Annual Report on International Parental Child Abduction (IPCA)

U.S. Department of State
Bureau of Consular Affairs
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1. **Message from the Secretary of State**

Dear Reader:

Enclosed please find the 2015 Annual Report on International Parental Child Abduction. The U.S. Department of State’s (Department) Office of Children’s Issues, which serves as the U.S. Central Authority under the 1980 Hague Convention on the Civil Aspects of International Child Abduction (Convention), assists parents and children affected by international parental child abduction, or those parents who need help preventing their children from being abducted from their country of habitual residence. Each of these cases is a tragedy that has long-term consequences for the children and the left-behind parents involved.

The Convention provides a civil mechanism for many parents who seek the return of their children. The goal of the Convention is to establish clearly defined procedures for the prompt return of children who have been wrongfully removed from or wrongfully retained outside of their country of habitual residence and to provide an effective deterrent to parents who contemplate abducting their children. It is important to the Department to promote compliance with the Convention by our 73 partners under the Convention, while simultaneously encouraging additional countries to join the treaty. The Department continues to work with those countries that are not yet Convention partners with the United States to resolve abduction cases promptly and to improve understanding of the Convention.

The Department appreciates the attention brought to the crucial issue of international parental child abduction by Congress and President Obama. Pursuant to the Sean and David Goldman International Child Abduction Prevention and Return Act, we present the following report of our efforts during Calendar Year 2014 to resolve international parental child abduction cases. The Department looks forward to continuing this joint effort with Congressional leaders and the President to both prevent and resolve international parental child abduction cases.

Sincerely,

John F. Kerry
Secretary of State
2. **Introduction to Annual Report**

The U.S. Department of State’s (Department) Office of Children’s Issues serves as the U.S. Central Authority (USCA) under the 1980 Hague Convention on the Civil Aspects of International Child Abduction (Convention). The Department hereby submits, pursuant to 22 U.S.C. § 9111, this report on international parental child abduction (IPCA).

2.1 **Overview of the Sean and David Goldman International Child Abduction Prevention and Return Act (ICAPRA)**

ICAPRA went into effect on August 8, 2014, when President Obama signed the bill into law. The reporting period for the 2015 Annual Report was October 1 to December 31, 2014. The USCA analyzed, as applicable, the entire duration of each case. Calendar Year (CY) 2014 is denoted when data covers the entire year. The standard reporting cycle for subsequent annual reports will be January 1 to December 31 each year. Please refer to 22 USC 9101, Section 3 for definitions of terms used throughout this report.

2.2 **Resolved Cases in CY 2014**

The USCA works closely with foreign governments, foreign central authorities, foreign judicial and administrative authorities, and law enforcement to assist parents in IPCA cases and parents seeking rights of access to their children. Please see Figure 2 for more information on how ICAPRA defines a resolved case.
In 2014, 781 abduction and access cases were resolved.

1. Mexico: 273 cases were resolved
2. Canada: 33 cases were resolved
3. United Kingdom: 25 cases were resolved
4. Germany: 25 cases were resolved
5. All Other Countries or Areas: 425 cases were resolved
What is a resolved case?

• The child is returned to the country of habitual residence, pursuant to the Hague Abduction Convention or other bilateral procedures, if applicable;
• the judicial or administrative branch, as applicable, of the government of the country in which the child is located has implemented, and is complying with, the provisions of the Hague Abduction Convention or other bilateral procedures, as applicable;
• the left-behind parent reaches a voluntary arrangement with the other parent;
• the left-behind parent submits a written withdrawal of the application or the request for assistance to the Department of State;
• the left-behind parent cannot be located for one year despite the documented efforts of the Department of State to locate the parent; or
• the child or left-behind parent is deceased.
2.3 Working with Foreign Governments to Resolve IPCA in CY 2014

In 2014, Special Advisor for Children’s Issues Susan S. Jacobs traveled to 16 countries to discuss resolving IPCA cases, Convention compliance, and progress towards becoming party to the Convention, as appropriate. To promote these topics, USCA officials also traveled to more than 20 countries, met with the Foreign Missions of 19 countries in Washington, D.C., held digital video conferences with nine countries, and hosted participants of International Visitor Leadership Programs from 17 countries (see Figure 3). Special Advisor Jacobs regularly promotes becoming party to and compliance with the Convention in public speeches in the United States and abroad, as well as when meeting in Washington with official delegations from numerous countries. In February 2014, Special Advisor Jacobs testified before Congress and, throughout 2014, briefed many Congressional offices on her efforts and those of the USCA to resolve IPCA cases, promote becoming party to the Convention, and Convention compliance.

