

# INTERNATIONAL PARENTAL CHILD ABDUCTION

U.S. Department of State • Bureau of Consular Affairs



## Report on Compliance with the Hague Convention on the Civil Aspects of International Child Abduction

April 2013

**WEB:** [travel.state.gov](http://travel.state.gov)

**FACEBOOK:** [facebook.com/travelgov](https://facebook.com/travelgov)

**TWITTER:** [childrensissues](https://twitter.com/childrensissues)

Scan to access  
[travel.state.gov](http://travel.state.gov)



# INTERNATIONAL PARENTAL CHILD ABDUCTION

U.S. Department of State • Bureau of Consular Affairs

## **Report to Congress on Compliance with the Hague Convention on the Civil Aspects of International Child Abduction**

The U.S. Department of State (Department), Office of Children's Issues (CA/OCS/CI), U.S. Central Authority (USCA) under the 1980 Convention on the Civil Aspects of International Child Abduction (Convention), hereby submits, pursuant to 42 U.S.C. § 11611, this report on Convention compliance, covering the period from January 1, 2012 through December 31, 2012. The USCA is submitting this 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.

More detailed information on international parental child abduction (IPCA) appears at our Convention compliance webpage, [travel.state.gov/abduction/resources/resources\\_3860.html](http://travel.state.gov/abduction/resources/resources_3860.html). The page includes reporting methodology, IPCA statistics, and other compliance-related information.

## Not Compliant with the Convention

COUNTRY	ASSESSMENT
<b>Costa Rica</b>	<p>In 2012, Costa Rica demonstrated non-compliance with the Convention in the areas of central authority and judicial performance. While the Costa Rican Central Authority (CRCA) showed slight improvement in responsiveness, communication remains difficult. The CRCA's failure to expedite cases internally and systemic delays within the Costa Rican judiciary resulted in lengthy wait times for Hague cases.</p> <p>Although court delays prevented the resolution of several cases this year, First Instance and Appellate court judges rendered decisions this year consistent with Convention principles. Nevertheless, the U.S. Central Authority remains concerned about the effect on future cases of the precedent-setting September 2011 Costa Rican Supreme Court decision that is inconsistent with Hague Abduction Convention principles. In that decision, the Supreme Court ruled that courts hearing Abduction Convention petitions must consider the Convention on the Rights of the Child and other legislation to determine the best interests of children in Abduction Convention cases.</p>
<b>Guatemala</b>	<p>Guatemala demonstrated non-compliance with the Convention in the areas of central authority and judicial performance. We continue to observe considerable delays in the processing of cases, both in the submission of Convention applications to courts as well as courts' adjudication of Convention cases. We also remain concerned about the timeliness of the Guatemalan Central Authority's (GCA) responses to the U.S. Central Authority (USCA) and left-behind parent requests for information on outgoing abduction cases from the United States to Guatemala. One of the reasons for the delays in the processing of cases and the untimely responses appears to be poor coordination between the main GCA office in Guatemala City and its regional offices.</p> <p>Along with delays and failures to set court hearings, we have also seen inconsistent application of Convention principles by Guatemalan courts. For example, in January 2012, the GCA reported that a Guatemalan appellate court upheld a lower court Convention ruling denying return because Guatemalan law favors maternal custody. The GCA was unable to provide the court order in the above case despite USCA requests; USCA information regarding the grounds for the decision is based on the GCA's description of the ruling.</p>

## Patterns of Non-Compliance with the Convention

COUNTRY	ASSESSMENT
<b>The Bahamas</b>	<p>The Bahamas demonstrated patterns of non-compliance with the Convention in the area of judicial performance. Although the U.S. Central Authority (USCA) has an excellent working relationship with the Bahamian Central Authority and the Office of the Attorney General, significant delays in the Bahamian courts remain a serious issue, as does the courts' treatment of Hague Convention cases as custody cases and their imposition of burdensome undertakings before ordering the return of children.</p> <p>The USCA continues to observe significant delays in the handling of Hague Convention cases by courts. There are seven active cases (up from three in 2011) that have been pending for 18 months or longer that are presently awaiting action by the Supreme Court; four of those cases have been pending 28 to 40 months. The significant delays result in part from the Supreme Court's frequent imposition of burdensome undertakings before it enforces the return order of a child. In one active case, the Supreme Court ordered the return in June 2012 only if the left-behind parent (LBP) first vacated the marital home and a November 2010 U.S. domestic violence restraining order against the LBP was reinstated. In addition, the Supreme Court also tends to treat Hague Convention cases as custody cases, requiring home studies in every case, whether or not a 13(b) defense to return is raised. This also causes significant delays and financial hardship for all parties. The USCA likewise remains concerned about the Supreme Court's insistence on apostilles for documents submitted with Convention applications, which appears inconsistent with Article 30 of the Convention, and which results in lengthy delays and substantial financial burdens for parents.</p>
<b>Brazil</b>	<p>Brazil demonstrated patterns of non-compliance with the Convention in the areas of judicial and law enforcement performance. While the U.S. Central Authority has a close working relationship with the Brazilian Central Authority (BCA) and the Office of the Attorney General, significant delays for relief under the Convention in Brazilian federal courts remain a serious issue, as do delays in locating children by Brazilian law enforcement. The judicial process is drawn out in Brazil; appeals add months, and sometimes years, to Convention cases. There are six active cases that have been pending a final resolution in the Brazilian courts for more than 18 months. There were also delays and difficulties by Brazilian law enforcement in locating children in 2012. In one case, the left-behind parent was notified that law enforcement located their child; however, law enforcement later admitted that the child's location was still unknown. In another case, a petition was filed with the BCA in January 2012, yet law enforcement never attempted to locate the child.</p>
<b>Panama</b>	<p>Panama demonstrated patterns of non-compliance with the Convention in the areas of judicial and central authority performance. The U.S. Central Authority (USCA) remains concerned about the timeliness of responses from the Panamanian Central Authority to our requests for information. The USCA also continues to observe significant delays in the processing of Convention cases in Panama, specifically in the scheduling of appellate hearings. In one longstanding case pending for more than 18 months, a final appellate decision has been pending since May 2012. The USCA also observes that some Convention cases in Panama are treated as custody cases, with courts requesting extensive and costly psychological and socioeconomic evaluations of the left-behind parents.</p>

## **Efforts to Encourage Other Countries to Join the Convention**

Many of the international parental child abduction cases that the U.S. Central Authority (USCA) handles involve abductions to countries not yet party to the Convention. Since the Convention provides one of the most effective ways to facilitate the prompt return of abducted children to their country of habitual residence and to help deter abduction, encouraging countries to join the Convention is a high priority.

During this reporting period, Assistant Secretary for Consular Affairs Janice L. Jacobs, Deputy Assistant Secretary for Overseas Citizens Services James D. Pettit, Special Advisor for Children's Issues Susan Jacobs, and a variety of other Department of State personnel at all levels have actively engaged foreign government officials around the world to accede to or ratify the Convention. Special Advisor Jacobs held bilateral discussions with government officials in China, India, Japan, the Republic of Korea, Tunisia, Ghana, Jamaica, and Vietnam, urging them to join the Convention.

Special Advisor Jacobs promoted accession to the Convention in a number of her public speeches both in the United States and abroad. In May 2012, she, with Deputy Assistant Secretary Pettit, participated in several events to mark National Missing Children's Day. Special Advisor Jacobs met in Washington with official delegations from a variety of countries to promote accession to the Convention and briefed Congressional staffers on Japan's progress toward ratification of the Convention.

The USCA continues to provide input to the governments of Japan, Russia, Jamaica, Thailand, and the Republic of Korea, which are in varying stages of ratifying, acceding to, or implementing the Convention. USCA officials met with foreign officials from Egypt, Ghana, India, Japan, Jamaica, Russia, Saudi Arabia, the Republic of Korea, and Tunisia to discuss IPCA and progress towards joining the Convention. USCA officials regularly meet with officials from the European Union, Canada, and Australia to help coordinate multilateral efforts to encourage countries to join the Convention.

The Department instructs its diplomatic missions in non-Convention countries to approach host governments to encourage them to join the Convention. Embassy and consulate public affairs and consular sections promote the Convention through public diplomacy and outreach activities. Senior Department officials traveling to countries not yet party to the Convention often raise the convention and encourage government officials to join the Convention. In Washington, U.S. government officials raise the Convention in their discussions with senior officials from non-member countries.

## Efforts to Encourage Convention Parties to Facilitate Work of Nongovernmental Organizations

The U.S. Central Authority continues to collaborate with States party to the Convention to facilitate the work of nongovernmental organizations (NGOs) that can assist in the return of children to their country of habitual residence under the Convention.

### Countries with Enforcement Concerns

Below is a list of countries that are parties to the Convention in which left-behind parents in the United States have not been able to secure prompt enforcement of a court's final return or access order during the reporting period because of the absence of effective enforcement mechanisms.

