



REPUBLIC OF ESTONIA
MINISTRY OF JUSTICE

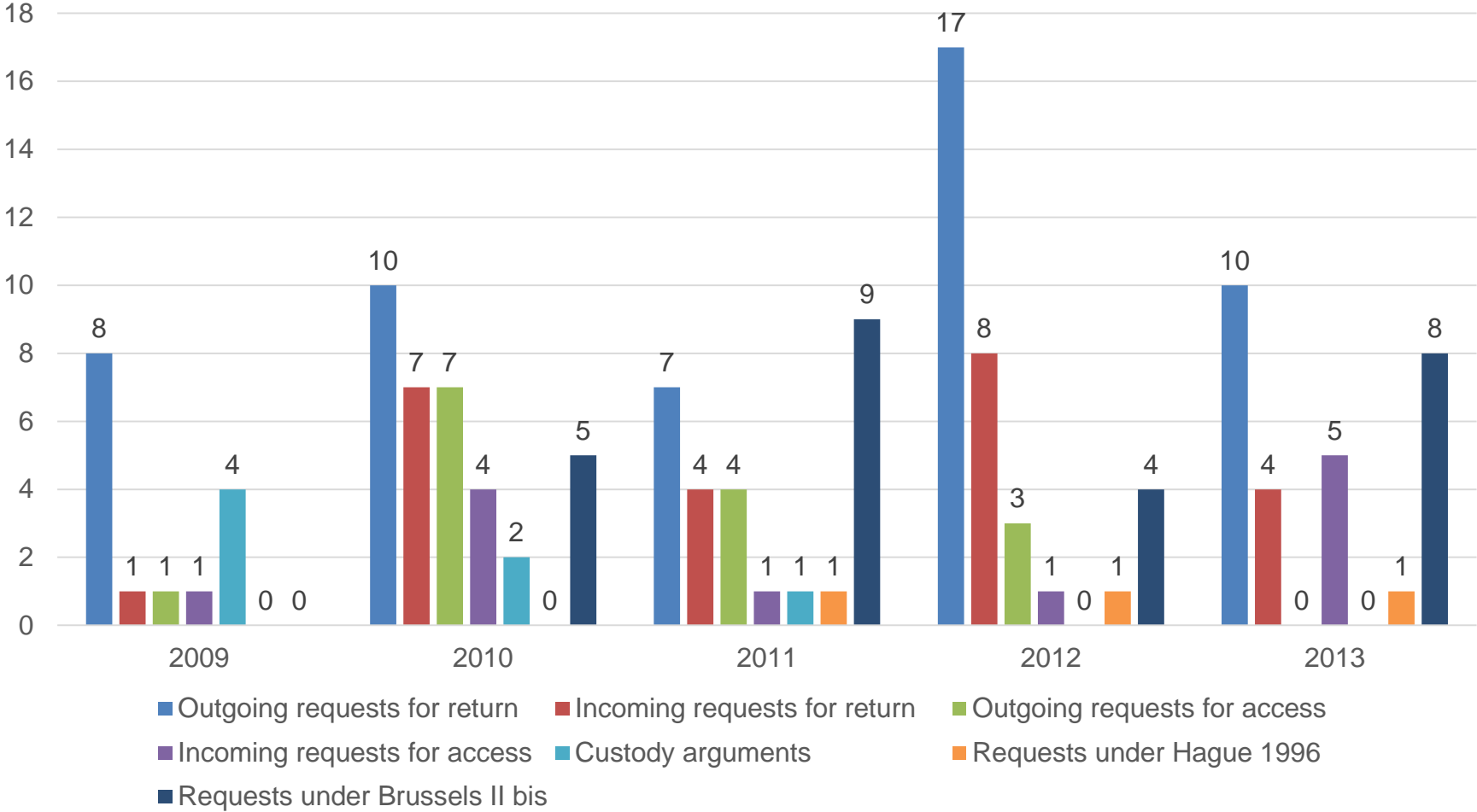
The relationship between the central authorities and social services of transnational child protection

