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***THE WORLD TURNED  
UPSIDE DOWN***

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***INTERNATIONAL PARENTAL CHILD ABDUCTION  
AN INSIGHTFUL NARRATIVE  
BY CHILD ABDUCTION PREVENTION ADVOCATES***

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***BY:***

***PETER THOMAS SENESE***

***And***

***CAROLYN ANN VLK***

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THE WORLD TURNED UPSIDE DOWN©  
International Parental Child Abduction  
An Insightful Narrative By Child Abduction Prevention Advocates  
By Peter Thomas Senese and Carolyn Ann Vlk

## About This Publication

*The World Turned Upside Down*© is intended to be a rather unique E-book publication in that it takes the format of a viral publication that will be updated with new and relevant information and material from time-to-time by leading experts who work in the area of international parental child abduction and child trafficking. In essence, *The World Turned Upside Down*© is taking the form of a living E-book that will provide new and updated information and material to those who need it as such information becomes available.

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TURNED  
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***By:***

***PETER THOMAS SENESE***

***And***

***Carolyn Ann Vlk***

## Acknowledgements

The world of child abduction prevention advocates and activist committed to assisting targeted and victimized children and parents of criminal international parental child abduction is truly made up of some of the most remarkable individuals I have ever met. At the top of the list of individuals trying to make a difference so other parents and their children may not fall victim to predator parents are the chasing parents who presently are or have had to chase into the cyclones of cross-border child kidnapping. Each of these remarkable parents has faced burdens, challenges, and hardships that are beyond difficult to overcome. Yet they attempt to do just that because of the love they hold for their child or children. The challenges they face is best summarized by the title of this publication ‘The World Turned Upside Down’ because in reality – nothing makes sense. Undeniably, this evolving E-book has been made possible through the assistance of many chasing parents who have shared their insight and stories with me over the years.

Carolyn Ann Vlk is one of the most remarkable individuals I know. Carolyn has dedicated so much of herself to assisting parents and targeted children of international abduction. The impact of Carolyn’s dedication toward trying to prevent international child abductions will be long lasting. Without question, the material contained in this publication and the desire to understand the issues that have impacted so many is due to Carolyn’s desire to help and make a difference in the lives of others addressing or facing this cruel crime.

On a personal note, I would like to thank my dear Maria for her commitment to me and for rolling-up her sleeves whenever needed during the extensive time that was spent on behalf of children everywhere. Maria – you were not directly connected to IPCA – but your considerable compassion for what is right and for children everywhere has made a sizeable difference in the battle to protect children of this crime.

David Bokel: your gentle yet steadfast desire to help others bespeaks of the wonderful man you are. Martin Waage: you rescue children all over the world who have been criminally kidnapped, and most importantly, you bring them home safely – incredible! Pam Michell – your life dedicated to stopping all types of abduction and human trafficking inspires the world. Jill Jones-Soderman: for an incredibly long time you have bravely, heroically, and impactfully defended children and targeted parents in great need: you and what you do is most admirable. Your work is a blueprint of much contained herein. Thank you! Gloria Nyberg: you were part of a movement of activist that paved the road for others to follow: your life has made such an incredible difference for so. Barbara Greig and Thelma McDonald at the DOS – OCI: what can I say? Thank you! And Julian Stewart of Canada’s Central Authority – you are a remarkable lady. And from my heart, I have been blessed with so much joy in my life. To my son Tyler: I will always love you. To my amazing nieces Angelia and Maria: each of you, along with Michael and Anthony make me smile all the time – I love you! And always, Jim – our friendship is something incredibly special and you are most extraordinary of men. Natasha – you are a rock of goodness. And Adrian and Lisa: our friendship is so deeply treasured.

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## **Foreword**

*It is believed that there could be over one hundred thousand (100,000) defenseless children criminally internationally abducted by one parent from another parent each year. Yearly estimates point toward a startling growth rate ranging from ten percent (10%) to twenty percent (20%) per annum depending on each specific country.*

*Clearly, International Parental Child Abduction (IPCA) is a growing worldwide epidemic every nation on the planet is unquestionably plagued by. It is important that I immediately state that there does not exist any published global statistics at the time of this publication that provides an accurate global narrative on the total number of international parental child abductions. Part of the challenge in obtaining accurate data is that many nations who belong to international treaties such as 'The Hague Convention on the Civil Aspects of International Parental Child Abduction' do not publicly report the number of yearly child abductions. Additionally, many of these nations do not provide published estimates for non-reported abductions, which appears to be significantly larger than reported cases due to immigration migration in a large number of countries. Finally, there exist a large number of countries, particularly in Asia, the Middle East, and Africa that have not signed any international treaty that addresses international parental child abduction. Many of these nations have not provided any statistics referring to the number of international parental child abductions.*

*Though there are no official global statistics, research and analysis that I have conducted clearly points that there are conservatively well over one hundred thousand (100,000) children per year criminally internationally abducted by one parent from another. This estimate takes into*

*consideration globally reported abduction cases, immigration migration trends, divorce and separation rates, population rates, treaty and non-treaty partners, and nation-state economic conditions. This estimated number of international child abductions conceivably may be much larger and could grow exponentially if significant and dramatic changes are not made by each nation-state to implement international parental child abduction prevention laws.*

*There are several critically important and poignant issues that must be addressed. Unquestionably, international parental child abduction is a severe and brutal criminal act committed by one parent against both child and targeted parent. In fact, many nations, including the United States, Canada, and the United Kingdom have specific laws primarily falling under felony kidnapping that pertain to international parental child abduction. In addition, leading mental health experts from around the world have stated that the psychological and spiritual damage directed toward an unsuspecting child of abduction will create both short and long-term damage that may be very difficult for the targeted child to overcome. Furthermore, substantial research and studies from leading private and public experts in the area of child abduction have consistently reported that a parental child abductor typically uses the child as a pawn in order to hurt the targeted other parent, and of equal concern, these abundant studies further cite that the vast majority of child abductors demonstrate unstable and sociopathic behavior. These issues and others are discussed in great detail in this publication.*

*Having spent the past several years of my life voluntarily advocating on behalf of targeted children and extensively researching and writing about international parental child abduction in order to make a difference so that other children and their targeted parents may never have to*

*chase the cyclone of international parental child abduction, I have come to realize there are several troubling concerns that facilitate the considerable growth rate of international parental child abduction outside of the fact that we live in a multi-cultural society.*

*Of significant concern for all targeted parents trying to protect their children from abduction is the fact that many judges and the courts they are responsible to oversee are not sufficiently equipped to handle potential international child abduction cases. Clearly, there is a significant lack of education, research, and knowledge in this area. Tragically, uninformed judges all too often are charged with making decisions on a child's welfare, when clearly, they are not thoroughly aware of the complexities of the issues at hand nor the full impact that their decisions will have. In addition, the vast majority of nation-states have not created or implemented international child abduction prevention laws, and those that have generally have not upheld the spirit and intent of the laws created.*

*In retrospect, many countries that have signed various international treaties concerning international parental child abduction such as 'The Hague Convention' fail to uphold the spirit and intent of the treaty, thus perpetuating an already difficult and dangerous situation for an abducted child.*

*Clearly, child abduction prevention is the singular most important issue each nation faces when considering the best routes available to them so they may protect their child-citizens from this devastating crime.*

*Unfortunately, there are great challenges ahead of us as a global society, particularly since existing laws in various nations perpetuate or facilitate international parental child abduction. For example, in Europe and in North America,*

*a child traveling abroad by land or by sea who is under the age of 16 years old is not required to present a valid government issued passport when crossing a border. What is generally accepted is a photocopy of a citizenship paper, such as a birth certificate – which is easy to counterfeit.*

*According to leading experts in various professional fields who are dedicated to protecting children from the crime of international parental child abduction, all concur that the act of parental child stealing is a grave and serious form of child abuse. Unequivocally, parental child abduction is an evil crime of kidnapping encompassing additional crimes.*

*With the unthinkable number of children at risk of international parental child abduction each year, it is critical that we all play our part in trying to stop this epidemic from further spreading. Truth is, very few parents can anticipate having a child criminally abducted overseas. And as you will read in the chapters herein, the obstacles targeted parents face in either trying to prevent or reunite with their abducted child is extremely difficult. In fact, I have often cited that the world of international parental child abduction is ‘The World Turned Upside Down’, and that a targeted parent who has their child abducted will race into the darkest and perhaps most dangerous of storms in order to rescue their child. ‘Chasing The Cyclone’ is indeed an act that defines what each targeted parent of international parental child abduction does if they choose to attempt to find and bring their child home.*

*In creating this publication it is my hope to provide useful information and resources for targeted parents, law enforcement, judges and the courts they oversee, lawmakers, and the general public so that we may work efficiently in order to protect each nation’s most valuable assets: our children. The content created is derived*

*primarily from an assortment of published research reports, articles, and essays that I have written or contributed on along with Carolyn Ann Vlk. In addition, as this publication is a viral E-book, I anticipate there will contain future writings by other child advocates who I believe offer information that may be very useful.*

*Much thanks and sincere appreciation must be extended to my friend and fellow researcher, Carolyn Ann Vlk. Together, Carolyn and I have worked tirelessly researching and publishing several of the landmark research reports that are contained in this publication including 'Crisis In America', and 'Child Abduction and Human Trafficking In The Western Hemisphere' and 'The Prevent Departure Program'. Unquestionably, Carolyn is a child advocate that wears her heart on her sleeve each and every day, has tremendous understanding of the issues at hand, and who's integrity combined with capability has changed for the better the dismal state of affairs all targeted parents face. In my view, Carolyn Ann Vlk is both warrior and hero, and I have been fortunate to work side-by-side with her on many projects. Most of all, I have been blessed to call her my dear friend.*

*I know I speak for Carolyn when I say that the positive work we have voluntarily embarked upon in order to make a positive difference in the child abduction landscape could not have been done without the help of many chasing parents who are or have been targets of child abductors. In sharing the material presented herein, the voices, issues, and concerns of a large and growing community is heard.*

*I also would like to extend a very special thank you once again to Jill Jones-Soderman, the Founder and Executive Director, The Foundation for the Child Victims of the Family Courts for the tremendous work you do advocating and coming to the assistance of defenseless children and*

*their loving parents who need it most. You are a remarkable lady.*

*One item I want to touch upon quickly here is the issue that in the United States, a targeted parent does not receive any financial aid while trying to locate and then litigate over the rightful return of their child. Costs associated with litigation in both the child's country of origin and the country where the child was abducted to are enormous. I have read published reports that the average cost of an international child abduction recovery is \$18,000.00. This suggested number is an insane misrepresentation of the reality of costs associated with an actual recovery. In fact, of all the chasing parents I have spoken to – and there are many – I do not know one targeted parent who had to litigate due to an actual abduction occurrence that spent that little on recovery. Truth is, the financial costs is many times higher than the often cited number – and can easily reach hundreds of thousands of dollars - if not more in certain situations (pending the cost involved in locating your child).*

*If a stranger were to abduct a child across international borders, the full weight and force of each country's law enforcement divisions would be coming to the aid of both child and parent. However, in reality, even though a parental child abduction is a state and federal criminal felony, the reality is that at times the support provided is limited and often inefficient because of jurisdiction issues associated with the country the child was kidnapped to.*

*In the United States, it is imperative that the financial burden associated with an international child abduction is removed from the targeted parent, and that all costs associated with the recovery and reunification of a criminally abducted child are covered by our federal government. The fact is the recovery costs associated with*

*an internationally abducted child can cripple a targeted parent.*

*In addition to the various published reports contained herein, this publication provides an extremely accurate contact roster of Hague Signatory-nation Central Authorities. For many parents who are chasing after their child, this contact list is invaluable.*

*I hope that our effort may be useful to each of you.*

*'The World Turned Upside Down' has been created in an E-book format in order to be updated with new and important information on a regular basis. Undeniably, there are many issues associated with international parental child abduction: this evolving publication will continue to address these issues and include additional content as it is generated.*

*Lastly, if you are a Chasing Parent, I would like to share a very personal message with you: no matter what storms and struggles you need to face in order to reunite with your child it is imperative that you know HOPE and embrace your FAITH.*

*Peter Thomas Senese*

## CHASING PARENT CREED

By

Peter Thomas Senese

*Unless you know what it is like to have a child kidnapped, it may be extremely difficult to imagine the nightmarish storm and odyssey a chasing parent must embark upon. For those parents who chose to act and seek to find and reunite with their abducted child, the road that they face is most difficult. Nevertheless, they are armed with a great tool: love.*

I am a 'Chasing Parent' who was left behind in the wake of my child's criminal international abduction. It is because of the love that I hold for my child, I am pro-active and act immediately using whatever applicable laws are available to me in order to protect my child.

I will not rest until I do everything within my means to secure my child's safety and bring my child home.

I am a mother. I am a father. I am a sister. I am a brother. And I am someone's child, too. But most of all, I am a devoted parent to my child, who looks to me for love, comfort, guidance, and support. I am part of my child's identity and foundation.

As a 'Chasing Parent', I move into the unknown storms that surround my child's abduction. I know there will be many challenges that lie ahead of me. It does not matter. Regardless of the severity of the destructive forces that I will face, I will endure all that comes in my path in the name of the unconditional love I have for my child.

I support *The Hague Convention on the Civil Aspects of International Child Abduction* and urge all nations,

regardless of whether they are signatories to the international treaty or not, to follow and enforce expeditiously the rules of law established by the international community.

I do not accept being known as a 'Left Behind Parent'. I will not allow the criminal act perpetrated on my child to define me. I am not 'left behind' because I act with all due urgency in any jurisdiction wherever my child may be.

I am in fact a 'Chasing Parent' filled with hope that through my actions, I will reunite with my innocent child who has been victimized by the act of parental abduction.

I know that the boundless love I have for my child will guide me as I chase into the storms.

I will bring my child home.

## **CRISIS IN AMERICA:**

### **International Parental Child Abduction Today**

**By:**

**Carolyn Ann Vlk and Peter Thomas Senese**

*During the extensive research that Carolyn Vlk and I have conducted concerning International Parental Child Abduction, there unequivocally are many issues and concerns that need to be addressed. Perhaps no issue stands out more than the fact that cross-border parental child kidnappings are growing rapidly, and, the data used by lawmakers and courts to consider such growth is extraordinarily outdated, inaccurate, and does not represent the grave epidemic each nation faces. We assert that if the data that is often cited by government agencies, lawmakers, court officers, law enforcement officers, and all individuals interested in child abduction are misleading and not representative of the realities facing children, then how can we expect for policymakers to understand the magnitude of the crisis at hand, yet alone seek to support and pass child abduction prevention laws? It is due to this issue that Carolyn Ann Vlk and I spent substantial resources investigating the actual landscape of child abduction in the United States. Our findings are very concerning and demonstrate a unilateral failure by government agencies to report accurate statistics.*

*'Crisis In America' is the most accurate assessment of the international parental child abduction landscape in the United States. Undeniably, many of the same issues the U.S. faces are issues relevant to other nations.*

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## **INTRODUCTION**

It is believed that United States children-citizens are being criminally abducted, illegally removed overseas, and wrongfully detained in foreign countries in shocking and seemingly advancing and unprecedented numbers. This despite U.S. court orders prohibiting their removal and/or demanding for their immediate return.

Remarkably, the necessary data required to accurately measure the total number of international parental child abductions (IPCA) does not exist due to the inability to measure what is believed to be a large number of ‘unreported’ cases, which is discussed in this report later on. Therefore due to the inability to measure ‘unreported’ cases, much of what has been previously reported in government and reputable organizations’ studies or statements should be considered as speculation due in part to the inability to measure ‘unreported’ cases, as well as forecasted numbers derived from immeasurable and highly questionable determining methodologies. The only **measurable** statistics are the number of cases reported to law enforcement and to The Department of State’s Office of Children’s Issues (OCI).

## **QUESTIONABLE DATA AND PREVIOUS RESEARCH**

The content of this report includes statistics from the two most current published annual reports which are dated April 2009 and April 2010 and titled *Report on Compliance with the Hague Convention on the Civil Aspects of International Child Abduction*. Assistant Secretary of State for Consular Affairs, Janice L Jacobs reports that during fiscal year 2009, the Office of Children's Issues experienced a significant increase in the number of reported

international kidnapping cases. The 2010 report indicates that we can anticipate the current trends previously seen with respect to the increase in international parental child abductions to continue. In fact, the number of International Parental Child Abduction (IPCA) cases has nearly doubled since the fiscal year 2006 from 64 to 1,135.

Carolyn Ann Vlk, the writer of Florida's *Child Abduction Prevention Act*, explains, "In response to a mandate of the 1984 *Missing Children Act*, the *Office of Juvenile Justice and Delinquency Prevention* (OJJPD) publishes periodic studies titled the *National Incidence Studies of Missing, Abducted, Runaway, and Thrownaway Children* (NISMART). The NISMART publications are meant to identify the numbers of children who are reported missing and the number of children recovered in a particular year. These bulletins consist of comprehensive studies with an emphasis on examining trends in the incidence of missing children."

The *NISMART I* study (utilizing data from 1988 and published in 1990) reported that there were an estimated 354,100 family abductions annually. In order to derive data for that study in regards to the number of children that are victims of a family abduction each year a household telephone survey was conducted. The survey included a total of 10,367 interviews with adult caretakers. The *Population Estimates Program* of the *Population Division U.S. Census Bureau* estimated the U.S. population at 244,498,982 in 1988. To clarify, a sampling of telephone interviews from 0.0000413% of the U.S. population was utilized to provide the statistical data that is widely accepted as being an accurate accounting of the numbers of annual family abductions.

The *NISMART - 2* study, which utilized data from 1999 and

was published in 2002, reported that there were 203,900 family abductions annually. This study also utilized a household telephone survey and completed interviews with 16,111 adult caretakers. Additionally, this study surveyed 5,015 youth ages 10-18 who lived in the sample households. During the study year the estimated U.S. population was 272,690,813, thus reflecting completed interviews of 0.000059% of the U.S. adult population. Once again, a small fraction of the U.S. population was interviewed as the *only* method of determining the annual numbers of family abductions. Critically, and troublesome is the fact that the *NISMART* studies did not derive any of the data relating to family abductions from law enforcement or other governmental agencies. Data was entirely compiled from random computer-assisted telephone interviewing methodology. Neither study conducted a second survey.

According to the *NISMART - 2* study that used data from 1999, only 28% of the 203,900 estimated abductions by family members or 56,500 abductions were reported by law enforcement. This illustrates a great reluctance by individuals to come forward and report their cases.

Now consider that an assortment of generally accepted reports or statements from leading authorities including *The National Center for Missing and Exploited Children* (NCMEC). On April 22, 2002 NCMEC stated in a press release the following, “In an effort to educate the public and to provide more services to victims, the National Center for Missing & Exploited Children has released a new publication *entitled Family Abduction: Prevention and Response* and has recently formed a group for adults who were victims of family abduction as children. A commonly misunderstood and complex issue, best estimates indicate that there are 354,000 domestic and 16,000 international family abductions per year.”

We are unable to ascertain where NCMEC determined their 16,000 international child abductions per year. What we do know is that according to the Department of State, in several of their published statements, that there were approximately 16,000 international parental child abductions over a two-decade long period. What these inconsistencies demonstrate is a lack of data. Unknown is whether the NCMEC statement included an estimate of 'unreported' cases or perhaps was an error as the same '16,000' yearly number is identical to the Department of State's '16,000' two decade number.

Peter Thomas Senese is the author of the upcoming book titled 'Chasing The Cyclone' which critics have praised as an extraordinary story on international parental child abduction, love, and parenting. He stated, "Criminal parental cross-border abduction appears to be increasing in the United States and abroad at significant rates despite the fact that there is not enough accurate data required to establish growth trends in cross-border abductions. The rise of abduction in our country as well as that seen in other nations indicates that we have a global pandemic on our hands. And as more children from different nations are stolen and not returned, including our own children, citizens will inevitably voice their growing anger over the fact that their nation's children-citizens have been abducted. The stealing of children across international borders can, and very well will inevitably create grave challenges for all nations who sit at the world's political and economic tables."

This report will unequivocally demonstrate that new, carefully constructed research initiated by our government is immediately needed, and that the number of international parental child abductions is increasing despite efforts to stop this terrible act directed at our children-citizens.

## **REPORTED CASES OF INTERNATIONAL PARENTAL CHILD ABDUCTION**

Indisputable, are the actual number of ‘reported’ abduction cases. Estimating the incalculable total number of ‘unreported’ cases is difficult to assess. Despite this inability to concisely determine the total number of cases each year, it appears America and our nation’s children-citizens are plagued by a dangerous criminal epidemic known as ‘International Parental Child Abduction’ that is silently sweeping through our nation. At risk are tens if not hundreds of thousands of our defenseless children who are targeted for abduction each year.

In April of 2009, the annual *Report on Compliance with the Hague Convention on the Civil Aspects of International Child Abduction* was released. In that publication, Janice L. Jacobs, Assistant Secretary of State for Consular Affairs writes, "Unfortunately, current trends reflect a steady increase in the number of international parental child abduction cases and highlight the urgency of redoubling efforts to promote compliance with Convention obligations and encourage additional nations to join the Convention." She also writes, "Very few options exist for parents and children who are victims of parental child abduction." In the 2010 annual report Ms. Jacobs continues to voice concerns over the increasing numbers of our child-citizens who have been wrongfully removed or wrongfully detained.

This fact is evidenced by the statistics contained within the reports. The 2009 report utilized data that was collected during the period from October 1, 2007 through September 30, 2008 and is referred to as fiscal year (FY) 2008. This report reflects that 1,082 new cases were reported involving 1,615 children. During the study year the U.S. was

successful in the return of only 361 children. The 2010 report covers the time period from October 1, 2008 through September 30, 2009, which is FY 2009. During FY 2009, 1,135 new requests were received for assistance in an attempt to have returned 1,621 children who were wrongfully removed from the United States. During FY 2009 the U.S. was successful in the return of 436 children. The report does not indicate during which FY year a returned child was abducted. It is important to note that as time passes, it becomes substantially more difficult to recover an abducted child.

### **UNREPORTED CASES OF INTERNATIONAL PARENTAL CHILD ABDUCTION**

Peter Thomas Senese commented, “The anticipated number of international abductions used as a benchmark and often referred to is inconclusive because the published data does not take into consideration ‘unreported’ cases of international child abduction, population growth, increases in multi-cultural marriages, immigration migration increases to the United States, and economic difficulties many families are facing, which inevitably leads to a break-up of the family unit. More concerning is how the widely distributed and cited surveys used what I believe to be an inadequate number of telephone interviews and appear not to include any law enforcement records. In my view, we as a nation have a serious problem on our hands.”

Carolyn Ann Vlk stated, "Admittedly, something is seriously amiss in our ability to accurately estimate the number of children victimized by the crime of child abduction. In my opinion, utilizing only a random telephone survey, to determine the number of affected children is a process flawed by numerous, serious methodological problems. Additionally, the

cooperation and compliance rate in obtaining the return of our citizen children who have been criminally internationally abducted must be drastically improved. The recovery of so few of these children during an entire fiscal year is not and should not be acceptable".

Unfortunately, many internationally abducted children are never returned because their abductions are not reported to authorities. The likelihood is that the vast majority of these types of cases never end with a child's return. It would be reasonable to conclude that if a targeted parent did not report their child's abduction, then in all likelihood, that U.S. child-citizen will not be returned to the United States. Due to the number of 'unreported' international abduction cases, it is difficult to determine a reasonable return-rate percentage. We recognize the difficulty in attempting to accurately estimate the 'unreported' case numbers and believe that it is probable that the number of returns of 'unreported' cases is extremely low and essentially immeasurable.

Reasons for 'unreported' cases include the financial inability of a Chasing Parent to take legal action since they are responsible to pay for all costs associated with their child's recovery – even though a child's international abduction violates state and federal laws such as the *International Parental Kidnapping Crimes Act (IPKCA)*. Furthermore, many parents experience a sense of hopelessness that any recovery efforts will be futile since there are great difficulties associated with bringing a child home, including the possibility of first trying to determine where your child is. Also, the fact is that many nations are not a party of or do not uphold the Hague Convention. Furthermore, there exist substantial prejudices in foreign courts.

The *NISMART I* study reported that there were a total of 354,000 parental child abductions annually. The *NISMART II* study stated the total number of parental child abductions decreased to approximately 203,900 children. The truth of the matter is that we really do not know how accurate any of the data is or how large of a problem we actually have on our hands. What we do know is that hundreds of thousands of children are targeted for parental abduction each year, and out of this group, tens of thousands of these instances include planned international parental abductions.

### **PARENTAL CHILD ABDUCTION IS A SEVERE FORM OF CHILD ABUSE**

According to leading experts who specialize in international parental child abduction, conclusive and unilateral opinion and fact demonstrates that parental child abduction of a targeted child is a cruel, criminal, and severe form of abuse and mistreatment regardless if the child is with one of their (abducting) parents. This includes the illegal act of international abduction, whereas, the child is unexpectedly uprooted from their home, their community, their immediate and extended family, and their country. Sadly, severe short and long-term psychological problems are prevalent for many abduction victims who survive their kidnapping experience. It is commonplace for a child to be emotionally sabotaged, whereas, the abducting parent will try to remove all bonds and attachments the child has with the other parent, thus, removing the child's right to know the love of the other parent, and keep in tact their own identity. Too many children simply never come home and in certain cases a child's abduction overseas has led to the death of the abducted child.

A leader in the field of parental child abduction issues, Dr. Dorothy Huntington wrote an article titled *Parental*

THE WORLD TURNED UPSIDE DOWN

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International Parental Child Abduction

An Insightful Narrative By A Child Abduction Prevention Advocate

Peter Thomas Senese and Carolyn Ann Vlk

*Kidnapping: A New Form of Child Abuse.* Huntington contends that from the point of view of the child, "child stealing is child abuse." According to Huntington, "in child stealing the children are used as both objects and weapons in the struggle between the parents which leads to the brutalization of the children psychologically, specifically destroying their sense of trust in the world around them."

"Because of the harmful effects on children, parental kidnapping has been characterized as a form of "child abuse" reports Patricia Hoff, Legal Director for the Parental Abduction Training and Dissemination Project, American Bar Association on Children and the Law. Hoff explains, "Abducted children suffer emotionally and sometimes physically at the hands of abductor-parents. Many children are told the other parent is dead or no longer loves them. Uprooted from family and friends, abducted children often are given new names by their abductor-parents and instructed not to reveal their real names or where they lived before." (Hoff, 1997)

Consider that today in Japan, there are approximately 230 American children-citizens who were illegally abducted from United States soil to Japan by one of their parents in violation of U.S. court orders. To date, and for what is believed to be nearly fifty years, Japan – America's strong ally – has never returned 1 American child who was parentally kidnapped and illegally detained in accordance to United States law. And tragically, the vast majority of the chasing parents left-behind in the wake of their child's abduction are not permitted to have contact with their child.

"I'm the only living parent to my daughter Erika," said U.S. Navy Commander Paul Toland, whose daughter Erika was abducted to Japan seven years ago, "my wife died and my daughter was subsequently kidnapped by her grandmother, yet I have absolutely no access to her. Both the State

Department and the Japanese Ministry of Foreign Affairs have asked to visit my daughter to check on her welfare, but the abductor said no. In the Japanese system, where no enforcement mechanisms exist and compliance is completely voluntary, all any government agency can say to me is 'We're sorry, we tried'. Nobody can offer any remedies or solutions, because none exist."

At the time of Commander Toland's child's abduction, OCI did not include his case as an officially reported case since at the time, Commander Paul Toland, father of Ericka, was on active duty serving his country, and military personal cases were not counted as 'reported' cases. This has recently changed.

Welcome to the absurd world of international parental child abduction. The bizarreness of Commander Toland and his daughter's dire odyssey into the world of the incomprehensible is the norm experienced by many chasing parents and their children, not the oddity.

### **EXTREME DIFFICULTIES IN RECOVERING A PARENTALLY ABDUCTED CHILD**

There are abundant reasons why it is very difficult to have an illegally stolen child returned despite the United States being a signatory of *The Hague Convention on the Civil Aspects of International Child Abduction*. They include, but are not limited to the following:

1. Lack of action in reporting a child's abduction by a targeted parent left behind; and,
2. Many nations do not comply with or uphold the spirit of the convention (ex, Brazil, Mexico, Germany); and,

3. Many countries have not signed the convention (ex. Japan, China, Russia, and many countries located in the Middle East); and,
4. Chasing Parents may not have an idea what country their child was taken to; and,
5. Chasing Parents are responsible to carry the enormous financial burden associated with their child's recovery. Many simply do not have the substantial resources needed; and,
6. Many Chasing Parents do not have the knowledge necessary to navigate the difficult and complex legal system of international law, nor do they often know who to turn to and what to do; and,
7. Nationalistic prejudices of court systems located in the 'inbound' country, whereas, a court may try to protect the abducting parent if that parent is a citizen of the country where they abducted the child to; and,
8. Cultural differences; and,
9. A Chasing Parent's fear to attempt to recover their child due to threats from the abducting parent or individuals associated with the abducting parent; and,
10. Lack of cooperation from law enforcement; and,
11. Limited power of the *Office of Children's Issues* to intervene on behalf of a U.S. citizen.

## **HIGH GROWTH OF CRIMINAL INTERNATIONAL CHILD ABDUCTION RATE**

According to statements issued by the Department of State, reported cases of international parental child abduction increased by 40% from 2007 to 2009, which appears to be similar to what other Hague Convention signatory nations have experienced. This represents a mean increase of 20% per year. The 2010 report indicates the expected percentage increase in abductions is anticipated to be equivalent to, if not higher than the increases demonstrated during 2007-2009.

What is not known is whether the increase in ‘reported’ cases to the Department of State’s OCI is due to greater public awareness and proactivity amongst targeted parents, an actual increase in the number of international abductions, the extensive outreach made by OCI to let targeted parents know that OCI exists and can assist a Chasing Parent, or all of the above.

Peter Thomas Senese, who turned to OCI during his child’s abduction commented, “There never is a day that goes by that I am not appreciative and thankful for the assistance that was extended to me and my family by the *Office of Children’s Issues* during the time I was chasing the cyclones of international parental child abduction. Unquestionably, it was through the assistance of some of the extraordinary, caring and concerned individuals from OCI who intervened on behalf of my child’s case that today my son lives a happy, peaceful, and secure existence. OCI had a giant impact on my case, and for the rest of my life, I will be forever thankful to some of that organization.”

The increase in reported cases by the Department of State only demonstrates abduction cases that are actually

‘reported’. Unfortunately, it is believed that many abduction cases are not reported due to multiple reasons. This includes fear from immigrant aliens living in the United States with either documented or undocumented status that they may be deported if they file a Hague Application with OCI seeking for the return of their abducted child. In these cases, OCI will always accept a request for assistance regardless if the parent is here legally or not since *The Hague Convention on the Civil Aspects of International Child Abduction* does not say anything about citizenship status. And it has been OCI’s policy to never report an undocumented alien to the *U.S. Department of Immigration and Customs Enforcement*.

Now consider the data contained in the 2009 Hague Compliance report indicating that the mean growth rate experienced between 2007-2009 was approximately 40% (an average of 20%). If the rate continues at a mean of 20% over the next ten years and we factor in the 2009 reported case numbers, this forecasts that our nation will have at least 9,647 of our children-citizens criminally abducted overseas in the year 2020, and from 2008 through 2020, 52,466 of our nation’s children will have been internationally abducted.

Our position is that due to the existence of what we believe to be a significant and substantial number of ‘unreported’ cases combined with population growth and increases in documented and undocumented immigration migration, the rate of children abducted internationally will continue to rise at a rate of at least, if not substantially greater than 20% annually unless significant abduction prevention steps are immediately implemented.

Combining the projected increases of ‘reported’ cases with the immeasurable ‘unreported’ cases that is apparent and

real based upon immigration migration and economic factors, it is reasonable to state that America and our children are facing a serious problem.

The absurdity of this all is so terrifying that you might be inclined and desirous to dismiss it, particularly when we consider the immeasurable number of cases presently classified as ‘unreported’ that may shift to the ‘reported’ category due to public awareness combined with OCI’s outreach efforts.

It is important to note that none of these figures include the large number of children who have previously been internationally abducted and presently remain illegally detained overseas.

### **REASONS WHY ONE PARENT CRIMINALLY ABDUCTS A CHILD**

Studies have demonstrated that an unprecedented number of abductions have occurred where one parent took unilateral action to deprive the other parent of contact with their child. The majority of abducting parents’ will typically use the child as a tool to cause the targeted parent great pain and suffering. Their intent is simple: to make the other parent suffer as much as possible by depriving that targeted parent with the love and connection to their own child. Nearly every published study on this subject has concluded that an abducting parent has significant, and typically, long-term psychological problems and may in fact be a danger to their child.

We take the time to acknowledge that in certain cases of parental child abduction, a parent claims to have no other choice but to flee the other parent due to serious, grave, and ongoing forms of abuse. We acknowledge that in many

abduction defenses found under *Article 13 of The Hague Convention on the Civil Aspects of International Child Abduction*, an abducting parent will often claim mental, emotional, and physical abuse by the other parent as part of their defense to sanction their criminal behavior of abduction. However, we must also acknowledge that domestic violence is a very real, measurable, and in many cases, an ongoing crime that has limited law enforcement safety controls. We acknowledge that there are parents who *must* flee for their and their child's safety due to failures by law enforcement and courts to protect their safety, combined with a habitual abuser who aims to cause grave hurt to the targeted parent.

In addition, and understandably, family abductions occur at a higher rate during times of heightened stress such as separation or divorce and often involve custody issues and visitation problems. The sad fact is that a large number of marriages, estimated to be between 40% and 50%, in the U.S. end in divorce.

One of the many considerations that factor into the increase in total abductions indicates that economic difficulties in the United States and elsewhere are a measurable factor in the number of increases in separations and divorces. This added stress can lead to a parental cross-border abduction, particularly since we live in a global society, and the number of international relationships has increased dramatically.

While all children can be potential targets of a family abduction, the likelihood increases when that child has a parent with ties to a foreign country. According to the *Juvenile and Family Court Journal Vol. 48, No. 2* titled *Jurisdiction In Child Custody and Abduction Cases*, "Parents who are citizens of another country (or who have

dual citizenship with the U.S.) and also have strong ties to their extended family in their country of origin have long been recognized as abduction risks.” This increase in cultural diversity within the U.S. population has created challenges for our existing laws. Many U.S. born children-citizens fall victim to parental abduction when a parents’ union ends.

Across the U.S., states are struggling to address their archaic and outdated laws, and establish additional precautions to better protect their child-citizen population. Unquestionably, it is critical that child abduction prevention laws are passed in each state and upheld by the judiciary and law enforcement. Failure to do so will likely lead to the looming disaster that is already upon us.

Peter Thomas Senese stated, “As a nation, the United States must fight back this sweeping plague by passing child abduction prevention laws and by increasing our judiciary’s level of competency in overseeing and enforcing laws associated with these complex cases of potential or actual international parental child abductions. Critical to judges and lawmakers’ ability to protect our children is the need for immediate research on this subject. The present available information is archaic, and more than likely inaccurate particularly due to the inability to measure 'unreported' cases. The community of child abduction prevention advocates has pointed this out for some time now. What we also need is for the creation and enforcement of well thought out and researched laws along with the upholding of the intent, spirit, and law of the international treaties such as The Hague Convention so we can protect our children and put an end to the spread of this malignant pandemic that has reached our shores.

Florida state representative Darryl Rouson is the lawmaker

who championed and sponsored Florida's landmark *Child Abduction Prevention Act (HB 787)*. The bill was unanimously approved in the Senate and House of Representatives and signed into law by Governor Charlie Crist. Florida's new preventative legislation will take effect on January 1, 2011. Representative Rouson commented, "It is critical for each state to implement laws that will protect the rights of our children-citizens who may face parental child abduction. The misconception that when one parent steals a child from the other parent, that the child is safe, is undeniably inaccurate. It is through prevention laws such as Florida's *Child Abduction Prevention Act* that we will be able to prevent this serious crime against our nation's children from occurring."

Carolyn Ann Vlk, the child abduction prevention advocate, commented, "Early on in my research on this critical issue I recognized the urgent need for preventative legislation. Thankfully, Florida's legislative body wholeheartedly agreed as evidenced by the unanimous votes. I am thrilled for the added measure of safety this new law will have in protecting the children of my great state. However, I will not be satisfied until all states have child abduction prevention legislation enacted."

### **WHAT IS THE ACTUAL NUMBER OF INTERNATIONAL CHILD ABDUCTIONS?**

To answer this question as directly as possible, the answer is nobody knows the answer, except it is substantially higher than what is reported.

One of the great concerns is in determining the actual number of annual child abductions. Approximately 1,082 outgoing cases were reported to OCI during FY 2008 and 1,135 new cases were reported to OCI during FY 2010.

However, we must also consider the number of cases that are unreported. This leads to several obvious questions including how accurate is the data that was compiled in the *NISMART* publications. Particularly when we consider the study was generated, concluded, and widely disseminated based upon completed adult surveys of approximately 10,367 households in 1988 and 16,111 in 1999. We must also ask ourselves why there appears to be a large number of unreported abduction cases? And why is the data so old and outdated, and how could our government allow for this to happen? Budget constraints aside, we're talking about our nation's children, aren't we? Undeniably, we need to know what the real numbers are. And finally, what can OCI do to further assist targeted parents and their children who have not reported their cases?

In order to answer these questions, we must first look at the shift in our country's population, and heavily weigh who we are – as a nation of immigrants.

### **IMMIGRATION MIGRATION AND ITS AFFECT ON CHILD ABDUCTION CASES**

A report compiled by the renowned Washington based *Pew Hispanic Center* reports that most immigrant groups are comprised of young families. The likelihood that a child will be born while the parents are present in the U.S. is high. Prior to 2007, data collected on parents of children under 18 only identified one parent, and a second parent could only be identified if they were married to the first parent. Currently, a second parent identifier is considered whether or not the parents are married to each other. The new data more accurately reflects the number of children living in the U.S. with at least one foreign born parent.

In 2008 that meant that 22% of all children in the United

States had at least one foreign-born parent. In fact, consider the following statistics compiled by the *Center for Immigration Studies* in its March 2007 analysis. Immigrants and their U.S. born children under age 18, as a share of population: California - 37.9%, Los Angeles County - 50%, New York State - 27.9%, New York City - 46.7% and Florida - 27.9%.

It must be noted that although 31.3% of all immigrants originate from Mexico, other countries have significant entry numbers as well. Included in the March 2007 *Current Population Survey* (CPS) were statistics indicating that 17.6% of all immigrants were from East/Southeast Asia, 12.5% from Europe, 5.5% from South Asia, 3.5% from the Middle East, and Canada at 1.9%.

Traditionally, states such as California, New York, Florida, Texas, Illinois and Arizona have had large numbers of immigrants in their population. What is surprising is the trends in migration toward new centers of immigrant growth. The *CPS* prepared an analysis of states with statistically significant growth in immigrant population between 2000 and 2007. Most notably, Wyoming, which experienced a percentage increase of 180%, Tennessee at 160%, Georgia at 152.1%, and Alabama at 143.6%. The impact of unprecedented increases in immigrant migration is likely to create multiple challenges as states struggle to keep pace with their newest segment of population and their children.

“As a nation of immigrants, it is important to note that as our nation’s population increases due to immigrant migration, so too does the likelihood of increased cross-border child abduction,” Peter Thomas Senese added.

Additionally, it has been well established that illegal aliens

do not respond to surveys such as the *US Census* or the *CPS*. Because the U.S. government does not have accurate records of arrival and departures for individuals present illegally in the country, their numbers must be estimated, as there is no hard data to draw from. However, indirect means for establishing these figures are used, and they must be viewed with a considerable amount of uncertainty. In 2007 *CPS*, it was estimated that of the approximately 37.9 million immigrants present in the U.S., nearly 1 in 3 immigrants were present illegally.

It is important to note this segment of our population when discussing child abduction because when a child is born in the U.S. that child automatically is a U.S. citizen. While the available data gives us fairly accurate figures regarding the number of children born in the U.S. as well as those immigrants who are present legally, a number is impossible to compile accurately in relation to the unauthorized resident population.

In regards to children born to illegal immigrants, in the five-year period from 2003 to 2008, that number rose from 2.7 million to 4 million. The report published by the *Pew Hispanic Centers* reported that nationally the children of illegal immigrants now comprise 1 in 15 elementary and secondary students in the U.S. Additionally, in Arizona, California, Colorado, Nevada and Texas more than 1 in every 10 students in those states are the children of illegal immigrants.

Carolyn Ann Vlk, the writer of Florida's *Child Abduction Prevention Act* stated, "The ability of state governments to prevent the abduction of children by family members could be drastically improved by comprehensive legislation. While aiming to protect all children, special consideration must be given to those children who may be at increased

risk simply by virtue of their parentage. According to the *U.S. Bureau of the Census*, the resident population of the U.S. projected up to April 22, 2010 estimated that one international migrant enters the U.S. every 36 seconds. International travel has become commonplace and as more cross-cultural relationships develop children are born. A number of these relationships will end and may result in an increased risk of international abduction of the child. Attempting to retrieve a child who has been abducted and possibly hidden internationally is a near impossibility as a multitude of problems surface in cases such as these. Unfortunately, studies have proved 4 of 5 Americans drastically underestimate the threat of a family abduction. Statistically, it is a sobering thought when you become aware of the vast numbers of children that are criminally abducted each year. Preventative laws are a necessity as an immediate remedy to this unconscionable crime.”

David Bokel of Lynchburg, Virginia was a targeted parent of international parental child abduction. On December 24th, 2003 his young daughter was parentally abducted and planned to be criminally removed from the country. Fortunately, Mr. Bokel was able to find and safely bring home his child with the help of hundreds of concerned people in the community. He commented, “International parental abduction, a form of child abuse, is seriously on the rise. The laws in our country realistically permit an abducting parent who intends to carry out their planned kidnapping to essentially do so. There are very few laws in place that prevent child abduction, and those that are in place are not enforced. Immigrants who kidnap children should be removed from the country. My daughter's abductor, after receiving a three-year federal prison sentence for her crimes, received her green card so she can legally stay in the United States.”

## **DEPARTMENT OF STATE'S OFFICE OF CHILDRENS ISSUES**

The *Office of Children's Issues* at the Department of State was established to assist parents whose children have been unlawfully removed from the country. The *OCI* assists the remaining parent and strives to protect those children who have been victimized in these types of cases. Considering thousands of child custody cases are fought across national borders each year, the assistance of the *OCI* can be invaluable. Litigating custody, especially across international borders where conflicting orders may exist can be difficult if not impossible. The *OCI* aims to assist in these cases by enhancing an understanding of the many complex laws, both domestic and international that may be applicable to a particular case.

However, *OCI* has significant limitations, including the fact that they cannot represent your abducted child in a foreign court. *OCI* does provide a list of lawyers in foreign countries who at times have worked *pro bono* on abduction cases. However, there are no obligations by any of these lawyers to take a case, and it is up to each Chasing Parent to work out all arrangements. The reality is that '*pro bono*' sounds like a nice idea, but it is an unrealistic expectation.

Immediate suggestions that could allow the dedicated staff at *OCI* to be more helpful include the following:

1. Creating and distributing useful, concise information for chasing parents, law enforcement, and court personnel regarding all areas of *IPCA*. The use of digital media combined and supported by printed content is critical.

2. The development of an independent website outside of the Department of State’s website. This website must be easy to navigate, include audio and digital feeds, and must be accessible to individuals in various languages.
3. OCI must actively support advocates and lawmakers who are seeking to pass child abduction prevention laws. Support by OCI in this area can increase the visibility of the issues of child abduction while also increasing lawmaker and judiciary awareness.
4. Dissemination of information on the Children's Passport Issuance Alert Program.
5. Dissemination of information on the ‘Prevent Departure Program’, and dedicated resources established to assist lawyers and Chasing Parents seeking assistance under this program.
6. Increases in outreach toward documented and undocumented aliens about OCI, and the rights of their U.S. child-citizen.
7. Increase in personnel to support the tremendous workload of the OCI staff.

Peter Thomas Senese, who produced and narrated the important documentary film on international parental child abduction titled, *Chasing Parents: Racing Into the Storms of International Parental Child Abduction* added, “One child criminally abducted and illegally detained overseas is one child too many. However, we are not referring to one child. We are referring to hundreds of thousands of our nation’s child-citizens who are at risk of abduction.

“Unfortunately, due to outdated data and research, we really do not know how large of a problem we have on our hands, but I suspect it is much greater than we know or want to accept. One thing that is common amongst the vast majority of Chasing Parents is that none of us expected to have our child or children stolen. It realistically can happen to a very large portion of our population. I hope that all concerned citizens will contact their Senators and Representatives and urge them to support and sign the *International Child Abduction Prevention Act* known in Washington as HR3240. This bill is critical. And I want to repeat that most targeted parents who had their child criminally abducted never saw it coming. Due to the demographic composition of our nation, few parents and their children are immune to this threatening plague.”

