

- **Petition 1008/2006 by Iwona Laube (Polish), on alleged discrimination against Polish speakers by the German Child and Youth Welfare Authorities (Jugendamt)**

The petitioner maintains that, in dealing with disputes in mixed Polish-German households, the German Child and Youth Welfare Authorities, either in writing or orally, prohibit the use of Polish in cases where the German parent is seeking supervised access involving the presence of a child or youth welfare worker specially trained to supervise contact between children and parents and prevent anti-social behaviour. The use of Polish is forbidden on the grounds that, from the educational point of view, it is not in the child's best interests. The petitioner argues that this contradicts the principle that bilingualism has a positive effect on children's development. The petitioner, who since 2004 has not seen her under-aged sons who are living in Germany, argues that the position adopted by the German authorities discriminates against Polish parents. She does not consider that this can be justified by inadequate linguistic proficiency on the part of youth welfare workers coming into contact with the children of mixed couples. She argues that the German youth welfare authorities are infringing the rights of the children concerned and are guilty of discrimination based on nationality. She is accordingly seeking action by the European Parliament.

### **Information**

- Numerous petitions have already been tables on the same subject, most recently Petition 0849/2006 which was dealt with as indicated below.

### **Recommendations**

- declare admissible;
- ask the Commission for information;
- consider with other petitions on the same subject.

- **Petition 0077/2007 by André Bamberski (French and Polish), bearing 13 signatures, against the coercive powers of the German youth welfare authorities ('Jugendamt') as regards the rights and responsibilities of separated parents in relation to their children in cases where one parent is a German national**

The petitioner condemns the 'illegal' powers of the German youth welfare authorities, which, he maintains, act in the interests of the German State, especially where children of German mothers are concerned; in so doing they encroach on the rights and responsibilities of non-German parents in order to keep children of mixed-nationality couples under control until they come of age. He alleges that youth welfare officials act *in loco parentis*, riding roughshod over the powers of biological parents, as they are able to do because of their powers to start legal proceedings and use administrative coercion, and in such a way as to equate the interests of children with those of the German State, especially in the matter of education. The youth welfare authorities influence decisions on the award of custody to the German parent, the

teaching of German as the sole mother tongue, and entitlement to maintenance; they work in complete secrecy. The origins of the Jugendamt, indeed, date back to the Nazi era.

### **Information**

- A number of petitions (201/05, 713/06, 1008/06, 81/07, etc.) on the same subject have been submitted under the aegis of the ‘Conseil européen des enfants du divorce’; they were discussed by the committee delegation that visited Berlin on 22/23 March.

### **Recommendations**

- declare admissible;
- ask the Commission for information, indicating that this petition should be considered together with the others on the same subject.