

Homeschooling Parents Get New Hope in Custody Dispute

A recent European Court of Human Rights ruling is putting more pressure on Sweden to return a 10-year-old boy to his rightful home after the government abducted him from his parents nearly three years ago for being **homeschooled**.

Alliance Defense Fund (ADF) and Home School Legal Defense Association (HSLDA) attorneys representing the parents of the boy, Domenic Johansson, filed a new motion with the European high court Thursday after the court ruled in the case of *Neulinger and Shuruk v. Switzerland*.

In that case, the Grand Chamber of the European Court of Human Rights concluded that a child separated from a custodial parent for more than three years can be irreparably harmed by the upheaval in his living circumstances if he is not returned to the custodial parent before then.

“The government shouldn’t abduct and imprison children simply because it doesn’t like **homeschooling**. This atrocity must stop,” says ADF senior legal Counsel Roger Kiska, who is based in Europe. “The recent ruling from Europe’s highest court recognizes the harm that comes to a child when he is separated from his parents for such an excessive amount of time. Domenic should be returned to his parents immediately.”

The application for interim measures filed Thursday argues that the court’s conclusion in that case “highlights the urgency of granting interim measures in the Johansson case ... Gotland Social Services continues to unlawfully hinder reunification and minimize parental visitation both in violation of Domenic’s rights and the parents’ rights. Like in *Neulinger and Shuruk*, this separation has been ongoing for nearly three years. We therefore urge the European Court not

to wait any longer to impose interim measures in reuniting Domenic with his natural parents, Annie and Christer Johansson ...”

Swedish authorities forcibly removed Domenic from his parents in June 2009 from a plane they had boarded to move to Annie’s home country of India. The officials did not have a warrant nor did they charge the Johanssons with any crime. The officials seized the child because he was homeschooled, even though homeschooling was legal in Sweden at the time he was taken into custody.

“There is no justification for separating Domenic from his parents for this long,” explained HSLDA lawyer Mike Donnelly. “We remain gravely concerned about this case as it represents what can happen to other homeschooling families.”