

Action Report on

International Child Abduction

July 2019



**REPORT ON THE SPECIFIC ACTIONS TAKEN AGAINST COUNTRIES
DETERMINED TO HAVE BEEN ENGAGED IN A PATTERN OF NONCOMPLIANCE
IN THE 2019 ANNUAL REPORT ON INTERNATIONAL CHILD ABDUCTION**

July 2019

**SUBMITTED PURSUANT TO
THE SEAN AND DAVID GOLDMAN
INTERNATIONAL CHILD ABDUCTION PREVENTION AND RETURN ACT
22 U.S.C. §9111, ET SEQ.**

INTRODUCTION

The U.S. Department of State's 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). In May 2019, the Department submitted its Annual Report on International Child Abduction (Annual Report) pursuant to the Sean and David Goldman International Child Abduction Prevention and Return Act (the Act).

The Department submits, pursuant to 22 U.S.C. § 9122(c)(4), this Action Report on International Child Abduction to Congress on the specific actions taken in response to countries that have demonstrated a pattern of noncompliance as defined by the Act.

In our 2019 Annual Report we reported on the Department's efforts to support the resolution of international parental child abduction (IPCA) cases involving children whose habitual residence is reported to be the United States. We also reported on our engagement with foreign governments and authorities to promote procedures to encourage the prompt resolution of existing IPCA cases with the aim that, in general, international custody disputes should be resolved in the competent court of the country of the child's habitual residence. The 2019 Annual Report also discussed the Department's efforts to prevent abductions in coordination with foreign governments, law enforcement agencies, and airlines.

The Department's work does not end with the publication of the Annual Report. In countries that do not meet their Convention obligations, or fail to work with the USCA to resolve international parental child abductions, the Department takes appropriate actions as listed in the Act. In addition, the Department takes actions that are consistent with how we advance U.S. foreign interests in other high priority areas. We establish and maintain communications, we identify challenges, we exchange information and technical expertise, and we press countries to meet their Convention obligations and resolve abduction

cases. This report outlines these actions and dialogues undertaken to address systematic obstacles to resolution and deterrence of international parental child abduction.

THE DEPARTMENT'S ACTION REPORT ON INTERNATIONAL PARENTAL CHILD ABDUCTION

Diplomatic engagement remains our most effective tool with all countries to assist in resolving IPCA cases. We take every appropriate opportunity to raise these cases with foreign government officials at the highest appropriate levels and to ensure that the foreign government understands the U.S. government's concern for the welfare of U.S. citizens overseas, especially children.

The Department continues to refine strategies for U.S. government engagement with numerous countries on IPCA. These strategies provide a government-wide approach to combat and resolve abductions. Our strategy for each country is uniquely tailored to that country's evolving political and cultural environment.

For countries that have not joined the Convention, Department professionals work with government officials to encourage them to join the Convention, and to resolve existing abduction cases. For Convention partners, we actively promote compliance with the Convention. In many countries, these efforts are producing results. Although the Department cited The Bahamas, China, the Dominican Republic, Japan, and Morocco as noncompliant in the 2018 Annual Report, the Department did not cite them in the 2019 Annual Report and noted improvements each country made in handling parental child abduction cases.

In July 2018, The Bahamas resolved all open abduction cases, two of which were resolved with the return of the children to the United States.

The Chinese Ministry of Foreign Affairs improved its communication regarding IPCA matters with the Department in 2018, which has enabled us to raise the longstanding unresolved cases directly with China's Foreign Ministry.

INTRODUCTION

In 2018, the Dominican Republic's Supreme Court issued a decision on the only longstanding abduction case.

In May 2019, Japan passed legislation to improve execution of ordered returns of abducted children. The new law is expected to take effect on or about April 1, 2020. - In addition, in 2018, four Convention abduction cases were resolved, two of which were resolved with the return of the children to the United States.

The Moroccan Central Authority improved its communication with the Department in 2018.

In this Action Report, we share the specific actions the United States has taken with regard to the countries we cited in the 2019 Annual Report for demonstrating a pattern of noncompliance. We also report on developments on issues of international parental child abduction in these countries.

We also seek to partner, when appropriate, with countries that have already joined the Convention. In January 2019, the United States accepted Jamaica's accession to the Convention, which entered into force between our two countries on April 1, 2019, making Jamaica our 79th Convention partner. Parents reporting new abductions to and from Jamaica will now be able to apply for their children's return and parents who are without access to their children in Jamaica can apply for access under the Convention.