Carolyn Ann Vlk concluded early on in my child abduction prevention advocacy I was asked, "Where is the public outcry?" My response at that time was that if you are a parent attempting to prevent your child from a criminal abduction you are focused on that issue. If tragically your child has already been abducted, then you are devastated and grieving. I am happy to report that through my volunteerism in this area, I have had the great honor of getting to know some extraordinary parents. The days of quiet acceptance of this crime are over. Parents are uniting together all over the U.S. to ensure that their voices are finally heard and demanding that their children no longer be marginalized and that they be protected. Preventative laws can and will help curb the unacceptable numbers of abductions from occurring. My heart breaks for those children who remain criminally detained in foreign nations and their grieving and left behind families. It is my greatest hope that through bringing this hideous crime to the forefront of the public's attention that it will someday be possible to reunite these children and their families.”

Speaking on the crisis of IPCA, author Peter Thomas Senese said, “With limited accurate data, an uneducated judiciary, an uninformed public, difficulties in passing child abduction prevention legislation, non-compliance of international treaties, and heavy financial burdens placed on Chasing Parents desperately trying to protect their kidnapped children, this really is the world turned upside-down, and it is going to get much worse for our children and their parents unless dramatic steps in all areas are immediately implemented.”

# **INTERNATIONAL CHILD ABDUCTION AND HUMAN TRAFFICKING IN THE WESTERN HEMISPHERE**

## **THE BLACK HOLD OF CHILD ABDUCTION**

*Every child abduction prevention advocate will take the position that the key to ending the international plague of cross-border parental child kidnapping is to ensure that there are significant and substantial means for courts, law enforcement, and government agencies to be able to prevent a child from being illegally removed from the country in the first place. Unfortunately, there is great work that must continue to be done in this area.*

*Critically, each state must create and pass new and meaningful child abduction prevention laws that not only allow for a court to consider risk factors associated with a potential child abduction, but to act on behalf of both the targeted child and parent. Notwithstanding the passage of new abduction laws is the fact that these laws must be implemented. After all, what good is a law, particularly one geared to help a child, when the courts do not enforce them? The answer is without enforcement they are worthless. Tragically, it appears that in more cases than not, an uneducated judge fails to consider new laws created to prevent an abduction.*

*Nothing is more concerning in the grave battle to prevent a child's abduction than having laws or government policy that may actually facilitate an abductor's intent.*

**THE WESTERN HEMISPHERE TRAVEL INITIATIVE IS  
THE BLACK HOLE OF CHILD ABDUCTION AND  
CHILD HUMAN TRAFFICKING.**

# **INTERNATIONAL CHILD ABDUCTION AND HUMAN TRAFFICKING IN THE WESTERN HEMISPHERE**

## **The Black Hole Of**

### **International Parental Child Abduction**

*International Parental Child Abduction and*

*Human Trafficking Prevention Report In Correspondence  
To The Western Hemisphere Travel Initiative And Other  
Related Abduction Prevention Challenges Faced By The  
United States And Its Neighboring Countries.*

**Written By:**

**Carolyn Ann Vlk and Peter Thomas Senese**

*The Western Hemisphere Travel Initiative is a policy implemented by the United States, Canada, Mexico, and many Caribbean island-nations that eliminate the requirement for children under the age of 16 years old traveling abroad by either land or by sea to present a valid passport at a border crossing. What is generally an acceptable form of identification is a photocopy of citizenship papers. The Western Hemisphere Travel Initiative has created a black hole not only for international parental child abductors, but for predators who traffic children abroad.*

*This report concentrates on North American issues, however, research conducted concerning European Union travel requirements for children under the age of 16 years of age appear to be near identical, creating an additional legal loophole for child abductors and human traffickers.*

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## Overview

Since beginning our work together on child abduction prevention we have remained actively involved in advocacy and education in this area. Recently our research has led us to uncover significant border control security vulnerabilities that we believe are currently being utilized in illegally transporting children across U.S. borders in both incoming and outgoing parental abduction cases as well as being capitalized by smugglers who trade in human life.

Our findings are a cause of great concern.

The purpose of the following report is to bring these facts to the forefront of targeted and victimized parents of international parental child abduction, activists involved in the war against human trafficking, leaders of non-governmental agencies, lawyers practicing family or human rights law, all levels of law enforcement, the judiciary responsible for our nation's children, our local, state and federal legislative policymakers, and all government agencies responsible with oversight as they are related to cross-border child abduction and human trafficking. It is our hope that our findings will cause both short and long-term preventative steps and solutions to be taken at all necessary levels so that we may work together to further protect our nation's children. To put it mildly, we have a serious, growing, and immeasurable problem on our hands, and its far-reaching tentacles lash out at society's greatest resource: our children.

Our initial research evolved around the question *“How are children illegally abducted into and out of the United States and our adjacent neighboring countries despite preventive measures that may be in place either by court order or by preventive laws and programs?”*

The answers to this question varies and includes, but is not limited to a lack of or failure to uphold child abduction prevention laws, inept courts and uneducated or naïve judges who fail to consider abduction risk or fail to carry out the intent of the laws they oversee in order to protect the welfare of a child, carefully-orchestrated abduction plans conceived well in advance by an abducting parent or trafficker, or flaws in the legal system that enable would-be abductors to capitalize on various loopholes so that they may steal a child across international borders. Many of these issues have previously been well documented. Thus, we directed our investigation toward the possibility of whether there are any existing loopholes in present law. Specifically, do opportunities presently exist that enable abductors and traffickers to steal and transport children despite our government's legal efforts to prevent cross-border child stealing from occurring?

### **Dual Citizenship**

Our conclusions acknowledge the existence of cross-border child abduction via individuals who possess dual-citizenship, which enables them to possess foreign passports. Often, the children of these individuals possess dual nationality as well and may be issued a passport by another country. The Department of State's Office of Children's Issues alerts parents to the possibility that *"Your child might also be a citizen of another country (dual nationality),"* and offers the following information on the subject of dual nationality. *"The concept of dual nationality means that a person is a citizen of two countries at the same time. Each country has its own citizenship laws based on its own policy. Individuals may have dual nationality by automatic operation of different laws rather than by choice. For example, a child born in a foreign country to U.S. citizen parents may be both a U.S. citizen and a citizen of the country of birth."* Conversely, a child born in the U.S.

to a citizen of another country may automatically acquire citizenship of that country or in some cases the parent may apply for the child to be granted citizenship.

### **How Are Children Illegally Abducted Into And Out Of The United States?**

Security flaws that can lead to our children becoming victimized include, but are not limited to the following:

1. Failures by courts and judges to properly assess abduction risk and attach court orders that would preempt international child stealing; and,
2. Failure to create or uphold present child abduction prevention laws or other laws created to protect our children's safety; and,
3. Identity and travel documentation fraud; and,
4. A lack of uniform requirements for travel documentation when departing or entering the U.S.; and,
5. The ability under present law to easily illegally transport children under age 16 across borders during land and sea travel; and,
6. Human error during verification of travel documents by CBP at a point-of-entry or departure; and,
7. Failures by law enforcement to act expeditiously to a potential abduction threat; and,
8. Inefficient communication and data sharing between government agencies responsible to assist in preventing or resolving an international child abduction case; and,

9. The deficiency by our federal government to create and interlink a children's travel alert, travel restriction data base consisting of real-time family court decisions at the state level with all U.S. border control agencies and transport companies similar to capabilities available through the Prevent Departure Program; and,

10. A lack of or outdated or underutilized state or federal laws and programs that fail to prevent the abduction of a child and in fact may enable an abduction to occur.

### **Western Hemisphere Travel Initiative (WHTI)**

Our research drew us to focus on the *Western Hemisphere Travel Initiative* (WHTI).

Under the *Intelligence Reform and Terrorism Prevention Act of 2004*, the WHTI was designed to strengthen border security and is a joint Department of Homeland Security (DHS) and Department of State (DOS) plan that is carried out in part by the U.S. Customs Border Protection Agency (CBP). The intent of the initiative is to further protect and strengthen our nation's borders by requiring all travelers to and from Canada, Mexico, the Caribbean and Bermuda to present a WHTI compliant document that establishes identity and citizenship.

During the course of our investigation it became apparent that there is limited available research or data concerning international parental child abduction or human trafficking as it relates to travel document requirements for children crossing into contiguous countries by land or sea under WHTI policy. However, what is certain is that child abductions and human trafficking to our bordering nations of Mexico and Canada represent a great number of 'reported' international abductions and missing person cases originating from the United States. Additionally, we

believe that a vast majority of 'unreported' child abduction cases are associated with Mexico and Canada. Our findings are cause for grave concern. It is clear that due to the varying travel documentation requirements for land and sea travel that there exist substantial loopholes in U.S. law that allow would-be abductors or traffickers to capitalize on the porous travel documentation requirements for children.

Today, very serious security gaps exist directly related to WHTI, especially as it pertains to a child's travel document requirements. These stunning flaws and loopholes provide substantial opportunity for illegal cross-border family or stranger child abductions and human trafficking to occur to and from the United States.

### **Hague Convention Compliance Report On** **International Child Abduction**

Congress mandates that under *Public Law 105-277, Section 2803* the Department of States Office of Children's Issues (OCI) publish an annual report which indicates the effectiveness of securing the return of children whom have been unlawfully removed from their home country and for whom an application under the 1980 *Hague Convention on the Civil Aspects of International Child Abduction* has been filed. The publication is titled *Report on Compliance with the Hague Convention on the Civil Aspects of International Child Abduction*.

Statistics from the two most current annual reports that are dated April 2009 and April 2010 demonstrate abduction crimes against children in the United States and abroad are substantially on the rise. Assistant Secretary of State for Consular Affairs, Janice L. Jacobs reports that during fiscal year 2009, the Office of Children's Issues (OCI) experienced a significant increase in the number of reported international parental kidnapping cases. The 2010 report

indicates that we can anticipate the current trends previously seen with respect to the increase in international parental child abductions to continue. In fact, the number of International Parental Child Abduction (IPCA) cases in which a Hague application has been filed has nearly doubled since fiscal year 2006 from 564 to 1,135 cases in fiscal year 2009.

The 2009 report utilized data that was collected during the period from October 1, 2007 through September 30, 2008 and is referred to as fiscal year (FY) 2008. This report reflects that 1,082 new cases were filed involving 1,615 children. During the study year, the U.S. was successful in the return of only 361 children.

The 2010 report covers the time period from October 1, 2008 through September 30, 2009 that is referred to as FY 2009. During FY 2009 1,135 new applications were received for assistance in an attempt to facilitate the return of 1,621 children who were wrongfully removed from the United States. Sadly, during FY 2009 the U.S. was successful in the return of only 436 children. The report does not indicate during which FY year a returned child was abducted.

<u>REPORT YEAR</u>	<u>FISCAL YEAR</u>	<u>CASES</u>	<u>TOTAL</u>
<u>CHILDREN</u>	<u>TOTAL CHILDREN RETURNED</u>		
2010	2009	1,135	436
2009	2008	1,082	361
2008	2007	575	341

Now consider if the international child abduction growth rate continues at an average of 20% per year for the next

ten years. This means that the projected number of 'reported' U.S. children-citizens that will be internationally abducted in the year 2020 would be 9,647. To put this into perspective, this loss would be the equivalent of 241 school buses carrying 40 children each suddenly disappearing.

Additionally, if we add the total number of 'reported' international child abductions that have occurred from 2007 and add the forecasted number of abductions anticipated to occur using a 20% growth rate, then a total of 53,285 children will have been 'reported' as internationally abducted from 2007 through 2020. To put this into perspective, this would be the equivalent of an entire major league baseball stadium filled with children simply vanishing.

As remarkably disturbing as these actual and projected numbers are, these forecasted statistics do not project the large and growing number of 'unreported' cases of international parental child abduction cases. Furthermore, they do not represent any international abductions related to stranger abductions and human trafficking, which we anticipate to be substantial.

### **Recovery Of Internationally Abducted Children**

It is important to include that as time passes, it becomes substantially more difficult to recover an abducted child. This is especially true in light of the fact that the *Hague Convention on the Civil Aspects of International Child Abduction* contains under *Article 12* a policy that could allow a judge to order for the criminally abducted child to remain in the country they were stolen to if after one year the child is considered to have settled into their new environment and it is believed that removing the child

would be detrimental. As you may well imagine, there are numerous difficulties in locating and negotiating the return of a child who has been internationally abducted. The likelihood of this type of case being resolved as expeditiously as one year is slim and essentially the chasing parent may be left to negotiate on his/her own after one year has passed. Undeniably, time is not a child or a chasing parent's friend.

Make no mistake, nearly every abducting parent who is required to defend their criminal action in the international Hague courts will use every conceivable stall tactic as well as every possible defense strategy available to them including but not limited to false allegations, slander and defamation of character. In applicable cases the child may not be returned due to provisions under *Article 13* of the Hague Convention. *Article 13* of the Hague Convention allows for the court overseeing a Hague case to allow for a child to remain with the abducting parent in the receiving country if the court determines that a return order would cause grave risk and harm to the child. Thus, child-abductors attempting to sanction their criminal act of international child-stealing will typically make horrendous false allegations against the left behind parent in order to not only sanction their criminal behavior but to also avoid prosecution for kidnapping under the federal *International Parental Kidnapping Crimes Act*, the federal *Parental Kidnapping Prevention Act*, the federal *Fugitive Felon Act* and various other federal or state criminal laws where applicable.

Fortunately society has begun to take notice of the tragedies related to international child abduction and human trafficking. A more educated judiciary continues to evolve and new abduction preventive laws have been implemented to prevent child abduction and human trafficking. We have made substantial strides in social and

judiciary awareness, and in certain states created new child abduction prevention laws. However, the fact is that the system in place today that was created to protect our children and their targeted parents from the nightmare of international child abduction does not work efficiently and needs to be substantially overhauled. At present, our judiciary, law enforcement, policymakers and the legislation they oversee, and the government agencies responsible for oversight fall significantly short from meeting the necessary needs of targeted children and parents. We must do substantially better at all levels of abduction prevention and child reunification.

On August 31, 2009 a speech titled *Child Abductions: Globally, Nationally and Along the U.S./Mexico Border* was given by Ernie Allen, President and CEO of the *National Center for Missing and Exploited Children and International Centre for Missing & Exploited Children*. Mr. Allen states, *"The problem of missing, abducted, trafficked and sexually exploited children is large, growing, under-recognized and under-reported."* On November 16, 2010 Mr. Allen delivered the keynote address at the National Amber Alert Symposium. During his speech he revealed, *"Children are the leading victims of violent and personal crimes in this country, victimized at a rate twice as high as the general population."* Continuing he stated, *"Children are the single most victimized segment of our population. Even with all of the progress we have made, most Americans still don't understand that basic fact. According to Justice Department research, more than 2,000 children will be reported missing in the United States today!"* Additionally, Mr. Allen stated, *"The numbers are staggering. The tragedies continue and too many children do not make it home."*

One of the questions we must ask ourselves in connection to such statements is *How are our children disappearing?*

In relationship to parental child abduction cases, we acknowledge the failures of courts to act cautiously and prudently in preventing a potential abduction. There is no question that judges and the courts they oversee need to become better informed, and that more education is desperately needed to influence a judge's decision making when it comes to protecting the welfare of a child. The existence of serious foul play and deceit by an abducting parent who steals a child across international borders without the targeted parents anticipation or knowledge is a serious concern. And we acknowledge extreme circumstances when a child is removed from the United States despite court orders because both the child and the abducting parent have dual citizenship and both possess a primary or secondary passport issued by the abducting parent's country of origin. This circumstance renders programs such as the United States *Children's Passport Issuance Alert Program* (CPIAP) or *Prevent Departure Program* (PDP) useless.

This report focuses on the substantial loopholes available to would-be abductors and traffickers that presently enable them to commit their egregious crimes despite great efforts to prevent cross-border abduction. We believe there is a direct correlation between the high number of successful child abductions to our neighboring countries and the legal loopholes that allow minimum travel documentation requirements for children traveling by land or by sea under WHTI policy.

### **Documentary Requirements For Children Traveling Internationally**

The WHTI requirements for air travel took effect on January 23, 2007. According to U.S. Customs Border Protection, "*All U.S. citizens and non-immigrant aliens from Canada, Bermuda, and Mexico departing from or*

*entering the United States from within the Western Hemisphere at air ports-of-entry are required to present a valid passport (or NEXUS card, if utilizing a NEXUS kiosk when departing from a designated Canadian airport).” We believe that this stringent mandate for verifiable documentary identification prior to air travel has significantly reduced the ability to unlawfully remove a child from the United States.*

Additionally, the U.S. increased the security of its child citizens when on February 1, 2008 new requirements under *Public Law 106-113, Section 236* took effect requiring the permission of both parents prior to the issuance of a U.S. passport for children under the age of 16. According to the Department of State Office Of Children's Issues, *“U.S. law requires the signature of both parents, or the child's legal guardians, prior to issuance of a U.S. passport to children under the age of 16. Generally, to obtain a U.S. passport for a child under the age of 16, both parents (or the child's legal guardians) must execute the child's passport application and provide documentary evidence demonstrating that they are the parents or guardians. If this cannot be done, the person executing the passport application must provide documentary evidence that he or she has sole custody of the child, has the consent of the other parent to the issuance of the passport, or is acting in place of the parents and has the consent of both parents (or of a parent/legal guardian with sole custody over the child to the issuance of the passport).”*

Due to the implementation of these new requirements, the ability to unlawfully transport children that do not possess dual citizenship across borders has become increasingly difficult. The two-parent signature necessary for a minor child's U.S. passport issuance has strengthened our border security and reduced the ability to present incomplete or fraudulent documentation in order to travel with a child

across international borders. Thankfully, our child citizens are better protected than they were just a few years ago.

The two-parent signature requirement necessary for a U.S. Passport to be issued for a child has greatly reduced the opportunity that a passport will be issued without another parent's knowledge or consent. Unfortunately, documentation fraud is still very difficult to detect and remains a severe threat to our nation's children, especially if initiated by parental forgery. Tragically, for many targeted-parent victims of international parental child abduction this type of fraud is common. Unquestionably, it is critical that precautionary steps continue to be taken before issuing passports to children due to substantial evidence of documentation fraud.

Additionally, and to our great concern, it appears to be relatively easy to obtain fraudulent or falsified identification or residency documentation.

Tere Silva, resident agent in charge of the U.S. Immigration and Customs Enforcement (ICE) Office of Professional Responsibility (OPR) in San Juan, Puerto Rico, said in a statement issued on November 17th, 2010, *"Among the various schemes and artifices being used by some unscrupulous persons are offers to provide immigration services, including ways to avoid the established channels for adjusting one's immigration status, offers to provide false and forged identity documents, even threats and false impersonation of immigration officials."*

On November 19th, 2010 Daniel Lane, assistant special agent in charge of ICE Homeland Security Investigations (HSI) in Sacramento, California stated, *"Targeting those responsible for making and selling fraudulent documents is an enforcement priority for ICE HSI. Anyone who knowingly and indiscriminately sells phony identity cards is*

*putting the security of our communities and even our country at risk. Documents like this could potentially be used by dangerous criminals and others seeking to obscure their identities and mask their motives."* Agent Lane's comments came after ICE arrested four individuals for running a highly sophisticated forged document factory that included creating fraudulent California drivers licenses, permanent resident cards (Green Cards), U.S. birth certificates and other documents capable of removing a child from the U.S. under the WHTI.

In response to the rise of illegal entry and exodus to the United States, the implementation of WHTI policy has effectively narrowed the types of documents that are acceptable in proving identity and citizenship. Although this change is a critical step towards meeting the challenge of securing our borders there still remain significant security challenges due to certain allowable exemptions. Unfortunately, when it comes to cross border travel by children being transported by land or sea, numerous security defects exist. Unquestionably, individuals or organizations with intent to breach the law have exploited these policy flaws. Our nation's children as well as children from other countries are suffering either as defenseless victims of international parental child abduction or as helpless slaves taken into the world of human trafficking, where the worst types of crimes against humanity are the norm.

As a nation concerned with our children's safety and welfare, it is unacceptable that large gaps in security protocol exist in our nation's international travel document requirements for children traveling in the Western Hemisphere. In the 2009, annual *Report on Compliance with the Hague Convention on the Civil Aspects of International Child Abduction*, Janice L. Jacobs, Assistant Secretary of State for Consular Affairs writes,

*"Unfortunately, current trends reflect a steady increase in the number of international parental child abduction cases and highlight the urgency of redoubling efforts to promote compliance with Convention obligations and encourage additional nations to join the Convention."* She also writes, *"Very few options exist for parents and children who are victims of parental child abduction."* In the 2010 annual report Ms. Jacobs continues to voice concerns over the increasing numbers of our child-citizens who have been wrongfully removed or wrongfully detained.

Assistant Secretary of State of Consular Affairs Jacobs concern about the growing rate of international parental child abduction (IPCA) is alarming, yet our adjacent borders remain relatively open for those with the knowledge on how to circumvent border security protocol. Make no mistake, nearly every IPCA case is well thought out and planned.

### **Human Trafficking**

The buying and selling of humans is the second largest criminal activity in the world. In the U.S., this problem is much more severe than commonly discussed. Of particular concern is that it is estimated that over 70% of all humans trafficked into the U.S. originate from Latin America: countries such as Mexico, Honduras, and El Salvador are well-known supply sources for human cargo.

A significant number of these enslaved are young teenagers between 13 and 15 years old who originate from poverty-stricken communities, and who are lured into the dark world of slavery due to false promises of legitimate jobs and a better life in America. What awaits them is an inhuman slave world filled with torture, violence, and threats of death to family members they left behind if they ever attempt to flee their imprisoned 'cantinas' – prison-

like brothels where they are never allowed to leave. Tragically, sure death awaits those imprisoned into this inferno: they are either murdered, die of drug overdose, or die of disease and infection.

One of the grave concerns we must ask is *How are these individual doomed to enter the awaiting world of human slavery trafficked into the United States from Latin America and crossing our border?*

It is apparent that the majority of human cargo entering our borders due so illegally. Though limited data is available, sound reasoning leads us to anticipate that this number is substantial.

Due to limited border documentation requirements under WHTI policy, particularly for minors traveling, there is substantial concern that human traffickers are currently using this loophole in order to move their young human cargo into the United States from Mexico and Caribbean island-nations.

The world of human trafficking and slavery is very real. According to author of *Free The Slaves*, Kevin Bale, there are nearly 27 million people across the world caught in modern-day slavery. The United States Department of State *Trafficking In Persons Report* (TIP Report) estimates this number to be between 4 million and 27 million individuals. Additionally, the Department of State estimates that there are over 800,000 individuals each year being transported across international borders. And according to their 2005 report titled *Facts About Child Sex Tourism*, there were over 1 million children exploited by the global commercial sex trade every year. All of these numbers continue to increase. Human trafficking is a dark world without any peer and most organizations involved in human trafficking and slavery are highly sophisticated.

Yet our borders remain relatively unencumbered for children traveling abroad in the Western Hemisphere.

### **U.S. Passport Requirements For International Travel**

For U.S. Citizens, a Federal Statute mandates that any citizen of the U.S. must possess a valid U.S. passport to depart from or enter the U.S. Following is the text of *Federal Statute 8 U.S.C. 1185 (b)*.

*(b) Citizens Except as otherwise provided by the President and subject to such limitations and exceptions as the President may authorize and prescribe, it shall be unlawful for any citizen of the United States to depart from or enter, or attempt to depart from or enter, the United States unless he bears a valid United States passport.*

When WHTI requirements for land and sea became effective on June 1, 2009 exceptions to the Federal Statute passport requirement were allowed. The new regulation states that U.S. citizens and citizens of Canada, Bermuda and Mexico may present a passport or other WHTI-compliant documents when entering or departing the United States at sea or land ports-of-entry from within the Western Hemisphere.

Due to exceptions to the passport requirement, our research has concluded there exists distinct areas of vulnerability at the border for our children.

### **Fraudulent Documentation**

The presentation of fraudulent documents at border points has long existed and is well illustrated in the publication of *Western Hemisphere Travel Initiative (WHTI) Land and Sea Final Rule*" that was released March 27, 2008 by the Department of Homeland Security. It was reported that

CBP officers had intercepted over 129,000 fraudulent documents since January 2005 from individuals trying to cross the border over an approximate 3 ½ year period. This is a substantial number; however, we must ask ourselves how many fraudulent documents were never uncovered and successfully used?

To better demonstrate the severity of this problem we take note of a scenario that occurred several years ago in Texas and was reported by the Department of Immigration and Naturalization Services. A woman acting as a lay-midwife was charged and convicted with fraudulently filing and obtaining over 3,400 United States birth certificate claims over a ten year period: almost one American birth certificate a day was fraudulently obtained and sold on the black market over a decade by one woman alone. This individual was one of eleven individuals convicted of filing and obtaining false birth certificates that were sold on the black market in Texas during a federal investigation. Of immense concern to us is that WHTI allows a child to cross international borders by land or sea and in lieu of a passport an original or copy of a birth certificate may be presented.

As noted in language of the Federal Statute above, limitations and exceptions do exist. According to CBP passport exceptions exist when traveling with U.S. or Canadian citizen infants and children. Of grave concern are the deficiencies that could be utilized in the cross border unlawful removal by land or sea of at risk children. If traveling by air everyone, even infants require a passport. However, WHTI allows that U.S. and Canadian citizen children *“will not require passports for travel by land or sea when the June 1, 2009 rule goes into effect requiring all land and sea travelers to have a passport. Children under the age of 15 will have a blanket exemption from this requirement – although they will be required to present a*

*copy of a birth certificate and, if not traveling with both parents, a consent letter from the other parent(s).”*

We are especially concerned about the ability to falsify travel documentation for children. The capability to easily present travel documentation without another parent's consent or to falsify travel documents for children in cases where a passport is not required appears relatively easy. The fact that simply a birth certificate or worse, a “copy” of a birth certificate and a letter of permission with no documentation to verify its validity, is sufficient to cross international borders is a serious security concern. And although it is also recommended that a parent or guardian possess a letter of consent from the absent parent(s) this may or may not be required or requested. We must also consider that there is no way to verify the validity of a parental consent letter.

These concerns should sound an alarm bell directed at courts presiding over child custody cases where there is concern for potential international parental child abduction. Peter Thomas Senese, the co-writer of this report wrote in *Chasing The Cyclone*, “*I know first-hand of several international parental child abduction cases where a false international travel consent letter was either fraudulently produced or never produced by the other parent in order for that abducting parent to depart from Canada into the United States or from the United States into Canada. The court’s orders were not followed, as is the case with all abducting parents. More troubling is the fact that in each of these cases, none of the necessary consent letters were ever checked by either countries border patrol or immigration agencies. This is absurd, particularly when knowing many of these consent to travel letters were not notarized and not original documents. It must be a requirement on both sides of the border for all land and sea*

*travelers regardless of age to use a passport, which is the policy in place for air travel.”*

When we consider the growing rate of international abduction here in the U.S. and abroad, there is a very real concern that our borders are used not only as a final destination for an abducting parent or trafficker, but as the launching point for an abductor to travel to their intended final destination. Although most countries recognize that documentation fraud is a severe concern it is clear that the minimization of travel document requirements needed for a minor to travel across our borders enables would-be abductors to criminally abduct a child. For example, if a would-be abductor traveling by land from the U.S. to Canada has in their possession *any* child’s original or ‘a copy’ of a birth certificate and a falsified consent to travel letter, they have the capability to internationally abduct any child from the U.S.

Realistically, all a potential abductor may need is a copy of a birth certificate. Although it is recommended that children traveling alone or with one parent possess a consent letter from any absent parents this is not a requirement. In reference to the birth certificate requirement, many parents obtain several copies of a child’s birth certificate: it is not as if you are allowed only one copy such as a U.S. Passport. Unquestionably, if all cross-border travel for children of all ages does not include the much more secure and controllable use of a passport, then abducting parents and human traffickers will still be capable of abducting children.

The required travel document for an infant under age one who is traveling by land or sea between the U.S. and Canada is alarming. The CBP states that *“If you have not yet received a birth certificate for a U.S. or Canadian citizen infant, U.S. Customs and Border Protection (CBP)*

*will accept either the birth record issued by the hospital or a letter on hospital letterhead providing details of the birth, including the name of the child, time and place of birth, and parents names. Birth certificates should be used for children over 1 year old.”* Once again, the ease of fraudulently creating this type of “document” exists and a child could easily be smuggled across international borders.

### **Contiguous Countries – Mexico and Canada**

Contiguous and adjacent countries seem to allow for the possibility of additional serious security breaches that need to be immediately resolved. While WHTI appears to remedy much of the ability to present fraudulent documentation at the border, it does allow for certain exceptions to the rule.

CBP reports this security vulnerability for children when it states, *“U.S. and Canadian citizen children under age 16 arriving by land or sea from a contiguous territory may present an original or copy of his or her birth certificate, a Consular Report of Birth Abroad, a Naturalization Certificate, or a Canadian Citizenship Card.”* Contiguous territories are defined as countries sharing a common boundary with the United States. Canada and Mexico are both contiguous to the U.S.

In regards to outgoing cross-border abductions to Mexico (a contiguous country), the U.S. Department of State (DOS) reports *“Mexico is the destination country of the greatest number of children abducted from the United States by a parent.”* Additionally, *“65% of all outgoing international parental abductions from the United States to Hague Convention countries are to Mexico, and that 41% of all incoming international parental abductions to the United States are from Mexico.”* It is also important to note that according to the DOS, *“Since March 1, 2010, all U.S.*

*citizens – including children – have been required to present a valid passport or passport card for travel beyond the “border zone” into the interior of Mexico. The “border zone” is generally defined as an area within 20 to 30 kilometers of the border with the U.S., depending on the location.*” Concerns arise when you consider that entry into Mexico is allowed without a passport if a representation is made that you intend to remain within the designated “border zone”.

Although Mexico acceded to The Hague Convention on June 20, 1991 and entered into force with the U.S. on October 1, 1991, Mexico has consistently been labeled non-compliant with the Convention. The 2010 Hague Compliance Report states that for fiscal year 2009 there were 474 children involved in new outgoing (from the U.S. to Mexico) Hague applications. The 2009 Hague Compliance Report states there were 533 children abducted to Mexico, representing a 67% increase of reported abduction cases from 2007 (320 cases). The ‘reported’ cases do not include the immeasurable anticipated ‘unreported’ cases of parental child abduction occurring between the United States and Mexico previously discussed in *Crisis In America: International Parental Child Abduction Today (2010)*. Mexico’s non-compliance with the Hague Convention is unquestionably appalling; however, the suffering and danger that must be endured by the thousands of abducted U.S. child-citizens stolen from their American homes to Mexico, nor the pain of their chasing parents left behind in the wake of the criminal act of child-stealing will never be fully understood by others unless it is experienced first-hand.

More insight should perhaps be shared on Mexico’s decade-long atrocities against children and their consistent and ongoing failures to follow international laws pertaining to the world’s children and their safety. The U.S.

Department of State's annual compliance report has documented Mexico's history of non-compliance over the past decade. A Texas courts made a landmark decision when it went so far to find Mexico's legal system ineffective and lacking legal mechanisms for the immediate and effective enforcement of child custody orders. The court stated that Mexico posed a risk to children's physical health and safety due to human rights violations committed against children, including child labor and a lack of child abduction laws. This ruling was not rendered without insight and reason: in fact the U.S. Department of State, who has consistently posted travel warnings to U.S. citizens traveling to Mexico, recently issued a warning to authorize the departure of children dependents of U.S. government personnel in U.S. consulates and offer financial assistance to relocating families.

Nearly every year since The Hague Compliance Report was ordered to be prepared for Congress the DOS has sited that one of the gravest challenges in having a U.S. child-citizen stolen to Mexico is Mexico's inability to locate abducted children. This problem remains severe today despite Mexico's Central Authority claims that there has been slight improvement. Maura Harty, Assistant Secretary for Consular Affairs for the U.S. Department of State previously commented, *"Among the underlying causes of Mexico's poor performance overall under the Hague Convention appear to be a woefully understaffed and underfunded Central Authority in the Foreign Ministry; a judiciary unfamiliar with, and not infrequently hostile to, the Convention; and law enforcement and court authorities unable to locate children even in cases in which we and the left-behind parents can provide exact addresses. In general, Mexico has only partially implemented the Hague Abduction Convention into its legal, administrative and law enforcement systems."*

Our concern regarding Mexico is magnified due to this nation's poor record to stop human slavery.

In a written statement made in the U.S. Department of State's Trafficking in Persons Report in June 2009, "*Mexico is a large source, transit, and destination country for persons trafficked for the purposes of commercial sexual exploitation and forced labor. Groups considered most vulnerable to human trafficking in Mexico include women and children, indigenous persons, and undocumented migrants. A significant number of Mexican women, girls, and boys are trafficked within the country for commercial sexual exploitation, lured by false job offers from poor rural regions to urban, border, and tourist areas. According to the government, more than 20,000 Mexican children are victims of sex trafficking every year, especially in tourist and border areas.*"

Additionally, Anne Keehn, the 2010 Zimmerman Fellow recipient of the world renown human rights and anti-slavery advocacy group 'Free the Slaves' recently stated, "*Unfortunately, [Mexico's President] Calderón's attack on drug cartels has left few resources to combat human trafficking. Mexico has tried to address the issue through legal changes to combat trafficking as recently as 2007, when 'federal legislation to prohibit all forms of drug trafficking' was passed. Nonetheless, according to the U.S. Department of State's Trafficking of Persons Report 2010, 'some local officials tolerate and are sometimes complicit in trafficking, impeding the implementation of anti-trafficking statutes.'*"

Due to the overall consensus of the significant dangers related to child abduction, exit controls for U.S. citizens departing the U.S. through all modes of travel need to be immediately implemented. If passports were required for all travelers to travel abroad, it is reasonable to believe

there would be a significant reduction in the number of international parental child abductions and children missing due to human trafficking.

Under the present travel requirements, children in specific circumstances may be transported across borders without a passport. We believe this security deficiency has allowed hundreds if not thousands of defenseless children to be transported out of the country.

Due to the circumstances stated above and further disturbing information provided in this report, it is imperative that we attempt to hinder the possibility of illegal passage of children into Mexico due to the non-compliance exhibited in areas of law enforcement and judicial performance and the myriad of difficulties encountered in regards to a return application.

### **International Child Abduction Statistics**

We must also consider the incoming cases of children that are consistently illegally transported into the U.S. The 2010 Hague Compliance Report indicates that 75 new Hague return applications were filed that represent 120 children that crossed from Mexico into the U.S. in violation of law. One can surmise that the security vulnerability that exists for outgoing cases could also be utilized in the illegal transport of children in incoming cases.

Cross-border abductions between the U.S. and Canada (a contiguous country) are also reported in the 2010 Hague Compliance Report. It indicates that there were 74 new outgoing cases involving 104 children and 29 new incoming cases representing 39 children. These are only cases in which a Hague application was filed and it should be noted that the number of Hague applications in no way accurately represents the actual number of children

abducted in either incoming or outgoing cases. In statistical data compiled by the Royal Canadian Mounted Police there were over 60,000 children reported missing annually from Canada each study year between 1998 and 2007.

Within the U.S. the most recent *National Incidence Study of Missing, Abducted, Runaway and Thrownaway Children* (NISMART-2), reports that of the 203,900 children that are estimated to be parentally abducted annually in the U.S. that only 28% (56,500) of these abductions were reported to law enforcement. Additionally, the NISMART 2 statistical data is certainly outdated as it was compiled with information from cases studied that were concentrated in 1999. These facts lead us to surmise that we have an incalculable number of children abducted annually.

### **Adjacent Island-Nations**

Currently, according to CBP "closed loop" travel to adjacent islands allows for the same documentary exceptions under WHTI, as do contiguous countries. Specifically, "Travelers on "closed loop" voyages are NOT subject to the same documentary requirements for entry to the United States as other travelers."

The CBP website indicates at least thirty-seven countries currently meet this definition. Adjacent islands are defined by statutes and regulation, specifically the Immigration and Nationality Act § 101(b)(5) and 8 Code of Federal Regulations §286.1. CBP reports that adjacent islands to the U.S. are: "*Anguilla, Antigua, Aruba, Bahamas, Barbados, Barbuda, Bermuda, Bonfire, British Virgin Islands, Cayman Islands, Cuba, Curacao, Dominica, the Dominican Republic, Grenada, Guadeloupe, Haiti, Jamaica, Marie-Galantine, Martinique, Miquelon, Montserrat, Saba, Saint Barthelemy, Saint Christopher, Saint Eustatius, Saint Kitts-Nevis, Saint Lucia, Saint*

*Maarten, Saint Martin, Saint Pierre, Saint Vincent and Grenadines, Trinidad and Tobago, Turks and Caicos Islands, and other British, French and Netherlands territory or possessions bordering on the Caribbean Sea.”*

As previously discussed, the 2010 Hague Compliance Report reflected during FY 2009 there were 1,621 children for whom a Hague application was filed. Alarming, 833 of these children were victims whose cross border abduction was into or out of a country that is considered either contiguous or adjacent to the U.S. The report indicates that 652 children were taken OUT of the U.S. and into contiguous or adjacent countries. An additional 181 children were brought INTO the U.S. from contiguous or adjacent countries who are Hague treaty partners. The annual Hague Compliance Report does not indicate how many children are abducted into the U.S. from countries that are not Hague Treaty partners. We believe that the available data indicates a substantial security breach exists due to a lack of uniformity in documentary requirements while crossing international borders within the Western Hemisphere.

The opportunity for trafficking of children in the Caribbean is substantial. As Anthony M. Davis, the former U.S. Coast Guard Officer and the best-selling author of ‘Terrorism and Maritime Transportation System’ shared, “There’s significant potential for illegal cross-border travel off the shores of Puerto Rico and other U.S. island territories. Generally, there is a consistent flow of people on small, low vessels called ‘Yolas’. During my Coast Guard time I saw many of the boats involved with illegal travel were from the Dominican Republic to Puerto Rico’s west coast. However, there also exist a substantial number of boats traveling from Puerto Rico to other island-nations. While Coast Guard and other assets look for these hard-to-spot vessels, they typically search for those heading toward

Puerto Rico, not leaving it. In many cases of incoming vessels, it was common to have undocumented women and children of all ages traveling on these boats.

“Due to the close proximity of many of the island-nations to U.S. territory including Puerto Rico, St. Thomas, and St. John, there’s a substantial opportunity for parents and traffickers to criminally remove a child from the United States across international borders to carry out an illegal act. The reasons: difficulties related to logistics in inspection and documentation requirements. Unquestionably, illegal inter-island travel originating from a U.S. territory to another Caribbean island nation is a serious matter, one easily capitalized on by individuals involved in crimes against children. In order to prevent individuals who seek to capitalize on our exit controls in U.S. island territories, it is important for the courts to recognize the relative ease of illegal travel connected to the Caribbean.”

### **Sea Travel Closed-Loop Voyages**

We are also very concerned that the documentary requirements for a “closed loop” cruise ship or other water vessel’s voyage or itinerary to contiguous countries or adjacent islands allows travelers to be exempt from the documentary requirements necessary for other types of travel. The CBP defines “closed loop” as occurring when *“a vessel departs from a U.S. port or place and returns to the same U.S. port upon completion of the voyage. U.S. citizens who board a cruise ship at a port within the United States, travel only within the Western Hemisphere, and return to the same U.S. port on the same ship may present a government issued photo identification, along with proof of citizenship (an original or copy of his or her birth certificate, a Consular report of Birth Abroad, or a Certificate of Naturalization). A U.S. citizen under the age*

*of 16 will be able to present either an original or a copy of his or her birth certificate, a Consular Report of Birth Abroad issued by DOS, or a Certificate of Naturalization issued by U.S. Citizenship and Immigration Services.”*

Travel requirements for children traveling at sea are quite alarming. The porous documentation controls in place due to the WHTI facilitate child abduction opportunity at sea in unthinkable ways. For example, there are certain cruise ships that have ports of call in other countries that cater specifically to children. These cruise ships hold over 5,000 passengers and typically have weekly departures. With thousands of children boarding one of these cruise ships; we acknowledge it is clear there is substantial opportunity for a parental or non-parental child abduction to occur.

In a likely scenario for cruise ship related international parental child abduction or child trafficking, an individual could presumably board a cruise ship with a targeted child with limited or fraudulent documentation for the child, travel to WHTI designated foreign ports, disembark with the child at a port of call and simply choose not to re-board the ship, effectively circumventing the necessity of a passport which is required for other types of travel.

The potential to illegally remove a child across international borders via cruise ship travel is substantially magnified because currently there are no systematic data base controls and other security measures that would prevent a child's illegal departure from the United States. Exemplifying this grave concern are direct statements made from the security departments of two of the world's largest cruise lines operators. In statements made by both companies, neither have a security database that would enable a parent nor a court of law to place a child's name on a 'no embarkment' list due to specified court order. So even if a court order is issued that either directly names the

cruise ship company as part of the action or if the court order references the cruise ship company to prohibit a child's departure but does not list the cruise ship as part of the legal action, the cruise ship companies have nothing in place that would enable them to comply with the court order.

When representatives in the security departments of both cruise ship companies were asked what could be done with a court order prohibiting a child's departure, each spokesperson suggested that if the targeted parent knew what cruise ship and departure date their child was scheduled to travel on, then it would be up to the parent to contact local law enforcement.

Obviously, the ability for a single parent trying to protect their child's abduction to run from cruise ship port to cruise ship port hoping to determine if their child is traveling on one of the ships is more than daunting and unrealistic, particularly since the vast majority of international child abductions are well planned, and cleverly orchestrated.

In a time of increased international security concerns, it is inconceivable that the only type of data bases most cruise ship operators have in place is a data base that flags previous passengers from traveling on their fleet due to past conduct on board one of their ships.

Remarkably, there is no systematic check to determine if a child's name has been placed on any law enforcement or government travel alert lists. However, if a U.S. passport was required and the U.S. passport was scanned, then a border patrol agent would have immediate access to potentially critical information regarding the safety of the child. We call upon the cruise ships to act responsibly by establishing security procedures including a 'no-embarkment' database that would assist in the prevention

of international parental child abduction and human trafficking.

When we consider there are approximately 760 cruises scheduled to depart from the U.S. and travel in a ‘closed loop’ to the Caribbean during fiscal year 2011, this becomes very concerning. Our worry increases after we consider there are 47 "closed loop" cruises scheduled to depart the U.S. to Canada during the same period. And finally, our concern surges when we realize that there are 379 cruises scheduled to depart the U.S. and travel in a "closed loop" to Mexico.

As previously discussed in this report, Mexico is a hotbed for ‘reported’ and ‘unreported’ incoming and outgoing international parental child abduction cases. A substantial number of U.S. parents have filed a Hague application due to the criminal international abduction of their child or children. Unfortunately, very few abducted children return to the U.S. despite court orders demanding the child’s return. These opinions are substantially backed by the U.S. Department of State, as Mexico has repeatedly been reported to Congress as a non-compliant member of the Hague Convention. In addition, Mexico’s record as a country known for its criminal activity of human trafficking is substantial.

We express our grave concern that cruise ships may be utilized to transport children illegally to and from the U.S., Mexico, and Canada as well island nations of the Caribbean.

It is inconceivable that U.S. children are still permitted to travel to specific foreign countries in accordance with the WHTI without a passport. Today, nearly 30% of all U.S. citizens possess a passport. As that number continues to grow substantially each year it is unthinkable not to require

a passport for a child to travel abroad. In 2011 cruise ships are scheduled to originate from the U.S and travel to 63 ports of call in Mexico, 48 ports in the Caribbean, and from 20 ports of call in Canada. We contend that a failure to require children to present a passport for all international travel is an act of misguided negligence.

<u>Closed-Loop Foreign Destination</u>	<u>Number of Cruises</u>	<u>Number of Ports</u>
Caribbean	760	63
Canada	43	20
Mexico	379	48

The CBP does state that a U.S. Citizen “may” be required to present a U.S. passport if disembarking at a foreign port but that this requirement is up to the individual ports-of-entry. We must also consider that smaller personal watercrafts traveling to foreign ports under a “closed-loop” journey offer distinct opportunity for child abductors and human traffickers to circumvent our nation’s laws or court orders. The lack of formidable travel documentation for cruise ship or other water vessel excursions originating from and returning to the United States is a black hole for would-be child abductors or traffickers.

The fact that cruise ships are being utilized in human trafficking is not unrecognized within the U.S. or in other countries. The following statements come directly from a human rights watchdog organization in Belize.

The Belize Organization for Responsible Tourism (ORT) issues this appeal to cruise lines bringing passengers to Belize, a superhighway for human trafficking. *“We are asking for your help in stopping human trafficking in Belize. In particular, we appeal to Norwegian Cruise Line*

*and Carnival Cruise Lines, which bring a combined 700,000 tourists to Belize annually.*

*Cruise lines have a moral responsibility to help stop human trafficking in Belize. Each year thousands of human trafficking victims are transited through Belize via its porous and corrupt borders. Many are exported to other countries and never seen again by their families. Many endure lives of forced prostitution in Belize fícha bars.”*

As these serious challenges come to light, we need to create a comprehensive short-term and long-term strategy that will prevent child abduction and human trafficking from occurring due to limited WHTI child travel documentation requirements for land and sea travel. There remains a significant amount of work necessary to enhance border security so that current weaknesses will no longer be available to be exploited. Our children must become a priority and the risk of abduction and human trafficking be lessened through mandating legitimate and uniform travel documentation.