<b>COUNTRY</b>	<b>ENFORCEMENT CONCERN</b>
<b>Argentina</b>	Convention return order not enforced
<b>Australia</b>	Convention return order not enforced
<b>France</b>	Convention return order not enforced
<b>Mexico</b>	Convention return order not enforced
<b>Netherlands</b>	Convention return order not enforced
<b>Romania</b>	Convention return order not enforced

## Unresolved Return Applications

As of December 31, 2012, the U.S. Central Authority (USCA) had 112 applications for return that remained open and active for more than 18 months after the date of filing with the relevant foreign central authority in the 18 countries listed below. The following section describes each unresolved case and the actions taken by the USCA to resolve them. The actions taken by other authorities are stated below, as reported to the USCA by the relevant entity.

COUNTRY	ABDUCTED/ RETAINED	APPLICATION FILED	CHILD LOCATED	SUMMARY OF CASE
ARGENTINA	9-2010	2-2011	Yes	In March 2011, a public defender submitted the left-behind parent's (LBP) Convention application to a district court in the Buenos Aires province. In August 2011, the LBP requested that the Argentine Central Authority (ACA) provide a new public defender after the taking parent (TP) relocated with the children to a different jurisdiction. When the court in the new jurisdiction attempted to notify the TP, the TP relocated once again. In September 2011, the TP received notification of the Convention application, at which point the TP filed a motion to dismiss for lack of jurisdiction. The jurisdiction issue went to the Court of Appeals, which remanded the case to the district court in Pilar. The district court conducted the first Convention hearing in September 2012, and a second hearing in December 2012. The U.S. Central Authority and U.S. Embassy Buenos Aires have regularly requested updates from the ACA on court proceedings.
ARGENTINA	7-2010	12-2010	Yes	Although a court was assigned the case in December 2010, the court has not held a hearing. In November 2011, a criminal court interviewed the left-behind parent (LBP) in regard to a non-Convention related criminal proceeding that the taking parent had initiated, and in February 2012, the LBP traveled to Argentina to participate in a psychological and psychiatric evaluation for the criminal proceeding. In November 2012, the LBP's attorney filed a motion for the recusal of the judge in the case on the grounds that he was not being impartial. The U.S. Central Authority and U.S. Embassy Buenos Aires have regularly requested updates from the Argentine Central Authority on court proceedings.

COUNTRY	ABDUCTED/ RETAINED	APPLICATION FILED	CHILD LOCATED	SUMMARY OF CASE
<b>ARGENTINA</b>	1-2009	4-2009	Yes	<p>The court ordered the child's return in November 2009. The taking parent (TP) immediately appealed. In May 2010, the appellate court denied the TP's appeal and re-affirmed the return order. In August 2010, the TP filed an extraordinary appeal with the Argentine Supreme Court; however, the court dismissed the appeal and ordered the lower court to execute the return order. The TP also filed multiple requests for asylum for the child, all of which have been denied to date, though one request is still pending before the Supreme Court. In November 2011, the court stayed the execution of the return order until undertakings requested by the TP were met. In an effort to satisfy the TP's requests, the Argentine government granted the TP a stipend and the U.S. Embassy in Buenos Aires issued the TP a visa to allow her to travel to the United States to attend custody hearings. The U.S. Central Authority and U.S. Embassy Buenos Aires have regularly requested updates from the Argentine Central Authority on court proceedings.</p>
<b>AUSTRALIA</b>	6-2002	8-2010	No	<p>A Norwegian court first ordered return pursuant to the Convention in 2002, but the taking parent (TP) went into hiding with the child and was later found in Australia. In November 2006, an Australian Court issued a new return order, but the parent fled Australia and went into hiding again. In July 2010, the left-behind parent (LBP) hired an investigator who believed the TP and child were back in Australia. The LBP filed a new application for return. In August 2010, the Australian Central Authority (ACA) notified the U.S. Central Authority (USCA) that they received the new Convention application, but the child cannot be located. Records are not showing that the TP and child have reentered Australia. The ACA conducts periodic checks with immigration, but has nothing further on which to proceed with filing the application. The LBP informed the USCA he believes the child is in Europe, but has no other locating information. The USCA and U.S. Embassy Canberra have regularly requested updates from the ACA and have requested assistance from U.S. Interpol in locating the child.</p>



COUNTRY	ABDUCTED/ RETAINED	APPLICATION FILED	CHILD LOCATED	SUMMARY OF CASE
<b>THE BAHAMAS</b>	1-2009	8-2009	Yes	In June 2010, the Office of the Attorney General (OAG) requested that a taking parent (TP) home study be conducted by the Department of Social Services. The OAG did not receive the report until December 2010. The OAG requested that the left-behind parent (LBP) provide apostilles for Convention application documents causing further delays. The U.S. Central Authority (USCA) forwarded the apostilled documents received from the LBP to the Bahamian Central Authority (BCA) in January 2011 and the case was presented to the court in April 2011. The first Convention hearing was scheduled for October 2011, but it and subsequent hearings have been repeatedly rescheduled for various reasons, including the misplacement of the case files by the court. Following that incident, the OAG resent documents to help reconstruct the file. In August 2012, the hearing was postponed because the LBP was unable to attend. The OAG submitted a request for a new hearing date, but as of December 2012, the OAG had yet to receive a response from the court. The USCA and U.S. Embassy Nassau have regularly requested updates from the BCA on court proceedings.
<b>THE BAHAMAS</b>	8-2009	8-2009	Yes	After receiving the Convention application, the Office of the Attorney General requested home studies on both parents. In January 2011, the Convention hearing was heard before the First Instance Court. The court reviewed the case in April 2011 and in January 2012 denied the return of the child to the United States. The left-behind parent appealed the decision and a hearing was held in December 2012. The Department of Social Services was also ordered to interview the child and provide a report to the court. A second appellate hearing is scheduled for March 2013.

COUNTRY	ABDUCTED/ RETAINED	APPLICATION FILED	CHILD LOCATED	SUMMARY OF CASE
<b>THE BAHAMAS</b>	3-2010	5-2010	Yes	<p>The Bahamian Central Authority (BCA) acknowledged receipt of the Convention application only in October 2010, and the case was filed before the First Instance Court in July 2011. The First Instance Court requested a home study of the taking parent (TP). The court received the home study results in July 2011. During the September 2011 hearing, the First Instance Court judge recused himself because he knew the TP. The Office of the Attorney General (OAG) sent numerous requests to the First Instance Court requesting a new hearing date, and in January 2012, the court informed the OAG that the case file had been misplaced. The TP's attorney requested a new hearing date in June 2012 after the file was found, but as of December 2012, a new hearing date had not yet been set. The U.S. Central Authority and U.S. Embassy Nassau have regularly requested updates from the BCA on court proceedings.</p>
<b>THE BAHAMAS</b>	10-2009	7-2010	Yes	<p>The Bahamian Central Authority (BCA) acknowledged receipt of the Convention application in July 2010. The Office of the Attorney General (OAG) requested a taking parent (TP) home study and it was completed in February 2011. The OAG subsequently reported that the First Instance Court misplaced the file and the OAG resent documents to help reconstruct it. In September 2011, the OAG requested a Convention hearing date. After it was discovered that the TP was working in the United States, in December 2011, the TP's mother, with whom the child was actually residing, was served with the court summons. The scheduled August 2012 hearing was postponed because the left-behind parent (LBP) was hospitalized and unable to attend. In September 2012, the OAG proposed to the court a new hearing date, but a date has not yet been set. In November 2012, the OAG contacted the Department of Social Services in the United States and requested a home study on the LBP. The U.S. Central Authority and U.S. Embassy Nassau have regularly requested updates from the BCA on court proceedings.</p>

COUNTRY	ABDUCTED/ RETAINED	APPLICATION FILED	CHILD LOCATED	SUMMARY OF CASE
<b>BRAZIL</b>	9-2004	3-2005	Yes	A federal court ordered the child returned under the Convention in June 2007. The taking parent appealed and simultaneously obtained temporary custody from a different federal court. An appellate court vacated the return order in September 2008. The case is presently with the <i>Superior Tribunal de Justicia</i> (STJ), the highest Brazilian court for federal cases. In January 2012, the Brazilian Central Authority (BCA) suggested holding a mediation hearing at the STJ level, but the left-behind parent declined the offer. The U.S. Central Authority and U.S. Embassy Brasilia have regularly requested updates from the BCA on court proceedings.
<b>BRAZIL</b>	7-2009	12-2009	Yes	The Office of the Attorney General filed the Convention case in a federal court in August 2010. During a September 2011 mediation hearing, the court ordered a psychological evaluation of the child and granted the taking parent's (TP) motion to hear testimony from character witnesses for both the TP and left-behind parent. As of the close of the reporting period, the evaluation has not been scheduled, and the date for the next hearing has not yet been set. The U.S. Central Authority and U.S. Embassy Brasilia have regularly requested updates from the Brazilian Central Authority on court proceedings.
<b>BRAZIL</b>	8-2009	6-2010	Yes	In January 2012, the first-level court ordered the return of the child to the United States. In February 2012, the left-behind parent (LBP) expressed interest in entering into mediation with the taking parent (TP). In April 2012, the LBP submitted a proposal for a possible voluntary agreement with the TP, which the U.S. Central Authority (USCA) forwarded to the Brazilian Central Authority (BCA). The LBP and TP continue to negotiate a proposed mediation agreement. The USCA and U.S. Embassy Brasilia have regularly requested updates from the BCA on court proceedings.

