

Translation from the German language

**Higher Regional Court of Thuringia**

File #: 1UF11/20  
47 F 632/16 Jena Local Court

[crest]

Order

In the family matter

[name redacted], born on [handwritten: December XX, 2017]  
– Person concerned –

Guardian ad litem:

[name redacted], nationality: German,

Further parties:

Mother and Complainant:

Legal counsel:

Lawyer

Father and Appeal Respondent

[Redacted] Australia

Legal counsel:

**Federal Office of Justice (*Bundesamt für Justiz*) – Central Authority, International Custody  
Conflicts, Adenauerallee 99-103, 53113 Bonn, Germany.**

Delegated legal counsel:

Attorneys at Law

*Jugendamt* (Youth Welfare Office):

[redacted]

for handover of the child

the 1<sup>st</sup> Family Chamber of the Higher Regional Court of Thuringia in Jena, represented by the Presiding Higher Regional Court Judge [name redacted], Higher Regional Court Judge [name redacted] and Higher Regional Court Judge [name redacted]

**has decided that:**

The application made by the District Commissioner's Office - Youth Welfare Office [town redacted] dated March 16, 2020 for limited deferment of enforcement of the return order issued by Jena Local Court - Family Court - dated December 9, 2019, File No: 47 F 632/19, is rejected.

### The reasons for this are:

I.

In its order dated December 9, 2019, Jena Local Court – Family Court – obligated the Respondent to return the child [name redacted] born on [handwritten: December XX, 2017] to Australia within two weeks from the order becoming final and binding. The complaint appeal (*Beschwerde*) against this decision lodged by the Respondent was rejected by the Chamber in its decision dated March 3, 2020. According to the travel documents, the return flight of the Respondent and the child is planned for March 18, 2020. After a stopover in Dubai, arrival in Brisbane is scheduled for March 20, 2020.

In its letter dated March 16, 2020, the Youth Welfare Office applied to have enforcement of the return order issued by Jena Local Court – Family Court – deferred for a limited period due to the current coronavirus pandemic.

II.

The application made by the Youth Welfare Office is to be rejected. According to the information collected by the Chamber, there are currently no impediments to the child entering Australia with her mother, despite the coronavirus pandemic. The Respondent and [name redacted] are merely obligated to undertake self-isolation for 14 days upon their arrival in Australia. This protective measure does not endanger the child's wellbeing. The brief stopover in Dubai on March 19, 2020 does not change anything about this. According to current information, the onward flight from Dubai to Brisbane is guaranteed to take place.

sgd.

Presiding Higher Regional  
Court Judge

Higher Regional Court Judge

Higher Regional Court Judge

Issuance of the judgment (Sec. 38 Subsec. 3 sentence 3 Act on Proceedings in Family Matters and in Matters of Non-contentious Jurisdiction (*FamFG – Gesetz über das Verfahren in Familiensachen und in den Angelegenheiten der freiwilligen Gerichtsbarkeit*)):

Delivered to the registry  
on March 17, 2020.

[name redacted], *Justizamtsinspektorin* (German civil service title)  
Clerk of the registry at the Local Court

[seal] Certified  
Jena, March 17, 2020

[signature illegible]

[name redacted], *Justizamtsinspektorin* (German civil service  
title)  
Clerk of the registry at the Local Court