SC 1980 ABDUCTION & 1996 CHILD PROTECTION

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Annexes	N/A
Related Documents	N/A



IACLaR was established in 2016 as an Association of leading international Child Law researchers around the globe whose work has a particular focus on, and specialism in, international child and family mobility and transition issues, including **international child abduction**, relocation, cross-border placement of children, and family violence. IACLaR aims to contribute to the development of global policy and practice in the area of **International Child Law** and to encourage international collaborations and comparative efforts to plan, develop and undertake informed empirical research, knowledge exchange and dissemination initiatives. Current members are from Australia, Belgium, England & Wales, Israel, Italy, New Zealand, Norway and The Netherlands.

Current Initiatives in Which Members of IACLaR are Involved

We hope these research, website and publication initiatives will be of interest to delegates and observers:

Research Handbook on International Child Abduction: The 1980 Hague Convention Marilyn Freeman & Nicola Taylor (Eds) (2023) Edward Elgar Research Handbooks in Family Law Series. The Handbook comprises 26 chapters by 35 leading specialist authors including: Nigel Lowe KC (Hon), Sir Mathew Thorpe, The Honourable Mr Justice Alistair MacDonald, Gérardine Goh Escolar, Thalia Kruger, Costanza Honorati, Henry Setright KC, Michael Gration KC, Jeremy Morley, Stephen Cullen, Kelly Powers, Mark Henaghan and Ann Skelton, with a Foreword by Baroness Hale of Richmond.

In Chapter 26, the concluding chapter, Marilyn Freeman and Nicola Taylor unpack four key themes that their thematic analysis of each chapter revealed as particularly important to consider in nurturing the 1980 Hague Convention:

- 1. The effects and consequences of international child abduction.
- 2. The uneven playing field of the 1980 Hague Convention.
- 3. The 1980 Hague Convention as an instrument to protect children must not become an instrument of harm to them.
- 4. Nurturing the 1980 Hague Convention so it remains fit for purpose.

There are important opportunities ahead, including at the Eighth Special Commission, to enable the Convention to successfully continue, in contemporary circumstances, to honour and fulfil its laudable aim of protecting children internationally from the harmful effects of abduction. The themes, issues and challenges identified in this Handbook provide compelling arguments justifying the necessity for further discussion and possible future developments in this field, and suggestions are offered as to how this could be achieved.

Laws Special Issue on Contemporary Issues Relating to International Child Abduction in Contemplation of the Eighth Special Commission into the Operation of the 1980 Hague Child Abduction Convention – 12 articles by 22 leading specialist authors including, for example:

- Marilyn Freeman & Nicola Taylor (2023). Contemporary nurturing of the 1980 Hague Convention, *Laws*, 12(65), 1-12. https://doi.org/10.3390/laws12040065
- Rhona Schuz (2023). Habitual Residence: Review of Developments and Proposed Guidelines. *Laws* 12: 62. https://doi.org/10.3390/laws12040062
- Maria Caterina Baruffi: The interaction of the 1980 Child Abduction Convention with the Brussels II-ter Regulation: A focus on the regime of recognition and enforcement. Laws 12: 76. https://doi.org/10.3390/laws12050076
- Katarina Trimmings, Onyója Momoh & Konstantina Kalaitsoglou: The interplay between international parental child abduction, domestic violence and international refugee law. Laws 12: 78. https://doi.org/10.3390/laws12050078
- Costanza Honorati: Protecting mothers against domestic violence in the context of international child abduction: Between Golan v. Saada and Brussels II-ter EU Regulation. .Laws 12: 79. https://doi.org/10.3390/laws12050079

International survey of family justice professionals on the effects and outcomes of abduction on children where the abduction allegedly occurred for protective reasons against a background of domestic violence and/or abuse towards the taking parent and/or the abducted child. Research report due May 2024.

FindingHome: www.findinghome.world A website to inform children and young people about international parental child abduction - developed in partnership with young people; launched in December 2022.

Experts' Meeting on Nurturing the 1980 Hague Convention, London, 19-20 October 2023: examining the issues of asylum, domestic violence and child participation as they relate to international child abduction.

Recent and Forthcoming Publications by Marilyn Freeman & Nicola Taylor:

- Domestic violence as an aspect of 1980 Hague Child Abduction Convention return proceedings (2022) In K. Trimmings, A. Dutta, C. Honorati & M. Zupan (Eds.), *Domestic* Violence and Parental Child Abduction (pp. 39-65) Intersentia.
- Domestic violence and child participation: Contemporary challenges for the 1980 Hague Child Abduction Convention. *Journal of Social Welfare and Family Law* (2020) 42(2), 154-175.
- Children and Young People's Identities in International Law: Life Events, Law and Selfhood, Edward Elgar Studies in International Family Law (Forthcoming 2024). Marilyn Freeman & Nicola Taylor are editing this new book and writing the chapter on abduction/relocation.

We welcome enquiries about our projects and about IACLaR's role.

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