Argentina

Country Summary:

The Convention has been in force between the United States and Argentina since 1991. In 2018, Argentina demonstrated a pattern of noncompliance. Specifically, the Argentine judicial authorities failed to regularly implement and comply with the provisions of the Convention. As a result of this failure, 25 percent of requests for the return of abducted children under the Convention remained unresolved for more than 12 months. On average, these cases were unresolved for nine years and 10 months. Argentina was previously cited for demonstrating a pattern of noncompliance in the 2015-2019 Annual Reports.

Report of Action Taken:

Department of State officials raised continuing concerns about the Argentine judiciary's persistent failure to regularly implement and comply with the Convention.

In July and August 2018, public defenders, family court judges, Supreme Court staff, child and family advocates, and central authority officials from Argentina participated in an International Visitor Leadership Program (IVLP) focused on the Convention. Argentine participants met with Department officials, U.S. judges, local law enforcement and District Attorneys' offices, private attorneys, and nongovernmental organizations working with children and families. The IVLP exposed Argentine participants to how the Convention is implemented in the United States, and participants learned of resources available to help facilitate the safe return of a child to his or her country of habitual residence. Upon their return to Argentina, participants joined an intra-Argentine network of returned IVLP participants, engaging in trainings across Argentina in an effort to multiply the effect of their experience in the United States. This was the second year in a row the U.S. embassy in Buenos Aires organized an IVLP targeting Argentine Convention noncompliance.

In August 2018, U.S. embassy officials pressed Argentine officials on Argentina's Convention noncompliance at an event titled "Latin American Meeting on the Implementation and Operation of the Hague Convention on Legal Co-Operation and International Child Protection," organized by the Hague Conference on Private International Law.

In September 2018, the U.S. embassy hosted a "Consular Breakfast on International Parental Child Abduction." Convening 25 stakeholders, this multilateral forum included Argentine executive, legislative, and judicial branch officials, and returned IVLP participants, presenting on solutions for improved Convention implementation in Argentina.



Argentina

In a February 2019 digital video conference, senior U.S. Central Authority officials met with Argentine Ministry of Foreign Affairs officials and the newly installed Argentine Central Authority Director to address the Department's concern for resolving longstanding Convention cases. This meeting strengthened central authority cooperation.

Also in February 2019, the Department facilitated training for over 20 U.S. government officials from U.S. missions across the western hemisphere. Hosted by U.S. Embassy Buenos Aires, the training focused on how to prevent, counter, and resolve international parental child abduction.

In March 2019, the Department's Special Advisor for Children's Issues led a delegation to Argentina to address Convention noncompliance and U.S.-Argentine cooperation under the Convention. During this official visit, the Department formally raised U.S. concerns, conveyed to Argentine officials the importance of expeditiously processing Convention cases, and highlighted U.S. congressional interest in longstanding cases. During the visit, the Special Advisor participated in a roundtable with members of the Argentine Congress tasked with reviewing a draft national procedural law addressing Convention delays in the judiciary. The Special Advisor noted obstacles for the correct application of the Convention in Argentina and encouraged Argentine members of Congress to pass procedural reform. Local press covered the Special Advisor's engagement extensively and positively, and she participated in media interviews with Argentina's largest online news site and with the country's only English-language newspaper.

In June 2019, the Acting Consul General delivered a demarche to the Argentine Ministry of Foreign Affairs, notifying the Argentine authorities that the Department cited Argentina in the 2019 Annual Report for demonstrating a pattern of noncompliance during 2018.



Brazil

Country Summary:

The Convention has been in force between the United States and Brazil since 2003. In 2018, Brazil demonstrated a pattern of noncompliance. Specifically, the Brazilian judicial authorities persistently failed to regularly implement and comply with the provisions of the Convention. As a result of this failure, 44 percent of requests for the return of abducted children under the Convention remained unresolved for more than 12 months. On average, these cases were unresolved for five years and 10 months. In one notable case, after nine years of litigation at all levels of the Brazilian judiciary, the Brazilian court still failed to enforce its own order for return. Brazil was previously cited for demonstrating a pattern of noncompliance in the 2006-2019 Annual Reports.

Report of Actions Taken:

Throughout the year, officials at the highest levels of the Department engaged with the Government of Brazil on the issue of international parental child abduction. The U.S. Ambassador to Brazil, Assistant Secretary for Consular Affairs, Minister Counselor for Consular Affairs, and the Special Advisor for Children's Issues pressed Brazil to assist with resolving abduction cases and to address the ongoing issue of judicial delays.

During September 2018, Department officials met with the Brazilian Minister Counselor for Consular Affairs in the United States to note dissatisfaction with lengthy judicial delays in Brazil and press for resolution of longstanding international parental child abduction cases.