COUNTRY	ABDUCTED/ RETAINED	APPLICATION FILED	CHILD LOCATED	SUMMARY OF CASE
<b>BRAZIL</b>	7-2006	11-2006	Yes	<p>In April 2010, a federal court ordered the child returned, the taking parent (TP) appealed, and the Superior Court of Justice suspended the lower court's ruling. In May 2011, the Office of the Attorney General appealed the suspension order. In November 2011, the Brazilian Central Authority (BCA) indicated that the appeal was before Brazil's Regional Federal Tribunal – First Region (TRF1). The BCA cautioned the U.S. Central Authority (USCA) that because the TRF1 was overwhelmed with cases, the Convention case would experience major delays. In June 2012, the TRF1 suggested that both parties review a proposed mediation agreement drafted by the judge, but the left-behind parent (LBP) rejected the proposal. In July 2012, the USCA forwarded the LBP's response rejecting the mediation proposal to the BCA. In September 2012, the BCA indicated that the LBP's response was pending review by the TRF1. The USCA and U.S. Embassy Brasilia have regularly requested updates from the BCA on the court proceedings.</p>
<b>BRAZIL</b>	2-2009	3-2009	Yes	<p>In September 2010, the federal court ordered the return of the child. The taking parent appealed the decision before the Regional Federal Tribunal – Fourth Region, and in December 2011, that court upheld the decision of the first instance court for the return of the child to the United States. In March 2012, the Brazilian Central Authority (BCA) indicated that the TP filed an appeal before the <i>Superior Tribunal de Justicia</i>. The U.S. Central Authority and U.S. Embassy Brasilia have regularly requested updates from the BCA on court proceedings.</p>

COUNTRY	ABDUCTED/ RETAINED	APPLICATION FILED	CHILD LOCATED	SUMMARY OF CASE
<b>BRAZIL</b>	9-2009	2-2010	Yes	In October 2011, the left-behind parent informed the U.S. Central Authority (USCA) that a state court in Rio de Janeiro awarded the taking parent (TP) temporary custody of the child. The USCA informed the Brazilian Central Authority (BCA) of a possible conflict under Article 16 of the Convention. The BCA and Office of the Attorney General (OAG) addressed the issue with the state-level court, which declined to suspend custody action in the case. In December 2011, the BCA indicated that a federal court ordered the return of the child to the United States. In January 2012, the TP filed an appeal of the return order. In October 2012, the BCA stated that the appeals court denied the return of the child and that the OAG would file an appeal. The USCA and U.S. Embassy Brasilia have regularly requested updates from the BCA on the court proceedings.
<b>CANADA</b>	4-2008	3-2010	Yes	In March 2010, the U.S. Central Authority (USCA) filed the case with the Canadian Central Authority (CCA). In April 2011, the USCA resubmitted the Convention application to the CCA after the CCA reported it did not have the file. The left-behind parent is waiting to see if he is eligible for legal aid assistance in Canada. The USCA and the U.S. Mission in Canada have regularly requested updates from the CCA.
<b>CANADA</b>	11-2007	11-2010	Yes	In November 2010, the U.S. Central Authority (USCA) filed the case with the Canadian Central Authority (CCA). The left-behind parent (LBP) was working with his Canadian attorney to locate the taking parent and the child, and in June 2011, a location was confirmed. In June 2011, a Convention hearing was set, but postponed because the Canadian Office of the Children's Lawyer (OCL) intervened and requested a further investigation from the LBP. After several meetings with the OCL, the LBP was able to see his child in Canada for the first time in five years in November 2012. The USCA is working with the CCA to get confirmation of the new date for the Hague hearing.

COUNTRY	ABDUCTED/ RETAINED	APPLICATION FILED	CHILD LOCATED	SUMMARY OF CASE
COLOMBIA	8-2008	1-2009	Yes	<p>In May 2009, the taking parent (TP) agreed to voluntarily return the child if she could accompany the child back to the United States. The TP was found ineligible for a nonimmigrant visa and declined to apply for humanitarian parole. During mediation in February 2010, the TP confirmed that she would not return the child. In November 2010, the Colombian Central Authority (CCA) requested that the court rule on the Convention application. The court arranged a second mediation hearing for December 2010. In January 2011, the left-behind parent (LBP) notified the U.S. Central Authority (USCA) that the LBP and TP had reached an agreement to present to a court. During an April 2011 hearing, the TP and the TP's witnesses failed to appear. The hearing was not rescheduled and the TP's attorney requested revisions to the agreement. In November 2011, the CCA informed the USCA that the court was waiting for documents from the LBP in order to proceed with the case. In October 2012, a judge ordered the return of the child. The TP immediately appealed, preventing the child's return. In November and December 2012, the CCA reported that judicial strikes and the December holiday prevented movement on the case. In January 2013, the TP lost the appeal and immediately filed a <i>tutela</i>, a constitutionally based right of appeal. The USCA and U.S. Embassy Bogota have regularly requested updates from the CCA on court proceedings.</p>

COUNTRY	ABDUCTED/ RETAINED	APPLICATION FILED	CHILD LOCATED	SUMMARY OF CASE
<b>COSTA RICA</b>	10-2008	1-2009	Yes	The child was located in July 2011. In September 2011, the Costa Rican Central Authority (CRCA) rejected the application based on Article 12 of the Convention. In November 2011, after U.S. Central Authority (USCA) staff visited the CRCA, the CRCA agreed to accept the case and submit it to a court for a decision. In December 2011, the CRCA informed the USCA that the court would attempt mediation. Mediation hearings were rescheduled several times, including in August 2012, when the taking parent and left-behind parent were both present but the hearing could not take place because a translator did not appear. Mediation failed during the first completed hearing in November 2012, and the judge announced the start of Convention proceedings. The USCA and U.S. Embassy San Jose have regularly requested updates from the CRCA on the progress of the case.
<b>DOMINICAN REPUBLIC</b>	4-2009	7-2009	Yes	In May 2010, the court denied the return of the child and the appellate court upheld that decision. In September 2011, the left-behind parent filed an appeal with the Supreme Court of the Dominican Republic. No date has yet been scheduled for the hearing. The U.S. Central Authority and U.S. Embassy Santo Domingo have regularly requested updates from the Dominican Republic Central Authority on court proceedings.
<b>DOMINICAN REPUBLIC</b>	1-2011	4-2011	Yes	In October 2011, the court denied the return of the child. The appeals court upheld that decision in July 2012. In December 2012, the left-behind parent filed an appeal with the Supreme Court of the Dominican Republic, without the assistance of the Dominican Republic Central Authority (DCA), as the DCA stated that such an appeal was not permissible under Dominican law. The hearing has not been scheduled. The U.S. Central Authority and U.S. Embassy Santo Domingo have regularly requested updates from the DCA on court proceedings.

COUNTRY	ABDUCTED/ RETAINED	APPLICATION FILED	CHILD LOCATED	SUMMARY OF CASE
FRANCE	4-2011	4-2011	Yes	In July 2011, the lower court ordered the return of the child under the Convention, and the taking parent appealed the decision. In August 2011, the Court of Appeals agreed that the removal was wrongful but decided against returning the child under Article 13(b) of the Convention. The left-behind parent appealed the decision to the Court of Cassation, which ruled in February 2013 to overturn the previous appeal decision. The case is now pending before the Lyon Court of Appeals for the final decision. The U.S. Central Authority has been in close contact with the French Central Authority to suspend the domestic custody case in France until the Convention proceedings have concluded under Article 16 of the Convention.
FRANCE	11-2007	3-2008	Yes	Successive General Prosecutors in France have not enforced the October 2008 Convention return order, which was upheld through the Court of Cassation. The U.S. Central Authority (USCA) is in regular contact with the French Central Authority to request updates and to seek enforcement of the return order. On multiple occasions, the USCA and the U.S. Mission in France have raised the case with French officials.
GUATEMALA	3-2009	1-2011	Yes	In July 2011, the Guatemalan Central Authority (GCA) notified the U.S. Central Authority (USCA) that the case was sent to the Supreme Court of Justice to determine jurisdiction. In December 2011, the GCA stated that case was assigned to the Children's Court in Mixco, but no hearing date was established. The USCA and U.S. Embassy Guatemala City have regularly requested updates from the GCA on the status of the court proceedings.



