

---

---

## HOUSE 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  
4

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  
11

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  
16

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  
22

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  
27

28           WHEREAS, according to some estimates, there are over  
29 160,000 foreign parents who are separated or divorced from their  
30 Japanese spouses and are unable to gain legal access to or  
31 contact their children living in Japan; and



1           WHEREAS, as of January 2011, the United States has 100  
2 ongoing reported cases involving 140 United States children  
3 being wrongfully abducted to Japan, which does not include the  
4 large number of child abduction cases that go unreported; and  
5

6           WHEREAS, in 2012, the United States State Department  
7 reported 10 new cases involving 12 United States children that  
8 have been wrongfully abducted to Japan; and  
9

10           WHEREAS, there are no laws that compel the Japanese  
11 government to return children who have been wrongfully abducted  
12 by their Japanese parent; and  
13

14           WHEREAS, foreign parents who choose to fight for legal  
15 custody and access to their abducted children must do so in the  
16 Japanese court system, and as of March 2013, the United States  
17 State Department reports that there is no record of cases that  
18 have been resolved successfully through favorable Japanese court  
19 orders; and  
20

21           WHEREAS, Japan and the State of Hawaii share an intimate  
22 historical, social, cultural, economic, and political  
23 relationship, and according to the Consulate General of Japan at  
24 Honolulu, as of October 1, 2011, there are 18,529 Japanese  
25 nationals living in Hawaii; and  
26

27           WHEREAS, in the February 2013 meeting between Japan's Prime  
28 Minister Shinzo Abe and President Barack Obama, Prime Minister  
29 Abe indicated Japan's willingness to join the Treaty; and  
30

31           WHEREAS, currently, a bill calling for Japan to join the  
32 Treaty has been submitted to the Japanese Diet for  
33 consideration; now, therefore,  
34

35           BE IT RESOLVED by the House of Representatives of the  
36 Twenty-seventh Legislature of the State of Hawaii, Regular  
37 Session of 2013, that this body expresses its support for  
38 Japan's efforts to address international child abduction in  
39 Japan through joining the Treaty and supports Japan's ascension  
40 to the Treaty; and



1 BE IT FURTHER RESOLVED that this body supports the recent  
2 efforts taken by the Japanese government to ratify the Treaty;  
3 and

4  
5 BE IT FURTHER RESOLVED that this body affirms that as a  
6 State it does not condone international child abduction and will  
7 work to raise awareness regarding the wrongful abduction and  
8 retention of international children in Japan; and

9  
10 BE IT FURTHER RESOLVED that certified copies of this  
11 Resolution be transmitted to the United States Secretary of  
12 State, United States Attorney General, Japan's Ambassador to the  
13 United States, Japan's Minister for Foreign Affairs, Consulate  
14 General of Japan in Honolulu, Governor of the State of Hawaii,  
15 and the Mayors of the Counties of Kauai, Hawaii, and Maui, and  
16 the City and County of Honolulu.

17  
18  
19

OFFERED BY:

Calvin K. M. Day  
MAR 13 2013

