

1 ment of Japan to return a single abducted child to
2 the United States.

3 (5) Japan has announced that it is preparing to
4 ratify the 1980 Hague Convention on the Civil As-
5 pects of International Child Abduction (the “Hague
6 Convention”).

7 (6) The Hague Convention provides enumerated
8 defenses designed to provide protection to children
9 alleged to be subjected to a grave risk of physical or
10 psychological harm in the left-behind country.

11 (7) The Hague Convention by its own terms
12 would not apply to any abductions occurring before
13 Japan’s ratification of the Hague Convention, there-
14 fore necessitating that a separate protocol be estab-
15 lished to immediately address the existing abduction
16 cases of all United States children wrongfully re-
17 moved to and currently retained in Japan.

18 (8) According to the Department of State’s
19 April 2009 Report on Compliance with the Hague
20 Convention on the Civil Aspects of International
21 Child Abduction, abducted children are at risk of se-
22 rious emotional and psychological problems and have
23 been found to experience anxiety, eating problems,
24 nightmares, mood swings, sleep disturbances, ag-
25 gressive behavior, resentment, guilt, and fearfulness,

1 and as adults may struggle with identity issues,
2 their own personal relationships, and parenting.

3 (9) Left-behind parents may encounter substan-
4 tial psychological, emotional, and financial problems,
5 and many may not have the financial resources to
6 pursue civil or criminal remedies for the return of
7 their children in foreign courts or political systems.

8 (b) SENSE OF CONGRESS.—It is the sense of Con-
9 gress that—

10 (1) the Hague Convention on the Civil Aspects
11 of International Child Abduction (the “Hague Con-
12 vention”), if ratified by Japan, will not provide for
13 the resolution of the existing cases involving the ab-
14 ductions of more than 156 United States children to
15 Japan;

16 (2) the United States, by way of a memo-
17 randum of understanding with the Government of
18 Japan, and through all other appropriate means,
19 should seek the immediate return of all United
20 States children **wrongfully removed to or retained in**
21 Japan;

22 (3) the Secretary of State should take any and
23 all other appropriate measures to ensure that left
24 behind parents with United States children wrong-

- 1 fully removed or retained in Japan, have direct ac-
- 2 cess and communications with their children.

