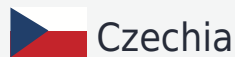


[Home](#) > ... > [Family Matters & Inheritance](#) > [Parental Child Abduction](#) > [Processing Incoming Return Cases By Central Authorities](#) > [Czechia](#)

Processing incoming return cases by Central Authorities



Content provided by:



European Judicial Network
(in civil and commercial matters)

1 Receiving the request

1.1 Please provide information on foreign languages spoken by the Central Authority (contact details can be found in the European Judicial Atlas in civil matters), if any. In which language(s) does the Central Authority accept new incoming requests?

Staff of the Central Authority speak the following languages: Czech, Slovak, English, German.

The Central Authority accepts requests in the following languages: Czech, Slovak, English.

1.2 What is the Central Authority's preferred method of communication - email, fax or postal service? Does the Central Authority accept requests received electronically? If so, is the original request on paper still needed (either to start the proceedings or at a specific stage of the process) or are electronically transmitted requests accepted at all stages of the proceedings?

The Central Authority prefers communication by e-mail.

The electronic form is sufficient for return requests submitted to the Central Authority. Some documents for the court need to be made available in paper form (e.g. birth certificate, marriage certificate, judicial decisions from the State of the child's habitual residence).

1.3 Would your Central Authority refuse an incoming application under Article 27 of the 1980 Hague Convention? If so, under what conditions?

This is possible, but no specific conditions have been laid down and we have had no such experience in recent years.

2 Management of the case

2.1 Who can apply for the return of the child before your court (multiple answers possible)? Is it (i) the Central Authority, (ii) a Government lawyer, e.g., public prosecutor, Attorney General etc., (iii) a private lawyer, or (iv) someone else (if so, please elaborate, e.g. the applicant him- or herself)?

An application for the return of a child may be submitted by the applicant or by a lawyer.

2.2 Is the applicant represented by the above-mentioned person or body at the court hearing? If the answer is negative, who is the legal representative of the applicant in the proceedings? Is it (i) the Central Authority, (ii) a Government lawyer, e.g., public prosecutor, Attorney General etc., (iii) a private lawyer, or (iv) someone else (if so, please elaborate)?

At the court hearing the applicant may be represented by a lawyer. Legal representation is not mandatory, the applicant does not have to be legally represented and may appear before the court as litigant in person.

The Central Authority is the child's representative (*guardian ad litem*).

2.3 How quickly will the case be referred to the legal representative of the applicant by the Central Authority?

Within seven days of the receipt of the request, the Central Authority requests the sending authority to provide additional documents (if necessary); within seven days it sends to the abductor a request for voluntary return of the child and a notice to the court under Article 16 of the 1980 Hague Convention. At the same time, the sending Central Authority is informed of how the applicant ('the left-behind parent') can seek legal assistance of a lawyer. Where the applicant is impecunious, the Central Authority transmits an application for free legal aid to the court.

2.4 If a private lawyer is used, does the Central Authority make the necessary arrangements on behalf of the applicant? If the case is not referred to a private lawyer by the Central Authority, does the Central Authority provide a list of possible lawyers for the applicant to choose from?

The Central Authority does not make any arrangements on behalf of the applicant.

The Central Authority refers the applicant to a list of lawyers at the Czech Bar Association (*Česká advokátní komora*).

2.5 Is legal aid available to applicants? Who decides whether to grant the legal aid to the applicant? Is there a specific application form that the applicant has to complete? Are there preconditions to receive legal aid? Is there a means and/or merits test? What documentary evidence is the applicant required to provide? How long does it take to get the legal aid decision? What expenses does legal aid cover? (e.g., legal consultations, mediation, travel costs)

Legal aid is available to applicants. The court competent for the return proceedings is to decide on the granting of legal aid.

Legal aid is granted in accordance with Council Directive 2003/8/EC of 27 January 2003, which establishes the necessary forms and requirements for granting legal aid. In the Czech Republic this Directive has been transposed by [Act No 629/2004 on provision of legal aid in cross-border disputes within the European Union](#). More information is available on the website of the Ministry of Justice of the Czech Republic: <https://msp.gov.cz/web/msp/preshranicni-pravni-pomoc-v-eu>.

Mediation may be provided free of charge outside the framework of legal aid.

2.6 Does (i) the Central Authority, (ii) a government lawyer, e.g., public prosecutor, Attorney General etc., (iii) a private lawyer, (iv) a court itself or (v) someone else (if so, please elaborate) provide assistance in locating the child's exact whereabouts? Does the absence of information regarding the child's exact whereabouts somehow preclude the possibility of applying to the court for the return of the child?

Assistance in locating the child's exact whereabouts is provided by the Central Authority, by the court itself, by the police and the authority for the social and legal protection of children.

The absence of information regarding the child's exact whereabouts precludes the possibility of applying to the court for the return of the child. The address of the parties to the proceedings is an essential element of an

application for initiation of proceedings.

2.7 Will the Central Authority pursue a voluntary return? If so, will this happen before the case is referred to a lawyer and/or the court?

The Central Authority pursues a voluntary return or another agreement between the parents, both prior to the initiation of judicial proceedings and during their entire course. The Central Authority offers the possibility of a joint facilitated conversation to both parents and, where appropriate, to each of them separately; it ascertains the child's opinion and emotions and transmits that information to the parents and to the court.