In addition, the Department instructs its diplomatic missions in non-Convention countries to engage with host governments to encourage them to become party to the Convention. Embassy and consulate public affairs and consular sections regularly promote the Convention through public diplomacy and outreach activities.
Figure 3: U.S. Engagement with Foreign Governments on IPCA in CY 2014
3. Reporting Data: Abduction Cases

The following data and information are included in the 2015 Annual Report to meet new requirements set forth in the Sean and David Goldman International Child Abduction Prevention and Return Act (ICAPRA).

3.1 Countries and Areas with Open Abduction Cases during CY 2014

Table 1 contains all countries and areas in which there were one or more abduction cases reported to the United States Central Authority (USCA) during CY 2014. The table indicates if, as of December 31, 2014, each country is a partner with the United States under the 1980 Hague Convention on the Civil Aspects of International Child Abduction (Convention), is a bilateral procedures country, whether there are other procedures to resolve abduction cases, or whether the country adheres to no protocols with the United States in respect to child abduction.
Table 1: Countries and Areas with Open Abduction Cases in CY 2014\(^1\)

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#### 3.2 Countries and Areas with Five or More Pending Abduction Cases during CY 2014

Table 2 lists statistics, as required by ICAPRA, for all countries that had five or more pending abduction cases at any point in CY 2014. The case numbers provided in Table 2 do not necessarily reflect the total amount of cases, per country or area, reported to the USCA. Rather, the statistics provided reflect the number of abduction or access cases that met the specific data requirements of the law, as outlined in the header of categories in Table 2, in CY 2014. More information on definitions for table categories and supporting data can be found in 22 USC 9101, Section 3. Based on the information in Table 2, the USCA makes recommendations to improve the resolution of abduction cases by country, which can be found in Table 3: Recommendations to Improve Resolution of Cases.
### Table 2: Countries or Areas with Five or More Pending Abduction Cases during CY 2014

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2 U.S.C.§ 9111(b)(2), et seq.
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td>TRINIDAD AND TOBAGO</td>
<td>ABDUCTION (C)</td>
<td>3</td>
<td>2</td>
<td>2</td>
<td>0</td>
<td>0%</td>
<td>2</td>
<td>20%</td>
</tr>
<tr>
<td></td>
<td>ACCESS (C)</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0%</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td></td>
<td>ABDUCTION (NC)</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0%</td>
<td>5</td>
<td>0%</td>
</tr>
<tr>
<td>COUNTRY/AREA</td>
<td>TYPE OF CASE</td>
<td>NEW REPORTED CASES IN CY 2014</td>
<td>FOR CONVENTION AND BILATERAL PROCEDURES COUNTRIES:</td>
<td>UNRESOLVED CASES</td>
<td>*UNRESOLVED CASES DUE TO POOR LAW ENFORCEMENT EFFORTS (NUMBER AND PERCENTAGE)</td>
<td>RESOLVED CASES (NUMBER AND PERCENTAGE)</td>
<td>UNRESOLVED CASES AFFECTING MILITARY PARENTS</td>
<td>AVERAGE TIME TO LOCATE A CHILD (DAYS)</td>
</tr>
<tr>
<td>--------------</td>
<td>--------------</td>
<td>-------------------------------</td>
<td>--------------------------------------------------</td>
<td>-----------------</td>
<td>--------------------------------------------------------------------------------</td>
<td>------------------------------------------</td>
<td>------------------------------------------</td>
<td>------------------------------------------</td>
</tr>
<tr>
<td>TUNISIA</td>
<td>ABDUCTION</td>
<td>ACCESS 0</td>
<td>0 0 0</td>
<td>0 0 0%</td>
<td>0 0%</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>TURKEY</td>
<td>ABDUCTION</td>
<td>ACCESS 3</td>
<td>9 7 3</td>
<td>3 3 0%</td>
<td>4 21%</td>
<td>N/A</td>
<td>N/A</td>
<td>23</td>
</tr>
<tr>
<td>UKRAINE</td>
<td>ABDUCTION</td>
<td>ACCESS 4</td>
<td>4 0 0</td>
<td>0 0 0%</td>
<td>3 N/A</td>
<td>0</td>
<td>N/A</td>
<td>UNKNOWN</td>
</tr>
<tr>
<td>UNITED ARAB EMIRATES</td>
<td>ABDUCTION</td>
<td>ACCESS 0</td>
<td>4 0 0</td>
<td>0 0 0%</td>
<td>0 0%</td>
<td>N/A</td>
<td>N/A</td>
<td>UNKNOWN</td>
</tr>
<tr>
<td>UNITED KINGDOM</td>
<td>ABDUCTION (C)</td>
<td>ACCESS 8</td>
<td>26 13 8</td>
<td>0 0 0%</td>
<td>23 66%</td>
<td>0</td>
<td>N/A</td>
<td>0</td>
</tr>
<tr>
<td>VENEZUELA</td>
<td>ABDUCTION</td>
<td>ACCESS 1</td>
<td>2 0 0</td>
<td>0 0 0%</td>
<td>2 40%</td>
<td>N/A</td>
<td>N/A</td>
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<tr>
<td>WEST BANK</td>
<td>ABDUCTION</td>
<td>ACCESS 0</td>
<td>1 0 0</td>
<td>0 0 0%</td>
<td>1 50%</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>YEMEN</td>
<td>ABDUCTION</td>
<td>ACCESS 0</td>
<td>6 0 0</td>
<td>0 0 0%</td>
<td>2 14%</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