COUNTRY	ABDUCTED/ RETAINED	APPLICATION FILED	CHILD LOCATED	SUMMARY OF CASE
<b>GUATEMALA</b>	9-2009	3-2011	Yes	The U.S. Central Authority (USCA) was notified in July 2011 that the case had been sent to the Supreme Court of Justice to determine jurisdiction. In September 2011, the case was assigned to the Children’s Court of Huehuetenango and the taking parent (TP) failed to appear at the scheduled hearings. The Guatemalan Central Authority (GCA) requested that the children be taken from the TP out of concern for their welfare. In February 2012, the GCA reported that the children appeared to have been taken to Mexico by the TP. In September 2012, the GCA notified the USCA it was exploring whether to transfer the case to the Mexican Central Authority (MCA), based on the repeated movements of the TP across the Guatemalan-Mexican border. In December 2012, the GCA confirmed it planned to transfer the case to the MCA.
<b>GUATEMALA</b>	6-2010	2-2011	Yes	The first court date was scheduled in April 2011, but the taking parent (TP) could not be served notice because the TP was apparently working in Mexico. After learning that the children appeared to be living with someone other than the TP, in March 2012, the Guatemalan Central Authority (GCA) requested that the court secure the children in protective custody and schedule an expedited Convention hearing. In April 2012, the court clerk and the police searched for but failed to locate the children. In July 2012, the U.S. Central Authority was informed by the GCA that the TP had fled with the children to Mexico. In December 2012, the GCA confirmed it planned to transfer the case to the Mexican Central Authority.
<b>HONDURAS</b>	9-2009	3-2010	Yes	The children were located in August 2010. Honduran Central Authority (HCA) strikes and budget shortfalls delayed progress on the case in 2011. In September 2012, one of two siblings was voluntarily returned. That same month, the HCA informed the U.S. Central Authority (USCA) that the case was moved to a new court. The USCA and U.S. Embassy Tegucigalpa continue to regularly request updates from HCA on the status of this case.

COUNTRY	ABDUCTED/ RETAINED	APPLICATION FILED	CHILD LOCATED	SUMMARY OF CASE
HONDURAS	7-2010	3-2011	No	The child has not yet been located. In August 2011 and August 2012 the Honduran Central Authority (HCA) requested additional contact or address information for the taking parent from the U.S. Central Authority (USCA) in order to locate the child. In August 2012, the USCA passed the HCA new information, including the name of the town where the left-behind parent believed the child was located. The USCA and U.S. Embassy have regularly requested updates from the HCA on the status of this case.
HONDURAS	12-2010	4-2011	Yes	The child was located in July 2012. In July 2012, the Honduran Central Authority (HCA) requested that the application documents submitted in April 2011 be authenticated with apostilles. After a teleconference with the U.S. Central Authority (USCA), the HCA said that the apostilles would not be necessary unless a judge asked for them. In November 2012, the HCA reported that it was preparing to serve the taking parent with notice to appear in court. The USCA and U.S. Embassy Tegucigalpa continue to regularly request updates.
MEXICO	3-2007	1-2008	No	The child was in the custody of a state social services agency when he was abducted by his maternal grandmother. In March 2009, the court scheduled a hearing on the Convention return application. The grandmother and child failed to appear. The mother was released from jail and is believed to have joined the grandmother and child in Mexico. The Mexican Central Authority (MCA) and the court requested the <i>Agencia Federal de Investigacion</i> 's assistance in locating the minor, who has not been located. Court proceedings remain stalled. The U.S. Central Authority and the U.S. Mission in Mexico have regularly requested updates from the MCA on efforts to locate the child.
MEXICO	5-2010	6-2011	No	The court requested the <i>Agencia Federal de Investigacion</i> 's assistance in locating the child. Court proceedings remain stalled. The U.S. Central Authority and the U.S. Mission in Mexico have regularly requested updates from the Mexican Central Authority on efforts to locate the child.

COUNTRY	ABDUCTED/ RETAINED	APPLICATION FILED	CHILD LOCATED	SUMMARY OF CASE
<b>MEXICO</b>	9-2009	11-2010	No	In April 2010, one of the children was reported kidnapped from the taking parent (TP) by a criminal group in Mexico. The Embassy was informed of the kidnapping. The child was later reported recovered by the TP. A court hearing took place in April 2012 but the child was not present. The Mexican Central Authority (MCA) requested the <i>Agencia Federal de Investigacion's</i> assistance to locate the children, believed to be living with the TP. The children's location is still unknown. The U.S. Central Authority and the U.S. Mission in Mexico have regularly requested updates from the MCA on efforts to locate the children.
<b>MEXICO</b>	11-2005	11-2008	No	The California Attorney General filed the Convention return application with the Mexican Central Authority (MCA). The case was forwarded to the court, but the children have not been located. The court has requested the assistance of the <i>Agencia Federal de Investigacion</i> in locating the child. The U.S. Central Authority and the U.S. Mission in Mexico have regularly requested updates from the MCA on efforts to locate the child.
<b>MEXICO</b>	9-2008	6-2009	No	In October 2010, the Mexican Central Authority (MCA) requested the assistance of the <i>Agencia Federal de Investigacion</i> in locating the children. In August 2012, the MCA closed the case because it believed that the children were back in the United States and because of lack of activity. Interpol, who also assists with location efforts in Mexico, has an open case in its office. In November 2012, the U.S. Central Authority (USCA) requested that the MCA keep the case open as the left-behind parent believes the children are in Mexico and is still interested in seeking a return. The USCA and the U.S. Mission in Mexico have regularly requested updates from the MCA and Interpol on efforts to locate the children.

COUNTRY	ABDUCTED/ RETAINED	APPLICATION FILED	CHILD LOCATED	SUMMARY OF CASE
MEXICO	3-2007	10-2007	No	<p>In April 2009, the court ordered the return of the child, despite the fact the child had not yet been located. The <i>Agencia Federal de Investigacion</i> (AFI) continues to search for the child. The Orange County District Attorney's office has supplied several leads on the whereabouts of the child, which the U.S. Central Authority (USCA) passed to the Mexican Central Authority (MCA), which in turn passed on to the AFI. In July 2012, the MCA reported that the return order had been overturned, and, the court would hold new hearings when the child is located. The USCA and the U.S. Mission in Mexico have regularly requested updates from the MCA on efforts to locate the child.</p>
MEXICO	6-2008	8-2008	Yes	<p>In April 2009, the court denied the Convention return application. The left-behind parent (LBP) appealed. In July 2009, the Supreme Court of Guanajuato overturned the decision and ordered the return of the child. However, the taking parent (TP) appealed that decision before the return order could be enforced. Since then, the TP has filed several <i>amparos</i>, constitutionally-based appeals. In September 2010, the state appeals court's ruling on the TP's <i>amparo</i> determined that there was a mistrial in the original proceeding. It ordered the case returned to the court of First Instance. In December 2010, the TP filed another <i>amparo</i>. The LBP has also filed <i>amparos</i> in the case resulting in further delays. In August 2012, the judge in Guanajuato denied the child's return to the United States because the court found the child to be well settled; the judge also took into consideration the child's wishes to stay in Mexico, even though the child was five years old. The LBP has indicated that he will appeal. The U.S. Central Authority has been in contact with the LBP to explain his options and ask about how he will proceed.</p>

COUNTRY	ABDUCTED/ RETAINED	APPLICATION FILED	CHILD LOCATED	SUMMARY OF CASE
MEXICO	11-2005	6-2010	Yes	In November 2010, the court began hearings on the Convention application, and eventually denied the child's return. In March 2011, the left-behind parent (LBP) filed an appeal, and a decision is pending. In November 2012, the U.S. Central Authority (USCA) spoke with the LBP, who reported that she is in the process of hiring a new attorney and restarting the process. The USCA and the U.S. Mission in Mexico have regularly requested updates from the Mexican Central Authority on court proceedings.
MEXICO	3-2006	5-2006	No	In May 2008, the court denied the Convention return application, and the left-behind parent (LBP) appealed. The appellate court affirmed the lower court's decision in October 2008, and the LBP filed an <i>amparo</i> . In November 2009, the court granted the <i>amparo</i> and ordered the return of the child. The <i>Agencia Federal de Investigacion</i> is searching for the taking parent and child, but they have not been located. The U.S. Central Authority and the U.S. Mission in Mexico have regularly requested updates from the Mexican Central Authority on efforts to locate the child.
MEXICO	3-2009	5-2009	No	The Mexican Central Authority (MCA) is working with Interpol to locate the taking parent and the children. The left-behind parent has provided information regarding their possible whereabouts. The MCA reported that the case was not forwarded to a court because the court will not take jurisdiction until the children are located. The U.S. Central Authority and the U.S. Mission in Mexico have regularly requested updates from the MCA on efforts to locate the children.
MEXICO	6-2007	10-2007	No	The court scheduled a hearing on the Convention application in November 2008, but when the court notified the taking parent (TP), he disappeared with the child. In November 2009, the Mexican Central Authority (MCA) requested the assistance of the <i>Agencia Federal de Investigacion</i> in finding the TP and the child. Court proceedings meanwhile remain stalled. The U.S. Central Authority and the U.S. Mission in Mexico have regularly requested updates from the MCA on efforts to locate the child.

