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**REPUBLIC OF POLAND**  
**MINISTRY OF JUSTICE**  
Judicial Assistance and European Law Dept.  
AL. UJAZDOWSKIE 11  
00-950 WARSZAWA SKR. POCZT. 33  
fax: +48.22 6280949; tel. +48 22 521 23 81

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**Pan William Duncan**  
**Deputy Secretary General**  
**Hague Conference on the Private**  
**International Law**

In reply to your letter of 28 January 2002 concerning the questionnaire on practical mechanisms facilitating direct international communication in the context of the Hague Convention of 25 October 1980, I would like to make a few remarks. At the same time, I would like to apologize for the delay in replying.

1/ I believe that the idea of the creation of an international communication network among judges and between judges and central authorities or other bodies is highly useful and of great importance. In our evaluation, such a system may have significant influence on safe and speedy return of a child/children to the place(s) of his/her/their permanent residence.

The possibility of information exchange between the judges concerned and the relevant authorities may and should provide such judges with an advantage in the form of simplifying the application of the provisions of the Convention in a given case.

The possibility of direct and rapid contacts, as well as the opportunity to obtain the required information, may significantly influence the pace of proceedings.

It may also have practical training importance, equal to that of other methods such as seminars.

2/ In practical terms, at the Ministry of Justice of the Republic of Poland it is hired judges that serve the function of the Polish central authority acting pursuant to the provisions of the Convention under discussion.


As part of their scope of duties, they perform relevant activities connected with the facilitation of information flow in cases covered by the provisions of the Convention – i.e. information flow among judges, between judges and other, including foreign, bodies.

Due to the fact that in our country the tasks of the central authority are vested in the Ministry of Justice and for that purpose the Ministry hires family judges, there was no need to appoint separate persons solely for the purpose of the creation of the post of a so-called liaison judge because this function may be served by the aforementioned judges. Therefore, it seems to me that the above practice could be utilized in countries where the position of the central authority is similar (namely, where the function under discussion is also served by the Ministry of Justice). Such a judge remains in contact with any court which, at a given time, is interested in the problems falling within the scope of the Convention and which can offer the required assistance. Such a placement of a liaison judge (i.e. at the level of the central authority) is also justified by the fact that in Poland any matters falling within the scope of the Convention may be considered by any family court, and there are approximately 294 of such courts in Poland.

I hope that you will find these brief remarks useful.

With best regards,

The Head of the Division

  
Katarzyna Błernacka