



MINISTRY OF CHILDREN, GENDER EQUALITY,
INTEGRATION AND SOCIAL AFFAIRS

Cooperation between the Danish Central Authority and Social Services

- The 1996 Hague Convention on Child Protection

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The 1996 Hague Convention on Child Protection

- The preamble:

- ... the need to improve the protection of children in international situations

- ...the best interests of the child are to be a primary consideration,

- Article 1 , (1) The objects of the present Convention are -
 - e) to establish such co-operation between the authorities of the Contracting States as may be necessary in order to achieve the purposes of this Convention.

- The Danish Central Authority will do as much as possible, within the framework of the national Danish legislation, to assist authorities of other member states in the protection of children.



What can the Central Authority do?

- In general The Central Authority can not decide what other Danish authorities must do in a specific case
- We encourage them to do as much as possible to assist authorities in other Contracting States
- We guide them on the Convention



Authorities responsible for the protection of children

In the area of social services, the municipalities are the responsible authority in all cases regarding the protection of children.

There is 98 municipalities in Denmark.

This means, that most municipalities have little experience in handling transnational child protection cases



The convention entered into force in Denmark in September 2011

- The convention is still new to us
- There is an increasing number of cases
- The Ministry of Social Affairs is working on guidelines to the municipalities on these cases.



Common cases - A

- Social services in a Contracting State is concerned of the well-being of a child, and has maybe taken measures to protect the child.
- The child moves to Denmark and the social services in the Contracting State, where the child used to live, sends a request to consider the need to take measures for the protection of the child (article 32, b).
- The Central Authority locates the child and send the request to the relevant municipality.



Common cases - B

- A child, who is a national of a Contracting State, live in Denmark and is removed from its home by the social services, because the parents are not able to take proper care of it.
- The child's family in the Contracting State is concerned about the child and want to have contact with the child (article 32, a).
- We ask the social services to make a report on the situation of the child and consider contact between the family and the child.
- We will send the report to the CA in the Contracting State.



Common cases - C

- An authority in a Contracting State is concerned about the well-being of a child of Danish nationality and is contemplating to take measures of protection.
- The authority think/know that Danish authorities have information on the child/parents of relevance (article 34)
- We do everything possible to find out if Danish authorities have the relevant information on the family.
- We either get the relevant information or establish contact between the relevant Danish authorities and the authority in the Contracting State.



Some main challenges

- Danish authorities can not make investigations on children or parents for authorities in Contracting States. They can only pass on information, that they already have.
- Article 33: placement of the child in a foster family or institutional care in another Contracting State
 - The Danish Legislation makes this problematic
 - We will need the Contracting State to take over full responsibility for the child