Haldi Koit

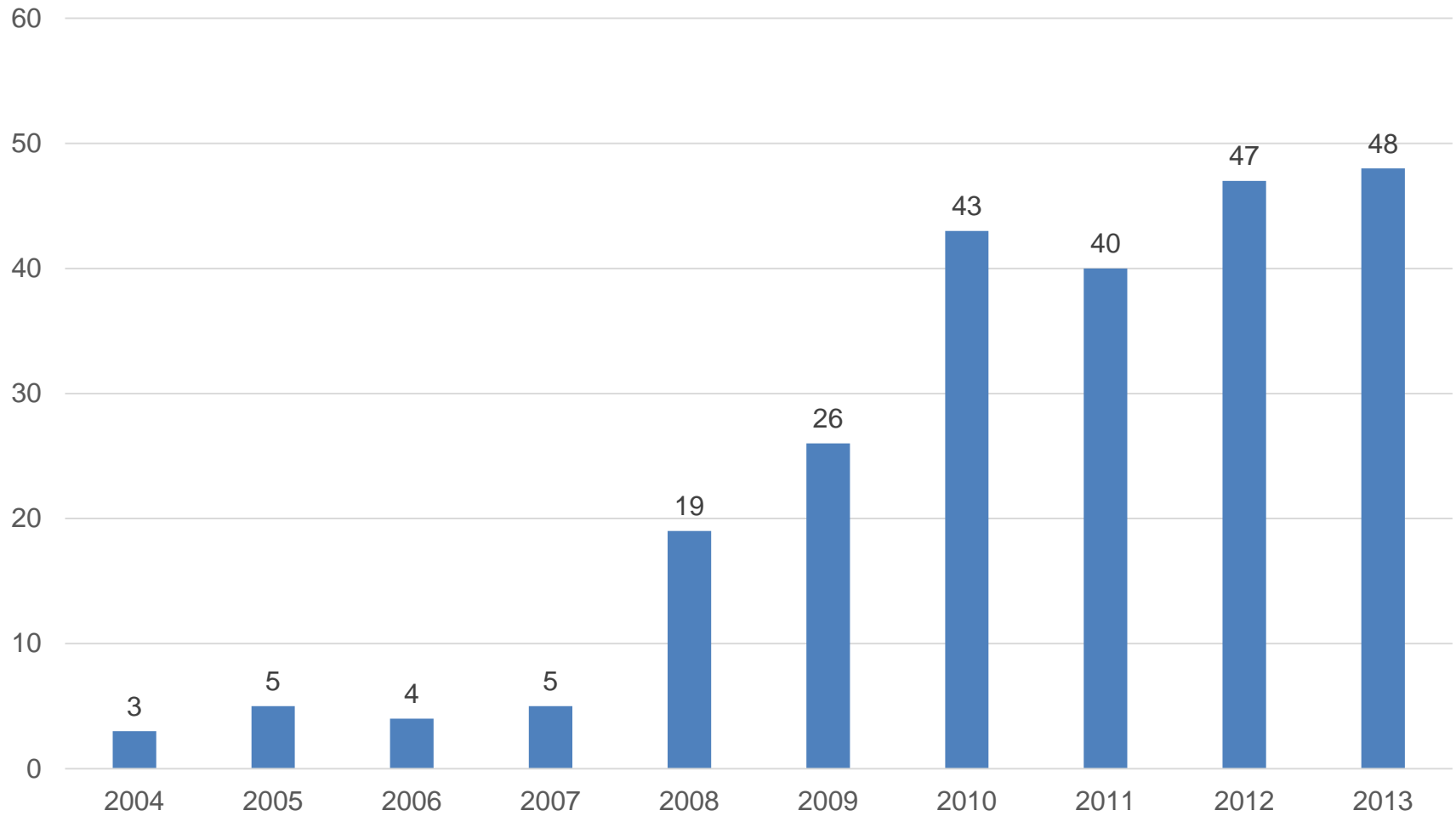
Advisor of International
Judicial Co-operation Unit

