



SUMMARIES, INFORMATION AND RECOMMENDATIONS

Petitions Nos 2426 to 2450/2014
Admissibility and action

The Chair's recommendations on admissibility and action will be deemed adopted unless any comments are received by 14 July 2015.

*
* *

2426/2014

Petition No 2426/2014 by W. van der Rijt (Dutch), on a scam in Belgium and the Netherlands

The petitioner was a victim of a swindler who was active between 2000 and 2005. The funds and real estate which the swindler cheated the petitioner and approximately 80 other victims out of are located in Belgium and Russia. The Belgian State has confiscated these funds and it has also been proved that the money came from Dutch victims. The swindler was convicted in both Belgium and the Netherlands. However, the Belgian State refuses to hand over the stolen funds to the curator appointed by the victims and refers to the fact that, in Belgium, the swindler was convicted for money-laundering and not for misappropriation. The petitioner asks for help from the European Parliament and refers to the Council decision on mutual assistance in criminal matters between the Member States of the European Union and the Proposal for a directive establishing minimum standards on the rights, support and protection of victims of crime (COM/2011/0275 FIN - 2011/0129 (COD)).

Recommendations

- Declare admissible.
- Ask the Commission for information.

Or. nl

2434/2014

Petition No 2434/2014 by Ruby Harrold-Claesson (Swedish), on behalf of the Nordic Committee for Human Rights (NKMR) on a report on child custody in Denmark, Finland, Norway and Sweden

In a lengthy petition, the petitioner describes extensively problems in Scandinavian countries relating to child custody and taking children into care. The aim of the petition is to draw the Parliament's attention to the existing legislation in the countries mentioned, specifically in cases of forcibly taking children and young people into care. The view is that the administrative courts are unwilling to diverge from the stance adopted by social workers. The courts do not apply their obligation to ensure that cases coming before them have been carefully and sufficiently investigated, nor do they apply the European Convention on European Rights, which guarantees a fair trial and protection of private and family life.

The result is that these problems often lead to unsuitable foster parents being chosen, where conditions can be even more dangerous than the alleged conditions experienced when living with the parents. The petition states that besides the influence of social workers' opinions mentioned above, parents cannot choose a lawyer whom they trust. The petition certainly acknowledges that there are cases where taking a child into care is unavoidable, but these are in the minority.

The petition has its sights set on ending compulsory custody. It urges the Committee on Petitions to investigate the matter further, and to give a statement about how the Scandinavian countries are suited to international obligations.

Information

- The numerous signatories to the petition are Scandinavian lawyers, legal scholars, psychologists and doctors.
- The association which submitted the petition hopes for a meeting with the Committee, and invites it to a meeting in Gothenburg.

Recommendations

- Declare admissible+;
- Send to the Commission for information.
- Inform the petitioner that the Committee on Petitions has turned its attention many times to disputes reported in petitions involving children being taken into care, especially in a cross-border context, and these have been discussed many times in meetings of the Committee. The Commission is preparing a review of Regulation No. 2201/2003, also known as Brussels IIa Regulation, which relates to international family law. The Regulation does not apply to Denmark. It can be generally stated that there is no EU-level legislation on child custody and adoption, just as there is no common family law; these matters fall into the scope of national legislation;
- close.