural rights in the courts as Belarusian citizens. Thus, the applicant has the right of obtaining legal assistance from lawyers and other representatives. The list of lawyers, entitled to provide legal representation and assistance, can be found on the website of the Ministry of Justice – <http://minjust.gov.by/ru/about-licensing/a/>.

Also, please inform the persons concerned that the Ministry of Justice communicates only with the Central Authorities under the Hague Convention.

Head of the International
Cooperation Department



— A.A. Alyoshin