1 - See Appendix I for Convention cases not submitted by the FCA to the judicial or administrative authority.
2 - See Appendix III for a list of unresolved cases and the length of time pending for each case.

*Unresolved cases in which law enforcement authorities have: not located the abducted child; failed to undertake serious efforts to locate the abducted child; and failed to enforce a return order rendered by the judicial or administrative authorities of such country.

*(C): Convention case; (NC): Non-Convention case

Note: Most non-Convention cases do not meet ICAPRA’s definition of an unresolved abduction case. Per 22 U.S.C. 9101, an unresolved abduction case is one “that remains unresolved for a period that exceeds 12 months after the date on which the completed
application for return of the child is submitted for determination to the judicial or administrative authority…”, with “application” defined as “the formal request by the Central Authority of the United States to the Central Authority of such country requesting the return of an abducted child….” When parents use the legal system of a non-Convention country, they are likely participating in a proceeding for custody of the child, which may not involve the return of the child to the United States, rather than submitting an application for return of the child for determination to the judicial or administrative authority. Therefore, the Department does not consider a custody proceeding to be an unresolved abduction case in a non-Convention country, unless there was also a formal request for return.

Table 3: Recommendations to Improve Resolution of Cases in Countries or Areas with Five or More Pending Abduction Cases during CY 20143

<table>
<thead>
<tr>
<th>KEY</th>
<th>RECOMMENDATIONS TO IMPROVE RESOLUTION OF CASES</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>The State Department (Department) promotes training with judicial and administrative authorities on the effective handling of international parental child abduction (IPCA) cases.</td>
</tr>
<tr>
<td>B</td>
<td>The Department promotes training with law enforcement entities on how to effectively locate children and enforce court-ordered returns.</td>
</tr>
<tr>
<td>C</td>
<td>Embassy and consulate public affairs and consular sections promote the resolution of IPCA cases with public diplomacy and outreach activities.</td>
</tr>
<tr>
<td>D</td>
<td>Department officials hold bilateral meetings with government officials in non-Convention countries that have not yet become party to the Convention to encourage accession or ratification, as appropriate, and/or other protocols or procedures for resolving IPCA cases.</td>
</tr>
<tr>
<td>E</td>
<td>Department officials hold bilateral meetings with Convention countries to encourage government officials to comply with their obligations under the Convention.</td>
</tr>
<tr>
<td>F</td>
<td>Department officials intensify engagement with Foreign Central Authorities for updates on IPCA cases and to promote prompt case processing.</td>
</tr>
</tbody>
</table>