COUNTRY	ABDUCTED/ RETAINED	APPLICATION FILED	CHILD LOCATED	SUMMARY OF CASE
MEXICO	3-2008	5-2008	No	In June 2009, the Mexican Central Authority (MCA) referred the case to for the <i>Agencia Federal de Investigacion</i> (AFI) for assistance. The left-behind parent provided information and a picture of the child directly to AFI. The MCA reported that case has not been forwarded to a court, because the court will not take jurisdiction until the child is located.
MEXICO	12-2008	3-2010	Yes	In December 2010, the left-behind parent (LBP) and taking parent (TP) entered into an agreement, ratified by the court, providing for the return of the child. The TP did not comply, but instead filed an appeal and later an <i>amparo</i> . The TP lost both legal proceedings. He has since filed a new request for judicial review. By order of the family court, the child has remained with Mexican social services, <i>Desarrollo Integral de la Familia</i> , pending a final judicial order and the LBP has access to the child. The U.S. Central Authority and the U.S. Mission in Mexico have regularly requested updates from the Mexican Central Authority concerning court proceedings.
MEXICO	1-2009	12-2009	No	The California Attorney General filed the Convention return application with the Mexican Central Authority (MCA). A court hearing on the Hague return application scheduled for May 2010 was postponed because the authorities were unable to locate the child. The MCA requested assistance from the <i>Agencia Federal de Investigacion</i> in searching for the child. As reported by the left-behind parent, the U.S. Central Authority has provided updated information about the possible location of the child to the MCA.
MEXICO	4-2008	9-2008	No	The case was forwarded to a court by the Mexican Central Authority (MCA) but the children were not located. The court requested the assistance of the <i>Agencia Federal de Investigacion</i> in searching for the children. In May 2012, the older child turned 16 years old, rendering the Hague Convention no longer applicable to that child's case. The U.S. Central Authority and the U.S. Mission in Mexico have regularly requested updates from the MCA on efforts to locate the younger child.

COUNTRY	ABDUCTED/ RETAINED	APPLICATION FILED	CHILD LOCATED	SUMMARY OF CASE
<b>MEXICO</b>	7-2008	9-2008	No	The Mexican Central Authority (MCA) forwarded the Convention application to the court, but the children have not been located. In April 2010, the MCA referred the case to the <i>Agencia Federal de Investigacion</i> for assistance in finding the children. As reported by the left-behind parent, the U.S. Central Authority has provided updated information about the possible location of the children.
<b>MEXICO</b>	11-2008	4-2009	No	In March 2010, the court asked for law enforcement assistance in locating the child. Although the child's whereabouts are unknown, the taking parent has filed an <i>amparo</i> seeking to halt the Convention proceedings. The U.S. Central Authority and the U.S. Mission in Mexico have regularly requested updates from the Mexican Central Authority on efforts to locate the child and on court proceedings.
<b>MEXICO</b>	8-2010	2-2011	No	A hearing scheduled for July 2011 was not held because the child was not located. The Mexican Central Authority (MCA) requested Interpol's assistance in searching for the child. As reported by the left-behind parent, the U.S. Central Authority has provided updated information about the possible location of the child to the MCA.
<b>MEXICO</b>	10-2007	7-2008	Yes	In August 2008, the court held a hearing on the Convention return application, but the taking parent (TP) did not appear. Since then, the TP has filed three successive <i>amparos</i> , which have effectively halted proceedings on the Convention application. In December 2011, the Mexican Central Authority (MCA) discovered that the left-behind parent's parental rights were terminated by a Mexican court in August 2008 and closed the case. However, the family court handling the Convention return application issued an order to return the child in September 2009. The U.S. Central Authority has asked MCA to reopen the case.

COUNTRY	ABDUCTED/ RETAINED	APPLICATION FILED	CHILD LOCATED	SUMMARY OF CASE
MEXICO	8-2010	12-2010	No	In January 2011, the Mexican Central Authority (MCA) requested Interpol's assistance in locating the child. Since that time, efforts to locate the child have been unsuccessful. The MCA reported that the case was not forwarded to a court because a court will not take jurisdiction until the child is located. The U.S. Central Authority will continue to provide updates to the MCA and left-behind parent as additional location information becomes available.
MEXICO	5-2008	3-2009	No	An August 2010 hearing on the Convention return application was postponed because the taking parent did not appear. In September 2011, law enforcement discovered that the children had moved to a different state in Mexico and the Mexican Central Authority (MCA) then requested the assistance of Interpol to locate the children. The U.S. Central Authority and the U.S. Mission in Mexico have regularly requested updates from the MCA on efforts to locate the children.
MEXICO	1-2009	5-2009	No	The California Attorney General filed the Convention return application with the Mexican Central Authority (MCA). In May 2010, the MCA confirmed that the <i>Agencia Federal de Investigacion</i> was searching for the child. The U.S. Central Authority has provided updated information about the possible location of the child to the MCA on behalf of the left-behind parent.
MEXICO	12-2005	9-2010	No	A hearing was scheduled for January 2011 but the child was not located. In August 2011, the Mexican Central Authority (MCA) requested law enforcement assistance in searching for the child. The U.S. Central Authority and the U.S. Mission in Mexico have regularly requested updates from the MCA on efforts to locate the child.
MEXICO	10-2010	4-2011	No	In September 2011, the Mexican Central Authority (MCA) requested Interpol's assistance in locating the child. Since that time, efforts to locate the child have been unsuccessful. The case was not forwarded to a court, as no court will take jurisdiction until the child is located. The U.S. Central Authority has provided updated information about the possible location of the child to the MCA on behalf of the left-behind parent.



COUNTRY	ABDUCTED/ RETAINED	APPLICATION FILED	CHILD LOCATED	SUMMARY OF CASE
MEXICO	12-2007	7-2008	Yes	The California Attorney General filed the Convention return application with the Mexican Central Authority (MCA) and in September 2008, the court ordered the child's return. The taking parent (TP) then filed an <i>amparo</i> . The left-behind parent (LBP) won the <i>amparo</i> but the TP requested a judicial review. In November 2011, the reviewing court upheld the denial of the <i>amparo</i> . The parents attempted to reach an agreement but failed. The LBP's attorney filed a motion with the original family court for a final return order on the Hague application. As of December 2012, no court date has been scheduled.
MEXICO	8-2010	1-2011	Yes	A Convention hearing in family court was scheduled for July 2011 but the children were not located. In the meantime, in August 2011, the taking parent (TP) filed an <i>amparo</i> . In March 2012, the TP lost the <i>amparo</i> and the case was remanded to the original family court for a final order on the Convention return application. The left-behind parent has appeared before that court, which has yet to make its final determination.
MEXICO	12-2005	10-2008	No	The California Attorney General filed the Convention return application with the Mexican Central Authority (MCA). In May 2010, the MCA requested law enforcement assistance in searching for the child. The U.S. Central Authority has provided updated information about the possible location of the child to the MCA on behalf of the left-behind parent.
MEXICO	2-2005	3-2006	Yes	The California Attorney General's Office filed the Convention return application for two siblings with the Mexican Central Authority (MCA). The minors were ordered returned in April 2007, but the taking parent has filed a succession of <i>amparos</i> that have delayed a resolution. The most recent <i>amparo</i> remains pending. One child has since turned 16 and is no longer eligible for return under the Convention. The U.S. Central Authority and the U.S. Mission in Mexico have regularly requested updates from the MCA on court proceedings.

COUNTRY	ABDUCTED/ RETAINED	APPLICATION FILED	CHILD LOCATED	SUMMARY OF CASE
MEXICO	3-2007	8-2009	No	In March 2010, the Mexican Central Authority (MCA) confirmed that the case has been referred to Interpol for assistance in searching for the child. The child has not been located. The U.S. Central Authority and the U.S. Mission in Mexico have regularly requested updates from the MCA on efforts to locate the child.
MEXICO	12-2006	6-2007	No	The California Attorney General's Office filed the Convention return application with the Mexican Central Authority (MCA). The court postponed a hearing on the Convention application in April 2010 because the authorities were unable to locate the taking parent and children. The case was returned by the court to the MCA, which referred the case to the <i>Agencia Federal de Investigacion</i> for assistance in finding the children. The U.S. Central Authority and the U.S. Mission in Mexico have regularly requested updates from the MCA on efforts to locate the children.
MEXICO	6-2006	2-2008	No	In April 2008, a Mexican court clerk tried to deliver a court summons, but neighbors reported that the taking parent no longer lived at the address. The Mexican Central Authority (MCA) referred the case to law enforcement for assistance in locating the child. Court proceedings meanwhile remain stalled. The U.S. Central Authority and the U.S. Mission in Mexico have regularly requested updates from the MCA on efforts to locate the child.
MEXICO	2-2008	6-2008	No	In November 2008, the Mexican Central Authority (MCA) sent the case to the <i>Agencia Federal de Investigacion</i> for assistance in locating the children, but the whereabouts of the children remain unknown. The MCA reports that the case was not forwarded to a court, since a court will not take jurisdiction until the child is located. In 2011, the National Center for Missing and Exploited Children created age-progression photos of the minors to help with the search. The U.S. Central Authority and the U.S. Mission in Mexico have regularly requested updates from the MCA on efforts to locate the children.

