

2015-08-26

Your Excellencies, Ambassadors,

I, the undersigned, Ruby Harrold-Claesson, lawyer and president of the Nordic Committee for Human Rights - NKMR/NCHR - For the Protection of Family Rights in the Nordic countries, would like to draw to your attention the very prevalent cases in the Nordic countries, in which foreign children are arbitrarily removed from the care of their loving, competent parents and placed in foster homes to live among total strangers. The reasons for the interferences in the families' lives can range from "risk for future emotional abuse", physical or mental abuse or any other reason which the social workers may choose to prefer. These unnecessary interferences into children's and their families' private and family lives invariably cause great suffering and trauma for the people involved.

Although being aware that these cases are well-known to most of the members or the Diplomatic Corps, I would however, like to share an e-mail that I received on August 14, 2014, from [JUDr. Marica Pirošíková](#), Agent of the Government of the Slovak Republic before the ECHR, who will be one of our key note speakers at this year's Symposium. Ms Pirošíková's message reads as follows:

"Dear all,
we have recently all received an invitation to the Conference on Child Removal Proceedings in the Council of Europe Member States and related Human Rights Issues which will take place in Prague on 3rd October 2014.
From my point of view there are many Convention issues rising from the cases of children removal from their biological family and I would like to share with you our experience in the Slovak Republic.

In last two years I have been in touch with certain number of cases as the Slovak parents contacted me and requested for help. On 3 August 2012, after having studied the case files thoroughly, I publicly expressed serious concerns about the cases of adoptions of children from living biological parents without relevant reasons (having regard to the guarantees of Article 8 of the Convention), occurring upon the decisions of the English courts and subjects of which were also Slovak citizens (<http://www.thedaily.sk/protest-at-british-embassy-over-snatched-slovak-children>). I pointed out that the situation was also criticized by the British media, making aware in this regard to systemic shortcomings. I stressed out that the well-known British politician, MP John Hemming, being at the same time Chairman of the Justice for Families Campaign Group, attempts to effectuate a reform in this regard and help persons facing unjustified adoption. Mr Hemming expressed his willingness to help Slovak citizens in analogous situation with providing for adequate legal aid in the proceedings before British courts. He also drew our attention to the opportunity to enter into proceedings

as a third part and to ask the remission in case of Boor's children (<https://www.youtube.com/watch?v=3ZextcOBgDw>). Thanks to these activities the Boor's children were successfully returned to the Slovak Republic where they currently live with their mother (https://www.youtube.com/watch?v=92yDs_BaZvU).

This case was unfortunately not the only one, other cases followed and were published by British and Slovak press. The accuracy of the active approach of the Slovak Republic intervening into the proceedings before English courts as a third party was proved by the important judgment of Sir James Munby from the last year (<http://www.familylawweek.co.uk/site.aspx?i=ed126781>). **It is a challenge also for the other countries claiming not to be able to help their citizens facing separation of children from their parents without relevant reasons in the United Kingdom (or others countries), to intervene actively in such proceedings before the family courts. At the same time, it is very important for the intervening country to assess the cases also with regard to the ECHR case law. I recall that on 30 November 2012 the PACE adopted a resolution where it underlined that children should be separated from their biological parents only in very exceptional circumstances.** The adoption of the resolution was based on a report by Christopher Chope, who had criticised the functioning of family courts e.g. in the United Kingdom (<http://assembly.coe.int/nw/xml/XRef/Xref-DocDetails-EN.asp?FileID=19190&lang=EN>). (My Bold text)

The removal of children from their biological families is strongly criticised not only in United Kingdom. On 11 December 2012, I have been served with the report of The Nordic Committee for Human Rights - NCHR (http://www.nkmr.org/docs/Summary_-_Report_Child_Removal_Cases_in_Sweden_and_the_Nordic_Countries.pdf) undersigned by number of legal professionals, psychologists and doctors from Denmark, Finland, Norway and Sweden. The authors of the report were all professionals working in the field of children and family care. Their report was elaborated with the aim to ask the Council of Europe to investigate into the matter of forced adoptions in Nordic countries. The report stated that an unusually high number of children were removed from the care of their parents and were placed in foster homes every year. In its report from 2009, the UN Child Committee was critical of the large number of children in foster care in Sweden. The Committee recommended Sweden to take measures to address the causes of the high number of children who are removed from their families, and to give priority to protect the natural family environment and ensure that removal from the family and placement in foster care or other institutions is used only in the best interest of the child.

The high number of cases of children removal from their biological families without relevant reasons substantiates the need to establish an international platform where the joint solution of such a broad problem could be discussed. Therefore, I am grateful for the initiative of the European Institute of Law and Forensic Engineering to organize the conference which I will support by my presence and introductory remarks.

JUDr. Marica Pirošiková

Agent of the Government of the Slovak Republic before the ECHR

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For your convenience, I can inform you, that a new Report from the NCHR, signed by 40 professionals from the Denmark, Finland, Norway and Sweden, was sent to the European Parliament Petitions Committee (PETI) on December 23, 2013,

[http://nkmr.org/docs/Summary -
_Report_Child_Removal_Cases_in_the_Nordic_Countries_index.pdf](http://nkmr.org/docs/Summary_-_Report_Child_Removal_Cases_in_the_Nordic_Countries_index.pdf). The Report is pending in the September 2015 session in the PETI, "[Europaparlamentet - Sammanfattningar, information och rekommendationer - NKMR](#)".

On behalf of the Board and members of the NCHR, I am therefore inviting Your Excellencies, or representatives of your staff, to attend our coming Symposium which will take place at Hotel Scandic Crown, in Gothenburg, on Saturday **September 5, 2015**.

Please see: <http://nkmr.org/en/>

We look forward to meeting you all and I thank you in advance for your participation at the NCHR's Symposium 2015.

Welcome!

Ruby Harrold-Claesson

President.