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<table>
<thead>
<tr>
<th>COUNTRY/AREA</th>
<th>RECOMMENDATIONS TO IMPROVE RESOLUTION OF CASES</th>
</tr>
</thead>
<tbody>
<tr>
<td>ALGERIA</td>
<td>B, C, D</td>
</tr>
<tr>
<td>ARGENTINA</td>
<td>A, C, E</td>
</tr>
<tr>
<td>AUSTRALIA</td>
<td>F</td>
</tr>
<tr>
<td>BELARUS</td>
<td>C</td>
</tr>
<tr>
<td>BOLIVIA</td>
<td>C, D</td>
</tr>
<tr>
<td>BRAZIL</td>
<td>A, C, E</td>
</tr>
<tr>
<td>BULGARIA</td>
<td>A, F</td>
</tr>
<tr>
<td>CANADA</td>
<td>F</td>
</tr>
<tr>
<td>CAMEROON</td>
<td>C, D</td>
</tr>
<tr>
<td>CHILE</td>
<td>A, C, E, F</td>
</tr>
<tr>
<td>CHINA</td>
<td>D</td>
</tr>
<tr>
<td>COLOMBIA</td>
<td>A, C, E</td>
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<tr>
<td>COSTA RICA</td>
<td>A, C, E</td>
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<tr>
<td>DOMINICAN REPUBLIC</td>
<td>A, C, E</td>
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<tr>
<td>ECUADOR</td>
<td>A, B, C, E</td>
</tr>
<tr>
<td>EGYPT</td>
<td>D</td>
</tr>
<tr>
<td>EL SALVADOR</td>
<td>A, C, E</td>
</tr>
<tr>
<td>ETHIOPIA</td>
<td>C</td>
</tr>
<tr>
<td>FRANCE</td>
<td>F</td>
</tr>
<tr>
<td>GERMANY</td>
<td>F</td>
</tr>
<tr>
<td>GHANA</td>
<td>A, B, C, D</td>
</tr>
<tr>
<td>GUATEMALA</td>
<td>A, B, C, E</td>
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<tr>
<td>GUINEA</td>
<td>C</td>
</tr>
<tr>
<td>HONDURAS</td>
<td>A, B, C, E</td>
</tr>
<tr>
<td>INDIA</td>
<td>D</td>
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<tr>
<td>INDONESIA</td>
<td>D</td>
</tr>
<tr>
<td>IRAN</td>
<td>*</td>
</tr>
<tr>
<td>Country/Area</td>
<td>Recommendations to Improve Resolution of Cases</td>
</tr>
<tr>
<td>------------------------------</td>
<td>-----------------------------------------------</td>
</tr>
<tr>
<td>Israel</td>
<td>A</td>
</tr>
<tr>
<td>Italy</td>
<td>A, B</td>
</tr>
<tr>
<td>Jamaica</td>
<td>D</td>
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<td>Japan</td>
<td>A, B, C</td>
</tr>
<tr>
<td>Jordan</td>
<td>A, D</td>
</tr>
<tr>
<td>Kenya</td>
<td>B, C, D</td>
</tr>
<tr>
<td>Korea, Republic of</td>
<td>A, B, C</td>
</tr>
<tr>
<td>Lebanon</td>
<td>C, D</td>
</tr>
<tr>
<td>Mexico</td>
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<tr>
<td>Morocco</td>
<td>C</td>
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<tr>
<td>Netherlands</td>
<td>F</td>
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<tr>
<td>New Zealand</td>
<td>F</td>
</tr>
<tr>
<td>Nicaragua</td>
<td>A, B, D</td>
</tr>
<tr>
<td>Nigeria</td>
<td>B, C</td>
</tr>
<tr>
<td>Pakistan</td>
<td>A, C, D</td>
</tr>
<tr>
<td>Panama</td>
<td>A, F</td>
</tr>
<tr>
<td>Peru</td>
<td>A, C, E</td>
</tr>
<tr>
<td>Philippines</td>
<td>A, D</td>
</tr>
<tr>
<td>Poland</td>
<td>A, F</td>
</tr>
<tr>
<td>Russia</td>
<td>A, B</td>
</tr>
<tr>
<td>Saudi Arabia</td>
<td>A, B, C, D</td>
</tr>
<tr>
<td>South Africa</td>
<td>F</td>
</tr>
<tr>
<td>Spain</td>
<td>A, F</td>
</tr>
<tr>
<td>Sudan</td>
<td>C, D</td>
</tr>
<tr>
<td>Syria</td>
<td>*</td>
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<tr>
<td>Taiwan</td>
<td>D</td>
</tr>
<tr>
<td>Tanzania</td>
<td>C, D</td>
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<tr>
<td>COUNTRY/AREA</td>
<td>RECOMMENDATIONS TO IMPROVE RESOLUTION OF CASES</td>
</tr>
<tr>
<td>------------------------</td>
<td>------------------------------------------------</td>
</tr>
<tr>
<td>THE BAHAMAS</td>
<td>A, C, E</td>
</tr>
<tr>
<td>TRINIDAD AND TOBAGO</td>
<td>F</td>
</tr>
<tr>
<td>TUNISIA</td>
<td>B, C, D</td>
</tr>
<tr>
<td>TURKEY</td>
<td>A, F</td>
</tr>
<tr>
<td>UKRAINE</td>
<td>A, B, E</td>
</tr>
<tr>
<td>UNITED ARAB EMIRATES</td>
<td>D</td>
</tr>
<tr>
<td>UNITED KINGDOM</td>
<td>F</td>
</tr>
<tr>
<td>VENEZUELA</td>
<td>F</td>
</tr>
<tr>
<td>YEMEN</td>
<td>D</td>
</tr>
</tbody>
</table>