2.8 Does the Central Authority take any steps to prevent a further removal of the child while a voluntary return is explored? What preventative steps are available in your legal system?

Such steps are taken by the court deciding on the return order or by the court at the place where the child is located. For example, it can be an exit ban, which is then sent by the Central Authority to the police to be entered in the Schengen Information System.

Preventive measures include:

- judicial supervision over the child's movements in the territory of the State;
- prohibiting the child from leaving the State territory without judicial consent;
- prohibiting disruption of the personal connections between the child and the applicant.

2.9 How quickly will the Central Authority give updates on an active case? How quickly will the Central Authority respond to requests for updates on an active case?

The Central Authority prioritises such cases, i.e. it acts within approximately seven days or less, depending on the circumstances.

2.10 Does the Central Authority arrange for translations of any relevant forms (e.g., legal aid) or court documentation from the hearings? If yes, how long does it take?

The Central Authority arranges for translations of the relevant forms and court documentation from the hearings. The Central Authority uses AI-based tools for routine translations. Certified translations may be obtained in approximately seven days if necessary.

2.11 Does the Central Authority arrange interpretation at any Court hearings that the applicant is required to attend?

The court arranges interpretation.

3 Mediation or alternative dispute resolution

3.1 Is mediation available? Please provide details of mediation procedure including names of mediation organisations, cost of mediation and whether funding is available for mediation. Can the cost of mediation be covered by legal aid?

The parties to the proceedings are offered mediation at the Mediation and Education Centre (*Mediační a edukační centrum*) in Brno. Mediation is provided free of charge, in foreign languages, in-person and on-line. The parties are obliged to pay the costs of mediation if they opt for a different mediator.

3.2 If and how is the Central Authority involved in arranging the mediation?

The Central Authority is involved exclusively by recommending the aforementioned centre.

3.3 Is another type of alternative dispute resolution available? If so, please elaborate on the procedure, organisations involved, including the Central Authority, and cost management

The Central Authority pursues a voluntary return or another agreement between the parents, both prior to the initiation of judicial proceedings and during their entire course. In court proceedings, the Central Authority acts

as the child's guardian *ad litem*. The Central Authority offers the possibility of a joint facilitated conversation to both parents and, where appropriate, to each of them separately; it ascertains the child's opinion and emotions and transmits that information to the parents and to the court.

4 Enforcement proceedings

4.1 If and how is the Central Authority involved in enforcement / implementation of return orders?

Yes, the Central Authority is involved in the enforcement procedure as the child's guardian *ad litem*.

4.2 Does the Central Authority have specialists (e.g., social worker, psychologist, guardian *ad litem*) available to prepare the child and the abducting parent for the enforcement of the return decision?

Yes, a lawyer and a psychologist are involved in the entire proceedings, from beginning to end.

4.3 Who applies for the enforcement of a return order? Is it (i) the Central Authority, (ii) a Government lawyer, e.g., public prosecutor, Attorney General etc., (iii) a private lawyer, or (iv) someone else (if so, please elaborate)?

Such an application is submitted by the applicant or by a lawyer.

4.4 In case of a court hearing during enforcement proceedings, is the applicant represented by the above-mentioned person or body?

The applicant may be represented by a lawyer. Representation is not mandatory,

5 Case closure

5.1 Who provides confirmation of the child's return?

The return of the child is confirmed by the sending Central Authority.

5.2 When does the Central Authority consider that the case is closed? Will the applicant receive written confirmation that the case has been closed?

Where a decision to return the child has been made, the Central Authority requires the sending authority to confirm that the child has been returned to the State of its habitual residence.

Where the court decides not to return the child, the case is concluded when the non-return decision becomes final.

The applicant will receive a written confirmation of the closure of the case through the Central Authority, the legal representative or by direct means (depending on what is available).

6 Procedure under Article 29 of the Brussels IIb ((EU) 2019/1111) and Article 11(6)-(8) of the Brussels IIa ((EC) 2201/2003) Regulations (the so-called "overriding mechanism")

6.1 Does your Central Authority play any role in the overriding mechanism?

Where a court or Central Authority of another Member State requests the cooperation of the Central Authority to facilitate communication between courts (within the meaning of Article 29(3)), the Central Authority renders assistance.

6.2 Please describe the procedure for the enforcement of a foreign return order mentioned in Article 11(8) of the Brussels IIa Regulation or foreign privileged decision pursuant to Article 29(6) of the Brussels IIb Regulation entailing the return of a child if the 1980 Hague return proceedings in your State led to a refusal under Articles 13(1)(b) or 13(2) of the 1980 Hague Convention earlier (see sub-questions of 2.2 for the information requested)

We have no experience with such situations.

7 Training

7.1 Are specialised trainings regarding return cases organised for different professionals (such as lawyers, mediators, prosecutors, bailiffs etc)?

Representatives of the Central Authority frequently act as trainers for judges, social workers, consular staff or lawyers.

 Last update: 27/07/2026

The national language version of this page is maintained by the respective EJM contact point. The translations have been done by the European Commission service. Possible changes introduced in the original by the competent national authority may not be yet reflected in the translations. Neither the EJM nor the European Commission accept responsibility or liability whatsoever with regard to any information or data contained or referred to in this document. Please refer to the legal notice to see copyright rules for the Member State responsible for this page.