

M [REDACTED] – odpověď na dopis ochránkyně norské dětské ombudsmance z 10. června 2014

**From:** Knut Haanes

**Sent:** Tuesday, August 26, 2014 10:22 AM

**To:** Hrazdilková Iva Mgr.

**Subject:** 14/00973-2 - Letter of the Czech Ombudsman - urgent

Dear Ms Sabatova

I am answering your letter on behalf of Dr L [REDACTED], who is attending a Nordic Ombudsman's meeting on Greenland.

I am first of all sorry that the reply has been delayed. This is mainly due to the lack of manpower during summer holidays and also some misunderstanding with registering your letter.

We see from your description of the case that it has been through various instances of the court and has now ended up with The European Court of Human Rights. You say in your letter that you do not question the court decisions, and neither can we. What you ask the Ombudsman in Norway to do is to assess the process in the Child Welfare system that led up to the separation of the boys from their parents and also the separation of the boys from each other.

As you point out in your letter, the boys have been growing up in Norway, and thus the matter has been tested pursuant to Norwegian national law. The Ombudsman for Children does not have the authority to or overturn decisions made by the Child Welfare Authorities. Neither are we in the position to handle individual cases to decide whether the best interest of the child has been given due consideration such as in this case. The Law of the Ombudsman sets clear limits on our possibility to enter into individual cases that are, or have been handled by other bodies.

From time to time we receive cases concerning the handling of child welfare cases where children with different nationalities are involved. These cases are always complicated and as I have pointed out, it is not possible for the Ombudsman to reconsider the individual cases so as to overturn the decisions.

What we can do is to use the cases to see whether information to the different groups in Norway can be improved so that problems and conflicts in the future can be minimized and that the focus can be put on the best interest of the child.

Best regards

**Knut Haanes**

**Deputy Ombudsman**

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