



THE INTERNATIONAL PROTECTION OF VULNERABLE ADULTS

Lille, 17th September 2008

This conference, aimed at improving the international protection of vulnerable adults, followed on from the informal Justice and Home Affairs Council meeting of July at which the issue was discussed for the first time. Faced with the challenge of an ageing European population coupled with increased mobility, our society requires solutions that match the EU's ambitions to protect its citizens.

Presented by Pascale Fombeur, director of the civil affairs and seals directorate, and by Professor Hugues Fulchiron, President of Jean Moulin University-Lyon III, the conference was attended by representatives of member states, French and foreign judges, heads of French guardianship associations and representatives of the legal profession.

The conference began with the projection of a film made by the French Ministry of Justice on the difficulties French guardianship judges have when dealing with cross-border cases.

Siri Tellier, demographer and director at the United Nations Populations Fund, presented the challenges of the issue with regard to socio-demographic changes in Europe.

Representatives of four other EU member states (Germany, Spain, the United Kingdom and the Czech Republic), mostly judges, then presented the issue of the international protection of adults in their respective countries.

These presentations gave rise to discussions highlighting the need for effective cooperation resources.

The first step in this cooperation is the endorsement of The Hague Convention of 13th January 2000 on the international protection of adults that will enter into force on 1st January 2009 through France's ratification on 18th September. Professor Lagarde, author of the explanatory report of the Convention, gave a broad outline of the Convention's rationale and objectives.

Hans Van Loon, Secretary General of The Hague Conference on private international law, Salla Saastamoinen, representing the Directorate-General for Justice, Freedom and Security of the European Commission, and Jan Kleijssen, Director of Standard-setting at the Council of Europe, then stressed the importance of using synergies between the various international bodies concerned by the issue. Svend Danielsen, expert at the Council of Europe, specifically presented the recommendation issued in 1999 by the Council of Europe that went on to influence new legislation in several European countries.

The final round table, attended by representatives of EU and international institutions – and in particular by Antonio Lopez Isturiz White, MEP in charge of the Parliament's own-initiative report on the issue, and Kees Blankman, expert at the Council of Europe – and participants from the profession (guardianship judge, notary, head of a guardianship association) paved the way for the essential work to follow.

The discussions were brought to a conclusion by Meglena Tacheva, the Bulgarian Minister of Justice, Jacques Barrot, Vice-President of the European Commission, and Rachida Dati, French Minister of Justice. The French Minister said, “A society's level of civilisation and humanity is measured by the way it respects and supports its most vulnerable members”, stressing the urgent need for an international approach on the issue that will show citizens the purpose of European integration.