Likewise, in September 2018, U.S. Embassy Brasilia officials met with the President of the Superior Tribunal of Justice and with Brazil's Hague Network Judge to discuss Brazil's compliance with the Convention.

Also in September 2018, officials from the U.S. Central Authority and a U.S. Hague Network Judge participated in the second annual Brazilian judicial seminar aimed at exchanging best practices for Convention cases.

In October 2018, U.S. Embassy Brasilia officials met with Government of Brazil officials who expressed a commitment to exploring procedural and legislative solutions to address longstanding judicial delays in Convention cases.

Also in December 2018, the Department delivered a demarche to the Ambassador of the Federative Republic of Brazil in Washington, noting deep concerns with the lack of enforcement of a return order in one case and Brazil's overall Convention implementation and requesting the Government of Brazil to review impediments to swift resolution of Convention cases in Brazil.

In February 2019, a senior Department official met with the Brazilian Minister of Justice to urge implementation of procedural changes in the court system to expedite Convention cases.



Brazil

Also in February 2019, following the change of administration in Brazil, U.S. Embassy Brasilia officials met with the new Foreign Ministry leadership at the Under Secretary level to reiterate our concerns over Brazil's continued pattern of noncompliance and the need to resolve longstanding cases, in particular, as soon as possible.

In March 2019, during the U.S.-Brazil Bilateral Consular Dialogue, the Assistant Secretary of State for Consular Affairs raised international parental child abduction and Convention noncompliance concerns with senior Government of Brazil officials. He also highlighted every longstanding abduction case in Brazil during the course of the dialogue.

In June 2019, U.S. Embassy Brasilia delivered a demarche to the Brazilian government noting the Department had cited Brazil in the 2019 Annual Report for demonstrating a pattern of noncompliance and again requested Brazil's assistance with resolving longstanding cases.



Ecuador

Also in December 2018, the Special Advisor for Children’s Issues traveled to Quito to discuss IPCA matters. The Special Advisor held bilateral meetings with the Ecuadorian Central Authority to discuss compliance with its obligations under the Convention. The Special Advisor also met with foreign missions in Ecuador, the Ecuadorian Hague Network Judge, the Ministry of Foreign Relations, DINAPEN, and the president of the National Court of Justice. The Special Advisor also pressed for improved Ecuadorian compliance under the Convention during the second meeting of the bilateral Working Group on Consular and Migration Issues, where she addressed a larger group of MFA, Ministry of the Interior, and Ministry of Justice senior officials. The Special Advisor’s visit was covered by the national daily newspaper, *El Comercio*, which raised the profile of Ecuador’s compliance issues to the Ecuadorian public.

In May 2019, two Ecuadorian family court judges met with Department personnel and a U.S. Hague Network Judge to discuss U.S. judicial processes in Convention cases.

In June 2019, U.S. Embassy Quito delivered a demarche to the Ecuadorian Ministry of Foreign Relations, giving official notice that the Department cited Ecuador for demonstrating a pattern of noncompliance in the 2019 Annual Report on International Child Abduction.



Country Summary:

Egypt does not adhere to any protocols with respect to international parental child abduction. In 2003, the United States and Egypt signed a Memorandum of Understanding to encourage voluntary resolution of abduction cases and facilitate consular access to abducted children. In 2018, Egypt demonstrated a pattern of noncompliance. Specifically, the competent authorities in Egypt persistently failed to work with the Department of State to resolve abduction cases. As a result of this failure, 91 percent of requests for the return of abducted children remained unresolved for more than 12 months. On average, these cases were unresolved for three years and nine months. Egypt was previously cited for demonstrating a pattern of noncompliance in the 2015, 2016, and 2019 Annual Reports.

Report of Actions Taken:

Throughout the year, officials at the highest levels of the Department engaged with the Government of Egypt on the issue of international parental child abduction. Department officials pressed Egypt to assist with resolving abduction cases and to ratify the Convention.

In May 2019, the Special Advisor for Children's Issues traveled to Egypt to meet with government officials, legal experts, and members of Egypt's civil society, to address concerns regarding IPCA and the Convention. The Special Advisor pressed the Egyptian government to assist with resolving abductions and to ratify the Convention. She also met with foreign missions representing like-minded countries to discuss international parental child abduction and the Convention.

In May 2019, the Department hosted an IVLP composed of individuals from multiple countries, including Egypt, who are current or potential leaders in government, politics, the media, education, and other fields. The Department discussed the Convention, and provided an overview of abduction and prevention resources in the United States. The participants came away with a clearer understanding of the Department's views on IPCA, the Convention, and its importance.