COUNTRY	ABDUCTED/ RETAINED	APPLICATION FILED	CHILD LOCATED	SUMMARY OF CASE
MEXICO	10-2008	1-2009	Yes	In June 2009, the court held a hearing on the Convention return application, but the taking parent did not appear. The court asked the <i>Agencia Federal de Investigacion</i> to locate the child, who was found in January 2011. During Convention proceedings that month, the court requested a psychological evaluation of the left-behind parent (LBP). The court has asked that the results of the psychological evaluation be provided via letters rogatory. The LBP has objected to this time-consuming process and court proceedings remain stalled. The U.S. Central Authority and the U.S. Mission in Mexico have regularly requested updates from the Mexican Central Authority on court proceedings.
MEXICO	11-2008	9-2009	Yes	In May 2010, the court denied the Convention petition for return after determining that the left-behind parent (LBP) had consented to the removal of the child to Mexico and that the child was now well settled. Soon after, the LBP filed an appeal and in November 2011, the appellate court upheld the lower court's denial of return. The LBP filed an <i>amparo</i> against the decision of the appellate court. In May 2012, the LBP won the <i>amparo</i> , and the <i>amparo</i> court remanded the case to the lower court. No hearings have been scheduled. The U.S. Central Authority and the U.S. Mission in Mexico have regularly requested updates from the Mexican Central Authority on court proceedings.
MEXICO	4-2009	12-2009	No	The court requested the assistance of the <i>Agencia Federal de Investigacion</i> in locating the child. The U.S. Central Authority and the U.S. Mission in Mexico have regularly requested updates from the Mexican Central Authority on efforts to locate the child.
MEXICO	9-2007	12-2007	No	In December 2007, the Mexican Central Authority (MCA) forwarded the Convention application to the court, but the child has not been located. In November 2007, prior to the filing of the return application, the U.S. Embassy conducted a welfare and whereabouts visit and reported that the child was living with his maternal grandparents. This information was provided to the MCA, but law enforcement has been unsuccessful in locating the child.

COUNTRY	ABDUCTED/ RETAINED	APPLICATION FILED	CHILD LOCATED	SUMMARY OF CASE
<b>MEXICO</b>	5-2007	7-2007	No	In August 2008, a court hearing was scheduled but the taking parent (TP) did not appear. The TP then filed an <i>amparo</i> seeking to block the return application. This <i>amparo</i> has not been resolved. The U.S. Central Authority and the U.S. Mission in Mexico have regularly requested updates from the Mexican Central Authority on court proceedings and efforts to locate the child.
<b>MEXICO</b>	9-2005	2-2006	Yes	In April 2006, the court held a hearing but the taking parent (TP) did not appear. In December 2006, the court requested psychological evaluations of the TP, left-behind parent (LBP), and child over the objections of the LBP, who argued that this was not relevant to a return application. The LBP also requested that the judge recuse himself from the case, but the judge declined. In January 2012, the judge ordered the return of the child, which was appealed. In May 2012, the court of appeals reversed the return order. The LBP filed an <i>amparo</i> with the Mexican Federal Court, which according to the Mexican Central Authority (MCA) is still pending the court's review of the documentation submitted by the parties. The U.S. Central Authority has regularly requested updates from the MCA on court proceedings.
<b>MEXICO</b>	8-2010	8-2010	No	The California Attorney General filed the Convention return application with the Mexican Central Authority (MCA). In March 2012, the MCA informed U.S. Central Authority (USCA) that they would send a request to transfer the case to a new court since the taking parent (TP) allegedly has friends/relatives that work in the court handling the case. In November 2012, the TP filed an <i>amparo</i> which was denied in December 2012. A hearing date has not been set. The USCA and the District Attorney's office in California have regularly requested updates from the MCA on court proceedings.

COUNTRY	ABDUCTED/ RETAINED	APPLICATION FILED	CHILD LOCATED	SUMMARY OF CASE
<b>MEXICO</b>	12-2008	4-2011	No	The California Attorney General filed the Convention return application with the Mexican Central Authority (MCA). The MCA sent the case to the Superior Tribunal in September 2011. A court hearing was scheduled in October 2011, but the taking parent and child did not appear. The case is currently pending with Interpol. The U.S. Central Authority and the District Attorney's office in California have regularly requested updates from the MCA on court proceedings.
<b>MEXICO</b>	12-2007	10-2008	No	The California Attorney General filed the Convention return application with the Mexican Central Authority (MCA). The whereabouts of the child and the taking parent are unknown; therefore, the MCA reports that a court will not take jurisdiction of the case. In August 2011, the U.S. Central Authority (USCA) forwarded information from the left-behind parent on the child's location. In June 2012, Mexican social services, <i>Desarrollo Integral de la Familia</i> (DIF) in Monterrey visited the address at the U.S. Consulate's request to conduct a welfare and whereabouts visit on the minor child. DIF spoke with the maternal grandmother, who informed them that the taking parent and child had relocated to Aguascalientes, Mexico. The case is still pending with Interpol. The USCA and the District Attorney's office in California have regularly requested updates from the MCA.
<b>MEXICO</b>	2-2009	10-2009	Yes	The California Attorney General filed the Convention return application with the Mexican Central Authority (MCA). The case was denied in October 2010 by a family court in Tampico, Mexico. In November 2010, the left-behind parent (LBP) then appealed his case. The LBP lost his appeal in October 2011. In January 2012, the LBP filed another appeal which was denied in June 2012. The LBP reports that he immediately filed an <i>amparo</i> with the federal court which is currently pending.

COUNTRY	ABDUCTED/ RETAINED	APPLICATION FILED	CHILD LOCATED	SUMMARY OF CASE
MEXICO	9-2006	9-2008	No	In June 2009, the court held a hearing on the Convention return application, but the taking parent (TP) and child did not appear. In January 2012, law enforcement attempted to secure the child but was not successful. In August 2012, the TP filed an <i>amparo</i> . The child's whereabouts remain unknown and court proceedings remain stalled. The U.S. Central Authority and the U.S. Mission in Mexico have regularly requested updates from the Mexican Central Authority on efforts to locate the child.
MEXICO	10-2010	4-2011	No	The left-behind parent filed an application for the return of the child in April 2011. The Mexican Central Authority (MCA) requested the assistance of Interpol to locate the child; however, the child's whereabouts remain unknown. The U.S. Central Authority and the U.S. Mission in Mexico have regularly requested updates from the MCA on efforts to locate the child.
MEXICO	9-2008	12-2008	Yes	The California Attorney General filed the Convention return application with the Mexican Central Authority (MCA). The court handling the case did not provide updates for more than a year. In December 2009, after further inquiries from the MCA, the court reported that the taking parent had appeared at an earlier court hearing but refused to return the child voluntarily. In May 2012, the MCA notified the U.S. Central Authority (USCA) the court had denied the return of the child at a hearing in April 2012. The USCA sent a letter to the MCA expressing concern about the apparent failure on the part of the court to properly notify in a timely fashion the MCA or the left-behind parent (LBP) about the hearing or the court decision. The LBP has appealed this decision and is awaiting a resolution.
MEXICO	5-2005	5-2009	Yes	In August 2010, the court held a hearing on the Convention return application, but the taking parent failed to appear. A new hearing date has not been set. The Mexican Central Authority (MCA) has urged the court to set a hearing date and to proceed with the case. The U.S. Central Authority and the U.S. Mission in Mexico have regularly requested updates from the MCA on court proceedings.

COUNTRY	ABDUCTED/ RETAINED	APPLICATION FILED	CHILD LOCATED	SUMMARY OF CASE
<b>MEXICO</b>	11-2005	4-2011	No	The left-behind parent filed an application for the return of the child in April 2011. In November 2011, the court scheduled a hearing but the child was not located. The Mexican Central Authority requested the assistance of Interpol to locate the child; however, the child's whereabouts remain unknown. The U.S. Central Authority and the U.S. Mission in Mexico have regularly requested updates.
<b>MEXICO</b>	8-2010	11-2010	No	The left-behind parent filed an application for the return of the child in November 2010. The Mexican Central Authority (MCA) requested the assistance of Interpol to locate the child; however, child's whereabouts remain unknown. The U.S. Central Authority and the U.S. Mission in Mexico have regularly requested updates from the MCA on efforts to locate the child.
<b>MEXICO</b>	3-2010	4-2011	Yes	The Mexican Central Authority (MCA) requested the assistance of law enforcement to locate the child and in October 2012, the child was located. The court has held several hearings in October and November 2012, but has not issued a final order and the child remains in the custody of Mexican Social Services, <i>Desarrollo Integral de la Familia</i> . The U.S. Central Authority and the U.S. Mission in Mexico have regularly requested updates from the MCA on efforts to locate the child.
<b>MEXICO</b>	9-2006	6-2008	No	The California Attorney General filed the Convention return application with the Mexican Central Authority (MCA). The MCA referred the case to law enforcement for assistance in locating the children; however, the children's whereabouts remain unknown. The U.S. Central Authority and the U.S. Mission in Mexico have regularly requested updates.
<b>MEXICO</b>	7-2009	11-2009	Yes	In June 2010, the court denied the return of the minors on the grounds that the two older children objected to their return to the United States. The left-behind parent filed an appeal, and in April 2012, the court vacated the denial order and remanded the case to the lower court. A hearing was held in October 2012 regarding the original petition, but the court has not yet issued a ruling.

