
HOUSE CONCURRENT RESOLUTION

EXPRESSING THE HAWAII STATE LEGISLATURE'S SUPPORT OF JAPAN'S
EFFORTS TO ADDRESS THE ISSUE OF INTERNATIONAL CHILD
ABDUCTION IN JAPAN.

1 WHEREAS, Japan has not ratified the Hague Convention of 25
2 October 1980 on the Civil Aspects of International Child
3 Abduction (Hague Convention); and
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5 WHEREAS, according to the Hague Convention, the purpose of
6 the treaty is to ". . . protect children internationally from
7 the harmful effects of their wrongful removal or retention and
8 to establish procedures to ensure their prompt return to the
9 State of their habitual residence, as well as to secure
10 protection for rights of access . . ."; and
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12 WHEREAS, member states of the Treaty agree to restore
13 wrongfully removed children to their pre-abduction status quo,
14 which is done by returning abducted children to their country of
15 habitual residence to resolve any custody disputes; and
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17 WHEREAS, Japan is the only member of the G8 industrialized
18 nations, which also includes the United States, France, Britain,
19 Germany, Italy, Russia, and Canada, that has not adopted the 32
20 year old Treaty, which, as of March 2013, has been signed by 89
21 other United Nations member states; and
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23 WHEREAS, over the past several decades, international
24 marriage rates have been climbing and currently there are over
25 30,000 marriages registered a year between Japanese nationals
26 and foreigners; and
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28 WHEREAS, according to some estimates, there are over
29 160,000 foreign parents who are separated or divorced from their



1 Japanese spouses and are unable to gain legal access to or
2 contact their children living in Japan; and
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4 WHEREAS, as of January 2011, the United States has 100
5 ongoing reported cases involving 140 United States children
6 being wrongfully abducted to Japan, which does not include the
7 large number of child abduction cases that go unreported; and
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9 WHEREAS, in 2012, the United States State Department
10 reported 10 new cases involving 12 United States children that
11 have been wrongfully abducted to Japan; and
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13 WHEREAS, there are no laws that compel the Japanese
14 government to return children who have been wrongfully abducted
15 by their Japanese parent; and
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17 WHEREAS, foreign parents who choose to fight for legal
18 custody and access to their abducted children must do so in the
19 Japanese court system, and as of March 2013, the United States
20 State Department reports that there is no record of cases that
21 have been resolved successfully through favorable Japanese court
22 orders; and
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24 WHEREAS, Japan and the State of Hawaii share an intimate
25 historical, social, cultural, economic, and political
26 relationship, and according to the Consulate General of Japan at
27 Honolulu, as of October 1, 2011, there are 18,529 Japanese
28 nationals living in Hawaii; and
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30 WHEREAS, in the February 2013 meeting between Japan's Prime
31 Minister Shinzo Abe and President Barack Obama, Prime Minister
32 Abe indicated Japan's willingness to join the Treaty; and
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34 WHEREAS, currently, a bill calling for Japan to join the
35 Treaty has been submitted to the Japanese Diet for
36 consideration; now, therefore,
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38 BE IT RESOLVED by the House of Representatives of the
39 Twenty-seventh Legislature of the State of Hawaii, Regular
40 Session of 2013, the Senate concurring, that the Legislature
41 expresses its support for Japan's efforts to address
42 international child abduction in Japan through joining the
43 Treaty and supports Japan's ascension to the Treaty; and



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1 BE IT FURTHER RESOLVED that the Legislature supports the
2 recent efforts taken by the Japanese government to ratify the
3 Treaty; and
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5 BE IT FURTHER RESOLVED that the Legislature affirms that as
6 a State it does not condone international child abduction and
7 will work to raise awareness regarding the wrongful abduction
8 and retention of international children in Japan; and
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10 BE IT FURTHER RESOLVED that certified copies of this
11 Concurrent Resolution be transmitted to the United States
12 Secretary of State, United States Attorney General, Japan's
13 Ambassador to the United States, Japan's Minister for Foreign
14 Affairs, Consulate General of Japan in Honolulu, Governor of the
15 State of Hawaii, and the Mayors of the Counties of Kauai,
16 Hawaii, and Maui, and the City and County of Honolulu.
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OFFERED BY: Calvin K. Day
MAR 13 2013