# Resolution on the international and domestic parental abduction of EU children in Japan

2020/2621(RSP) - 08/07/2020 - Text adopted by Parliament, single reading

The European Parliament adopted by 686 votes to 1, with 8 abstentions, a resolution on the international and domestic parental abduction of EU children in Japan.

During its meeting of 19 February 2020, the Committee on Petitions discussed several petitions concerning parental child abduction and visiting rights involving couples of mixed nationality, where one partner is an EU national and the other Japanese. The significant number of unsolved parental child abduction cases where one of the parents is an EU national and the other is a Japanese national is alarming.

Those petitions raised concerns over Japan's poor record in the enforcement of court decisions to return children under the 1980 Hague Convention proceedings and over the lack of means to enforce the access and visiting rights, thus preventing EU parents from maintaining a meaningful relationship with their children residing in Japan. One of the main objectives of the 1980 Hague Convention is to protect children from the harmful effects of parental child abduction by establishing procedures to ensure the child's prompt return to the state of habitual residence immediately before their abduction.

Child abduction cases require swift handling as the passage of time can have long-term adverse consequences for the child and for the future relationship between the child and the left-behind parent.

Parliament regretted that Japan, as a strategic partner of the EU, does not appear to be complying with international rules in cases of child abduction. It stressed that the country's legal framework should be improved so that, for instance, decisions handed down by the Japanese and other courts of relevant countries in procedures under the 1980 Hague Convention on the return of the child are enforced in Japan effectively.

The resolution stressed that all child-protection systems should have transnational and cross-border mechanisms in place, which take into account the specificities of cross-border conflicts. Furthermore, Parliament suggested that a European citizen-friendly informational support platform should be established so as to provide assistance to parents in cross-border family disputes, in conjunction with the Hague Conference (e.g. completion of the e-Justice portal with information on parental child abduction in third countries and on other children's rights).

The Japanese authorities are urged to:

- enforce effectively court decisions on access and visiting rights granted to left-behind parents and on the latter maintaining meaningful contact with their children who reside in Japan;

- follow international recommendations to introduce the necessary changes to the country's legal system and put in place the possibility for shared or joint custody after the dissolution of the parents' relationship in order to bring their domestic laws into line with their international commitments;

- better cooperate with the EU and to enable the effective enforcement of the access and visiting rights granted by court decisions to left-behind parents.

The Council is called on to enhance cooperation between the child abduction alert systems with cross-border implications established in the Member States, to work with the Commission on setting up child

alert mechanisms where they are missing, and to report on the conclusion of the relevant cooperation agreements dealing with cross-border abduction cases.

For their part, Member States should:

- communicate, via their foreign ministries and embassies' websites in Japan, the risk of child abduction in the country and about the behaviour of the Japanese authorities on this matter;

- put pressure on the Japanese authorities to implement fully their obligations under international legislation on child protection.