EUROPEAN UNION
THE COUNCIL

Brussels, 25 May 1998 (27.05)
(OR.f,en)

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JUSTCIV 53

"I/A" ITEM NOTE

to: Council

Subject: **Draft**

- **Convention on jurisdiction and the recognition and enforcement of judgments in matrimonial matters**

- **Protocol on the interpretation by the Court of Justice of the European Communities of the Convention on jurisdiction and the recognition and enforcement of judgments in matrimonial matters**

1. At its meeting on 5 and 6 May 1998, the Permanent Representatives Committee noted that all delegations were agreed on the text of the above drafts, as finalized by the Legal/Linguistic Experts, although some entered linguistic or parliamentary reservations.

2. Those delegations have since informed the General Secretariat of the withdrawal of their reservations.

3. At its meeting on 20 May 1998 the Permanent Representatives Committee agreed that in principle

- the draft statement set out in annex should be attached to the minutes of the Council meeting at which the draft Convention and the draft Protocol are adopted and that
- such a statement should be published in the Official Journal.

4. The Council is invited to:

- adopt the draft Council acts set out in 6005/3/98 JUSTCIV 9 REV 3 (f) + COR 1 (f) + REV 4 (d,i,nl,en,dk,es,p,ga,fin,s) + COR 1 (d,i,nl,en,dk,s) + COR 2 (es,p,fin) + COR 3 (i) + COR 4 (ga) + REV 6 (gr) + COR 1 (gr) and 6006/98 JUSTCIV 10 + COR 1 (s) + COR 2 (s) + COR 3 (s) + COR 4 (dk,es,f,gr,i,nl) + COR 5 (d) + COR 6 (d) drawing up the Convention and the Protocol;
- note that the acts drawing up the Convention and the Protocol will be published in the Official Journal;
- have the attached statement, which will be published in the Official Journal, entered in the minutes of its meeting.

Declaration by the Council, to be annexed to the minutes of the Council which will draw up the Brussels II Convention

The Council, conscious of the adverse effect which the length of proceedings on requests before the Court of Justice of the European Communities might have in the field of family law, stresses the need for an examination as soon as possible of possible ways of reducing the length of such proceedings; the Council proposes that this examination be carried out by the competent body within the Council, together with the Court of Justice.