



THE HAGUE CONVENTION

More than 20 years ago, the international community recognized the need for cooperation between countries to find a means to prevent and resolve cases of parental international child abductions. In 1976, the Hague Conference on Private International Law, an international organization based in the Netherlands, accepted a Canadian proposal to alleviate some of these problems. Canada, along with some 30 other countries, actively participated in the negotiations that led to the Hague Convention on the Civil Aspects of International Child Abduction. Canada was the second country to ratify the Convention, which came into force on December 1, 1983. Canadian involvement in the negotiation and ratification process was coordinated closely with provincial and territorial governments. The Convention applies throughout Canada and in approximately 74 other countries.

Objectives

The objectives of the Hague Convention are:

- to secure the prompt return of a child wrongfully removed to or retained in any contracting state, to the environment from which the child was removed; and
- to ensure that the rights of custody and of access under the law of one contracting state are effectively respected in other contracting states.

Requirements

The Convention can be of help to you if the following requirements are met:

- Your child was habitually resident in Canada immediately prior to the wrongful removal or retention.
- The wrongful removal was in breach of rights of custody or rights of access or retention within the meaning of the Hague Convention.
- At the time of the abduction or retention, the Convention applied between