

ISS Cross-border Services within the HCCH 1980 Child Abduction Convention



THE GLOBAL SOCIAL WORK ORGANISATION

International Social Service (ISS) has **100 years** expertise in cross-border case management with families and children, Central Authorities (CAs), as well as other competent authorities. ISS supports and complements CAs in carrying out their duties. ISS offers **prevention, intervention, and post-abduction services** with a child-centred and mediation-based approach.

ISS and the Practical Operation of the HCCH 1980 Child Abduction Convention

ISS aims to **de-escalate family conflict** through legal and psycho-social information, counselling, and mediation for parents, as well as through training professionals.

An important role is also played by ISS in **preventing** the unlawful removal or retention of a child. Child abduction may indeed be avoided through counselling about its harmful effects and possible remedies such as voluntary or mandatory family mediation services (for further information, please see [ISS International Family Mediation factsheet](#)). At the same time, child abduction may be avoided by easing access to speedy relocation procedures (for further information, please see [ISS International Relocation of Children factsheet](#)). In this regard, ISS may offer child-focused psycho-social and legal counselling for parents planning, or concerned about, international relocation, as well as information about relocation laws in different States.

If a **child abduction has already occurred**, responses vary according to several factors, especially whether the States concerned are **Contracting States** of the HCCH 1980 Child Abduction Convention. In case a child abduction occurs in a State bound by the HCCH 1980 Child Abduction Convention, ISS carefully assesses the possibility of intervening without impacting legal proceedings. Indeed, ISS' support may consist of **facilitating contact** with the left-behind parent, as well as **following up** after the return of the child and providing **social support** for parents negatively impacted by abduction.

Where child abduction takes place in a **non-Contracting State**, a careful assessment is needed to determine the most promising action. Often the most effective response is **negotiation** and **mediation**, which can be carried out by the ISS, to secure **meaningful parent-child contact** or – if possible – the **return** of the child.

ISS in essence:

- Is a professional and specialised **global network** founded in 1924 with 132 members in 125 States;
- Has been serving the needs of children and families **for 100 years**;
- Contributes to **law and policy development and advocacy efforts**;
- Maintains a **long-standing and close co-operation with** the Hague Conference on Private International Law (**HCCH**) and Central Authorities (**CAs**);
- Hosts the [International Reference Centre for the Rights of Children deprived of their family \(ISS/IRC\)](#), a program of the ISS General Secretariat based in Geneva, with a mission **for more than 30 years** to equip child protection, alternative care, and adoption professionals across the world with up-to-date research, publications, training, and technical assistance projects;
- Is always at the forefront of **implementing international standards and raising awareness about children's rights** through its direct cross-border case management and advocacy efforts.

ISS Global and Regional Partnerships

ISS is engaged with several important [global and regional partners](#). For instance, ISS has signed a memorandum of understanding with the Permanent Bureau of the HCCH and strongly advocates for the wider ratification and effective implementation of the HCCH 1980 Child Abduction Convention.

Identified Challenges in Implementing the HCCH 1980 Child Abduction Convention

ISS has experienced the following **challenges** in its daily cross-border case management:

- **Lack of information** on legal frameworks and psycho-social implications of child abduction;
- **Delays of proceedings** due to inefficient legal aid systems, as well as difficulties in finding appropriate and affordable legal representation;
- **Need for an appropriate child representative** (*guardian ad litem*);
- **Underutilisation** of existing **social service providers** such as ISS;
- **Different practices** regarding the **determination** of the **best interests of the child**;
- **Need for proper protection** of children and parents and assurance on the protection measures adopted in case of domestic/family violence prior to their return;
- **Limited availability of judicial measures** for the effective enforcement of child return decisions;
- **Lack of formalised and effective post-return support** in the child's State of habitual residence.

Despite this challenging context, ISS remains **well placed to provide case management services**, in particular in **non-Contracting States** where it plays a unique role. In **Contracting States**, ISS complements legal action of CAs with psycho-social interventions: information and counselling, **mediation**, preparation of return, and post-abduction follow-up. Likewise, ISS specialises in the preparation of **reports and recommendations** and has the capacity to **facilitate cross-border co-operation**.



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ISS expertise and value

Based on its cross-border casework, ISS members strive to develop **child abduction prevention** services in their States. To this end, ISS has developed the following services and capabilities:

- Personalised cross-border solutions designed for families and individuals;
- Research and publishing capacity, as well as training content development on family conflict and child abduction for, *inter alia*, social workers and competent authorities;
- Responses to enquires from different stakeholders;
- Operation in the Best Interests of the Child;
- Local professionals' engagement with appropriate expertise;
- Benefits from multilingual teams for cross cultural communications;
- Access to a multidisciplinary team composed of, *inter alia*, social workers, lawyers/jurists, mediators, and psychologists;
- Case management and priority setting according to case urgency;
- Utilisation of social media and different ISS' communications outlets to inform and advocate.