The issues of child abduction and child slavery have received relatively limited public exposure. There has been limited government reaction directed toward changing public policy, government agency operations and protocol, and reform of laws that may facilitate or enable international abduction. It is important to recognize that over the past two years there have been over 1,000 ‘reported’ cases of U.S. child citizens being criminally abducted to Mexico and untold numbers of unreported cases. Imagine how our nation would act if:

1. 25 school buses containing 40 defenseless 5<sup>th</sup> grader American students disappeared in Mexico; or,

2. 4 Boeing 757 passenger jets containing 250 middle school children each was hijacked; or,
3. A cruise ship with 1,000 high school students on a spring break trip was pirated off of Mexico's borders; or,
4. A train traveling with 1,000 students and their teachers was hijacked.

Undoubtedly, there would be public outcry and reform at every level. However, our public and government concern has not reached levels that it should. The many voices of this unthinkable crime tend to be diluted due to the singular reporting methodology. It is imperative that immediate revisions in law and government policy be initiated including reform of the WHTI land and sea travel requirements for minors.

### **U.S. Passport Concerns and Statistics**

International parental child abduction and human trafficking are extraordinary issues where there is no such thing as 'collateral damage'. In the past, certain legislators have expressed concern that possession of a passport as a requirement to travel by either ground or sea to our neighboring countries would have a direct impact on commercial trade. One additional concern expressed by some of our policymakers is the requirement for a passport for all travel may be an expensive proposition for the average American family, particularly since a child's passport alone costs over \$80.00. The cruise ship industry, with many of its fleet of ships bearing the flags of nations other than the United States, has petitioned against the use of passports for 'closed loop' travel since the conception of the WHTI. Obviously, the industry is concerned that the additional cost associated with a passenger having to obtain

a passport may cause a potential traveling customer to view a cruise as too costly.

However, statistics for new passport issuances effectively dispute these claims.

According to Assistant Secretary of State for Consular Affairs Maura Harty, “there were over 60 million U.S. citizens who had a valid passport in 2005.” Further research shows substantial increase in the number of U.S. Passports issued since 2005. They include:

1. 2006: 12,133,537 new passports; and,
2. 2007: 18,382,798 new passports; and,
3. 2008: 16,208,003 new passports; and,
4. 2009: 13,486,000 new passports.

Thus, there were over 60 million new passports issued during the past four years, excluding the number of passports presently issued during FY 2010. Unquestionably, we have become a passport-friendly society. We contend that a previous position that a passport requirement results in financial disadvantages to commerce are inaccurate, clearly outdated, and are misguided.

Assistant Secretary of State for Consular Affairs Maura Harty, a proponent of harmonized passport travel stated, *“For increased security and increased document integrity . . . State and DHS together rarely, singly or together, visit with a foreign entity without touching that very point, that the better and more secure documents are, the better and more easy it is to facilitate legitimate travel by legitimate travelers.”*

Admittedly, passport requirements for all children traveling internationally under all circumstances will result in increased cost to the potential international traveler. However, this additional level of security will help ensure the safety of all children. Furthermore, the heavy financial burden associated with the recovery of criminally abducted or trafficked children should be paramount to any economic conversation.

Unequivocally, we take the position that a passport requirement for international travel can potentially protect thousands of our nation's innocent children from the cruel fate of international abduction or from entering into the infernos of human slavery. Our U.S. child-citizens are entitled to the fundamental rights of freedom, justice and liberty and we must protect them.

We recommend that the documentary requirements implemented for air travel in Phase One of WHTI be the same requirements necessary for cross-border land and sea travel. In the interest of the safety of all children, we request that there be no exceptions to the passport mandate for contiguous countries, adjacent countries or "closed loop" voyages. Specifically, that all children, regardless of age must possess a passport for any cross-border travel. Harmonization of the documentary requirements for all modes of travel and at all international borders will help us achieve a reduction in the heinous crimes of child abduction and human trafficking.

### **Recommendations And Strategies**

We hope that this report will educate victim parents, legal professionals, and members of the judiciary about an assortment of viable exit strategies that would-be abductors and traffickers can capitalize on in order to commit crimes against our and other nation's children. Child abduction

prevention strategies are critical and must include efforts to prohibit a child's potential travel to or around our neighboring countries by land or sea, including specific court ordered prohibition for cruise ship travel by any at-risk child who may fall prey to a would-be abductor.

Notwithstanding the vital need to raise awareness of the issues presented herein, we urge that the Western Hemisphere Travel Initiative is immediately and urgently amended to include mandating that all international travel of any kind, including all travel for children, require a valid passport. By establishing all citizens to present a valid passport at a border crossing, the opportunity to reduce criminal activity as it is related to illegal border travel is substantial. If we are to close the existing loopholes that present child abductors and human traffickers the substantial opportunity to capitalize on the weak travel document requirement protocols presently in place under WHTI, the most effective and efficient way to do so is to establish an all-passport travel requirement for all international travel.

We recognize there must also be high priority short-term protocols implemented that will reduce the possibility of child abductions related to WHTI travel document requirement loopholes while moving to an all-passport travel requirement policy. Court-ordered prevention orders are critical to reduce child abduction threats; however, we acknowledge that under present WHTI travel requirements the use of documentation fraud is a strong reality. In addition, due to the limited existence of databases capable of flagging a child traveling under the present minimum travel documentation requirements established for children under WHTI and who are potential targets for abduction, we call for the implementation of substantially more training of CBP officers and for thorough security travel documentation checks for all children traveling abroad

without a valid passport until such time that the desperately needed passport requirement is harmonized for all individuals regardless of age traveling abroad.

Pamela Michell, the founder of *Survivor On A Mission* and *Heroes In Training* stated, “As an advocate and survivor of human trafficking, I realize first-hand all types of abduction and abuse are widely unreported. Despite the spirit of the WHTI, international parental child abduction and trafficking of human cargo are rapidly increasing. An unacceptable and miniscule percentage of children and adults are ever recovered. Any loopholes in legal flaws in travel documentation requirements for international travel that may allow monsters to prey on others must immediately be changed. In the case of WHTI’s expansive flaws, we are not simply speaking about several isolated cases of targeted abduction, but of many thousands of at-risk children who could potentially fall into a dark world no words could ever possibly express. I call upon our political and governmental leaders to modify these laws in order to protect our children.”

If you believe your child is at risk of international abduction by their other parent, it is critical you immediately seek the assistance from the court overseeing your child’s welfare in order to obtain court-ordered abduction prevention orders issued by the court against the other parent. In initiating any urgent action, we strongly advise you seek the assistance of a lawyer familiar with both family court law and child abduction prevention strategies. We have provided a list of websites below that offer an array of prevention techniques and additional useful information that should be considered by you and your lawyer before you go into court. However, we also urge you to bring to the court’s attention potential exit strategies an abducting parent may attempt to capitalize on that are discussed specifically in this report, as the

information we have exposed regarding land and sea exit options abductors may seek to capitalize on under the WHTI have, at the time of this report, have not been widely discussed until now.

It is not necessary to have a custody order for law enforcement to assist in the recovery of your child and any subsequent criminal proceedings. However, a custody order is often critical in recovery efforts if the other parent has abducted your child. A well-executed custody determination will establish the guidelines and protocols once your child is recovered. You must immediately seek civil remedies by going to court and obtaining a custody order and other civil relief that you may be entitled to.

If you believe the illegal removal of your child across international borders is in progress, we suggest you immediately and simultaneously, follow the action list below.

1. Immediately file a report with local law enforcement. Request local law enforcement to contact the FBI and enter information about your child in to the National Crime Information Center – Missing Person File (NCIC-MPF).

***NOTE:*** *The Adam Walsh Act and the PROTECT Act of 2003 (Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today) require every local, state and federal law enforcement agency to report missing children, under 21 years of age, to NCIC within two hours of receiving the report. We advise that two hours after the report is made that you confirm the entry of your child into the NCIC system.*

2. Contact the National Center for Missing and Exploited Children (NCMEC)– Missing Child Division (MCD) at 1-888-24-NCMEC or 1-888-246-2632. Their website is: [www.missingkids.com](http://www.missingkids.com)
3. Urge the law enforcement agencies involved to contact the United States National Central Bureau (USNCB)-INTERPOL. This agency serves law enforcement only (not parents), so requesting INTERPOL involvement must come directly from law enforcement.
4. Critically, contact the Office Of Children's Issues at the U.S. Department of State at 202-736-9090 Monday-Friday and at 9 a.m.-5 p.m. 1-888-407-4747 after hours, weekends or holidays. Their website is as follows:  
[http://travel.state.gov/abduction/emergencies/emergencies\\_3845.html](http://travel.state.gov/abduction/emergencies/emergencies_3845.html)
5. Request that local law enforcement immediately begin a missing persons investigation under *The Missing Children's Assistance Act, 42 U.S.C., 5780 (3)(B), (C)*.
6. Contact the Missing Child Clearinghouse for your state (every state has one).
7. Contact NCMEC's Team HOPE (Hope Offering Parents Empowerment), which matches searching families with trained volunteers at 866-305-4673. Their website is: <http://www.teamhope.org>
8. For serious health and welfare concerns for a child, on occasion, the International Social Services, United States of America Branch, Inc, may be of assistance. Their phone number is 443-451-1200.

Their website is: <http://www.iss-usa.org/>

As parents and activists we have directly and indirectly experienced the myriad of issues involving the tragedy of international child abduction and the difficulties in preventing it from occurring. We are committed to focusing our efforts on uncovering the deficiencies that currently exist that continue to make international child abduction an all too common occurrence. In coming forward, we encourage everyone involved with protecting the welfare of at-risk children, including parents, members of the judiciary, policymakers, and members of law enforcement to recognize the existing risks we have shed light on, and to do whatever is necessary to protect our nation's children in conjunction with the laws of each child's state as well as existing federal legislation. As a parent, it is imperative that you ensure your legal counsel and family court personnel are well informed as to the risks that exist in your particular case. For more information on international child abduction and prevention, we suggest you visit the following websites:

1. The United States Department of State ([www.travel.state.gov/abduction/abduction\\_580.html](http://www.travel.state.gov/abduction/abduction_580.html)) [The Official website of The Office Of Children's Issues offers substantial information regarding IPCA].
2. National Center For Missing and Exploited Children (<http://www.missingkids.com>) [The Official website of NCMEC offers vast information on missing children and child abduction]
3. Amber Watch Foundation (<http://www.amberwatchfoundation.org>) [Provide educational programs and innovative technologies that proactively and preemptively protect children against abduction, predators, and the dangers of the digital world]

4. Chasing The Cyclone (<http://www.chasingthecyclone.com>) [The Official website of Peter Thomas Senese's *Chasing The Cyclone* provides a wealth of information on IPCA, including over 3 hours of educational documentary film footage].
5. The Uniform Child Abduction Prevention Act (UCAPA) (The Official website is: <http://www.nccusl.org>)
6. Team HOPE (<http://www.teamhope.org>) [Hope Offering Parents Empowerment official website: you will be matched with a trained volunteer].

We remain optimistic and hopeful that together we can raise awareness in order to create the changes necessary to better protect all children. We offer the following recommendations to educate and enlighten those whose duty and responsibility it is to protect our most treasured and vulnerable asset, our children.

It is critical that parents, lawyers, judges, policymakers, law enforcement, and all other individuals who are intricately involved in the welfare of our nation's children who are at risk of international abduction to carefully consider the information we have provided in this report when implementing or overseeing policy or direction on behalf of an at-risk child. Failure to do so will lead to additional cross-border abductions.

If a policy is implemented where all foreign travel by U.S. adult and child citizens, requires the traveler to present a U.S. passport, we believe we will see a dramatic reduction in the total number of 'reported' and anticipated 'unreported' cases of international parental child abduction. We would also anticipate a substantial reduction in the number of human trafficking cases passing through our borders as well.

Protecting one child's life from the fate of international abduction or human slavery is reason alone to seek the changes recommended above. However, with thousands of potential child victims each year at risk, the necessity of protecting our borders is critically urgent. We must act now to change current WHTI travel documentation policy.

# **RISK FACTORS ASSOCIATED WITH A POTENTIAL CHILD ABDUCTION**

## **Preventive Tips: Things To Watch For**

**By**

**Peter Thomas Senese**

*There are no fool-proof warning signs that your spouse or ex-spouse is thinking of taking your child across international borders, with or without your permission and knowledge. However, there are in fact many signs and signals that can provide you with insight that your spouse or former spouse is intending to abduct with your child. Most of all trust your instincts. If you have reason to believe that your spouse is in the process or is contemplating the abduction of your child, you must not wait: contact your local police and a lawyer familiar with family law and custody matters. You may need to file an ex parte (an Emergency without notice filing) motion to the court of jurisdiction where the child lives, seeking court intervention prior to when the abduction or wrongful retention occurs. Under most laws, the judge will have to hear your application so long as you present enough strong and credible evidence that your spouse or ex spouse is planning to take your child across state or international borders.*

*The most obvious warning sign is if the other parent communicates in any way that they have intent or a desire to remove the child of the relationship out of the country. In most instances, if the other parent threatens you with the idea that they are going to abduct your child, the fact is that in most cases, the abduction is already planned and may be in progress.*

1. Be aware of the possibility of any abduction.

THE WORLD TURNED UPSIDE DOWN

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International Parental Child Abduction

An Insightful Narrative By A Child Abduction Prevention Advocate

Peter Thomas Senese and Carolyn Ann Vlk

Although there are no foolproof warning signs for abduction risk, some indicators should not be ignored. Do not stick your head in the sand and pretend that your child is not at risk.

2. The vast majority of international child abductions occur by a parent who is determined to cause hardship and harm to the other parent. The instrument that they use in order to cause this harm is the child or children of the marriage. A significant number of leading therapists from around the world have stated in numerous reports that revenge is the primary and leading reason why one parent will try to end the other parent's relationship with their own child. Therefore, if you are involved with a person who has jealous or revengeful tendencies, you must be aware that these characteristics are common in the vast majority of would-be parental child abductors.

3. If the issues raised in Section 2 are true in your situation and your spouse or former spouse has in the past used the child of your marriage or relationship to cause you harm, pain, and suffering, or, has tried to control and manipulate your actions, then your concern should be magnified ten-fold. If the same individual has family members in another country or has lived in another country and has expressed a desire or threat to move there with your child, your concern should be magnified one hundred fold.

4. If there is evidence of previous abductions, disappearances, or threats to abduct the child by your spouse or ex-spouse, these indicators demonstrate that any new abduction threat is real and in more likelihood already planned.

5. If your spouse or ex-spouse has citizenship in another country and strong emotional or cultural ties to their country of origin.

6. Unexplainable removal of cash deposits and diminished assets, or unexplainable increases in credit card or bank debt.
7. Concealment of new credit cards or bank debt.
8. Concealed, hidden, and abrupt communication with individuals or family members living in a foreign country.
9. Concealed, hidden, and abrupt communication with a lawyer.
10. Frequent previous trips with child to a foreign country without other parent.
11. Family and friends living in a foreign country.
12. No strong ties to a child's home state.
13. Strong foreign support network.
14. No financial reason to stay.
15. Possible use of the child as a pawn in order to gain access to non-joint assets.
16. Engaged in planning activities such as quitting job; selling home; terminating lease; closing bank accounts or liquidating assets; hiding or destroying documents; or securing a passport, a birth certificate, or school medical records.
17. A history of marital instability, lack of cooperation with the other parent, domestic violence, or child abuse.
18. An announcement of an unexpected trip to another country with the child.
19. The taking of easily transportable high-valued items such as jewelry upon departing to another country.

20. Adamant unwillingness to leave the child behind with you while spouse travels to a foreign country.
21. Shipping of personal items to a foreign country.
22. A past tendency of your spouse or ex-spouse to relocate and live abroad.
23. In certain jurisdictions – whereas both parents have a joint-right to custody – it is conceivable that a parent possessing a right of custodial authority over the child (this can be joint or sole custody) can legally remove the child of the marriage/partnership to another country for an undetermined period of time (claiming a holiday or short-term trip) without needing permission or actually informing the other parent if a pre-existing travel agreement is not in place already with the court.

Essentially, a parent exercising their right of custody over their child can legally remove the child of the marriage/partnership without permission from the other parent if a court order is not issued previously. Not surprisingly, many international parental child abductions occur when one parent takes the child of the marriage to another country for an alleged short ‘family visit’ – however, in reality that person has no intention of ever returning with the child to the place of habitual residency.

What typically happens next in these scenarios is that the abducting parent, unknown to the left behind parent, files for a divorce in the country they have abducted to. The divorce motion and affidavit filed makes claim to all sorts of cruel and dangerous behavior against the spouse (thus the reason why they are able to file under an ex parte [without notice] motion).

Once the divorce lawsuit is filed, the abducting parent usually will go underground with the assistance of family

and/or friends who usually assisted in the planning of this act. It is critical to note that deception is a critical element in these typical scenarios: the left behind parent is left to believe that their partner and child are on a short vacation (typically to visit family of the partner) at the time of their departure. A few days or weeks later, reality sets in with either a phone call or a letter saying that the partner and child/children are not returning, and that a divorce action has been filed. So, even if you think you are happily married, it is greatly advised to have a legally binding and court registered travel agreement in place prior to either parent exercising a right of custody is granted permission to leave the country with your child.

24. Trust your instincts: if something feels wrong, it probably is. And remember that most international parental child abductions are carefully planned and typically involve the help of others.

25. BEWARE that the other parent may be trying to prepare an Article 13 Defense while remaining in the country prior to abduction. This may include the other parent filing false police reports or social service reports against you. REMEMBER that if the international courts have reason to believe that the return of the child may put the child in grave danger, they will not order for a return to the country of origin under Article 13. The use of false reporting right prior to an international child abduction is a strong indicator that an abduction is planned.

26. If a parent living as an alien citizen of one country but has limited roots to that country and is intending to travel with the child abroad, the risks of an abduction are great.

27. MORESO, if the parent who is planning to depart, say on a few week vacation, does not have the ability to purchase a return ticket back to the child's country of origin and/or does not have employment and/or does not have

housing, then you can bet that upon departure for the so-called 'vacation', that parent is not returning. Remember, Intent and Sustainability issues are critical. If a person can't sustain themselves in the country that their child was born, and, they have no deep roots, why in the world would they want to stay?

28. If an alien-parent has deep connections to another country, and has deep connections to that country's senior government officials, there is a clear risk. Recently, I have been advising on a situation where the potential abductor has immediate family members in charge of overseeing a fleet of aircraft owned by a Middle East family (or you could say government). Obviously, access to aircraft and departing under immunity of a foreign government are very concerning.

# **INTERNATIONAL ABDUCTION IN PROGRESS**

## **What To Do If An International Parental Child Abduction Is Immanent Or In Progress**

**By**

**Peter Thomas Senese**

*When you believe that your child or children have been abducted by either their other parent or a non-stranger, you must remember that time is a precious commodity you do not have. You must act efficiently, thoughtfully, and purposefully with respect to all efforts that you are about to put forth in recovering your child. Of utmost importance is the fact that you need to know everything that everyone involved in your child's recovery is doing. Critically, you must stay calm, stay alert, immediately contact law enforcement, and immediately contact a lawyer familiar with family custody law.*

1. Never give up HOPE that you will find your child or children no matter how long and difficult the road you have to journey on is.
2. IMMEDIATELY contact your local police and your local branch of the FBI (in Canada, the RCMP) and share with them all the details that support your belief that your child's abduction is imminent or in progress. Do not wait to file your police report! Make sure you have as much evidence to support your claim as possible, including any witnesses that can support your claims. While sharing this information with the police, make sure that you file a missing child report immediately. This report is important as it allows the police to place a description of the child who is missing on the FBI's National Crime Information Center (NCIC) database, (and in Canada the Canadian Police Information Centre {CPIC} computer system) so all

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police forces in the United States (and likewise, in Canada) will know the child is missing. The police should notify border crossing and all ferry, rail, airport facilities. If there is any hesitancy on their part to do so, under all circumstances demand that all border crossing locations and transportation companies (ferry services, airlines, etc.) are notified, and that all travel manifests are immediately reviewed. If you suspect parental or non-stranger abduction, provide the police with a photo of the suspected abductor, an address, telephone number and any other pertinent information about that person.

3. URGENTLY, in The United States, immediately contact the United States Department of State – Office of Children’s Issues. They can be reached at 202-736-9090 or at 888.407.4747. In Canada, contact the Justice Legal Services in Ottawa at 613.996.1300 or 613.992.6300.

4. In The United States, immediately contact the National Center For Missing and Exploited Children (1-800-The-Lost), and in Canada, contact The Missing Children Society of Canada (800.661.6160).

5. Laws in many states give judges authority to issue a 'pickup' order for the child to prevent an imminent abduction or harm to the child. Pickup orders go by different names, including 'warrant to take physical custody of a child' and 'warrant in lieu of a writ of habeas corpus'.

6. The Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA), in effect in most states, provides an emergency ex parte proceeding for getting a law enforcement directed pickup order (in conjunction with a custody enforcement order) when abductions or serious physical harm to a child is imminent. If the requirements are met, a judge should issue an order directing law enforcement to pick up the child and to serve notice of the custody enforcement proceedings.

7. If you believe your child's safety is in danger, and you have credible evidence that your partner is intending to imminently take your child and abduct to another country - file an emergency ex parte motion in court immediately, and make sure you or your lawyer notify your local law enforcement that you are filing an emergency motion before the court.

8. When possible, you and/or someone you trust should stay in close physical proximity of the child. Consider hiring a seasoned private investigator to monitor the movements of your spouse and child.

9. STAY CALM. Contact neighbors, friends, spouse, siblings and anyone who may know where your child may be. Invite a friend or acquaintance with a "calm" manner to be with you.

10. Conduct a telephone search. Call family, friends and relatives who may wish to help. Encourage them to use their telephones to make inquiry calls so your line will remain free for incoming calls. If you have to leave the house, have an answering machine on the line or have a friend or neighbor take incoming calls.

11. Have friends and relatives conduct a basic land search of the neighborhood area while you are making a police report. With family and friends, try to recall the present and past few days of family situations and activities (a recent argument or disciplinary action could be the reason for hiding).

12. Provide the police with the information in your prepared Identification Kit. This kit should include updates clear photographs, foot and fingerprints, birth certificate, medical history, passport, dental records, X-rays, child's name and description including location of scars, birthmarks and any other identifiable data (glasses, braces,

earrings, etc.). A videotape or a recent home video of the child may be made specifically for the kit. Try to keep a mental note of what your child is wearing each day.

13. Conduct a complete physical search of your area. Organize a search party of friends and relatives to search areas such as, child's route home from school, community center, friend's houses, favorite hang-out etc. Be on the lookout for articles of clothing, toys, books other personal belongings scattered on the ground. If found, do not disturb. Contact a police officer immediately.

14. Leave someone at home at all times to answer the telephone in case your child calls.

15. Continue to keep the telephone lines FREE at all times.

16. Continue your search even if there are no immediate results. Follow up for updates on the case by contacting the investigating police officer and the provincial searching agency who registered your child.

17. Solicit media support such as radio, television, local publications and newspapers only at the advice of the police and searching agency involved with the case. Be mindful that once your spouse has illegally taken your child and is on the run, they essentially will act like a fugitive (in many cases they are due to arrest warrants issued by the local court). Typically, a person running from law enforcement is willing to take risks that they might otherwise not be inclined to take under more normal circumstances. These risks can be very concerning, and could potentially place the child as well as the abducting parent in grave and dangerous situations. So, before you solicit help from the media, weigh out the opinions and advice of law enforcement, your lawyer, and your private investigators, if you have hired for these services.

18. Distribute a photograph of the missing child as well as your spouse or ex-spouse who has taken your child
19. Keep a detailed diary of people and agencies you have contacted and steps you have already taken. Logging the events limits the duplication of efforts and allows a review of inquiries.
20. Hire a local lawyer familiar with local and international child custody law and have your attorney appear before your local court immediately. Share with the court the details of your child's abduction and all other relevant information to allow the judge to understand the seriousness of the matter. It is critical that you are honest, open, and credible before the court. In simple terms: do not lie, do not fabricate anything, and do not give the court any reason to question your credibility. Tell the good, the bad, and the ugly. Request that the court grant you sole full custody and sole full guardianship of your child or children if you do not already have it. Also request that the court direct your spouse to immediately return with the child to the place of original jurisdiction (if he or she has a lawyer in the jurisdiction, you should be able to serve that person [have your lawyer check on matters of service]). Request that the court issue a 'pick-up' order directing police officers to assist you in finding and returning your child to you.
21. If you know your child has been taken to another country, contact the United States Department of State – Office Of Children's Issues and immediately file a Hague Application for the wrongful international abduction and retention of your child.
22. Make sure you monitor all bank accounts and remove all assets that are in joint-tenancy into your sole name.
23. If you are the primary holder on any assets and credit

cards, immediately remove your spouse's name on every account.

24. Immediately contact your credit card companies and put a security alert on all of your credit cards. This will direct the credit card company to request that you show proper identification to the merchant during each time you use a credit card, or, in the event of electronic on line transactions, a representative from the credit card company's security department will be required to contact you in order to authorize the transaction. Also, make sure you put two password questions and answers (not one – but two), on your bank and credit card accounts in order to prevent having anyone else other than you access your money.

25. Contact all credit reporting agencies and request that you are immediately notified of any credit inquiries, remarks, or additional accounts. Make sure that each agency issues a security alert, directing each requesting credit company to seek additional verifying information that any inquiries or applications made to their company were made by you.

26. Monitor all cell phones of your spouse, and, if possible, have all cell phones, emails, and any other communication devices monitored.

27. Check with your spouse's friends, family, and acquaintances and see if they were aware of any information that might lead you to locate your child. Typically, a person who is standoffish, might have known of the abductor's plans, or, has already been influenced by that person, and will be of little help to you. If that occurs, immediately report this to law enforcement investigating the abduction. If the police chose to interview that person, and they lie to law enforcement, they can be criminally charged with a crime.

28. Check in your child or children's rooms for any hints or clues as to where they might have been taken.

29. Check your ex-spouse or spouse's personal items for any clues as to where they might have taken your child.

30. If your ex-spouse or spouse has family that live in a foreign country, hire the services of a private investigator in that country to immediately follow your ex-spouse or spouse's parents and other family members in order to determine where the child has been taken and is located. This very well may be the best set of dollars you will spend. Remember, any recovery actions cannot be taken until your child's location is known. In many international parental child abduction cases, the abducting parent chooses to go underground with the child, and develops behavior similar to a fugitive on the run (they are fugitives). Typically, they have a support network in place, and the abduction has been carefully planned and enabled through the assistance of family members and friends. Finding and knowing where your child was taken to is the most important action once you know the child has been removed from the country of habitual residency. Without knowing what country your child is in – you cannot file a Hague Application ... and you will be spinning your wheels endlessly trying to find out where your child is. One final note on this subject: according to the provisions in The Hague, there exists language that essentially enables a Hague judge overseeing the case to allow for a child to stay with the abducting parent if the abducting parent is able to prove to the court that returning the child to the country of origin would be detrimental to the child's best interest. One of the techniques commonly used in a Hague defense is to demonstrate that the child or children have adjusted and desires to live in the country they were wrongfully and illegally taken to. In certain situations, a judge may believe that the child or children have settled into their 'new life', and that uprooting them would be harmful, and not in the

child's best interest. So – it is critically important for a Chasing Parent to know where the child was taken to as soon as possible and immediately file for the child's return under the protocols of The Hague Convention.

31. If your child is taken to another country, consult heavily with a lawyer in your local jurisdiction familiar with The Hague Convention, and, make sure you hire a lawyer familiar with The rules of The Hague Convention in the jurisdiction you know your child was taken to.

32. Become familiar with the laws and customs of the country that your child has been taken to.

33. Consult with The International Center For Missing And Exploited Children, The National Center For Missing And Exploited Children, the governing agency who acts as The Hague Signatory for your country (in The United States, the U.S. State Department acts as the official Hague representative for The United States Government).

34. Try to keep yourself physically active, eat a healthy diet, and rest on a regular basis.

35. Never give up Hope that you will be reunited with your child.

36. Remember, you must know everything that everyone involved with your child's recovery is doing. Do not be concerned about any or your actions other than one: finding your child. In essence – do whatever you have to do in order to protect your child – but remember, your actions must not place your child in any harm's way. That is why it is important for you to consult with the experts – but remember – you must know everything – including as much as possible on family law, and the rules of The Hague Convention.

37. Allow and trust in The Hague Convention on the

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## Civil Aspects of International Child Abduction. The Hague Courts do work!

38. If your child or children have been issued a passport and you have access to it, make sure you hold it and secure it in a safe place. If your child has not been issued a passport, then immediately contact the agency overseeing passport issuances, and apprise them of the present situation. Typically, law enforcement or an officer from the State Department's Office of Children's Issues overseeing your Hague Application will do this as well.

39. In the event that your child does not have a passport from the country they habitually lived in, and no passport has been requested or issued by your local government, then make sure that law enforcement contacts the local embassy of the country your spouse was originally from, and inform them of the litigation taking place.

40. One of the most important things you can do in the early stages of an international child abduction is to establish friendly contact with the relatives and friends of the other parent, both in your country and abroad. The fastest and most effective way to resolve international child abductions is for the abducting parent to return the child voluntarily. While there may be good reasons for you to believe that this approach won't work, it is important that the effort be made.

41. Make sure you have a cell phone with you at all times, that it is fully charged, that you keep a charged back-up battery, and a back-up phone charger.

42. If you are traveling abroad to search for your child, make sure you send yourself back-up 'emergency' money via Western Union (Western Union is reliable, serves most locations around the world, and funds can be accessed immediately).

43. The 'Prevent Departure Program' is a very affective tool to prevent alien residents physically in the United States from leaving the country either with or without a child. The program is administered by the Department of Homeland Security and was initially created to aide in our country's national security interests post 911. Essentially and under the purposes of child abduction, an individual would not be able to depart from the United States. For more information on this program, please visit information on this website listed under 'Prevent Departure Program' or click on the following link:

44. Trust yourself.

## **THE PREVENT DEPARTURE PROGRAM**

### **The Prevent Departure Program: An Extremely Useful Tool To Prevent International Parental Child Abduction**

**By**

**Peter Thomas Senese & Carolyn Ann Vlk**

*The Prevent Departure Program is one of the most highly useful tools available to targeted U.S. citizen parents who are at risk of having their child criminally internationally abducted by a non-U.S. citizen parent. During this time where we see an increase in multi-cultural marriages or partnerships, and with it, divorce and separation, the Prevent Departure Program very well may be the most valuable tool available to a targeted parent.*

Since 2003, United States citizens have had available a very effective international child abduction prevention tool called *The Prevent Departure Program*. Unfortunately, the vast majority of parents at risk of having their child internationally abducted are not aware that this incredibly useful tool administered by The Department of Homeland Security is available to them. Undeniably, if it is used properly, it will reduce significantly the number of child abductions from occurring each year in our country.

The reality of America's landscape is that our nation's children are disappearing – victims of international parental child abduction - in large, and terrifying numbers.

The number of cruel and dangerous crimes against our defenseless and innocent children known as International Parental Child Abduction presently sweeping through the

United States is increasing at a hysterical rate of over twenty-percent annually. Between officially reported and non-reported international abductions, it is believed there were over 10,000 illegal cross-border parental child abductions in 2009. If things continue at this rate (according to the United States Department of State's blog, their had been a 40% rate increase in international abductions from 2007 to 2008), it is estimated there will be well over 80,000 United States children-citizens internationally abducted in the year 2020. This is absurd. However, as the world becomes one of global-citizenship, there will be an increase in the number of criminal parental child abductions that occur each year.

The reality is that the anticipated increases in international parental child abductions is in all likelihood going to be much higher than anticipated.

Consider the fact, as reported by *The Washington Post* and numerous government agencies that the number of children born in the United States to illegal immigrants rose from 2.7 million in 2003 to 4 million in 2008. In addition, the children of illegal immigrants (these children are U.S. citizens) now account for about 1 in 15 elementary and secondary school students nationwide. In 2008, 19% of all children in the United States were native children with at least one foreign-born parent and 3% were foreign born with at least one foreign born parent. The percent of all children living in the United States with at least one foreign-born parent was 22%, in 2008, up from 15% in 1994.

For those of you who are fortunate enough to not be aware of the horrible epidemic of International Parental Child Abduction that causes great pain and suffering to nearly all who cross its path, you should know that too many of our

criminally abducted, abused, and victimized children do not come home. They can't. Some are gone forever.

There is one other thing you should know: the majority of targeted parents who are dealt with the fate of having their child or children internationally abducted never saw it coming – they were clueless. Just like you might be.

Much has been said about the need for our states to write or adopt child abduction preventive laws that would establish risk factors associated with a potential international parental child abduction while also allowing for courts in an at-risk child's jurisdiction and their judges to order preventive remedies that will prevent a child's abduction from happening.

Tragically, only a handful of states have signed the *Uniform Child Abduction Prevention Act* (UCAPA). Other states including Florida are in the process of modifying their own state's obsolete and inadequate laws to reflect the reality of the world we now live in – a world where global parental child abduction has increased dramatically. The truth is there are no accurate statistics showing the total number of global abductions (the last NISMART study was with stats from 1999 released in 2002), particularly when considering parental child abductions that occur between countries that participate in international treaties such as *The Hague Convention On The Civil Aspects Of International Parental Child Abduction*, or countries that do not participate in any international treaty that addresses the illegal removal and wrongful retention of a child taken across borders in accordance to the jurisdictional laws located in the child's habitual residence.

Unquestionably, prevention laws, and expanded education and training amongst the judiciary are critical keys that will reduce the number of child abductions from occurring.

However, the reality is there are so many loopholes that exist today for a would-be parental abductor to carry out their planned criminal abduction.

One of the primary loopholes that exist today is for a non-national parent who has intent to abduct their child to simply obtain a foreign passport for their United States born citizen from the embassy of the nation they are a citizen of. And there is nothing that a United States court can do to prevent this from happening. Even if a United States court orders a foreign embassy to not issue a passport in the child's name, they have no jurisdiction over that nation and their ability to issue a passport to a child possessing dual citizenship. Tragically, the instances of foreign passports issued despite concerns of abduction are substantial, and the tragedies endless.

But there is in fact something that United States citizens can do if they believe that the child's other parent, who must not be a United States citizen, is intending to abduct their child across international borders.

In the aftermath of 911, the Department of Homeland Security's *Prevent Departure Program* was created to stop non-U.S. citizens from departing the country. The Customs and Border Protection (CBP) oversees this program and it is monitored 24 hours a day.

The *Prevent Departure Program* was created to ensure that no alien will depart the United States if his or her departure would not be to the national interest of the United States.

What the *Prevent Departure Program* does is provide immediate information to the transportation industry, including all air, land, and sea channels a single point of contact at Customs and Border Protection (CBP), and provides a comprehensive database of individuals the

United States believes may immediately depart to a foreign country. It is believed that information placed in the *Prevent Departure Program* is also included in databases for points of entry at all land entry/exit points.

The program only applies to aliens, and is not available to stop U.S. citizens or dual U.S./foreign citizens from leaving the country. Under *Section 215* of the *Immigration and Nationality Act* (8 U.S.C. 1185) and its implementing regulations (8 CFR Part 215 and 22 CFR Part 46), it authorizes departure-control officers to prevent an alien's departure from the United States if the alien's departure would be prejudicial to the interests of the United States. These regulations include would-be abductions of U.S. citizens in accordance to court orders originating from the child's court of habitual residency.

If the abductor and child are identified, they will be denied boarding. In order to detain them after boarding is denied, there must be a court order prohibiting the child's removal or providing for the child's pick-up, or a warrant for the abductor.

In order for an at risk parent to participate in the program, all of the following must be demonstrated:

1. Subject may NOT be a US citizen; and,
2. The nomination must include a law enforcement agency contact with 24/7 coverage; and,
3. There must be a court order showing which parent has been awarded custody or shows that the subject is restrained from removing his/her minor child from certain counties, the state or the U.S.; and,
4. The Subject must be in the US; and,

5. There must be some likelihood that the Subject will attempt to depart in the immediate future.

With respect to the establish guidelines listed above, note that in order to request the listing of the other parent, that person must be an alien of the United States.

Additionally, it is mandatory that the request must include support by a law enforcement agency or from the Department of State's Office of Children's Issues, which has the authority of requesting for the Department of Homeland Security to list a suspected child abductor on the Prevent Departure Program.

The third criteria: possessing a custodial order, is essential. Regardless if the other parent has joint custody or rights of visitation, critically, you must make sure that there are restraining orders in place prohibiting the child from being removed from the jurisdiction of habitual residency. Unfortunately, many international parental child abductions are well planned out in advance of the actual abduction, and the targeted parent has no idea that an abduction is in progress until it is too late. This is why it is essential for parents in partnership with non-nationals to be fully aware of the warning signs associated with a potential international child abduction. For a detailed list of warning signs and other information on international parental child abduction please visit [http://chasingthecyclone.com/Prevention\\_Eyes\\_Open.html](http://chasingthecyclone.com/Prevention_Eyes_Open.html)

The fourth criteria states the obvious: in order to prevent an alien-parent suspected of abducting a child on U.S. soil, that parent must be in the country.

The fifth criteria requests that the applying parent

demonstrate that the alien-parent has demonstrated the likelihood of abducting the child across international borders in the immediate future. Warning signs listed above are all factors that demonstrate a potential immediate intent to abduct. Remember – you need to document and record as much evidence as possible.

In a statement made by U.S. Department of Homeland Security Deputy Secretary Jane Holl Lute made before the United States House of Representatives' *Committee on Homeland Security* on January, 27<sup>th</sup>, 2010, Deputy Secretary Jane Holl Lute addressed various systems the U.S. government has in place to prevent terrorist threats from happening in our nation in the aftermath of the December 25<sup>th</sup> airline attack by Umar Farouk Abdulmutallab, who has an explosive PETN on his person. Some of these very same 'systems' that she refers to are part of the databases believed to be utilized by the Prevent Depart Program. According to the Deputy Secretary, "Department of Homeland Security oversees several programs to prevent individuals with terrorist ties from boarding flights that are headed to, within, or traveling over the United States or, in appropriate cases, to identify them for additional screening. Specifically, DHS uses information held in the Terrorist Screening Database (TSDB), a resource managed by the Terrorist Screening Center (TSC), as well as other information ... As an additional lawyer of security, DHS also uses the Passenger Name Record (PNR), the Advanced Passenger Information System (APIS), and the Immigration Advisory Program (IAP) to assess a passenger's level of risk and, when necessary, flag them for further inspection. PNR data, obtained from the airline reservations systems, contains various elements, which may include optional information on itinerary, co-travelers, changes to the reservation, and payment information. PNR data is evaluated against "targeting rules" that are based on law enforcement data,

intelligence and past case experience. APIS data, which carriers are required to provide to DHS at least 30 minutes before a flight, contains important identifying information that may not be included in PNR data, including verified identity and travel document information such as a traveler's date of birth, citizenship, and travel document number. APIS information on international flights to or from the United States against the TSDB, as well as against criminal history information, records, of lost or stolen passports, and prior immigration or customs violations. APIS is also connected to Interpol's lost and stolen passport database for routine queries on all international travelers.”

For many parents who face the risk of having their child abducted and removed across international borders, the nightmare that both targeted parent and victimized child face is unbearable. Unfortunately, one of the primary methods that a parent is able to use in order to remove a child outside of this country, despite local court orders, is to have the nation that they are a citizen of issue a passport in the name of the U.S. citizen-child who has a right to dual citizenship.

And there is nothing that our courts or nation can do to prevent another nation from issuing a passport on behalf of a child possessing dual citizenship. Granted, most passports for children require both parents signatures, but that is not a preventive measure. Forgery is commonplace. And there are no safeguards in place such as requiring both parents to apply for a child's non-U.S. passport in person at the embassy.

In order for an alien to be listed on the *Prevent Departure Program*, law enforcement officers or the State Department's Office of Children's Issues' abduction officers can request an alert for an alien abductor and/or

alien's child by contacting the Department of Homeland Security's National Targeting Center. It may take up to two days for a name to be added to the list, although urgent cases may be handled faster. The National Targeting Center's phone number is 703.391.1733.

For more information on the *Prevent Departure Program*, please visit the U.S. Department of State's website at [www.travel.state.gov/childabduciton](http://www.travel.state.gov/childabduciton).

## **What Needs To Be Done To Prevent International Parental Child Abduction**

**By:**

**Peter Thomas Senese**

*It is important that we ask ourselves the questions ‘Why and how are children internationally abducted?’ One answer stands out more than any other: the willingness of courts around the world to tolerate the lies, misrepresentations, and outright defiance of one of the parties connected to the welfare of the child. It is a rarity when a litigant associated with a child custody case is punished for clear and blatant violations of the rules of the court. It is imperative that judges enforce all parties to be accountable and that if at any time either party lies or purposefully misrepresents themselves to the court, that these parties are held in contempt of court – and simply put – detained. Prosecution for breach of the rules of the court is especially critically important in cases where a child is at risk of international child abduction: predator parents intending to abducted a child are generally well informed, well organized, and typically their criminal scheme is well-planned. They are not afraid of lying to the court because they know that most judges will not punish them for their criminal or civil misconduct. In the meantime, a child’s life is at risk. According to nearly every targeted parent I have spoken to, the singular most concerning issue commonly shared is their angst that the courts failed to act in preventive manners in the wake of outright and clear-cut lies by the other parent – who eventually abducted their child. A clear solution to this problem is fairly simple: judges need to let all parties connected to litigation evolving around a child that if they lie, misrepresent, or fail to abide by any of the court’s orders, they’re immediately*

*going to jail. Surely, this will stop the massive and widespread chicanery.*

*In addition, it is unquestionably, unequivocally and unthinkably accurate that due to law enforcement's general failures to uphold the rules of law created to protect the welfare of targeted children by prosecuting parents who either intend to or actually abduct a child that predator parents carefully plot the crime of international child kidnapping without fear of prosecution. So long as predator parents remain fearless from prosecution, children everywhere are at grave risk of abduction.*

*Tragically, the lack of research and data available to courts and law enforcement remains to be a dramatic issue. It is necessary that this changes immediately.*

*Lastly, child abduction prevention laws and their enforcement are critical to protecting the welfare of each nation's children. So too are changes in policy that may facilitate abduction such as the Western Hemisphere Travel Initiative.*

*The bottom-line is that there is a plague of international parental child abduction occurring, and no organization anywhere has published an estimate of how many children are abducted globally each year. The estimate that I have stated to be approximately 100,000 lives per year and growing is based upon an ongoing and extensive study that I anticipate to be released in late 2011.*

#### A. Courts:

1. Courts must enforce the rules of the court and the laws to which they are governed to oversee. If any party associated with litigation concerning a child lies, misrepresents,

misleads, or fails to comply with court orders, they must be held in contempt of court and detained.

2. Courts and their judges must enforce to the full intent and degree of the law all child abduction prevention laws.
3. Local family court judges need to become more aware and educated on all matters of potential international child abduction. This includes the techniques and legal loopholes potential parental child abductors and their lawyers may use to facilitate a child's abduction across a countries borders, or, how once a child is taken to foreign country, the various legal methods a violating, abducting parent may pursue in their attempt to move jurisdiction of the child's custody and access from the place of original habitual residency of the child to the country that the child was taken to. According to many professional studies and surveys, a large percentage of judges and lawyers are not adequately educated or familiar with the complex legal nuances of international child custody and international child abduction. By failing to understand jurisdictional law, and failing to direct stringent guidelines when dealing with a potential or actual abduction, judges and the courts they oversee have unknowingly helped facilitate and enabled abducting parents act in the cruelest way against their own child.
4. Courts and judges overseeing child custody cases must create stringent guidelines that will address the wrongful removal, abduction, and retention of a child traveling interstate or across a country's borders prior to any travel by a child and parent. If a non-traveling parent

expresses concern to a court that there is a possibility that their child may be abducted and not returned to the habitual residency of the minor, the courts must create ironclad guidelines on how to deal with such action. Automatic triggers that will ensure criminal prosecution of an abducting parent must be included and agreed to by all parties, including the courts, prior to a parent and a child (or children) being permitted to travel outside of the country of the child's habitual residency. It would be wise for the court located in the child's habitual residency to mandate for the traveling parent to file with the court in the jurisdiction of the country to which they are visiting, the custody and return orders of the court overseeing the child's welfare. The traveling parent must agree to have specific language in any court issued order that specifically states that they are only visiting the country that they are traveling to, that they are not relocating, that the other parent does not give permission for them to take the child and relocate to a foreign country, and finally, that they agree to the courts orders issued by the court of habitual residency of the child to be held accountable under criminal law of the nation where the child lived previously, and that they agree to waive any rights to fight criminal extradition if there is an arrest warrant issued due to their failure to return the child to his/her native country by a pre-determined date set by the court of habitual jurisdiction. These orders must then be registered or 'mirrored' in a court of jurisdiction where the child is visiting prior to any travel. However, you should also know that a 'mirrored order' does

not secure in any way that the country that a child is intended to be taken to will be upheld, since what may be legal in one country may be illegal in another.