Riga, Latvia
25.11.2014

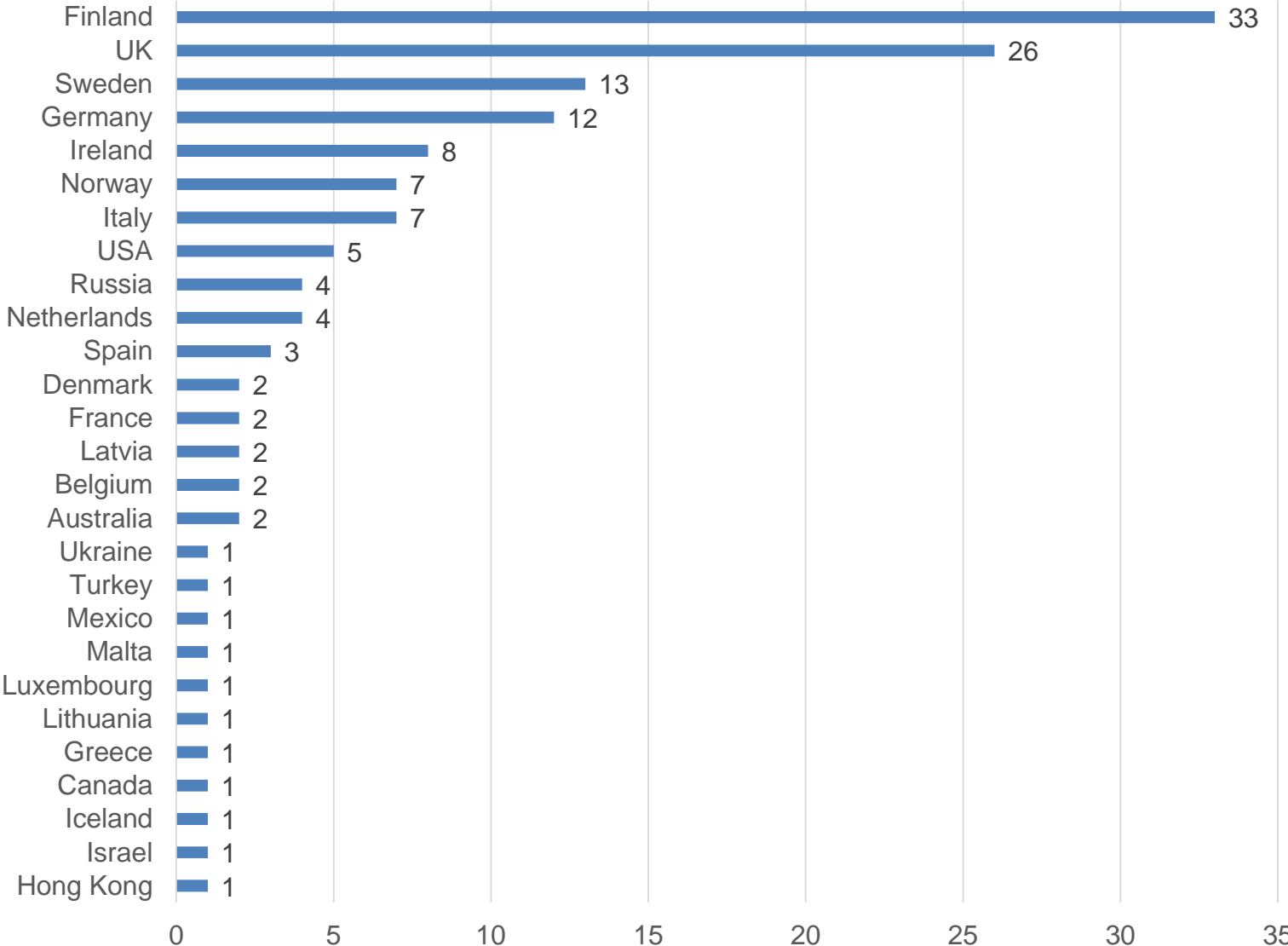
Hague 1980, 1996 and Brussels II bis requests (new)



