

## Hague Abduction Convention

# IMPORTANT 50 Topics



### WHICH ARE MUST FOR PRELIMS 2019

Why Important Concept series is must?

In 2017 Prelims, 50 important concepts covered 9 questions.  
In 2018 Prelims, 40 important concepts covered 8 questions.  
In 2019 Prelims, .....

  
To get study material on Telegram, join our channel @UpscPrepMate



Click here to join

  
Click to buy  


Books

  
To get study material on Whatsapp, send your Name and City on Whatsapp no. 75978-30000

## **Hague Abduction Convention**

The Hague Convention on the Civil Aspects of International Child Abduction (also known as Hague Abduction Convention or Hague Convention) is a multilateral treaty. The Convention was drafted to ensure the prompt return of children who have been abducted from their country of habitual residence or wrongfully retained in the territory of any contracting party to the convention.

In other words, the central objective of the Convention is to restore the child custody arrangement which existed immediately before an alleged wrongful abduction or retention. Such a provision prevents a parent from crossing national boundaries in search of a more sympathetic court.

The Convention was concluded in 1980 and entered into force in 1983. The convention was developed by the Hague Conference on Private International Law (HCCH). The Convention applies only to children under the age of 16. As of March 2019, there are 100 parties to the convention. India is not a party to convention.

### **What is Private International Law?**

Private international law is a body of rules which is used to resolve legal disputes between private individuals who live in different countries.

### **What is Hague Conference on Private International Law?**

The Hague Conference on Private International Law (HCCH) is an international organisation. It works in the field of private international law. It develops and administers several international conventions and protocols.

The Hague Conference was first convened in 1893 in The Hague, Netherlands. After World War II, the Hague Conference transformed into an international organisation.

### **India is not party to convention**

The government is not yet ready to sign the Hague treaty. There has been immense international pressure to sign the convention. However, Indian government is of the view that the adoption of the convention could lead to harassment of women escaping marital discord or domestic violence.

The government also opposes the central provision of the Hague Convention. The central provision says that the criterion of habitual residence of the child, which is used to determine whether the child was wrongfully removed by a parent as well as to seek the return of the child to the country of habitual residence, was not always in the best interest of the child.