5. Courts must treat parental child abduction in the same manner as non-parental child abduction: as a grave and damaging crime against a defenseless minor. In fact, the majority of child psychologist experts familiar with the matter of parental child abduction, and who have issued reports and studies, have concluded that the potential damage done on a young child who has experienced parental child abduction's overall mental health can be significantly more damaged in comparison to non-parental child abductions due to the heavy breach of trust and acts of parental alienation (including child abuse and child neglect) enacted by the abducting parent.
6. Courts must legally hold accountable both parties in a custody dispute for any acts of contempt of court or perjury when dealing with the welfare and safety of a child. There must be a zero tolerance level for acts of disobedience or lies.
7. Critically, courts must legally hold accountable lawyers of parental child abductors who knowingly assist their clients in the abduction or wrongful retention of a child outside of the jurisdiction of habitual residency of the child. Accountability includes a lawyer's knowledge and assistance in the predetermined and conspired act of their client to abduct a child or to violate a jurisdiction's custody laws or a court's existing orders and attempt to change jurisdiction of a case from the child's habitual

residency to the country where the child is physically located.

8. Courts must uphold mandatory criminal prosecution and sentencing of all parental child abductors. The act of criminal parental child abduction includes the breach of most nations and their local courts criminal codes on child abduction, child abuse, and child neglect. In addition, there are typically a high number of contempt of court violations and deceitful acts of perjury enacted by an abducting parent. Their actions must be held accountable. In doing so, a clear message will be sent to parents contemplating abduction: that if they get caught, they will face serious prosecution of an assortment of criminal charges. After all, the cruel and damaging criminal act of international child abduction directed toward a defenseless child surely is not 'in the best interest of the child'.
9. The Courts must order for a financial bond to be placed by a traveling parent who intends to take a child across international borders, and who's spouse has objected to such travel due to fear of a non-return. Guidelines to determine a troubling concern include, but should not be limited to, a parent's previous abduction history or visitation denials to the other parent; and a traveling parent's ability to facilitate abduction.
10. Assailants who assist a parental child abductor must be criminally and civilly held responsible for any assistance given to a parental child abductor.
11. Parental child abductors must be held financially responsible for all costs associated with the legal recovery and re-unification of the victimized child and left behind parent.

12. Courts must unilaterally reinforce the universally accepted laws that child abduction in all forms is severe child abuse and child neglect. Any form of child abduction is not in the best interest of a child, and must be prosecuted.
13. Courts must not rush to judgment when dealing with any issues regarding custody and mobility, and must weigh heavily the fact that a child has an equal right to have a loving and caring and ongoing day-to-day relationship with both parents so long as both parents are capable and desirous of doing so.
14. Special appointments of specific judges who are well-trained and knowledgeable in the area of cross-border abduction must occur.

*B. Law Enforcement:*

1. Law Enforcement must not view the illegal detention of a child by one parent from another as a child custody issue but for the crime to which it is: child abduction – which is generally considered a felony crime.
2. When a parent seeks assistance from a policing agency for help in enforcing a child custody court order that demonstrates the present wrongful detention or removal of a child, law enforcement officers must stop referring a child's detention or wrongful removal as a breach of a court order that must be handled by the court of jurisdiction overseeing the child. The fact is that if a non-complying parent breaks the court's orders regarding custody, there are typically criminal codes in place that deal with such violations. For a policing agency to not act, is in fact, an act by the

policing agency to disregard the laws it is supposed to uphold. By not acting in matters of wrongful child detention or wrongful removal, law enforcement in fact accommodates parental violators in their criminal acts of child abduction, child neglect, and child abuse. These acts of wrongful detention or wrongful removal are illegal acts of child abuse or child neglect. Law enforcement must not systematically and unilaterally choose not to act on such violations – which across North America and the rest of the world, appears to be the standard protocol. A violation of a court's orders or a clear violation of a jurisdiction's criminal code is not 'A Family Court Matter' if laws have been created dealing with the matter are violated. A law enforcement officer cannot simply decide on her or his own which criminal offenses they will act on. Unfortunately, this is the case all too often when dealing with a child's custody and retention, and it has led to a deep mistrusting sense of justice for many when dealing. Anarchy only occurs when the courts or law enforcement choose not to uphold its own laws. This must stop.

3. Law enforcement must act immediately when a child is abducted or wrongfully detained.
4. Law enforcement must report that a child is missing immediately into all national databases (in the United States: NCIC, and in Canada: CPIC).

### C. The Hague Convention:

1. International parental child abduction is a federal crime against an innocent child. In the United States, Congress must provide federal funding to all Chasing Parents left behind in order to assist in all legal expenses and recovery efforts criminally committed against a defenseless abducted child. Presently, the entire financial burden of an attempted child recovery is the responsibility of a Chasing Parent. For most, these heavy financial burdens are crippling, typically causing a Chasing Parent to lose everything they own to defend against a crime against their child or children. And it is important to note that legal strategies enacted by many abducting parents includes drawing things out in court to the point that the Chasing Parent can no longer financially afford the legal fight - for a Chasing Parent, the heavy costs include hiring lawyers at the place of original jurisdiction and the location where the child was taken to, private investigators [if necessary], child psychologist [if necessary], travel and lodging to and from the location where the child was abducted to, and costs for communications. It goes without saying that a Chasing Parent's time will be primarily spent in dealing with the abduction of their child; work becomes very difficult while trying to defend your child.
2. The United States and other complying Hague-signatory governments must consider financial sanctions to be imposed against non-complying Hague-signatory governments when a nation that a child is abducted to does not comply

- with The Hague Convention they are a signatory of.
3. Diplomatic and economic efforts must be utilized at the highest degree to direct and pressure present non-Hague signatories to sign *The Hague Convention on the Civil Aspects of International Child Abduction*.
  4. Non-United States citizens found guilty of international child abduction under the orders of The Hague Court must not be permitted entrance into the United States.
  5. Hague cases may be complex. However, the convention was created to establish a uniform set of international guidelines dealing with a child's jurisdiction and which nation's courts must oversee the overall welfare of a child. All cases must be streamlined and preventive measures must be taken by The Hague Courts to further narrow the potential time an appeal can be brought to court by an abducting parent who is in physical retention of a child and who refuses or disregards a return order to the location of the child's habitual residency.
  6. There is no such thing as 'Collateral Damage' when a complying Hague-signatory country deals with either a non-complying Hague-signatory country or a country that has not signed the international treaty. It is wrong for one nation to turn its back and not sanction another nation who purposefully violates an international treaty with respect to a child not being returned to a country and petitioning parent who previously was granted a right of custody of the child, and who seeks for the child to be returned. Not putting pressure on non-complying nations due to financial,

strategic defensive, or other areas of national security are simply not acceptable.

7. Courts upholding The Hague Convention must uphold the spirit of the convention with respect to the expeditious process to which it is governed to act.

#### D. Legislation and Policy Change

1. Child Abduction Prevention legislation must be passed and enforced at both a state and federal level. Failure to have laws in place directly negatively impact the ability of a targeted parent's ability to protect their child.

2. Federal legislation must pass that sanctions other nation-states if they fail to abide by the intent and purpose on international treaties or laws connected with a child's country of origin in cases of international abduction. For example, it is unthinkable that at the time of this publication there are over 230 criminally abducted United States children-citizens living in Japan. There has never been 1 child who has been parentally abducted to Japan returned to the United States. Yet, Japan remains one of our nation's leading trade partners. Collateral damage is unacceptable!

3. New immigration entry requirements must mandate that a nation-state and its courts has the ability to withhold a foreign nationals passport, prevent that person's country of origin from re-issuing a passport in the name of either the potential abductor or at-risk child pending a court's final determination, and allow for prompt subpoena record requests to be complied with. This is critical due to the fact that many international child abductions occur by a foreign-born parent who has the ability of obtaining a secondary passport for the targeted child without the other parent knowing, and without the country of the child's jurisdiction having any ability to prevent a secondary passport from being

issued even when there is court findings that there is an abduction risk at hand.

4. Parents found guilty of international parental child abduction in either the civil courts such as the Hague Courts, or in criminal court, must not be allowed to re-enter a country where they abducted a child from as child abduction is in fact a grave and serious crime, covered by serious criminal statutes. This is particularly crucial as many parental abductors are in fact prone to attempt to abduct a child again.

5. Government policies that may provide legal loopholes for abduction such as the Western Hemisphere Travel Initiative must be altered.

6. Additional funding must be provided by policymakers in order to facilitate critically needed research on international parental child abduction.

7. Funding for legal and recovery services must be provided for targeted parents who have their child or children internationally abducted.

## ARTICLE 13 – THE ABDUCTORS DEFENSE

### **How Does An International Parental Child Abductor Defend Against Their Criminal Act of Child Kidnapping? By Slandering, Defaming, Impersonating, and Harassing The Targeted Parent.**

By

**Peter Thomas Senese**

*International parental child abduction is generally a premeditated crime committed by one parent against their child with the intent to cause great harm and distress to the child's other parent. Outside of the crime of kidnapping that is child abduction, there usually are a variety of additional crimes the abductor commits while either in the planning stage, the fleeing stage, or the illegal detention stage.*

*Of great concern is that under Article 13 of The Hague Convention, there is ample opportunity for a criminal abductor to attempt to defend their actions of international kidnapping by attempting to convince the international courts presiding over their case that a return of the child to the child's jurisdiction of origin would not be in the 'best interest' of the child.*

*Typically in order to demonstrate that a return of the child back to their country of origin would not be in the child's best interest, an abductor will slander and defame the targeted parent's name and reputation in public forums such as the Internet – and they will do so under the guise of multiple alias names in order to create the impression to the courts that they are leaving the country in order to protect the child's best interest. Of course, the Internet does not have any checks and balances – and in reality,*

THE WORLD TURNED UPSIDE DOWN

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International Parental Child Abduction

An Insightful Narrative By A Child Abduction Prevention Advocate

Peter Thomas Senese and Carolyn Ann Vlk

*anyone can say anything. Anonymity on the Internet has created a new type of issue: false statements against a target, that when repeated by anonymous or false names gives off the notion of credibility. In fact, it is not uncommon for an abductor to slander their target under numerous names posted on the Internet in order to have their own criminal act of international child abduction and other malicious acts associated with kidnapping sanctioned.*

Many Chasing Parents throughout the world know all too well one of the difficult techniques used by an abductor and the abductor's lawyers in order to break the spirit, will, and financial resources of the parent left behind in the wake of the criminal act that is international parental child abduction is to slander that person's name and reputation while implementing as many legal stall tactics as possible before the courts.

I write from personal experience: I am a Chasing Father who successfully recovered my child when he was abducted and taken half-way across the world.

Strategically speaking, nearly every lawyer who has represented a Hague case on behalf of a Chasing Parent will agree that it is critical to keep a narrow focus on whether a parent's custody rights were denied by the other parent in international cases, and by doing so, wrongfully detained the child from their rights of a child/parent relationship and purposefully breached the custody order of a previous court.

The primary purpose of The Hague Court is to determine if a right of custody was denied from a previous court order, and if so, to return the child and their abducting parent (this is done usually on a voluntary basis) to the court of original jurisdiction so the court of original jurisdiction can

determine what is in the child's best interest, including matters of custody and visitation. The test from the start is to ask the question: Did the abducting parent violate the custody laws of another court by removing the child from the country of original jurisdiction illegally and, by doing so, was there a denial of the Chasing Parent's legal rights of custody to that child?

Under this premise, The Hague Convention's Central Authority's court located in the country that the abduction has taken place will typically pay attention to the narrow focus and intent of the Treaty: was a previous court order regarding custody breached? If so (and there are no dangerous consequences to the child [the best interest of the child]), then typically the Hague Court will order for the child to be returned to his or her original jurisdiction.

But this is not always the case.

Article 13 of The Hague Convention on the Civil Aspects of International Child Abduction reads:

*Notwithstanding the provisions of the preceding Article, the judicial or administrative authority of the requested State is not bound to order the return of the child if the person, institution or other body which opposes its return establishes that –*

*a) the person, institution or other body having the care of the person of the child was not actually exercising the custody rights at the time of removal or retention, or had consented to or subsequently acquiesced in the removal or retention; or*

*b) there is a grave risk that his or her return would expose the child to physical or psychological harm or otherwise place the child in an intolerable situation.*

*The judicial or administrative authority may also refuse to order the return of the child if it finds that the child objects to being returned and has attained an age and degree of maturity at which it is appropriate to take account of its views.*

*In considering the circumstances referred to in this Article, the judicial and administrative authorities shall take into account the information relating to the social background of the child provided by the Central Authority or other competent authority of the child's habitual residence.*

This is the 'defense' Article, the mantra if you will, used by every abducting parent and their lawyer in order to defend against the act of abduction. Article 13 is always used to defend the serious criminal action of abduction by doing two things: A) By attempting to create a picture to the courts and the public that returning the child to their original jurisdiction is in fact an act that will cause dire and unnecessary hardship to the child, and that such hardship is cruel and will have both short and long-reaching consequences for the child. B) The abducting parent and their lawyer will attempt to portray the left behind parent in as much as an unfavorable light as possible. This typically includes a great deal of mud-slinging in court, whereas the abducting parent will make false accusations against the other parent including drug use, violence, abuse, non-interest, non-support, criminal behavior, sexual abuse, pedophilia, death-threats, etc. Typically, these false statements will also find their way on the Internet, where, under any blog forum, a person can log on and write a scandalous statement or story under an assortment of alias names. They then follow-up that scandalous story or post with another alias blog post and essentially attempt to support the lie already posted on line.

And herein rests one of the great problems for the Chasing Parent: the Internet holds very little accountable. It is extremely difficult to have removed slander and defamatory statements under many websites own operating policies. Add in the fact that many slanderous remarks will be made under alias or anonymous names, and you must now consider that Chasing Parent do not even have a clue as to where to begin to serve legal documents in order to have the defamation removed. In the end, the Chasing Parent's name and reputation are damaged, regardless of the court's final ruling. It is noteworthy to point out that nearly every international parental child abduction that occurs is well planned out. So, if the Internet is going to be used to support false allegations that a would-be abducting parent intends to use in court as a means to defend against their act of criminal abduction - make no mistake about it - slander and defamation very well could begin before the actual abduction takes place.

The slander scheme supports the defense of *Article 13 Subsection B* of the Convention because the abductor's defense will be able to find 'public' support that demonstrates the Chasing Parent is in fact detrimental to the child's safety. Of course, proving this scheme before a court may be a whole other issue. Nevertheless, nearly every Chasing Parent is not immune to slander and defamation. Needless to say, it is in the best interest of the abducting parent and that person's advisors to do everything possible - including attempting to portray the Chasing Parent as a bad person - in order to defend against their own criminal act of child abduction. This is an *Article 13 subsection A* defense.

The reality for most Chasing Parents and their children victimized by the multiple crimes that surround and include international child abduction is that they do not have the financial resources necessary to fight the fight. Combine this with the abducting parent's attempt to beat-down the

spirit of the Chasing Parent by a campaign of slander, not to mention the difficulties in fighting an international legal case, and you the conclusion is easy to make: Abducting Parents (who typically abduct a child in order to cause pain and suffering to the other parent), are unstable and dangerous - to both the abducted child and the Chasing Parent.

## **Parental Alienation**

### **A Spiritual And Emotional Assault On A Child**

**By**

**Peter Thomas Senese**

*In cases of International Parental Child Abduction, Parental Alienation is a common and cruel tool often implemented by an abducting parent in order to isolate and cause great pain to the targeted parent by causing the victimized child to believe that the targeted parent does not care about or is a threat to both the child and the abducting parent. The child in such cases is further used as a pawn in an abductor's wicked scheme against their target. Unfortunately, the short-term and long-term consequences for the child are significant. As many studies have concluded, the act of parental alienation is in fact a cruel form of child abuse, and further perpetuates the aggressions of a kidnapping parent against both the child and the targeted parent in cases of international parental child abduction. Of great concern is the fact that under Article 13 of The Hague Convention, child abductors often attempt to manipulate the child to believe that their other parent is attempting to hurt both the child and the other parent so that the abducting parent can take advantage of the convention's 'best interest of the child' clause. Truth is, in nearly every international child abduction case I am familiar with, an abducting parent attempts to manipulate the victimized child and cause the child to have aggressive and detached feelings toward the targeted parent.*

A child's heart is filled with innocence. It's open to give and to receive love, it is unmarked by the scars that etch themselves onto our personae, our fabric, if you will, as we journey through life. Their innocence is sacred.

As a parent, I know one of my primary responsibilities is to protect my child's innocence and safety. Not only must I create, but I must foster a world of free expression, of nurturing support, of positive reinforcement, and of loving acceptance of my child's rights. I am also the wall that will protect my child's emotions. After all, my child, just like every other child, has a right to experience the world with all of its magic and wonderment.

Fundamental to the rights of 'innocence' that all children are entitled to is the right of a child to freely know the love and goodness of both parents. As parents, it is our *privilege* to love our children, however, it is a child's *right* to know both of their parents' love. Sadly, we see all too often during times of divorce and separation the selfish and destructive act of a parent trying to remove and destroy a child's right to an open and loving relationship with the other parent by denying the child physical access to the other parent or by talking negatively about the other parent to that child. In these instances, the child is used as a pawn in a power struggle, and as a tool to punish or cause hurt to the other parent. Innocence is destroyed.

As a Chasing Parent who has dealt with international parental child abduction, I am keenly aware of the actions and conduct that define 'Parental Alienation'. To put it as bluntly as possible, when one parent purposefully lies to, misrepresents to, or manipulates a child into thinking that their other parent is trying to hurt the other parent, the child or both, or, denies the child and other parent from interacting with one another – that is a cruel and devastating act. It is deliberate attempt to alienate the child from the other parent. These acts are vicious forms of child abuse, and are considered criminal offenses under child abuse laws in most states. However, Parental Alienation is not just the abusive act of the obsessed abducting parent, it can lead to the manifestation seen in a child's behavior of denigrating the other parent with no proper justification

(Parental Alienation Syndrome). When this occurs, the child will contribute to vilification of the targeted parent as a result of the dishonest, cruel acts committed by the obsessive and alienating parent.

In every conversation I have had with other Chasing Parents who have experienced international child abduction, every one of these parents has expressed great concern over the psychological trauma experienced by their child during their abduction. Unquestionably, this abuse--parental alienation--is at its peak as long as the child is criminally detained and denied access to one parent by the other parent.

It is clear that in cases of parental abduction, the abducting parent must provide answers to the child, many of whom question why they are unable to see or communicate with the other parent. There are questions about why the child cannot go 'home', and why they are remaining in a foreign country. There is no doubt that attempting to justify one parent's wrongful detention of a child in a foreign country can be as cruel and unfair to the child as the abduction itself.

In most instances, the abducting parent must mount a campaign of terror that will essentially brainwash the child into thinking that the other parent is a threat to the safety of both the child's and the abducting parent. Typically, this situation is portrayed as 'We vs. The Other Parent'. Tragically, the child is thrown into the turmoil that should only be between the two parents. Apart from the fact that the child is in new surroundings, away from familiar customs, surroundings, and people that they have grown-up with, the child is forced to quietly listen as one parent assaults the character of the other parent. What is done in the process is a unilateral attempt to destroy one of the crucial foundations of a child's life: the belief that the Chasing Parent loves and desires to be with them. And

truth be told, what can an innocent child, dependent on the abducting parent for food and shelter, living in a foreign country with no other support system, do? They can't voice their distress for fear of becoming the target for the wrath of the abducting parent, on whom they are entirely dependent. As a result they become physical and emotional prisoners. The image of a small red buoy floating in a raging sea comes to mind whenever I hear of a child trying to survive a parental alienation assault.

In attempting to shift the child's trust and belief in the other parent by portraying that parent as a person only interested in causing pain and suffering, the abducting parent commits one of the most unforgivable acts of all: the denial of a child to know the love of the other parent. The relationship between child and both parents is part of the child's identity. And it is this love to which the child has an inalienable right.

Unfortunately, the brainwashing committed by the abducting parent will include careful monitoring of all activities of the child, including any attempts to communicate with the other parent. In fact, it is not uncommon for an abducting parent to tell the child that their safety is at risk, and that if the other parent knows where they are, their safety could be in jeopardy. Furthermore, the abducting parent will weigh the child down with unremitting guilt if they go against any of their instructions, further compromising the emotional stability of the child. In many cases, the child is made to think that it is their responsibility to protect the abducting parent, which contributes to the vilification of the victimized parent.

All of this feed into the position that the abducting parent must take to mount a defense in Hague cases.

Under *Article 13, Section (b)* of The Hague Convention On The Civil Aspects Of International Child Abduction, the

law reads as follows:

*Notwithstanding the provisions of the preceding Article, the judicial or administrative authority of the requested State is not bound to order the return of the child if the person, institution or other body which opposes its return establishes that – (b) there is a grave risk that his or her return would expose the child to physical or psychological harm or otherwise place the child in an intolerable situation.*

*The judicial or administrative authority may also refuse to order the return of the child if it finds that the child objects to being returned and has attained an age and degree of maturity at which it is appropriate to take account of its views.*

*In considering the circumstances referred to in this Article, the judicial and administrative authorities shall take into account the information relating to the social background of the child provided the Central Authority or other competent authority of the child's habitual residence.*

In every case where an abducting parent chooses to defend the action taken by a Chasing Parent in the international court via a Hague Petition (if the country of origin and the destination country are signatories of the treaty), they will cite the defense mantra of Article 13, Section (b).

Under the 'Grave Risk' clause, a common tactic that an abducting parent and their lawyers will use is an attempt to portray in court the feelings of distress and fear that the child will have if the court issues a return order to the country of original jurisdiction. In order to support the claim of grave risk to the child, the abducting parent will usually wage a vicious mud-slinging campaign targeting the Chasing Parent. In addition, the abducting parent (who typically has had ample time to brainwash the child on

what to say and how to act), will request the court to consider the child's feelings about being returned. In most cases, they will ask for the child to appear before the court (not to mention bringing in a hired expert who will provide testimony that the child does not want to be returned, and that the child is frightened of the other petitioning parent) so that the child can share with the court the newly (and falsely) created feelings of fear, anger, and other negative feelings toward the targeted parent.

Without understanding the strategy of the abducting parent, the Chasing Parent will use a misguided approach and mount a legal argument strictly focused on the custody rights previously issued by the court of the child's habitual residence. In your legal argument to the court, there is ample room for you to address your loving relationship with your child, and by demonstrating that love, you will have an opportunity to prove the serious abuse that the obsessive alienating abducting parent has directed toward your child.

In the end, Parental Alienation is a series of crimes perpetrated on the child. According to many studies, the degree of separation between men and women committing this cruel act is essentially equal. For any parent, guardian, or de facto guardian to attempt to manipulate the feelings of a child is to do the unthinkable; to destroy the innocence of a child. This said; if you are a parent or guardian who is presently seeking to remain in a foreign country with your child *PLEASE* refrain from using your child in your legal strategy. Do not speak badly or try and isolate the other parent because in the end, what you are doing is creating both short-term and long-term hardships for your child.

For anyone who thinks that the international parental abduction of a child is a minor matter closer to a child custody issue than the criminal act, the federal law titled *The International Parental Kidnapping Crime Act*

*(IPKCA) of 1993* makes it very clear that international parental child abduction is a serious and dangerous crime. Additionally, the federal *Unlawful Flight to Avoid Prosecution (UFAP)—Parental Kidnapping* was created to allow for the federal law enforcement to aid local and state law enforcement when state criminal charges are filed against an abducting parent (each state has criminal laws regarding parental child abduction).

What I learned from my experience in dealing with this situation while I was seeking to reunite with my child was to always show unconditional gentle love. It was also paramount that I refrain from speaking poorly about my child's other parent. If I did so, I knew I would be acting abusively, and the only thing I wanted was to love my child and end the storms that surrounded our lives.

But Chasing Parent's should know something. Children are resilient. Much more than we give them credit for. I remember when I was reunited with my child, one of the first things that I was told was that I was loved and missed deeply . . . and my child knew I "would never give up trying to bring us together."

## POST-REUNIFICATION

### Parenting In A Post-Child Abduction Environment

By

Peter Thomas Senese

*For the vast majority of targeted parents who have successfully reunited with their abducted child, dealing with post-reunification issues is a great challenge. On one hand, a parent must be mindful that what they fought for was the right of the child to know the love of both parents. Unfortunately, the mental health of an abducting parent has generally often been cited by leading mental health experts as sociopathic – and is exemplified by the crimes the abductor has committed against the child, including the act of international kidnapping (a state and federal crime in all U.S. jurisdictions), child abuse and child neglect, and typically a wave of acts of perjury and contempt of court – to begin!*

*In reality, the vast majority of targeted parents who reunite with their child will not know peace from the other parent. This is especially true when considering that the act of international parental child abduction itself usually is an act to cause harm to the targeted parent by denying that parent their right to the child of the partnership. When considering the fact that the abductor was found guilty of abduction by a court such as the international courts under the Hague Convention, the now-convicted abductor will usually take an even more aggressive role in causing injury to the targeted parent.*

There are no unilateral procedures on how to advise on a child's re-entry into their community post-parental

abduction. Truth is, there are no easy solutions; however, there is one goal: to be able to allow your innocent child to, well, is a child.

Clearly, each international abduction case is remarkably unique regardless of the common elements that may be attributed to these types of cases and the individuals that commit these crimes.

Additionally, in situations where there existed no acts of abuse, why and how do you allow and facilitate an abducting parent who committed the horrendous criminal act of abduction against your child back into both of your lives? And how do you actually deal with a person who more than likely did everything possible to slander your name and your reputation in order to stage a defense against their criminal act of international child abduction? Further, if you agree to do so, then in what capacity?

Unquestionably, there is great risk involved.

On one hand your greatest responsibility, as a parent is to ensure your child's safety, which includes preventing any threat of abduction from occurring again. On the other hand, what you fought for when you recovered your child was for your child's rights to know the love of both parents in an environment that empowers their sense of identity. And on top of all of this is the reality that you, a successful Chasing Parent, must deal with the very real possibility that your former spouse still may be very bitter and resentful toward you; there does exist the possibility that this person may attempt to cause you harm whenever the opportunity arises. In between the lines trying to determine your child's best interests are the judges, mediators, and policymakers.

Did I mention that none of this is easy?

In writing this article, I thought perhaps parents might find some useful straight-talk that may benefit your child's short-term and long-term happiness and stability.

Now, first let me say that I am fully aware that not every situation will or should call or allow for both parents to be a part of a child's life. When there exists grave concerns of a re-abduction or any other type of danger, then it is critical to protect your child from that danger, and any notion of dual-parental re-entry should be avoided at all costs. In cases where there is great concern and mistrust, mediation can provide much needed intervention – ideally there should not be one single child that should have to endure a parental abduction.

If it is realistically safe for you and your child to allow a post-abducting parent who is desirous and capable of re-entering your lives to do so, and you wish to support your child having both parents in their life, then your decision to travel down the path of careful reconciliation in the name of your child -may be a very wise one. It is here, in a structured re-entry, that hope exists. The trauma your child experienced during their abduction can eventually fade, with professional intervention and healing. These, children can have a normal life filled with magic and wonderment may be obtained. Surely, this is what you desire: a magical harmonious life for your child. Again, it is not going to be easy, and there are many situations where one parent's re-entry will cause more damage than good. Perhaps these discussions can begin to take place with a professional mediator, who has experience and knowledge in the area.

Be forewarned: do not act blindly and do not forget the past events; make sure that if you allow re-entry to occur, that every step is made to remove any form of re-abduction or abuse. All jurisdictional legalities should be first addressed and you should carefully craft any Access Orders before the

children leave the jurisdiction. Once these steps are taken, the custodial parent can begin to encourage the child to have access with the abducting parent.

Dialogue and visits with the abducting parent can assist the child and fully allow for the healing process to continue. This can empower the child, which in the long term will help their growth and development. After all, we do not want our children to take on the role of a victim but the role of a survivor. This will strengthen their spirit and empower them, teaching them the future does not have to be like the past.

I imagine you might be wondering why I think I have some authority to write this article. Well, the answer is simple: I am a Chasing Parent who successfully recovered, reunited, and re-entered my community with my son, and along the way, have created an environment that has made it possible for him to receive and understand the love of both of his parents. Openly, it is not easy, and I do live with daily concern that my former spouse may attempt to hurt me if ever given the opportunity.

It is a risk that I have presently decided to take for my son's sake.

You may take what you want from what I share, but I thought certain individuals might benefit from the lessons I have learned personally and also educated on by other Chasing Parents who have previously addressed the issue of re-entry.

Before I go any further, I want to reinforce my position that I strongly support the full and complete enforcement of all criminal laws created to prevent parental child abduction in all forms and arenas.

When one parent chooses to deny a child their rights to the other parent by breaking the laws that govern their child's welfare, purposefully removing or detaining their child from the country of origin in a foreign country without consent of the other parent, this cruel criminal act of kidnapping places the child, along with all other parties, in a position of grave and severe risk. I also believe that our court system and the lack of knowledge and education by judges in the area of international custodial jurisdiction is a significant reason why there are so many international child abduction cases. Our legal system does not work the way it has the potential to. What I mean by 'our legal system' are the courts, generally, worldwide, and how they handle both incoming and outgoing international child abduction cases. Training and research in this area can bring about immediate and much needed change. An un-informed and uneducated judicial system plays a heavy role in the cruelty our children face, and there are many other problems that must be addressed, however prevention must first start with creating a highly trained judicial system supported with heavy research and people with hands on experience. One highly regarded suggestion with respect to overhauling the legal system is for nations to form a body of judges and mediators solely trained to serve in a "Parental Abduction Tribunal Unit". This tribunal would consist of judges, mediators and helping professionals aimed to address and handle parental abduction cases. This Unit would be responsible for hearing international child abduction cases. This idea has been borne from the United Kingdom; the only country that has highly informed and trained judges overseeing international child abduction legal proceedings and has been very affective.

Back to re-entry post child abduction ... here are some suggestions I have implemented that appear to be working for my child. None of them have been easy to do, but due to these efforts, my child lives in a worry-free, safe

environment filled with the love of both of his parents.

### **1. Lose the ego.**

Let's be frank about certain realities. First, you probably do not like or trust the other parent; and obviously for good reason - you were forced into the deadliest of storms by the act of utter abuse - the abduction of your child. You may still view your child's other parent as your enemy, and you may still have great fear of that person's capability, however, your child probably doesn't view that parent as their enemy, and if they do, then you better stop whatever you're doing and help change this perspective because it will cripple any sense of security and identity she/he may have. What you need to know is your child needs you both as parents to stop being enemies. In order to do that, you both need to take a giant step forward and lose your egos. This doesn't mean you need to be that person's friend, but you need to compartmentalize certain parts of your painful history with that person in the name of the best interest of your child.

### **2. Forgiveness.**

After you decide that you're going to do your best to lose your ego and compartmentalize your anger, the next critical step in being able to facilitate your child's re-entry is probably the most difficult of all things you will be required to do: the act of forgiveness. Okay, now trust me; I know how hard this issue is. That is why you need to first lose your ego. Once you've tossed it, remember these words: Your child needs you to act in forgiveness. If you fail to do so, then you are creating an environment filled with hostility and fear, which will cause potentially irreparable and severe psychological damage to your innocent child. So if you want your child to grow up a mess, then hold onto the anger and the hatred. Alternatively, you can set an example for your child that will be one of the greatest gifts you can ever share: teach

the powerful act of forgiveness.

### **3. Create an open environment of expression.**

Regardless of whether you want to believe it or not, once a child is wrongfully removed or detained by one parent from the other, the child lives in a perpetual state of fear and worry. This precludes them from being able to share openly their feelings or emotions. In every conceivable way, your child previously lived in a psychological prison where true freedom of expression caused great anxiety. Whilst held in this state and with each passing day, a part of their spirit died. You do not want to create another spiritual prison! Critically, you must create a nurturing and free environment that fosters open communication filled with empowering support and understanding of your child's desires, concerns and views. To put it bluntly, you need to allow your child to feel safe and unencumbered in being able to talk about anything they desire without concern of a backlash or retribution in the event you disagree with their views. Similarly, your child may desire to bring up a subject (such as the other parent) that you may not want to speak about. Remember, the more open and supportive you are of your child's views and perspectives, the more trust you will build. Trusting is everything.

### **4. Trust.**

Probably the most difficult of all the things an abducted child must learn to live with is the task of determining how to live with a lack of trust created by their abduction experience. Trust needs to be rebuilt for your child, regardless of your perspective on what occurred and who is responsible. Remember, from your child's perspective, the system that they counted on; the love and support of both mother and father, failed. Right now is probably a good time to remind you of the first golden-rule: get rid of your ego. The only perspective that really matters is the view of your child, and clearly, your child's trust was breached. So,

a few suggestions for you to consider to restore trust include doing what you say you're going to do; never speak poorly about your child's other parent; never discard or hinder your child's right to the other parent; reinforce the idea your child was not responsible for the trauma that has occurred; make sure you actively reintroduce you child to the community that is part of their identity; and finally, tell the truth.

### **5. Family.**

Remember your child's family includes the both of you. In being significant parts of your child's family, both parents may provide critical components of your child's identity (I am aware that this is not always the case, and there are individuals out there who should never have been parents in the first place). What you need to guard against is creating a platform where your child's identity is associated with anger and hatred. Isn't it better, in the very least, to have cooperative distance? If that is the case, then perhaps the most helpful idea I can provide is this: don't go out of your way to hurt or be unfair to the other parent when it comes to their interaction with your child. If you do, what you're really doing in the end is punishing your child.

### **6. A safe place to disagree.**

There are going to be times when the two of you will not agree on certain issues. What you need to do when this occurs is to remember not to talk poorly about the other parent in front of your child, and, make sure that there is a mechanism (perhaps mediation) in place that can assist each of you through difficult issues.

### **7. Follow the law.**

With everything that you do, make sure that you follow the laws of custody you are governed by.

### **8. Be demonstrative.**

Hugs and kisses and the words "I love you" are just as important to your child as you being an active part of their day-to-day life. So, take an interest in what your child is doing, participate in those interests as much as you can and remember, when you do, a hug and a kiss followed by the words such as "I love you" or "I am so proud of you" will mean a great deal to your child long after they have grown into adulthood.

### **9. When in doubt, act on the side of caution.**

As a Chasing Parent, you and your child would not be in the position you are in unless a well-orchestrated conspiracy to abduct your child was not carried out by the other parent. Do not forget how clever that plan was and how you were perhaps caught off guard. One simple rule to live by: if something doesn't seem right, it probably is not. If that is the case, act with great caution and always ask the advice of a good lawyer familiar with international child abduction jurisdiction law on how to act. If you can't afford a lawyer any longer, there are plenty of smart individuals that work in the trenches of international child abduction that can give you some insight based upon their own experiences ... they are called 'Chasing Parents'.

### **10. Let your child be a child.**

Remember your child has the right to be a child.

### **11. Be ready for an attack.**

The reality of an abducting parent's situation once they are ordered home is that these individuals are typically angry, bitter, and hostile. In addition, there has been much said about the fact that in the vast majority of cases, abducting parents do have serious mental problems. So, you must remember that there is a chance that revenge and the desire to cause the Chasing Parent left behind in the wake of an international child abduction - which is cited by most

leading authorities as the primary reason why a parent abducts their child - may now exist in a post-reunification world even more than during the time your child was stolen.

I know - none of this is easy!

Now that you've read a few of my suggestions, you might think I must have fallen on my head a few times. Perhaps, you're thinking that what I am suggesting is to have you forget whatever happened in the past or it does not matter. Well, I'm not saying those things at all. What I am suggesting is that you need to look at things from your child's perspective, needs, and best interests (both short-term and long-term). In order to do so, anger and resentment fueled by ego, pain and fear must be compartmentalized, not discarded. In its place must be an enforceable set of expectations and boundaries that both parents are accountable to uphold in the name of your child. And you must be mindful that revenge and anger probably still exists.

There are a few simple things that some parents have found to be effective tools in helping children heal from a parental abduction. Allow your child time to play, laugh and sing. You might want to join them too. This too, is very therapeutic.

In reality, international parental child abduction remains very easy to accomplish due to failures by judges to realize that their court orders mean very little if anything at all once a child is removed to another country, and, the incomprehensible failure by police-keeping officers to uphold the laws of the courts with respect to a child's rights of access, visitation, and custody of one of their parents.

I also want to be very specific and state that this act is a grave crime against children. Unfortunately, many

abducting parents do not fear criminal prosecution while planning and implementing their criminal conspiracy (I know of no act of parental child abduction whereas the abducting parent did not breach numerous criminal codes or rules of court). Clearly, a collective effort by highly educated judges willing and able to enforce the laws they are duty-bound to oversee will significantly reduce the number of planned or actual abductions.

Ultimately, your child needs a loving, safe environment that allows them to be a child. What your child needs is to trust again while embracing love without fear of retribution. Remember, nobody said any of this is going to be easy, however, if you're in a position to think about the issues I have brought up, there is a good chance the difficult part of the journey you, your child, and the abducting parent have traveled on may be over . . . but that depends on how you both as parents interact with one another.

The level or degree of dysfunction, the threat of re-abduction, awareness, legal prevention established to prevent another abduction from occurring, self reflection on the choice and consequences to allow or not to allow the abducting parent re-entry, are all issues that must be considered. This, re-entry, will impact the child and parent and are all variables that must be discussed, especially when dealing with mental illness. However, issues will surface for a child when the abducting parent is capable of having a loving bond and this, is taken away forever from a child. When children are not allowed or forbidden to have any access or visits after re-entry with the abducting parent this can also hinder the child's development. In the same manner, when abducted children are forced to return to re-visit an abducting parent via a Court Order, before a healing period, this too can have long term consequences on the children as it prolongs and continues the abuse. The

justice system is not fair however; parents can choose to practice fairness as this is in the best interests of their children.

One last piece of advice: keep your eyes open at all times, whilst creating the best possible open, loving and supportive environment of your child. Remember, there was a time when you may have thought you would never see your child again, so make sure you celebrate each day.

# **International Parental Child Abduction Prevention:**

## **Preparing Your Child**

**By**

**Peter Thomas Senese**

*Having to prepare your child in the event of a dire situation such as their abduction is difficult on both the child and parent. However, it is the responsibility of all parents to prepare their child or children for various situations that they may face during their life. The following suggestions might be helpful for parents who face the threat of having their child abducted and wrongfully retained by a spouse or former spouse.*

1. Parental and Non-parental child abduction is a growing and real threat to children everywhere. Make sure to speak openly and carefully to your child about child abduction and other forms of abuse, including any communication with strangers (in person or on the Internet).
2. Make sure that your child knows your home phone number, your cell phone number, and your office phone number. Make sure that there are no incoming collect-call restrictions placed on your lines, including calls from overseas. If financially possible, install a toll-free number in your home that can be forwarded to wherever you are - and make sure your child has memorized that number.
3. Make sure that your child has an email account, knows how to operate email, and knows and has saved your email address.
4. Make sure your child knows the contact phone

number of at least one other family relative biologically related to you (such as one of your siblings, parents, of close friends) in the event they need to reach you and are unable to.

5. Make sure your child understands that in the event that are taken, to call for help in public places filled with other people.

6. Create a child identification kit that includes updated clear photographs, foot and fingerprints, birth certificate, medical history, passport, dental records, X-rays, child's name and description including location of scars, birthmarks and any other identifiable data (glasses, braces, earrings, etc.). Try to keep recent video of your child.

7. Provide your child with a cell phone without any international restrictions.

8. Openly talk to your child, and explain that if he or she is ever about to board an airplane without you speaking about their trip first, that they must under all circumstances demand from the other parent to speak with you. Make sure that they understand that if the other parent does not allow them to do this, they are to tell any authority figure, including a flight attendant, that they are traveling without their other parent knowing - and that they need help. This is one of the more difficult tasks you will need to discuss with your child; however, it is critically important.

## **ABDUCTION AND THE HOLIDAYS**

### **Being Alienated From Your Child During The Holidays**

#### **KNOW HOPE**

**By**

**Peter Thomas Senese**

As the Holiday Season is upon us, I would like to share how difficult this time of the year is for many parents alienated from or searching for their missing or abducted children. I know this first-hand because for many years my child was used as a pawn by his other parent, particularly during this time of year, in order to cause me great pain and suffering - and that was before he was criminally abducted and taken onto a multiple-country international parental child abduction odyssey to which I successfully defended in accordance to international law under the Hague Convention. It was through my indefatigable efforts and God's blessings that today my son is safely home. Our reunification, similar to many isolated parents still alienated from their children today, was not easy.

The Christmas Holiday Season was the worst – though all holidays were nearly as awful– because my son was gone, alienated from me, emotionally, spiritually, and physically imprisoned from freely knowing the love I held for him. His captor? His other parent. I am a man strong enough to share with you that there were many days and many nights that I cried myself to sleep. Christmas? Humbug!

I know that the strong feelings of depression and sadness I once felt while my child was gone are feelings all parents today who are alienated from their children feel.

Perhaps Christmas Eve was both the hardest night and also the most comforting of the days. I so desired to celebrate the anticipation of Santa with my son – but all I could do is hope that he was safe and that he knew I loved him and was doing everything I could to reunite with him. On Christmas Eve ... I spent so much of my time outside looking out at the twinkling sky while talking to my son – hoping that my voice would somehow be heard no matter where he was on earth, and that he knew I loved him. I am sure many alienated parents know exactly what I am talking about.

In time, and after successfully Chasing The Cyclone of international child abduction, I was able to hold my son in my arms. As tears ran down my face, I told my son how much I loved him and asked him if he was okay? His reply? “Father, I’m okay because I knew you were coming for me and that you love me.”

If you are a parent alienated from your child or children, I want you to know I understand how painful this time of year may be for you. And as much as I realize how unique each of our experiences are, there is one thing we share in common: our children are resilient – Know Hope – Embrace Faith – Trust God – and no matter where you are, Talk To Your Children. There is a good chance they are actually listening to you and talking back to you.

# **The Hague Convention On The Civil Aspects Of International Child Abduction.**

## **CONVENTION ON THE CIVIL ASPECTS OF INTERNATIONAL CHILD ABDUCTION**

(Concluded 25 October 1980)

(Entered into force 1 December 1983)

The States signatory to the present Convention,

Firmly convinced that the interests of children are of paramount importance in matters relating to their custody,

Desiring to protect children internationally from the harmful effects of their wrongful removal or retention and to establish procedures to ensure their prompt return to the State of their habitual residence, as well as to secure protection for rights of access,

Have resolved to conclude a Convention to this effect, and have agreed upon the following provisions –

### **CHAPTER I – SCOPE OF THE CONVENTION**

#### **Article 1**

The objects of the present Convention are –

- a) to secure the prompt return of children wrongfully removed to or retained in any Contracting State; and
- b) to ensure that rights of custody and of access under the law of one Contracting State are effectively respected in the other Contracting States.

#### **Article 2**

Contracting States shall take all appropriate measures to secure

within their territories the implementation of the objects of the Convention. For this purpose they shall use the most expeditious procedures available.

### Article 3

The removal or the retention of a child is to be considered wrongful where –

- a) It is in breach of rights of custody attributed to a person, an institution or any other body, either jointly or alone, under the law of the State in which the child was habitually resident immediately before the removal or retention; and
- b) At the time of removal or retention those rights were actually exercised, either jointly or alone, or would have been so exercised but for the removal or retention.

The rights of custody mentioned in sub-paragraph a) above, may arise in particular by operation of law or by reason of a judicial or administrative decision, or by reason of an agreement having legal effect under the law of that State.

### Article 4

The Convention shall apply to any child who was habitually resident in a Contracting State immediately before any breach of custody or access rights. The Convention shall cease to apply when the child attains the age of 16 years.

### Article 5

For the purposes of this Convention –

- a) "Rights of custody" shall include rights relating to the care of the person of the child and, in particular, the right to determine the child's place of residence;
- b) "Rights of access" shall include the right to take a child for a limited period of time to a place other than the child's habitual residence.

## CHAPTER II – CENTRAL AUTHORITIES

### Article 6

A Contracting State shall designate a Central Authority to discharge the duties that are imposed by the Convention upon such authorities.

Federal States, States with more than one system of law or States having autonomous territorial organizations shall be free to appoint more than one Central Authority and to specify the territorial extent of their powers. Where a State has appointed more than one Central Authority, it shall designate the Central Authority to which applications may be addressed for transmission to the appropriate Central Authority within that State.