*The United States works with a protecting power in the country to provide appropriate assistance in IPCA cases.*

3.3 Abducted Children Returned to their Habitual Residence in the United States in CY 2014

In CY 2014, 374 abducted children whose habitual residence is the United States, were returned to the United States from around the world. The total is represented in Figure 4 below by the countries that are partners with the United States under the Convention, bilateral procedures countries, countries that have other procedures for resolving IPCA, and countries that have no protocols for resolving IPCA.
3.4 Cases Resolved without the Return of Children to the United States

In CY 2014, 521 IPCA cases were resolved in all countries and areas without the child’s return to the United States. The total is represented in Figure 5 below by the countries that are partners with the United States under the Convention, bilateral procedures countries, countries that have other procedures for resolving IPCA, and countries that have no protocols for resolving IPCA. IPCA cases can be resolved for a variety of reasons that do not result in the child’s return to the United States. Please see 22 USC 9101, Section 3 for more information on what constitutes a case resolution.

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4. Reporting Data: Partnerships, Prevention, and Training

Beyond the engagement described in Section 2.3, this section offers an example of efforts by the United States Central Authority (USCA) to encourage non-Convention countries to become party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction Convention or to partner with the United States under the treaty. This section details abduction prevention efforts working with airlines, law enforcement, and other Cabinet-level departments on preventing and resolving international parental child abduction. It also highlights efforts to facilitate training on the Convention among domestic judges and military legal personnel.

4.1 Efforts by the Secretary of State regarding Non-Convention Countries

Department officials regularly engage with foreign governments of non-Convention countries to encourage those countries to become party to the Convention and to address pending abduction and access cases. During the reporting period and to fulfill requirements under the International Child Abduction Prevention and Return Act (ICAPRA), the USCA initiated a process to categorize countries for reporting purposes; identify and prioritize countries as candidates for initiating a process to develop and enter into appropriate

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\[521\]
bilateral procedures or other protocols; engage with countries to pursue other protocols; and evaluate whether non-Convention countries have patterns of noncompliance during the reporting period.

As an example of the USCA’s policy of promoting Convention partnership worldwide, the USCA spent more than a decade actively pressing Japan to ratify the Convention. The USCA maintained close contact with the government of Japan in 2012 and 2013 as Japan’s parliament prepared and passed necessary legislation to implement the Convention. On April 1, 2014, the Convention entered into force between the United States and Japan. Since April, the USCA has developed a close and productive working relationship with the Japan Central Authority.

The USCA continues to urge Japanese action on non-Convention cases. There are still more than 50 non-Convention cases of abduction to Japan, all of which predate Japan’s ratification of the Convention. Many of these have been pending for years. In these cases, parents are not able to seek return of their children under the Convention; however, as of December 31, 2014, U.S. left-behind parents have filed 31 Convention access applications. Of the few cases of which the USCA is aware in which parents have sought redress in Japanese family courts, none have resulted in either meaningful parental access or the return of the child to the United States.