COUNTRY	ABDUCTED/ RETAINED	APPLICATION FILED	CHILD LOCATED	SUMMARY OF CASE
MEXICO	12-2008	12-2009	Yes	In April 2010, the court scheduled a hearing but the child was not located. The court referred the case to law enforcement for assistance in locating the child. In September 2012, the court held a hearing, during which it denied the return of the child. Because of security concerns, the left-behind parent (LBP) and attorney were not present at this hearing. The LBP filed an appeal and is awaiting a decision.
MEXICO	8-2007	10-2007	Yes	In September 2008, the court ordered the return of the child under the Convention, and the taking parent (TP) appealed. In December 2008, the appellate court overturned the decision to return the child. In January 2009, the left-behind parent (LBP) filed an <i>amparo</i> against this decision. In May 2009, the <i>amparo</i> court returned the case to the original court and ordered that it reconsider its decision after reviewing psychological examinations of the TP and child, but did not order a psychological examination of the LBP. In May 2010, the court denied the return, finding that the child was well settled in Mexico; the LBP appealed. In October 2010, the appellate court ruled for the LBP and returned the case to the lower court, ordering it to have a psychological evaluation of the LBP prepared and considered in its decision. In December 2010, the LBP traveled to Mexico for psychological testing. In September 2012, the court denied the return and the LBP appealed the decision, which remains pending. The TP, who in the past has allowed visits, has subsequently refused visits by <i>Desarrollo Integral de la Familia</i> or U.S Embassy staff unless ordered by the court. The U.S. Central Authority and the U.S. Mission in Mexico have regularly requested updates from the Mexican Central Authority.
MEXICO	1-2011	4-2011	No	The left-behind parent filed an application for the return of the child in April 2011. The Mexican Central Authority (MCA) requested the assistance of law enforcement to locate the child. However, in September 2012, the taking parent filed an <i>amparo</i> . The child's whereabouts remain unknown and court proceedings remain stalled. The U.S. Central Authority and the U.S. Mission in Mexico have regularly requested updates from the MCA on efforts to locate the child.



COUNTRY	ABDUCTED/ RETAINED	APPLICATION FILED	CHILD LOCATED	SUMMARY OF CASE
<b>MEXICO</b>	12-2010	3-2011	No	The Convention application was filed in March of 2011 with the Mexican Central Authority (MCA). The court scheduled a hearing in August 2011 and ordered the return of the children. In December 2011, the MCA requested law enforcement assistance to execute the order. To date, the children have not been located. The U.S. Central Authority and the U.S. Mission in Mexico have regularly requested updates from the MCA on efforts to locate the children.
<b>MEXICO</b>	1-2009	6-2011	No	The Convention application was filed in March 2011, but it was returned by the Mexican Central Authority (MCA) because the child's name did not match because of an amendment of the birth record. The Convention application was resent in June 2011. The taking parent filed for custody in Mexico but the applicant did not respond, reportedly because he was pursuing a case under the Hague Convention. In November 2012, the U.S. Central Authority (USCA) informed the MCA that the left-behind parent was still interested in the return of his child. The USCA and the U.S. Mission in Mexico have regularly requested updates from the MCA on efforts to locate the child.
<b>MEXICO</b>	6-2009	10-2009	Yes	The taking parent (TP) attempted to file for custody in Mexico, but in December 2009, the Mexican Central Authority (MCA) advised the custody court to suspend proceedings because of the pending Convention application. The first court hearing on the Convention application was held in January 2010, but the TP then filed a succession of <i>amparos</i> , which were resolved in September 2011. The court ordered the child's return under the Convention in October 2011. The TP appealed the return decision, and there has not been a ruling on the appeal. The U.S. Central Authority and the U.S. Mission in Mexico have regularly requested updates from the MCA on court proceedings.

COUNTRY	ABDUCTED/ RETAINED	APPLICATION FILED	CHILD LOCATED	SUMMARY OF CASE
MEXICO	3-2009	3-2010	Yes	After several months of searching, the child was located and a hearing was scheduled in June 2011, but the taking parent was not notified and did not attend the hearing. The court then closed the case. The left-behind parent contested the decision and the court reopened the case in July 2011. The U.S. Central Authority and the U.S. Mission in Mexico have regularly requested updates from the Mexican Central Authority on court proceedings.
MEXICO	7-2009	12-2010	Yes	The Convention application was filed in December 2010. The case was received by the Mexican court in September 2011. The children were located in December 2012 and a hearing in Mexico was set for December 27, 2012.
MEXICO	1-2008	10-2009	No	The case was initially forwarded to the appropriate Mexican court, but in January 2010, the court returned the file to the Mexican Central Authority (MCA) after it could not find the children. In early April 2011, the case was sent back to the court with a possible location for the children, but the children have not been located. By November 2012, left-behind parent (LBP) had missed two hearings because she could not attend or properly identify a representative. The LBP is working with Mexican Consulate to obtain power of attorney for a representative so a new hearing date can be set. The U.S. Central Authority and the U.S. Mission in Mexico have regularly requested updates from the MCA on efforts to locate the child.
MEXICO	2-2009	11-2009	No	In May 2010, the Mexican Central Authority (MCA) forwarded the case to the court, but it was unable to locate the taking parent and child. In May 2011, the MCA requested the assistance of the <i>Agencia Federal de Investigacion</i> and Mexican immigration authorities to locate the child. The U.S. Central Authority has regularly requested and received updates from the MCA on the status of efforts to locate the child.
MEXICO	2-2011	5-2011	No	In October 2011, the Mexican Central Authority (MCA) sent the case to Interpol to search for the child. In September 2012, the U.S. Central Authority (USCA) sent a possible address to the MCA. The USCA and the U.S. Mission in Mexico have regularly requested updates from the MCA on efforts to locate the child.

COUNTRY	ABDUCTED/ RETAINED	APPLICATION FILED	CHILD LOCATED	SUMMARY OF CASE
MEXICO	11-2009	5-2011	Yes	The Convention return was ordered by the Mexican court, but the Mexican authorities found it difficult to enter the protected indigenous community in order to secure the child. The representative of the indigenous community then filed an <i>amparo</i> and Interpol could not enforce the return order. The U.S. Central Authority and the U.S. Mission in Mexico have regularly requested updates from the Mexican Central Authority on court proceedings.
MEXICO	1-2002	4-2005	No	Law enforcement has been searching for the child since 2005. In September 2011, there were indications that the child had left Mexico. The Mexican Central Authority (MCA) requested the assistance of Mexican immigration authorities to verify exit records, but no information on the child was found. The U.S. Central Authority and the U.S. Mission in Mexico have regularly requested updates from the MCA on efforts to locate the child.
MEXICO	11-2009	6-2010	No	The case was sent to the Mexican court in September 2010. In October 2011, the Mexican Central Authority (MCA) informed us that the child was not located so the case was sent to the <i>Agencia Federal de Investigacion</i> . In January 2012, the U.S. Central Authority (USCA) sent a possible location for the child. The USCA and the U.S. Mission in Mexico have regularly requested updates from the MCA on efforts to locate the child.
MEXICO	3-2002	7-2002	No	In January 2003, the court issued an order to secure the children, but the children were not located. The minors' whereabouts remain unknown. In January 2009, the Mexican Central Authority (MCA) requested law enforcement assistance to locate them. The U.S. Central Authority and the U.S. Mission in Mexico have regularly requested updates from the MCA on efforts to locate the child.
MEXICO	9-2010	5-2011	No	A Convention hearing took place December 2011, but the court could not locate the child. The minor's whereabouts remain unknown. In May 2012, the Mexican Central Authority (MCA) requested law enforcement assistance to locate them. In June 2012, the MCA informed the U.S. Central Authority (USCA) that the case was sent to Interpol and requested photos of the child. The USCA and the U.S. Mission in Mexico have regularly requested updates from the MCA on efforts to locate the child.

COUNTRY	ABDUCTED/ RETAINED	APPLICATION FILED	CHILD LOCATED	SUMMARY OF CASE
<b>MEXICO</b>	10-2005	6-2011	No	The California Attorney General filed the Convention return application with the Mexican Central Authority (MCA). The taking parent (TP) did not appear at a hearing in October 2011 but did file an <i>amparo</i> ; however, the Convention process was not suspended. Subsequently, the TP has separately appealed several court notifications and these are still pending review. The U.S. Central Authority and the U.S. Mission in Mexico have regularly requested updates from the MCA on court proceedings.
<b>MEXICO</b>	9-2003	4-2004	No	The California Attorney General filed the Convention return application with the Mexican Central Authority (MCA). In February 2005, the MCA forwarded the application to the court but the child was not located. In April 2011, the court requested law enforcement assistance in locating the child. The taking parent also failed to appear at a July 10, 2012 hearing in Mexico and the child has not been located to date. The U.S. Central Authority and the U.S. Mission in Mexico have regularly requested updates from the MCA on efforts to locate the child.
<b>PANAMA</b>	6-2009	6-2010	Yes	In September 2010, the left-behind parent attended the first Convention hearing. In March 2012, when no ruling had yet been issued, the Panamanian Central Authority (PCA) reminded the court of its obligation under the Convention to act expeditiously in proceedings for the return of children. In May 2012, the Superior Court of Childhood and Adolescence rejected the application for return of the child based on Article 12 of the Convention. The PCA asked the court if there was a possibility of filing an appeal against the decision. In August 2012, the PCA sent a follow up note to the court to confirm whether an appeal could be filed. At the close of the reporting period, the U.S. Central Authority (USCA) had yet to receive any new information from the PCA regarding an appeal on the case. The USCA and the U.S. Embassy in Panama City have regularly requested updates on the court proceedings.

