

**Annual Report on
International Child Abduction
2022**



REPORT ON COMPLIANCE WITH
THE HAGUE CONVENTION ON THE CIVIL ASPECTS OF
INTERNATIONAL CHILD ABDUCTION
MAY 2022

SUBMITTED PURSUANT TO
THE SEAN AND DAVID GOLDMAN
INTERNATIONAL CHILD ABDUCTION
PREVENTION AND RETURN ACT OF 2014
22 U.S.C. §9111, ET SEQ.



United States Department of State

Secretary of State

Washington, D.C. 20520

MESSAGE FROM THE SECRETARY OF STATE

Dear Reader,

The Department of State is committed to protecting the safety and well-being of U.S. citizens overseas, especially our most vulnerable citizens – children. We take seriously our responsibilities to lead U.S. efforts to resolve and prevent cases of international parental child abduction, and to meet our treaty obligations under the Hague Convention of 25 October 1980 on the Civil Aspects of International Child Abduction (the Convention). Within the Department, the Office of Children’s Issues in the Bureau of Consular Affairs serves as the U.S. Central Authority for the Convention. The Office’s dedicated staff works closely with other offices in the Department, our interagency partners, foreign counterparts, and other stakeholders in pursuit of our common goals of preventing and resolving cases of international parental child abduction.

We strongly believe that the Convention, when properly implemented, provides a critical legal mechanism for resolving cases of international parental child abduction. The Convention operates on a straightforward premise: that a child involved in an international parental abduction should generally be returned promptly to his or her country of habitual residence, where a competent authority is best able to decide custody matters. Working with our Embassies and Consulates overseas, we actively engage with foreign governments to encourage them to join the Convention, and then to fulfill their treaty obligations. In 2021, we welcomed the Seychelles as our newest treaty partner, and began ongoing discussions with the Seychelles’ Central Authority about both preventing and resolving international child abductions between our countries. Unfortunately, there are countries that are reluctant to join the Convention and others which, although treaty partners, fail to live up to their commitments for various reasons. While we seek to support and assist these countries in meeting their treaty obligations through technical assistance, training, and information sharing, we also hold them accountable, as evidenced in this report.

The ongoing COVID-19 global pandemic continues to make our efforts especially challenging. Every country included in this report and every family with an abduction or access case experienced to some degree the effects of this pandemic and the measures imposed by countries to prevent its spread. Parents risking their health to travel overseas for court proceedings or access to their children often faced not only health risks but also administrative delays, court closures, cancelled flights, travel restrictions, and quarantine requirements upon arrival. Many countries’ central authorities conducted this important work on behalf of children in a virtual environment for a second year. Court hearings also sometimes took place virtually rather than in-person. Our evaluation of country performance, including our citation of countries for patterns of noncompliance, uses the standards defined in the Sean and David Goldman

International Child Abduction Prevention and Return Act of 2014 (the Act), and seeks to separate the wide-ranging impacts of COVID-19 from that country's performance measures. Despite some progress, during 2021 some countries demonstrated a pattern of noncompliance as defined in the Act. This report cites 15 such countries.

We owe it to the children and families involved to strengthen our efforts to resolve and prevent international parental child abduction. I am committed, as are my colleagues in the Office of Children's Issues and embassies and consulates around the world, to encouraging these countries to take more effective measures to resolve cases of international parental child abduction and, in the cases of treaty partners, to live up to their legal obligations. I trust that this report will be a valuable resource for Congress, parents, attorneys, judges, and law enforcement officers.

Sincerely,

Antony J. Blinken
Secretary of State

Korea, Republic of

Country Summary: The Convention has been in force between the United States and the Republic of Korea since 2013. In 2021, the Republic of Korea demonstrated a pattern of noncompliance. Specifically, Korean law enforcement authorities regularly failed to enforce return orders in abduction cases. As a result of this failure, 50 percent of requests for the return of abducted children under the Convention remained unresolved for more than 12 months. On average, these cases were unresolved for one year and seven months.

Initial Inquiries: In 2021, the Department received two initial inquiries from parents regarding possible abductions to the Republic of Korea for which no completed applications were submitted to the Department.

	Cases	Children	Cases	Children
	2020	2020	2021	2021
Abduction cases open at the start of the year	4	4	5	7
New abduction cases	3	5	1	1
Total abduction cases	7	9	6	8
Abduction cases resolved during the year	2	2	3 (50%)	3
Abduction cases closed during the year	0	0	0 (0%)	0
Abduction cases still open at the end of the year	5	7	3 (50%)	5

Central Authority: The U.S. and the Republic of Korea Central Authorities have a productive relationship that facilitates the resolution of abduction cases under the Convention.

	Cases	Children	Cases	Children
	2020	2020	2021	2021
Abduction cases filed with the FCA at the start of the year	4	4	5	7
New cases filed with the FCA	2	4	1	1
Total cases on file with the FCA during the year	6	8	6	8
Cases that have been unresolved for over 12 months	2	2	3	5
FCA caseload unresolved at the end of the year	33%		50%	

Voluntary Resolution: The Convention states that central authorities “shall take all appropriate measures to secure the voluntary return of the child or to bring about an amicable resolution of the issues.” In 2021, one abduction case was resolved through voluntary means.

Location: The competent authorities regularly took appropriate steps to locate children after a Convention application was filed. On average, it took less than one week to locate a child.

Judicial Authorities: The judicial authorities of the Republic of Korea routinely ordered the return of children in Convention cases; however, cases were generally pending with the Korean judiciary authorities for over one year. Additionally, while courts in the Republic of Korea ordered the return of children in Convention cases, the need for multiple enforcement proceedings resulted in delays.

Enforcement: While courts in the Republic of Korea ordered the return of children under the Convention, decisions for return were generally not enforced, including one case that was pending for more than two years as of December 31, 2021. There was one case (accounting for 33 percent of the unresolved cases) that has been pending for more than 12 months in which law enforcement has failed to enforce a return order. Additionally, left-behind parents can spend months in legal proceedings seeking to enforce the return order resulting in delays to return. Unless the taking parent voluntarily complied with a return order under the Convention, judicial decisions in Convention cases were not enforced in 2021, which contributed to a pattern of noncompliance.

Department Recommendations: The Department will continue intense engagement with the Korean authorities to address issues of concern.