The USCA and the U.S. diplomatic mission in Japan work with the Japanese government to bring about the return of abducted children to the United States or to obtain parental access. The Department’s efforts have included individual requests through diplomatic channels seeking Japanese assistance in enforcing U.S. parents’ rights and in persuading taking parents to provide access; exchanges and training for lawyers and officials; and outreach and public diplomacy efforts. The Department continues to encourage the government of Japan to remove obstacles that parents still face in gaining access to or return of their children. Meanwhile, the Japanese government is developing its own resources to address issues related to child abduction since joining the Convention. Many of these initiatives, such as promoting mediation and alternative dispute resolution methods as a way for parents to reach agreement, using videoconferencing to foster communication between parents and children, and engaging in public outreach activities, may assist in non-Convention cases as well. Despite these encouraging steps, during the reporting period almost all of these non-Convention cases remained unresolved.

4.2 Use of Airlines in Abductions

Many international parental child abductions take place via international airline flights, although the USCA has no specific data on this issue. Commercial airline practices to prevent IPCA were thoroughly reviewed by the Government Accountability Office (GAO) in a June 2011 report, “Commercial Aviation, Program Aimed at High Risk Parent Abductors Could Aid in Preventing Abductions” to the House of Representatives’ Subcommittee on Aviation, Committee on Transportation and Infrastructure. This detailed report addresses the policies and measures airlines currently have in place, possible solutions, and appropriate role of commercial airliners in preventing IPCA.
In addition to the recommendations of the GAO report, the USCA also recommends the following best practices for airlines to aid in preventing IPCA:

1. **Support and Cooperate with Law Enforcement Efforts**: As private sector entities, airlines in the United States do not have the authority to enforce court and custody orders. The airline’s main role related to the prevention of IPCA is cooperating, upon request, with law enforcement officials. Federal and state law enforcement entities have the main role in preventing IPCA and airlines should work to support law enforcement agencies in this role.

2. **Know How To Report**: Commercial airline employees should be made aware of the USCA’s contact information so that IPCA cases reported to the airlines, either by a parent, attorney, court, law enforcement officer, or other stakeholder may be appropriately referred for immediate assistance.

For information related to abduction prevention, please visit: [http://www.travel.state.gov/content/childabduction/english/preventing.html](http://www.travel.state.gov/content/childabduction/english/preventing.html)

### 4.3 Actions by the USCA to Create a Prevention Interagency Working Group

Furthermore, per ICAPRA, the USCA was tasked to organize an interagency working group to discuss strategies to enhance child abduction prevention measures. On October 15, 2014, the USCA hosted the first ‘Prevention of IPCA Interagency Working Group’ meeting composed of participants from the USCA, the Department of Homeland Security, Department of Justice and the Federal Bureau of Investigation. Special Advisor for Children’s Issues Susan S. Jacobs chaired the meeting. Participants discussed ways to enhance current interagency IPCA prevention strategies. The working group will meet regularly to streamline and improve interagency cooperation when working on child abduction cases originating from the United States.

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4.4 Actions by the USCA to Train Domestic Judges in the Application of the Convention

The USCA educates judges in the United States about the Convention in a variety of ways. Any judge can access information on our website solely dedicated to the needs of judges in cases where IPCA is a concern. The webpage contains important resources about the Convention, as well as abduction prevention tools and information, and can be found here: http://www.travel.state.gov/content/childabduction/english/legal/for-judges.html.

When the USCA is informed that a judge in the United States is hearing a case under the Convention, the USCA sends a letter directly to the judge emphasizing important articles of the Convention, including the article requiring a Convention case to be handled as expeditiously as possible, and the articles that clarify that a decision under the Convention is not a decision about custody. The letter also explains the role of the USCA, and provides additional resources such as the Convention’s implementing legislation in the United States, the International Child Abduction Remedies Act (ICARA). The USCA also informs judges hearing Convention cases in the United States in this letter that they may contact the USCA to speak with one of the four U.S. Network Judges who participate in the International Hague Network of Judges (Judges Network).

