
Emil Jung

Von: "IP-MEDIATION CHILD ABDUCTION Secretariat" <MediationChildAbduct@europarl.europa.eu>
An: "'Anatol Jung"' [REDACTED]
Datum: 27.10.2016 16:19:42

Dear Anatol,

Thank you for taking my call on the 29th September last where we discussed the outcome of our diplomatic intervention. Here is a summary in writing as we agreed.

Our office has made a diplomatic intervention.

Vice-President McGuinness raised the issue with Mr. Pavlo Petrenko, the Ukrainian Minister of Justice, during his visit to the Parliament in June 2016 and later by letter regarding the delay, application of the law and access to your son, Emil.

In response Deputy Minister of Justice of Ukraine for European Integration, Mr. Sergiy Petukhov outlined the case on the return of Emil from September 2013 to the final ruling of the High Specialized Court of Ukraine for Civil and Criminal Cases dated the 10th June 2015 on the refusal to return the child. According to the Minister, the ruling is based on provisions of Articles 12 and 13(b) of the 1980 Hague Convention. The court confirmed the conclusion of the Appeal Court that the habitual place of residence of Emil is in Ukraine.

The order of access to Emil is established by the Decision of the Solomianskyi District Court of Kyiv dated the 6th August 2015. On the 1st July and 11th August 2016, due to a request from the German Embassy and your private attorney, the Childs Issues Office of Kyiv held two inspections of Emil's living conditions.

The Childs Issues Office held that the mother created all necessary conditions for the upbringing and education of Emil. The Minister concluded that all issues concerning the upbringing and care of Emil should be resolved in accordance with Ukrainian legislation.

We are aware of the difficulties you have faced and continue to face. However, this office has no competence to intervene in court proceedings or court judgments.

We have discussed Mediation, which could help reach a solution on access to Emil.

The court has delivered its judgment in your case. However, a mediation process may provide a more positive outcome, especially in relation to access to Emil, but it does require both parties to agree to the process. This is the area we can work on in this office, should you wish to pursue it.

Yours sincerely,

Irene Hennigan



Irene HENNIGAN

European Parliament

27.10.2016

GMX - Emil Jung

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URGENT | Emil Jung's child-abduction case: Lies from Ukraine's Ministry of Justice - recycled on European level

Von: "Anatol Jung" [REDACTED]
 An: "Martin Schulz" [REDACTED]
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 CC: [REDACTED]
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Datum: [REDACTED] 05:56

Children's Chargee Mairead McGuinness & President Martin Schulz ++ FOR PERSONAL ATTENTION / URGENT
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Dear Mmes McGuinness & Hennigan, dear President Schulz

I received your message about Ukraine's official response to your initiative for easing Emil's sad destiny. It is simply infamous and shows: In Ukraine there is still the RULE OF LIE instead of the rule of law.

Some remarks about Ukraine's statement:

1. Hague Convention's article 12 cannot be invoked: My return claim was submitted only 6 weeks (!) after Emil's abduction.
 Ukraine's Ministry of Justice and its rotten courts protracted the procedure two years (!) long - according to its habitual DELAY-and-BETRAY tactics. The Ministry of Justice never ever represents the interests of the foreign applicants as it should do under the provisions of the Convention. What it seeks is exhaustion and surrender of foreign applicants.
 For comparison: Sabina [REDACTED] return-procedure will soon enter its fifth year (!).
 And if, accidentally, a law-abiding judge orders the immediate child return, the Enforcement Agency - subordinated to the Ministry of Justice (!) - does not execute the order. So it has already happened in both Emil's and Sabina's case.
2. The Convention's article 13b cannot be invoked either: No court has examined and presented specific reasons why not to return Emil. On the contrary, everybody in Ukraine knows that Emil's life, health, social and educational conditions are a thousand times better in Munich than in Kyiv. For evidence, see the documents I have sent you since 2015.
3. The illegal denial of child return will be usually followed by its forceful separation from the parent left

behind. Institutional violence, arbitrariness and law defiance in Ukraine ensure such miserable condition.

4. The slow lustration of Ukraine's notoriously corrupt and abusive judiciary has already lead to the dismissal of judges from all the higher courts that have foiled Emil's return to Germany.

5. The deputy ministers Petukhov and Yanchuk who use to sign the deceitful letters from Ukraine's Ministry of Justice, have some reformist credentials. But obviously they are disinformed by the Soviet-minded lower ranks in their ministry which have designed the policy of legalizing child-abduction under the ancien regime.

6. The "assessments" by the Children's Office of Kyiv-Solomyanskiy are all fake. I was neither heard nor informed nor enabled to participate in any way. These reports are only a summary of interviews with the abductor mother. They do not mention the facts of Emil's abduction from Germany, forceful father-son separation and the child's strict isolation and underdevelopment.

7. A Soviet-styled committee of 13 woman functionaries (!) of Children's Office (no man included !!) has just rejected my claim for removing all barriers between Emil and me. Even by Ukrainian standards, incompetence, bias and arbitrariness were outstanding there. Critical health reports and Police protocols on denial of access were ignored. No protocol was taken, and my legal adviser was barred from the procedure. Ukraine's state sponsors of child abduction want neither testimony nor witnesses.

8. Only some weeks ago, another child has been kidnapped by its mother from Germany to Ukraine. Ukrainian policy remains an open gate for more of it.

All of this is horrible !! It proves how deeply state support for cross-border child abduction is entrenched in Ukraine's politics. Those Soviet officials and judges responsible for such crime against innocent children should go to jail straight forward.

Therefore: Name and shame Ukraine in the European Parliament - for its mafia-like child-abduction policy !! The top politicians in Kyiv must feel the consequences of their wrongdoing. This shall also contribute to support for the reformist and European-minded forces in Ukraine - and to prevention of further child abduction there !

Note: According to civic-right activists in Kyiv, more than 400 children from foreign countries are illegally retained in Ukraine (many of them even missing) - with no prospect of return. This shall encourage you to stand up and to raise your voice against Ukraine's serious and ongoing abuses.

Call for the Convention's article 18 which is most suitable here: child return on the plain fast-track administrative way, shunning the Ukraine's lawless and dysfunctional "justice" apparatus.

Please act quickly and swiftly - for the children's sake !!!

Kind regards
Anatol Jung

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