

### 1°) POLAND / ENGLAND

Jane is British, she married Peter a Danish citizen and from this marriage three children were born. The couple relocated to Warsaw Poland in 2006 due to Peter's job. Jane does not speak Polish, nor does Peter.

Peter is hardly at home, spending his week ends at golf and staying late at work.

On December 2007, the parties had an argument and Peter badly beat up his wife.

Jane as a consequence, taking the three children with her, flies back to London.

At the time the children are aged 12, 14 and 15.

Peter files for return.

He is due to go back to England at the end of his contract in December 2010.

The three children oppose to their return, arguing that they do not like Warsaw and that mother is beaten by Father.

What is likely to happen in the High Court of London, is article 13(b) a possible defence ?

If the High court refuses return on article 13(b) what should happen then ?

What is the possible outcome of a procedure on the merits in Warsaw ?

### 2°) ITALY/ ESTONIA

Carolina was born in Chile, she now holds a US Passport. While working in Roma Italy she met Danny an Irish boy and subsequently she gave birth to twins : Rugerri and Martin, aged 2 at the time of the events. The Italian law vests the two parents with joint parental responsibility.

Danny argues a lot with his companion about education and one day decides to leave with the children, taking advantage of a job offered in Estonia.

Carolina files for return.

In Estonia Danny argues that mother is unfit and that the children were left to unexperienced nannies and that returning them to Italy would put them in danger.

What is the foreseen outcome in Estonia ?

If Estonia refuses return based on article 13(b), what will happen next ?

Would Estonia enforce the Italian order ?

### 3°) CHILE/ LATVIA

Pedro is also from Chile. While a trip in Europe he met Ana from Riga ( Latvia). They married in France and settled in a small town in the south of Chile.

Four children were born from this marriage, aged 15, 13, 8 and 3.

Ana has difficulties with the country and its culture and feels blue. Wrongly advised, she decides to fly back to Riga with the children. Pedro files for return.

In the Court of Riga :

(a) will the children be heard in any circumstances or only if they ask for it ?

(b) would the Court order return if the children oppose ?

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