The Judges Network is one of the United States’ most important tools for judicial education on the Convention. The Judges Network was formed by the Hague Conference on Private International Law and consists of a group of approximately 70 judges from 47 countries, who are experts in the Convention and other international family law issues. One of the roles of a Network Judge is to serve as a domestic resource on the Convention for his/her judicial colleagues. The United States currently has four U.S. judges serving on the Network; three state court judges and one federal court judge. Each year, the USCA facilitates numerous requests from domestic judges to speak with one of the U.S. Hague Network Judges with questions ranging from Convention interpretation to procedural issues. In addition to their help on individual Convention cases, the U.S. Network Judges participate in trainings and symposiums on international family law, where they explain their role as judges in Convention cases. The USCA is grateful for the service of the U.S Hague Network Judges, who have helped facilitate the resolution of many Convention cases in the United States by communicating with and educating domestic judges on the Convention.

In addition, in CY 2014, Department of State attorneys participated in trainings for judges on abduction prevention and the Convention in Texas and Florida upon request from state court judges in conjunction with continuing judicial training.
4.5 Actions by the USCA to Train U.S. Armed Forces Legal Assistance Personnel, Military Chaplains, and Military Family Support

In CY 2014, the USCA held a roundtable meeting with the U.S. Navy Judge Advocate Generals (JAG) corps to discuss the role of the USCA and opportunities for outreach to Department of Defense (DoD) personnel. The USCA conducted training to raise awareness amongst the military community on international parental child abduction for JAG officers by providing information, resources, and guidance on the topic. The USCA also met the Director of DoD’s Office of Legal Policy to provide an overview of ICAPRA and the law’s impact on the military community. All parties acknowledged the importance of continued collaboration and cooperation to achieve the goals enumerated in ICAPRA.

5. Reporting Data: Patterns of Noncompliance

This section identifies countries that demonstrated patterns of noncompliance, as defined by the Sean and David Goldman International Child Abduction Prevention and Return Act (ICAPRA), in CY 2014, describes the patterns of noncompliance, and explains the responses by the Secretary of State towards U.S. partners under the 1980 Hague Convention on the Civil Aspects of International Child Abduction (Convention) demonstrating patterns of noncompliance, as appropriate.

5.1 Countries Demonstrating a Pattern of Noncompliance

Table 4 lists all countries demonstrating a pattern of noncompliance, as defined by ICAPRA, in CY 2014 and provides a description of the pattern of noncompliance. Information on actions by the Secretary of State towards Convention countries demonstrating a pattern of noncompliance can be found in Section 5.2.

Per ICAPRA, a pattern of noncompliance is defined as the persistent failure:
- of a Convention country to implement and abide by provisions of the Convention;
- of a non-Convention country to abide by bilateral procedures that have been established between the United States and such country;
- of a non-Convention country to work with the USCA to resolve abduction cases.

Persistent failure may be evidenced in a country by the presence of one or more of the following criteria:
- thirty percent or more of the total abduction cases in such country are unresolved abduction cases;
- the Foreign Central Authority regularly fails to fulfill its responsibilities pursuant to the Convention or any bilateral procedures between the United States and such country;
- the judicial or administrative authority of a Convention or bilateral procedures country fails to regularly implement and comply with the provisions of the Convention or bilateral procedures agreement;
- law enforcement authorities regularly fail to enforce return orders or determinations of rights of access rendered by the judicial or administrative authorities of such country.\(^7\)

### Table 4: Countries Demonstrating Patterns of Noncompliance

<table>
<thead>
<tr>
<th>KEY</th>
<th>DESCRIPTION OF PATTERN OF NONCOMPLIANCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Percentage of Unresolved Cases: Thirty percent or more of the total abduction cases in such country are unresolved abduction cases as defined by ICAPRA. Calculated by dividing total number of unresolved abduction cases as of the end of the reporting period on December 31, 2014 by total number of abduction cases at the end of the reporting period on December 31, 2014.</td>
</tr>
<tr>
<td>B</td>
<td>Foreign Central Authority (FCA) Performance: The FCA regularly fails to fulfill its responsibilities pursuant to the Convention or any bilateral procedures between the United States and such country.</td>
</tr>
<tr>
<td>C</td>
<td>Judicial Performance: The judicial or administrative branch, as applicable, of the national government of a Convention country or a bilateral procedures country fails to regularly implement and comply with the provisions of the Convention or bilateral procedures, as applicable.</td>
</tr>
<tr>
<td>D</td>
<td>Law Enforcement Performance: Law enforcement authorities regularly fail to locate children and/or enforce return orders or determinations of rights of access rendered by the judicial or administrative authorities of the government of the country in abduction cases.</td>
</tr>
<tr>
<td>E</td>
<td>Persistent failure of a non-Convention country to work with the USCA to resolve abduction cases.</td>
</tr>
</tbody>
</table>

