

**Benjamin Gilman Chairman,
Committee on International Relations House of
Representatives**

October 14, 1999

Dear Chairman Gilman and members of the Committee:

This is a statement for the record regarding your important hearing on INTERNATIONAL PARENTAL ABDUCTION.

We understand that Lady Catherine Meyer and other witnesses will speak at the hearing on the serious effects of parental kidnapping on the lives of children.

The Children's Rights Council has spoken out against parental kidnapping of children since our inception in 1985. Abduction often occurs in the context of custody battles. Such battles can have a lifelong negative effect on children.

One adult child of divorce who was abducted told an interviewer for the Children's Rights council: "I remember being in court. I must have been five or six years old. I remember the judge asking me, "Who do you want to live with"? I remember being terrified, absolutely terrified, and saying, "I want to live with Mommy and see Daddy every day."- A week later, the child was abducted by one of her parents. She was recovered 3 years later.

The authors of a book on abduction write: "For abducted children in the five to six age group, the potential for difficulties is acute When a child of 7 to 10 years is abducted, the child's sense of ethics is undermined as he or she becomes an accomplice, sometimes unwittingly, in the abduction... if from "When Parents Kidnap: the Families Behind the Headlines," by Geoffrey L. Greif and Rebecca L. Hegar.

Fathers abduct as often as mothers. Mothers generally abduct prior to a custody decision; fathers often abduct after they have "lost" a custody battle.

Here are some ways this Committee could help to prevent abduction of children;

- 1) Make the situation a win-win, rather than a lose-lose, situation. Ask the states and foreign countries to create a presumption for shared parenting. When parents know they are both likely to be actively involved in the child's life, they are less likely to have an incentive to kidnap.
- 2) Tighten the loophole in the Hague Convention Against Parental Child Abduction, by making it more difficult for a child to claim that he or she wants to stay in the country to which the child has been taken. Having a child of 5 or 6 saying he likes his new country so much he wants to stay there, makes a mockery of child interviewing techniques.
- 3) Publicize the countries like Germany, Sweden, and Arab states which favor their-own nationals—be their mothers or fathers— rather than adhering to Hague.

4)Tighten the Hague convention requirement that children be returned to enforce access (visitation) as well as custody orders. Some countries make parents travel half-way around the globe to have an occasional visit with their children.

At our request, Congressman George Gekas, when he was drafting the bill to provide criminal sanctions against abductors found in the US, stated that interference with access rights was also a criminal penalty. Access rights should be fully recognized by all organizations helping parents in the US, as well as recognized fully by the Hague Convention. Children should not be required to have their parents travel thousands of miles to see them in a foreign country.

The Children's Rights Council supports this Committee's efforts and offers to assist in any way we can.

Thank you.