



ONLINE COURSE CIVIL ASPECTS OF INTERNATIONAL CHILD ABDUCTION

Tutors:

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Duration:

8 weeks

Maximum number of participants:

25 for Member States
10 open call

Participants profile:

Public officials working in entities related to the promotion and protection of the rights of the children and adolescents (governing bodies of the systems for the promotion and protection of rights, entities that formulate public policy on children and adolescents, central authorities, immigration authorities, police, among others) with emphasis on those who are in charge of direct functions in the subject. Professionals from different areas of knowledge interested academically or professionally in the subject.



Objective:

- To provide an online space for reflection learning on the concepts of the two Conventions created to protect children of international abduction by their parents.

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.



MODULES

Module I – Introduction to the Rights of Children and Adolescents

Objective: 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.

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.

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.



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.

Final evaluation



CRITERIA FOR EVALUATION

In evaluating participants, formal aspects as well as qualitative aspects of the learning process will be assessed.

Formal Aspects

- Completion of at least 80% of recommended assignments/activities and evaluations.
- Completion of activities, assignments and reading material in the time period and format required.
- The academic work set as assignments or activities must be of the intellectual authorship of the student who submits it (or of the group of students producing the work, in case of group assignments), and must indicate the sources of information consulted, as well as the origin of verbatim quotations cited in the assignment.

Regarding the learning process

- Assimilation of concepts on the basis of assigned bibliography.
- Knowledge and critical analysis of state policy (management of updated information and analytical capacity from the rights based perspective).
- Ability to reflect, on the basis of bibliography reviewed, on practical and “real world” situation or situations.

To successfully complete the course, the participant must obtain a final grade of at least 80/100, the average of the grades obtained in all the assignments of the course.