Upon release of the 2019 Annual Report, U.S. Embassy Cairo delivered a demarche notifying the Egyptian government that the Department had cited Egypt in the 2019 Annual Report for demonstrating a pattern of noncompliance and once again requesting Egypt's assistance with resolving reported cases.



Country Summary:

India does not adhere to any protocols with respect to international parental child abduction. In 2018, India demonstrated a pattern of noncompliance. Specifically, the competent authorities in India persistently failed to work with the Department of State to resolve abduction cases. As a result of this failure, 71 percent of requests for the return of abducted children remained unresolved for more than 12 months. On average, these cases were unresolved for two years and 10 months. India was previously cited for demonstrating a pattern of noncompliance in the 2015-2019 Annual Reports.

Report of Actions Taken:

Throughout the year, officials at the highest levels of the Department engaged with the Government of India on the issue of international parental child abduction. Department officials pressed India to assist with resolving abduction cases and to accede to the Convention.

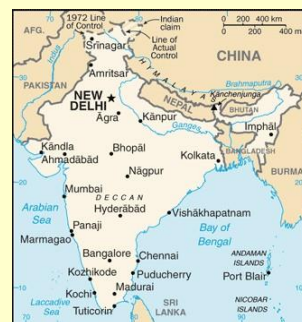
In July 2018 and March 2019, the U.S. Embassy in New Delhi delivered diplomatic notes requesting India's assistance in resolving existing abduction cases.

Since February 2019, U.S. Embassy New Delhi has attended sessions of the Indian government's Mediation Cell at the request of the Indian government to observe the processing of requests submitted to the Mediation Cell.

In March 2019, the United States delivered a demarche and letter to the Indian government urging India's accession to the Convention. The letter was signed by the U.S. Ambassador and 38 other Ambassadors or acting Chiefs of Mission representing like-minded countries.

In May 2019, the Department hosted an IVLP delegation composed of Indian government officials and attorneys. The Department discussed the Convention with the participants, and provided an overview of abduction and prevention resources in the United States, including child-location assistance, attorney referrals, and two-parent consent regulations. The participants came away with a clearer understanding of the Department's views on IPCA, the Convention, and its importance.

Upon release of the 2019 Annual Report, U.S. Embassy New Delhi delivered a demarche notifying the Indian government that the Department had cited India in the 2019 Annual Report for demonstrating a pattern of noncompliance and once again requesting India's assistance with resolving existing cases.



Country Summary:

Jordan does not adhere to any protocols with respect to international parental child abduction. In 2006, the United States and Jordan signed a Memorandum of Understanding to encourage voluntary resolution of abduction cases and facilitate consular access to abducted children. In 2018, Jordan demonstrated a pattern of noncompliance. Specifically, the competent authorities in Jordan persistently failed to work with the Department of State to resolve abduction cases. As a result of this failure, 67 percent of requests for the return of abducted children remained unresolved for more than 12 months. On average, these cases were unresolved for two years and seven months. Jordan was previously cited for demonstrating a pattern of noncompliance in the 2015-2019 Annual Reports.

Report of Actions Taken:

Throughout the year, officials at the highest levels of the Department pressed the Government of Jordan to assist with resolving abduction cases and to accede to the Convention.

In October 2018, the Assistant Secretary for Consular Affairs traveled to Amman and met with his Jordanian counterparts to discuss the resolution of existing abduction cases and to encourage Jordan's accession to the Convention.

In March 2019, the Special Advisor for Children's Issues met with a Jordanian official during a meeting of the Working Party on Mediation in The Hague, Netherlands. The Special Advisor discussed with the official the resolution of existing cases and the Convention.

In March 2019, U.S. Embassy Amman met with Jordanian law enforcement officials and officials from other foreign missions to discuss law, policy, and practice concerning international parental child abduction and related matters.

Upon release of the 2019 Annual Report, U.S. Embassy Amman delivered a demarche to the Jordanian government noting that the Department had cited Jordan in the 2019 Annual Report for demonstrating a pattern of noncompliance and requesting assistance in resolving existing abduction cases.



Lebanon

Country Summary:

Lebanon does not adhere to any protocols with respect to international parental child abduction. In 2004, the United States and Lebanon signed a Memorandum of Understanding to encourage voluntary resolution of abduction cases and facilitate consular access to abducted children. In 2018, Lebanon demonstrated a pattern of noncompliance. Specifically, the competent authorities in Lebanon persistently failed to work with the Department of State to resolve abduction cases. As a result of this failure, 50 percent of requests for the return of abducted children remained unresolved for more than 12 months. On average, these cases were unresolved for two years and one month. Lebanon was previously cited for demonstrating a pattern of noncompliance in the 2015, 2016, and 2019 Annual Reports.