### Article 7

Central Authorities shall co-operate with each other and promote co-operation amongst the competent authorities in their respective State to secure the prompt return of children and to achieve the other objects of this Convention.

In particular, either directly or through any intermediary, they shall take all appropriate measures –

- a) To discover the whereabouts of a child who has been wrongfully removed or retained;
- b) To prevent further harm to the child or prejudice to interested parties by taking or causing to be taken provisional measures;
- c) To secure the voluntary return of the child or to bring about an amicable resolution of the issues;
- d) To exchange, where desirable, information relating to the social background of the child;
- e) To provide information of a general character as to the law of

their State in connection with the application of the Convention;

f) To initiate or facilitate the institution of judicial or administrative proceedings with a view to obtaining the return of the child and, in a proper case, to make arrangements for organizing or securing the effective exercise of rights of access;

g) Where the circumstances so require, providing or facilitating the provision of legal aid and advice, including the participation of legal counsel and advisers;

h) To provide such administrative arrangements as may be necessary and appropriate to secure the safe return of the child;

i) to keep each other informed with respect to the operation of this Convention and, as far as possible, to eliminate any obstacles to its application.

### CHAPTER III – RETURN OF CHILDREN

#### Article 8

Any person, institution or other body claiming that a child has been removed or retained in breach of custody rights may apply either to the Central Authority of the child's habitual residence or to the Central Authority of any other Contracting State for assistance in securing the return of the child.

The application shall contain –

a) information concerning the identity of the applicant, of the child and of the person alleged to have removed or retained the child;

b) where available, the date of birth of the child;

c) the grounds on which the applicant's claim for return of the child is based;

d) all available information relating to the whereabouts of the child and the identity of the person with whom the child is

presumed to be.

The application may be accompanied or supplemented by –

- e) an authenticated copy of any relevant decision or agreement;
- f) a certificate or an affidavit emanating from a Central Authority, or other competent authority of the State of the child's habitual residence, or from a qualified person, concerning the relevant law of that State;
- g) any other relevant document.

#### Article 9

If the Central Authority, which receives an application referred to in Article 8, has reason to believe that the child is in another Contracting State, it shall directly and without delay transmit the application to the Central Authority of that Contracting State and inform the requesting Central Authority, or the applicant, as the case may be

#### Article 10

The Central Authority of the State where the child is shall take or cause to be taken all appropriate measures in order to obtain the voluntary return of the child.

#### Article 11

The judicial or administrative authorities of Contracting States shall act expeditiously in proceedings for the return of children.

If the judicial or administrative authority concerned has not reached a decision within six weeks from the date of commencement of the proceedings, the applicant or the Central Authority of the requested State, on its own initiative or if asked by the Central Authority of the requesting State, shall have the right to request a statement of the reasons for the delay. If the Central Authority of the requested State receives a reply, that Authority shall transmit the reply to the Central Authority of the

requesting State, or to the applicant, as the case may be.

## Article 12

Where a child has been wrongfully removed or retained in terms of Article 3 and, at the date of the commencement of the proceedings before the judicial or administrative authority of the Contracting State where the child is, a period of less than one year has elapsed from the date of the wrongful removal or retention, the authority concerned shall order the return of the child forthwith.

The judicial or administrative authority, even where the proceedings have been commenced after the expiration of the period of one year referred to in the preceding paragraph, shall also order the return of the child, unless it is demonstrated that the child is now settled in its new environment.

Where the judicial or administrative authority in the requested State has reason to believe that the child has been taken to another State, it may stay the proceedings or dismiss the application for the return of the child.

## Article 13

Notwithstanding the provisions of the preceding Article, the judicial or administrative authority of the requested State is not bound to order the return of the child if the person, institution or other body which opposes its return establishes that –

- a) The person, institution or other body having the care of the person of the child was not actually exercising the custody rights at the time of removal or retention, or had consented to or subsequently acquiesced in the removal or retention; or
- b) There is a grave risk that his or her return would expose the child to physical or psychological harm or otherwise place the child in an intolerable situation.

The judicial or administrative authority may also refuse to order the return of the child if it finds that the child objects to being

returned and has attained an age and degree of maturity at which it is appropriate to take account of its views.

In considering the circumstances referred to in this Article, the judicial and administrative authorities shall take into account the information relating to the social background of the child provided by the Central Authority or other competent authority of the child's habitual residence.

#### Article 14

In ascertaining whether there has been a wrongful removal or retention within the meaning of Article 3, the judicial or administrative authorities of the requested State may take notice directly of the law of, and of judicial or administrative decisions, formally recognized or not in the State of the habitual residence of the child, without recourse to the specific procedures for the proof of that law or for the recognition of foreign decisions which would otherwise be applicable.

#### Article 15

The judicial or administrative authorities of a Contracting State may, prior to the making of an order for the return of the child, request that the applicant obtain from the authorities of the State of the habitual residence of the child a decision or other determination that the removal or retention was wrongful within the meaning of Article 3 of the Convention, where such a decision or determination may be obtained in that State. The Central Authorities of the Contracting States shall so far as practicable assist applicants to obtain such a decision or determination.

#### Article 16

After receiving notice of a wrongful removal or retention of a child in the sense of Article 3, the judicial or administrative authorities of the Contracting State to which the child has been removed or in which it has been retained shall not decide on the

merits of rights of custody until it has been determined that the child is not to be returned under this Convention or unless an application under this Convention is not lodged within a reasonable time following receipt of the notice.

#### Article 17

The sole fact that a decision relating to custody has been given in or is entitled to recognition in the requested State shall not be a ground for refusing to return a child under this Convention, but the judicial or administrative authorities of the requested State may take account of the reasons for that decision in applying this Convention.

#### Article 18

The provisions of this Chapter do not limit the power of a judicial or administrative authority to order the return of the child at any time.

#### Article 19

A decision under this Convention concerning the return of the child shall not be taken to be a determination on the merits of any custody issue.

#### Article 20

The return of the child under the provisions of Article 12 may be refused if this would not be permitted by the fundamental principles of the requested State relating to the protection of human rights and fundamental freedoms.

### CHAPTER IV – RIGHTS OF ACCESS

#### Article 21

An application to make arrangements for organizing or securing the effective exercise of rights of access may be presented to the Central Authorities of the Contracting States in the same way as

an application for the return of a child.

The Central Authorities are bound by the obligations of cooperation which are set forth in Article 7 to promote the peaceful enjoyment of access rights and the fulfillment of any conditions to which the exercise of those rights may be subject. The Central Authorities shall take steps to remove, as far as possible, all obstacles to the exercise of such rights.

The Central Authorities, either directly or through intermediaries, may initiate or assist in the institution of proceedings with a view to organizing or protecting these rights and securing respect for the conditions to which the exercise of these rights may be subject.

## CHAPTER V – GENERAL PROVISIONS

### Article 22

No security, bond or deposit, however described, shall be required to guarantee the payment of costs and expenses in the judicial or administrative proceedings falling within the scope of this Convention.

### Article 23

No legalization or similar formality may be required in the context of this Convention.

### Article 24

Any application, communication or other document sent to the Central Authority of the requested State shall be in the original language, and shall be accompanied by a translation into the official language or one of the official languages of the requested State or, where that is not feasible, a translation into French or English.

However, a Contracting State may, by making a reservation in accordance with Article 42, object to the use of either French or English, but not both, in any application, communication or other

document sent to its Central Authority.

#### Article 25

Nationals of the Contracting States and persons who are habitually resident within those States shall be entitled in matters concerned with the application of this Convention to legal aid and advice in any other Contracting State on the same conditions as if they themselves were nationals of and habitually resident in that State.

#### Article 26

Each Central Authority shall bear its own costs in applying this Convention.

Central Authorities and other public services of Contracting States shall not impose any charges in relation to applications submitted under this Convention. In particular, they may not require any payment from the applicant towards the costs and expenses of the proceedings or, where applicable, those arising from the participation of legal counsel or advisers. However, they may require the payment of the expenses incurred or to be incurred in implementing the return of the child.

However, a Contracting State may, by making a reservation in accordance with Article 42, declare that it shall not be bound to assume any costs referred to in the preceding paragraph resulting from the participation of legal counsel or advisers or from court proceedings, except insofar as those costs may be covered by its system of legal aid and advice.

Upon ordering the return of a child or issuing an order concerning rights of access under this Convention, the judicial or administrative authorities may, where appropriate, direct the person who removed or retained the child, or who prevented the exercise of rights of access, to pay necessary expenses incurred by or on behalf of the applicant, including travel expenses, any costs incurred or payments made for locating the child, the costs of legal representation of the applicant, and those of returning the child.

## Article 27

When it is manifest that the requirements of this Convention are not fulfilled or that the application is otherwise not well founded, a Central Authority is not bound to accept the application. In that case, the Central Authority shall forthwith inform the applicant or the Central Authority through which the application was submitted, as the case may be, of its reasons.

## Article 28

A Central Authority may require that the application be accompanied by a written authorization empowering it to act on behalf of the applicant, or to designate a representative so to act.

## Article 29

This Convention shall not preclude any person, institution or body who claims that there has been a breach of custody or access rights within the meaning of Article 3 or 21 from applying directly to the judicial or administrative authorities of a Contracting State, whether or not under the provisions of this Convention.

## Article 30

Any application submitted to the Central Authorities or directly to the judicial or administrative authorities of a Contracting State in accordance with the terms of this Convention, together with documents and any other information appended thereto or provided by a Central Authority, shall be admissible in the courts or administrative authorities of the Contracting States.

## Article 31

In relation to a State which in matters of custody of children has two or more systems of law applicable in different territorial units –

a) Any reference to habitual residence in that State shall be

construed as referring to habitual residence in a territorial unit of that State;

b) Any reference to the law of the State of habitual residence shall be construed as referring to the law of the territorial unit in that State where the child habitually resides.

#### Article 32

In relation to a State, which in matters of custody of children has two or more systems of law applicable to different categories of persons, any reference to the law of that State shall be construed as referring to the legal system specified by the law of that State.

#### Article 33

A State within which different territorial units have their own rules of law in respect of custody of children shall not be bound to apply this Convention where a State with a unified system of law would not be bound to do so.

#### Article 34

This Convention shall take priority in matters within its scope over the Convention of 5 October 1961 concerning the powers of authorities and the law applicable in respect of the protection of minors, as between parties to both Conventions. Otherwise the present Convention shall not restrict the application of an international instrument in force between the State of origin and the State addressed or other law of the State addressed for the purposes of obtaining the return of a child who has been wrongfully removed or retained or of organizing access rights.

#### Article 35

This Convention shall apply as between Contracting States only to wrongful removals or retentions occurring after its entry into force in those States.

Where a declaration has been made under Article 39 or 40, the reference in the preceding paragraph to a Contracting State shall

be taken to refer to the territorial unit or units in relation to which this Convention applies.

#### Article 36

Nothing in this Convention shall prevent two or more Contracting States, in order to limit the restrictions to which the return of the child may be subject, from agreeing among themselves to derogate from any provisions of this Convention, which may imply such a restriction.

### CHAPTER VI – FINAL CLAUSES

#### Article 37

The Convention shall be open for signature by the States which were Members of the Hague Conference on Private International Law at the time of its Fourteenth Session.

It shall be ratified, accepted or approved and the instruments of ratification, acceptance or approval shall be deposited with the Ministry of Foreign Affairs of the Kingdom of the Netherlands.

#### Article 38

Any other State may accede to the Convention.

The instrument of accession shall be deposited with the Ministry of Foreign Affairs of the Kingdom of the Netherlands.

The Convention shall enter into force for a State acceding to it on the first day of the third calendar month after the deposit of its instrument of accession.

The accession will have effect only as regards the relations between the acceding State and such Contracting States as will have declared their acceptance of the accession. Such a declaration will also have to be made by any Member State ratifying, accepting or approving the Convention after an accession. Such declaration shall be deposited at the Ministry of Foreign Affairs of the Kingdom of the Netherlands; this Ministry shall forward, through diplomatic channels, a certified copy to

each of the Contracting States.

The Convention will enter into force as between the acceding State and the State that has declared its acceptance of the accession on the first day of the third calendar month after the deposit of the declaration of acceptance.

#### Article 39

Any State may, at the time of signature, ratification, acceptance, approval or accession, declare that the Convention shall extend to all the territories for the international relations of which it is responsible, or to one or more of them. Such a declaration shall take effect at the time the Convention enters into force for that State.

Such declaration, as well as any subsequent extension, shall be notified to the Ministry of Foreign Affairs of the Kingdom of the Netherlands.

#### Article 40

If a Contracting State has two or more territorial units in which different systems of law are applicable in relation to matters dealt with in this Convention, it may at the time of signature, ratification, acceptance, approval or accession declare that this Convention shall extend to all its territorial units or only to one or more of them and may modify this declaration by submitting another declaration at any time.

Any such declaration shall be notified to the Ministry of Foreign Affairs of the Kingdom of the Netherlands and shall state expressly the territorial units to which the Convention applies.

#### Article 41

Where a Contracting State has a system of government under which executive, judicial and legislative powers are distributed between central and other authorities within that State, its signature or ratification, acceptance or approval of, or accession to this Convention, or its making of any declaration in terms of

Article 40 shall carry no implication as to the internal distribution of powers within that State.

#### Article 42

Any State may, not later than the time of ratification, acceptance, approval or accession, or at the time of making a declaration in terms of Article 39 or 40, make one or both of the reservations provided for in Article 24 and Article 26, third paragraph. No other reservation shall be permitted.

Any State may at any time withdraw a reservation it has made. The withdrawal shall be notified to the Ministry of Foreign Affairs of the Kingdom of the Netherlands.

The reservation shall cease to have effect on the first day of the third calendar month after the notification referred to in the preceding paragraph.

#### Article 43

The Convention shall enter into force on the first day of the third calendar month after the deposit of the third instrument of ratification, acceptance, approval or accession referred to in

#### Articles 37 and 38.

Thereafter the Convention shall enter into force –

(1) For each State ratifying, accepting, approving or acceding to it subsequently, on the first day of the third calendar month after the deposit of its instrument of ratification, acceptance, approval or accession;

(2) For any territory or territorial unit to which the Convention has been extended in conformity with Article 39 or 40, on the first day of the third calendar month after the notification referred to in that Article.

## Article 44

The Convention shall remain in force for five years from the date of its entry into force in accordance with the first paragraph of Article 43 even for States, which subsequently have ratified, accepted, approved it or acceded to it.

If there has been no denunciation, it shall be renewed tacitly every five years.

Any denunciation shall be notified to the Ministry of Foreign Affairs of the Kingdom of the Netherlands at least six months before the expiry of the five-year period. It may be limited to certain of the territories or territorial units to which the Convention applies.

The denunciation shall have effect only as regards the State, which has notified it. The Convention shall remain in force for the other Contracting States.

## Article 45

The Ministry of Foreign Affairs of the Kingdom of the Netherlands shall notify the States Members of the Conference, and the States, which have acceded in accordance with Article 38, of the following –

- (1) The signatures and ratifications, acceptances and approvals referred to in Article 37;
- (2) The accessions referred to in Article 38;
- (3) the date on which the Convention enters into force in accordance with Article 43;
- (4) The extensions referred to in Article 39;
- (5) The declarations referred to in Articles 38 and 40;
- (6) The reservations referred to in Article 24 and Article 26, third paragraph, and the withdrawals referred to in Article 42;

(7) The denunciations referred to in Article 44.

In witness whereof the undersigned, being duly authorized thereto, have signed this Convention.

Done at The Hague, on the 25th day of October, 1980, in the English and French languages, both texts being equally authentic, in a single copy which shall be deposited in the archives of the Government of the Kingdom of the Netherlands, and of which a certified copy shall be sent, through diplomatic channels, to each of the States Members of the Hague Conference on Private International Law at the date of its Fourteenth Session.

# Convention On The Rights Of The Child

**Adopted and opened for signature, ratification and accession by General Assembly resolution 44/25 of 20 November 1989**

**Entry into force 2 September 1990, in accordance with article 49**

## **Preamble**

The States Parties to the present Convention,

Considering that, in accordance with the principles proclaimed in the Charter of the United Nations, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Bearing in mind that the peoples of the United Nations have, in the Charter, reaffirmed their faith in fundamental human rights and in the dignity and worth of the human person, and have determined to promote social progress and better standards of life in larger freedom,

Recognizing that the United Nations has, in the Universal Declaration of Human Rights and in the International Covenants on Human Rights, proclaimed and agreed that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Recalling that, in the Universal Declaration of Human Rights, the United Nations has proclaimed that childhood is entitled to special care and assistance,

Convinced that the family, as the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community,

Recognizing that the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding,

Considering that the child should be fully prepared to live an individual life in society, and brought up in the spirit of the ideals proclaimed in the Charter of the United Nations, and in particular in the spirit of peace, dignity, tolerance, freedom, equality and solidarity,

Bearing in mind that the need to extend particular care to the child has been stated in the Geneva Declaration of the Rights of the Child of 1924 and in the Declaration of the Rights of the Child adopted by the General Assembly on 20 November 1959 and recognized in the Universal Declaration of Human Rights, in the International Covenant on Civil and Political Rights (in particular in articles 23 and 24), in the International Covenant on Economic, Social and Cultural Rights (in particular in article 10) and in the statutes and relevant instruments of specialized agencies and international organizations concerned with the welfare of children,

Bearing in mind that, as indicated in the Declaration of the Rights of the Child, "the child, by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection, before as well as after birth",

Recalling the provisions of the Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally; the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules); and the Declaration on the Protection of Women and Children in Emergency and Armed Conflict, Recognizing that, in all countries in the world, there are children living in exceptionally difficult conditions, and that such children need special consideration,

Taking due account of the importance of the traditions and cultural values of each people for the protection and harmonious

development of the child, Recognizing the importance of international co-operation for improving the living conditions of children in every country, in particular in the developing countries,

Have agreed as follows:

## **PART I**

### **Article 1**

For the purposes of the present Convention, a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.

### **Article 2**

1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, color, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.

2. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

### **Article 3**

1. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.

2. States Parties undertake to ensure the child such protection and care as is necessary for his or her well being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her, and, to this end, shall take all appropriate legislative and

administrative measures.

3. States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision.

#### **Article 4**

States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation.

#### **Article 5**

States Parties shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the present Convention.

#### **Article 6**

1. States Parties recognize that every child has the inherent right to life.
2. States Parties shall ensure to the maximum extent possible the survival and development of the child.

#### **Article 7**

1. The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a

nationality and, as far as possible, the right to know and be cared for by his or her parents.

2. States Parties shall ensure the implementation of these rights in accordance with their national law and their obligations under the relevant international instruments in this field, in particular where the child would otherwise be stateless.

#### **Article 8**

1. States Parties undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognized by law without unlawful interference.

2. Where a child is illegally deprived of some or all of the elements of his or her identity, States Parties shall provide appropriate assistance and protection, with a view to re-establishing speedily his or her identity.

#### **Article 9**

1. States Parties shall ensure that a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child. Such determination may be necessary in a particular case such as one involving abuse or neglect of the child by the parents, or one where the parents are living separately and a decision must be made as to the child's place of residence.

2. In any proceedings pursuant to paragraph 1 of the present article, all interested parties shall be given an opportunity to participate in the proceedings and make their views known.

3. States Parties shall respect the right of the child who is separated from one or both parents to maintain personal relations and direct contact with both parents on a regular basis, except if it is contrary to the child's best interests.

4. Where such separation results from any action initiated by a State Party, such as the detention, imprisonment, exile, deportation or death (including death arising from any cause while the person is in the custody of the State) of one or both parents or of the child, that State Party shall, upon request, provide the parents, the child or, if appropriate, another member of the family with the essential information concerning the whereabouts of the absent member(s) of the family unless the provision of the information would be detrimental to the well-being of the child. States Parties shall further ensure that the submission of such a request shall of itself entail no adverse consequences for the person(s) concerned.

#### **Article 10**

1. In accordance with the obligation of States Parties under article 9, paragraph 1, applications by a child or his or her parents to enter or leave a State Party for the purpose of family reunification shall be dealt with by States Parties in a positive, humane and expeditious manner. States Parties shall further ensure that the submission of such a request shall entail no adverse consequences for the applicants and for the members of their family.

2. A child whose parents reside in different States shall have the right to maintain on a regular basis, save in exceptional circumstances personal relations and direct contacts with both parents. Towards that end and in accordance with the obligation of States Parties under article 9, paragraph 1, States Parties shall respect the right of the child and his or her parents to leave any country, including their own, and to enter their own country. The right to leave any country shall be subject only to such restrictions as are prescribed by law and which are necessary to protect the national security, public order (order public), public health or morals or the rights and freedoms of others and are consistent with the other rights recognized in the present Convention.

#### **Article 11**

1. States Parties shall take measures to combat the illicit transfer

and non-return of children abroad.

2. To this end, States Parties shall promote the conclusion of bilateral or multilateral agreements or accession to existing agreements.

#### **Article 12**

1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

#### **Article 13**

1. The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.

2. The exercise of this right may be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:

(a) For respect of the rights or reputations of others; or

(b) For the protection of national security or of public order (order public), or of public health or morals.

#### **Article 14**

1. States Parties shall respect the right of the child to freedom of thought, conscience and religion.

2. States Parties shall respect the rights and duties of the parents and, when applicable, legal guardians, to provide direction to the child in the exercise of his or her right in a manner consistent with the evolving capacities of the child.

3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others.

#### **Article 15**

1. States Parties recognize the rights of the child to freedom of association and to freedom of peaceful assembly.

2. No restrictions may be placed on the exercise of these rights other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (order public), the protection of public health or morals or the protection of the rights and freedoms of others.

#### **Article 16**

1. No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, or correspondence, nor to unlawful attacks on his or her honor and reputation.

2. The child has the right to the protection of the law against such interference or attacks.

#### **Article 17**

States Parties recognize the important function performed by the mass media and shall ensure that the child has access to information and material from a diversity of national and international sources, especially those aimed at the promotion of his or her social, spiritual and moral well-being and physical and mental health.

To this end, States Parties shall:

- (a) Encourage the mass media to disseminate information and material of social and cultural benefit to the child and in accordance with the spirit of article 29;
- (b) Encourage international co-operation in the production, exchange and dissemination of such information and material from a diversity of cultural, national and international sources;
- (c) Encourage the production and dissemination of children's books;
- (d) Encourage the mass media to have particular regard to the linguistic needs of the child who belongs to a minority group or who is indigenous;
- (e) Encourage the development of appropriate guidelines for the protection of the child from information and material injurious to his or her well being, bearing in mind the provisions of articles 13 and 18.

#### **Article 18**

1. States Parties shall use their best efforts to ensure recognition of the principle that both parents have common responsibilities for the upbringing and development of the child. Parents or, as the case may be, legal guardians, have the primary responsibility for the upbringing and development of the child. The best interests of the child will be their basic concern.

2. For the purpose of guaranteeing and promoting the rights set forth in the present Convention, States Parties shall render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities and shall ensure the development of institutions, facilities and services for the care of children.

3. States Parties shall take all appropriate measures to ensure that children of working parents have the right to benefit from child-care services and facilities for which they are eligible.

#### **Article 19**

1. States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

2. Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.

#### **Article 20**

1. A child temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State.

2. States Parties shall in accordance with their national laws ensure alternative care for such a child.

3. Such care could include, inter alia, foster placement, kafalah of Islamic law, adoption or if necessary placement in suitable institutions for the care of children. When considering solutions, due regard shall be paid to the desirability of continuity in a child's upbringing and to the child's ethnic, religious, cultural and linguistic background.

#### **Article 21**

States Parties that recognize and/or permit the system of adoption shall ensure that the best interests of the child shall be the paramount consideration and they shall:

(a) Ensure that the adoption of a child is authorized only by competent authorities who determine, in accordance with applicable law and procedures and on the basis of all pertinent and reliable information, that the adoption is permissible in view of the child's status concerning parents, relatives and legal guardians and that, if required, the persons concerned have given their informed consent to the adoption on the basis of such counseling as may be necessary;

(b) Recognize that inter-country adoption may be considered as an alternative means of child's care, if the child cannot be placed in a foster or an adoptive family or cannot in any suitable manner be cared for in the child's country of origin;

(c) Ensure that the child concerned by inter-country adoption enjoys safeguards and standards equivalent to those existing in the case of national adoption;

(d) Take all appropriate measures to ensure that, in inter-country adoption, the placement does not result in improper financial gain for those involved in it;

(e) Promote, where appropriate, the objectives of the present article by concluding bilateral or multilateral arrangements or agreements, and endeavor, within this framework, to ensure that the placement of the child in another country is carried out by competent authorities or organs.

## **Article 22**

1. States Parties shall take appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee in accordance with applicable international or domestic law and procedures shall, whether unaccompanied or accompanied by his or her parents or by any other person, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights set forth in the present Convention and in other international human rights or humanitarian instruments to which the said States are Parties.

2. For this purpose, States Parties shall provide, as they consider

appropriate, co-operation in any efforts by the United Nations and other competent intergovernmental organizations or non-governmental organizations co-operating with the United Nations to protect and assist such a child and to trace the parents or other members of the family of any refugee child in order to obtain information necessary for reunification with his or her family. In cases where no parents or other members of the family can be found, the child shall be accorded the same protection as any other child permanently or temporarily deprived of his or her family environment for any reason, as set forth in the present Convention.

#### **Article 23**

1. States Parties recognize that a mentally or physically disabled child should enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community.

2. States Parties recognize the right of the disabled child to special care and shall encourage and ensure the extension, subject to available resources, to the eligible child and those responsible for his or her care, of assistance for which application is made and which is appropriate to the child's condition and to the circumstances of the parents or others caring for the child.

3. Recognizing the special needs of a disabled child, assistance extended in accordance with paragraph 2 of the present article shall be provided free of charge, whenever possible, taking into account the financial resources of the parents or others caring for the child, and shall be designed to ensure that the disabled child has effective access to and receives education, training, health care services, rehabilitation services, preparation for employment and recreation opportunities in a manner conducive to the child's achieving the fullest possible social integration and individual development, including his or her cultural and spiritual development

4. States Parties shall promote, in the spirit of international cooperation, the exchange of appropriate information in the field

of preventive health care and of medical, psychological and functional treatment of disabled children, including dissemination of and access to information concerning methods of rehabilitation, education and vocational services, with the aim of enabling States Parties to improve their capabilities and skills and to widen their experience in these areas. In this regard, particular account shall be taken of the needs of developing countries.

#### **Article 24**

1. States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services.

2. States Parties shall pursue full implementation of this right and, in particular, shall take appropriate measures:

- (a) To diminish infant and child mortality;
- (b) To ensure the provision of necessary medical assistance and health care to all children with emphasis on the development of primary health care;
- (c) To combat disease and malnutrition, including within the framework of primary health care, through, inter alia, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking-water, taking into consideration the dangers and risks of environmental pollution;
- (d) To ensure appropriate pre-natal and post-natal health care for mothers;
- (e) To ensure that all segments of society, in particular parents and children, are informed, have access to education and are supported in the use of basic knowledge of child health and nutrition, the advantages of breastfeeding, hygiene and environmental sanitation and the prevention of accidents;

(f) To develop preventive health care, guidance for parents and family planning education and services.

3. States Parties shall take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children.

4. States Parties undertake to promote and encourage international co-operation with a view to achieving progressively the full realization of the right recognized in the present article. In this regard, particular account shall be taken of the needs of developing countries.

#### **Article 25**

States Parties recognize the right of a child who has been placed by the competent authorities for the purposes of care, protection or treatment of his or her physical or mental health, to a periodic review of the treatment provided to the child and all other circumstances relevant to his or her placement.

#### **Article 26**

1. States Parties shall recognize for every child the right to benefit from social security, including social insurance, and shall take the necessary measures to achieve the full realization of this right in accordance with their national law.

2. The benefits should, where appropriate, be granted, taking into account the resources and the circumstances of the child and persons having responsibility for the maintenance of the child, as well as any other consideration relevant to an application for benefits made by or on behalf of the child.

#### **Article 27**

1. States Parties recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.

2. The parent(s) or others responsible for the child have the

primary responsibility to secure, within their abilities and financial capacities, the conditions of living necessary for the child's development.

3. States Parties, in accordance with national conditions and within their means, shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing.

4. States Parties shall take all appropriate measures to secure the recovery of maintenance for the child from the parents or other persons having financial responsibility for the child, both within the State Party and from abroad. In particular, where the person having financial responsibility for the child lives in a State different from that of the child, States Parties shall promote the accession to international agreements or the conclusion of such agreements, as well as the making of other appropriate arrangements.

#### **Article 28**

1. States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:

(a) Make primary education compulsory and available free to all;

(b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;

(c) Make higher education accessible to all on the basis of capacity by every appropriate means;

(d) Make educational and vocational information and guidance available and accessible to all children;

(e) Take measures to encourage regular attendance at schools

and the reduction of drop-out rates.

2. States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention.

3. States Parties shall promote and encourage international cooperation in matters relating to education, in particular with a view to contributing to the elimination of ignorance and illiteracy throughout the world and facilitating access to scientific and technical knowledge and modern teaching methods. In this regard, particular account shall be taken of the needs of developing countries.

#### **Article 29**

1. States Parties agree that the education of the child shall be directed to:

(a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;

(b) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;

(c) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;

(d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;

(e) The development of respect for the natural environment.

2. No part of the present article or article 28 shall be construed so as to interfere with the liberty of individuals and bodies to

establish and direct educational institutions, subject always to the observance of the principle set forth in paragraph 1 of the present article and to the requirements that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.

#### **Article 30**

In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practice his or her own religion, or to use his or her own language.

#### **Article 31**

1. States Parties recognize the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.
2. States Parties shall respect and promote the right of the child to participate fully in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity.

#### **Article 32**

1. States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.
2. States Parties shall take legislative, administrative, social and educational measures to ensure the implementation of the present article. To this end, and having regard to the relevant provisions of other international instruments, States Parties shall in particular:

- (a) Provide for a minimum age or minimum ages for admission to employment;
- (b) Provide for appropriate regulation of the hours and conditions of employment;
- (c) Provide for appropriate penalties or other sanctions to ensure the effective enforcement of the present article.

**Article 33**

States Parties shall take all appropriate measures, including legislative, administrative, social and educational measures, to protect children from the illicit use of narcotic drugs and psychotropic substances as defined in the relevant international treaties, and to prevent the use of children in the illicit production and trafficking of such substances.

**Article 34**

States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes, States Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent:

- (a) The inducement or coercion of a child to engage in any unlawful sexual activity;
- (b) The exploitative use of children in prostitution or other unlawful sexual practices;
- (c) The exploitative use of children in pornographic performances and materials.

**Article 35**

States Parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form.

**Article 36**

States Parties shall protect the child against all other forms of exploitation prejudicial to any aspects of the child's welfare.

**Article 37**

States Parties shall ensure that:

(a) No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below eighteen years of age;

(b) No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time;

(c) Every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age. In particular, every child deprived of liberty shall be separated from adults unless it is considered in the child's best interest not to do so and shall have the right to maintain contact with his or her family through correspondence and visits, save in exceptional circumstances;

(d) Every child deprived of his or her liberty shall have the right to prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of his or her liberty before a court or other competent, independent and impartial authority, and to a prompt decision on any such action.

**Article 38**

1. States Parties undertake to respect and to ensure respect for rules of international humanitarian law applicable to them in armed conflicts which are relevant to the child.

2. States Parties shall take all feasible measures to ensure that

persons who have not attained the age of fifteen years do not take a direct part in hostilities.

3. States Parties shall refrain from recruiting any person who has not attained the age of fifteen years into their armed forces. In recruiting among those persons who have attained the age of fifteen years but who have not attained the age of eighteen years, States Parties shall endeavor to give priority to those who are oldest.

4. In accordance with their obligations under international humanitarian law to protect the civilian population in armed conflicts, States Parties shall take all feasible measures to ensure protection and care of children who are affected by an armed conflict.

#### **Article 39**

States Parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts. Such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child.

#### **Article 40**

1. States Parties recognize the right of every child alleged as, accused of, or recognized as having infringed the penal law to be treated in a manner consistent with the promotion of the child's sense of dignity and worth, which reinforces the child's respect for the human rights and fundamental freedoms of others and which takes into account the child's age and the desirability of promoting the child's reintegration and the child's assuming a constructive role in society.

2. To this end, and having regard to the relevant provisions of international instruments, States Parties shall, in particular, ensure that:

(a) No child shall be alleged as, be accused of, or recognized as having infringed the penal law by reason of acts or omissions that were not prohibited by national or international law at the time they were committed;

(b) Every child alleged as or accused of having infringed the penal law has at least the following guarantees:

(i) To be presumed innocent until proven guilty according to law;

(ii) To be informed promptly and directly of the charges against him or her, and, if appropriate, through his or her parents or legal guardians, and to have legal or other appropriate assistance in the preparation and presentation of his or her defense;

(iii) To have the matter determined without delay by a competent, independent and impartial authority or judicial body in a fair hearing according to law, in the presence of legal or other appropriate assistance and, unless it is considered not to be in the best interest of the child, in particular, taking into account his or her age or situation, his or her parents or legal guardians;

(iv) Not to be compelled to give testimony or to confess guilt; to examine or have examined adverse witnesses and to obtain the participation and examination of witnesses on his or her behalf under conditions of equality;

(v) If considered to have infringed the penal law, to have this decision and any measures imposed in consequence thereof reviewed by a higher competent, independent and impartial authority or judicial body according to law;

(vi) To have the free assistance of an interpreter if the child cannot understand or speak the language used;

(vii) To have his or her privacy fully respected at all stages of the proceedings.

3. States Parties shall seek to promote the establishment of laws, procedures, authorities and institutions specifically applicable to children alleged as, accused of, or recognized as having

infringed the penal law, and, in particular:

(a) The establishment of a minimum age below which children shall be presumed not to have the capacity to infringe the penal law;

(b) Whenever appropriate and desirable, measures for dealing with such children without resorting to judicial proceedings, providing that human rights and legal safeguards are fully respected. 4. A variety of dispositions, such as care, guidance and supervision orders; counseling; probation; foster care; education and vocational training programmes and other alternatives to institutional care shall be available to ensure that children are dealt with in a manner appropriate to their well-being and proportionate both to their circumstances and the offence.

#### **Article 41**

Nothing in the present Convention shall affect any provisions which are more conducive to the realization of the rights of the child and which may be contained in:

(a) The law of a State party; or

(b) International law in force for that State.

## **PART II**

#### **Article 42**

States Parties undertake to make the principles and provisions of the Convention widely known, by appropriate and active means, to adults and children alike.

#### **Article 43**

1. For the purpose of examining the progress made by States Parties in achieving the realization of the obligations undertaken in the present Convention, there shall be established a Committee on the Rights of the Child, which shall carry out the

functions hereinafter provided.

2. The Committee shall consist of eighteen experts of high moral standing and recognized competence in the field covered by this Convention.// The members of the Committee shall be elected by States Parties from among their nationals and shall serve in their personal capacity, consideration being given to equitable geographical distribution, as well as to the principal legal systems.

3. The members of the Committee shall be elected by secret ballot from a list of persons nominated by States Parties. Each State Party may nominate one person from among its own nationals.

4. The initial election to the Committee shall be held no later than six months after the date of the entry into force of the present Convention and thereafter every second year. At least four months before the date of each election, the Secretary-General of the United Nations shall address a letter to States Parties inviting them to submit their nominations within two months. The Secretary-General shall subsequently prepare a list in alphabetical order of all persons thus nominated, indicating States Parties which have nominated them, and shall submit it to the States Parties to the present Convention.

5. The elections shall be held at meetings of States Parties convened by the Secretary-General at United Nations Headquarters. At those meetings, for which two thirds of States Parties shall constitute a quorum, the persons elected to the Committee shall be those who obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties present and voting.

6. The members of the Committee shall be elected for a term of four years. They shall be eligible for re-election if renominated. The term of five of the members elected at the first election shall expire at the end of two years; immediately after the first election, the names of these five members shall be chosen by lot by the Chairman of the meeting.

7. If a member of the Committee dies or resigns or declares that for any other cause he or she can no longer perform the duties of the Committee, the State Party which nominated the member shall appoint another expert from among its nationals to serve for the remainder of the term, subject to the approval of the Committee.
8. The Committee shall establish its own rules of procedure.
9. The Committee shall elect its officers for a period of two years.
10. The meetings of the Committee shall normally be held at United Nations Headquarters or at any other convenient place as determined by the Committee. The Committee shall normally meet annually. The duration of the meetings of the Committee shall be determined, and reviewed, if necessary, by a meeting of the States Parties to the present Convention, subject to the approval of the General Assembly.
11. The Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Committee under the present Convention.
12. With the approval of the General Assembly, the members of the Committee established under the present Convention shall receive emoluments from United Nations resources on such terms and conditions as the Assembly may decide.

#### **Article 44**

1. States Parties undertake to submit to the Committee, through the Secretary-General of the United Nations, reports on the measures they have adopted which give effect to the rights recognized herein and on the progress made on the enjoyment of those rights
  - (a) Within two years of the entry into force of the Convention for the State Party concerned;

(b) Thereafter every five years.

2. Reports made under the present article shall indicate factors and difficulties, if any, affecting the degree of fulfillment of the obligations under the present Convention. Reports shall also contain sufficient information to provide the Committee with a comprehensive understanding of the implementation of the Convention in the country concerned.

3. A State Party which has submitted a comprehensive initial report to the Committee need not, in its subsequent reports submitted in accordance with paragraph 1 (b) of the present article, repeat basic information previously provided.

4. The Committee may request from States Parties further information relevant to the implementation of the Convention.

5. The Committee shall submit to the General Assembly, through the Economic and Social Council, every two years, reports on its activities.

6. States Parties shall make their reports widely available to the public in their own countries.

#### **Article 45**

In order to foster the effective implementation of the Convention and to encourage international co-operation in the field covered by the Convention:

(a) The specialized agencies, the United Nations Children's Fund, and other United Nations organs shall be entitled to be represented at the consideration of the implementation of such provisions of the present Convention as fall within the scope of their mandate. The Committee may invite the specialized agencies, the United Nations Children's Fund and other

competent bodies as it may consider appropriate to provide expert advice on the implementation of the Convention in areas falling within the scope of their respective mandates. The Committee may invite the specialized agencies, the United Nations Children's Fund, and other United Nations organs to submit reports on the implementation of the Convention in areas falling within the scope of their activities;

(b) The Committee shall transmit, as it may consider appropriate, to the specialized agencies, the United Nations Children's Fund and other competent bodies, any reports from States Parties that contain a request, or indicate a need, for technical advice or assistance, along with the Committee's observations and suggestions, if any, on these requests or indications;

(c) The Committee may recommend to the General Assembly to request the Secretary-General to undertake on its behalf studies on specific issues relating to the rights of the child;

(d) The Committee may make suggestions and general recommendations based on information received pursuant to articles 44 and 45 of the present Convention. Such suggestions and general recommendations shall be transmitted to any State Party concerned and reported to the General Assembly, together with comments, if any, from States Parties.

### **PART III**

#### **Article 46**

The present Convention shall be open for signature by all States.

#### **Article 47**

The present Convention is subject to ratification. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.

#### **Article 48**

The present Convention shall remain open for accession by any State. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

#### **Article 49**

1. The present Convention shall enter into force on the thirtieth day following the date of deposit with the Secretary-General of the United Nations of the twentieth instrument of ratification or accession.
2. For each State ratifying or acceding to the Convention after the deposit of the twentieth instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after the deposit by such State of its instrument of ratification or accession.

#### **Article 50**

1. Any State Party may propose an amendment and file it with the Secretary-General of the United Nations. The Secretary-General shall thereupon communicate the proposed amendment to States Parties, with a request that they indicate whether they favor a conference of States Parties for the purpose of considering and voting upon the proposals. In the event that, within four months from the date of such communication, at least one third of the States Parties favor such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of States Parties present and voting at the conference shall be submitted to the General Assembly for approval.
2. An amendment adopted in accordance with paragraph 1 of the present article shall enter into force when it has been approved by the General Assembly of the United Nations and accepted by a two-thirds majority of States Parties.
3. When an amendment enters into force, it shall be binding on those States Parties which have accepted it, other States Parties

still being bound by the provisions of the present Convention and any earlier amendments which they have accepted.

**Article 51**

1. The Secretary-General of the United Nations shall receive and circulate to all States the text of reservations made by States at the time of ratification or accession.

2. A reservation incompatible with the object and purpose of the present Convention shall not be permitted.

3. Reservations may be withdrawn at any time by notification to that effect addressed to the Secretary-General of the United Nations, who shall then inform all States. Such notification shall take effect on the date on which it is received by the Secretary-General

**Article 52**

A State Party may denounce the present Convention by written notification to the Secretary-General of the United Nations. Denunciation becomes effective one year after the date of receipt of the notification by the Secretary-General.

**Article 53**

The Secretary-General of the United Nations is designated as the depositary of the present Convention.

**Article 54**

The original of the present Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations. In witness thereof the undersigned plenipotentiaries, being duly authorized thereto by their respective Governments, have signed the present Convention.

## **HIRING A CHILD RECOVERY SECURITY TEAM**

### **ABP World Group Is A Global Leader In International Parental Child Recovery and Reunification Services**

**An Interview Conducted By Peter Thomas Senese**

**With**

**Martin Waage**

**Director of International Abduction and Kidnapping,  
ABP World Group**

**ABP World Group Is A Leader In International Child Abduction Recoveries & Reunification Services**

It seems that no matter where I am or what I'm doing, a part of my heart is directed toward the defenseless children and their targeted parents who are forced into the nightmarish and unexpected storm of international parental child kidnapping.

Having witnessed this destructive storm first-hand, I, like the hundreds of thousands of other parents who know what it is like to chase the cyclones of international child abduction, have been left with a deep emotional scar that may never heal.

However, sometimes scars could be used for a good thing: they can serve as a reminder of the responsibility you may have toward making a difference so others may not have to endure all the difficulties you may have been required to in order to defend what you believe in or protect those you love. And this is particularly true – the scar, that is – for

targeted parents who know of the war called international child kidnapping. I know I am far from alone when I share I have a deep desire to make a difference in this particularly complex and complicated world; a world I have often called ‘The World Turned Upside Down’.

Now, I’m not sure if you or someone you know has ever had to enter into ‘The World Turned Upside Down’, but if you have, then you might have come to realize that there is a community of caring and compassionate individuals who partake in this world: all of whom are familiar with the scar that is created when a child is stolen. I have been fortunate to get to know and befriend incredible women and men deeply connected to this world. One of the most remarkable of these individuals is my friend Martin Waage, a Director for the global security intelligence organization ABP World Group. Amongst many of Martin’s responsibilities is that he oversee’s the organization’s extensive and herculean efforts to reunite internationally abducted children with their targeted parent. ABP World Group, under Martin’s leadership in this area, is a global intelligence and security organization with an extraordinary record of participating in safely bringing home over 200 criminally internationally abducted children. As a chasing parent, I want to emphasize how important the notion of ‘safety’ is to me.

Unquestionably, ABP’s remarkable record of operating in ‘The World Turned Upside Down’ and being intimately involved in over 200 child reunifications bespeaks of ABP World Group’s deep understanding and familiarity with the intricate and multifaceted gamut of issues associated with parental child abduction. ABP’s Demonstrated compassionate understanding and precise capability in crisis-intervention and cross-border mediation are critical components necessary attributes for individuals who come to the aid of defenseless abducted children that are all too often placed into the most volatile of circumstances and

situations. Critically, time is the singular most important factor when a child is abducted abroad. Having an experienced team of personnel such as ABP's highly efficient team well versed in electronic footprint forensics as well as highly skilled ground personnel capable of locating a missing child and abducting parent who may choose to go underground and off the grid are imperative when considering a reunification strategy. In essence, a reunification team must compassionately understand the challenges, nuances, and pragmatic operational issues involved in trying to locate a child. Under Martin Waage's leadership in child reunification, ABP has demonstrated a long and incredible track record of finding and safely bringing home internationally abducted children.

I recently had a chance to speak with Mr. Waage about international child abduction, and ABP's deep understanding of the issues at hand as well as their leadership in the global international child abduction world, or as I like to say, 'The World Turned Upside Down'.

(Peter Thomas Senese) Why does ABP World Group concentrate on IPCA?

(Martin Waage: ABP World Group) The reason why ABP World Group Focus on IPCA is quit simple: this is an international growing problem that is out of control, and tragically, government intervention and current law or lack of enforcement of laws pertaining to the act of international child kidnapping are not enforced. So, a parent who is desperately trying to protect their child or children has in reality, very little recourse available to them. And despite the Hague Convention's existence, not only is the process very lengthy and costly, but also a substantial number of cases do no have a positive outcome for the targeted parent. So, our services and expertise are very important because for many parents, we are the viable solution, one with an

impressive track record. And it all began many years ago, when parental victims contacted us desperate for help due to court or law enforcement's failure to provide the assistance they needed. As our activity in this area evolved, so to did our expertise and vast understanding of the seriousness of the issues at hand.

(Peter Senese) Who are the leaders behind ABP?