COUNTRY	ABDUCTED/ RETAINED	APPLICATION FILED	CHILD LOCATED	SUMMARY OF CASE
PERU	10-2010	5-2011	Yes	A return order was issued in June 2011, the taking parent appealed the decision, and a lengthy appeals process remains underway. In May 2012, the appeal was sent to the Superior Court for review, and in June 2012, the Superior Court sent the case to the district attorney's office for review and opinion. In August 2012, the case was again sent back to the original appellate court, and a new hearing was scheduled for January 2013. The U.S. Central Authority and the U.S. Embassy in Lima continue to regularly request updates on court proceedings.
PERU	8-2008	1-2009	Yes	In December 2009, the court denied the return. The left-behind parent (LBP) appealed. In May 2010, the appellate judge ordered the taking parent (TP) and child to undergo psychological evaluation. In July 2010, the Superior Court vacated the lower court's denial, but did not order the return. After several months of deliberation, the Peruvian Central Authority declined to represent the LBP and pledged to provide assistance through the Ministry of Justice. Because the LBP procured a private attorney during the delay, the Ministry of Justice determined the LBP was able to furnish his own attorney and did not represent the LBP. In August 2011, the case was remanded to the Family Court of Lima for a decision. In May 2012, the court ordered new psychological evaluations of the LBP. However, there was lengthy discussion regarding the type of evaluation that would be acceptable to the court. In October 2012, the court determined that a psychological evaluation and home study provided by a U.S. social service provider would be acceptable. At the end of the reporting period, the LBP was making arrangements for the home study and psychological evaluation.
PERU	7-2009	4-2010	Yes	The case was forwarded to the Peruvian Central Authority in April 2010 and the first hearing was held in September 2010. In June 2011, a return order was issued. The taking parent (TP) appealed the decision and then dropped her appeal in March 2012. The TP and left-behind parent took several months to coordinate the logistics of the child's return, and both parents are now in agreement that the child may return to the United States.

COUNTRY	ABDUCTED/ RETAINED	APPLICATION FILED	CHILD LOCATED	SUMMARY OF CASE
PERU	2-2009	4-2009	Yes	Following hearings in March and July 2010, the court ordered the child's return in October 2010. The taking parent (TP) absconded with the child. While in hiding with the child, the TP filed an appeal, and then returned with the child to their former residence. In March 2011, the court denied the appeal. The TP filed a second appeal with the Superior Court. In October 2012, the Superior Court overturned the return order. The left-behind parent has appealed the decision and hired a private attorney to represent him in the appeals process. The U.S. Central Authority and U.S. Embassy Lima have regularly requested updates from the Peruvian Central Authority on the court proceedings. No court date has yet been set.
PERU	10-2010	11-2010	Yes	After extended deliberations in the initial series of hearings, with both the taking parent and left-behind parent (LBP) continuing to submit evidence and counter evidence, the return was denied in September 2012. The LBP appealed the ruling. The next hearing date in the appeal is scheduled in January 2013. The U.S. Central Authority and the U.S. Embassy in Lima continue to regularly request updates regarding current court proceedings.
PERU	3-2010	8-2010	Yes	A return order was issued in July 2011. The taking parent appealed the order. The appellate court upheld the return decision in January 2012. The left-behind parent appealed the appellate decision. An evidentiary hearing in this appeal took place in mid-December 2012. The U.S. Central Authority and the U.S. Embassy in Lima continue to regularly request updates regarding current court proceedings.

COUNTRY	ABDUCTED/ RETAINED	APPLICATION FILED	CHILD LOCATED	SUMMARY OF CASE
<b>POLAND</b>	5-2011	11-2011	Yes	<p>The left-behind parent (LBP) did not confirm the children's departure from the United States until several months after their removal and filed his application for the children's return under the Convention directly with the Polish Central Authority (PCA). The PCA notified the U.S. Central Authority (USCA) of the case when it forwarded the LBP's petition to the Polish court in November 2011. During the first hearing in December 2011, the taking parent claimed a defense under Article 13(b) of the Convention, and the Polish court ordered psychological evaluations of the children. The Polish court denied the return of the children in July 2012. The LBP appealed the decision in October 2012, and the appeal is currently pending. The USCA and the U.S. Mission in Poland have regularly requested updates from the PCA on court proceedings.</p>
<b>POLAND</b>	7-2009	12-2009	Yes	<p>The left-behind parent (LBP) hired a private Polish attorney and filed an application for the child's return under the Convention in December 2009. During the first hearing in early 2010, the Polish court ordered a home study of the LBP's residence in the United States. In February 2011, the Polish court ordered the child's return to the United States. The taking parent (TP) immediately appealed the ruling and did not comply with the order. The LBP obtained an enforcement order from the Polish court in April 2011, but the TP went into hiding with the child before Polish law enforcement could execute the order. Subsequently, the Polish appellate court granted the TP's appeal in July 2011 and remanded the case to the court of first instance. The TP resurfaced with the child in Poland soon after this decision. During a hearing in December 2011, the TP claimed a defense under Article 13(b) of the Convention. The court of first instance adjourned to allow the parties to prepare their cases, but the court has yet to schedule the next hearing. The U.S. Central Authority has regularly requested updates from the PCA on court proceedings.</p>

COUNTRY	ABDUCTED/ RETAINED	APPLICATION FILED	CHILD LOCATED	SUMMARY OF CASE
<b>ROMANIA</b>	8-2008	11-2008	Yes	Proceedings on the Convention application stalled when the left-behind parent (LBP) attempted to recover the child extra-judicially. In August 2009, the court denied the child's return on the basis of Article 13(b) of the Convention. In March 2010, the appeals court ordered the child returned; however, the return order has not been enforced. In November 2012, the Romanian Central Authority (RCA) reported that its attempt to file charges against a bailiff for refusing to enforce the order had been unsuccessful. The U.S. Central Authority and the U.S. Mission in Romania have regularly requested updates from the RCA on enforcement of the Convention return order.
<b>SLOVAKIA</b>	6-2008	2-2009	Yes	In May 2010, the Slovak Central Authority (SCA) provided the U.S. Central Authority (USCA) a list of Slovak attorneys that the LBP could retain at his expense, per Slovakia's exception to Article 26 of the Convention, and the USCA provided that list to the left-behind parent (LBP). The LBP has reported he is unable to afford an attorney, and the case has not progressed. The USCA and SCA are in regular communication regarding the LBP's plans for his petition under the Convention.
<b>SLOVAKIA</b>	8-2010	10-2010	Yes	In January 2011, the Slovak court ordered the child's return. The taking parent (TP) appealed the ruling, and the appellate court upheld the lower court's decision in April 2011. During that summer, the Slovak court began fining the TP for not complying with the order. The TP filed an appeal with the Slovak Constitutional Court in July 2011 and alleged that the Slovak judges who presided over the Convention proceedings had violated her human rights. In response, the Constitutional Court stayed the Convention return order in December 2011 pending its review of the case. In August 2012, the Constitutional Court ordered that the case be remanded back to the court of first instance for re-trial. The court of first instance had its first hearing in December 2012 and set the next hearing for January 2013. The U.S. Central Authority has been in regular communication with the Slovak Central Authority.



COUNTRY	ABDUCTED/ RETAINED	APPLICATION FILED	CHILD LOCATED	SUMMARY OF CASE
<b>TURKEY</b>	5-2010	2-2011	Yes	In January 2012, the court ordered the child's return under the Convention, and the taking parent (TP) appealed the decision. In June 2012, the appellate court overturned the lower court's order to return the child. The left-behind parent has appealed and is currently waiting for a hearing date. The U.S. Central Authority and the Turkish Central Authority are in regular contact regarding updates in the case.
<b>TURKEY</b>	8-2010	10-2010	Yes	In March 2011, the lower court ordered the return of the children under the Convention, and the taking parent (TP) appealed the decision. In January 2012, the appeals court upheld the children's return and remanded the case to the lower court. In July 2012, the lower court insisted upon its initial decision, and the TP appealed the case to the Grand Chamber of the Appeal Court. The final hearing has not yet been scheduled.
<b>TURKEY</b>	5-2010	12-2010	Yes	Convention hearings took place in March, May, July, and November 2011. The court scheduled further hearings to allow time to coordinate the testimony of U.S. witnesses and to review replies from each party. The July 2012 Convention hearing was subsequently postponed until November 2012. The U.S. Central Authority and the Turkish Central Authority are in close contact in an attempt to expedite the testimony of the U.S. witnesses and to offer judicial assistance if appropriate.