Report of Actions Taken:

Throughout the year, officials at the highest levels of the Department, including the U.S. Ambassador, engaged with the Government of Lebanon on international parental child abductions. Department officials met with Lebanese officials on numerous occasions to press for the resolution of existing cases.

In December 2018, ~~the~~ U.S. Embassy ~~in~~ Beirut delivered a diplomatic note requesting Lebanon's assistance in resolving existing abduction cases.

In May 2019, the Department hosted an IVLP composed of individuals from multiple countries, including Lebanon, who are current or potential leaders in government, politics, the media, education, and other fields. The Department discussed the Convention with the participants, and provided an overview of abduction and prevention resources in the United States. The participants came away with a clearer understanding of the Department's views on IPCA, the Convention, and its importance.

Upon release of the 2019 Annual Report, U.S. Embassy Beirut delivered a demarche to the Lebanese government noting that the Department had cited Lebanon in the 2019 Annual Report for demonstrating a pattern of noncompliance and requesting assistance in resolving existing abduction cases.



Country Summary:

The Convention has been in force between the United States and Peru since 2007. In 2018, Peru demonstrated a pattern of noncompliance. Specifically, the Peruvian Central Authority and judicial authorities persistently failed to implement and abide by the provisions of the Convention. As a result of this failure, 50 percent of requests for the return of abducted children under the Convention remained unresolved for more than 12 months. On average, these cases were unresolved for two years and seven months. Peru was previously cited for demonstrating a pattern of noncompliance in the 2015-2019 Annual Reports.

Report of Actions Taken:

Throughout the past year, the Department frequently raised concerns in both public and private fora about Peru's persistent failure to regularly implement and comply with the provisions of the Convention.

In July 2018 and May 2019, the U.S. Ambassador to Peru met with the Head of the Ministry of Women and Vulnerable Children, where the Peruvian Central Authority (PCA) is located, regarding U.S. concerns with Peru's Convention compliance.

In September 2018 and February 2019, the Ambassador met with the President of Peru's Supreme Court to address judicial delay in Convention cases.

In September 2018, Department officials and a U.S. Hague Network Judge participated in a judicial seminar sponsored by the PCA for Peruvian family law judges to discuss best practices for Convention implementation, including ways to reduce judicial delays. The seminar was attended by nearly 50 Peruvian judges and attorneys.

In January 2019, U.S. Embassy Lima delivered a diplomatic note to the Peruvian Ministry of Foreign Affairs to press the Peruvian government about Convention cases that have been pending with Peruvian courts for more than one year.

In March 2019, the Special Advisor for Children's Issues traveled to Peru to conduct meetings with Peruvian officials including the PCA, the Ministry of Foreign Affairs, and the President of the Supreme Court. In addition, the Special Advisor oversaw a roundtable discussion with Consuls from Brazil, Belgium, Canada, Spain, and the United Kingdom to explore solutions to issues of common concern, including judicial delays and PCA noncompliance.

In 2018, the USCA conducted bi-monthly conference calls with the PCA to improve communication, discuss case developments, and other Convention-related issues.

In June 2019, the Department delivered a demarche to the Peruvian Ministry of Foreign Affairs stating the Department cited Peru in its 2019 Annual Report for demonstrating a pattern of noncompliance.



United Arab Emirates

Country Summary:

The United Arab Emirates does not adhere to any protocols with respect to international parental child abduction. In 2018, the United Arab Emirates demonstrated a pattern of noncompliance. Specifically, the competent authorities in the United Arab Emirates persistently failed to work with the Department of State to resolve abduction cases. As a result of this failure, 100 percent of requests for the return of abducted children remained unresolved for more than 12 months. On average, these cases were unresolved for two years and seven months. The United Arab Emirates was previously cited for demonstrating a pattern of noncompliance in the 2018 and 2019 Annual Reports.

Report of Actions Taken:

Throughout the year, officials at the highest levels of the Department pressed the Government of the United Arab Emirates to assist with resolving abduction cases and to accede to the Convention.

In October 2018, the Assistant Secretary for Consular Affairs traveled to the United Arab Emirates where he met with his counterparts to discuss the resolution of existing abduction cases and to encourage the United Arab Emirates to accede to the Convention.

In December 2018, U.S. Embassy Abu Dhabi delivered a diplomatic note requesting the United Arab Emirates' assistance in resolving existing abduction cases.

Upon release of the 2019 Annual Report, U.S. Embassy Abu Dhabi delivered a demarche to the Emirati government noting that the Department had cited the United Arab Emirates in the 2019 Annual Report for demonstrating a pattern of noncompliance and requesting assistance in resolving existing abduction cases.