(Martin Waage: ABP World Group) ABP World Group Ltd was founded in 2000, and is an international intelligence, investigation, and security company. I am the Managing Director overseeing critical components of our operation, including child abduction reunification.

In addition, Lars Willmann is the Director of Operations. Lars is a former Norwegian Special Forces and military intelligence operator. The rest of our team have substantial ground operation activity. They include men and women from SAS (British Special Forces), French Foreign Legion, Norwegian Special Forces, Delta Force (US), Spetsnaz (Russian Special Forces), Spanish Special Forces, as well as former intelligence personnel, police investigators and medical personnel. Because of security reasons, I am not able to revile our other team leader and operator's identities, other than to clients in active cases.

(Peter Thomas Senese) What are some of the challenges a parent faces if they do not know where their abducted child is located?

(Martin Waage: ABP World Group) The main challenge is that without knowing where the child is, you're looking at a sea of billions of people all over the world, and you're trying to find one. Think about it. Pragmatically speaking, if you do not know the initial landing country – the country the child was taken to – then you will have a difficult time

tracing the abductor's footprints. And unfortunately, law enforcement moves much slower when a missing child is not a native of their country. So, inevitably, the biggest challenge is trying to figure whom and where a parent is going to get help. And that's where ABP's strength: we're very capable of forensic foot printing. Our team of investigators has demonstrated investigative capacity to track down even the most devious and prepared abductors who think they can fall off the planet and hide with a kidnapped child. However, they are wrong. There are always leads. The key is to know what some of these leads that perhaps are not so obvious are, and then be able to react swiftly no matter where in the world that lead takes you. And ABP's reaction ability is one of our most prized assets.

(Peter Thomas Senese) What is the hardest part a parent has to deal with concerning IPCA?

(Martin Waage: ABP World Group) The hardest part is very obvious – for a loving parent to be unexpectedly separated from their child while having to contend with the very real concerns of the unknown safety issues that do exist for abducted children and their abducting fugitive parents. So spiritually, the loss is the hardest part, but soon after, it is the worry of the child's safety. And unfortunately, local police and courts fail to often in coming to the aid of a targeted parent. Generally speaking, all across the world, the outcry from a majority of targeted parents is that they said the laws and law enforcement of courts responsible to uphold laws to protect a child were disregarded because either the police or the judges did not understand the severity of international child abduction. The other thing is that The Hague Convention is to little or no help at all for many parents either because many countries are not signatories, do not comply to the international convention, or the process itself is utterly

flawed. One very important belief of mine is that Article 13 – The Abductor’s Defense Mantra – of the Convention should be removed from the international treaty.

(Peter Thomas Senese) What characteristics and behavior does a fugitive abducting parent have when they are trying to remain underground?

(Martin Waage: ABP World Group) The vast majority of parents who abduct a child do so in order to hurt the targeted parent. There has been extensive worldwide research about the behavior of an abductor, and it all points in the same direction: we’re not dealing with rational people with rational thought process. Parental child abductors are sociopaths who conspire selfishly to use a child to attack their former spouse. They are absolute liars who will say anything in court or to law enforcement. They will file false police reports, make false accusations, use the Internet to defame their partner in order to potentially have the courts sanction their criminal behavior – you think of the illicit act, and they’re very capable.

The problem is that if they are successful and go underground, they’re typically pretty good for a short period of time of manipulating others into buying into the lies. But then eventually their true identity shows up – and that is when it becomes even more dangerous for the child. And remember, these abductors on the run will move from place to place out of fear of being found. The unbalance is very unsettling for the child because the child is living the life of a fugitive.

(Peter Thomas Senese) What are the dangers inherent for both abductor and child when an abducting parent lives the life of a fugitive?

(Martin Waage: ABP World Group) The primary issue for a fugitive on the run is that they enter into a world that is

unknown and filled with other predators. There are a lot of questionable characters who prey on others in this world. It is very easy to get mixed up with the wrong people. And so, we have seen the abducting parent and child actually become the victims of other predators. Sadly, things go full circle. This is one of the reasons why it is critical for a targeted parent who knows their child was abducted to react immediately: time is critical.

In addition, there is a high risk for health issues that appear common as an abducting parent is either hesitant or does not have the full resources to seek medical care when they or their child need it. And tragically, we are aware of circumstances when an abductor – who are always not mentally balanced to begin with – has taken their own life. And sometimes – in the course of an abduction, if timely intervention does not occur ... a child could die. And this is completely inexcusable to me. What has a defenseless child done? Nothing. But a sociopathic abducting parent doesn't think of the ramifications of their act. And so, it is ABP World Groups compassionate belief that if we can make a difference on behalf of a child, we will.

(Peter Thomas Senese) What challenges and hardship does abduction present to the child?

(Martin Waage: ABP World Group) The short-term and long-term difficulties are enormous. First and foremost is the very real issue of the child's safety and protecting the child's life. Too often we hear from other individuals not involved in the issues of IPCA voice their irresponsible and uneducated opinion that how dangerous could an abduction be if the child is with their parent? Well, the answer is enormously physically, mentally, and spiritually dangerous. In fact, I am not alone when I say that a parental abduction is more challenging at times than a stranger abduction because the trust broken from parent to child is very

damaging.

As for the child, they are torn from their other parent and typically their extended family. Gone too are their friends and community. And the abducting parent will do everything possible to strip the child's identity as it relates to the targeted parent. Its cruel, but multiplied by the fact that the child is taken to a foreign land and lives in a stressful environment.

The short-term and long-term ramifications on a child of IPCA are real and damaging. This is why recovery time is so important.

(Peter Thomas Senese) Does The Hague Convention work, and if you could change anything about the convention, what would they be?

(Martin Waage: ABP World Group) My opinion is that The Hague Convention has to be totally re-written in order to become an effective tool, including prosecuting parental abductors criminally for their act of kidnapping and for any and all acts of perjury and contempt of court. Only then will we seek a dramatic decline in international child abduction. Presently, we anticipate that between 5% and 10% of all reported and unreported abduction cases have a successful return, and part of this problem is due to the Hague Convention. Unfortunately, many governments use the Convention as a sleeping pillow, just to avoid creating other and more effective tools in the battle against child abductions. We see no difference, recovering children from Hague or non-Hague countries. The fact is the vast majority of countries do not comply with the spirit and intent of The Hague Convention.

(Peter Thomas Senese) How is electronic forensics relevant to abduction cases?

(Martin Waage: ABP World Group) In today's age of the Internet, substantial electronic and computer forensic capability is often the difference between locating a child or not. What is important is for a targeted parent to have a team in place such as ABP World Group who has incredible capability and short electronic investigation reaction time that is may show the abductor's electronic footprints ... emails records, bank records, website browser visits, financial records including the difficult to obtain pre-paid debit card histories, phone records – you name it, it all must be quickly obtained and analyzed in order to create a reunification plan. And I am very proud to say that ABP World Group's electronic investigation unit is exceptional.

In fact, the last large abduction recovery case we resolved used our skills in electronic tracing. In this particular case we helped the Swedish and Danish Interpol, The Copenhagen Police, and The Stockholm Police trace down a young girl who was criminally abducted by one of her parents. In fact, I will never forget how Interpol and the local police literally were going to stop their investigation on this particular case, and had already thrown in the towel. But that's when we really got involved. It was one of the many, many victories for our electronic forensic investigation unit.

(Peter Thomas Senese) Are you team members fluent in various languages?

(Martin Waage: ABP World Group) Yes. Our staff is multi national and multi lingual. We have operators who speak for an example Russian, French, English, Spanish, German, Italian, Bosnian/Croatian, Portuguese, Arabic, Thai and many other languages. Remember, our personnel come from the global intelligence community and have

significant experience in crisis management. Each needed to know multiple languages – and our worldwide personnel and team are extensive.

(Peter Thomas Senese) What countries has ABP World Group operated in?

(Martin Waage: ABP World Group) We have operated in more than 50 different countries, including countries located in the Middle East, Asia, Europe, Africa, and the Western Hemisphere. We've literally been to most places on successful reunification campaigns. If you think about the number of campaigns and the challenges of entering into a foreign country, our track record is really incredible, and one that I intend to maintain – we have had over 200 successful reunification campaigns. And many of these campaigns included several children. The joyful looks on their faces when they are reunited and held by their targeted chasing parent is incredible. And it provides real meaning to our entire team when we see the love unfold between child and parent. It is everything and one of the primary reasons why we are one of the world's leading child abduction reunification organizations.

(Peter Thomas Senese) What are the most important investigation strategies that ABP implements regarding International Parental Child Abduction?

(Martin Waage: ABP World Group) Child abduction cases are so complex, so we always need to customize our investigation to each different case. What is important is that an investigation begins immediately because the longer time passes the more opportunity the abductor has to go underground. And that is something we want to avoid because it is when a child is living the life of a fugitive that things become dangerous. So, strategically speaking we take a swift, hands-on approach to practical investigatory work while allowing our forensic investigation personnel

begin footprinting the abductors electronic activity – which is critical. We’re also in touch with law enforcement and various government agencies from the start. It’s a big net we immediately create, and learning how to do this comes from many years of experience and working on hundreds of cases.

(Peter Thomas Senese) Which countries that you worked in offer the greatest challenges for recovery?

(Martin Waage: ABP World Group) The “closed” countries are the hardest. The include countries such as Yemen, Syria, Saudi Arabia, Japan, and China. And of course, if the country is an island, that could be a challenge. In addition, the North African countries are tough spots to operate in. It is why, with each of these nations and a few others I am not mentioned now as there are active abduction cases occurring there, that ABP World Group spends substantial time building and cultivating our relationships with various active or retired individuals who work in law enforcement or in the intelligence community.

(Peter Thomas Senese) When should a targeted parent not turn to the media for help?

(Martin Waage: ABP World Group) I think parents should only turn to the media when it will give them a great benefit. Many parents don’t realize that using the media can at times be a haphazard choice because it also alerts other predators that there is a fugitive and a child hiding out and trying to stay off the grid. Kidnappings of abductors are very real possibilities, and this should not be dismissed. So, when thinking about turning to the media, I strongly suggest that a targeted parent consult with local and national law enforcement trained in IPCA, as well as with experts such as ABP World Group, who are familiar with the political and social landscape of most countries around

the world. The point is that turning to the media could very well help a case, but it could also be a very big mistake. That is why some targeted parents choose to be very quite about their child being stolen: out of fear for their child's safety while on the run with the other parent, who is typically a fugitive.

(Peter Thomas Senese) How important is it to monitor an abductor's family, friends, and associates?

(Martin Waage: ABP World Group) Very. The abductors cannot normally be on the run without any kind of assistance. We have often had great success implementing electronic forensic investigations on these types of individuals.

(Peter Thomas Senese) Is following the money, so to speak, the most important lead for underground abduction cases?

(Martin Waage: ABP World Group) Not always, but it is impossible to be on the run without money. I will estimate that in 95% of the child abduction cases, we normally can anticipate where they will be. Family is very important. Abductors who lived in a mixed marriage often go back to their home country. What is important is to locate them down before they have time to settle and arrange a secure environment. Nevertheless, following the money flow is a very important part of our investigation.

(Peter Thomas Senese) Why is it important to hire ABP?

(Martin Waage: ABP World Group) We take our clients needs seriously, and make sure that every aspect of their needs and concerns are taken care of. Most importantly, we have an incredible reunification recovery record and that is because we are exceptional at all facets of investigation and operational detail. If a targeted parent wants to reunify with

their criminally abducted child and safely bring that child home, they should not consider working with any group unless that organization has a considerable track record. Also, and this is very important, ABP World Group works with and oversees the activity of local law enforcement as well as Interpol. We stay on top of things while also conducting our very unique investigations. The bottom line is that if a parent wants to have their child returned, they will reach out to ABP World Group.

(Peter Thomas Senese) What is ABP's operating philosophy?

(Martin Waage: ABP World Group) “We keep our clients safe, whatever it takes.”

As a parent who had to chase into the storms of international parental child abduction, combating multi-jurisdictional legal issues and numerous illicit acts by the other parent, I know first-hand that reaction time is a critical element that must be paid attention when dealing with any type of abduction. So too is being able to have a trained group of trained individuals on the ground who will help you locate your child. Without knowing where your child is, well, there is very little you can do other than pray – and prayer is great. Nevertheless, in my opinion it is extremely important that a multidimensional child recovery and reunification plan is created and implemented.

Martin Waage and his incredible team at ABP World Group have a spectacular track record of aiding in IPCA cases because they are extraordinary professionals who know the intricate dealings of international parental child abduction and the laws available to targeted parents, including the Hague Convention on the Civil Aspects of International Parental Child Abduction. The service that ABP World Group provides to targeted parents at times

offers the most effective, economical, and safest route to a successful recovery of a defenseless child criminally abducted by the other parent. I cannot endorse ABP World Group enough when it comes to a targeted parent's needs to seek a professional team to assist in overseeing the reunification process that is involved in order to bring a child safely home.

In 'The World Turned Upside Down' that is international parental child abduction, targeted parents and their children face mountainous challenges including non-existent, archaic, and unenforced child abduction prevention laws. The international treaties that address that attempt to address this issue more often than not fail to protect an abducted child. And the financial costs combined with the mental fatigue and spiritual hardship could break any man or woman.

When I was developing a name for my upcoming novel 'Chasing The Cyclone' that was inspired by my unexpected experiences with international parental child abduction, I was looking for an accurate title that described all that occurs in 'The World Turned Upside Down'.

But as I first stated, even in 'The World Turned Upside Down' there are incredible men and women who are dedicated to 'Turning The World Right-Side Up'. ABP World Group's Martin Taage and Lars Willmann are two of these incredible individuals. As a father who chased into the cyclones of multi-jurisdictional parental child abduction, I know first-hand how critically important it is to have reunifications such as ABP there to assist guide a parent. With their incredible track record, ABP World Group's history speaks for itself.

For more information on ABP World Group, please [CLICK HERE](#).

To read ABP World Group's informational blog, please [CLICK HERE](#).

## **THE CHILDREN'S PASSPORT ISSUANCE ALERT PROGRAM**

There are two critical programs available to U.S. parent citizens that may aid in the prevention of their U.S. child citizen from being international abducted. They are:

1. The Children's Passport Issuance Alert Program; and,
2. The Prevent Departure Program

### **1. The Children's Passport Issuance Alert Program**

The Children's Passport Issuance Alert Program (CPIAP) is one of the Department's most important tools for preventing international parental child abduction. The program allows parents to register their **U.S. citizen children under the age of 18** in the Department's Passport Lookout System. If a passport application is submitted for a child who is registered in CPIAP, the Department contacts and alerts the parent or parents. The passport lookout system gives all U.S. passport agencies as well as U.S. embassies and consulates abroad an alert on a child's name if a parent or guardian registers an objection to passport issuance for his or her child. This procedure provides parents advance warning of possible plans for international travel with the child.

The Charleston Passport Center, which is part of Passport Services, is responsible for administering CPIAP.

**U.S. Department of State Passport Services, Charleston Passport Center** Attn: Children's Passport Issuance Alert Program 1269 Holland Street, Building D Charleston, SC 29405 E-mail: [ChildrensPassports@state.gov](mailto:ChildrensPassports@state.gov) Phone: 1-888-407-4747 Fax: 843-746-1827

#### **Who can request a child be entered into CPIAP?**

## Entry Request Form

Usually a parent requests that his/her child or children be entered into the program. Sometimes both parents will separately submit a request. Requests may also be submitted by law enforcement or a court, or someone acting on behalf of a parent, such as an attorney, a member of Congress, or another family member. All requests for entry of a child into the program must be in writing and signed.

It is not necessary for a parent to have any custodial rights to the child in order to request that the child be entered in CPIAP. So long as a parent has not had his/her rights terminated by a court of competent jurisdiction, he/she can request that the child be entered into CPIAP.

REMEMBER: Only U.S. Citizen children under the age of 18 can be entered into CPIAP.

### **Does entering a child's name into CPIAP always prevent a passport from being issued?.**

*Entering a child's name into CPIAP does not guarantee that a child will not be issued a passport.* The parent who requests entry of his/her child into the program may consent to issuance of the passport after receiving notification of the passport application. It is also possible for a passport to be issued to a child under 16 without consent of both parents (or legal guardian), if the applicant for the passport can establish that consent of both parents is not required under Federal law (22 CFR 51.28). A court order providing the applicant parent or guardian with sole custody of the child, or a court order specifically authorizing the applicant parent or guardian to travel with the child, for example, would allow the Department to issue a passport without the consent of another parent or guardian. This is true even if the child has been entered into CPIAP.

If a passport application is executed on behalf of a child entered into CPIAP, the parent who requested the alert will receive notification of the passport application and will generally receive 30 days to consent or object to issuance of the passport, absent

extraordinary circumstances. However, if the applicant can

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Completed Entry Request Form

Proof of Your Identity (Your driver's license or other identity card)

Birth Certificate or Documentation that Shows Your Parentage/Guardianship (Ho  
Birth Abroad)

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demonstrate that he/she has sole authority to apply for a passport under U.S. law, the passport may still be issued at any time.

### **How Do I Enter My Child into CPIAP?**

To enter your child into CPIAP, you must submit three items to the Department of State's Passport Services.

E-mail, fax, or mail these three items to **Passport Services, Charleston Passport Center** (contact information above).

A child is automatically removed from CPIAP when he/she reaches the age of 18. In the event a parent wants to remove a child or children from CPIAP prior to reaching age 18, the parent must submit a **photo ID** and a **notarized statement** requesting the removal from the program. Only the parent or entity who requested the child's entry into the program can request the child's removal from the program. **IMPORTANT:** It is very important that parents keep Passport Services informed in writing of any changes to contact information and legal representation. Failure to notify Passport Services of a current address may result in a passport issuance for your child without your consent.

### **What if my child already has a passport?**

You may enter your child's name into CPIAP even if he/she already has a passport. This will allow the Department of State to notify you if Passport Services receives an application for renewal of the passport.

The Department may not revoke a passport that has already been issued to the child. There is also no way to track the use of a

passport once it has been issued, since the United States does not have exit controls for people leaving the U.S. *If your child already has a passport, and you fear the other parent may abduct your child from the United States, ask a court or your attorneys to hold it.*

### **What if my child has a passport of another country?**

Many United States citizen children who fall victim to international parental abduction possess dual nationality. While the Department of State will make every effort to avoid issuing a United States passport without the consent of both parents, the Department cannot prevent other countries from issuing their passports to children who are also their nationals. *You can, however, ask a foreign embassy or consulate in the United States not to issue a passport to your child.* Send the embassy or consulate a written request, along with certified complete copies of any court orders you have which address custody or the overseas travel of your child. In your letter, inform them that you are sending a copy of this request to the United States Department of State. If your child is only a United States citizen, you can request that no visa for that country be issued in his or her U.S. passport. Just keep in mind that no international law requires compliance with such requests, although some countries may comply voluntarily.

**IMPORTANT:** The United States government does not have exit controls at the border. The U.S. government does not check the names or the documents of travelers leaving the United States. If your child has a valid passport from any country, he or she may be able to travel outside the United States without your consent.

## **International Parental Kidnapping Crimes Act**

PUBLIC LAW 103-173

103rd Congress -- 1st Session

H.R. 3378

103 P.L. 173; 1993 H.R. 3378; 107 Stat. 1998

An Act

DEC. 02, 1993 - PUBLIC LAW 103-173

TEXT:

To amend title 18, United States Code, with respect to parental kidnapping, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE .

This Act may be cited as the "International Parental Kidnapping Crime Act of 1993".

SECTION 2. TITLE 18 AMENDMENT.

(a) In General. -- Chapter 55 (relating to kidnapping) of title 18, United States Code, is amended by adding at the end the following:

"Sec. 1204. International parental kidnapping

"(a) Whoever removes a child from the United States or retains a child (who has been in the United States) outside the United States with intent to obstruct the lawful exercise of parental rights shall be fined under this title or imprisoned

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Peter Thomas Senese and Carolyn Ann Vlk

not

more than 3 years, or both.

"(b) As used in this Section --

"(1) the term 'child' means a person who has not attained the age of 16 years: and

"(2) the term 'parental rights', with respect to a child, means the right to physical custody of the child --

"(A) whether joint or sole (and includes visiting rights); and

"(B) whether arising by operation of law, court order, or legally binding agreement of the parties.

"(c) It shall be an affirmative defense under this section that --

"(1) the defendant acted within the provisions of a valid Court order granting the defendant legal custody or visitation rights and that order was obtained pursuant to the Uniform Child Custody Jurisdiction Act and was in effect at the time of the offense;

"(2) the defendant was fleeing an incidence or pattern of domestic violence;

"(3) the defendant had physical custody of the child pursuant to a court order granting legal custody or visitation

rights and failed to return the child as a result of circumstances beyond the defendant's control, and the

defendant

notified or made reasonable attempts to notify the other parent or lawful custodian of the child of such circumstances within 24 hours after the visitation period had expired and returned the child as soon as possible.

"(d) This section does not detract from The Hague Convention on the Civil Aspects of International Parental Child Abduction, done at the Hague on October 25, 1980."

(b) Sense of the Congress. -- It is the sense of the Congress that, inasmuch as use of the procedures under the Hague Convention on the Civil Aspects of International Parental Child Abduction has resulted in the return of many children, those procedures, in circumstances in which they are applicable, should be the option of first choice for a parent who seeks the return of a child who has been removed from the parent.

(c) Clerical Amendment.-The table of sections at the beginning of chapter 55 of Title 18, United States Code, is amended by adding at the end the following: "1204. International parental kidnapping."

### SECTION 3. STATE COURT PROGRAMS REGARDING INTERSTATE AND INTERNATIONAL PARENTAL CHILD ABDUCTION.

There is authorized to be appropriated \$250,000 to carry out under the State Justice Institute Act of 1984 (42 U.S.C. 10701-10713) national, regional, and in-State training and educational programs dealing with criminal and civil aspects of

interstate and international parental child abduction.

# Convention of 25 October 1980 on the Civil Aspects of International Child Abduction

## Members of the Organization

### Authorities

#### Albania

##### *Albania - Central Authority*

Ministry of Justice Bulevardi "Zogu  
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Law, General Directorate of Codification E-mail:  
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#### Argentina

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Department International Legal Assistance  
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4819 7172 URL: <http://www.menores.gov.ar/> e-mail  
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### Personnes à contacter / Contact persons:

- Maria del C. SEOANE DE CHIODI Director of the

International Legal Assistance Department (langues de communication / languages of communication: espagnol, portugais, anglais / Spanish, Portuguese, English)

- Victoria GRANILLO OCAMPO (langues de communication / languages of communication: anglais, espagnol / English, Spanish)
- Ana GRANILLO (langues de communication / languages of communication: anglais, espagnol / English, Spanish)
- Sabrina FARAONE (langues de communication / languages of communication: italien, anglais, espagnol / Italian, English, Spanish)
- María Fernanda CASTELLI (langues de communication / languages of communication: anglais, espagnol / English, Spanish)
- Florencia CASTRO (langues de communication / languages of communication: anglais, espagnol / English, Spanish)
- Yago Marcelo AUCEJO (langues de communication / languages of communication: portugais, espagnol / Portuguese, Spanish)

## **Australia**

*Australia - Central Authority*

POUR LE *COMMONWEALTH CENTRAL AUTHORITY*/FOR THE COMMONWEALTH CENTRAL AUTHORITY\*

The Director Commonwealth Attorney-General's  
Department International Family Law Section Access  
to Justice Division 3-5 National Circuit BARTON, ACT  
2600 Australia numéro de téléphone/telephone number:  
+61 (2) 6141 3700 numéro de télécopie/telefax number: -  
Email: [CentralAuthority@ag.gov.au](mailto:CentralAuthority@ag.gov.au) Internet:

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[www.ag.gov.au/childabduction](http://www.ag.gov.au/childabduction)

**personne à contacter / person to contact:**

- Mr Paul Hansen Director Tel: +61 (2) 6141 3171 Fax: +61 (2) 6141 3246

\* **Note:** The Convention extends to the legal system applicable only in the Australian States and mainland Territories. Some Australian State and Territory agencies have been appointed to carry out some functions under the Convention but are not authorized to receive or transmit applications. Communications should be sent in the first instance to the Attorney-General's Department.

POUR L'ÉTAT DE QUEENSLAND/FOR THE STATE OF QUEENSLAND

Department of Child Safety Court Services Unit GPO Box 806 BRISBANE Qld 4000 Attention: Ms Helen Tooth / Ms Tina Foti adresse e-mail/e-mail address: [info@childsafety.qld.gov.au](mailto:info@childsafety.qld.gov.au)

POUR L'ÉTAT DU *NORTHERN TERRITORY*/FOR THE NORTHERN TERRITORY

Department of Health and Community Services PO Box 40596 CASUARINA NT 0811 numéro de téléphone/telephone number: +61 (8) 8999 2723 numéro de télécopie/telex number: +61 (8) 8999 2833 adresse e-mail/e-mail address: -

POUR L'ÉTAT DE VICTORIA/FOR THE STATE OF VICTORIA

Department of Human Services The Secretary Legal Services GPO Box 4057 MELBOURNE VIC

3000 Attention: Ms Leng Phang numéro de  
téléphone/telephone number: +61 (3) 9616 9865 numéro de  
télécopie/telex number: +61 (3) 9616 7012 adresse e-  
mail/e-mail address: -

POUR L'ÉTAT DE *NEW SOUTH WALES*/FOR THE  
STATE OF NEW SOUTH WALES

Department of Community Services Legal Branch Locked  
Bag 4028 ASHFIELD NSW 2131 Attention: Ms Jeevani  
Korathota numéro de téléphone/telephone number: +61 (2)  
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9798 5486 adresse e-mail/e-mail address:  
[facs.internet@facs.gov.au](mailto:facs.internet@facs.gov.au)

POUR L'ÉTAT DE TASMANIE/FOR THE STATE OF  
TASMANIA

Department of Health and Human Services GPO Box 125  
B HOBART TAS 7001 Internet:  
<http://www.dhhs.tas.gov.au/>

**Personne à contacter / person to contact:**

- Mr Frank NEASY Office of the Solicitor General 15  
Murray Street HOBART TAS 7000
- Mr Frank NEASY Office of the Solicitor General 15  
Murray Street HOBART TAS 7000

POUR L'ÉTAT DE *WESTERN AUSTRALIA*/FOR THE  
STATE OF WESTERN AUSTRALIA

Commissioner of Police Officer in Charge Western  
Australian Police Department Missing Persons  
Bureau Suite 2 250 Adelaide Terrace PERTH WA  
6000 numéro de téléphone/telephone number: 08 9492  
5471 numéro de télécopie/telex number: 08 9492

5470 adresse e-mail/e-mail address: -

POUR L'ÉTAT DE *SOUTH AUSTRALIA*/FOR THE  
STATE OF SOUTH AUSTRALIA

The Commissioner of Police South Australian Police  
Department GPO Box 1539 ADELAIDE SA  
5000 Attention: Det Senior Sergeant Richard Baird numéro  
de téléphone/telephone number: +61 (8) 8463 7842 numéro  
de télécopie/telex number: - adresse e-mail/e-mail  
address: -

POUR LE *AUSTRALIAN CAPITAL TERRITORY*/FOR  
THE AUSTRALIAN CAPITAL TERRITORY

Department of Disability, Housing and Community  
Services Office for Children, Youth and Family  
Support Legal Services P.O. Box 994 CIVIC SQUARE  
ACT 2608 Attention: Ms Amanda NUTTAL Internet:  
<http://www.dhcs.act.gov.au/>

## **Austria**

### *Austria - Central Authority*

Bundesministerium für Justiz Abteilung I  
10 Museumstrasse 7 1070 VIENNA Austria numéro de  
téléphone/telephone number: Secrétariat/Secretariat:  
+43 (1) 52152 2147 numéro de télécopie/telex number:  
+43 (1) 52152 2829 **ou/or** +43 (1) 52152 2727 adresse e-  
mail/e-mail address: [post@bmj.gv.at](mailto:post@bmj.gv.at)

### **personnes à contacter / persons to contact:**

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- Mr Martin ADENSAMER (languages of communication: German, English) tel.: +43 (1) 52152 2131
- Mrs Maria KALLER (langues de communication / languages of communication: allemand, anglais, français / German, French, English) tel.: +43 (1) 52152 2138

(This page was last updated on 4 February 2011)

## **Belarus**

### *Belarus - Central Authority*

Ministry of Justice of the Republic of Belarus ul.  
 Kollektornaya 10 220004 MINSK Belarus tel./fax: +375 17  
 211 0201 **ou/or** +375 17 211 0185 fax: +375 17 200  
 8687 adresse e-mail/e-mail  
 address: [403@minjust.by](mailto:403@minjust.by) Internet:  
[www.minjust.by](http://www.minjust.by) Personne à contacter / contact person: Mrs  
 Olesya Varvashenya

*N.B. Belarus having acceded to the Convention in accordance with Article 38, the accession has effect only as regards the relations between Belarus and such Contracting States as have declared their acceptance of the accession. "Such a declaration will also have to be made by any Member State ratifying, accepting or approving the Convention after an accession."*

## **Belgium**

### *Belgium - Central Authority*

Service Public Fédéral Justice Direction générale de la  
 Législation et des Libertés et Droits fondamentaux Service  
 de coopération internationale civile Autorité centrale  
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**Persons to contact:**

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**Bosnia and Herzegovina**

*Bosnia and Herzegovina - Central Authority*

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[child\\_abduction\\_convention@mpr.gov.ba](mailto:child_abduction_convention@mpr.gov.ba) site  
Internet/website: <http://www.mpr.gov.ba/>

**Personnes à contacter / persons to contact:**

- Mr Jusuf Halilagic, Secretary to the Ministry
- Mr Nikola Sladoje, Assistant Minister
- Mrs Helena Tavra, Advisor
- Mr Emir Mehmedovic (**for return and access applications under the Convention**), Senior Advisor (langue de communication/language of communication: anglais/English) [child\\_abduction\\_convention@mpr.gov.ba](mailto:child_abduction_convention@mpr.gov.ba)

**Brazil**

*Brazil - Central Authority*

Autoridade Central Administrativa Federal -  
ACAF Secretaria de Direitos Humanos Presidência da  
República SCS, Quadra 9, Conjunto C, Edifício Parque  
Cidade Corporate Torre A, 10º Andar 70308-200,  
BRASILIA-DF Brazil Tel.: +55 (61) 2025 3481 Fax: +55  
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- Minister Maria do Rosario NUNES President of the Central Authority Minister of Human Rights
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- Ms Juliana CASTRO Co-ordinator for intercountry adoptions e-mail: [juliana.paes@sdh.gov.br](mailto:juliana.paes@sdh.gov.br)

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- Ms Eleonora CARVALHO Technical Adviser e-mail: [eleonora.carvalho@sdh.gov.br](mailto:eleonora.carvalho@sdh.gov.br) (languages of communication: Portuguese, English, Spanish)
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## **Bulgaria**

### *Bulgaria - Central Authority*

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[www.mjeli.government.bg](http://www.mjeli.government.bg)

### **Personnes à contacter / persons to contact:**

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- Mrs Lestalina Chernogorova Senior expert (langue de communication / language of communication: anglais / English) E-mail: [L\\_Chernogorova@justice.government.bg](mailto:L_Chernogorova@justice.government.bg)

(This page was last updated on 22 July 2011)

## **Canada**

*Canada - Central Authority*

POUR LE GOUVERNEMENT FÉDÉRAL / FOR THE  
FEDERAL GOVERNMENT

*Minister of Justice and Attorney General of Canada as  
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Ontario Canada K1A 0G2 numéro de téléphone/telephone  
number: +1 (613) 996 1300 numéro de télécopie/telefax  
number: +1 (613) 992 6485 Internet:  
[www.voyage.gc.ca/main/pubs/child\\_abductions-en.asp](http://www.voyage.gc.ca/main/pubs/child_abductions-en.asp)

**Personne à contacter / person to contact:**

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- Mr Derek de Vlieger Counsel

POUR LA PROVINCE DE L'ALBERTA / FOR THE  
PROVINCE OF ALBERTA

**Edmonton Office:** Alberta Justice 13th Floor, City Centre  
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**Calgary Office:**\* Department of Justice Calgary Family Law #1660, Standard Life Building 639 - 5th Avenue, S.W. CALGARY, Alberta Canada T2P 0M9 numéro de téléphone/telephone number: +1 (403) 297 3360 numéro de télécopie/telefax number: +1 (403) 297 6381

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- Mr Jonathan M. NICHOLSON Section Head e-mail:

[Jonathan.Nicholson@gov.ab.ca](mailto:Jonathan.Nicholson@gov.ab.ca)

*\* The Calgary office will deal with matters which arise in the City of Calgary or south of that city, while the Edmonton office will deal with matters north of Calgary. To assist in establishing contact, the Section Head for Edmonton Family Law may be contacted, unless the person or authority requesting assistance knows that the child is in Calgary or south of Calgary. The two offices will be responsible for transferring a request, if necessary. \* Le bureau de Calgary traitera les affaires qui émanent de la ville de Calgary ou du sud de cette ville, alors que le bureau d'Edmonton traitera les affaires émanant du nord de Calgary. Il est possible de s'adresser à la "Section Head for Edmonton Family Law" qui aidera à établir les contacts, à moins que la personne ou autorité demandant assistance sache que l'enfant se trouve à Calgary ou au sud de Calgary. Les deux bureaux auront la responsabilité du transfert de la requête, si nécessaire.*

**POUR LA COLOMBIE-BRITANNIQUE / FOR BRITISH  
Columbia**

Ministry of Attorney General Legal Services Branch PO  
Box 9280, Stn. Prov. Gov't 1001 Douglas  
Street VICTORIA, British Columbia Canada V8W  
9J7 numéro de téléphone/telephone number: +1 (250) 356

8433 / 8449 numéro de télécopie/telefax number: +1 (250)  
356 8992

**personnes à contacter / persons to contact:**

- Ms Penelope LIPSACK, Barrister and Solicitor e-mail:  
[Penelope.Lipsack@gov.bc.ca](mailto:Penelope.Lipsack@gov.bc.ca)
  - Ms Jillian Stewart e-mail: [Jillian.Stewart@gov.bc.ca](mailto:Jillian.Stewart@gov.bc.ca)
- POUR LA PROVINCE DU MANITOBA / FOR THE PROVINCE OF MANITOBA

Department of Justice Family Law Branch 1230 -  
405 Broadway WINNIPEG, Manitoba Canada R3C  
3L6 numéro de téléphone/telephone number: +1 (204) 945  
0268 numéro de télécopie/telefax number: +1 (204) 948  
2004 Email: [flb@gov.mb.ca](mailto:flb@gov.mb.ca) Internet:  
<http://www.gov.mb.ca/justice/family/law/index.html>

**personne à contacter / person to contact:**

- Ms Janet Sigurdson Crown Counsel Tel.: +1 (204) 945  
2850 e-mail: [Janet.Sigurdson@gov.mb.ca](mailto:Janet.Sigurdson@gov.mb.ca)
- POUR LA PROVINCE DU NOUVEAU-BRUNSWICK /  
FOR THE PROVINCE OF NEW BRUNSWICK

Ms Catherine BERRYMAN Coordinator of Family  
Cases 14th Floor, Assumption Place 770 Main Street, P.O.  
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3844 numéro de télécopie/telefax number: +1 (506) 869  
6148 adresse e-mail/e-mail address:  
[catherine.berryman@gnb.ca](mailto:catherine.berryman@gnb.ca)

POUR LA PROVINCE DE TERRE-NEUVE ET DU  
LABRADOR/FOR THE PROVINCE OF  
NEWFOUNDLAND AND LABRADOR

Attorney General of Newfoundland and  
Labrador Confederation Building Prince Philip Drive 4th  
Floor, East Block P.O. Box 8700 ST JOHN'S,  
Newfoundland Canada A1B 4J6 numéro de  
téléphone/telephone number: +1 (709) 729 2887 numéro de  
télécopie/telefax number: +1 (709) 729 2129

**personne à contacter / person to contact:**

- Mr Brian F. FUREY Manager - Social Unit e-mail:  
[brianf@gov.nl.ca](mailto:brianf@gov.nl.ca)

POUR LA PROVINCE DE LA NOUVELLE-  
ECOSSE/FOR THE PROVINCE OF NOVA SCOTIA

Nova Scotia Department of Justice Legal Services  
Division 5151 Terminal Road, 4th floor P.O. Box  
7 HALIFAX, Nova Scotia Canada B3J 2L6 numéro de  
téléphone/telephone number: +1 (902) 424 7788 numéro de  
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**personnes à contacter / persons to contact:**

- Mr Nicholas DORRANCE adresse e-mail/e-mail  
address: [dorranna@gov.ns.ca](mailto:dorranna@gov.ns.ca)

POUR NUNAVUT / FOR NUNAVUT

Erin George Legal & Constitutional Law Department of  
Justice Government of Nunavut P.O. Box 1000, Station  
500 IQALUIT, Nunavut X0A 0H0 numéro de  
téléphone/telephone number: +1 (867) 975 6354 numéro de  
télécopie/telefax number: +1 (867) 975 6349 adresse e-  
mail/e-mail address: [egeorge@gov.nu.ca](mailto:egeorge@gov.nu.ca)

POUR LA PROVINCE DE L'ONTARIO / FOR THE  
PROVINCE OF ONTARIO

Ministry of the Attorney General Central Authority for  
Ontario 1201 Wilson Avenue, Building B, 5th floor  
DOWNSVIEW, Ontario Canada M3M 1J8 numéro de  
téléphone/telephone number: +1 (416) 2431900 numéro de  
télécopie/telefax number: +1 (416) 240 2411

**personnes à contacter / persons to contact:**

- Mr Shane FOULDS Legal Counsel tel.: +1 (416) 240  
2484 e-mail: [shane.foulds@ontario.ca](mailto:shane.foulds@ontario.ca)
- Ms Amira ALI Case Manager (416) 243 1900 ext.  
7222 e-mail: [Amira.Ali@ontario.ca](mailto:Amira.Ali@ontario.ca)
- Ms Tina KAPOOR Law Clerk tel: +1 (416) 243 1900  
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POUR LA PROVINCE DE L'ILE DU PRINCE-  
EDOUARD / FOR THE PROVINCE OF PRINCE  
EDWARD ISLAND

Central Authority for Prince Edward Island Department of  
Justice and Public Safety Family Law Centre 1 Harbourside  
Access Road CHARLOTTETOWN, P.E.I. Canada C1A  
7J8 numéro de téléphone/telephone number: +1 (902) 368  
4886 numéro de télécopie/telefax number: +1 (902) 368  
6474

**personne à contacter / person to contact:**

- Ms Loretta Coady MacAulay Manager, Family Law  
Section e-mail: [llmacaulay@gov.pe.ca](mailto:llmacaulay@gov.pe.ca)  
POUR LA PROVINCE DU QUÉBEC / FOR THE  
PROVINCE OF QUEBEC

Direction des services professionnels - Entraide  
internationale Ministère de la Justice du Québec 1200,  
route de l'Eglise, 2e étage QUÉBEC, Québec Canada G1V  
4M1 numéro de téléphone/telephone number: +1 (418) 644

7153 numéro de télécopie/telefax number: +1 (418) 528  
9716 Internet:

<http://www.justice.gouv.qc.ca/english/programmes/eie/eie-a.htm>

**personnes à contacter / perons to contact:**

- Mme France RÉMILLARD (langues de communication / languages of communication: français, anglais / French, English) numéro de téléphone/telephone number: +1 (418) 644 7153 numéro de télécopie/telefax number: +1 (418) 528 9716 e-mail: [enlèvement.enfant@justice.gouv.qc.ca](mailto:enlèvement.enfant@justice.gouv.qc.ca)
- Mme Doris CAROLINE (as backup) (langues de communication / languages of communication: français, anglais / French, English) Ministère de la Justice du Québec Direction du contentieux 1, rue Notre-Dame Est, bureau 8.00 Montréal (Québec) H2Y 1B6 Téléphone : +1 (514) 393-2336, poste 51560 Télécopieur : +1 (514) 873-7074 Courriel : [doris.caroline@justice.gouv.qc.ca](mailto:doris.caroline@justice.gouv.qc.ca)

POUR LA PROVINCE DE LA SASKATCHEWAN / FOR THE PROVINCE OF SASKATCHEWAN

Ministry of Justice and Attorney General Policy, Planning and Evaluation Branch Public Law and Policy Division 310 - 1874 Scarth Street REGINA, Saskatchewan Canada S4P 4B3 numéro de téléphone/telephone number: +1 (306) 787 3481 numéro de télécopie/telefax number: +1 (306) 787 9008 Internet: [www.justice.gov.sk.ca/ppp](http://www.justice.gov.sk.ca/ppp) e-mail: [BettyAnn.Pottruff@gov.sk.ca](mailto:BettyAnn.Pottruff@gov.sk.ca) / [Kim.Newsham@gov.sk.ca](mailto:Kim.Newsham@gov.sk.ca) / [Max.Bilson@gov.sk.ca](mailto:Max.Bilson@gov.sk.ca)

**personnes à contacter / persons to contact:**

- Ms Betty Ann POTTRUFF, Q.C. Executive Director

- Ms Kim NEWSHAM Crown Solicitor tel.: +1 (306) 787 5709

POUR LES TERRITOIRES DU NORD-OUEST / FOR THE NORTHWEST TERRITORIES

Policy and Planning Division Department of Justice Government of the Northwest Territories 4903 - 49th Street PO Box 1320 YELLOWKNIFE, Northwest Territories Canada X1A 2L9 numéro de téléphone/telephone number: +1 (867) 920-3362 numéro de télécopie/telex number: +1 (867) 873-0659

**personne à contacter / person to contact:**

- Mr Mike REDDY (Senior Policy Analyst) e-mail: [mike\\_c\\_reddy@gov.nt.ca](mailto:mike_c_reddy@gov.nt.ca)

POUR LE TERRITOIRE DU YUKON / FOR THE YUKON TERRITORY

Deputy Minister of Justice PO Box 2703 WHITEHORSE, Yukon Canada Y1A 2C6 numéro de téléphone/telephone number: +1 (867) 667 5856 numéro de télex/telex number: 036-8260 numéro de télécopie/telex number: +1 (867) 393 6379 adresse e-mail/e-mail address: -

**personne à contacter / person to contact:**

- Judith M. Hartling

## Chile

### *Chile - Central Authority*

Corporación de Asistencia Judicial de la Región Metropolitana Calle Agustinas 1419 SANTIAGO DE CHILE Chile Tel./Fax: +56 (2) 673 4123 courriel/e-mail:

[internacional@cajmetro.cl](mailto:internacional@cajmetro.cl) Internet: [www.cajmetro.cl](http://www.cajmetro.cl)

**personnes à contacter / persons to contact:**

- Mr Claudio VALDIVIA RIVAS Director  
General (langue de communication / language of communication: espagnol / Spanish)
- Mr Juan Francisco ZARRICUETA BAEZA Abogado Jefe, Oficina Internacional (langues de communication / languages of communication: espagnol / Spanish and anglais / English) e-mail: [jfzarricueta@cajmetro.cl](mailto:jfzarricueta@cajmetro.cl)
- Mrs María Gabriela GONZÁLEZ COFRÉ Abogado Auxiliar, Oficina Internacional (langues de communication / languages of communication: espagnol / Spanish and anglais / English) e-mail: [mggonzalez@cajmetro.cl](mailto:mggonzalez@cajmetro.cl)

*N.B. Chile having acceded to the Convention in accordance with Article 38, the accession has effect only as regards the relations between Chile and such Contracting States as have declared their acceptance of the accession. "Such a declaration will also have to be made by any Member State ratifying, accepting or approving the Convention after an accession." For further information, see status of the Convention.*

**China, People's Republic of**

*China (Hong Kong) - Central Authority*

Secretary for Justice of the Hong Kong Special Administrative Region c/o International Law Division (Mutual Legal Assistance Unit) Department of Justice 47/F, High Block Queensway Government

Offices 66 Queensway, Hong Kong, China Telephone number: - Telefax number: +852 2523 7959 / +852 2877 9585 E-mail address: [childabduction@doj.gov.hk](mailto:childabduction@doj.gov.hk) website: <http://www.doj.gov.hk/childabduct/>

**Persons to contact:**

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- Ms Rebecca DRAKE Senior Government Counsel (language of communication: English) Tel.: +852 2867 4724
- Ms Susana SIT Senior Government Counsel (language of communication: Chinese, English) Tel.: +852 2867 3403
- Ms Cathy SZETO Government Counsel (language of communication: Chinese, English) Tel.: +852 2867 4725

(This page was last updated on 22 July 2011)

**China (Macao) - Central Authority**

Instituto de Acção Social Estrada do Cemitério, No 6 Macau telephone: +853 28512 512 fax: +853 28559 529 e-mail: [srh@ias.gov.mo](mailto:srh@ias.gov.mo) Internet: [www.ias.gov.mo](http://www.ias.gov.mo)

**Person to contact:**

- Mr Ip Peng Kin President of the Social Welfare Bureau (language of communication: English)

**Costa Rica**

*Costa Rica - Central Authority*

Patronato Nacional de la Infancia Apartado Postal 5000-1000 SAN JOSÉ Costa Rica tel.: +506 2523 0714 fax: +506 2258 1494 email: [ealfaro@pani.go.cr](mailto:ealfaro@pani.go.cr) website: [www.pani.go.cr](http://www.pani.go.cr) (language of communication: Spanish) Contact person: Mr Eduardo Alfaro Villalobos, Legal Counsel

*Address:* 16th Avenue, 21 Street (Barrio Luján, 200 metros al sur de la Casa Matute Gómez, Antiguas instalaciones de la Dos Pinos)

**N.B.** *Costa Rica* having acceded to the Convention in accordance with Article 38, the accession has effect only as regards the relations between *Costa Rica* and such Contracting States as have declared their acceptance of the accession. "Such a declaration will also have to be made by any Member State ratifying, accepting or approving the Convention after an accession."

