



ONLINE COURSE ON INTERNATIONAL CHILD ABDUCTION

Tutors:

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Duration: 8 weeks

Maximum number of participants: - 25 for Member States
- 10 open call

Participants profile:

The course is designed for public authorities working in different areas of the legal sector (including but not limited to; governing bodies specialised in childhood and adolescence and their rights, and bodies working in the area of migration) that wish to broaden their knowledge in International Child Abduction.

This course is also aimed to those professionals from different areas interested in the Child Abduction phenomenon and/or having a link with the theme in question, with the purpose of integrating it to the legal practice. Civil society organisations working in this area are also welcome to apply.

When selecting candidates, the following should be taken into consideration:

- University or tertiary education degree, preferably in the Legal field or other related fields such as International Relations.
- Current field activity directly related to the legal domain.
- Knowledge and/or experience in Family Law, Children's Rights, International Law (particularly in International Family Law).



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- Knowledge of current international legislation regarding child issues such as the Inter-American Convention on the International Return of Children (1989), the Hague Convention on the Civil Aspects of International Child Abduction (1980), the Hague Convention from 1996 on Jurisdiction, Applicable Law, Enforcement and Co-operation in respect of Parental Responsibility and Measures for the Protection of Children, and the Brussels II Regulation (Council Regulation (EC) No 2201/2003 of 27 November 2003).

Objectives:

- To contribute to knowledge and lessons learned.
- To provide an online space for reflection and concepts with a rights-based approach on two Conventions created prior to the Universal Convention on the Rights of the Child, and how these work together to ensure the best interest of the child.

By the end of the course, students will be able to:

- Understand the relations and differences between the notions of “needs” and “rights” relating to International Child Abduction.
- Identify and analyse the non-delegable role of people and institutions working with children and adolescents, with the aim of facilitating and guaranteeing the compliance of the Conventions.
- Acquire basic knowledge on the doctrine and legal framework on International Child Abduction.
- Undertake legal research and analysis in different aspects of International Child Abduction.
- Creating proposals and offering alternative approaches to International Child Abduction, keeping in mind other solutions such as alternative dispute resolution (ADR).



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MODULES

Module I – Introduction to the Rights of Children and Adolescents

Objectives: offering a perspective on the Rights of the Child and Adolescents, understanding the similarities and differences between the notions of 'need' and 'rights' of the child, and identifying the instances and mechanisms to apply these.

Module II – Basic approaches to the theme of International Child Abduction (social phenomenon and concepts)

Objectives: approaching the main concepts that allow the analysis of the thematic of International Child Abduction from a rights-based perspective. This will involve the acquisition of judicial concepts applicable in the legal system of the Member States that are signatories of the 1989 Inter-American Convention and the 1980 and 1996 Hague Conventions mentioned above.

Module III – Legal framework and other instruments

This module aims to provide a clear idea on the legal framework applicable in Child Abduction cases, based on the Inter-American Convention on the International Return of Children (1989), the Hague Convention (1980), the Hague Convention from 1996 for the Protection of Children, and the Brussels II Regulation (Council Regulation (EC) No 2201/2003 of 27 November 2003). These Conventions contain the provisions and recommendations necessary for their application.

It is expected that the participant will form their own opinion after undertaking the analysis of similarities and differences between the Conventions above.

Finally, there is also additional material available, including the Good Practice manuals, comparative tables of Member States and documents on agreements concluded through the meeting of government experts.



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Module IV – The Restitution Process

At the end of Module IV, the participant will have a clear understanding of the international restitution process, and the different steps it entails from the moment the restitution is requested until the abducted child is returned.

It is expected that the participant will understand the role of the Central Authorities and other actors, and their functions as facilitators and liaising actors in the process.

Finally, one of the main objectives of this module is that the participant is able to identify the different tools used during the process, including the necessary legal forms, the use of mediation and other methods of alternate dispute resolution, and the importance of the role that the multi-disciplinary team undertakes during the process.

Module V – Psychological effects on abducted children

The objective of Module V is to provide different approaches relating to the psychosocial process of restitution to which the child has been subdued. It will be important to consider the social and emotional development and the physical needs of the children and adolescents.

This course follows an inclusion and participation scheme favouring the expression, dialogue and debate as well as offering a networking environment and the opportunity of acquiring and sharing knowledge. Participants will have the opportunity of doing this as they go through the modules in the course.



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CRITERIA FOR EVALUATION

Evaluation of each participant's performance will take into account the formal aspect of participation, as related to completion of assignments, as well as other aspects related to the learning process.

Formal aspect:

- Completion at least 80% of assigned activities and exercises on the course syllabus, with an overall grade of at least 80/100 (the standard established by the IIN).
- Completion of the activities, tasks and reading the material set for the course, within the time frame established.
- The academic papers requested in assignments or activities must be the original work and intellectual production of the participant, or of the participants in the case of a group assignment.
- The assignments must indicate the origin of all quotes cited, and the documents consulted for the assignment.

Learning process:

- Assimilation of concepts from the assigned bibliography.
- Analysis of situations or cases, on the basis of the participant's experiences.
- Critical analysis of the policies developed in the State of the participant (use of current information and capacity of analysis of the same from the rights based perspective).
- The ability to reflect on practices, on the basis of the assigned reading.
- The ability to make proposals as well as to apply knowledge.



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