\(^7\) 22 U.S.C. § 9101(19)et al.
<table>
<thead>
<tr>
<th>COUNTRY/AREA</th>
<th>DESCRIPTION OF PATTERN OF NONCOMPLIANCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>ARGENTINA</td>
<td>A, C</td>
</tr>
<tr>
<td>BRAZIL</td>
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<td>OMAN</td>
<td>E</td>
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5.2 Actions by Secretary of State towards Convention Countries Demonstrating a Pattern of Noncompliance

In CY 2014, the USCA, on behalf of the Secretary of State, initiated numerous actions to promote compliance with the Convention, including actions directed at Convention countries listed in this report as demonstrating patterns of noncompliance. The USCA held bilateral meetings to promote Convention compliance with Argentina, Brazil, Costa Rica, Dominican Republic, Honduras, Poland, and Romania; delivered démarches about Convention compliance to the Governments of Argentina, the Bahamas, Brazil, Costa Rica, Guatemala, and Slovakia; and sent diplomatic notes on unresolved cases to the governments of Argentina and Brazil. For all Convention countries demonstrating a pattern of noncompliance in CY 2014 as defined by ICAPRA, noneconomic policy options have not been reasonably exhausted to resolve the patterns of noncompliance.

5.3 Conclusion

The USCA submits the Annual Report to the House Appropriations Committee; the Senate Appropriations Committee; the House Subcommittee on State, Foreign Operations and Related Programs; the Senate Subcommittee on State, Foreign Operations and Related Programs; the House Foreign Affairs Committee; and the Senate Foreign Relations Committee.

6. Appendix

6.1 Appendix I – Convention Cases Not Submitted by the Foreign Central Authority (FCA) to Judicial or Administrative Authority

Table 5 lists all Convention cases, by country or area, not submitted to a judicial or administrative authority by the FCA and the reason for the delay.

### Table 5: Cases Not Submitted by FCA to Judicial or Administrative Authority

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<th>KEY</th>
<th>REASON FOR DELAY IN SUBMISSION TO JUDICIAL OR ADMINISTRATIVE AUTHORITY</th>
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<tr>
<td>A</td>
<td>Location Issues: Unknown location of child and/or taking parent.</td>
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<td>B</td>
<td>Administrative processing: The Foreign Central Authority (FCA) reports the case is under review</td>
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<td>C</td>
<td>Pending information requests: FCA reports it is awaiting requested information from the left-behind parent, attorney, or other entity.</td>
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<td>D</td>
<td>Withdrawal of application: Left-behind parent withdrew application before case went to the judicial or administrative authority.</td>
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<td>E</td>
<td>Case submitted or awaiting submission by a non-FCA entity: In some situations and/or countries, an entity other than the FCA may be responsible for submitting a case to the Judicial or Administrative Authority. For example, a private attorney, a non-government office, the left-behind parent, or another entity that is not designated as the foreign central authority may be responsible.</td>
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<td>F</td>
<td>Judicial or administrative authority delays: Examples could include courts on recess, courts on strike, or other issues reportedly preventing the FCA from sending the case to the appropriate authority.</td>
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<td>G</td>
<td>Mediation: Case is not submitted to the judicial or administrative authority while parents pursue a mediated agreement.</td>
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<td>H</td>
<td>Rejection: The receiving FCA rejected the application.</td>
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<td>Other: Any reasons not listed above.</td>
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### 6.2 Appendix II – Unresolved Cases by Country or Area

Table 6 lists all unresolved cases, as defined by ICAPRA, by country or area and the length of time pending in each case. See 22 USC 9101, Section 3 for applicable definitions.

Table 6: Unresolved Cases by Country or Area\(^\text{10}\)

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\(^{10}\) 22 U.S.C. 9111(2)(D).
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