## **Croatia**

*Croatia - Central Authority*

Ministry of Health and Social Welfare Ksaver 200a 10000 ZAGREB Republic of Croatia numéro de télécopie/telefax number: +385 (1) 469 8462 adresse e-mail/e-mail address: [marija.stojevic@mzss.hr](mailto:marija.stojevic@mzss.hr) / [lidija.budimovic@mzss.hr](mailto:lidija.budimovic@mzss.hr)

### **Personnes à contacter / contact persons:**

- Ms Tatjana Katkic Stanic, Director
- Ms Marija Stojevic (+385 1 469 8459)
- Ms Lidija Budimovic (+385 1 469 8453)
- Mrs Bernadrica Cvitkovic-Racki (+385 1 469 8330)

*The authority designated to serve the Central Authority under the Convention:*

Ministry of Justice Dezmanova ulica 6 and 10 HR - 10000  
ZAGREB Republic of Croatia tel.: +385 (1) 371  
0666 telefax: +385 (1) 371 0672

(This page was last updated on 17 February 2011)

## Cyprus

*Cyprus - Central Authority*

Ministry of Justice and Public Order International Legal  
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NICOSIA Cyprus numéros de téléphone/telephone  
numbers: +357 (22) 805 928 / 932 numéro de  
télécopie/telefax number: +357 (22) 518 328 / 356 adresse  
e-mail/e-mail address: [registry@mjpo.gov.cy](mailto:registry@mjpo.gov.cy) Internet:  
[www.mjpo.gov.cy](http://www.mjpo.gov.cy) (*langues de communication / languages  
of communication: grec, anglais / Greek, English*)

### **Personnes à contacter / Contact persons:**

- Ms Elli Kanari-Morphaki Senior Administrative  
Officer Email: [emorphaki@mjpo.gov.cy](mailto:emorphaki@mjpo.gov.cy)
- Ms Troodia Dionysiou Administrative Officer Email:  
[tdionysiou@mjpo.gov.cy](mailto:tdionysiou@mjpo.gov.cy)

**N.B.** *Cyprus* having acceded to the Convention in  
accordance with Article 38, the accession has effect only as  
regards the relations between *Cyprus* and such Contracting  
States as have declared their acceptance of the accession.  
"Such a declaration will also have to be made by any  
Member State ratifying, accepting or approving the  
Convention after an accession."

## Czech Republic

*Czech Republic - Central Authority*

Úrad pro mezinárodné právnické ochranu detí (Office for International Legal Protection of Children) Silingrovo námestí 3/4 60200 BRNO Czech Republic tel.: +420 (5) 4221 5522 fax: +420 (5) 4221 2836 Internet: [www.umpod.cz](http://www.umpod.cz)

**persons to contact:**

- Mr Zdenek KAPITÁN Director (languages de communication / languages of communication: allemand, anglais / German, English) e-mail: [podatelna@umpod.cz](mailto:podatelna@umpod.cz)
- Mrs Markéta NOVÁKOVÁ Deputy Director (languages de communication / languages of communication: allemand, anglais / German, English) E-mail: [podatelna@umpod.cz](mailto:podatelna@umpod.cz)

**Denmark**

*Denmark - Central Authority*

Danish Central Authority Ministry of Justice Department of Family Affairs (Familiestyrelsen) Kristineberg 6 2100 Copenhagen Ø tel.: +45 3392 3302 (from 10 a.m. to 2 p.m., Thursdays from 10 a.m. - 4 p.m.) fax: +45 3927 1889 e-mail: [familiestyrelsen@famstyr.dk](mailto:familiestyrelsen@famstyr.dk) Internet: <http://www.boernebortfoerelse.dk/en/> and <http://www.familiestyrelsen.dk/>

**Personnes à contacter / persons to contact:**

- Mr. Nikolaj Krohn-Rasmussen Head of Section (languages of communication: Danish, English) tel.: +45 3392 2928 e-mail: [nkra@famstyr.dk](mailto:nkra@famstyr.dk)

- Ms Nanna Kildsig Head of Section (languages of communication: Danish, English) tel.: +45 3392 2963 e-mail: [nmk@famstyr.dk](mailto:nmk@famstyr.dk)
- Mrs. Malene Rasmussen Vestergaard Head of Office (languages of communication: Danish, English) tel.: +45 3392 3302 e-mail: [famliestyrelsen@famstyr.dk](mailto:famliestyrelsen@famstyr.dk)
- Ms Merethe Johansen Special Adviser (languages of communication: Danish, English) tel.: +45 3392 2822 e-mail: [mejo@famstyr.dk](mailto:mejo@famstyr.dk)

*Note: The Convention does not apply to the territories of the Faroe Islands and Greenland.*

## **Ecuador**

### *Ecuador - Central Authority*

Consejo Nacional de la Niñez y Adolescencia Calle Foch No E4-38 y Colón QUITO Ecuador  
 Numéro de téléphone/telephone number: +593 (2) 222 8327  
 Numéro de télécopie/telex number: +593 (2) 223 8458, ext. 200  
 Internet: <http://www.cnna.gob.ec/> Email: [info@cnna.gob.ec](mailto:info@cnna.gob.ec)

### **Personnes à contacter/contact persons:**

- Soc. Sara Oviedo Fierro Secretaria Ejecutiva Nacional [saraoviedo@cnna.gob.ec](mailto:saraoviedo@cnna.gob.ec) (*langue de communication / language of communication: espagnol / Spanish*)
- Dra. Lorena Dávalos Carrasco [lorenadavalos@cnna.gob.ec](mailto:lorenadavalos@cnna.gob.ec) (*langues de communication / languages of communication: espagnol, anglais / Spanish, English*)
- Ab. Karina Subía [karinasubia@cnna.gob.ec](mailto:karinasubia@cnna.gob.ec) (*langues de communication / languages of communication:*

*espagnol, anglais / Spanish, English)*

## **Estonia**

*Estonia - Central Authority*

Ministry of Justice Tõnismägi 5A 15191  
Tallinn Estonia tel.: +372 620 8100 fax: +372 620  
8109 email: [central.authority@just.ee](mailto:central.authority@just.ee) general website:  
[www.just.ee](http://www.just.ee)

### **Contact person / Personne à contacter :**

- Ms Haldi MÄESALU, Assistant Advisor International  
Judicial Co-operation Unit tel.: +372 620 8183 fax:  
+372 620 8191 e-mail: [haldi.maesalu@just.ee](mailto:haldi.maesalu@just.ee)  
languages of communication: Estonian, English,  
Russian

*N.B. Estonia having acceded to the Convention in accordance with Article 38, the accession has effect only as regards the relations between Estonia and such Contracting States as have declared their acceptance of the accession. "Such a declaration will also have to be made by any Member State ratifying, accepting or approving the Convention after an accession."*

## **Finland**

*Finland - Central Authority*

Ministry of Justice International Affairs Etelaesplanadi  
10 00130 HELSINKI *Postal address:* PO Box 25 00023  
GOVERNMENT Finland numéro de téléphone/telephone  
number: +358 (9) 1606 7628 numéro de télécopie/telefax  
number: +358 (9) 1606 7524 adresse e-mail/e-mail address:

[central.authority@om.fi](mailto:central.authority@om.fi)

*A booklet providing basic information to parents and intended as a guide to Finnish authorities in cases of international child abduction, has been prepared in co-operation between the Ministry for Foreign Affairs, the Ministry of Justice, the Ministry of Social Affairs and Health, and the Association for Abducted Children in December 2000: [Booklet on International Child Abduction](#).*

**personnes à contacter / persons to contact:**

- Mrs Merja NORROS Ministerial Counsellor (langues de communication / languages of communication: anglais, finnois, russe, suédois / English, Finnish, Russian, Swedish) tel.: +358 (9) 1606 7633
- Ms Outi KEMPPAINEN Legal Adviser (langues de communication / languages of communication: anglais, finnois, français, suédois / English, French, Finnish, Swedish) tel.: +358 (9) 1606 7576

**France**

*France - Central Authority*

Ministère de la Justice et des Libertés Direction des Affaires Civiles et du Sceau Bureau de l'entraide civile et commerciale internationale (D3) 13, Place Vendôme 75042 PARIS Cedex 01 France numéro de téléphone/telephone number: +33 (1) 4477 6105 / 6380 numéro de télécopie/telefax number: +33 (1) 4477 6122 messagerie/E-mail : [entraide-civile-internationale@justice.gouv.fr](mailto:entraide-civile-internationale@justice.gouv.fr) Sites Internet : [www.justice.gouv.fr](http://www.justice.gouv.fr) [Enlèvements internationaux d'enfants et droits de visite transfrontières](#)

**personnes à contacter / persons to contact:**

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- Mme Jocelyne PALENNE Magistrat (langues de communication / languages of communication: français, anglais / French, English) tel.: +33 (1) 44 77 65 78
- Mme Ankeara KALY Magistrat, chargée de l'aide à la médiation familiale internationale pour les familles (langues de communication / languages of communication: français, anglais / French, English) tel.: +33 (1) 44 77 61 46
- Mme Tania JEW CZUK Magistrat (langues de communication / languages of communication: français, anglais / French, English) tel.: +33 (1) 44 77 65 15
- Mme Alice COTTE Magistrat (langues de communication / languages of communication: français, anglais, allemand / French, English, German) tel.: +33 (1) 44 77 65 48
- Mme Stéphanie LEURQUIN Juriste contractuel (langues de communication / languages of communication: français, anglais, espagnol / French, English, Spanish) tel.: +33 (1) 44 77 64 52
- M. Dominique TOMASZEWSKI Médiation familiale (langues de communication / languages of communication: français, anglais / French, English) tel.: +33 (1) 44 77 25 22

- Mme Fabienne VANDAMME Educatrice (langue de communication / language of communication: français, anglais / French, English) tel.: +33 (1) 44 77 66 75
- Mme Arlette URIE Assistante (langue de communication / language of communication: français / French) tel.: +33 (1) 44 77 62 10
- Mme Paule PERRIOLLAT Assistante (langue de communication / language of communication: français, anglais / French, English) tel.: +33 (1) 44 77 62 16
- Mme Aminata COINTET Assistante (langues de communication / languages of communication: français, anglais / French, English) tel.: +33 (1) 44 77 25 30

*Note: La Convention s'applique à l'ensemble du territoire de la République Française. The Convention extends to the whole of the territory of the French Republic.*

## **Georgia**

*Georgia - Central Authority*

Ministry of Justice of Georgia Department of Public International Law 24, Gorgasali St. TBILISI  
 0133 Georgia *working hours of the Ministry of Justice: 10.00 am till 7.00 pm (lunch: 1.00 to 2.00 pm)* numéro de téléphone/telephone number: +995 32-40 52 04 / +995 32-40 50 97 numéro de télécopie/telefax number: +995 32-40 52 04 adresse e-mail/e-mail address: [nkilasonia@justice.gov.ge](mailto:nkilasonia@justice.gov.ge) / [djavakhadze@justice.gov.ge](mailto:djavakhadze@justice.gov.ge) Internet:

[http://www.justice.gov.ge/child%20abduction\\_eng.html](http://www.justice.gov.ge/child%20abduction_eng.html)

**personnes à contacter / persons to contact:**

- Babutsa Pataraiia Deputy Head of the Department of Public International Law phone:(+995 32) 40 59 07 fax: (+995 32) 40 52 04 email: [bpataraiia@justice.gov.ge](mailto:bpataraiia@justice.gov.ge)
- David Javakhadze Legal Advisor of the Department of Public International Law phone:(+995 32) 40 52 04 fax: (+995 32) 40 52 04 email: [djavakhadze@justice.gov.ge](mailto:djavakhadze@justice.gov.ge)

*N.B. Georgia having acceded to the Convention in accordance with Article 38, the accession has effect only as regards the relations between Georgia and such Contracting States as have declared their acceptance of the accession. "Such a declaration will also have to be made by any Member State ratifying, accepting or approving the Convention after an accession."*

## **Germany**

*Germany - Central Authority Bundesamt für Justiz Zentrale Behörde 53094 BONN Germany tel.: +49 (228) 99 410 5212 fax: +49 (228) 99 410 5401 e-mail: [int.sorgerecht@bfj.bund.de](mailto:int.sorgerecht@bfj.bund.de) website: [www.bundesjustizamt.de/sorgerecht](http://www.bundesjustizamt.de/sorgerecht) and [www.bundesjustizamt.de/custody-conflicts](http://www.bundesjustizamt.de/custody-conflicts)*

## **Greece**

*Greece - Central Authority*

Ministry of Justice, Transparency and Human Rights 96 Mesogeion Av. 11527 ATHENS Greece numéro de téléphone/telephone number: +30 (210) 776 7312 numéro

de télécopie/telefax number: +30 (210) 776 7499 adresse e-mail/e-mail address: [minjust@otenet.gr](mailto:minjust@otenet.gr) Internet: <http://www.ministryofjustice.gr/>

**personnes à contacter / persons to contact:**

- Mrs Eirini KOUZELI Section Head (langues de communication / languages of communication: grecque, français, anglais / Greek, French, English)
- Mr Theophilos TSAGRIS Staff Member (langues de communication / languages of communication: grecque, anglais / Greek, English)

## **Hungary**

*Hungary - Central Authority*

Ministry of Public Administration and Justice Department of Justice Cooperation and Private International Law P.O. Box 2 1357 Budapest Kossuth tér 2-4. 1055 BUDAPEST Hungary tel.: +36 (1) 795-4846 fax: +36 (1) 795-0463 e-mail: [nemzm@kim.gov.hu](mailto:nemzm@kim.gov.hu) General website: [www.kim.gov.hu](http://www.kim.gov.hu) Languages of communication: Hungarian, English, German, French

**personnes à contacter / persons to contact:**

- dr. András Erno DÁRDAI Head of Division (langues de communication / languages of communication: anglais, français / English, French)
- dr. Mária KURUCZ Head of Division (langues de communication / languages of communication: anglais, français / English, French)
- dr. Ágnes NINAUSZ (langue de communication /

- language of communication: français / French)
- dr. Szabolos BORECZKI (langues de communication / languages of communication: français, anglais / French, English)
  - dr. Ildikó BERECKZI (langues de communication / languages of communication: français, anglais / French, English)
  - dr. Eszter MAROSI (langues de communication / languages of communication: allemand, anglais / German, English)
  - dr. György GÁTOS (langues de communication / languages of communication: français, allemand, anglais / French, German, English)

*N.B. Hungary having acceded to the Convention in accordance with Article 38, the accession has effect only as regards the relations between Hungary and such Contracting States as have declared their acceptance of the accession. "Such a declaration will also have to be made by any Member State ratifying, accepting or approving the Convention after an accession."*

## **Iceland**

*Iceland - Central Authority*

Ministry of the Interior Sölvhólgötu 7 150  
 REYKJAVÍK Iceland numéro de téléphone/telephone  
 number: +354 545 9000 numéro de télécopie/telex  
 number: +354 552 7340 e-mail: [postur@irr.is](mailto:postur@irr.is)

### **Contact persons:**

- Mrs Jóhanna Gunnarsdóttir Senior Legal Expert tel.:  
 +354 545 9062 e-mail: [johanna.gunnarsdottir@irr.is](mailto:johanna.gunnarsdottir@irr.is)

*N.B. Iceland having acceded to the Convention in accordance with Article 38, the accession has effect only as*

*regards the relations between Iceland and such Contracting States as have declared their acceptance of the accession. "Such a declaration will also have to be made by any Member State ratifying, accepting or approving the Convention after an accession."*

## **Ireland**

*Ireland - Central Authority*

Department of Justice and Equality Bishop's  
Square Redmond's Hill DUBLIN 2 Ireland numéro de  
téléphone/telephone number: +353 (1) 4790 200  
(switchboard) numéro de télécopie/telefax number: +353  
(1) 4790 201 adresse e-mail/e-mail address:  
[internationalchildabduction@justice.ie](mailto:internationalchildabduction@justice.ie) Internet:  
<http://www.justice.ie/>

### **Personnes à contacter / persons to contact:**

- Ms Mary MULVANERTY tel.: +353 (1) 4790  
287 (langue de communication/language of  
communication: anglais/English)
- Ms Marguerite WARD tel.: +353 (1) 4790 290 (langue  
de communication/language of communication:  
anglais/English)

(This page was last updated on 24 February 2011)

## **Israel**

*Israel - Central Authority*

Ministry of Justice Department of International Affairs 7  
Mahal Street, Ma'alot Dafna PO Box 94123 Jerusalem  
97765 Israel numéro de téléphone/telephone number: +972  
2 541 9614/615/601 numéro de télécopie/telefax number:

+972 2 541 9644 **after-hours emergency number: +972-506-216-419** addresses e-mail/e-mail addresses: [lesliek@justice.gov.il](mailto:lesliek@justice.gov.il) / [reginat@justice.gov.il](mailto:reginat@justice.gov.il) Internet: [www.justice.gov.il](http://www.justice.gov.il) (child abduction page, in Hebrew)

**personnes à contacter / persons to contact:**

- Ms Leslie KAUFMAN (langues de communication / languages of communication: hébreu, anglais / Hebrew, English)
- Ms Regina TAPOOHI (langues de communication / languages of communication: hébreu, anglais / Hebrew, English)

**Italy**

*Italy - Central Authority*

Ministero della Giustizia Dipartimento per la Giustizia  
Minorile Via Damiano CHIESA No 24 00136  
ROME Italia E-mail: [autoritacentrali.dgm@giustizia.it](mailto:autoritacentrali.dgm@giustizia.it) Site  
web/Website: [www.giustiziaminorile.it](http://www.giustiziaminorile.it)

**Chef du Département pour la Justice des Mineurs /  
Head of Juvenile Justice Department : M./Mr Bruno  
BRATTOLI (Magistrat/Judge) téléphone/telephone : +39  
0668188336 ou/or +39 0668188337 télécopie/fax: +39  
0668807087 ou/or +39 0668808085 e-mail/e-mail:  
[giustizia.minorile@giustizia.it](mailto:giustizia.minorile@giustizia.it)**

**Service 1 (Secrétariat) / Unit 1 (Secretariat)  
: télécopie/fax: +39 0668808085 / +39 0668807087**

- Mme/Mrs Sara MELIFFI tel.: +39 0668188331
- Mme/Mrs Annarita MIGLIONICO tel.: +39 0668188331

**Service 1 (Service de Traduction / Unit 1 (Translation Unit)):**

- Mme/Mrs Pieranna ANNESE (langues/languages: français, allemand / French, German) tel.: +39 06 30331233
- Mme/Mrs Mariacristina GAGGIANI (langues/languages: français, anglais / French, English) tel.: +39 0668188321

**Service 2 (Fonctionnaires chargés des affaires) / Unit 2 (Case Officers):**

- Mme/Mrs Ludovica JOVENE Fonctionnaire  
Coordinateur / Senior Case  
Manager (langue/language: français / French) tel.  
+39 0668188328
- M./Mr Federico CICCARELLA (langue/language:  
anglais / English) tel. : +39 0668188363
- M./Mr Alessio NOCE (langues / languages: anglais /  
English) tel.:+39 (06) 68188.240
- Mme/Mrs Maria Laura POLLICE (langue/language:  
anglais / English) tel. : +39 0668188306
- M./Mr Simone RANIERI (langue/language: anglais /  
English) tel. : +39 0668188327

## **Latvia**

*Latvia - Central Authority*

Ministry of Justice Children Affairs Cooperation  
Division Brivibas Blvd. 36 Riga, LV-  
1536 Latvia Telephone: +371 6703 6801 Fax: +371 6721  
0823 E-mail: [tm.kanceleja@tm.gov.lv](mailto:tm.kanceleja@tm.gov.lv) Website:

[www.tm.gov.lv](http://www.tm.gov.lv)

**Persons to contact:**

- Mr Agris Skudra Head of Division Telephone: +371  
6703 6836 E-mail: [Agris.Skudra@tm.gov.lv](mailto:Agris.Skudra@tm.gov.lv)
- Ms Inese Paune Senior Desk Officer Telephone: +371  
6703 6846 E-mail: [Inese.Paune@tm.gov.lv](mailto:Inese.Paune@tm.gov.lv)

*Languages of communication: Latvian, English, German, Russian.*

**Lithuania**

*Lithuania - Central Authority*

Ministry of Social Security and Labour State Child Rights  
Protection and Adoption Service A. Vivulskio Street  
13 03221 VILNIUS Lithuania tel.: +370 (5) 231 0928 fax:  
+370 (5) 231 0927 e-mail: [info@ivaikinimas.lt](mailto:info@ivaikinimas.lt) Internet:  
[www.ivaikinimas.lt](http://www.ivaikinimas.lt)

**personnes à contacter / persons to contact:**

- Ms Simona BRONUSIENE, Deputy Director (languages  
of communication: French, English, Russian) tel.:  
+370 (5) 231 0939

**Luxembourg**

*Luxembourg - Central Authority*

Le Procureur Général d'Etat Cité Judiciaire Plateau du St.-  
Esprit L-2080 LUXEMBOURG Luxembourg numéro de  
téléphone/telephone number: Secrétariat/Secretariat: +352  
475981 336 numéro de télécopie/telefax number: +352  
470550 Courriel / Email: [parquet.general@justice.etat.lu](mailto:parquet.general@justice.etat.lu)

## **personnes à contacter / persons to contact:**

- Mme Christiane BISENIUS Avocat général (langues de communication / languages of communication: français, anglais, allemand / French, English, German) tel.: +352 4759 81336 *en son absence / in her absence:*
- Mme Jeanne GUILLAUME (langues de communication / languages of communication: français, anglais, allemand / French, English, German) tel.: +352 4759 813336

## **Malta**

### *Malta - Central Authority*

Ministry of Education, Employment and the Family Department for Social Welfare Standards Bugeia Institute 469, St. Joseph High Road St. Venera SVR 1012 Malta Tel. No. +356 2278 8000 Fax No. +356 2278 8355 e-mail address: [welfare.standards@gov.mt](mailto:welfare.standards@gov.mt) Internet: [www.welfarestandards.gov.mt](http://www.welfarestandards.gov.mt)

*N.B. Malta having acceded to the Convention in accordance with Article 38, the accession has effect only as regards the relations between Malta and such Contracting States as have declared their acceptance of the accession. "Such a declaration will also have to be made by any Member State ratifying, accepting or approving the Convention after an accession."*

## **Mauritius**

### *Mauritius - Central Authority*

The Permanent Secretary Ministry of Gender Equality,  
Child Development and Family Welfare 7th floor, Newton  
Tower, Cr. Sir William Newton Street and Remy Ollier  
Street PORT LOUIS Mauritius numéro de  
téléphone/telephone number: +230 405 3300 numéro de  
télécopie/telex number: +230 213 6328 adresse e-mail/e-  
mail address: [mwfwcd@mail.gov.mu](mailto:mwfwcd@mail.gov.mu)

**personnes à contacter / persons to contact:**

- Mrs Karoonawtee Chooramun, Head, Child  
Development Unit Tel.: +230 206 3742
- Mrs S. Raneer Nundah, Coordinator, Child Development  
Unit Tel.: +230 206 3744

*N.B. La République de Maurice ayant adhéré à la  
Convention conformément à son article 38, cette adhésion  
n'aura d'effet que dans les rapports entre la République de  
Maurice et les Etats contractants qui auront déclaré  
accepter cette adhésion. "Une telle déclaration devra  
également être faite par tout Etat membre ratifiant,  
acceptant ou approuvant la Convention ultérieurement à  
l'adhésion".*

## **Mexico**

### *Mexico - Central Authority*

Secretaría de Relaciones Exteriores Dirección General de  
Protección a Mexicanos en el Exterior Dirección de  
Derecho de Familia Plaza Juárez no. 20, Piso 17° Colonia  
Centro, Deleg. Cuauhtémoc C.P. 06010 México, Distrito  
Federal Fax: (+52-55) 3686 5865 Email:  
[dgpm exterior@sre.gob.mx](mailto:dgpm exterior@sre.gob.mx) Internet: [www.sre.gob.mx](http://www.sre.gob.mx)

**persons to contact:**

- Min. Daniel Hernández Joseph Director General for Protection to Mexicans Abroad (languages of communication: Spanish, English and French) Tel.: (+52-55) 3686 5855
- Mr Julián Adem-Díaz de León Deputy Director General for Protection (languages of communication: Spanish, English and French) Tel.: (+52-55) 3686 5874 email: [jadem@sre.gob.mx](mailto:jadem@sre.gob.mx)
- Mr Johannes Jácome Cid Director for Family Law (languages of communication: Spanish, English and French) Tel: (+52-55) 3686 5871 Email: [jjacome@sre.gob.mx](mailto:jjacome@sre.gob.mx)
- Ms Reyna Martínez-López Subdirectora de restitución de menores Email: [raurora@sre.gob.mx](mailto:raurora@sre.gob.mx)

*Note: In addition to the Central Authority designated by Mexico in accordance with Article 6 of the Convention, Mexico has appointed State Central Authorities, the list of which is available below. The Central Authority to which applications may be addressed for transmission to the appropriate State Central Authority remains as before the "Consultoría Jurídica" of the Ministry of Foreign Affairs of Mexico.*

## AUTORIDADES CENTRALES ESTATALES EN LOS ESTADOS UNIDOS MEXICANOS

- **distrito federal**

direccion de asistencia juridica - sistema nacional para el desarrollo integral de la familia - prolongacion xochilcalco 947 - col. santa cruz atoyac - delegacion benito juarez - 03310 mexico, d.f. - tel.: 601 2222 (ext. 1600, 1601, 6012), 629 2367, 629 2368 - fax: 688 6710

- **aguascalientes**

direccion general del dif aguascalientes - av. de la convencion sur exq. av. de los maestros - col. españa - 20210 aguascalientes, ags. - tel.: 133376

procuraduria de la defensa del menor y la familia - dif aguascalientes - av. de la convencion sur y av. de los maestros - col. españa - 20210 aguascalientes, ags. - tel.:133363

- **baja california**

direccion general dif baja california - av. obregon calle "e" 1290 - col. nueva - 21100 mexicali, b.c. - tel.: 525680

direccion general de asuntos juridicos y procuraduria de la defensa del menor y la familia dif baja california - locales 12 y 13 centro comercial plaza fiesta - calz. independencia y niños heroes - 21280 mexicali, b.c. - tel.: 524802

- **baja california sur**

direccion general dif baja california sur - aquiles serdan y rosales - 23000 la paz, b.c.s. - tel.: 26790

procuraduria de la defensa del menor y la familia - dif baja california sur - aquiles serdan y rosales - 23000 la paz, b.c.s. - tel.: 23887

- **campeche**

direccion general dif campeche - calle diez n° 584 mansion carbajal - col. san roman centro - 24000 campeche, camp. - tel.: 167520

procuraduria de la defensa del menor y la familia - dif campeche - calle diez n° 584 mansion carbajal - col. san

roman centro - 24000 campeche, camp. - tel.: 167644

- **coahuila**

direccion general dif coahuila - paseo de las arboledas y torres bodet - col. chapultepec - 25050 saltillo, coah. - tel.: 173700

- **colima**

direccion general dif colima - calz. galvan norte y emilio carranza - 28030 colima, col. - tel.: 125937

procuraduria de la defensa del menor y la familia - dif colima - calz. galvan norte y emilio carranza - 28030 colima, col. - tel.: 121705

- **chiapas**

direccion general dif chiapas - libramiento nte. ote. salomon gonzalez blanco - esq. paso limon - col. patria nueva - 29000 tuxtla gutierrez, chis. - tel.: 141584

procuraduria de la defensa del menor y la familia - dif chiapas - libramiento nte. ote. salomon gonzalez blanco - esq. paso limon - col. patria nueva - 29000 tuxtla gutierrez, chis. - tel.: 141557

- **chihuahua**

direccion general dif chihuahua - av. tecnologico 2903 - 31310 chihuahua, chih. - tel.: 137689

procuraduria de la defensa del menor y la familia - dif chihuahua - av. tecnologico 2903 - 31310 chihuahua, chih.

- tel.: 135644

- **durango**

direccion general dif durango - h. colegio militar y cap francisco ibarra s/n - 34000 durango, dgo. - tel.: 83904

procuraduria de la defensa del menor y la familia - dif durango - h. colegio militar y cap francisco ibarra s/n - 34000 durango, dgo. - tel.: 178417

- **estado de mexico**

direccion general dif estado de mexico - paseo colon y tollecan - col. isidro favela - 50170 toluca, mex. - tel.: 173786

procuraduria de la defensa del menor y la familia - del dif estado de mexico - jose v. villada 451, esq. francisco murguia - col. el ranchito - 50130 toluca, mex. - tel.: 124868

- **guajuato**

direccion general dif guajuato - paseo de la presa 89-a - 36000 guajuato, gto. - tel.: 320499

procuraduria de la defensa del menor y la familia - dif guajuato - paseo de la presa 89-a - 36000 guajuato, gto. - tel.: 321083

- **guerrero**

direccion general dif guerrero - orquidea s/n av. lazaro cardenas esq. ruffo figueroa - apartado 131 - col. burocratas

- 39090 chilpancingo, gro. - tel.: 722772

procuraduria de la defensa del menor y la familia - dif  
guerrero - av. lazaro cardenas esq. ruffo figueroa s/n -  
apartado 131 - col. burocratas - 39090 chilpancingo, gro. -  
tel.: 727992

- **hidalgo**

direccion general dif hidalgo - salazar 100 - col. centro -  
42000 pachuca, hgo. - tel.: 55395

procuraduria de la defensa del menor y la familia - dif  
hidalgo - salazar 100 - col. centro - 42000 pachuca, hgo. -  
tel.: 55283

- **jalisco**

direccion general dif jalisco - av. alcalde 1220 piso 1 -  
44280 guadalajara, jal. - tel.: 824 0097

procuraduria de la defensa del menor y la familia - av.  
alcalde 1220 - 44280 guadalajara, jal. - tel.: 624 4154

- **michoacan**

direccion general dif michoacan - av. acueducto 447, esq.  
ventura - puente bosque cuauhtemoc - 58000 morelia,  
mich. - tel.: 120 7815

procuraduria de la defensa del menor y la familia - dif  
michoacan - av. acueducto y ventura puente - 58000  
morelia, mich. - tel.: 133541

- **morelos**

direccion general dif morelos - av. chapultepec s/n - col. chapultepec - 62450 cuernavaca, mor. - tel.: 156920

procuraduria de la defensa del menor y la familia - dif morelos - bajada de chapultepec 24 - col. chapultepec - 62450 cuernavaca, mor. - tel.: 155168

- **nayarit**

direccion general dif nayarit - calle sauce y cedro - col. san juan - 63130 tepic, nay. - tel.: 140252

procuraduria de la defensa del menor y la familia - dif nayarit - amado nervo y puebla - 63130 tepic, nay. - tel.: 125271

- **nuevo leon**

direccion general dif nuevo leon - av. morones prieto 600 ote. - col. independencia - 64720 monterrey, n.l. - tel.: 403297

procuraduria de la defensa del menor y la familia - dif nuevo leon - luis g. urgina s/n - col. fabriles - 64550 monterrey, n.l. - tel.: 481862

- **oaxaca**

direccion general dif oaxaca - 1a. gral. vicente guerrero 114 - col. miguel aleman - 68120 oaxaca, oax. - tel.: 66928

procuraduria de la defensa del menor, la mujer y la familia dif oaxaca - matamoros 305 - col. centro - 68000 oaxaca, oax. - tel.: 62385

- **puebla**

direccion general dif puebla - priv. 5-b sur n° 4302 - col. gabriel pastor - 72420 puebla. pue. - tel.: 409912

procuraduria de la defensa del menor y la familia - dif puebla - 25 poniente n° 2302 - col. los angeles - 72440 puebla, pue. - tel.: 430240

- **queretaro**

direccion general dif queretaro - pasteur sur n° 5 altos - 76000 queretaro, qro. - tel.: 141254

procuraduria de la defensa del menor y la familia - dif queretaro - pasteur sur n° 6 altos casa de escala - 76000 queretaro, qro. - tel.: 141115

- **quintana roo**

direccion general dif quintana roo - av. adolfo lopez mateos 441 - col. campestre - 77030 chetumal, q.r. - tel.: 324177

procuraduria de la defensa del menor y la familia - dif quintana roo - av. adolfo lopez mateos 441 - col. campestre - 77030 chetumal, q.r. - tel.: 322224 (ext. 66 y 64)

- **san luis potosi**

direccion general dif san luis potosi - nicolas fernandez torres 500 - col. jardin - 78270 san luis potosi, s.l.p. - tel.: 176211

procuraduria de la defensa del menor y la familia - dif san luis potosi - mariano otero 804 - col. barrio de

tequisquiapan - 78230 san luis potosi, s.l.p. - tel.: 135281

- **sinaloa**

direccion general dif sinaloa - ignacio ramirez y rivapalacio  
centro - 80200 culiacan, sin. - tel.: 131109

procuraduria de la defensa del menor y la familia - dif  
sinaloa - av. constitucion y juan m. banderas centro - 80200  
culiacan, sin. - tel.: 164486

- **sonora**

direccion general dif sonora - blvd. luis encinas esq.  
francisco monterverde - col. san benito a.p. 500 - 83260  
hermosillo, son. - tel.: 150351

procuraduria de la defensa del menor y la familia - dif  
sonora - blvd. luis encinas esq. francisco monterverde - col.  
san benito a.p. 500 - 83260 hermosillo, son. - tel.: 146283

- **tabasco**

direccion general dif tabasco - lic. manuel antonio romero  
203 - col. pensiones - 86170 villahermosa, tab. - tel.:  
510942

direccion de la procuraduria de la defensa del menor y la  
familia y asuntos juridicos dif tabasco - lic. manuel antonio  
romero 203 - col. pensiones - 86170 villahermosa, tab. -  
tel.: 510986

- **tamaulipas**

direccion general dif tamaulipas - calz. gral. luis caballero

297 ote. - 86000 cd. victoria, tams. - tel.: 124146

procuraduria de la defensa del menor y la familia - dif  
tamaulipas - calz. gral. luis caballero 297 ote. - 86000 cd.  
victoria, tams. - tel.: 128080 (ext. 114)

- **tlaxcala**

direccion general dif tlaxcala - av. morelos 4 centro - 90000  
tlaxcala, tlax. - tel.: 627825

procuraduria de la defensa del menor y la familia - dif  
tlaxcala - av. morelos 4 centro - 90000 tlaxcala, tlax. - tel.:  
620210 (ext. 105)

- **veracruz**

direccion general dif veracruz - av. miguel aleman 109 -  
col. federal - 91140 jalapa, ver. - tel.: 400044

procuraduria de la defensa del menor, la familia y el  
indigena dif veracruz - av. miguel aleman 109 - col. federal  
- 91140 jalapa, ver. - tel.: 400044 (ext. 40)

- **yucatan**

direccion general dif yucatan - av. miguel aleman 355 - col.  
itzimna - 97100 merida, yuc. - tel.: 265085

procuraduria de la defensa del menor y la familia - dif  
yucatan - av. miguel aleman 355 - col. itzimna - 97100  
merida, yuc. - tel.: 271798

- **zacatecas**

direccion general dif zacatecas - instalaciones la encantada  
s/n - 98000 zacatecas, zac. - tel.: 222073

procuraduria de la defensa del menor y la familia - dif  
zacatecas - instalaciones lago la encantada s/n - 98000  
zacatecas, zac. - tel.: 221377

## **Monaco**

### *Monaco - Central Authority*

Direction des Services Judiciaires Palais de Justice 5 rue  
Colonel Bellando de Castro MC 98000 MONACO numéro  
de téléphone/telephone number: +377 9898 8163 numéro  
de télécopie/telefax number: +377 9898 8589 adresse e-  
mail/e-mail address: [bnardi@justice.mc](mailto:bnardi@justice.mc) /  
[asampo@justice.mc](mailto:asampo@justice.mc)

### **personnes à contacter / persons to contact:**

- M. Bruno Nardi Assistant judiciaire à la Direction des services judiciaires
- Mme Antonella Sampo-Couma Administrateur Principal à la Direction des services judiciaires

**N.B.** *Monaco* having acceded to the Convention in accordance with Article 38, the accession has effect only as regards the relations between *Monaco* and such Contracting States as have declared their acceptance of the accession. "Such a declaration will also have to be made by any Member State ratifying, accepting or approving the Convention after an accession."

## **Montenegro**

### *Montenegro - Central Authority*

Ministry of Justice of the Republic of Montenegro Vuka  
Karadžica br. 3 81 000 Podgorica Tel.: +382 (20) 407  
512 Fax: +382 (20) 407 515 e-mail: [minpravde@t-com.me](mailto:minpravde@t-com.me)

**Contact Persons:**

- Ms Jadranka Vukcevic Adviser Tel./fax: +382 (20) 407  
506 Email: [jadranka.vukcevic@gov.me](mailto:jadranka.vukcevic@gov.me)
  - Ms Tijana Badnjar Adviser Tel.: +382 (81) 407  
519 Email: [tijana.badnjar@gov.me](mailto:tijana.badnjar@gov.me)
- (This page was last updated on 23 February 2011)

**Morocco**

*Morocco - Central Authority*

*the Ministry of Justice of Morocco:*

Ministère de la Justice du Maroc Palais de la Mamounia 10  
000 RABAT Maroc

**Netherlands**

*Netherlands - Central Authority* Ministerie van  
Justitie Directie Justitieel Jeugdbeleid (*Youth Policy  
Division*) Afdeling Juridische en Internationale Zaken  
(*Department for Legal and International Affairs*) Postbus  
20301 2500 EH THE HAGUE Netherlands telephone  
number: +31 (70) 370 6252 telefax number: +31 (70) 370  
7507 e-mail: [kinderontvoering@minjus.nl](mailto:kinderontvoering@minjus.nl)

**persons to contact:**

- Ms C.L. WEHRUNG (languages of communication:  
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- Ms S. FTITACHE (languages of communication:

- English, French, Arabic)
- Ms M.M. MALJAARS – HENDRIKSE (languages of communication: English)
- Mr J.A. KRAB (languages of communication: English)
- Ms S.N. WARNEKE (languages of communication: English, German, Indonesian)
- Mr. R.R. COOLEN (languages of communication: English, French, German)
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*Note: The Convention applies to the Kingdom in Europe.*

## **New Zealand**

*New Zealand - Central Authority*

Ministry of Justice Tahu o te Ture Level 3 Vogel Centre 19  
Aitken Street P. O. Box 180 WELLINGTON 6140 New  
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### **person to contact:**

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**N.B.** *New Zealand* having acceded to the Convention in accordance with Article 38, the accession has effect only as regards the relations between *New Zealand* and such Contracting States as have declared their acceptance of the accession. "Such a declaration will also have to be made by any Member State ratifying, accepting or approving the Convention after an accession." For further information, see the status of the Convention.

## **Norway**

## *Norway - Central Authority*

Royal Ministry of Justice and the Police Department of  
Civil Affairs Postboks 8005 dep 0030  
OSLO Norway numéro de téléphone/telephone number:  
+47 2224 5451 numéro de télécopie/telefax number: +47  
2224 2722 Email: [postmottak@jd.dep.no](mailto:postmottak@jd.dep.no) Internet:  
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## **Panama**

### *Panama - Central Authority*

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- Jesica Rivera Lawyer Languages of communication: Spanish Iberoamerican Countries child abduction telephone number: + 507 511 4296 E-mail: [jrivera@mire.gob.pa](mailto:jrivera@mire.gob.pa)
- Anethe Vergara Lawyer Languages of communication: Spanish, English Canada, United States of America and Europe child abduction cases Telephone number: + 507 511 4134 E-mail: [avergara@mire.gob.pa](mailto:avergara@mire.gob.pa)

N.B. Panama having acceded to the Convention in accordance with Article 38, the accession has effect only as regards the relations between Panama and such Contracting States as have declared their acceptance of the accession.

"Such a declaration will also have to be made by any Member State ratifying, accepting or approving the Convention after an accession."

## **Paraguay**

### *Paraguay - Central Authority*

Secretaría Nacional de la Niñez y la Adolescencia Dirección de Asesoría Jurídica Avda. Mariscal López 1579 casi Pitiantuta ASUNCIÓN Paraguay número de téléphone/telephone number: +595 (21) 207 160/3 número de télécopie/telex number: +595 (21) 207 164 / 201 661 e-mail: [restitucion.internacional.py@gmail.com](mailto:restitucion.internacional.py@gmail.com) Internet: [www.snaa.gov.py](http://www.snaa.gov.py) **personnes à contacter/persons to contact:**

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**N.B.** *Paraguay* having acceded to the Convention in accordance with Article 38, the accession has effect only as regards the relations between *Paraguay* and such Contracting States as have declared their acceptance of the accession. "Such a declaration will also have to be made by any Member State ratifying, accepting or approving the Convention after an accession."

## Peru

*Peru - Central Authority*

Ministerio de la Mujer y Desarrollo Social  
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1 Peru telephone number: +51 (1) 626 1600 Ext.  
7003 telefax number: +51 (1) 626 1910 Internet:  
[www.mimdes.gob.pe](http://www.mimdes.gob.pe)

### **person to contact:**

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**N.B.** *Peru* having acceded to the Convention in accordance with Article 38, the accession has effect only as regards the relations between *Peru* and such Contracting States as have declared their acceptance of the accession. "Such a declaration will also have to be made by any Member State

*ratifying, accepting or approving the Convention after an accession."*

## **Poland**

*Poland - Central Authority*

Ministry of Justice Division of International Law Al.  
Ujazdowskie 11 P.O. Box 33 00-950  
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+48 (22) 239 0870 numéro de télécopie/telefax number:  
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- Magdalena Raczaszek Tel.: +48 (22) 23 90 456 email: [magdalena.raczaszek@ms.gov.pl](mailto:magdalenaraczaszek@ms.gov.pl) (*langues de communication / languages of communication: polonais, anglais / Polish, English*)

**N.B.** Poland having acceded to the Convention in accordance with Article 38, the accession has effect only as regards the relations between Poland and such Contracting States as have declared their acceptance of the accession. "Such a declaration will also have to be made by any Member State ratifying, accepting or approving the

Convention after an accession."

