First of all I would like to thank you for the invitation to this very important conference that has a focus on the protection of children in cross-border situations and I apologize for my English, which is not good, so that I am reading my speech.

At present, we can observe a steady increase in the ‘internationalisation of the family,’ as a result of globalisation. In such a context, there is the need for specific considerations to address international family disputes involving children. The cultural, religious and geographical diversity of the parents - elements that in normal situations would not constitute an obstacle, and might even promote the healthy growth of the child - in the time of family breakdown or in the presence of pathological conditions that otherwise undermine the family unit, may expose the minor to stress dangerous to his psychological stability.

Many analysts have observed that there is a strong link between parental conflicts - in transnational families - and the international abduction of a child by one of the parents.

In addition to the issues with regard to children - typically connected to family breakdown - in cases of transnational families, it is very likely that among other things further complications arise in light of the plurality of the jurisdictions involved.

Therefore, as we heard this morning, in such circumstances, wherein the best interest of the child should serve as a guiding principle in the resolution of family disputes involving children, it is necessary to avoid the risk of some jurisdictions adopting unilateral approaches aimed at advancing one of the parents, often also to the detriment of the best interest of the child. In my opinion, in these cases, in accordance with the supranational conventions and domestic laws, we cannot ignore the right of the child to be heard in all decision-making processes that may have an impact on him or her, in order to correctly identify - and prioritize - the best interest of the child.

Furthermore, there are important legal instruments - at different levels (UN, Council of Europe, European Union)- to guide the legal agent who must settle cross-border family disputes: the 1980 Hague Convention, the Hague Convention of 1996 and the Convention of 2007.

I will now briefly outline some of the key legal instruments for the protection of children's rights:

- The UN Convention on the Rights of the Child of 1989 - including the Committee's general comments, which marked a cornerstone for the protection of children's rights;

- The European Convention of Human Rights of 1950 - including the invaluable insights and contributions deriving from the case studies of the European Court of Human Rights;

- And, of course, the Charter of Fundamental Rights, which under the Treaty of Lisbon now has the same legal value as the Treaties, and wherein Article 24 recognizes the principle of the primacy (supremacy) of the best interest of the child, which constitutes the basis of
important regulatory measures.

In effect, the common denominator of all of these legislative tools is the very fact that they put the best interest of the child at the core center of the system, always viewed as "a primary consideration," in that all acts bear the potential to impact the child.

In this order of ideas, the 1980 Hague Convention states that the competent court and applicable laws are those of the place of habitual residence of the child. In fact, the Convention is an essential tool to facilitate the proper solution of complex family matters and overcome the pitfalls related to the multicultural and cross-border element, so as to ensure the return of children illegally relocated or detained in one of Contracting state, as well as to ensuring that the child custody and the rights to visit are recognized and respected in the other states.

And the same idea informs the Brussels II bis Regulation, which encompasses a number of substantive and procedural principles intended to enforce the best interest of the child, when it comes to the rights of custody and the rights of visit. I believe that in this framework we can also place the mediation, as a useful tool for the extrajudicial settlement of cross-border family disputes, in which the situation of parental conflicts goes alongside other conflicting elements deriving from the involvement of different competent jurisdictions. I hold that already in the initial stages of the mediation it would be worthwhile to recur to the child's right to be heard to preserve the authenticity of his will, with the aim of reflecting his actual interest - to which it must be accorded a prominent role.

There are already a number of positive experiences of mediation in this dire matter in Europe and it is also worth mentioning the "European Mediation Network Initiative" (EMNI), a working group founded in 2007, with the aim of creating a European network for mediation, and that today counts with more than 30 European countries.

To conclude, I would like to emphasize that we must not forget that in family disputes involving children the needs of the parents must be reconciled with the interests of the child, acknowledging to the child an equal dignity. Only ensuring the child's right to be heard, even in the prospective phase of mediation, I consider it is possible to achieve results that transcend the mere legal "formalism", ultimately enabling parents to understand the unique needs of the child, particularly with regard to his need to maintain loving relationships and not lose his roots.

In the end, the protection of children's rights is a very important part of my work at the European Parliament where I created, alongside with a Swedish colleague, an Intergroup on children's rights with the aim of putting children's rights forward at the core of the principles and values informing all the policies of the European Parliament and the European institutions. So I would like to have the report with the outcomes of this Conference so as to continue to work on this matter. Thanks for your attention.