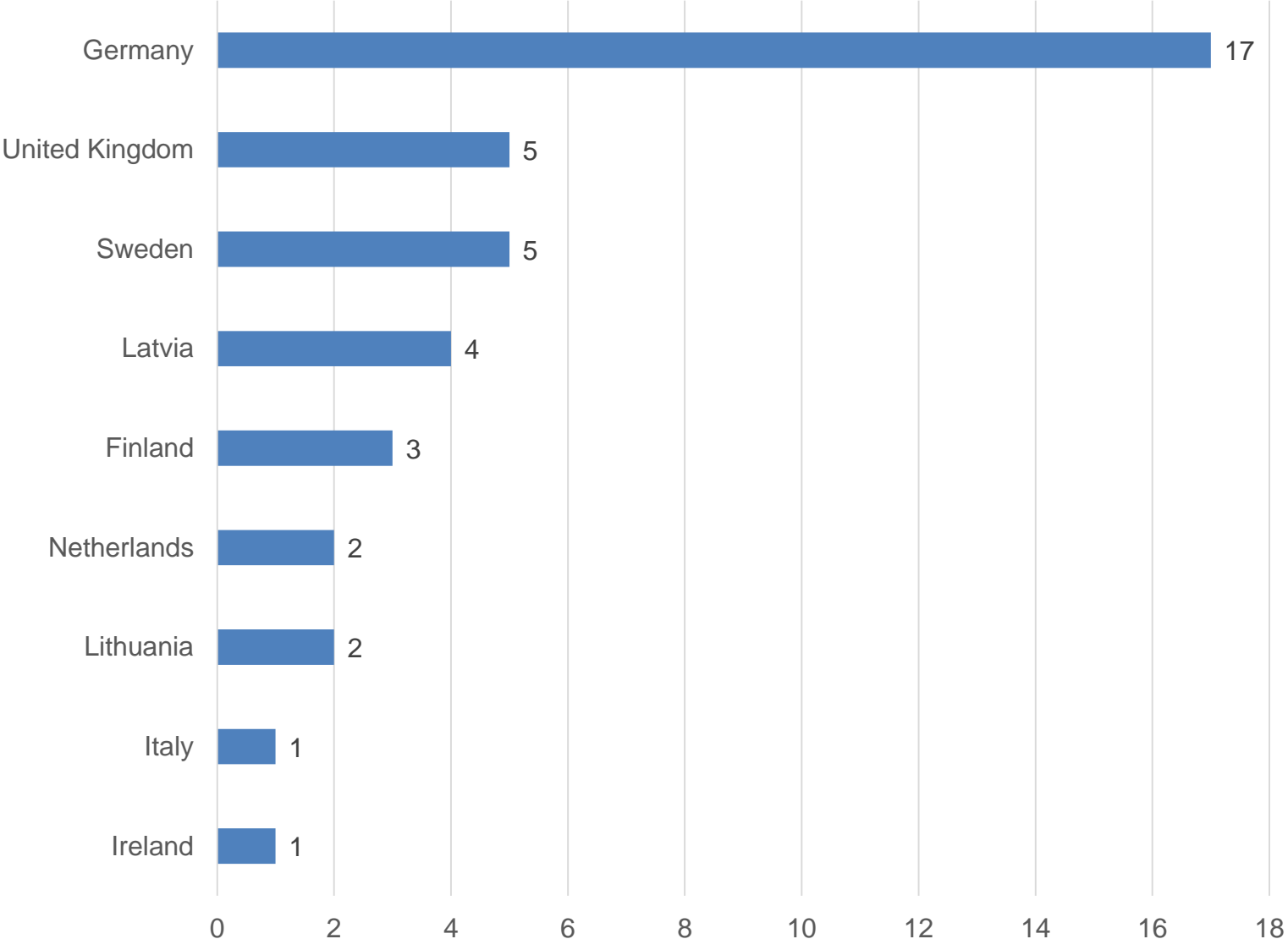
Hague 1980, 1996 and Brussels II bis requests (all)