## **Portugal**

### *Portugal - Central Authority*

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- Mrs Natércia FORTUNATO Head of Unit (langues de communication / languages of communication: portugais, anglais, français, espagnol / Portuguese, English, French, Spanish)
- Mrs Zulmira SIMAS (langues de communication / languages of communication: portugais, anglais, français / Portuguese, English, French)
- Mrs Margarida ESTANISLAU (langues de communication / languages of communication: portugais, anglais, français / Portuguese, English, French)

## **Romania**

### *Romania - Central Authority*

Ministry of Justice Directorate of International Law and Judicial Co-operation Service of judicial co-operation in civil and commercial matters Strada Apolodor 17 Sector 5

BUCURESTI Cod 050741 Romania Tel.: +4037 204  
1077 Fax: +4037 204 1079 Internet: <http://www.just.ro/> E-  
mail: [ddit@just.ro](mailto:ddit@just.ro) Contact person: Viviana ONACA Ph.d.,  
Director Languages of communication: Romanian,  
English, French, German

*N.B. Romania having acceded to the Convention in  
accordance with Article 38, the accession has effect only as  
regards the relations between Romania and such  
Contracting States as have declared their acceptance of the  
accession. "Such a declaration will also have to be made by  
any Member State ratifying, accepting or approving the  
Convention after an accession."*

## **Serbia**

*Serbia - Central Authority*

Ministry of Justice of the Republic of Serbia International  
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356 Fax: +381 (11) 3622 356 E-mail:  
[int.legal.assist.srb@mpravde.gov.rs](mailto:int.legal.assist.srb@mpravde.gov.rs) Website:  
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### **person to contact:**

- Vojkan SIMIC, Assistant Minister

## **Slovakia**

*Slovakia - Central Authority*

Centrum pre medzinárodnoprávnu ochranu detí a  
mládeže (Centre for International Legal Protection of

Children and Youth) Špitálska 8 P.O. Box 57 814 99  
Bratislava Tel.: +421 (2) 2046 3208 Fax: +421 (2) 5975  
3258 E-mail: [cipc@cipc.gov.sk](mailto:cipc@cipc.gov.sk) Internet:  
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**personnes à contacter / persons to contact:**

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- Mgr. Katarína Vinická (language of communication : English) e-mail : [katarina.vinicka@cipc.sk](mailto:katarina.vinicka@cipc.sk)

**Slovenia**

*Slovenia - Central Authority*

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Police Directorate Štefanova 2 1501  
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- Ms Vesna KERN-PANDEV tel.: +386 (1) 428 4688 fax: +386 (1) 428 4169 e-mail: [vesna.kern@policija.si](mailto:vesna.kern@policija.si)

*N.B. Slovenia having acceded to the Convention in accordance with Article 38, the accession has effect only as regards the relations between Slovenia and such Contracting States as have declared this acceptance of the accession. "Such a declaration will also have to be made by any Member State ratifying, accepting or approving the*

*Convention after an accession."*

## **South Africa**

*South Africa - Central Authority*

DOJ&CD Office of the Chief Family Advocate Central  
Authority for the Republic of South Africa Room 9.36  
West Tower Momentum City Walk c/o Prinsloo &  
Pretorius Streets Private Bag X81 PRETORIA  
0001 Republic of South Africa telephone number: +27 (12)  
357 8022 telefax number: +27 (12) 357 8043 e-mail :  
[PeSeabi@justice.gov.za](mailto:PeSeabi@justice.gov.za) Internet: [www.doj.gov.za](http://www.doj.gov.za)

### **person to contact:**

- Adv. P.I. Seabi (language of communication: English)  
*N.B. South Africa having acceded to the Convention in  
accordance with Article 38, the accession has effect only as  
regards the relations between South Africa and such  
Contracting States as have declared their acceptance of the  
accession. "Such a declaration will also have to be made by  
any Member State ratifying, accepting or approving the  
Convention after an accession." For further information,  
see status of the Convention.*

## **Spain**

*Spain - Central Authority*

Ministerio de Justicia Servicio de Convenios c/ San  
Bernardo N° 62 28071 MADRID Spain tel.: +34 (91) 390  
4437 / +34 (91) 390 4273 / 4405 fax: +34 (91) 390  
2383 Internet: <http://www.justicia.es/> Email:  
[sustraccionmenores@mjusticia.es](mailto:sustraccionmenores@mjusticia.es)

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- Mr Javier Guerra Jiménez Head of Service tel.: +34 (91) 390 4273 fax: +34 (91) 390 23 83 e-mail: [javier.guerra@mjusticia.es](mailto:javier.guerra@mjusticia.es) (languages of communication: Spanish, English)
- Mrs María Laura MARTÍNEZ GONZÁLEZ Head of Section tel.: +34 (91) 390 4405 fax: +34 (91) 390 2383 e-mail: [marialaura.martinez@mjusticia.es](mailto:marialaura.martinez@mjusticia.es) (languages of communication: Spanish, English)

**Sri Lanka**

*Sri Lanka - Central Authority*

The Secretary Ministry of Justice, Law Reform & National Integration P.O. Box 555 COLOMBO 12 Sri Lanka  
Lanka numéro de téléphone/telephone number: +94 (11) 2323 979  
numéro de télécopie/telefax number: +94 (11) 2445 447  
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**personne à contacter / person to contact in case of wrongful removal or retention:**

- Mr Suhadha GAMLATH Secretary (langue de communication / language of communication: anglais / English)

**Sweden**

## *Sweden - Central Authority*

Ministry for Foreign Affairs Department for Consular Affairs and Civil Law 103 39  
STOCKHOLM Sweden numéro de téléphone/telephone number: +46 (8) 405 1000 (switchboard) numéro de télécopie/telefax number: +46 (8) 723 1176 adresse e-mail/e-mail address: [ud@foreign.ministry.se](mailto:ud@foreign.ministry.se) Internet: <http://www.regeringen.se/sb/d/11446>

### **personnes à contacter / persons to contact:**

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- Mr Ola Philblad Deputy Director (langues de communication / languages of communication: anglais, français, espagnol / English, French, Spanish) tel.: +46 (8) 405 3881 email: [ola.philblad@foreign.ministry.se](mailto:ola.philblad@foreign.ministry.se)
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## **Switzerland**

## *Switzerland - Central Authority*

Office fédéral de la Justice Unité Droit international  
privé Bundesrain 20 CH-3003 BERNE numéro de  
téléphone/telephone number: Secrétariat/Secretariat: +41  
(31) 323 8864 numéro de télécopie/telefax number: +41  
(31) 322 7864 adresse e-mail/e-mail address:  
[kindesschutz@bj.admin.ch](mailto:kindesschutz@bj.admin.ch) URL: [www.ofj.admin.ch/](http://www.ofj.admin.ch/) (for  
child abduction, [click here](#)) (langues de  
communication/languages of communication: allemand,  
français, anglais, italien, espagnol / German, French,  
English, Italian, Spanish)

(This page was last updated on 22 October 2009)

## **The former Yugoslav Republic of Macedonia**

### *FYR of Macedonia - Central Authority*

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SKOPJE République de Macédoine *numéro de*  
*téléphone/telephone number: +389 (2) 3106404 numéros*  
*de télécopie/telefax numbers: +389 (2) 3106252 / +389 (2)*  
*3118242 personnes à contacter/contact persons: Ms*  
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[elazovska@mtsp.gov.mk](mailto:elazovska@mtsp.gov.mk) / [etodorova@mtsp.gov.mk](mailto:etodorova@mtsp.gov.mk)

## **Turkey**

### *Turkey - Central Authority*

Ministry of Justice General Directorate of International  
Law and Foreign Relations Mustafa Kemal Mah. 2151.Cad

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**personnes à contacter / persons to contact:**

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- Ms Gonca Gülfem BOZDAG (Language of  
communication: English)
- Ms Gökçen TÜRKER (Language of communication:  
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- Ms Tuğçe YÜKSEL (Language of communication:  
French)

**Ukraine**

*Ukraine - Central Authority*

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## **United Kingdom of Great Britain and Northern Ireland**

*United Kingdom - Central Authority*

POUR L'ANGLETERRE ET LE PAYS DE GALLES: *(L'Autorité centrale pour l'Angleterre et le Pays de Galles et l'Autorité centrale à laquelle les demandes peuvent être adressées en vue de leur transmission à l'Autorité centrale compétente au sein du Royaume-Uni.)*

The International Child Abduction and Contact Unit (ICACU) Official Solicitor and Public Trustee 4th Floor 81 Chancery Lane LONDON WC2A 1DD United Kingdom numéro de téléphone/telephone number: +44 (207) 911 7047 (renseignements/enquiries) numéro de télécopie/telefax number: +44 (207) 911 7248 Email: [osenquiries@offsol.gsi.gov.uk](mailto:osenquiries@offsol.gsi.gov.uk) Internet: [www.direct.gov.uk](http://www.direct.gov.uk) (public) / [www.justice.gov.uk](http://www.justice.gov.uk) (professionals)

### **personnes à contacter :**

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- Miss Victoria DAMRELL tel.: +44 (207) 911 7047 e-mail: [victoria.damrell@offsol.gsi.gov.uk](mailto:victoria.damrell@offsol.gsi.gov.uk)

POUR L'IRLANDE DU NORD Northern Ireland Courts &

Tribunals Service Civil Policy & Tribunal Reform  
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Street BELFAST BT1 3LA Northern Ireland United  
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**personne à contacter :**

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POUR L'ILE DE MAN Attorney General's  
Chambers 3rd Floor, St Mary's Court Hill  
Street Douglas Isle of Man IM1 1EU British Isles courriel:  
[ChildAbduction@attgen.gov.im](mailto:ChildAbduction@attgen.gov.im) Internet:  
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**personne à contacter:**

- Ms Michelle NORMAN (langue de  
communication/language of communication:  
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POUR LES ILES FALKLAND The Governor Government

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## United States of America

*United States of America - Central Authority*

*U.S. Department of State - Office of Children's Issues*

The Office of Children's Issues is the Central Authority and is the primary contact for cases of children abducted both to and from the United States. Additionally, this office has overall policy co-ordination responsibility for implementation of the Abduction Convention in the United States.

Office of Children's Issues (CA/OCS/CI) U.S. Department of State, SA-29 2201 C Street NW, SA-29 4th floor WASHINGTON, DC 20520-2818 United States of America numéro de téléphone/telephone number: +1 (202) 736 9090 numéro de télécopie/telefax number: +1(202) 736-9133 website: [www.travel.state.gov/childabduction](http://www.travel.state.gov/childabduction) email: [abductionUSCA@state.gov](mailto:abductionUSCA@state.gov)

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- Ms Stefanie EYE Division Chief Eastern Hemisphere (Outgoing Cases) Office of Children's Issues tel: +1 (202) 736 9142
- Mr Marco TEDESCO Division Chief Compliance, Incoming, Outreach, Prevention and Training (Incoming Cases) Office of Children's Issues tel.: +1 (202) 736 9122
- Ms Laurie TROST Chief, Western Hemisphere Division (Outgoing Cases) Office of Children's Issues tel.: +1 (202) 736 9134

**FOR ALL CASES WITH MEXICO persons to contact:**

- Mr Scott Renner (Outgoing Cases) tel.: +1 (202) 663 1912
  - Ms Fabiana Villamor (Incoming Cases) tel.: +1 (202) 736 9180
- \* Note: Security-related mail processing requirements continue to cause significant delays in the delivery of mail to U.S. Government facilities. It is recommended that time-sensitive correspondence be sent to the Office of Children's Issues by fax or courier service.

## **EMERGENCY NUMBERS**

### CENTRAL AUTHORITY OF THE UNITED STATES

*U.S. Department of State - Office of Children's Issues*

- Monday-Friday 8.00 am-5.00 pm: +1 (202) 736 9130 -  
 Outside office hours: (888) 407 4747 if calling from within  
 the United States or Canada; +1 (202) 501 4444 if calling  
 from outside the United States

## **Uruguay**

*Uruguay - Central Authority*

Autoridad Central de Cooperación Jurídica Internacional  
 Ministerio de Educación y Cultura Reconquista 535 Piso  
 5°. Montevideo República Oriental del Uruguay Número  
 de teléfono/Numéro de téléphone/Telephone number:  
 +598 2915 8836 Número de Fax/Numéro de  
 télécopie/Telefax number: +598 2915 9780 Correo  
 electrónico/courriel/e-mail:

[urures@mec.gub.uy](mailto:urures@mec.gub.uy) Internet: [http://www.mec.gub.uy/innovaportal/v/1197/9/mecweb/materia\\_familia\\_y\\_minoridad](http://www.mec.gub.uy/innovaportal/v/1197/9/mecweb/materia_familia_y_minoridad) **P**

**untos de contacto/personnes à contacter/persons to  
 contact:**

- Dra. Adriana Fernández Pereiro Correo electrónico/courriel/e-mail: [fernandezad@mec.gub.uy](mailto:fernandezad@mec.gub.uy) (lenguajes de comunicación/langues de communication / languages of communication: español, inglés / espagnol, anglais / Spanish, English)
- Dr. Daniel Trecca Correo electrónico/courriel/e-mail: [trecca@mec.gub.uy](mailto:trecca@mec.gub.uy) (lenguajes de comunicación/langues de communication / languages of communication: español, inglés / espagnol, anglais / Spanish, English)

**N.B.** *Uruguay* having acceded to the Convention in accordance with Article 38, the accession has effect only as regards the relations between *Uruguay* and such Contracting States as have declared their acceptance of the accession. "Such a declaration will also have to be made by any Member State ratifying, accepting or approving the Convention after an accession."

## Venezuela

### *Venezuela - Central Authority*

Ministerio del Poder Popular para Relaciones Exteriores Oficina de Relaciones Consulares Av. Universidad Esquina San Francisco Centro Mercantil, piso 4, El Silencio CARACAS 1010 Venezuela Número de téléphone/telephone number: +58 (212) 484 3223 / +58 (212) 482 7441 / +58 (212) 4882 0320 Número de télécopie/telefax number: +58 (212) 806 4497 E-mail: [acvenzolana@mppre.gob.ve](mailto:acvenzolana@mppre.gob.ve) / [relaciones.consulares@mppre.gob.ve](mailto:relaciones.consulares@mppre.gob.ve) Internet: <http://www.mppre.gob.ve> (in Spanish)

### **Personnes à contacter / Contact persons:**

- Lic. Ayetsa Josefina Rebolledo
- Dra. Josefina Coss de Penso
- Dra. Yirimay Vásquez Díaz

## **Non-Member States of the Organization**

### **Authorities**

#### **Andorra**

*Andorra - Central Authority*

The Ministry of the Interior of the Principality of Andorra

#### **Armenia**

*Armenia - Central Authority*

Ministry of Justice of the Republic of Armenia Agency of Civil Status Acts Registration Halabyan 41/a YEREVAN 0078 Republic of Armenia

### **Contact persons:**

- Hamlet NAVASARDYAN Head of the Agency of Civil Status Acts Registration Telephone: +374 (10) 380 224
- Argam STEPANYAN Deputy Head of the Agency of Civil Status Acts Registration Telephone: +374 (10) 319 093 E-mail: [argam.stepanyan@moj.am](mailto:argam.stepanyan@moj.am) / [argam\\_stepanyan@mail.ru](mailto:argam_stepanyan@mail.ru)

#### **Bahamas**

*Bahamas - Central Authority*

Ministry of Foreign Affairs Attention: Permanent  
Secretary East Hill Street PO Box No  
3746 NASSAU Bahamas numéros de téléphone/telephone  
numbers: +1 (242) 322-7624 / 356-5956 / 502-000 / 502-  
9507 / 502-9526 numéros de télécopie/telefax numbers:  
+1 (242) 328-8212 / 326-2123 courriel / email:  
[mofa@bahamas.gov.bs](mailto:mofa@bahamas.gov.bs) / [donnalowe@bahamas.gov.bs](mailto:donnalowe@bahamas.gov.bs) /  
[oddeccagibson@bahamas.gov.bs](mailto:oddeccagibson@bahamas.gov.bs) /  
[natashaturnquest@bahamas.gov.bs](mailto:natashaturnquest@bahamas.gov.bs)

*N.B. The Bahamas having acceded to the Convention in accordance with Article 38, the accession has effect only as regards the relations between the Bahamas and such Contracting States as have declared their acceptance of the accession. "Such a declaration will also have to be made by any Member State ratifying, accepting or approving the Convention after an accession."*

**Belize**

*Belize - Central Authority*

Ministry of Human Development and Social  
Transformation West Block Independence  
Hill BELMOPAN Belize numéro de téléphone/telephone  
number: +501 822 2161 ou/or +501 822 2684 numéro de  
télécopie/telefax number: +501 822 3175 adresse e-mail/e-  
mail address: [secretary@humandev.gov.bz](mailto:secretary@humandev.gov.bz)

*N.B. Belize having acceded to the Convention in accordance with Article 38, the accession has effect only as regards the relations between Belize and such Contracting States as have declared their acceptance of the accession. "Such a declaration will also have to be made by any*

*Member State ratifying, accepting or approving the Convention after an accession."*

(This page was last updated on 18 February 2011)

## **Burkina Faso**

*Burkina Faso - Central Authority*

Ministère de l'Action Sociale et de la Solidarité  
Nationale 01 BP 515 OUAGADOUGOU 01 Burkina  
Faso Numéros de téléphone/Telephone number: +226  
5030-6880 / 6875 Numéros de télécopie/telefax number:  
+226 5031-8530 e-mail: - personne à contacter/contact  
person: Mme Clémence Traore-Some (*langue de  
communication / language of communication: français /  
French*)

*N.B. Burkina Faso having acceded to the Convention in  
accordance with Article 38, the accession has effect only as  
regards the relations between Burkina Faso and such  
Contracting States as have declared their acceptance of the  
accession. "Such a declaration will also have to be made by  
any Member State ratifying, accepting or approving the  
Convention after an accession."*

## **Colombia**

*Colombia - Central Authority*

Instituto Colombiano de Bienestar Familiar Avenida  
Carrera 68 No 64C 75 Bogotá DC  
Colombia Tel.: 4377630 Ext. 101105 Numéro de  
télécopie/telefax number: 4377630 Ext. 101141 Internet:

<http://www.icbf.gov.co/>

**Personnes à contacter / Contact persons:**

- Ilvia Ruth Cardenas, Subdirectora de Adopciones [ilviaR.cardenas@icbf.gov.co](mailto:ilviaR.cardenas@icbf.gov.co)
- Gloria Beatriz Mesa Ramírez, Abogada Autoridad Central [Gloria.mesa@icbf.gov.co](mailto:Gloria.mesa@icbf.gov.co)
- Maria Inés Beltran Rusinque, Abogada Autoridad Central [Maria.BeltranR@icbf.gov.co](mailto:Maria.BeltranR@icbf.gov.co)
- Sonia Blanco Villamizar, Abogada Autoridad Central [sonia.blanco@icbf.gov.co](mailto:sonia.blanco@icbf.gov.co)

**Dominican Republic**

*Dominican Republic - Central Authority*

Consejo Nacional Para la Niñez y la Adolescencia  
(*National Council for Childhood and Adolescence*)  
(CONANI) Avenida Máximo Gómez No. 154, esq.  
Paraguay Ensanche la Fé Apartado Postal 2081 SANTO  
DOMINGO, D.N. Dominican Republic Tel.: +1 (809) 567  
2233 Fax: +1 (809) 567 2494 E-mail:  
[conani@conani.gov.do](mailto:conani@conani.gov.do) (*langues de communication /*  
*languages of communication: espagnol, anglais / Spanish,*  
*English*)

**personnes à contacter / persons to contact:**

- Lic. Aly Q. PEÑA Consultora Jurídica e-mail: [aly.pena@conani.gov.do](mailto:aly.pena@conani.gov.do)
- Lic. Giovanni HERNANDEZ-ESPINAL Sub-Consultor Jurídico e-mail: [subconsultorjuridico@conani.gov.do](mailto:subconsultorjuridico@conani.gov.do)

## El Salvador

### *El Salvador - Central Authority*

Procuraduría General de la República 9a Calle Pte. y 13  
Avenida Norte Torre PGR, Centro de Gobierno SAN  
SALVADOR El Salvador, C.A. Tel: +503 2231-9346 Fax:  
+503 2231-9353 Internet: <http://www.pgr.gob.sv/>  
Personne à contacter / Contact person:

- Licda. Emilia Guadalupe Portal Solís Email:  
[emelyportal@yahoo.es](mailto:emelyportal@yahoo.es) (*langue de communication /  
language of communication: espagnol / Spanish*)  
Instituto Salvadoreño para el Desarrollo Integral de la Niñez  
y la Adolescencia (ISNA) Colonia Costa Rica Ave. Irazú y  
Final Calle Santa Marta, No 2 Apartado postal 2690 SAN  
SALVADOR El Salvador, C.A. tel.: (503) 2213 4700 fax:  
(503) 2270-1348 email: [direccion@isna.gob.sv](mailto:direccion@isna.gob.sv) Internet:  
[www.isna.gob.sv](http://www.isna.gob.sv)

*N.B. El Salvador having acceded to the Convention in  
accordance with Article 38, the accession has effect only as  
regards the relations between El Salvador and such  
Contracting States as have declared their acceptance of the  
accession. "Such a declaration will also have to be made by  
any Member State ratifying, accepting or approving the  
Convention after an accession."*

## Fiji

### *Fiji - Central Authority*

The Permanent Secretary for Justice P.O. Box  
11869 Suva Fiji Tel.: +679 3308 600 (Language of  
communication: English)

## Contact persons:

- Mr Christopher Thomas Pryde Permanent Secretary for Justice
- Mr Jeremaia Namuaira Acting Deputy Permanent Secretary for Justice

## Guatemala

### *Guatemala - Central Authority*

Procuraduría General de la Nación Procuraduría de la Niñez y la Adolescencia 15 Avenida 9-69 zona 13 Primer Nivel Código Postal 01013 GUATEMALA Tel: +502 22483200 ext 2010 / 2014 Fax: +502 22483200 ext. 216

**216 personnes à contacter / persons to contact:**

- Lic. Baudillo Portillo Merlos Procurador General de la Nación E-mail: [procurador@pgn.gob.gt](mailto:procurador@pgn.gob.gt)
- Lic. Sara Payes Solares Jefe de la Procuraduría de la Niñez y la Adolescencia Procuraduría General de la Nación Tel. +502 22483200/24148787 ext. 2011/2012/2011 Fax: +502 22483200 ext. 216

(This page was last updated on 11 March 2010)

## Honduras

### *Honduras - Central Authority*

Instituto Hondureño de la Niñez y la Familia (IHNFA) Oficina Especializada para el conocimiento y seguimiento de los casos relacionados con la Convención de la Haya sobre los Aspectos Civiles de la Sustracción Internacional de Menores Edificio IHNFA Colonia

Humuya Calle La Salud, No 1101 frente al semáforo de El Prado TEGUCIGALPA Honduras números de téléphone/telephone numbers: +504 2239 7407 ou/or +504 2235 7754 ou/or +504 2235 7755 ext. 728 número de télécopie/telex number: +504 2239 7407 Internet: [www.ihnfa.hn](http://www.ihnfa.hn) adresse e-mail/e-mail address: [sustraccionmenoresihnfa@reytelhn.com](mailto:sustraccionmenoresihnfa@reytelhn.com) Contact person: Alba Cecilia Mena Segurado, Responsable de la Autoridad Central

*N.B. Honduras having acceded to the Convention in accordance with Article 38, the accession has effect only as regards the relations between Honduras and such Contracting States as have declared their acceptance of the accession. "Such a declaration will also have to be made by any Member State ratifying, accepting or approving the Convention after an accession." For further information, see the full status of the Convention.*

### **Moldova, Republic of**

*Republic of Moldova - Central Authority*

Ministry of Social Protection, Family and Child str. Vasile Alecsandri, 1 MD-2009, Chisinau Republica Moldova Internet: [www.mpsfc.gov.md](http://www.mpsfc.gov.md)

Office of the Minister Tel.: +373 (22) 73 75 72 / 28 07 92; Fax: +373 (2)2 73 75 72 e-mail: [secretariat@mpsfc.gov.md](mailto:secretariat@mpsfc.gov.md)

Office of the Deputy Minister Tel.: +373 (22) 28 78 59 / 72 96 90 e-mail: [lucia.gavrilita@mpsfc.gov.md](mailto:lucia.gavrilita@mpsfc.gov.md)

*N.B. The Republic of Moldova having acceded to the Convention in accordance with Article 38, the accession*

*has effect only as regards the relations between the Republic of Moldova and such Contracting States as have declared their acceptance of the accession. "Such a declaration will also have to be made by any Member State ratifying, accepting or approving the Convention after an accession."*

## **Nicaragua**

*Nicaragua - Central Authority*

Ministerio de la Familia Adolescencia y Niñez (MIFAN)  
Del Antiguo ENEL Central, 100 mts. al Sur Apdo.  
1292 Managua Nicaragua Tel.Fax: +505 2278-1620 /  
2270-2652 website: [www.mifamilia.gob.ni](http://www.mifamilia.gob.ni)

### **Contact persons:**

- Lic. Marcia Ramírez Mercado, Ministra de la Familia, Adolescencia y Niñez [mramirez@mifamilia.gob.ni](mailto:mramirez@mifamilia.gob.ni)
- Lic. Marisol Navarro, Directora General de Restitución de Derechos [mnavarro@mifamilia.gob.ni](mailto:mnavarro@mifamilia.gob.ni)
- Lic. Maria Lily Rodriguez, a cargo de los casos de restitución de niños [mrodriguez@mifamilia.gob.ni](mailto:mrodriguez@mifamilia.gob.ni)

## **Saint Kitts and Nevis**

*Saint Kitts and Nevis - Central Authority*

Ministry of the Attorney General, Justice and Legal Affairs c/o Hon. Patrice D. Nisbett, Attorney General Government Headquarters PO Box 164 BASSETERRE Saint Kitts, West Indies número de téléphone/telephone number: +1 (869) 465 2521 ext.

1013 numéro de télécopie/telefax number: +1 (869) 465  
5040 adresse e-mail/e-mail address:  
[attorneygeneral@gov.kn](mailto:attorneygeneral@gov.kn)

*N.B. Saint Kitts and Nevis having acceded to the Convention in accordance with Article 38, the accession has effect only as regards the relations between Saint Kitts and Nevis and such Contracting States as have declared this acceptance of the accession. "Such a declaration will also have to be made by any Member State ratifying, accepting or approving the Convention after an accession."*

## **San Marino**

*San Marino - Central Authority*

Tribunale Unico (Single Court) via 28 Luglio, 38 47893  
BORGOMAGGIORE San Marino

numéro de téléphone/telephone number: +378 (0549) 888  
888 numéro de télécopie/telefax number: -

### **personnes à contacter / persons to contact:**

- Mr Gilberto FELICI Law Commissioner e-mail:  
[gilberto.felici.tribunaleunico@pa.sm](mailto:gilberto.felici.tribunaleunico@pa.sm)
- Mrs Valeria PIERFELICI Law Commissioner e-mail:  
[tribunale.pierfelici@pa.sm](mailto:tribunale.pierfelici@pa.sm)

## **Seychelles**

*Seychelles - Central Authority*

Miss Sylvette GERTRUDE Director of Social  
Services Ministry of Health and Social Development P.O.

THE WORLD TURNED UPSIDE DOWN

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International Parental Child Abduction

An Insightful Narrative By A Child Abduction Prevention Advocate

Peter Thomas Senese and Carolyn Ann VIK

Box 190 Victoria Mahé Seychelles Tel: +248 28 16  
32 Fax: +248 22 56 56 [sgertrude@gov.sc](mailto:sgertrude@gov.sc)

## **Singapore**

*Singapore - Central Authority*

Rehabilitation, Protection and Residential Services  
Division Ministry of Community Development, Youth and  
Sports 512 Thomson Road #08-00 MCYS  
Building Singapore 298136

### **Contact persons:**

- Ms Woo Li San, Felicia Head, Singapore Central  
Authority Telephone : (65) 63547646 Fax : (65)  
63541514 Email :  
[Woo\\_Li\\_San@mcys.gov.sg](mailto:Woo_Li_San@mcys.gov.sg) Languages of  
communication : English, Mandarin
- George Sathiasingam Assistant Head, Singapore Central  
Authority Telephone : (65) 63547645 Fax : (65)  
63541514 Email :  
[George\\_Sathiasingam@mcys.gov.sg](mailto:George_Sathiasingam@mcys.gov.sg) Language of  
communication : English

## **Thailand**

*Thailand - Central Authority*

Office of the Attorney General International Affairs  
Department Ratchadapisek Road BANGKOK  
10900 Thailand Internet: [www.ago.go.th](http://www.ago.go.th)

### **person to contact:**

- Mr Sirisak Tiyapan Director General International

Affairs Department (language of communication:  
English) telephone number: +66 (2) 515-  
4656 telefax number: +66 (2) 515-4657 e-mail:  
[inter@ago.go.th](mailto:inter@ago.go.th)

*N.B. La Thaïlande ayant adhéré à la Convention conformément à son article 38, cette adhésion n'aura d'effet que dans les rapports entre la Thaïlande et les Etats contractants qui auront déclaré accepter cette adhésion. "Une telle déclaration devra également être faite par tout Etat membre ratifiant, acceptant ou approuvant la Convention ultérieurement à l'adhésion".*

## **Trinidad and Tobago**

*Trinidad and Tobago - Central Authority*

Civil Child Abduction Authority Cabildo Chambers 23-27  
St. Vincent Street PORT OF SPAIN Trinidad and  
Tobago Contact person: Ms Nafeesa Mohammed, Legal  
Consultant e-mail: [childabduction@ag.gov.tt](mailto:childabduction@ag.gov.tt)

*N.B. Trinidad and Tobago having acceded to the Convention in accordance with Article 38, the accession has effect only as regards the relations between Trinidad and Tobago and such Contracting States as have declared their acceptance of the accession. "Such a declaration will also have to be made by any Member State ratifying, accepting or approving the Convention after an accession."*

## **Turkmenistan**

*Turkmenistan - Central Authority*

Turkmen National Institute of Democracy and Human  
Rights under the President of Turkmenistan Karl Libkneht  
St., 47 ASHGABAT 744000 Turkmenistan numéro de

téléphone/telephone number: +993 (12) 393481 /  
350946 numéro de télécopie/telefax number: +993 (12)  
350677 / 350946

(Les renseignements mentionnés ci-dessus sont valables au  
7 décembre 1998). (The effective date of the above  
information is 7 December 1998).

*N.B. Le Turkménistan ayant adhéré à la Convention  
conformément à son article 38, cette adhésion n'aura  
d'effet que dans les rapports entre le Turkménistan et les  
Etats contractants qui auront déclaré accepter cette  
adhésion. "Une telle déclaration devra également être faite  
par tout Etat membre ratifiant, acceptant ou approuvant la  
Convention ultérieurement à l'adhésion".*

*Turkmenistan having acceded to the Convention in  
accordance with Article 38, the accession has effect only as  
regards the relations between Turkmenistan and such  
Contracting States as have declared their acceptance of the  
accession. "Such a declaration will also have to be made by  
any Member State ratifying, accepting or approving the  
Convention after an accession."*

## **Uzbekistan**

*Uzbekistan - Central Authority*

Ministry of Justice of the Republic of  
Uzbekistan International Legal Department 5, Sailgoh  
Street TASHKENT 700047 Uzbekistan numéro de  
téléphone/telephone number: +998 (71) 232 0742 numéro  
de télécopie/telefax number: +998 (71) 232 4844 e-mail:  
[international@minjust.gov.uz](mailto:international@minjust.gov.uz)

**personne à contacter / person to contact:**

- Davronbek AKHMEDOV

*N.B. The Republic of Uzbekistan having acceded to the Convention in accordance with Article 38, the accession has effect only as regards the relations between the Republic of Uzbekistan and such Contracting States as have declared their acceptance of the accession. "Such a declaration will also have to be made by any Member State ratifying, accepting or approving the Convention after an accession.*

**Zimbabwe**

*Zimbabwe - Central Authority*

Permanent Secretary for Justice and Legal Affairs New  
Government Composite Building 6th floor, Bloc C Samora  
Machel Avenue / 4th Street Private Bag:  
7751 Causeway HARARE Zimbabwe numéro de  
téléphone/telephone number: +263 (4) 774620-7 / +263 (4)  
774589-94 / +263 (4) 774 4560 numéro de télécopie/telefax  
number: +263 (4) 772 999 adresse e-mail/e-mail address: -

## NON-HAGUE NATIONS

- Afghanistan
- Algeria
- Angola
- Bahrain
- Bangladesh
- Benin
- Bolivia
- Burundi
- Cambodia
- Cameroon
- Cape Verde
- Chad
- Congo
- Cuba
- Egypt
- Equatorial Guinea
- Eritrea
- Ethiopia
- Gabon
- Gambia
- Ghana
- Guyana
- Haiti
- Indonesia
- Iran
- Iraq
- Jamaica
- Japan
- Jordan
- Kenya
- South Korea
- Kuwait
- Kyrgyzstan
- Laos

- Lebanon
- Libya
- Madagascar
- Malaysia
- Mali
- Mongolia
- Mozambique
- Nauru
- Nepal
- Niger
- Nigeria
- North Korea
- Oman
- Pakistan
- Philippines
- Qatar
- Russia
- Rwanda
- Saudi Arabia
- Senegal
- Sierra Leone
- Sudan
- Syria
- Tajikistan
- Tanzania
- Tunisia
- Uganda
- United Arab Emirates
- Vietnam
- Yemen
- Zambia

## **A Resource Guide To Important Studies, Reports, and Essays Concerning International Parental Child Abduction**

1) [A Family Resource Guide on International Parental Kidnapping](#): This new guide was produced by OJJDP to assist parents who have had their children abducted to another country.

2) [A Report To The Attorney General On International Parental Kidnapping](#): Subcommittee on International Child Abduction of the Federal Agency Task Force on Missing and Exploited Children and the Policy Group on International Parental Kidnapping. In 1997 a subcommittee, chaired by Mr. Ron Laney, was formed to "clarify the roles and responsibilities of the many Federal agencies that respond to international abduction cases and to explore ways to improve the government wide response". They also were to review "how each agency handles international abduction cases and discussed issues of interagency coordination" This is a report of the subcommittee and the Policy Group as requested by the Attorney General.

3) The following reports are taken from the web site of the [ABA Center on Children and the Law](#). We want to give special thanks to Patricia M. Huff, Esq. for her guidance in locating these documents as well as many others.

4) [Case Management](#): The Missing Children Homicide Investigation, 1997 (A Research Findings Report) "The list of children who are abducted and killed each year by someone who is not a family member is relatively small, compared to the number of missing children or to other types of murders. This research was undertaken in an effort to better understand these types of murders, and to identify investigative techniques and strategies that will improve the efficiency and effectiveness of the criminal investigations

and the apprehension rate of the apprehension rate of the murderers who abduct children."

5) [Executive Summary: Common Law Judicial Conference on International Child Custody](#). A report on the conference. The delegations "exchanged information and opinions about how courts are, and should be, handling international abduction cases, and in particular cases involving the Child Abduction Convention" (Hague)

6) [Federal Resources on Missing and Exploited Children](#) Second Edition, December 1997 Revised: A Directory for Law Enforcement and other Public and Private Agencies.

7) [Federal Resources on Missing and Exploited Children](#) Third Edition, May 2001. A directory for law enforcement and other public and private agencies. Because of strained budgets, "it is critical for information about Federal programs and services to be available so that law enforcement can request them when needed". This guide is prepared by the Federal Agency Task Force for Missing and Exploited Children. This is a great source for parents of missing or abducted children. Note: Parents should be aware, that some of the agencies listed here can not deal directly with anyone out side the law enforcement community. While this complicates matters, it is something we all have to live with.

8) [Federal Resources on Missing and Exploited Children](#) Fourth Edition, 2004.  
**GAO Report**

9) [Federal Response to International Parental Child](#)

## [Abductions](#)

10) [Specific Action Plan Needed to Improve Response to Parental Child Abductions](#)

11) [Foreign Affairs: Status of U.S. Parental Child abductions to Germany, Sweden, and Austria](#)

12) [Changes to Germany's Implementation of the Hague Child Abduction Convention](#)

13) Good Practice In Handling Hague Abduction Convention Return Applications: We are pleased to present our recently published guide to good practice under the Hague Convention on the Civil Aspects of International Child Abduction ("the Convention"). guide discusses good practice in all aspects of implementation and operation of the Convention.

[English](#) | [German](#) | [Spanish](#) | [French](#)

14) [Hague Child Abduction Convention: Issue Briefs](#) If a child is abducted to another country, it might be to one of the 50 plus nations (including the U.S.) that have ratified the Hague Convention on the Civil Aspects of International Child Abduction. This 1997 material consists of four issue briefs that can be helpful to attorneys handling cases that fall under this Convention.

15) [The Hague Convention On The Civil Aspects Of International Child Abduction](#) This 1997 publication is the culmination of Attorney Patricia Hoff's years of work and wisdom on how the Hague Convention can be effectively utilized within the United States in international parental kidnapping cases.

- 16) [A Curriculum For American Judges and Lawyers:](#)
- 17) [The Hague Convention Two Decades Later:](#) Assessing the Effectiveness of the International Child Abduction Remedies Act
- 18) [How Judges Can Support the Operation of the Child Abduction Convention \(Hague\)](#) By the Rt Hon Lord Justice Thorpe, given at the Common Law Judicial Conference, September 17-21, 2000, Washington, D.C.
- 19) [Interstate Child Visitation Act:](#) DRAFT: FOR DISCUSSION ONLY. National Conference of Commissioners on Uniform State Laws. July 12 - July 19, 1996
- 20) [International Child Abduction:](#) A Manual for Parents. Each international child abduction is unique. It is important, therefore, that you, the affected parent, work closely with officials to improve the chances that you can be reunited with your child. You must be directly involved in the search and the anticipated return.
- 21) [International Mediation](#) Reunite International Child Abduction Centre, Mediation Pilot Project on International Child Abduction Cases. This is a three-year study to determine the effects of mediation between the abducting parent and the left behind parent. This effort is being made to determine if mediation, in addition to the Hague Treaty on the Civil Aspects of International Child Abduction, could be beneficial.
- 22) [Keeping Children Safe: Rhetoric and Reality](#) By Ernie Allen, President and CEO of the National Center for Missing and Exploited Children
- 23) [Kidnapping of Juveniles: Patterns from NIBRS](#)

(National Incident-based Reporting System).

24) [NISMART: October 2002](#) National Estimates of Missing Children: An Overview By: Andrea J. Sedlak, David Finkelhor, Heather Hammer and Dana J. Schultz.

25) [NISMART: October 2002 Children Abducted by Family Members: National Estimates and Characteristics. By Heather Hammer, David Finkelhor and Andrea J. Sedlak.](#)

26) [NISMART: October 2002](#) Nonfamily Abducted Children: National Estimates and Characteristics. By David Finkelhor, Heather Hammer and Andrea J. Sedlak.

27) [NISMART: October 2002](#) Runaway/Throwaway Children: National Estimates and Characteristics. By Heather Hammer, David Finkelhor and Andrea J. Sedlak.

28) [National Report of the United States of America](#) For the Common Law Judicial Conference on International Child Custody, Washington, D.C. September 17-21, 2000. Organization of the Courts of the United States of America.

29) [Reason To Hope: On the Front Lines with John Walsh](#)

30) [Remarks by Hilary Clinton:](#) Mrs. Clinton indicated that child abduction is a violation of Human Rights.

31) [Second Comprehensive Study of Missing Children](#) (NISMART) Overview, April 2000.

32) [Special Joint Report](#) Federal Agency Task Force for Missing and Exploited Children, May 1997.

33) [Suffer the Missing Children:](#) Taxpayers dollars continue to disappear while children don't, by Todd Wilson.

34) [The Epidemic of Parental Child-Snatching](#): An overview. Attempts to prevent parental child abduction, applicable United States laws, and the Hague Convention, By Hon. William Rigler. "This article analyzes several facets of the tragedy of child-snatching: ways to curb it, applicable legislation, and judicial responses."

35) [The Common Law Conference on International Custody](#): Judges representing six delegations...proposed the following "Best Practices" to improve operation of the Hague Convention.

36) [Using Agency Records to Find Missing Children](#) A Guide for Law Enforcement, Program Summary March 1996.

37) [When Your Child is Missing](#) A Family Survival Guide, May 1998.

39) [Missing Children Home page: pictures of Missing Children by Month \(GSA\)](#)

40) [Parental Kidnapping, Prevention and Remedies](#) by: Patricia M. Hoff, Revised December 2001.

41) [Parental Kidnapping Law Reform Package](#) Produced in 1996, this package includes three proposed state laws that can be adopted by state legislatures. This document describes the entire package.

42) [Parental Kidnapping Crime Act](#) This is the first of these proposed state laws. It addresses the criminal justice system's handling of parental child abduction.

43) [Missing Children Record Flagging Act](#) This is the second of the proposed state laws. It addresses the

administrative "flagging" of official records that may be kept by local or state agencies on children who have been reported missing.

44) [Tortuous Interference With Child Custody And Visitation Act](#): This third proposed law would establish a state civil cause of action against persons who abduct a child or aid or abet that abduction.

45) [Parental Abduction: A Review of the literature](#) "This review examines the extent of the problem of parental abduction, the characteristics of those involved in parental abduction, and the effects of the crime on children and parents. It also discusses how law enforcement agencies and criminal courts generally handle this crime.

46) [Issues in Resolving Cases of International Child Abduction by Parents](#) "parental abduction is defined as the taking, retention, or concealment of a child or children by a parent, other family member, or their agent, in derogation of the custody rights, including visitation rights, of another parent or family member.

47) [Criminal Justice Systems Response to Parental Abductions](#) "Law enforcement and criminal court involvement in cases of parental abduction can make the difference in how effectively the search is conducted and can influence how quickly the child is recovered.

48) [Profiles of Parents at Risk for Abducting Their Children](#): When a parent has made credible threats to abduct a child or has a history of hiding the child, withholding visitation, or snatching the child from the other parent, there is justifiable distrust between parents and a heightened risk for further serious custody violation. This risk profile is usually combined with one or more of the other profiles. In these cases, the underlying psychological

and social dynamics that motivate the child stealing need to be understood and addressed.

49) [The Missing and Exploited Children's Program \(Update\)](#) Justice and Delinquency Prevention Act of 1974, as amended, the Missing Children's Assistance Act of 1984, authorizes the OJJDP to coordinate the Federal Government's response to missing and exploited children and to establish a Missing and Exploited Children's Program (MECP).

50) [Family Abductors: Descriptive Profiles and Preventive Intervention](#). Family abduction of children has become a serious concern in the United States. Coincident with the rapid rise in divorce and the increase in children born to unmarried parents, approximately 60-percent of all children spend time in a single-parent home.

51) [Keeping Children Safe: OJJDP's Child Protection Division](#): Protecting children from violence, abuse, neglect, and other forms of victimization.

## **About the Authors:**

*Peter Thomas Senese is a best-selling author, filmmaker, and activist deeply committed to aiding children, including children targeted for criminal international parental child abduction (IPCA). Peter is a successful 'Chasing Parent' in accordance to the rules of international parental child abduction law established under the Hague Convention. Peter advocated for the passage of the State of Florida's 'Child Abduction Prevention Act' (CAPA) that was enacted on January 1<sup>st</sup>, 2011. Peter is part of a team of child advocates presently writing federal legislation with the intent to alter legal loopholes associated with the Western Hemisphere Travel Initiative's porous children travel documentation requirements that clearly aid child abductors criminally remove children from the United States, Canada, Mexico, and Caribbean Island-Nations. In addition, he contributed to raising public awareness on the previously widely underutilized federal child abduction prevention program; specifically, the 'Prevent Departure Program' (PDP) that is now more commonly implemented in aiding targeted parents and their child from abduction in certain case scenarios. Peter is the creator/writer/producer of the four hour, nine-part educational documentary film series 'Chasing Parents: Racing Into The Storms Of International Parental Child Abduction', a best-selling author writing in the geopolitical espionage/thriller genre whose upcoming world-wide book release that focuses on international child abduction titled 'Chasing The Cyclone' has been critically praised as a call-to-arms against international child abduction. Peter is the writer of an extensive number of influential articles and essays pertaining to IPCA. He has created and oversees a comprehensive website dedicated to child abduction prevention and good parenting ([www.chasingthecyclone.com](http://www.chasingthecyclone.com)) where numerous essays and reports may be found, including the landmark reports*

*'Crisis In America: International Parental Child Abduction Today' and 'International Parental Child Abduction and Human Trafficking In The Western Hemisphere' Peter co-authored with Ms. Carolyn Ann Vlk.*

*Dedicated to bringing about new child abduction prevention laws while creating dialogue that may reform certain government programs and protocols so that they may better serve targeted children and their parents, Peter Senese is a strong supporter of The Hague Convention and The Department of State's Office Of Children's Issues. Peter Thomas Senese is actively involved in promoting literacy, and is a staunch supporter of public library systems everywhere. Peter actively supports legislation evolving around online impersonation prevention laws including landmark laws now enacted in the states of California and New York. Paramount to all things, Peter is a loving father deeply dedicated to raising his young son. To contact Peter Thomas Senese, please e-mail him at [peterthomas@peterthomassenese.com](mailto:peterthomas@peterthomassenese.com). To read more about Peter's writings please visit either [www.peterthomassenese.com](http://www.peterthomassenese.com), [www.Chasingthecyclone.com](http://www.Chasingthecyclone.com), or [www.peterthomassenese.blogspot.com](http://www.peterthomassenese.blogspot.com).*

*Carolyn Ann Vlk is a child abduction prevention advocate who drafted the landmark State of Florida's 'Child Abduction Prevention Act' that was enacted on January 1<sup>st</sup>, 2011. Ms. Vlk was highly influential in raising the public's awareness on the little-known, highly effective child abduction prevention federal program titled the 'Prevent Departure Program'. Carolyn is also a writer/producer of the highly educational and landmark documentary film series titled 'Chasing Parents: Racing Into The Storms Of International Parental Child Abduction', and, is the author of numerous essays and studies on parental child*

*abduction, including the groundbreaking report titled 'Crisis in America: International Parental Child Abduction Today' and 'International Parental Child Abduction and Human Trafficking In The Western Hemisphere'. Carolyn is dedicated to assisting parents and their children who are targets of international child abduction, and is committed to bringing about positive reform and change in law and government protocol that has been established to aid at-risk children. Ms. Vlk is a supporter of The Hague Convention, The Department of State's Office Of Children's Issues, and the Uniform Child Abduction Prevention Act (UCAPA). Carolyn is a loving and dedicated mother to her children, and fought rigorously to protect her own child who was a target for potential abduction that she went so far as to draft legislation that has now become new law in her home state of Florida. Carolyn is presently part of a team writing federal legislation with the intent to alter legal loopholes associated with the Western Hemisphere Travel Initiative's porous children travel documentation requirements that clearly aid child abductors criminally remove children from the United States, Canada, Mexico, and Caribbean Island-Nations.*