

Ministry of WCD seeks suggestions issues related to civil aspects of "International Child removal"

NEW DELHI: The [ministry for women and child development](#) has put out in the public domain a "concept note" on issues related to civil aspects of International Child Removal. A multi member committee led Chairmanship Justice Rajesh Bindal, Judge Punjab and Haryana High Court was set-up in February to study all aspects of the matter pertaining to [Hague Convention on Child Abduction](#) in detail and make its recommendation. Before it gives the final report the Committee has sought suggestions on the concept note and the various concerns raised by July 31.

The report once ready will steer further deliberations of the WCD ministry to recommend to the government of India on whether India should ratify the [Hague convention](#) and if it does how to ensure that the rights of the parents and child are not compromised in any way.

The Ministry in a press statement issued on Tuesday pointed that with the rise in trans-national marriages and complexities involved in modern day relationships, the protection of rights of parents and children involved is a critical issue of National and International importance.

The Committee has said in the concept note that "the instances of an Indian citizen marrying an NRI or a person of Indian origin having citizenship of a foreign nation, popularly referred to as 'transnational marriages' are frequent and in abundance". "However, many a times, it so happens that the spouses fall apart and the marriage breaks down irretrievably. In many such cases, the spouses return to the net of their families/extended families in India, seeking mental comfort for themselves and their children. However, such instances often land such estranged spouse in a situation of being perceived as abductors of their children in light of The Hague convention provisions," it is pointed.

The Committee has further stated that "in another situation where both the spouses may be Indians, residing in India, one of the spouses may move out of India along with the child born out of such wedlock after breakdown of marriage. In such situation, the issue of getting the child back from the foreign land assumes importance, in the process of redressing the grievance of the left behind spouse".

"In such cases, the signatory countries of the Hague convention can avail access to the Central authorities of the other contracting states to resolve such issues. Another factor that deserves consideration, is that many a times, on account of the broken marriages, often the complaint of child abduction is alleged against each other by the estranged spouse, to settle their personal scores," it is explained in the concept note.

In the backdrop the Committee states that "since the matter is likely to have large scale ramifications, it is desirable and in the fitness of things to put the same in public domain and invite suggestions from various quarters." The Committee may even hold meetings with different stakeholders. The committee has sought suggestions which may be sent by e-mail to the Committees Member Secretary, Meenaxee Raj.

The Hague Convention on the [Civil Aspects of International Child Abduction](#) is a multilateral treaty on custodial issues of children. The Convention seeks to protect children from the harmful effects of abduction and retention across international boundaries by providing a procedure to ensure their prompt return.

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