

Frequently Asked Questions

Q: How does the 2015 Annual Report on International Parental Child Abduction (Annual Report) differ from past annual Compliance Reports to Congress?

- The Sean and David Goldman International Child Abduction Prevention and Return Act (ICAPRA) increases the U.S. Department of State's (Department) annual reporting requirements. The Annual Report includes numerous statistics to meet those reporting requirements that were not included in past Compliance Reports. The data in the Annual Report will provide information to Congress and the public about international parental child abduction (IPCA) cases around the world and the Department's efforts to resolve them. This year's report will reflect, in part, the fact that the law, which passed August 8, 2014, was in effect only for part of the year. The Department worked hard to ensure the report is as full and accurate as possible.

Q: What has the Department done to implement the legislation?

- The Department undertook a massive effort since the law's passage to analyze the law's requirements, apply them to our work, and establish a procedure for collecting the more than 40 new reporting requirements. Our U.S. Missions abroad have also assisted in the implementation process by providing data and coordinating communication with foreign governments.

Q: How will the law help in an individual case?

- ICAPRA provides tools which the Department can utilize if the Department determines that the case is an unresolved abduction case, as defined by ICPARA, and the government of a country failed to take appropriate steps to resolve that individual case. The Department has discussed the law with foreign governments, using it to refocus their attention and efforts to resolve IPCA cases. The Department will continue to work in concert with relevant U.S. Government offices and foreign governments to assist parents seeking return of, or access to, their abducted children.

Q: The country to which my child was abducted is not cited for patterns of noncompliance in the Annual Report. Why is the country not cited when my child has not returned?

- The Department applied the definition of "pattern of non-compliance" in 22 U.S.C. § 9101(19), including the definition of "persistent failure" found in § 9101(19)(B) when analyzing countries for patterns of noncompliance. Even

if a country is not cited for patterns of noncompliance, the law gives the Department tools to address individual unresolved abduction cases in any country if the Department determines that the government of such country failed to take appropriate steps to resolve the case.

Q: How was data collected?

- After the law went into effect on August 8, 2014, the Department restructured our data collection methods to comply with the requirements of the law. All information in the report was analyzed from data that was available as of the end of the reporting period on December 31, 2014. Most of the data is based on information that parents, attorneys, or Foreign Central Authorities report to the Department, in its role as U.S. Central Authority (USCA). Information that was not available prior to the end of the reporting period is listed as “unknown” in the report.

Q: Why does the Annual Report list zero unresolved cases affecting military parents?

- The law requires the Department to report the number of military parents affected by unresolved cases by country. An unresolved case is defined as an abduction case that remains unresolved for a period that exceeds 12 months after the date on which the completed application for return of the child is submitted for determination to the judicial or administrative authority, as applicable.¹ Although the Department has cases that involve military parents, there were no military parents affected by unresolved cases in Calendar Year 2014 (CY 2014), as defined by the law.

Q: How do you calculate percentages of unresolved cases due to poor law enforcement efforts and percentage of resolved cases per country?

- The percentage of unresolved cases due to poor law enforcement efforts is calculated by dividing the number of unresolved cases due to poor law enforcement efforts by the total number of unresolved cases in that country as of December 31, 2014. The percentage of resolved cases per country is calculated by dividing the number of resolved cases by the total number of abduction cases, in that country, in CY 2014.

¹ 22 U.S.C. § 9111(b)(2), et seq.

Q: Why don't the reported resolved and unresolved cases add up to 100%?

- There are many cases that do not fit the definition of resolved or unresolved, as defined by the law. For example, there are cases that do not appear in the statistics reported in the Annual Report because they have not been pending with the judicial or administrative authority for 12 months or longer even though they have not yet been resolved. These cases do not show up in either the “resolved” or “unresolved” column in the report. Therefore, the numbers of unresolved and resolved cases reported in compliance with the law may not equal 100 percent.

Q: What is resolved? Does “resolved” mean “closed”?

- Please see Figure 2 in the Annual Report for definitions of a resolved case, according to the law. The Department may also close a case based on established administrative procedures, in addition to closing cases that are “resolved” according to the law.