Requests by country (return & access)



Requests by country (Brussels II bis & Hague 1996)



Competences (1)

- Ministry of Justice:

- Domestic family law policy and organization of legal aid
- International Child Abduction (Hague 1980),
- Cross-border maintenance (4/2009, Hague 1973, 2007),
- Child and adult protection CA (Hague 1996, 2000, Brussels II bis),
- Cross-border court proceedings CA (1206/2001, Hague 1970 etc.)

- Ministry of Social Affairs:

- International Child Adoption (Hague 1993),
- ISS,
- Asylum and unaccompanied minors (with Ministry of Interior Affairs)
- domestic organization and policy of Child protection
 - ✓ New draft for Child Protection Act
 - ✓ Will reorganize the whole structure, creates a Child protection competence centre in the Social Insurance Institution
 - ✓ Adoption 19.11.2014, entry into force 01.01.2016

- Ministry of Foreign Affairs:

- International protection of Estonian citizens;
- Child abductions to non-Hague member states;
- Helping with all kind of issues

Competences (2)

- **Local governments (city and rural):**
 - Child and adult protection;
 - Social welfare;
 - Giving opinions on the Child's best interests in court proceedings;
 - Ascertaining the location of the Child;
 - Voluntary return proceedings in Child Abduction cases;
 - Assisting bailiffs in enforcing custody, access and return decisions;
 - Adoption of children;
 - Family conciliation and providing psychological help to some extent;
 - Social benefits;
 - Supervision of guardianship;
- **Local courts:**
 - Appointing legal aid;
 - Appointing the Child a representative from the Bar association;
 - Custody proceedings;
 - Recognition and declaration of enforceability;
 - Supervision of guardianship;
 - Hague 1980 return proceedings;
 - Referral to conciliation proceedings;
 - etc.

Competences (3)

- **Police:**
 - Domestic abuse
 - Ascertaining the location of the Child in danger;
 - European Arrest Warrants;
 - Assisting bailiffs in enforcing custody, access and return decisions;
- **Bailiffs:**
 - Ascertaining the location of the Child;
 - Enforcing maintenance, custody, access and return decisions (with the help of local government and police where needed);
- **Social Insurance Institution:**
 - Compensation to crime victims;
 - Social benefits;
 - Maintenance assistance;
 - Future competence centre of Child protection;
- **NGOs:**
 - Family mediation;
 - Supporting parents and providing psychological help;

Trainings in 2014

- In co-operation between the Ministry of Justice, Ministry of Social Affairs and Ministry of Foreign Affairs
- 182 participants
- Took place:
 - 16.04.2014 Tallinn, Northern-Estonia
 - 30.04.2014 Tartu, Southern-Estonia
 - 07.05.2014 Pärnu, Western-Estonia
 - 28.05.2014 Valga, Estonian-Latvian border city
 - 10.06.2014 Jõhvi, North-East Estonia
 - 05.11.2014 Tallinn

 - 04.12.2014 „When a Child is hurt at home“ Conference, Tallinn

Topics in trainings

- Jurisdiction of custody and protection of adults proceedings;
- Recognition and declaration of enforceability of foreign decisions;
- Notification of another country's authorities of a Child in danger;
- Asking for and giving information in cross-border custody proceedings;
- International Child Abduction and access proceedings;
- Cross-border maintenance;
- ISS queries;
- International adoption of children;
- New draft for Child Protection Act;
- Unaccompanied minors;
- Travelling abroad with children;
- When a Child has been taken away by another parent and by another countries social / child protection authorities;
- Fictitious marriage;
- Discussion of cases!



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Questions?!



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Thank You!

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