



Tom Lantos Human Rights Commission Hearing

The Goldman Act at Five Years

Thursday, July 25, 2019

2:00 – 3:30 p.m.

2255 Rayburn House Office Building

Opening remarks as prepared for delivery

Good afternoon. I join Co-Chair Chris Smith in welcoming you to this Tom Lantos Human Rights Commission hearing on the issue of international child abduction and the implementation of The Goldman Act, five years after its passage. I especially thank the witnesses for joining us today; we very much appreciate your participation.

Let me also apologize in advance because my schedule does not permit me to stay for the full hearing.

The first-ever congressional hearing on the issue of international child abduction was held by this Commission in December 2009.

At that time, the U.S. had been a contracting party to the Hague Convention on the Civil Aspects of International Abduction for just over ten years¹ and the Goldman Act did not yet exist. The State Department then was working to resolve over 2,000 cases of children who had been abducted from the United States or wrongfully detained while abroad. These were cases where an American parent was denied even the most basic of parental rights, the right to freely contact their child, to visit them and to see the child develop.

Today, thanks in part to the Goldman Act, we have more tools and protocols in place to address these cases from the U.S. side, and the trends seem to be going in the right direction. According to the State Department's [reporting](#), the number of children abducted in 2018 was

¹ The convention entered into force for the U.S. on July 1, 1988.

about half of the number in 2009, and nearly 90% of the cases are closed within a two-year time period. So, there is some good news.

But there are still hundreds of children and hundreds of parents who are caught in the legal morass of competing judicial systems, intermeshed with differences in cultural and social expectations, nationalistic attitudes and gender stereotypes. Parents' life savings continue to disappear in court costs while their children grow up without them. Even one of these cases is too many.

We are here today to discuss what more can be done to help resolve these cases - and specifically what more Congress could or should do toward this end.

I am particularly interested in proposals with regard to the six countries that have demonstrated a pattern of non-compliance for each of the last six years: Argentina, Brazil, Ecuador, Peru, India and Jordan. All four Latin American countries are contracting parties to the Hague Convention, while Jordan has a Memorandum of Understanding with the United States. India, on the other hand, has no protocols in place.

The U.S. has good relations with and provides aid to all of these countries. Do we have leverage with that we could be using more effectively?

Let me close with the following observation. The Hague Convention suffers from a weakness that is common to international treaties: it lacks a supra-national enforcement mechanism. Like all treaties, it depends on the political will and good faith of the contracting governments for its effectiveness. But no one argues that the world would be better off without the Convention – the debate is how to make it more effective, not less.

I mention this because we are living in a moment when some leaders argue that international treaties, including human rights treaties, are a bad thing. The Hague Convention is a good example of how wrong that thinking is. When problems transcend U.S. borders, we need international cooperation to solve them.

In the case of international child abduction, we need more international cooperation and more political will on the part of governments to fix the problem – **not** less. Every step we take to reduce the instance of international child abduction is a step toward greater protection of the human rights of children. We need to do everything we can.

Thank you and I look forward to hearing from the witnesses.